

City of Bloomington Common Council

Legislative Packet

Wednesday, 31 August 2016

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

For legislation and background material regarding Ordinance 16-12, please see the [15 June 2016 Legislative Packet](#).

All other legislation and material contained herein.

Office of the Common Council
P.O. Box 100
401 North Morton Street
Bloomington, Indiana 47402
812.349.3409
council@bloomington.in.gov
<http://www.bloomington.in.gov/council>



Packet Related Material

Memo
Agenda
Calendar

Notices and Agendas:

- **Notice of Change in Start Time** – the Regular Session on Wednesday, August 31st will Start at 6:30 pm

Legislation for Second Reading:

- **Res 16-12** To Confirm Resolution 16-11 which Designated an Economic Revitalization Area, Approved a Statements of Benefits, and Authorized a Period of Tax Abatement for Real Property Improvements - Re: Properties at 405 S. Walnut Street; 114, 118, and 120 E. Smith Avenue; and 404 S. Washington Street (H.M. Mac Development, LLC, Petitioner)
 - Statement of Benefits;
 - Insert – Listing and online link to materials presented in a previous packet;
 - Possible Am 01 (Cms. Piedmont-Smith and Volan)
 - See Draft Minutes for the July 13, 2016 Regular Session (*later in this packet*)

*Contact: Linda Williamson at (812) 349-3477, williali@bloomington.in.gov
Jason Carnes at (812) 349-3419, carnesj@bloomington.in.gov*

Please see the Weekly [Council Legislative Packet](#) prepared for the June 29, 2016 Regular Session for the initial materials and summary of the proposal.

- **Res 16-13** To Vote in Favor of a Distribution of Public Safety Local Income Tax to Fire Departments and Volunteer Fire Departments that are Operated by or Serve Political Subdivisions Not Otherwise Entitled to Receive a Distribution of Public Safety Local Income Tax

- o Memo to Council from Susan Sandberg (as Chair of PS LIT Allocation Committee)
- o Memo to Council from Philippa Guthrie, Corporation Counsel
- o Applications for Funds

Contact: Susan Sandberg, sandbers@bloomington.in.gov

Philippa Guthrie at 812-349-3426, guthriep@bloomington.in.gov

Thomas Cameron at 812-349-3426 or cameront@bloomington.in.gov

- **Ord 16-12** – To Vacate Public Parcels- Re: Two 12-Foot Wide Alley Segments and Two Fifty-Foot Wide Street Segments Located at the Northwest Corner of West 11th Street and North Rogers Street (Duke Energy, Petitioner)

- o Summary sheet reviewing and linking background material issued in the [15 June 2016 Legislative Packet](#).

Contacts: Christy Langley at 812-349-3423, langleyc@bloomington.in.gov

Chris Sturbaum at 812-336-9171, sturbauc@bloomington.in.gov

Legislation and Background Material for First Reading at the Regular Session and Discussion at the Committee of the Whole on Wednesday, August 31st:

- **Ord 16-19** To Rezone a Property from Commercial General (CG) to Commercial Arterial (CA) - Re: 3380, 3440, and 3480 W. Runkle Way - (VMP Development, Petitioner)
 - o Certificate of Action (8/8/16) - Positive Recommendation: 7 – 0
 - o Maps of site and surrounding uses
 - o Aerial photo of the site
 - o Map of GPP Designation of Site and Surrounding Area
 - o Memo to Council from Eric Greulich, Zoning Planner
 - o August 8, 2016 Plan Commission Materials
 - *(Staff Report – not included since it repeats what's in the Memo to the Council)*
 - Petitioner's Statement
 - Proposed Site Plan *(for revision and subsequent submittal)*
 - Trip Generation Comparisons

Contact: Eric Greulich at 812-349-3526, greulice@bloomington.in.gov

Minutes from Regular and Special Sessions:

- August 26, 2016 – Special Session
- July 13, 2016 – Regular Session
- July 12, 2016 – Special Session
- October 3, 2001 – Regular Session
- December 19, 2001 - Regular Session
- January 3, 2000 - Organizational Session

Memo

Regular Session will Start at 6:30 pm and be Followed by Committee of the Whole on Wednesday, August 31st

- Consideration of Res 16-13 will Commence at 7:30 pm

There are two meetings scheduled for next Wednesday evening. The first is a Regular Session that will begin at 6:30 pm and the second is a Committee of the Whole that will immediately follow the Regular Session. Three items are listed for consideration at the Regular Session under Second Readings and Resolutions. All three were either carried over from July or foreseen as a result of motions made in July. Two can be found online as indicated above and the third, **Res 16-13**, regarding the allocation of Public Safety Local Income Tax (PS LIT), can be found in this packet and is briefly mentioned in the summary herein.

In accordance with the notice of the associated public hearing, the Agenda anticipates that the Council will take up this resolution at 7:30 pm and recommence the normal order of business once that deliberation concludes.

There is one item that is ready to be introduced at the Regular Session and discussed at the Committee of the Whole. That piece of legislation is included in this packet and summarized herein.

Second Readings and Resolutions

Item One – Res 16-12 – Confirming Res 16-11 which designated an Economic Revitalization Area, Approved a Statement of Benefits, and Authorized a Three-Year Period of Abatement for Property at the South East Corner of Smith Avenue and South Walnut Street (H.M. Mac Development, LLC, Petitioner)

The first item under Second Readings and Resolutions is Res 16-12. It is known as a confirmatory resolution and affirms Res 16-11 (known as the declaratory resolution), which designated an economic revitalization area, approved a statement of benefits, and after an amendment by the Council, authorized a three-year period of tax abatement for the redevelopment of the property located at the south east corner of Smith Avenue and South Walnut Street at the request of H.M. Mac Development, LLC, Petitioner. Please see an insert after the resolution in this packet for a list of materials included in a previous packet and a link to those materials.

The redevelopment would entail an investment of about \$11.5 million for the construction of two four-story mixed use buildings at the site of the Chocolate Moose. The uses would include about 8,000 sf of retail or commercial space (including an area for the Chocolate Moose with a walk-up window along South Walnut Street) and 54 residential units targeted to non-students and, more importantly, containing 5 (out of 51) units (or 7 out of 146 bedrooms) of workforce housing units for persons working full-time, but making less than the living wage whose rent would be capped at 30% of their income.

Please note that the declaratory resolution was adopted on July 13th along with Ord 16-17, which designated the site as an Economic Development Target Area (EDTA), thereby allowing tax abatement for the residential component of the project.

As a result of an amendment by the Council, the tax abatement will be for a period of three years (rather than five years) and will entail an estimated payment of \$239,722 and an estimated saving of \$472,324 in property taxes by the Petitioner.

Please also note that the public comment on this agenda item serves as the legally-advertised public hearing on this legislation.

Possible Amendment (from Councilmembers Piedmont-Smith and Volan)

Please note that Cms. Piedmont-Smith and Volan are exploring with the petitioner an amendment that would exchange a longer period (and perhaps a higher amount) of abatement for more workforce housing. Recognizing the precedent this incentive may set in the future, these Council members were interested in dedicating 10% of the *bedrooms* (~14) rather than 10% of the *units* (5).

Item Two – Res 13-13 – Following Recommendations of the Allocation Committee of the Public Safety Local Income Tax Council Regarding Funding of Applicant Fire Departments in 2017
- **Consideration to Commence at 7:30 pm**

Unlike most entries in the Weekly Council Memo, this one will only offer an overview of the proposal and indicate where some of the information is set forth in the packet materials. It will not, as is usually done, summarize the proposal and material. This approach is taken partly due to lack of time and partly in order to focus on what is being asked of you next week rather than the steps in regard to the underlying tax that you will be asked to consider in the coming months.

This resolution brings forward the recommendations of the committee (Committee) created by the Local Income Tax (LIT) Council to distribute some of the Public Safety (PS) LIT revenues in 2017 to fire and volunteer fire departments who applied for funding under statute. Please see the Memo from Philippa Guthrie, Corporation Counsel, for a description of the eligibility for funding and the procedures necessary to distribute those tax revenues.

- Please know that the City Council must act before September 1st (along with steps taken by other bodies) in order for the recommendations to be in place for next year;
- For this reason, the agenda contemplates interrupting business at 7:30 pm next week to take up this legislation.

The Committee consisted of representatives of the four members of the LIT Council (City Council, Monroe County Council, Ellettsville Town Council, and Stinesville Town Council). It was established in order to meet a statutory obligation to review timely applications and then make whatever funding recommendations it deemed appropriate for consideration by the members.

The memo from Susan Sandberg, who chaired the Committee, provides a summary of the Committee representatives and manner of deliberations along with some thoughts about the process for next year. Representatives saw similarities to various grant processes they have created, where the requests typically greatly exceed available funds, but also noted that, in this case, there was more room to decide what funds would be available.

- Based upon actions taken in June by the various members of the LIT Council to impose the PS LIT, the Committee assumed that funds distributed to the eligible applicants would be taken off of the top of the new tax along with the 30% set aside for Central Dispatch, and the remainder would go to the four member taxing entities comprising the LIT Council.¹
- The Committee proposed distributions that amounted to 7.5% of estimated tax revenues.

Here are a list of the applicants, the amount of their requests, and the allocations recommended by the Committee:

<u>Applicant</u>	<u>Request</u>	<u>Recommendation</u>
Bean Blossom Stinesville Volunteer Fire Department Inc.	\$42,642 (Staffing and Equipment)	\$17,000
Benton Twp Volunteer Fire Department	\$80,608 (Staffing)	\$25,000
Northern Monroe County Fire Protection Territory	\$121,500 (Staffing and Vehicle)	\$25,000
Indian Creek Fire Fighters, Inc.	\$141,370 (Staffing, Operations, and Equipment)	\$30,000

¹ Please see the memo from Philippa Guthrie, Corporation Counsel, for some of the complexities arising from changes in statute which created parallel procedures for imposing and distributing tax revenues and will lead to a request to re-impose the PS LIT in the coming months.

Perry-Clear Creek Fire Protection District	\$283,679 (Staffing)	\$94,560
Ellettsville Fire Department	\$318,209.49 (Staffing)	\$90,000
Van Buren Township Fire Department	\$321,951.76 (Staffing)	\$60,000
Washington Township	\$50,000 (Capital –Fire Station)	* \$50,000

*Washington Township was ineligible for funds for lack of participation of a fire department; but, the resolution anticipates that political subdivisions will consider – to the extent permitted by law – working with this township to ensure their fire protection needs are adequately provided for.

Resolution

The resolution, in brief:

- Recites the history of the imposition of this tax and the review of the applications for funding;
- Notes that one application (see above) was ineligible for funding, but anticipates that political subdivisions will consider helping to ensure that their fire protection needs were adequately provided for;
- Casts the 59 votes of the City Council (as member of the LIT Council which, as a whole, has 100 vote) for the aforementioned allocations to take effect January 1, 2017;
- Declares that the resolution will have no effect if the underlying tax is not in place at that time and includes a severability clause; and
- Directs the Monroe County Auditor to takes steps under statute to inform the State of this local action.

Item Three – Vacation of Rights-of-Way (Duke Energy, Petitioner)

Ord 16-12 was postponed on July 13, 2016 to an additional reading on August 31. Recall, Ord 16-12 vacates two 12' alley segments and two 50'-wide street segments at the corner of 11th and Rogers. The petitioner for this vacation is Duke Energy who intends to construct an electrical substation facility at this site. During Council deliberations on the matter, neighbors and Councilmembers expressed concerns about the build out of this facility, including, but not limited to, the screening of the facility and the facility's influence on surrounding neighborhoods and the Trades District. The Petitioner indicated it was amenable to further discussion about the site plan and the Council President assigned Councilmember Sturbaum to serve as the Council's representative in negotiations. Councilmember Sturbaum, representatives from the City Administration, and Duke have engaged in a series of discussions following the Council's Third Reading of the ordinance on 13 July 2016. As a result of these negotiations, the Petitioner has agreed to certain commitments. These commitments will be memorialized in a Memorandum of Understanding between the City and Duke.

The MOU was still in the drafting process at the time this packet went to press. However, in brief, the primary commitments of the MOU include:

- Duke will construct an 18' wall surrounding the substation facility. The wall will be 6" thick, made of primarily concrete, will have the appearance of brick, and will be "brandywine" in color.
- Following substation completion and improvements, and any other necessary access and infrastructure needs, any remaining land on the substation site will be offered for sale for development purposes. (This is intended to accommodate the eventual siting of liner buildings).
- Duke will permit the City to install plants, trees and other landscaping on Duke property around the Substation and under or near transmission and distribution lines and to maintain such this landscaping.

These are the chief terms of the agreement. Other provisions refer to access points, setbacks, and drainage. A proposed MOU will be made available prior to the meeting on the 31st.

An amendment will be presented at the meeting on the 31st that recounts the history of the negotiations, states that parties negotiated in good faith, attaches the MOU to the ordinance, approves the MOU and authorizes the Mayor to execute the document on behalf of the City, and makes the ordinance effective upon both

1) the adoption of the ordinance and 2) the execution of the MOU between the parties.

**Item First Readings at Regular Session and
Discussion at the Committee of the Whole**

**One Item – Ord 16-19 – To Rezone 5.32 Acres of Land on West Runkle Way
from Commercial General (CG) to Commercial Arterial (CA)
to Ready Site for a Comfort Suites Hotel**

The one ordinance ready for First Reading at the Regular Session and discussion at the Committee of the Whole next week is **Ord 16-19**. It would rezone 5.32 acres of land along the north west side of West Runkle Way from Commercial General (CG) to Commercial Arterial (CA) at the request of VMP Development. The rezone would allow a hotel (Comfort Suites) contemplated by the petitioner along with a broader list of uses to fill out this primarily vacant site.

Site and Surrounding Uses The site is just west of Gates Drive and is surrounded by the County Planning Jurisdiction to the north (with a PSI substation) and commercial shopping centers to the east (Whitehall Crossing), south (Whitehall Park), and west.

Current Zoning and Uses It is zoned as Commercial General (CG) and divided into four lots. David's Bridal and associated parking occupy the lot next to Gates Drive and the remaining lots are to the west and vacant. There is an existing detention pond (that may be relocated should the hotel be built) and necessary right-of-way that would, at a later date, allow connection of Liberty Drive to Jonathan Drive along west side of the site.

Growth Policies Plan (GPP) The GPP designates a broad swath of property next to SR 37/I-69 as a Regional Activity Center (RAC) and the area to the west and along West 3rd as a Community Activity Center (CAC). As the names imply, the former anticipates motorists being drawn from a larger area than the latter, and having generally larger commercial spaces as well. In part because of its indirect access via West Runkle Way (a block-long local street) and Gates Drive (a Primary Collector) to West Third Street (a Primary Arterial) and the highway, this site was designated as a CAC.

Traffic Impacts A review of the materials and the Plan Commission

deliberations suggest that the site's current CG zoning was also probably influenced by its indirect access to the higher classification roadways. However, the prospect of a hotel which, according to trip generation reports (enclosed), do not produce as much traffic as other residential uses, and its location near I-69, helped persuade the Plan Commission to recommend the rezone from CG to CA.

Uses Under the Unified Development Ordinance, the change from a CG to a CA zoning would allow for an increase from medium to higher commercial scale activity. The deliberations at the Plan Commission focused on the broader set of uses allowed under the higher zoning and led the petitioner to agree to exclude certain uses and record that commitment. The memo from plan staff sets forth both a list of uses that would be allowed by the new zoning and uses that would be excluded by the petitioner.

Here's the list of excluded uses:

- Check cashing
- Convenience Store with gas or alternative fuels
- Country club
- Dwelling, single family (detached)
- Gasoline station
- Oil change facility
- Sexually oriented businesses
- Tattoo/piercing parlor
- Theater, indoor
- Transportation terminal

Recommendation: After a hearing on June 6th and listing on the Consent Agenda for August 8th, the Plan Commission voted 7 – 0 to recommend this rezone with two conditions:

- The site plan approval would occur at a later date; and
- The zoning commitment would be filed within 30 days of Council approval.

Council Review

The Council is required to vote on a rezoning proposal within ninety days of certification from the Plan Commission. The matter was certified to the Council on August 15, 2016. In the event the Plan Commission gives a proposal a favorable recommendation, but the Council fails to act within the ninety-day

window, the ordinance takes effect within ninety days after certification. (I.C. §36-7-4-608[f][4])

In reviewing a PUD proposal, State statute directs that the legislative body “shall pay reasonable regard” to the following:

- the comprehensive plan (the Growth Policies Plan);
- current conditions and the character of current structures and uses in each district;
- the most desirable use for which the land in each district is adapted;
- the conservation of property values throughout the jurisdiction; *and*
- responsible development and growth. (I.C. §36-7-4-603)

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL
REGULAR SESSION AND COMMITTEE OF THE WHOLE
6:30 P.M., WEDNESDAY, AUGUST 31, 2016
COUNCIL CHAMBERS,
SHOWERS BUILDING, 401 N. MORTON ST.**

REGULAR SESSION

I. ROLL CALL

II. AGENDA SUMMATION

- III. APPROVAL OF MINUTES:** August 25, 2016 (Special Session)
July 13, 2016 (Regular Session)
July 12, 2016 (Special Session)
December 19, 2001 (Regular Session)
October 03, 2001 (Regular Session)
January 03, 2000 (Organizational Session)

IV. REPORTS (A maximum of twenty minutes is set aside for each part of this section.)

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

V. LEGISLATION FOR SECOND READING AND RESOLUTIONS

1. Resolution 16-12 – To Confirm Resolution 16-11 Which Designated an Economic Revitalization Area, Approved a Statement of Benefits, and Authorized a Period of Tax Abatement for Real Property Improvements – Re: Properties at 405 S. Walnut Street; 114, 118, and 120 E. Smith Avenue; and 404 S. Washington Street (H.M. Mac Development, LLC, Petitioner)

Committee Recommendation *None*

2. Resolution 16-13 – To Vote in Favor of a Distribution of Public Safety Local Income Tax to Fire Departments and Volunteer Fire Departments that are Operated by or Serve Political Subdivisions not Otherwise Entitled to Receive a Distribution of Public Safety Local Income Tax

Committee Recommendation *None*
Council intends to begin discussion on this item at 7:30 pm

3. Ordinance 16-12 – To Vacate Public Parcels – Re: Two 12-foot Wide Alley Segments and Two Fifty-Foot Wide Street Segments Located at the Northwest Corner of West 11th Street and North Rogers Street (Duke Energy, Petitioner)

Introduced	15 June 2016		
Committee of the Whole Discussion	22 June 2016	Do Pass	0 - 3 - 5
Regular Session	29 June 2016	Postpone Until 13 July	9 - 0
Regular Session	13 July 2016	Postpone Until 31 August	8 – 0

VI. LEGISLATION FOR FIRST READING

1. Ordinance 16-19 – To Rezone a Property from Commercial General (CG) To Commercial Arterial (CA) – Re: 3380, 3440, and 3480 W. Runkle Way (VMP Development, Petitioner)

VII. COUNCIL SCHEDULE

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

COMMITTEE OF THE WHOLE

Chair: Allison Chopra

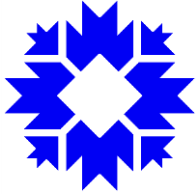
1. Ordinance 16-19 – To Rezone a Property from Commercial General (CG) To Commercial Arterial (CA) – Re: 3380, 3440, and 3480 W. Runkle Way (VMP Development, Petitioner)

Asked To Attend: Eric Greulich, Zoning Planner – Planning and Transportation Department
Representative of Petitioner

**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: 26 August 2016



City of Bloomington
Office of the Common Council

To Council Members
From Council Office
Re Weekly Calendar – 29 August – 03 September 2016

Monday, 29 August

2:30 pm Council for Community Accessibility – Work Session, Hooker Room
4:00 pm Council for Community Accessibility, McCloskey

Tuesday, 30 August

4:00 pm Bloomington Community Farmers' Market, Corner of Sixth Street and Madison Street
5:30 pm Plan Commission – Special Work Session, McCloskey

Wednesday, 31 August

6:30 pm Common Council – Regular Session followed by a Committee of the Whole, Chambers

Thursday, 01 September

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

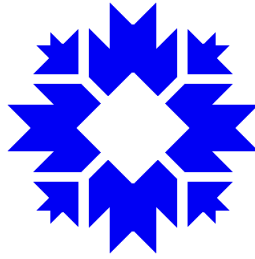
Friday, 02 September

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

Saturday, 03 September

8:00 am Bloomington Community Farmers' Market, Showers Common, 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.



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

NOTICE OF TIME CHANGE

The Common Council Regular Session and Committee of the Whole will begin at 6:30p, instead of 7:30p, in the Council Chambers at City Hall, 401 N. Morton.

RESOLUTION 16-12

TO CONFIRM RESOLUTION 16-11 WHICH DESIGNATED AN ECONOMIC REVITALIZATION AREA, APPROVED A STATEMENTS OF BENEFITS, AND AUTHORIZED A PERIOD OF TAX ABATEMENT FOR REAL PROPERTY IMPROVEMENTS

**- Re: Properties at 405 S. Walnut Street; 114, 118, and 120 E. Smith Avenue; and 404 S. Washington Street
(H.M. Mac Development, LLC, Petitioner)**

WHEREAS, H.M. Mac Development, LLC, (“Petitioner”) has filed an application for designation of the properties at 405 S. Washington Street; 114, 118, and 120 E. Smith Avenue; and 404 S. Washington Street, Bloomington, Indiana, and identified by the Parcel Numbers listed below, as an Economic Revitalization Area (“ERA”) pursuant to Indiana Code 6-1.1-12.1 *et seq.*; and

WHEREAS, the subject site is currently identified by the following Monroe County Parcel Numbers:

53-08-04-200-037.000-009 (Alt Parcel Num: 015-35020-00)
53-08-04-200-088.000-009 (Alt Parcel Num: 015-35010-00)
53-08-04-200-021.000-009 (Alt Parcel Num: 015-35030-00)
53-08-04-200-185.000-009 (Alt Parcel Num: 015-10000-00)
53-08-04-200-203.000-009 (Alt Parcel Num: 015-33130-00); and

WHEREAS, the Petitioner has also submitted a statement of benefits form to the Common Council regarding its real estate improvements; and

WHEREAS, according to this material, the Petitioner wishes to invest \$11.5 million to construct two four-story mixed use buildings, which will include approximately 8,000 square feet of retail or commercial space, and 54 residential units (the “Project”); and

WHEREAS, five of the residential units will be Workforce Housing Units, available to residents who hold a full time job (constituting at least thirty five hours per week) and make less than or equal to the Bloomington Living Wage, with rents that are based on thirty percent—the average percent of income that is used for housing—of the resident’s annual wages; and

WHEREAS, the Workforce Housing Units will be available for at least thirty (30) years; and

WHEREAS, as required by Indiana Code, Bloomington Municipal Code and a Memorandum of Understanding to be executed pursuant to the City of Bloomington Tax Abatement General Standards, the Petitioner shall agree to provide information in a timely fashion each year to the County Auditor and the Common Council showing the extent to which the Petitioner has complied with the Statement of Benefits, complied with the City of Bloomington’s Living Wage Ordinance (B.M.C. 2.28), and complied with commitments specified in the Memorandum of Understanding; and

WHEREAS, the Economic Development Commission has reviewed the Petitioner’s application and Statement of Benefits and passed Resolution 16-02 recommending that the Common Council designate the area as an ERA, approve the Statement of Benefits, and authorize a five-year period of abatement for the real estate improvements; and

WHEREAS, pursuant to Indiana Code § 6-1.1-12.1-3(b), the Common Council has investigated the area and reviewed the Application and Statement of Benefits, which are attached and made a part of this Resolution and has found the following:

- A. the estimate of the value of the redevelopment or rehabilitation is reasonable;
- B. the estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment or rehabilitation;
- C. the estimate of the annual salaries of these individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment or rehabilitation;
- D. the redevelopment or rehabilitation has received approval from the Planning Department, is consistent with the Growth Policies Plan, is expected to be developed and used in a manner that complies with local code, and provides housing in the downtown area; and
- E. the totality of benefits is sufficient to justify the deduction; and

WHEREAS, the Common Council has further found that the Project will not negatively impact the ability of the Consolidated Tax Increment Finance (TIF) district to meet its debt obligations; and

WHEREAS, the property described above has experienced a cessation of growth; and

WHEREAS, after a vote of the Common Council at its meeting on July 13, 2016 and subsequent signature by the Mayor, the City adopted Resolution 16-11, which designated the above property as an “Economic Revitalization Area,” approved the Statement of Benefits, and authorized a three (3) year period of tax abatement for real estate improvements;

WHEREAS, in conjunction with Resolution 16-11, the Common Council and Mayor also adopted Ordinance 16-17, which designated this site as an Economic Development Target Area (EDTA), as required by Indiana Code § 6-1.1-12.1-7(a) and as recommended by the EDC with adoption of its Resolution 16-01;

WHEREAS, the City Clerk published notice of the passage of Resolution 16-11, which requested that persons having objections or remonstrance to the designation, statement of benefits submission, and findings of fact appear before the Common Council at its meeting on August 31, 2016; and

WHEREAS, the Common Council has reviewed and heard all such objections and remonstrance to such designation;

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

1. Pursuant to Indiana Code § 6-1.1-12.1-1 *et seq.*, the Common Council hereby affirms its determination made in Resolution 16-11 that the area described above is an “Economic Revitalization Area” and that the totality of benefits of the Project entitle the owner of the property or its successor(s) to a deduction from the assessed value of the real estate improvements for a period of three (3) years.

2. Pursuant to Indiana Code § 6-1.1-12.1-17, the Common Council hereby sets the following abatement schedule for the Project for real estate improvements;

Year 1	100%
Year 2	66%
Year 3	33%

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

- a. the capital investment of at least \$11.5 million for real estate improvements shall be completed before or within twelve months of the completion date as listed on the application; and
- b. the land and improvements shall be developed and used in a manner that complies with local code; and
- c. the Workforce Housing Units shall be maintained for at least thirty (30) years; and
- d. Petitioner will comply with all compliance reporting requirements in the manner described by Indiana Code, Bloomington Municipal Code, and by the Memorandum of Understanding.

4. This designation shall expire no later than December 31, 2024, unless extended by action of the Common Council and upon recommendation of the Bloomington Economic Development Commission.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ___ day of _____, 2016.

ANDY RUFF, 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 _____, 2016.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2016.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This resolution confirms Resolution 16-11 and designates five parcels owned by H.M. Mac Development, LLC and known as 405 S. Walnut Street; 114, 118, and 120 E. Smith Avenue, and 404 S. Washington Street as an Economic Revitalization Area (ERA). This designation was recommended by the Economic Development Commission and will enable the proposed mixed use redevelopment project, which includes newly constructed retail/commercial and residential units, to be eligible for tax abatement. The resolution also approves a three -year period of abatement for real property improvements and sets its deduction schedule.



**STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R6 / 10-14)
Prescribed by the Department of Local Government Finance

20__ PAY 20__
FORM SB-1 / Real Property
PRIVACY NOTICE Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):
 Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
 Residentially distressed area (IC 6-1.1-12.1-4.1)

INSTRUCTIONS:

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body BEFORE the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
3. To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
4. A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
5. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

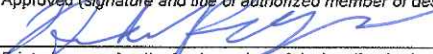

SECTION 1 TAXPAYER INFORMATION					
Name of taxpayer <i>H.M. Mac Development, LLC</i>					
Address of taxpayer (number and street, city, state, and ZIP code) <i>112 E. Third St. Bloomington, IN 47401</i>					
Name of contact person <i>Steven Hoffman</i>			Telephone number <i>(812) 333-2332</i>		E-mail address
SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT					
Name of designating body					Resolution number
Location of property <i>405 S. Walnut St. - 404 S. Washington</i>			County <i>Monroe</i>		DLGF taxing district number
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) <i>mixed use development including retail & multifamily</i>					Estimated start date (month, day, year) <i>11-2016</i>
					Estimated completion date (month, day, year) <i>7-2017</i>
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT					
Current number <i>10</i>	Salaries <i>400,000</i>	Number retained <i>10</i>	Salaries <i>400,000</i>	Number additional <i>5</i>	Salaries <i>165,000</i>
SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT					
			REAL ESTATE IMPROVEMENTS		
			COST		ASSESSED VALUE
Current values			<i>3,000,000</i>		
Plus estimated values of proposed project			<i>11,500,000</i>		
Less values of any property being replaced					
Net estimated values upon completion of project			<i>11,500,000</i>		
SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER					
Estimated solid waste converted (pounds) _____			Estimated hazardous waste converted (pounds) _____		
Other benefits					
SECTION 6 TAXPAYER CERTIFICATION					
I hereby certify that the representations in this statement are true.					
Signature of authorized representative <i>[Signature]</i>				Date signed (month, day, year) <i>6-8-16</i>	
Printed name of authorized representative <i>Steven Hoffman</i>			Title <i>MANAGER</i>		

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed 3 calendar years* (see below). The date this designation expires is no later than December 31, 2024.
- B. The type of deduction that is allowed in the designated area is limited to:
 1. Redevelopment or rehabilitation of real estate improvements Yes No
 2. Residentially distressed areas Yes No
- C. The amount of the deduction applicable is limited to \$ N/A.
- D. Other limitations or conditions (specify) Please see Council Res 16-11 & Res 16-12, application, and M.O.A. for further information.
- E. Number of years allowed: Year 1 Year 2 Year 3 Year 4 Year 5 (* see below)
 Year 6 Year 7 Year 8 Year 9 Year 10
- F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?
 Yes No
 If yes, attach a copy of the abatement schedule to this form.
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (signature and title of authorized member of designating body) 	Telephone number (812) 349-3409	Date signed (month, day, year) <u>8/25/2016</u>
Printed name of authorized member of designating body Andy Ruff, President	Name of designating body Bloomington Common Council	
Attested by (signature and title of attester) 	Printed name of attester Nicole Bolden, City Clerk	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

**IC 6-1.1-12.1-17
Abatement schedules**

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
 - (2) The number of new full-time equivalent jobs created.
 - (3) The average wage of the new employees compared to the state minimum wage.
 - (4) The infrastructure requirements for the taxpayer's investment.
- (b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
- (c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

Please see the Weekly [Council Legislative Packet](#) prepared for the June 29, 2016 Regular Session for the following materials and the summary of the proposal as presented in June and July of this year.

Material Regarding Tax Abatement for a Mixed Use Project at 405 South Walnut Street; 114, 118, and 120 East Smith Avenue; and, 404 South Walnut Street (H.M. Mac Development, LLC, Petitioner)

- Memo to Council from Linda Williamson, Director, and Jason Carnes, Assistant Director for Small Business, Economic and Sustainable Development Department
 - Map and Aerial Photo of Site and Surrounding Area;
 - Application for Tax Abatement;
 - Statement of Benefits for Abatement on Real Estate;
 - Estimate of Property Tax Calculations;
 - Building Elevations and Renderings from Above; and
 - Tax Abatement Program: General Standards.
- ***Introduction and Discussion on July 6th and Second Reading on July 13th - Res 16-11 To Designate an Economic Revitalization Area, Approve the Statements of Benefits, and Authorize a Period of Abatement for Real Property Improvements - Re: Properties at 405 S. Walnut Street; 114, 118, and 120 E. Smith Avenue; and 404 S. Washington Street (H.M. Mac Development, LLC, Petitioner)***
 - ***First Reading on June 29th, Discussion on July 6th, and Second Reading on July 13th - Ord 16-17 To Designate an Economic Development Target Area (EDTA) - Re: Property Located at 405 S. Walnut Street; 114, 118, and 120 E. Smith Avenue; and 404 S. Washington Street and Identified by the Monroe County Parcel ID Numbers 015-35020-00, 015-35010-00, 015-35030-00, 015-10000-00, 015-33130-00 (H.M. Mac Development, LLC, Petitioner)***

Please note that, in addition to the above, the draft Minutes for the July 13th Regular Session of the Council are enclosed in today's packet for approval.

RESOLUTION 16-13

TO VOTE IN FAVOR OF A DISTRIBUTION OF PUBLIC SAFETY LOCAL INCOME TAX TO FIRE DEPARTMENTS AND VOLUNTEER FIRE DEPARTMENTS THAT ARE OPERATED BY OR SERVE POLITICAL SUBDIVISIONS NOT OTHERWISE ENTITLED TO RECEIVE A DISTRIBUTION OF PUBLIC SAFETY LOCAL INCOME TAX

WHEREAS, the Monroe County Income Tax Council has previously imposed a County Option Income Tax in Monroe County (“County”) under Indiana Code 6-3.5-6; and

WHEREAS, the Indiana General Assembly has consolidated and simplified the various local income tax laws, including the County Option Income Tax, into a uniform law (“Local Income Taxes”) under Indiana Code 6-3.6; and

WHEREAS, the Local Income Taxes will apply to the distribution and allocation of revenue after December 31, 2016; and

WHEREAS, Indiana Code § 6-3.6-6-8 permits Local Income Tax collections to be used for public safety purposes (“Public Safety Local Income Tax”); and

WHEREAS, both Indiana Code § 6-3.6-6-8(d), and the predecessor provision Indiana Code § 6-3.5-6-31(m), allow 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 receive a distribution of Public Safety Local Income Tax to apply for a distribution of Public Safety Local Income Tax; and

WHEREAS, several fire departments and volunteer fire departments have applied for a distribution of Public Safety Local Income Tax in 2017; and

WHEREAS, a committee of the Local Income Tax Council was formed to consider those applications; and

WHEREAS, the committee has made a recommendation that the following distributions of Public Safety Local Income Tax be made:

Bean Blossom Stinesville Volunteer Fire Department Inc.	\$17,000
Benton Township Volunteer Fire Department	\$25,000
Northern Monroe County Fire Protection Territory	\$25,000
Indian Creek Fire Fighters, Inc.	\$30,000
Washington Township	\$50,000
Van Buren Township Fire Department	\$60,000
Ellettsville Fire Department	\$90,000
Perry-Clear Creek Fire Protection District	\$94,560; and

WHEREAS, Washington Township has requested funds to build a fire station west of I-69, but because Washington Township is not a fire department or volunteer fire department, Washington Township is not eligible to receive a distribution of Public Safety Local Income Tax in 2017 under Indiana Code § 6-3.6-6-8(d); and

WHEREAS, this Resolution contemplates that the political subdivisions within the County will consider—to the extent permitted by law—working with Washington Township to ensure their fire protection needs are adequately provided for; and

WHEREAS, the Bloomington Common Council has published notice in accordance with Indiana Code 5-3-1 and Indiana Code 6-3.5-3.

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

SECTION I. The City of Bloomington by its Common Council casts its 59 votes for the following resolution of the Monroe County Local Income Tax Council:

**A RESOLUTION OF THE MONROE COUNTY LOCAL INCOME TAX COUNCIL
APPROVING A DISTRIBUTION OF PUBLIC SAFETY LOCAL INCOME TAX TO
FIRE DEPARTMENTS AND VOLUNTEER FIRE DEPARTMENTS NOT OTHERWISE
ENTITLED TO RECEIVE A DISTRIBUTION OF PUBLIC SAFETY LOCAL INCOME
TAX**

BE IT RESOLVED BY THE MONROE COUNTY LOCAL INCOME TAX COUNCIL:

1. a. The Monroe County Local Income Tax Council approves a distribution of Public Safety Local Income Tax in 2017 to the following fire departments and volunteer fire departments, pursuant to Indiana Code § 6-3.5-6-8(d):
 - i. Bean Blossom Stinesville Volunteer Fire Department Inc., \$17,000
 - ii. Benton Township Volunteer Fire Department, \$25,000
 - iii. Northern Monroe County Fire Protection Territory, \$25,000
 - iv. Indian Creek Fire Fighters, Inc., \$30,000
 - v. Van Buren Township Fire Department, \$60,000
 - vi. Ellettsville Fire Department, \$90,000
 - vii. Perry-Clear Creek Fire Protection District, \$94,560
- b. In the event that there is no Local Income Tax rate associated with Public Safety in effect on January 1, 2017, the distributions provided in Section 1(a), above, shall have no effect.
2. Pursuant to Indiana Code § 6-3.6-3-3, this resolution shall take effect on January 1, 2017.
3. The Monroe County Auditor shall record all votes taken on this resolution and immediately send a certified copy of the results to the Indiana Department of Revenue, State Budget Agency, and Department of Local Government Finance by certified mail.
4. 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 II. 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 _____ 2016.

ANDY RUFF, 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 _____, 2016.

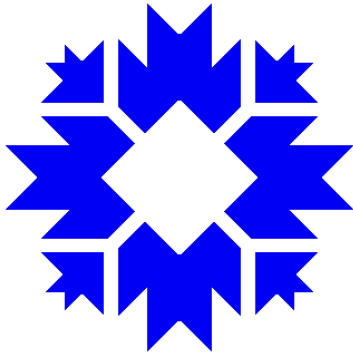
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2016.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

The Monroe County Local Income Tax Council consists of four members: (1) the City of Bloomington, (2) the Town of Ellettsville, (3) the Town of Stinesville, and (4) Monroe County. Before July 1, 2016, several fire departments and volunteer fire departments—all of which serve political subdivisions that would not receive a distribution of Public Safety Local Income Tax in 2017—filed applications with the Monroe County Local Income Tax Council seeking distributions of Public Safety Local Income Tax for 2017. The Monroe County Local Income Tax Council formed a committee to review and consider those applications and, upon the completion of that review and consideration, to make a recommendation to the members of the Monroe County Local Income Tax Council. This Resolution would cast the City of Bloomington's votes on the Monroe County Local Income Tax Council in favor of the committee's recommendation to provide Public Safety Local Income Tax in 2017 to: (1) Bean Blossom Stinesville Volunteer Fire Department, Inc.; (2) Benton Township Volunteer Fire Department; (3) Northern Monroe County Fire Protection Territory; (4) Indian Creek Fire Fighters, Inc.; (5) Van Buren Township Fire Department; (6) Ellettsville Fire Department; and (7) Perry-Clear Creek Fire Protection District.



City of Bloomington Common Council

Memorandum

To: City Council Members

From: Susan Sandberg, Council Member At-Large and Chair of the PS LIT Allocation Committee

Subj: Resolution 16-13: *To Vote in Favor of a Distribution of Public Safety Local Income Tax to Fire Departments and Volunteer Fire Departments that are Operated by or Serve Political Subdivisions not Otherwise Entitled to Receive a Distribution of Public Safety Local Income Tax*

Date: August 12, 2016

As chair of the Public Safety Local Option Income Tax sub-committee, I am pleased to submit our unanimously approved recommendations for allocations to the eight petitioners from the Monroe County townships. It was a valuable learning experience to serve on this sub-committee with County Council representatives Ryan Cobine and Cheryl Munson, Ellettsville Town Council representative, Scott Oldham and fellow City Council colleagues, Dorothy Granger, Allison Chopra and Isabel Piedmont-Smith. This has been a thoughtful and respectful process with emphasis on City/County cooperation in the best interest of all taxpayers in Monroe County. While each of us represented our own unit of local government, our deliberations were ultimately decided with a focus on the needs of the entire county.

This was a challenging process being the first round since the Public Safety LOIT was passed and assigned to us. We were capably served by our respective legal staff who kept us informed of our parameters and answered questions along the way. As the various townships presented their proposals, it became clear that the primary need in the unincorporated areas was for personnel funding in order to increase public safety. At the end of the presentations, we had a much clearer picture of areas for improvement in public safety delivery with respect to consolidations and better coordination of resources. We look forward to future rounds to streamline the process for decision-making and to develop clearer criteria to inform future allocations. Outcome data from these funding decisions will be studied in order to encourage more inter-local cooperation and sharing of resources. In the short term, however, these initial decisions are a good measure of the highest areas of need and the best uses of LOIT revenue.

Our first task was to determine how much of the funding, after the 30% that is earmarked for the Dispatch Center, would be appropriate for the township requests. Our initial thinking ranged from 4% on the lower end to 16% on the higher end. We then decided on a 7.5% estimate after a careful review of the proposals and factoring in criteria like number of runs, populations served and critical locations. The final distributions were made among the eight petitioners that you see before you this evening. The Public Safety LOIT sub-committee is unanimous in these recommendations, and we respectfully ask for your positive consideration for approval.



**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: Extension of the Public Safety COIT into 2017 and Beyond and Resolution 16-13 Regarding Distribution of Public Safety LIT Proceeds to Fire Departments and Volunteer Fire Departments

DATE: August 25, 2016

There have been many questions about the proposed distributions of public safety tax proceeds to township fire departments and volunteer fire departments, and about the status of the Public Safety COIT. This memo provides some additional background and explanation and describes how staff recommends proceeding.

Status of the Public Safety COIT/LIT

In 2015, the General Assembly decided to consolidate and simplify the various local income tax laws into a new article of the Indiana Code entitled “Local Income Taxes” (“LIT”). Ind. Code § 6-3.6-1-1(a). As part of this consolidation, the General Assembly repealed the existing local income taxes—including the County Option Income Tax (“COIT”)—effective January 1, 2017, and provided that no ordinance could be adopted under the repealed provisions after June 30, 2016.

On June 1, 2016, the Council passed its Resolution 16-05, adopting a COIT to fund public safety (“Public Safety COIT”). The Public Safety COIT will take effect on October 1, 2016. The Department of Local Government Finance (“DLGF”) and the Department of Revenue (“DOR”) have since concluded that because the Public Safety COIT was not in place by May 1, 2016, the Public Safety COIT will expire on December 31, 2016.

The DLGF and the DOR have advised in a letter sent from Courtney Schaafsma (Commissioner of the DLGF) and Andrew Kossack (Commissioner of the DOR) to Michael Flory on August 9, 2016, that if Monroe County wants to maintain the 0.25% income tax rate for public safety into 2017, the Monroe County Local Income Tax Council will need to pass an ordinance under the LIT statute and designate it for public safety (“Public Safety LIT”) before October 31, 2016.

Staff is currently working on a draft resolution and ordinance. Because the LIT statute is somewhat complicated and different from the COIT statute, staff will be submitting the draft LIT resolution and ordinance, and the proposed procedure for re-passing a public safety tax, to the DLGF as soon as possible, as permitted under Indiana Code § 6-3.6-3-2(b). The DLGF is required to provide a determination of the appropriateness of the proposed documents, including recommended modifications, within thirty days. *Id.*

The Procedural Complications Presented by the LIT

The LIT statute's provisions are somewhat different from the previous COIT statute's provisions, and the transition to the new statute presents some complications for adopting a Public Safety LIT. A brief outline of how the LIT statute works is useful for understanding how we must proceed.

The LIT statute provides that "An ordinance that adopts, increases, decreases, or rescinds a tax or tax rate" takes effect January 1 of the following year if the ordinance was adopted after August 31 and before November 1 of the current year. Ind. Code § 6-3.6-3-3(b)(2). Thus, as long as the Monroe County Local Income Tax Council acts between September 1, 2016 and October 31, 2016, the Public Safety LIT will take effect on January 1, 2017, leading to a seamless transition from Public Safety COIT to Public Safety LIT.

LIT rates are divided into three broad categories: (1) Property Tax Relief Rate, (2) Expenditure Rate, and (3) Special Purpose Rate. When a Public Safety LIT is adopted, it will be an additional rate under the Expenditure Rate category on top of the general COIT that is carrying through from the previous COIT statute.

The first 0.25% of the Expenditure Rate is divided between the school corporation and the civil taxing units. The rest of the Expenditure Rate is "Additional Revenue," which can be divided into three components: (1) Public Safety, (2) Economic Development, and (3) Certified Shares (essentially general fund). Ind. Code § 6-3.6-6-4. The Monroe County Local Income Tax Council may allocate the Expenditure Rate among these three Additional Revenue components annually.

The DLGF and DOR have indicated that in order to carry the Monroe County public safety tax into January 1, 2017 and beyond, we would pass a LIT for a specific rate (e.g. the proposed .25%), and specify that the proceeds from this new rate will be allocated to public safety purposes. The LIT statute also provides that any annual changes to the allocations must be made by July 1. Ind. Code § 6-3.6-6-4. Since we are allowed to adopt a LIT specifying a public safety allocation this fall effective January 1, 2017, we interpret this provision to mean that the July 1 deadline for allocating would apply to our LIT for distributions after 2017.

Again, staff will seek written confirmation that our understanding is correct, and that the draft resolution and ordinance imposing this new Public Safety LIT passes DLGF muster.

Requests from Fire Departments

During the discussion of the Public Safety COIT, one provision which came up repeatedly was Indiana Code § 6-3.5-6-31(m) (“Subsection M”), which provides:

A fire department, volunteer fire department, or emergency medical services 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;

may before July 1 of a year apply to the county income tax council for a distribution of tax revenue under this section during the following calendar year. The county income tax council shall review an application submitted under this subsection and may before September 1 of a year adopt a resolution requiring that one (1) or more of the applicants shall receive a specified amount of the tax revenue to be distributed under this section during the following calendar year. A resolution approved under this subsection providing for a distribution to one (1) or more fire departments, volunteer fire departments, or emergency services providers applies only to distributions in the following calendar year. Any amount of tax revenue distributed under this subsection to a fire department, volunteer fire department, or emergency medical services provider shall be distributed before the remainder of the tax revenue is distributed under subsection (f).

The default distribution of the Public Safety COIT is to the county, Bloomington, Ellettsville, and Stinesville. Thus, Public Safety COIT/LIT is not automatically distributed to townships that provide fire protection services. Subsection M (in the COIT statute) and Indiana Code § 6-3.6-6-8(d) (“Subsection D” in the LIT statute) allow fire departments to seek a distribution of Public Safety COIT/LIT from the Monroe County Local Income Tax Council.

There are several restrictions included in Subsections M and D.

- The applicant must be a fire department, volunteer fire department, or emergency medical services provider.
- The application must be filed before July 1.
- Any award of funding under Subsection M or D is for one year only.

Eight applications for funding were received by July 1, 2016. They are attached to this memo.

1. Bean Blossom Stinesville Volunteer Fire Department Inc.	\$42,642.33
2. Benton Township Volunteer Fire Department	\$80,608.32
3. Northern Monroe County Fire Protection Territory	\$121,500.00
4. Indian Creek Fire Fighters, Inc.	\$114,370.00
5. Perry Clear Creek Fire Protection District	\$283,679.28
6. Ellettsville Fire Department	\$318,209.49
7. Van Buren Township Fire Department	\$321,951.76
8. Washington Township	<u>\$50,000.00</u>
	\$1,332,961.18

A committee was formed of representatives from the City Council, Monroe County Council, and Ellettsville Town Council. The committee met in July and August and, based on nine criteria¹, made the following recommendation:

1. Bean Blossom Stinesville Volunteer Fire Department Inc.	\$17,000
2. Benton Township Volunteer Fire Department	\$25,000
3. Northern Monroe County Fire Protection Territory	\$25,000
4. Indian Creek Fire Fighters, Inc.	\$30,000
5. Perry Clear Creek Fire Protection District	\$94,560
6. Ellettsville Fire Department	\$90,000
7. Van Buren Township Fire Department	\$60,000
8. Washington Township	<u>\$50,000</u>
	\$391,560

Because Washington Township is not a “fire department, volunteer fire department, or emergency medical services provider,” it is not eligible for an award of funding under Subsection M or D and does not have a recommended allocation in Resolution 16-13.

These applications for funding were made under the Public Safety COIT statute, which again, expires at the end of 2016. Therefore, the draft resolution to be considered by the Monroe County Local Income Tax Council making these allocations specifies that the allocations will apply to the Public Safety LIT that the Council intends to pass between September 1 and October 31, 2016, which will provide distributions in 2017.

¹ (1) Benefit to Political Subdivision, (2) Benefit to the community as a whole (including whether the request would address a need that is not currently being addressed), (3) What the request will fund (including whether the request is for an operational or capital need), (4) The number of dispatch runs by the requesting fire department, volunteer fire department, or emergency medical services provider to the Political Subdivision, (5) Whether the request would result in new capabilities for the Requestor, (6) Whether the request would change how an existing capability of the Requestor is funded, (7) Whether the request is for a critical infrastructure need, (8) Whether the Public Safety County Option Income Tax is expected to be the sole source of funding for the request, and (9) Whether the Political Subdivision and, if applicable, the Requestor are currently at their maximum tax levy.

One final point—the COIT and LIT statutes both require distributions to fire departments to be approved by the Local Income Tax Council by September 1. This means technically that the distributions for 2017 must be approved before the Local Income Tax Council is able to pass its Public Safety LIT. Therefore, Resolution 16-13 provides that if for some reason the Public Safety LIT is not imposed between September 1 and October 31, 2016, there would be no distributions in 2017 to the fire departments serving the various townships.

Applications for Public Safety Local Income Tax Funds Filed before the July 1st Deadline (Listed in the Order They Appear in the Packet)

<u>Applicant</u>	<u>Request</u>	<u>Recommendation</u>
Bean Blossom Stinesville Volunteer Fire Department Inc.	\$42,642 (Staffing and Equipment)	\$17,000
Benton Twp Volunterr Fire Department	\$80,608 (Staffing)	\$25,000
Northern Monroe County Fire Protection Territory	\$121,500 (Staffing and Vehicle)	\$25,000
Indian Creek Fire Fighters, Inc.	\$141,370 (Staffing, Operations, and Equipment)	\$30,000
Perry-Clear Creek Fire Protection District	\$283,679 (Staffing)	\$94,560
Ellettsville Fire Department	\$318,209.49 (Staffing)	\$90,000
Van Buren Township Fire Department	\$321,951.76 (Staffing)	\$60,000
Washington Township	\$50,000 (Capital –Fire Station)	* \$50,000

*Washington Twp was ineligible for funds for lack of participation of a fire department; but the resolution anticipates that political subdivisions will consider – to the extent permitted by law – working with Washington Twp to ensure their fire protection needs are adequately provided for.

BEAN BLOSSOM

BEAN BLOSSOM		
Operating Expense		
2 - Part-time	30,360.00	Part time positions: covers 10 hrs./day, M-F, pd@\$12.00/hr.(2530 hrs/yr)
Holiday	1,260.00	7 Holidays (70 hrs.) pd.@\$18.00/hr (70 hrs./yr)
Benefits	1,260.00	(see Holiday pay)
Taxes (FICA-Medicare)	2,418.93	Reflects employer's 6.2% share of Social Security and 1.45% for Medicare
Total for Staffing	34,038.93	
Mobile radios	4,403.40	Five (5) new mobile radios
Nozzles	4,200.00	Eight (8) new nozzles for trucks
Total for Equipment	8,603.40	
Grand Total	42,642.33	

Bean Blossom Township
Monroe County, Indiana
Pamela S. Cook, Trustee

To: COIT Council

From: Pamela Cook, Bean Blossom Township Trustee

CC: Michael Flory <mflory@co.monroe.in.us>, Philippa Guthrie <guthrie@bloomington.in.gov>, Sandra Hash <clerktreasurer@bluemarble.net>, Darla Brown <dbrown@sturgeonbrown.com>

Date: June 27, 2016

Dear COIT Council:

Enclosed please find Bean Blossom Township's application for PS-LOIT funds, which has been prepared in cooperation with the Bean Blossom Township Stinesville Volunteer Fire Department, Inc. and with the support of the Bean Blossom Township Board. I have included a description of how we plan to use the funds, along with a budget and a resolution from the Township Board in support of the fire department's request for funds.

If you have any questions regarding our application, please do not hesitate to contact me via e-mail at the address listed below, or by phone at the number listed below.

Sincerely,

Pamela S. Cook
Bean Blossom Township Trustee

**Bean Blossom Township
Summary of Request for PS-LOIT Funds**

The Bean Blossom Township Stinesville Volunteer Fire Department, Inc. is located in Stinesville, IN and serves the town of Stinesville and Bean Blossom Township in northwestern Monroe County. Our fire department is currently all volunteer and the firefighters must work at other paying jobs during the week to support their families. This leaves our fire station empty during work day hours with no one to answer calls or get the fire truck or medical equipment to an emergency. At these times, our fire and medical emergencies fall to other townships and their fire departments to answer calls and dispatch aid.

Funding allocated from the Local Option Income Tax would allow for us to have an emergency responder/firefighter on station during daytime hours at our fire station.

We have been in dire need of part time staffing at the station for some time, but until now there has been no feasible way to fund these positions. If Bean Blossom Township is able to get this money to cover the day time hours it will be a great benefit to our taxpayers who will directly be paying into the LOIT. I would be remiss as township trustee if I didn't ask for these funds. I am charged with providing fire protection for my township and until now I have not had the funds to do that part of my job properly.

I am budgeting to cover paid part time staff during the hours of 7:30 AM to 5:30 PM. That would be 10 hours per day, 5 days per week for a total of 50 hours per week or 100 hours per pay period, to be split amongst part time workers. There are 26 two-week pay periods per year. We would pay the fire fighters who cover the department at \$12.00 per hour with 7 holidays paid at \$18.00 per hour. The yearly costs of funding these part-time positions (including the employer's share of Social Security and Medicare) would be \$34,039.00 for the year.

Additionally, the department has requested eight new nozzles for the fire truck hoses, and five new narrow band radios in anticipation of future mandated air wave changes which will not be compatible with the current radios utilized by the department.

This funding for our fire department would align very well with the purposes of this LOIT in that it would improve public safety in Bean Blossom Township and the result would provide a return on our taxpayers' investment.

**RESOLUTION OF THE BEAN BLOSSOM TOWNSHIP BOARD,
MONROE COUNTY INDIANA**

- WHEREAS,** effective July 1, 2015, Indiana Code 6-3.5-6-31 permits a County Income Tax Council to impose an additional income tax rate to provide funding for public safety in the County provided the additional income tax does not exceed 0.25%; and
- WHEREAS,** the Monroe County Council, the Bloomington City Council, the Ellettsville Town Board and the Stinesville Town Board collectively comprise the Monroe County Income Tax Council ("Tax Council"); and
- WHEREAS,** the Tax Council has voted to impose an additional County Option Income Tax Rate known as the Public Safety Local Option Income Tax to fund public safety costs, including the dedication, by resolution, of an appropriate percentage of the tax revenue necessary to fully fund the Monroe County Central Emergency Dispatch Center; and
- WHEREAS,** the remainder of the tax revenue shall be allocated at the discretion of the Tax Council and distributed to fund public safety needs as defined in Indiana Code 6-3.5-6-31; and
- WHEREAS,** the definition of public safety as defined by Indiana Code 6-3.5-6-31 includes firefighting and fire prevention systems.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Bean Blossom Township, Monroe County, Indiana, that:

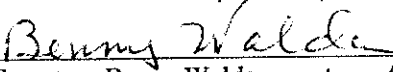
SECTION 1. The Bean Blossom Township Board supports the Bean Blossom Township Stinesville Volunteer Fire Department, Inc.'s request for funding in its entirety, with support of the Bean Blossom Township Trustee.

PASSED AND ADOPTED by the Board of Bean Blossom Township, Monroe County, Indiana, on this 17th day of June, 2016.

BEAN BLOSSOM TOWNSHIP BOARD



President Vernal Chafin

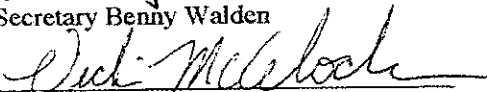


Secretary Benny Walden

ATTEST



Pamela S. Cook, Trustee



Member Vicki McGlocklin

BENTON

Operating Expense	Projected \$\$	Explanation
2 - Part-time	74,880.00	Staff 2 for 12-hr shift - Monday thru Friday @ \$12.00
Health Ins		
Standard		
Holiday		
Vac Days 5		
Sick Days 5		
Personal 2		
Perf 14.25%		
Benefits	5728.32	Calculated for employer-paid FICA/Medicare at 0.0765%
Taxes (FICA-Medicare)		
Grand Total	80,608.32	

Rita Barrow

From: Michelle Bright <michelleabright@gmail.com>
Sent: Thursday, June 23, 2016 8:14 PM
To: Rita Barrow; dillard@pccfd.org
Subject: Re: Document for PSLOIT
Attachments: Benton Township PSLOIT Proposal.xlsx

Hello all,

Thanks for heading this up. We had some basic figures, and the Township would absorb the cost additional workman's comp that would go along with these positions.

Best regards,
Michelle

Benton Township Trustee (Monroe County)
7606 E. State Road 45
Unionville, IN 47468
t: 812-339-6593

On Thu, Jun 23, 2016 at 3:40 PM, Rita Barrow <vbtrita@bluemarble.net> wrote:

Sorry, this is being sent so late. Please return these completed by Monday so we combine these with everyone's.

Thank you,

Dustin Dillard, Perry-Clear Creek Fire Chief
Trustee

Rita Barrow, Van Buren



Benton Township Volunteer Fire Department

Monroe County Station 14
7606 East State Road 45
Unionville, Indiana 47468

Dear Members of the County Income Tax Council:

The Benton Township of Monroe County Volunteer Fire Department is hereby requesting funding from the public safety local option income tax that was recently passed. With the support of the Benton Township Trustee and Benton Township Board, we are requesting the amount of \$80,608.32 in order to allow us to hire part time personnel (two 12-hour shifts, Monday through Friday) so that we could better serve our township residents.

We are a 501c3 organization recognized by the State Board of Accounts and the Indiana Secretary of State as a nonprofit agency. We have one main fundraiser each year – the annual Chili Supper and Auction (now in its 33rd year). We also hold one main community event each year – the Halloween Community Open House. In addition, we contract with Benton Township to provide manpower on emergency runs. This annual contract fee is \$20,000 for volunteer services. Any surplus money we have is saved up to purchase needed vehicles and equipment for the Township, and the respectable transfer of title and insurance is completed. Our surplus money is never above \$5,000 per year (basically why we can't afford this now).

Benton Township currently relies on a combination of contracts in order to provide fire protection services pursuant to Indiana law.

Contract 1: The Benton Township Trustee contracts with our organization to provide volunteers to respond to emergency calls. As with the nature of any volunteer organization, most of our volunteers have work and/or family responsibilities during the week, and in this way we are limited in regards to what staffing we can guarantee.

Contract 2: The Benton Township Trustee contracts with Bloomington Township Department of Fire and Emergency Services in order to provide back-up coverage 24 hours a day, 7 days a week when our volunteers are not able to respond. However, the cost of this coverage is expected to increase substantially within the near future.

In order to offset the future contract costs, as well as better utilize the equipment, vehicles, and buildings that we have available to our service, we would like to be able to hire two people, 12 hours per day during the workweek at the Monroe County fair market value of \$12.00 per hour (see appended budget). This would allow a guaranteed immediate response from Station 14 (which is centrally located within the district) during the times that our volunteers are indisposed. Additionally, our service capability will increase since there will be a direct and prompt response with the needed equipment and personnel.

Thank you for considering our application.

Sincerely,

Marvin Richardson
Marvin Richardson, Chief

FILED

JUN 30 2016

Steve Sautter
Auditor Monroe County, Indiana



Benton Township Volunteer Fire Department

Monroe County Station 14
7606 East State Road 45
Unionville, Indiana 47468

BUDGET

Wages: 2 personnel, 12 hours per day, 5 days per week at \$12.00 per hour	\$74,880.00
FICA/Medicare at the rate of 0.765%	<u>\$ 5,728.32</u>
Total	\$80,608.32

TOWNSHIP BOARD RESOLUTION

Regarding variance thresholds applicable to Benton Township

Whereas, IC 5-11-1-27(j) requires erroneous or irregular material variances, losses, shortages, or thefts of political subdivision funds or property shall be reported immediately to the State Board of Accounts; and

Whereas, State Examiner Directive 2015-6 directs each political subdivision to determine its own policy on materiality; and

Whereas, the Township Board does not condone any erroneous or irregular material variances, losses, shortages, or thefts of political subdivision funds or property but recognizes that relatively small items may not justify the cost of the involvement of the State Board of Accounts; and

Whereas, the Trustee has issued a directive, attached hereto as Appendix, stating a policy on materiality and a process for reporting material items;

Now, therefore, be it resolved:

Section 1. The Township Board hereby endorses the Trustee's declaration, attached as Appendix, regarding a policy on materiality and a process for reporting material items.

Section 2. The Township Board calls upon the Trustee and all Township officials, employees, and agents to enforce and comply with the policy on materiality and process for reporting material items and to report noteworthy items to the Township Board Oversight Committee or the full Township Board.

Section 3. The Township Board directs its Oversight Committee, consisting of the President and Vice President of the Board, to monitor, as it deems necessary, compliance with the policy on materiality and process for reporting material items and report noteworthy items to the full Township Board.

Section 4. The Township Board asks the Trustee to advise the Township Board of any changes in the policy on materiality and process for reporting material items.

Adopted this 8th day of June 2016

Mary B. McInerney MARY B. MCINERNEY

Brian D. Crouch BRIAN D. CROUCH

Lynn Steffen LYNN STEFFEN

FILED

JUN 30 2016

Steve Suther
Auditor Monroe County, Indiana

APPENDIX ATTACHED: TRUSTEE DIRECTIVE Policy on Materiality and a Process for Reporting Material Items.

Disclaimer: ITA cannot guarantee that the township policies will be accepted by the State Board of Accounts or that the policies will protect the township from erroneous or irregular material variances, losses, shortages, or thefts of political subdivision funds or property.

BLOOMINGTON TOWNSHIP

Budget Item	Cost	Explanation
Personnel: for 1 full-time position	75,000.00	salary & Benefits
Maintenance & Supplies	5,000.00	
Related costs (fuel, ins. Etc	1,500.00	
Staff and Program Cost Total	81,500.00	
Tow vehicle	40,000.00	One time acquisition
Grand Total	121,500.00	

Rita Barrow

From: Lillian Henegar <lhenegar@btfire.org>
Sent: Monday, June 27, 2016 5:57 PM
To: 'Dustin Dillard'; 'Rita Barrow'
Cc: 'Vicky Sorensen'; 'Pamela Cook'; 'Michelle Bright'
Subject: RE: My updated spread sheet WITH total fire budgets from Gateway

Dustin – Thanks for doing all this.

Please delete the Option 1 and 2 under the Northern Monroe County Fire Protection Territory.
Yes, there is nothing at this time to insert regarding NMCFPT budget.
NMCFPT Request is for Monroe County Fire Prevention Program, \$121,500.00

Budget Item	Cost
Personnel: salary & benefits for one full-time position	\$75,000
Maintenance and supplies	\$5,000
Related costs (e.g., fuel and insurance)	\$1,500
Staff and Program Cost Total	\$81,500
Tow vehicle: One time acquisition	\$40,000
Equipment Acquisition Cost Total	\$40,000
Total for 2017:	\$121,500

I am stilling tweaking the request memo. I will try to send that you tomorrow or Wednesday.

PS I understand that Barb Ooley and her board are preparing to submit a resolution in support and a funding request.

Lillian

From: Dustin Dillard [mailto:ddillard@pccfd.org]
Sent: Monday, June 27, 2016 5:23 PM
To: Rita Barrow <vbtrita@bluemarble.net>
Cc: Vicky Sorensen <vickyasorensen@gmail.com>; Pamela Cook <beanblossomtrustee@gmail.com>; Michelle Bright <michelleabright@gmail.com>; Lillian Henegar <lhenegar@btfire.org>
Subject: My updated spread sheet WITH total fire budgets from Gateway

Trustees & Chief Cornman,

On the night the City Council voted to approve the PS-LOIT, Isabel Piedmont Smith requested a copy of the compilation spread sheet with the fire departments current budgets included. I used gateway and all emergency services lines to come up with the figures.

With the latest numbers coming in for requests, I feel this document is not close to being complete... Please look it over and let me know if any adjustments need to be made for your department.

NOTE: This is not the spread sheet being submitted to the income tax council, it's simply a revised version to include the budget information Piedmont Smith requested as well as our updated figures for our funding requests.

Lillian, I don't believe budget information is available on the territory at this time, so I left that out and made a note. Please let me know if anything should be included or removed.

Mike, I only included Richland's fire budget lines since you are requesting for that township alone. Good with you?

Also, Rita has been working to compile the requests as Cheryl outlined to us. I sincerely appreciate it! Thank you Rita.

**Bloomington
Township Trustee**

Date: June 28, 2016

To: Monroe County COIT Council

From: Lillian Henegar, Trustee, Bloomington Township Trustee

RE: Monroe County Public Safety LOIT Funding Request for 2017

Bloomington Township requests funding from the 2017 Monroe County Public Safety Local Option Income Tax (MC PS LOIT) for its fire prevention program in the amount of \$121,500.00. On June 20, 2016, the Bloomington Township Board adopted a resolution supporting this application (see attached).

MONROE COUNTY FIRE PREVENTION PROGRAM

Fire prevention is a critical aspect of fire service and includes a range of activities and programs from building inspections to plan reviews to teaching safe evacuation tactics. Given its resources, the Bloomington Township Fire Department and the Bloomington Township Volunteer Fire Department have focused on helping to save lives by educating youth how to prevent fires and what to do in case of a fire by using the fire prevention trailer. With additional resources and dedicated staff, we could expand our educational programs to include other vulnerable populations such as senior citizens and people with disabilities.

Most children in Monroe County have passed through the fire prevention trailer whether at the Peden Farm Festival, their elementary school, or some other event in the county. In 2014, safety education programs were held in Bloomington, Benton, Perry, and Van Buren Townships as well as the City of Bloomington. From May 2015 to June 15 2016, the trailer was taken to 21 events.

Several years ago, Bloomington Township Fire Department purchased the Monroe County Volunteer Firefighter Association's fire prevention trailer in order to ensure that proper repairs and upkeep were provided for the trailer.

The Bloomington Township Fire Department and the Bloomington Township Volunteer Firefighters Association have carried the responsibility for operating the trailer and providing public education services for not only Monroe County, but also for surrounding counties upon request. We are seeking help to continue this important service to the community as well as to continue strengthening and enhancing it.

FILED

JUN 29 2016

Steve Sautter
Auditor Monroe County, Indiana

Office
2111 W. Vernal Pike
Bloomington, IN
47404

P 812 336 4976
F 812 335 8993

www.bloomingtontownship.in.gov

Trustee
Lillian Henegar

Board
Kim Alexander
Vic Kelson
Barbara E. McKinney

FUNDING REQUEST FOR 2017 PS LOIT

In order to ensure that Monroe County maintains a vibrant and sustainable fire prevention program, funding is needed for a full-time fire prevention coordinator who can be responsible for recruiting, training, and managing volunteers, developing programs, scheduling, maintenance, and other services. We also seek funds for the costs associated with maintaining the vehicle and equipping it for the prevention programs.

In addition, the program’s fire prevention trailer requires a vehicle for towing it from event site to event site. This is a one-time acquisition.

Budget Item	Cost
Personnel: salary & benefits for one full-time position	\$75,000
Maintenance and supplies	\$5,000
Related costs (e.g., fuel and insurance)	\$1,500
Staff and Program Cost Total	\$81,500
Tow vehicle: One time acquisition	\$40,000
Equipment Acquisition Cost Total	\$40,000
Total for 2017:	\$121,500

Northern Monroe County Fire Protection Territory

As of July 1, 2016, Bloomington Township Department of Fire and Emergency Services (aka Bloomington Township Fire Department) will be operating as Northern Monroe County Fire Protection Territory (NMCFT). This grant request is being made on behalf of the NMCFT.

RESOLUTION

TO COMMEND THE MONROE COUNTY ("COUNTY") INCOME TAX COUNCIL FOR ADOPTING AN ADDITIONAL RATE OF A PUBLIC SAFETY - LOCAL OPTION INCOME TAX (PS LOIT) TO ASSIST IN THE FUNDING OF THE COUNTY PUBLIC SAFETY ANSWERING POINT

- WHEREAS,** pursuant to Indiana Code 36-1-7, et seq. the City of Bloomington ("City") and the County have entered into an Interlocal Agreement to operate the Monroe County Central Emergency Dispatch Center; and
- WHEREAS,** pursuant to Article IV of the above-described Interlocal Agreement, the City and County have created the Monroe County Central Emergency Dispatch Center Policy Board whose powers and duties include the following; to enter into contracts to provide dispatch services; to accept funds for the Dispatch Center; to establish and define levels of service for agencies and customers; and to assist in the establishment of a unified budget; and
- WHEREAS,** the County Income Tax Council has previously imposed the County Option Income Tax in the County; and
- WHEREAS,** effective July 1, 2015, Indiana Code 6-3.5-6-31 permits a County Income Tax Council to impose an additional income tax rate to provide funding for public safety in the County provided the additional income tax does not exceed 0.25%; and
- WHEREAS,** public safety is defined by Indiana Code 6-3.5-6-31 (a) to include a communication system, an enhanced emergency telephone system, or the statewide 911 system; and
- WHEREAS,** the definition of public safety, as described herein, would allow the additional PS LOIT to be used for a Public Safety Answering Point ("PSAP"), such as the Monroe County Central Emergency Dispatch Center; and
- WHEREAS,** the County Income Tax Council is specifically allowed, pursuant to Indiana Code 6-3.5-6-31 (n) to adopt a resolution providing that up to one hundred percent (100%) of the tax revenue to be distributed shall be dedicated to a PSAP that is part of the statewide 911 system and that such dedicated tax revenue shall be distributed before any remainder of the tax revenue is distributed.
- WHEREAS,** the County Income Tax Council is specifically allowed, pursuant to Indiana Code 6-3.5-6-31 (l) and (m) to that townships and fire departments serving unincorporated areas of the 11 townships may apply each year before July 1 to the County Income Tax Council for a distribution of tax revenue in the following year to assist with funding fire protection or emergency medical services to their residents.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Bloomington Township, Monroe County, Indiana, that:

SECTION 1. The Bloomington Township Board supports the adoption of an ordinance for the Monroe County Income Tax Council to impose an additional Local Option Income Tax Rate to fund public safety costs, including the dedication, by resolution, of the tax revenue to fully fund the Monroe County Central Emergency Dispatch Center.

SECTION 2. The Bloomington Township Board supports the distribution of a portion of the resulting tax revenue, after distribution to fund the Monroe County Central Emergency Dispatch Center, to help meet the fire protection and emergency medical services need within the unincorporated areas of Monroe County.

RESOLUTION

SECTION 3. The Bloomington Township Board will submit a request for a portion of the resulting tax revenue in 2017, after distribution to fund the Monroe County Central Emergency Dispatch Center, to help fund its Monroe County Fire Prevention Program which has been provided without cost to all residents of Monroe County, in the amount of \$81,500 to fund operating expenses and salary and benefits for one fulltime staff and \$40,000 for the purchase of a tow vehicle for the Fire Prevention Trailer.

PASSED AND ADOPTED by the Board of Bloomington Township, Monroe County, Indiana, on this 28 day of June, 2016.

BLOOMINGTON TOWNSHIP BOARD

Kim Alexander
President Kim Alexander

ATTEST

Lillian Henegar
Lillian Henegar, Trustee

Secretary Vic Kelson

Barbara E. McKinney
Member Barbara E. McKinney

INDIAN CREEK

INDIAN CREEK		
Operating Expense		
Full-time/Part-time firefighter/EMT	26,000.00	2 Part-time firefighters/EMT
Taxes		
FICA/Medicare	2,100.00	
Total	28,100.00	
800 mhz Radios	12,000.00	8 at \$1,500.00 each to upgrade for County standards
Radios	12,000.00	15 at \$800.00 each to upgrade for County standards
EMR Class	1,050.00	3 participants at \$350.00 each
EMT Class	2,250.00	3 participants at \$750.00 each
Pump for Tanker & Service	3,300.00	one
Structure Gear	7,500.00	equip for 3 firefighters at \$2,500.00 each
Brush Gear	2,500.00	equip for 5 firefighters at \$500.00 each
Thermal Camera	6,000.00	one used for detecting hot spots in structure fire
Gas Detector	700.00	one used for detecting gas odor in homes
Skid unit Brush	10,000.00	one holder for back of Brush Truck to hold equipment
Extrication Equipment	25,000.00	
CPR Mannequin	2,200.00	Used for CPR trainings
Blood Pressure Cuffs	150.00	3 at \$50.00 each
Pulse Ometer	150.00	3 at \$50.00 each
Stethoscope	270.00	3 at \$90.00 each
EMS Bags	1,200.00	3 bags at \$400.00 each
Equipment Total	\$86,270.00	
Grand Total	114,370.00	

Rita Barrow

From: Vicky Sorensen <vickyasorensen@gmail.com>
Sent: Monday, June 27, 2016 11:14 AM
To: Rita Barrow; Dustin Dillard
Cc: Vicky Sorensen
Subject: Indian Creek PSLOIT Request
Attachments: Final Township PSLOIT Proposal 62716.xlsx

Please find attached IC PSLOIT Request. If you need additional information or documents please let me know.

Thanks to both of you for putting all of this together.

--

Vicky Sorensen-Indian Creek Township Trustee

*Proud Resident of Indian Creek Township
Monroe County,
Bloomington, Indiana*

FILED

JUN 29 2016

Steve Sautter
Auditor Monroe County, Indiana

RESOLUTION

TO COMMEND THE MONROE COUNTY "COUNTY") INCOME TAX COUNCIL FOR ADOPTING AN ADDITIONAL RATE OF A PUBLIC SAFETY – LOCAL OPTION INCOME TAX (PS LOIT) TO ASSIST IN THE FUNDING OF THE COUNTY PUBLIC SAFETY ANSWERING POINT

- WHEREAS, pursuant to Indiana Code 36-1-7, et seq. the City of Bloomington "City") and the County have entered into an Interlocal Agreement to operate the Monroe County Central Emergency Dispatch Center; and
- WHEREAS, pursuant to Article IV of the above-described Interlocal Agreement, the City and County have created the Monroe County Central Emergency Dispatch Center Policy Board whose powers and duties include the following: to enter into contracts to provide dispatch services; to accept funds for the Dispatch Center; to establish and define levels of service for agencies and customers; and to assist in the establishment of a unified budget; and
- WHEREAS, the County Income Tax Council has previously imposed the County Option Income Tax in the County; and
- WHEREAS, effective July 1, 2015, Indiana Code 6-3.5-6-31 permits a County Income Tax to impose an additional income tax rate to provide funding for public safety in the County provided the additional income tax does not exceed 0.25%; and
- WHEREAS, public safety is defined by Indiana Code 6-3.5-6-31 a) to include a communication system, an enhanced emergency telephone system, or the statewide 911 system; and
- WHEREAS, the definition of public safety, as described herein, would allow the additional PS LOIT to be used for a Public Safety Answering Point "PSAP"), such as the Monroe County Central Emergency Dispatch Center; and
- WHEREAS, the County Income Tax Council is specifically allowed, pursuant to Indiana Code 6-3.5-6-31 n) to adopt a resolution providing that up to one hundred percent (100%) of the tax revenue to be distributed shall be dedicated to PSAP that is part of the statewide 911 system and that such dedicated tax revenue shall be distributed before any remainder of the tax revenue is distributed; and
- WHEREAS, the County Income Tax Council is specifically allowed, pursuant to Indiana Code 6-3.5-6-31 l) and m) so that townships and fire departments serving unincorporated areas of the 11 townships may apply each year before July 1 to the County Income Tax Council for a distribution of tax revenue in the following year to assist with funding fire protection or emergency medical services to their residents.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Indian Creek Township, Monroe County, Indiana, that:

The Indian Creek Township Board supports the adoption of an ordinance for the Monroe County Income Tax Council to impose an additional Local Option Income Tax Rate to fund public safety costs, including the dedication, by resolution, of the tax revenue to fully fund the Monroe County Central Emergency Dispatch Center.

The Indian Creek Township Board supports the distribution of a portion of the resulting tax revenue, after distribution to fund the Monroe County Central Emergency Dispatch Center, to help meet the fire protection and emergency medical services need within the unincorporated areas of Monroe County.

The Indian Creek Township Board will submit a request for a portion of the resulting tax revenue in 2017, after distribution to fund the Monroe County Central Emergency Dispatch Center, to help fund the contracting fire department serving Indian Creek Township residents of Monroe County, in the amount of \$114,370.00 to fund operating expenses for the salary for two part-time staff, Emergency Medical Service specialized trainings, and fire fighting/EMS equipment.

PASSED and ADOPTED by the Board of Indian Creek Township, Monroe County, Indiana on this 26th day of June, 2016.

INDIAN CREEK TOWNSHIP BOARD



President, Chris Reynolds

Secretary, Amy Swain



Member, Meri Reinhold

ATTEST



Vicky Sorensen, Trustee

FILED

JUN 29 2016

INDIAN CREEK TOWNSHIP
8019 S. Rockport Road
Bloomington, IN 47403
812-824-4981

Steve Sautter
Auditor Monroe County, Indiana

June 29, 2016

Monroe County Income Tax Council Members,

Indian Creek Fire Fighters, Inc. (ICFF) contracts with Indian Creek Township to provide fire protection and emergency medical services to the residents of the Township. Fire protection for the Township began when a group of citizens formed the Indian Creek Fire Fighters, Inc. which has contracted with the Township (except for a one brief time period) since 1972. The citizens built the current fire station and through the years has recruited men and women volunteers to fight fires and attend to emergency medical situations in the Township as well as providing mutual aid with other fire departments in Monroe County.

ICFF, the Indian Creek Township Board, and Trustee have spent many hours looking at the needs of the fire department and what can and cannot be funded.

As with most small rural volunteer fire departments budgets are tight and used toward maintenance of equipment and building. At times, the volunteer fire fighters must pay out of their own pockets for specialized trainings or fire protection gear. The possibility of funds from the Public Safety Local Income Tax to be available for rural volunteer fire departments would help provide some of the needed money for operational expenses above and beyond the budget. Specialized trainings, replenishment of emergency medical supplies, mandated upgraded radios, specialized tools for fighting fires, and paid part-time personnel would be of most benefit to Indian Creek Fire Fighters, Inc.

In accordance with Indiana Code 6-3.5-6-31 (m) (2) the Indian Creek Fire Fighters, Inc. is applying for funds from the Public Safety Local Income Tax to help in providing improved public safety to the tax payers of Indian Creek Township.

The Indian Creek Township Board and Trustee are in full support of ICFF's request to the Monroe County Income Tax Council members.

Thank you for this opportunity to apply.

Sincerely yours,

Vicky Sorensen

Vicky Sorensen-Indian Creek Township Trustee

Attachment: Indian Creek Fire Fighters, Inc. outlined request

Indian Creek Township - Indian Creek Fire Fighters, Inc.

Operating Expense	Projected \$\$	Explanation
Full-time/Part-time firefighter/EMT	26,000.00	2 Part-time firefighters/EMT
Health Ins	n/a	
Standard	n/a	
Holiday	n/a	
Vac Days 5	n/a	
Sick Days 5	n/a	
Personal 2	n/a	
Perf 14.25%	n/a	
Benefits	0.00	
Taxes (FICA-Medicare)	2,100.00	
Total	28,100.00	
Part-time (replacements)		
Total Operating Expense	28,100.00	
800 mhz Radios	12,000.00	8 at \$1,500.00 each to upgrade for County standards
Radios	12,000.00	15 at \$800.00 each to upgrade for County standards
EMR Class	1,050.00	3 participants at \$350.00 each
EMT Class	2,250.00	3 participants at \$750.00 each
Pump for Tanker & Service	3,300.00	one
Structure Gear	7,500.00	equip for 3 firefighters at \$2,500.00 each
Brush Gear	2,500.00	equip for 5 firefighters at \$500.00 each
Thermal Camera	6,000.00	one used for detecting hot spots in structure fire
Gas Detector	700.00	one used for detecting gas odor in homes
Skid unit Brush	10,000.00	one holder for back of Brush Truck to hold equipment
Extrication Equipment	25,000.00	
CPR Mannequin	2,200.00	Used for CPR trainings
Blood Pressure Cuffs	150.00	3 at \$50.00 each
Pulse Ometer	150.00	3 at \$50.00 each
Stethoscope	270.00	3 at \$90.00 each
EMS Bags	1,200.00	3 bags at \$400.00 each
Equipment Total	\$86,270.00	
Grand Total	\$114,370.00	

FILED

JUN 29 2016

Steve Jackson
Auditor Monroe County, Inc.

Perry Clear Creek Fire Protection District PS-LOIT Request

Firefighter/EMT Increase		
Operating Expense		
(6)PT Firefighting Positions	263,520.00	Adds one part-time firefighter to Station 11 and Station 21, 24 hours per day, 365 days per year.
FICA	16,338.24	
Medicare	3,821.04	
Grand Total	283,679.28	

Public Safety LOIT Request

Perry-Clear Creek Fire Protection District

Based on part time maximum hourly rate of:		\$	15.00
<u>Part Time Firefighter/EMTs coverage per 24 Shift</u>			
1	\$	43,920.00	
2	\$	87,840.00	
3	\$	131,760.00	
4	\$	175,680.00	
5	\$	219,600.00	
6	\$	263,520.00	
FICA Rate:	0.062	\$	16,338.24
Medicare Rate:	0.0145	\$	3,821.04
Total:		\$	20,159.28
Total Costs			
7:00am to 7:00pm coverage	\$	141,839.64	
24/7 coverage	\$	283,679.28	

Therese Chambers

From: Dustin Dillard <ddillard@pccfd.org>
Sent: Thursday, June 30, 2016 3:02 PM
To: Steve Sauter; Therese Chambers
Cc: council@bloomington.in.gov; guthriep@bloomington.in.gov; Michael Flory; Kim Shell; stinesville@bluemarble.net; Dustin Dillard
Subject: Perry-Clear Creek Fire Protection District Formal Request for Funding from the Public Safety Local Option Income Tax
Attachments: Perry - Clear Creek Fire Protection District Formal Request for Funding from Public Safety LOIT Revenue.pdf

Dear Monroe County Income Tax Council,

Thank you for the opportunity to submit a request for funding from the Public Safety – Local Option Income Tax revenue.

Please see the attached PDF file for the full contents of our application.

Please feel free to ask any questions you might have.

Again, thank you for the opportunity to increase public safety within our community.

Dustin C. Dillard

*Fire Chief
Perry-Clear Creek Fire Protection District
3953 S. Kennedy Dr.
Bloomington IN 47401
812-331-1906 ext 202
812-325-5876 cell*

SUBJECT:

**Perry-Clear Creek Fire Protection District
Formal Request for Funding. Public Safety Local Option Income Tax
In the amount of: \$ 283,679.28**

DATE:

Thursday, June 30, 2016

TO:

The Monroe County Income Tax Council

**Monroe County Auditor's Office
Bloomington City Common Council**

Andy Ruff
Susan Sandberg
Steve Volan
Tim Mayer
Chris Sturbaum
Dorothy Granger
Allison Chopra
Dave Rollo
Idabel Piedmont-Smith
Council Office
Philippa Guthrie, Corporation Counsel

Ellettsville Town Council

Scott Oldham
Dianna Bastin
Brian Mobley
Scott Thomas
Kevin Farris
Sandra Hash, Secretary

Monroe County Council

Shellie Yoder
Ryan Cobine
Marty Hawk
Eric Spoonmore
Geoff McKim
Elizabeth Lee Jones
Cheryl Munson
Michael Flory, Council Attorney
Kim Shell, Council Assistant

Stinesville Town Council

Lois Pursell, Clerk

Delivered in person: 6/30/2016

ruffa@bloomington.in.gov
sandbers@bloomington.in.gov
volans@bloomington.in.gov
mayert@bloomington.in.gov
sturbauc@bloomington.in.gov
grangerd@bloomington.in.gov
chopraa@bloomington.in.gov
rollod@bloomington.in.gov
piedmoni@bloomington.in.gov
council@bloomington.in.gov
guthriep@bloomington.in.gov

oldhams@ellettsville.in.us
dbastin@ellettsville.in.us
bmobley@ellettsville.in.us
fscottthomas@ellettsville.in.us
kevinfarris17@yahoo.com
clerktreasurer@ellettsville.in.us

syoder@co.monroe.in.us
rcobine@co.monroe.in.us
mhawk@co.monroe.in.us
espoonmore@co.monroe.in.us
gmckim@co.monroe.in.us
ljones@co.monroe.in.us
cmunson@co.monroe.in.us
mflory@co.monroe.in.us
kshell@co.monroe.in.us

stinesville@bluemarble.net

FROM:

Perry-Clear Creek Fire Protection District

Dustin Dillard, Fire Chief
3953 S. Kennedy Dr.
Bloomington IN, 47401
Office: 812-331-1906
Cell: 812-325-5876

ddillard@pccfd.org

Perry - Clear Creek Fire Protection District

3953 S. Kennedy Drive
Bloomington, Indiana 47401- 9619

Emergency / Fire
911

Business: (812) 331-1906
Fax: (812) 336-1166
Email: ddillard@pccfd.org

6/30/2016

Monroe County Income Tax Council Members,

The Perry-Clear Creek Fire Protection District was established under IC 36-8-11 and provides fire, rescue and ems services to unincorporated Perry Township and Clear Creek Township as well as the entire county and city through automatic mutual aid agreements. The Fire District is also responsible for fire, rescue, and ems on Lake Monroe. The greatest problem the Fire District faces is adequate firefighter/EMT staffing. The objective of this request is to increase public safety and the safety of emergency responders by adding one additional part time firefighter/EMT to each fire station. We are formally requesting \$283,679.28 from the Public Safety Local Option Income Tax revenue to meet this objective.

Currently, each of the Fire District's stations are staffed 24/7 with three firefighter/EMTs. Our goal is to reach the National Fire Protection Association's 1710 standard by adding one additional firefighter/EMT to each station, 24/7. This project will increase public safety to 12.39% of the county's population (17,093) and 13.61% of housing units (8,044) by increasing their firefighter/EMT staffing 25%. These firefighter/EMTs will not only respond to emergencies, but will be present at public events, conduct inspections, investigations and public education (such as fire prevention in schools and CPR training to the public.) Fire prevention through code and education has resulted in many lives saved, but when an emergency does occur it is critical to public safety and the safety of firefighters, that initial responding fire apparatus have adequate staffing for life and property conservation.

Property tax caps in the State of Indiana have restricted the Fire District's general fund preventing sufficient growth to provide staffing levels that meet national standards. 85% of the Fire Protection District's \$2,021,500 budget is dedicated to personnel costs, leaving 15% for operating costs. Annual increases in the cost of utilities, fuel, insurance, required equipment testing, etc. easily absorb the growth factor of the Fire District's budget, which ranges from 2.5-3%.

Emergencies in the Fire District continue to average three times the budgetary growth factor, making it impossible through current revenue sources to fund additional personnel needed to respond to the increasing emergencies our citizens are experiencing.

The Public Safety Local Option Income Tax was written into legislation to make it possible to increase public safety under current tax regulations. If this funding request is approved, approximately 4% of the entire projected revenue from this opportunity will provide over 17,000 Monroe County citizens with a 25% increase in responding firefighters and double the emergency medical response capabilities on January 1, 2017.

Attached to this document is a detailed budget showing precisely how these funds will add firefighter/EMTs.

We sincerely appreciate the opportunity to better serve our citizens by increasing their public safety.

Sincerely,



Julio Alonso
Chairman



Dustin Dillard
Fire Chief

Elettsville Fire Department (on the behalf of Richland Twp.)

Operating Expense	Projected \$\$	Explanation
Full-time firefighter/EMT	45,038.47	This will replace a firefighter from August 2013 (we are one short right now)
Part-time firefighter/EMT	199,330.56	This will add one P-T per shift per station 24 hrs a day
Health Ins P-T	33,456.24	This may be reduced as it depends upon "if" they average more than 30 hours per week
Health Ins F-T	5,576.04	
Holiday		
PTO Days FT	1,876.60	121 hours (1 hour earned per 24 hours worked)
PTO Days PT	1,384.24	121 hours (1 hour earned per 24 hours worked)
Sick Days (F-T Only)	1,861.20	1 per 2.4 months
Perf 14.25%	6,395.46	
Benefits	50,549.78	
Unemployment	470.16	
Workers Comp	4,193.84	
Taxes (FICA-Medicare)	18,626.68	
Total	318,209.49	
Part-time (replacements)		
Grand Total	318,209.49	

FILED

JUN 28 2016

**RESOLUTION
OF**

Steve Austin
Auditor Monroe County, Ind.

**RICHLAND TOWNSHIP MONROE COUNTY
PUBLIC SAFETY LOCAL OPTION INCOME TAX**

WHEREAS, pursuant to Indiana Code 6-3.5-6-31 the Monroe County Income Tax Council has adopted an ordinance to impose an additional tax rate to provide funding for public safety; and

WHEREAS, Township Trustees are required pursuant to Indiana Code 36-6-4-3 to provide fire protection under Indiana Code 36-8 to the Township; and

WHEREAS, Richland Township and the Town of Ellettsville entered in to a Fire Services agreement on April 5, 1971 for the Ellettsville Town Fire Department to respond to all fire calls and operate equipment in Richland Township; and

WHEREAS, the Fire Services agreement dated April 5, 1971 between Richland Township and the Town of Ellettsville has been renewed annually thru December 31, 2016 by a Supplemental Fire Service Agreement; and

WHEREAS, the Town of Ellettsville Fire Department is in need of personnel and fire fighting equipment; and

WHEREAS, pursuant to Indiana Code IC 6-3.5-6-31 the Town of Ellettsville Fire Department has applied to the Monroe County Income Tax Council to receive a distribution of that tax revenue for the calendar year 2017 and subsequent years,

NOW THEREFORE BE IT RESOLVED, the Richland Township Trustee and the Richland Township Board support the Town of Ellettsville Fire Department in their application to the Monroe County Income Tax Council to receive a distribution pursuant to Indiana Code 6-3.5-6-31 of tax revenue for the calendar year 2017 and subsequent years

Adopted this 27th Day of June 2016.

Todd L. Durnil

Todd L. Durnil Board Member

Candi J. Haley

Candi J. Haley Board Secretary

David B. Willibey

David B. Willibey Board President

ATTEST:

J. Martin Stephens

J. Martin Stephens Trustee

Town of Ellettsville

Department of Fire



and EMS Services

5080 W. State Road 46
Bloomington, Indiana 47404
Phone (812) 876-4819
Fax (812) 876-0178

Mike Cornman, Fire Chief
Kevin Patton, Deputy Chief

Serving Richland Township

June 29, 2016

Monroe County Income Tax Council Members,

The Corporate Town of Ellettsville has a contract with Richland Township to provide fire protection in accordance with IC 36-6-4-3 (10). We have had a continuous contract renewed annually since 1971. Records indicate the town has provided the township some form of fire protection through contracts and or agreements since 1947.

Fire protection in a small or rural community has a different face than those of an all career fire department. We have to take in account the availability of the volunteer firefighters as well the mutual aid that is available. There are several other factors as well such as the insurance rating of the community, the assessed valuation and of course what the community expects from their fire department. These items mentioned are the foundation that most fire departments operate from.

In the year 2000, this department made 1078 emergency responses. In 2015 we made 2088 emergency responses. In 2000 we had 1 full-time person at our Curry Pike station along with one part-time person 12 hours a day (in 2001 we added 12 hours to those part-time hours). We had 2 full-time personnel at the station in Ellettsville along with 1 part-time personnel. The volunteer firefighter response was adequate.

In the year 2015 our volunteer response has dropped dramatically and the numbers in adequate volunteers are falling. Our biggest concern is workforce development even in the volunteer world. The paid staffing levels are the same as they were in 2001.

In accordance with Indiana Code 6-3.5-6-31 (m) (2) the Ellettsville Fire Department is applying for funds due to the fact that we operate and serve the political subdivision of Richland Township that is not otherwise entitled to receive a distribution of the public safety local option income tax.

The following attachment outlines our request.

Thank you for the opportunity to apply.

Sincerely

Mike Cornman
Ellettsville Fire Chief

Ellettsville Fire Department (on the behalf of Richland Twp.)

Operating Expense	Projected \$\$	Explanation
Full-time firefighter/EMT	45,038.47	This will replace a firefighter from August 2013
Part-time firefighter/EMT	199,330.56	This will add one P-T per station 24 hrs a day
Health Ins P-T	33,456.24	
Health Ins F-T	5,576.04	
Holiday		
PTO Days FT	1,876.60	121 hours (1 hour earned per 24 hours worked)
PTO Days PT	1,384.24	121 hours (1 hour earned per 24 hours worked)
Sick Days (F-T Only)	1,861.20	1 per 2.4 months
Perf 14.25%	6,395.46	
Benefits	50,549.78	
Unemployment	470.16	
Workers Comp	4,193.84	
Taxes (FICA-Medicare)	18,626.68	
Total	318,209.49	
Part-time (replacements)		
Grand Total	318,209.49	

VAN BUREN

VAN BUREN		
Operating Expense		
4 - full-time firefighter/EMT	176,000.00	Complete 1 firefighter/EMT for station #19; add 1 firefighter to all three shifts at Station #9
Health Ins	38,992.32	
Standard	3,193.92	
Holiday	800.00	
Vac Days 5	5,788.80	
Sick Days 5	1,447.20	
Personal 2	2,315.52	
Perf 14.25%	19,950.00	
Benefits	72,487.76	Includes all benefits for full-time
Taxes (FICA-Medicare)	13,464.00	
Total	261,951.76	
Current salaries	40,000.00	Up salaries to compete with other departments
Part-time	20,000.00	Increase current hourly wage from 10.50 to 12.50 per hr
Grand Total	321,951.76	

Van Buren Township Fire Department
2130 South Kirby Road • 9019 Hinds Road
Bloomington, In 47403
812-825-9500, FAX 812-825-9700
www.vanburenfire.org

Bill Tusing, Van Buren Fire Chief

Tuesday, June 28, 2016

To the Monroe County Income Tax Council Members:

I am writing on behalf of the Van Buren Township Fire Department to formally request funding from the Monroe County Income Tax Council. Van Buren Fire Department is requesting revenue in the amount of \$321,951.76 from the Public Safety Local Option Income Tax.

Van Buren maintains two 24/7 stations located at 2130 Kirby Road (Station #9); and 9019 Hines Road in Stanford, IN (Station #19) covering thirty-six square miles of the township. In addition, we support the Monroe County Airport and I-69. In 2015 we recorded 1375 runs. The following is an outline of our need:


- According to NFPA 1710 compliance for initial responding fire units, requires no less than four fire fighters. Currently, we staff each station with two full-time firefighters. The additional revenue will provide each Van Buren fire station with one additional firefighter 24/7 bringing the stations closer to NFPA compliance.
- Increase our current start salary from \$34,000 to \$44,000. This is \$10,000 less than other departments in Monroe County for a full-time position. The additional funds will allow us to increase our current salary to meet the medium of other fire department within Monroe County with other departments and maintain our staff.
- Increase our current employees that are making less than the average salary to industry standards.


This revenue source is the only option available for us to reach this standard.

This request accounts for 4.07% of the entire revenue of the Public Safety Local Option Income Tax, while Van Buren Township serves 14.2% of the entire county population, 16.09% of housing units.

We sincerely appreciate the opportunity to request this funding on an annual basis from the Monroe County Income Tax Council and we will be happy to answer any questions you might have. Thank you for this opportunity.

Regards,


William Tusing, Chief
Van Buren Township
Fire Department


Rita Barrow, Trustee
Van Buren Township

Resolution 2016-5

TO RECOMMEND THE MONROE COUNTY ("COUNTY") INCOME TAX COUNCIL IMPOSE AN ADDITIONAL RATE OF A COUNTY OPTION INCOME TAX TO ASSIST IN THE FUNDING OF THE COUNTY PUBLIC SAFETY ANSWERING POINT

WHEREAS, pursuant to Indiana Code 36-1-7, et seq. the City of Bloomington ("City") and the County have entered into an Interlock Agreement to operate the Monroe County Central Emergency Dispatch Center; and

WHEREAS, pursuant to Article IV of the above-described Interlocal Agreement, the City and County have created the Monroe County Central Emergency Dispatch Center Policy Board whose powers and duties include the following: to enter into contracts to provide dispatch services; to accept funds for the Dispatch Center; to establish and define levels of service for agencies and customer; and to assist in the establishment of a unified budget; and

WHEREAS, the County Income Tax Council has previously imposed the County Option Income Tax in the County; and

WHEREAS, effective July 1, 2016, Indiana Code 6-3.5-6-31 permits a County Income Tax Council to impose an additional income tax rate to provide funding for public safety in the County provided the additional income tax does not exceed 0.25%; and

WHEREAS, public safety is defined by Indiana Code 6-3.5-6-31 (a) to include a communication system, an enhanced emergency telephone system, or the statewide 911 system; and

WHEREAS, the definition of public safety, as described herein, would allow the additional County Option Income Tax to be used for a Public Safety Answering Point ("PSAP"), such as the Monroe County Central Emergency Dispatch Center; and

WHEREAS, the County Income Tax Council is specifically allowed, pursuant to Indiana Code 6-3.5-6-31 (n) to adopt a resolution providing that up to one hundred percent (100%) of the tax revenue to be distributed shall be dedicated to a PSAP that is part of the statewide 911 system and that such dedicated tax revenue shall be distributed before any remainder of the tax revenue is distributed.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Van Buren Township, Monroe County, Indiana that:

SECTION 1. The Van Buren Township Board supports the adoption of an ordinance for the Monroe County Income Tax Council to impose an additional County Option Income Tax Rate to fund public safety cost, including the dedication, by resolution, of an appropriate percentage of the tax revenue necessary to fully fund the Monroe County Central Emergency Dispatch Center.

PASSED AND ADOPTED by the Board of Van Buren Township, Monroe County, Indiana, on this 22 day of June, 2016.

VAN BUREN TOWNSHIP BOARD

John Wilson
President John Wilson

Ron Pursell
Secretary Ron Pursell

Mary Rice
Member Mary Rice

ATTEST

Rita Barrow
Rita Barrow, Trustee

To: COIT Board of Monroe County Indiana

From: Washington Township Board of Monroe County

On March 29th of 2016. Washington Township resolved to join with Bloomington Township to create the Northern Monroe County Fire Territory (NMCFT). The impetus to creating the Fire Territory for Washington Township was twofold. We lacked appropriate tax rates to continue funding our Fire Contract with Bloomington Township, and the advent of I69 bisects Washington Township leaving the western portion of Washington Township with potentially lower response times for Fire Protection and EMS. As witnessed by the support found at the public hearings held this past spring, it is evident, that adequate Fire and EMS protection is heavily on the minds of the residents of Washington Township. We have several roads that at current high levels of Fire Protection provided by Bloomington Township, are just too far away to minimize property damage. Increased loss of property and the potential for loss of life due to slowed access to the western side of the township are of great concern to the Washington Township Board. When I69 is complete, Washington Township will have access across I69/37 at two points, Sample Road and Crossover Road. The time has come that Washington Township needs to establish a Fire Station strategically located to better access the western portion of Washington Township. With the creation of NMCFT, Washington Township will have a Fire Station within the Township limits. We are hereby requesting \$50,000 for the acquisition and development of a Fire Station in Washington Township, to better serve the Fire and EMS needs of our township.

AYE

NAY

Dina H. Waller
Ang D. Seaw
Christopher E. Miller

Attest:

Barbara L. Coley *Barbara L. Coley* Trustee Washington Twp.

Resolution 16-3

The Township Board of Washington Township Monroe County Indiana, hereby resolves to support the Public Safety LOIT as proposed by Monroe County and the City of Bloomington. The Township Board agrees that funding Central Dispatch is imperative to the continued growth and wellbeing of the county. Washington Township has entered into a Fire Territory with Bloomington Township, to provide equitable Fire Protection for Washington and Bloomington Townships. For the first time, Washington Township will have a fully staffed Fire Department within its Township limits. The need for and the needs of Central Dispatch will only continue to grow as our County expands and the full effect of 169 is felt. We believe that the PS LOIT is an effective method of funding Centralized Dispatch in Monroe County.

AYE

NAY

Wendy H. Wales
Jim W. Seaman
Christopher B. ...

Attest This 24 Day of June 2016

Barbara L. Lohy

ORDINANCE 16-12

**TO VACATE PUBLIC PARCELS -
Re: Two 12-Foot Wide Alley Segments and Two Fifty-Foot Wide
Street Segments Located at the Northwest Corner of West 11th
Street and North Rogers Street (Duke Energy, Petitioner)**

WHEREAS, I.C. §36-7-3-12 authorizes the Common Council to vacate public ways and places upon petition of persons who own or are interested in lots contiguous to those public ways and places; and

WHEREAS, the petitioner, Duke Energy, has filed a petition to vacate four parcels of City property more particularly described below; and

WHEREAS, pursuant to I.C. §36-7-3-16, the City received written communications from utility services regarding their interests in the right-of-way and those communications are on file and available for inspection at the City Planning and Transportation Department and the Clerk and Council Office at 401 North Morton Street, Bloomington, Indiana 47402; and

WHEREAS, pursuant to I.C. §36-7-3-12(c), the City Clerk has provided notice to owners of abutting property and published notice of the public hearing on this matter, which will be held during the Common Council Regular Session on Wednesday, June 29, 2016 at 7:30 p.m. in the Council Chambers, Room 115, of City Hall, 401 North Morton Street; and

WHEREAS, pursuant to I.C. §36-7-3-12, upon vacation the City Clerk shall furnish a copy of this ordinance to the County Recorder for recording and to the County Auditor;

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

SECTION 1. Through the authority of I.C. §36-7-3-12, four portions of City owned property shall be vacated.

SECTION 2. The first property is a north/south alley segment running between Lots 59 and 60, north from West 11th Street, more particularly described as follows:

Beginning at the Southeast corner of Lot 60 in said Maple Heights and on the north right-of-way line of West 11th Street; Thence on the east line of Lot 60 North 00 degrees 33 minutes 13 seconds East 132.24 feet to the south line of an east west alley; Thence leaving said east lines and on said south line North 89 degrees 35 minutes 29 seconds East 12.00 feet to the west line of Lot 59; Thence leaving said south line and on the west line of Lot 59 South 00 degrees 33 minutes 13 seconds West 132.25 feet to the north line of said West 11th Street; Thence leaving said west lines and on said north line South 89 degrees 37 minutes 37 seconds West 12.00 feet to the Point of Beginning containing within said bounds 0.04 ACRES (1,586.7 sq. ft.) be the same more or less but subject to all rights-of-way and easements according to a survey by Douglas R. Curry, Registered Land Surveyor No. 890006 in April of 2015.

SECTION 3. The second property is an east/west alley segment running between Lots 57, 58, 59, 60, 61, 62, 63, 64, 65 and 66 west from North Rogers Street, more particularly described as follows:

Beginning at the Southwest corner of Lot 62 in said Maple Heights; Thence on the south line of Lots 62, 63, 64, 65 and 66 North 89 degrees 35 minutes 29 seconds East 285.10 feet to the west right-of-way of Rogers Street; Thence leaving said south lines and on said right-of-way South 00 degrees 31 minutes 31 seconds West 12.00 feet to the north line of Lots 57, 58, 59, 60 and 61; Thence on said north line South 89 degrees 35 minutes 29 seconds West 285.11 feet to the Northwest corner of Lot 61; Thence leaving said north lines North 00 degrees 34 minutes 25 seconds East 12.00 feet to the

Point of Beginning containing within said bounds 0.08 ACRES (2,421.2 sq. ft.) be the same more or less but subject to all rights-of-way and easements according to a survey by Douglas R. Curry, Registered Land Surveyor No. 890006 in April of 2015.

SECTION 4. The third property is a street segment of North Jackson Street bordered by a previously vacated segment of North Jackson Street, West 11th Street and Lots 2 and 61, more particularly described as follows:

Beginning at the Southwest corner of Lot 61 in said Maple Heights and on the north right-of-way line of West 11th Street; Thence on said north line South 89 degrees 37 minutes 37 seconds West 50.01 feet to the Southeast corner of Lot 2 of said Maple Heights; Thence leaving said north line and on the east line of said Lot 2 and Lot 1 North 00 degrees 34 minutes 25 seconds East 144.13 feet to the north line of an east west alley; Thence leaving said east line and on said north line North 89 degrees 35 minutes 29 seconds East 50.01 feet; Thence leaving said north line and on said west line of Lot 61 South 00 degrees 34 minutes 25 seconds West 144.17 feet to the Point of Beginning containing within said bounds 0.17 ACRES (7,207.5 sq. ft.) be the same more or less but subject to all rights-of-way and easements according to a survey by Douglas R. Curry, Registered Land Surveyor No. 890006 in April of 2015.

SECTION 5. The fourth property is a street segment of West 12th Street bordered by a previously vacated segment of West 12th Street, North Rogers Street, and Lots 66 and 73 in the Maple Heights Second Addition, more particularly described as follows:

Beginning at the Southeast corner of Lot 73 in said Maple Heights and on the west right-of-way line of North Rogers Street; Thence on said west line South 00 degrees 31 minutes 31 seconds West 50.01 feet to the northeast corner of Lot 66; Thence leaving said west line and on the north line of Lot 66 South 89 degrees 33 minutes 20 seconds West 43.99 feet to the northwest corner of said Lot 66; Thence leaving said north line North 00 degrees 31 minutes 20 seconds East 50.01 feet to the southwest corner of said Lot 73; Thence on the south line of said Lot North 89 degrees 33 minutes 20 seconds East 43.99 feet to the Point of Beginning containing within said bounds 0.05 ACRES (2,199.59 sq. ft.) be the same more or less but subject to all rights-of-way and easements according to a survey by Douglas R. Curry, Registered Land Surveyor No. 890006 in April of 2015.

SECTION 6. 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 7. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2016.

ANDY RUFF, President
City of Bloomington

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 _____, 2016.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2016.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

The petitioner, Duke Energy, requests vacation of two segments of alley right-of-way and two segments of street right-of-way at the northwest corner of West 11th Street and North Rogers Street in order to facilitate construction of a utility substation.

Ord 16-12 -- To Vacate Public Parcels - Re: Two 12-Foot Wide Alley Segments and Two Fifty-Foot Wide Street Segments Located at the Northwest Corner of West 11th Street and North Rogers Street (Duke Energy, Petitioner)

BACKGROUND MATERIAL

The following material was previously issued in the Council's Legislative Packet. Please consult the [Legislative Packet issued on June 15, 2016](#) to access these documents.

- Maps of Proposed Vacation and Area;
- Memo to Council from Staff
- Pre-Petition Application (to start review by Planning and Transportation staff)
- Petitioner Materials:
 - Letter
 - Exhibits:
 - Survey and Legal description for each alley and street
 - Illustration of proposed utility substation with depictions of elevations before and after construction
- Transmittal to Utility and Safety Services
 - Summary of Responses from Utilities
- Memo to Board of Public Works from staff
 - List of concerns from residents
- Memo from Patty Mulvihill, City Attorney – Re: Pre-emption of Regulation of Duke Energy by Indiana Utility Regulatory Commission
- Map of Site and Existing Substations
 - Street views of existing substations

Contact: Christy Langley at 812-349-3423, langleyc@bloomington.in.gov

ORDINANCE 16-19

**TO REZONE A PROPERTY FROM COMMERCIAL GENERAL (CG) TO
COMMERCIAL ARTERIAL (CA)
- Re: 3380, 3440, and 3480 W. Runkle Way
(VMP Development, Petitioner)**

WHEREAS, Ordinance 06-24, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled, "Zoning", including the incorporated zoning maps, and incorporated Title 19 of the Bloomington Municipal Code, entitled "Subdivisions", went into effect on February 12, 2007; and

WHEREAS, the Plan Commission has considered this case, ZO-13-16, and recommended that the petitioner, VMP Development, be granted an approval to rezone 5.32 acres from Commercial General (CG) to Commercial Arterial (CA). The Plan Commission thereby requests that the Common Council consider this petition;

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

SECTION 1. Through the authority of IC 36-7-4 and pursuant to Chapter 20.04 of the Bloomington Municipal Code, the zoning for the property located at 3380, 3440, and 3480 W. Runkle Way shall be changed from Commercial General (CG) to Commercial Arterial (CA). The property is further described as follows:

Lots 8A, 8B, 8C and 8D, Second Replat of Lot 8 as Shown on the Replat of Whitehall Park, Lots 5, 6 and 8 Final Plat, as shown by the plat thereof recorded as Instrument Number 2009017183 in the Office of the Recorder of Monroe County, Indiana.

SECTION 2. This rezoning shall be approved as attached hereto and made a part thereof.

SECTION 3. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

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

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2016.

ANDY RUFF, 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 _____, 2016.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____,
2016.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance would rezone 5.32 acres located on West Runkle Way from Commercial General (CG) to Commercial Arterial (CA) to allow for a proposed new hotel.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 16-19 is a true and complete copy of Plan Commission Case Number ZO-13-16 which was given a recommendation of approval by a vote of 7 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on August 8, 2016.

Date: August ¹⁵~~16~~, 2016

Christy L. Langley, Secretary
Plan Commission

Received by the Common Council Office this 15 day of August, 2016.

Nicole Bolden
Nicole Bolden, City Clerk

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

Type of Legislation:

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

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

Cause of Request:

Planned Expenditure _____	Emergency _____
Unforeseen Need _____	Other _____

Funds Affected by Request:

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

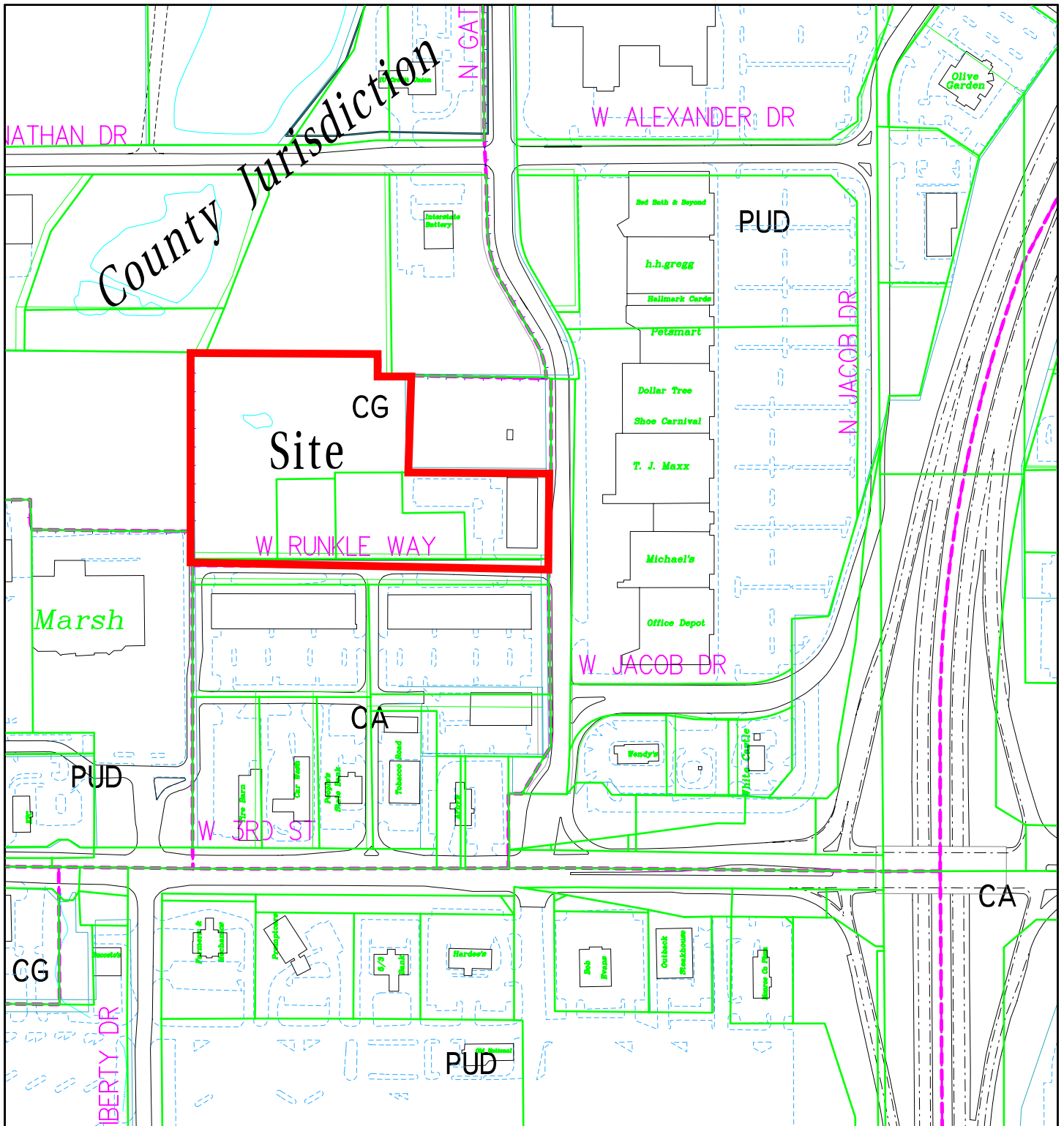
Signature of Controller

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

Yes _____ No _____

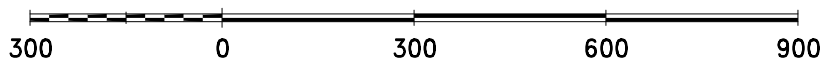
If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

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



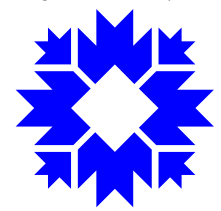
ZO-13-16 VMP Development
 3380 W Runkle Way
 Plan Commission
 Site Location, Zoning, Land Use, Parcels

By: greulice
 2 Jun 16

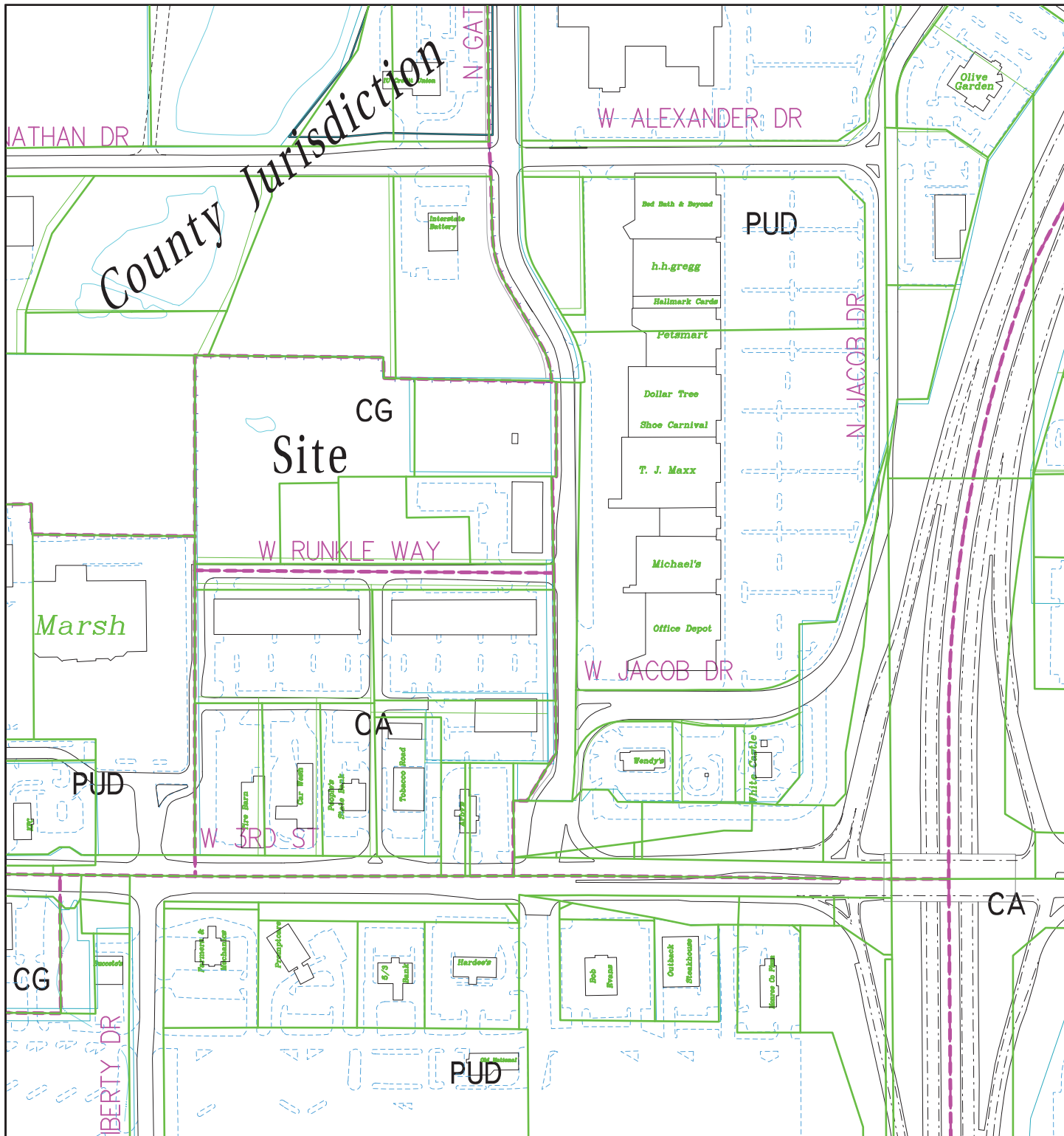


For reference only; map information NOT warranted.

City of Bloomington
 Planning & Transportation

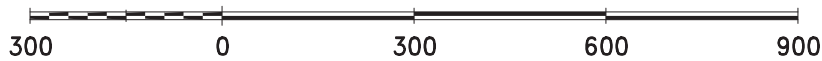


Scale: 1" = 300'

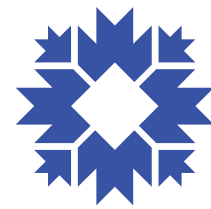


ZO-13-16 VMP Development
 3380 W Runkle Way
 Plan Commission
 Site Location, Zoning, Land Use, Parcels

By: greulice
 2 Jun 16



City of Bloomington
 Planning & Transportation



Scale: 1" = 300'

For reference only; map information NOT warranted.



Z0-13-16 VMP Development

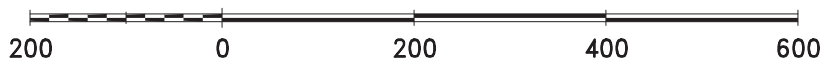
3380 W. Runkle Way

Plan Commission

2014 Aerial Photograph

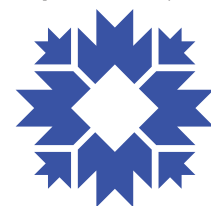
By: greulice

2 Jun 16

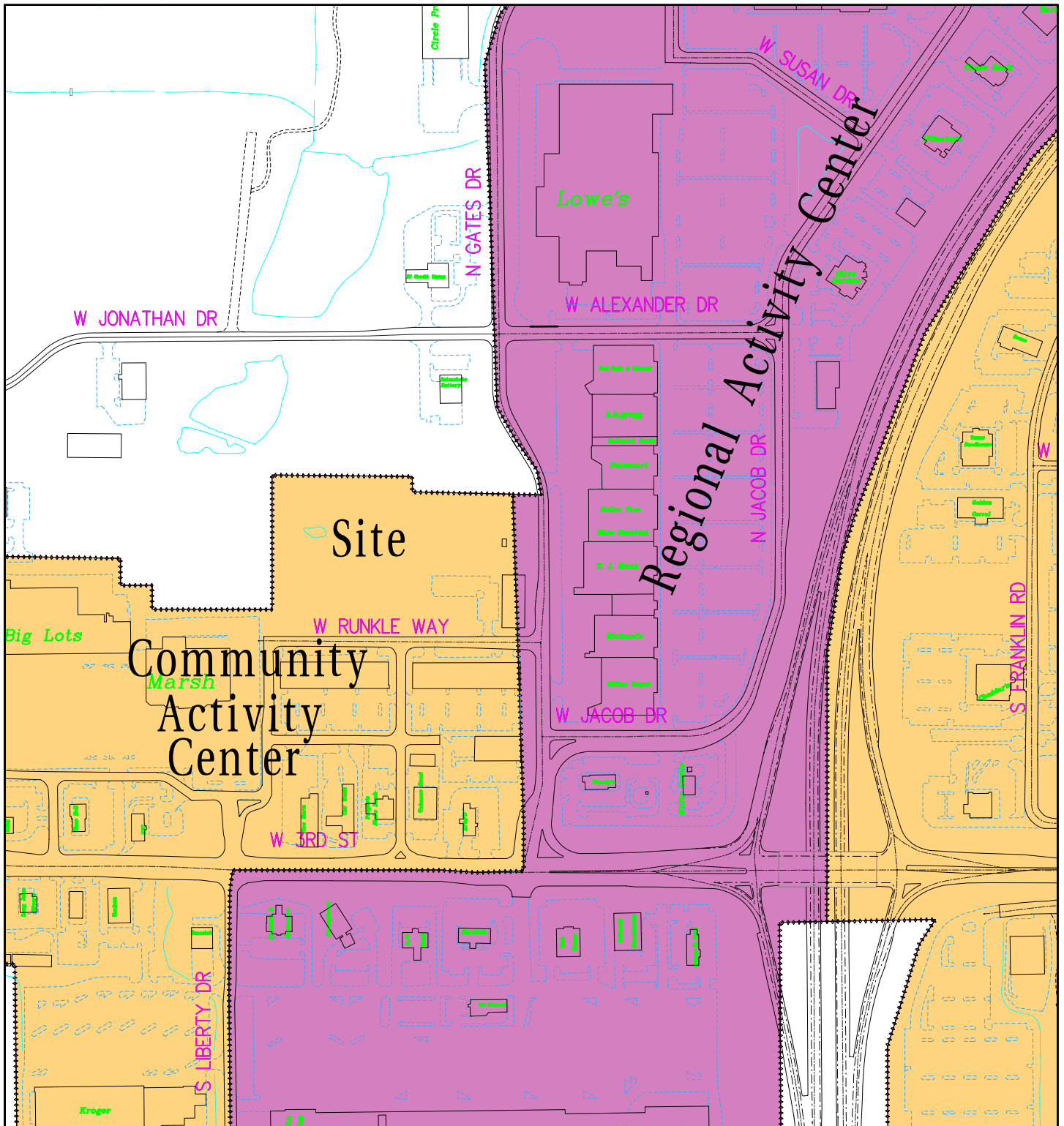


For reference only; map information NOT warranted.

City of Bloomington
Planning & Transportation



Scale: 1" = 200'



Z0-13-16 3380 W Runkle Way

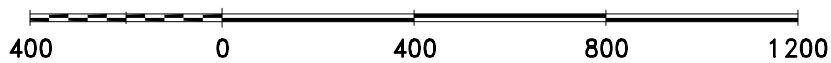
VMP Development

Plan Commission

Growth Policies Plan Map

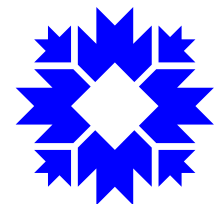
By: greulice

2 Jun 16



For reference only; map information NOT warranted.

City of Bloomington
Planning & Transportation



Scale: 1" = 400'

Interdepartmental Memo

To: Members of the Common Council
From: Eric Greulich, Zoning Planner
Subject: Case #ZO-13-16
Date: August 10, 2016

Attached are the staff report, petitioner's statement, maps, and exhibits which pertain to Plan Commission case #ZO-13-16. The Plan Commission heard this petition at the June 6 and August 8, 2016 hearings and voted 7-0 to send this petition to the Common Council with a favorable recommendation.

REQUEST: The petitioner is requesting to rezone 5.32 acres from Commercial General (CG) to Commercial Arterial (CA).

BACKGROUND:

Area: 5.32 acres
Current Zoning: CG
GPP Designation: Community Activity Center
Existing Land Use: Multi-tenant commercial building
Proposed Land Use: Commercial
Surrounding Uses: North – County Jurisdiction (PSI substation)
West – Commercial shopping center
East – Commercial shopping center (Whitehall Crossing)
South – Commercial shopping center (Whitehall Park)

REPORT: The properties are located at 3380, 3440, & 3480 W. Runkle Way. The properties are all zoned Commercial General (CG). Surrounding land uses are all commercial shopping centers with Monroe County planning jurisdiction to the north. This site was subdivided in 2009 (DP-28-09) to create four lots. All required right-of-way and preservation areas were set aside with that approval. The site has been developed with a multi-tenant commercial building and surface parking lot on one lot, a detention pond on a common area lot, and 2 remaining vacant lots.

The petitioner is requesting to rezone the property from Commercial General (CG) to Commercial Arterial (CA). The rezone is requested to allow for development of a hotel on the site. A schematic layout for the hotel was presented to the Plan Commission and would be able to meet UDO requirements. A separate site plan approval from the Plan Commission is required prior to construction of the hotel. There is an existing detention pond on the site that would be relocated for the hotel and would be re-platted to be placed on a new common area lot.

GROWTH POLICIES PLAN: This property, as well as the Commercial Arterial land to the south, is designated as "*Community Activity Center*". The GPP notes that a *Community Activity Center* is designed to provide community-serving commercial opportunities in the context of a high density, mixed use development. CAC's are larger

in scale and higher in intensity than the *Neighborhood Activity Center*. The primary land uses in a CAC should be medium scaled commercial retail and service uses, which would be accomplished with this rezoning request.

ISSUES:

Traffic Impacts: The petitioner submitted a traffic study analyzing the existing transportation facilities and possible impacts. The traffic study showed that the amount of traffic for a hotel is not any greater than already permitted Commercial General uses and the rezoning would not have a greater impact on adjacent roads or intersection. Primary access to this site would come from Gates Drive to the east, which is classified as a Primary Collector street in the Thoroughfare Plan. There is a signalized intersection at Gates Drive and 3rd Street. The Plan Commission found that the location of this site in close proximity to the future I-69 corridor makes it an attractive location for a hotel to serve interstate travelers.

List of Uses: The uses that would be allowed with this rezoning that would not be allowed with the current Commercial General zoning district are:

- Auto body shop
- Boat sales
- Building supply store
- Building trade shop
- Check cashing
- Country club
- Department store
- Golf driving range, outdoor
- Hotel/motel
- Miniature golf
- Mini-warehouse facility
- Radio/tv station
- Research center
- Retail, outdoor
- Sexually oriented business
- Theater, indoor
- Vehicle repair
- Vehicle sales rental

The petitioner has committed to record a zoning commitment to not allow the following uses on this property:

- Check cashing
- Convenience store with gas or alternative fuels
- Country club
- Dwelling, single family (detached)
- Gasoline station
- Oil change facility

- Sexually oriented business
- Tattoo/piercing parlor
- Theater, indoor
- Transportation terminal

Utilities: There are existing public utilities that serve this property and no problems have been identified in the current utility service. As mentioned previously, if a hotel is constructed on this site it will most likely require the relocation of the existing stormwater detention pond to another portion of the lot. This will be reviewed with future site plan approvals.

CONCLUSION: The area proposed for rezoning is already designated as a Community Activity Center in the Growth Policies plan and is immediately adjacent to Commercial Arterial zoning land. The submitted traffic study showed that the proposed new hotel would not increase traffic rates beyond other Commercial General uses. The location of this site along the future I-69 corridor provides an ideal location for this land use.

RECOMMENDATION: The Plan Commission voted 7-0 to forward this petition to the Common Council with a favorable recommendation and the following conditions:

1. No site plan approval is given with this petition.
2. The zoning commitment regarding the list of excluded uses must be recorded within 30 days of rezoning approval from Council.

PETITIONER'S STATEMENT

VMP Development, LLC petitions the City of Bloomington to rezone property located at 3380, 3440 and 3480 W. Runkle Way and property located at 135 N. Gates Drive, Bloomington, Indiana from Commercial General to Commercial Arterial.

Current Zoning: Commercial General

Proposed Zoning: Commercial Arterial

Real Estate: Lot 8A, Whitehall Park, 135 N. Gates Drive
 Lot 8B, Whitehall Park, 3380 N. Gates Drive
 Lot 8C, Whitehall Park, 3480 W. Runkle Way
 Lot 8D, Whitehall Park, 3440 W. Runkle Way

Acreage: Lot 8A, .95 acres. Possible lot adjustment to .84 acres
 Lot 8B, .88 acres. Possible lot line adjustment to 1.00 acres
 Lot 8C, 3.3 acres. Possible lot line adjustment to 3.25 acres
 Lot 8D, .49 acres. Possible lot line adjustment to .53 acres

Petitioner requests rezoning to CA to allow development of Lots 8B and 8D as a Comfort Suites hotel. The detention pond presently located on Lot 8D would be relocated to the northwest portion of Lot 8C, adjacent to the designated tree preservation area on Lot 8C. Interior lot line adjustments among the lots would reconfigure lots 8B and 8D to a size required to accommodate the hotel development with adequate onsite parking.

Current and Proposed Development:

Lot 8A is a small commercial strip building. The majority of the space is occupied by David's Bridal.

Lot 8B and 8D to be redeveloped as the hotel.

Lot 8C is reserved for future development. Projected uses of Lot 8C include possible multi-family housing. Development of Lot 8C would allow for extension of Liberty Drive connecting to Jonathan Drive. A part of Lot 8C would remain undeveloped and reserved for tree preservation and the relocated detention pond.

Surrounding Uses:

Lots adjacent to the south and fronting on the south side of W. Runkle Way are all zoned commercial arterial and are fully developed commercial strip buildings. Adjacent to the east, and east of N. Gates Drive is the fully developed Whitehall Crossing commercial

center and zoned PUD. The northwest corner of the site is the existing Duke Energy power substation. North of Lot 8C is the Curry Industrial Park PUD. West of the property, adjacent to Lot 8C is the continuation of the Curry Industrial Park PUD. The southwest corner from Lot 8C is the north corner of Whitehall Square Commercial PUD.

Vehicular Access.

The property is accessed from W. Third Street through Gates Drive on the east. Runkle Way extends across the south side of the property from Gates Drive. North Runkle Way presently dead ends at the west property line. Runkle Way has not been extended through or around the Whitehall Square Commercial PUD. Runkle Way connects south to W. Third Street through a private easement road which serves Whitehall Crossing and the commercial buildings on the south side of W. Runkle Way.

There are no known environmental constraints on the property except the previously designated tree preservation area and the requirement to relocate the existing detention pond.

Petitioner's proposed development of Lots 8B and 8D as the hotel is anticipated to be in compliance with all development standards existing for the CA zone.

Permitted Uses:

As a condition of approval to be documented and recorded by appropriate commitment for the use and development of real estate, the permitted uses in the CA zone would be amended to delete the following uses:

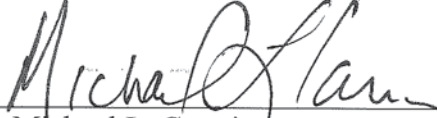
- Check cashing;
- Convenience store with gas or alternative fuels;
- Country Club;
- Dwelling, single family (detached);
- Gasoline station;
- Oil change facility;
- Sexually oriented business;
- Tattoo/piercing parlor;
- Theater, indoor
- Transportation terminal

Traffic study and analysis comparing and examining traffic generation for CA uses compared to the current zoning for CG is included with this Petition.

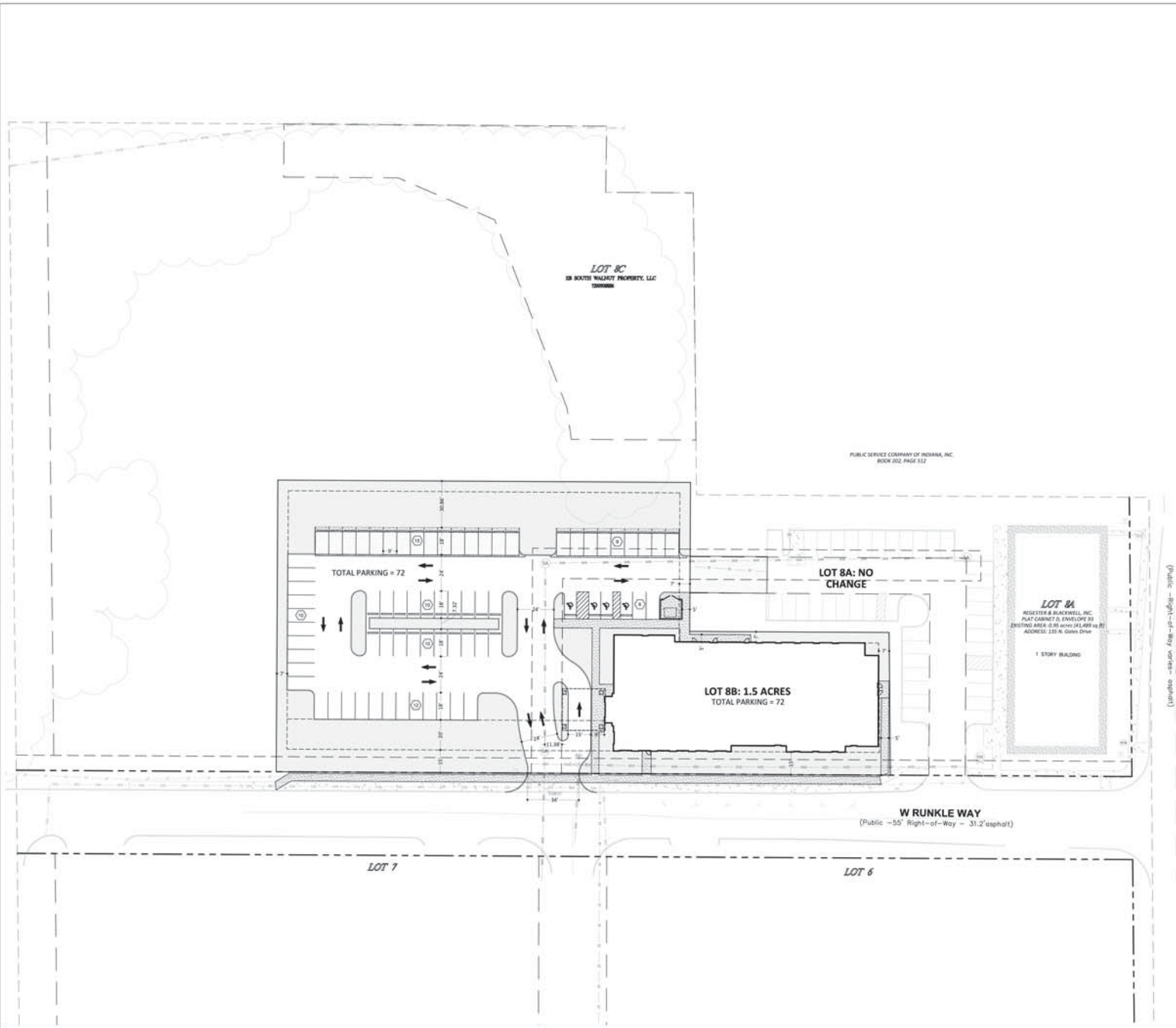
Process:

Petitioner requests waiver of a second Plan Commission hearing on this Petition.

VMP DEVELOPMENT

by: 
Michael L. Carmin,
Attorney for Petitioner

396656 / 23689-1



GENERAL NOTES

PLAN NOTES

LEGEND

- LIMITS OF PERVIOUS AREAS LOT 8B
- LIMITS OF NEW CONCRETE PAVEMENT
- PAVEMENT STRIPING 2' O.C.
- PERVIOUS PAVEMENT MATERIAL

IMPERVIOUS SURFACE

LOT 8B	
LOT AREA:	65340 SQ. FT. (1.5 ACRES)
IMPERVIOUS AREA :	38576 SQ. FT. (59%)
PERVIOUS AREA:	26764 SQ. FT. (41%)
SPREADSPACE	23487 SQ. FT.
PERVIOUS PAVEMENT	3277 SQ. FT.

BRCJ
 BLOOMINGTON BEDFORD PAOLI
 1351 West Tapp Road
 Bloomington, Indiana 47403
 Phone: 812.336.8277
 Fax: 812.336.0817
 www.brcjvil.com

**Whitehall Park
 Comfort Inn**
 135 N. Gates Drive
 Bloomington, IN
 BRG Project No: 9016

**SITE IMPROVEMENT PLAN
 OPTION 8**



Date: 07-25-2016 Issue: OWNER REVIEW

REVISION SCHEDULE

Rev. #	Rev. Description:	Issue Date

Drawn By: DLN
 Designed By: DLN
 Checked By: XXX

C401

Proposed Site Plan

Whitehall Park Trip Generation Comparison
Comfort Inn Hotel vs. Permitted CG Uses

BRCJ-9016
June 5, 2016

Reference - Institute of Transportation Engineers Trip Generation Manual, 7th Edition

Comparison	Hotel Average Trip Ends	CG Uses Average Trip Ends	Difference Average Trip Ends	Percent Reduction in Trips
Weekday	760	2044	1284	62.81
Weekday AM Peak Hour	47	190	143	75.31
Weekday PM Peak Hour	55	174	119	68.53
Saturday	737	2051	1314	64.07
Saturday Peak Hour	65	184	119	64.73
Sunday	535	1515	979	64.65
Sunday Peak Hour	50	67	17	24.90

Traffic Study

Whitehall Park Trip Generation Comparison
 Comfort Inn Hotel vs. Permitted CG Uses

BRCJ-9016
 June 5, 2016

Reference - Institute of Transportation Engineers Trip Generation Manual, 7th Edition

Hotel Trip Generation	Average Rate	Average Trip Ends
Average Vehicle Trip Ends vs. Occupied Rooms at 72		
Weekday	8.92	642
Weekday AM Peak Hour	0.64	46
Weekday PM Peak Hour	0.74	53
Saturday	10.50	756
Saturday Peak Hour	0.87	63
Sunday	8.48	611
Sunday Peak Hour	0.75	54
Average Vehicle Trip Ends vs. Rooms at 72		
Weekday	8.17	588
Weekday AM Peak Hour	0.52	37
Weekday PM Peak Hour	0.61	44
Saturday	8.19	590
Saturday Peak Hour	0.72	52
Sunday	5.95	428
Sunday Peak Hour	0.56	40
Average Vehicle Trip Ends vs. Employees at 12		
Weekday	14.34	172
Weekday AM Peak Hour	0.79	9
Weekday PM Peak Hour	0.90	11
Saturday	12.27	147
Saturday Peak Hour	1.10	13
Sunday	8.92	107
Sunday Peak Hour	0.83	10
Average Vehicle Trip Ends vs. Rooms at 72 + Employees at 12		
Weekday		760
Weekday AM Peak Hour		47
Weekday PM Peak Hour		55
Saturday		737
Saturday Peak Hour		65
Sunday		535
Sunday Peak Hour		50

Whitehall Park Trip Generation Comparison
 Comfort Inn Hotel vs. Permitted CG Uses

BRCJ-9016
 June 5, 2016

Reference - Institute of Transportation Engineers Trip Generation Manual, 7th Edition

Permitted CG Uses for a 14,000 Gross SF Building	Average Rate	Average Trip Ends	Average Rate Employees	Average Trip Ends Employees	Average Trip Ends Total
General Office Building - ITE Land Use 710 (Page 1159)					
Average Vehicle Trip Ends vs. 1000 Sq. Feet Gross Floor Area at 4,000 SF with 6 Employees					
Weekday	11.10	44	3.32	19.92	64
Weekday AM Peak Hour	1.55	5	0.48	2.88	8
Weekday PM Peak Hour	1.49	4	0.46	2.76	7
Saturday	2.37	7	0.54	3.24	10
Saturday Peak Hour	0.41	1	0.09	0.54	2
Sunday	0.98	3	0.22	1.32	4
Sunday Peak Hour	0.14	0	0.03	0.18	1
Hardware/Paint Store - ITE Land Use 816 (Page 1366)					
Average Vehicle Trip Ends vs. 1000 Sq. Feet Gross Floor Area at 4,000 SF					
Weekday	51.29	205			
Weekday AM Peak Hour	4.91	15			
Weekday PM Peak Hour	4.74	14			
Saturday	82.52	248			
Saturday Peak Hour	11.18	34			
Sunday	68.65	206			
Sunday Peak Hour	9.81	29			
Specialty Retail Center - ITE Land Use 814 (Page 1337)					
Average Vehicle Trip Ends vs. 1000 Sq. Feet Gross Floor Area at 2,000 SF					
Weekday	44.32	89			
Weekday AM Peak Hour	6.84	14			
Weekday PM Peak Hour	5.02	10			
Saturday	42.04	84			
Saturday Peak Hour	no data	no data			
Sunday	20.43	41			
Sunday Peak Hour	no data	no data			
High-Turnover (Sit-Down) Restaurant - ITE Land Use 932 (Page 1723)					
Average Vehicle Trip Ends vs. 1000 Sq. Feet Gross Floor Area at 2,000 SF					
Weekday	127.15	254			
Weekday AM Peak Hour	13.53	27			
Weekday PM Peak Hour	18.80	38			
Saturday	158.37	317			
Saturday Peak Hour	20.00	40			
Sunday	131.84	264			
Sunday Peak Hour	18.46	37			
Fast-Food Restaurant w/o Dive-Through - ITE Land Use 933 (Page 1741)					
Average Vehicle Trip Ends vs. 1000 Sq. Feet Gross Floor Area at 2,000 SF					
Weekday	716.00	1432			
Weekday AM Peak Hour	63.50	127			
Weekday PM Peak Hour	52.40	105			
Saturday	696.00	1392			
Saturday Peak Hour	54.55	109			
Sunday	500.00	1000			
Sunday Peak Hour	no data	no data			
Permitted CG Uses for a 14,000 Gross SF Building					
Average Vehicle Trip Ends Combined					
Weekday					2,044
Weekday AM Peak Hour					190
Weekday PM Peak Hour					174
Saturday					2,051
Saturday Peak Hour					184
Sunday					1,515
Sunday Peak Hour					67

In the Council Chambers of the Showers City Hall on Thursday, August 25, 2016 at 10:15 pm with Council President Andy Ruff presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
August 25, 2016

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

ROLL CALL
[10:16 pm]

Council President Ruff gave the Agenda Summation.

AGENDA SUMMATION
[10:16 pm]

It was moved and seconded to start the regular session on August 31, 2016 to 6:30 pm.

COUNCIL SCHEDULE

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

Vote on motion [10:17pm]

Dan Sherman, council attorney, reminded the council that there was an internal work session scheduled for the next day.

The meeting was adjourned at 10:19 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Andy Ruff, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

For Approval

In the Council Chambers of the Showers City Hall, Bloomington, Indiana, on Wednesday, July 13, 2016 at 7:34pm with Council President Andy Ruff presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
July 13, 2016

Roll Call: Granger, Sturbaum, Mayer, Sandberg, Ruff, Piedmont-Smith, Chopra, Rollo
Absent: Volan

ROLL CALL
[7:34pm]

Council President Ruff gave the Agenda Summation

AGENDA SUMMATION
[7:35pm]

It was moved and seconded to approve the minutes from June 29, 2016, June 22, 2016, June 15, 2016, December 10, 2003, June 4, 2003, and February 5, 2003.

APPROVAL OF MINUTES
June 29, 2016 (Regular Session)
June 22, 2016 (Special Session)
June 15, 2016 (Regular Session)
December 10, 2003 (Special Session)
June 4, 2003 (Regular Session)
February 5, 2003 (Regular Session)
[7:38pm]

Isabel Piedmont-Smith raised a point of order, and requested to vote separately on the sets of minutes from 2016 and the sets of minutes from 2003. It was moved and seconded to so divide the question.

Ruff asked whether there were any additions or corrections for the 2016 minutes.

Piedmont-Smith noted one correction for June 15, 2016 minutes.

It was moved and seconded that the minutes from June 29, 2016, June 22, 2016, and June 15, 2016 be approved as corrected. The motion was approved by voice vote.

It was moved and seconded that the minutes of December 10, 2003, June 4, 2003, and February 5, 2003 be approved. The motion was approved by voice vote with Piedmont-Smith and Alison Chopra abstaining.

REPORTS

Chopra wished Clerk Nicole Bolden a happy birthday.

- COUNCIL MEMBERS [7:40pm]
- The MAYOR AND CITY OFFICES
- COUNCIL COMMITTEES

- PUBLIC [7:41pm]

There were no reports from the Mayor's office.

There were no council committee reports.

Ruff called for public comment.

Gabe Rivera spoke about the war on drugs in Monroe County and the Dallas shooting.

Council Attorney Daniel Sherman provided background information on why the council needed to act on certain appointments at that time.

APPOINTMENTS TO BOARDS
AND COMMISSIONS [7:46 pm]

It was moved and seconded to appoint Councilmembers Alison Chopra, Susan Sandberg, Isabel Piedmont-Smith, and Dorothy Granger, to work in concert with other members of the COIT council to establish a public safety LOIT committee. The motion was approved by a voice vote.

It was moved and seconded that Ordinance 16-12 be introduced and read by title and synopsis only. The motion was approved by a voice vote.

Deputy Clerk Hilderbrand read the legislation and synopsis, giving the committee recommendation of do pass 0-3-5.

It was moved and seconded that Ordinance 16-12 be adopted.

Ruff invited Chris Sturbaum to address why a postponement of this ordinance was appropriate and provide background information based upon his involvement in the matter.

Sturbaum described ongoing negotiations between the council, the neighborhood of Maple Heights, and Duke Energy, regarding a proposal made to Duke to screen the proposed substation with a wall to block sound and sight pollution and to leave enough land along the street to build structures already intended for the tech park. Sturbaum said he attended a conference recently and heard about other communities' solutions to substation locations. Sturbaum presented pictures of what other solutions communities have used. Sturbaum said if was done right, a substation did not have to harm the surrounding area. Sturbaum presented slides to show the layout of the land at the proposed sight. He said discussions with Duke were ongoing, and that Duke had requested additional time, which Sturbaum took as a good sign. Sturbaum presented drawings showing possible solutions to screen the substation with walls and liner buildings. Sturbaum said that it made sense to postpone the ordinance because discussions were ongoing and some of those ideas had only recently been presented to Duke.

It was moved and seconded to allow the public to speak on Ordinance 16-12 as part of an additional public hearing advertised for that evening. At the conclusion of public comment, the council would then entertain a motion to postpone further deliberations on Ordinance 16-12 until the regular session schedule for August 31, 2016.

The motion to allow said public comment period received a roll call vote of Ayes: 8, Nays: 0.

Ruff invited public comment, but noted that there was an ongoing discussion with Duke and said he believed that it was being done in good faith.

Chopra commented that she believed the council was supportive of the types of solutions presented by Sturbaum and did not need to be convinced by the public.

Public Comment:

Joanna Woronkowitz said she lived in Maple Heights, and was encouraged that Duke seemed to be working in good faith with the council and the administration. She noted that she believed a sizable contingent of the community was still not convinced that it was a good location for the project, but she said she recognized compromises may need to be made on both ends. She also noted very little had been done to address the sighting of electrical lines. She encouraged the council to keep the sighting of lines and poles in mind when discussing alternate design options. She also encouraged the council, the administration, and the plan commission to think about what provisions are necessary to help prevent some of the similar

Ordinance 16-12 – To Vacate Public Parcels – Re: Two 12-Foot Wide Alley Segments and Two Fifty-Foot Wide Street Segments Located at the Northwest Corner of West 11th Street and North Rogers Street (Duke Energy, Petitioner)
[7:51pm]

PUBLIC COMMENT
[8:05pm]

issues, such as setbacks, from arising in the future. She asked for the Mayor to publicly provide his stance on the project. She said that the public had not heard from the Mayor and his voice might help resolve the situation more quickly and more smoothly.

Sandy Clavere (**spelling?**) seconded the comments already made, and congratulated the council for being proactive in the matter. She underscored that the Mayor's voice was missing in the debate. She said she expected that he would stand up for the people and encouraged him to do so.

Robert Harmon said he disliked the location and thought the substation should be closer to IU. However, he thought he could go with the drawings shown by Sturbaum, if that was going to be a compromise. He said he did not like the idea of the City paying for making a pig's ear look like a silk purse. He hoped to make it look nice, but reiterated that the City should not pay for it.

It was moved and seconded to postpone consideration of Ordinance 16-12 to the next regular meeting, on August 31, 2016. The motion to postpone received a roll call vote of Ayes: 8, Nays: 0.

It was moved and seconded that Resolution 16-11 be introduced and read by title and synopsis only. The motion was approved by a voice vote.

Resolution 16-11 – To Designate an Economic Revitalization Area, Approve the Statements of Benefits, and Authorize a Period of Abatement for Real Property Improvements - Re: Properties at 405 S. Walnut Street; 114, 118, and 120 E. Smith Avenue; and 404 S. Washington Street (H.M. Mac Development, LLC, Petitioner)
[8:11pm]

It was moved and seconded that Resolution 16-11 be adopted.

Jason Carnes, Assistant Director of Small Business Development, spoke on the proposed tax abatement. He reminded the council of the location of the project. He described and summarized the two proposed buildings. He pointed out the workforce housing component of the project and described the requirements for the workforce housing units. He described the job creation expected as a result of the project and displayed the proposed tax abatement schedule. He summarized the recommendation issued by the Economic Development Commission and mentioned the Petitioner was present to answer any questions.

Chopra asked who initiated the negotiations for the tax abatement. Carnes said the developers approached the City with the idea of the workforce housing component, and one way to make that feasible was to have a tax abatement.

COUNCIL QUESTIONS
[8:14pm]

It was moved and seconded to adopt Amendment 1 to Resolution 16-11.

Amendment 1 to Resoution 16-11
[8:15pm]

Piedmont-Smith explained that Amendment 1 would change the date of the confirmation hearing for the tax abatement from August 10, 2016 to August 31, 2016.

Chopra asked for a description of the confirmation hearing process. Council Attorney Dan Sherman explained the process of adopting a tax abatement.

COUNCIL QUESTIONS
[8:16pm]

The motion to adopt Amendment 1 to Resolution 16-11 received a roll call vote of Ayes: 8, Nays: 0.

Vote on Amendment 1 to Resolution 16-11
[8:19pm]

It was moved and seconded to adopt Amendment 2 to Resolution 16-11.

Amendment 2 to Resolution 16-11
[8:20pm]

Granger explained that Amendment 2 would change the tax abatement schedule from a five-year schedule to a three-year schedule, and spoke about her reasons for supporting the proposed amendment.

Piedmont-Smith explained her reasons for supporting the amendment, and said she wanted to see additional discussions with the developer to see if more affordable units could be added to the project before going back to a five-year abatement.

Ruff invited the developer, Steve Hoffman, to comment.

Hoffman commented he continued to believe the five-year abatement was appropriate.

Chopra asked Carnes if he had a working formula that was used in other situations to calculate wages, or if the formula proposed to be used for the workforce housing units was a new process to calculate workforce wages.

COUNCIL QUESTIONS
[8:23pm]

Carnes said, as far as the workforce housing units, it was a new formula, but noted that the Bloomington living wage ordinance was used as the basis of the formula.

Chopra asked if there was a way to fairly and accurately calculate the items in the formula, specifically wages.

Carnes said that some of the details of how to measure the variables in the formula would be included and figured out in the Memorandum of Understanding, the agreement that happened after the abatement was granted

Chopra asked if there was an agreement drafted yet.

Thomas Cameron, Assistant City Attorney, explained the tax abatement process. He stated that the Economic Development Commission reviewed a request for the tax abatement, then passed that request along to the council. He said there was multi-step process with the council, with a declaratory resolution and a confirmatory resolution. After the confirmatory resolution was drafted, then the Memorandum of Understanding was created, which outlined all of the conditions the council places on the abatement.

Chopra asked whether there was a way for the council to guarantee that what they vote on and what they pass would then be carried out in the agreement.

Cameron said that when the council approved the confirmatory resolution, that resolution would be the main document that would guide the MOU, and said that he had been and would continue to be present at all meetings related to the topic and would be the one drafting the MOU, so he would work in the council's wishes.

Hoffman said a lot of thought had gone into the formula. He addressed Chopra's concern about how to accurately measure salary and said that the hourly rate requirement was annualized. If married, each individual would have to qualify separately. He said they would be able to address individual circumstances as they came up.

Ruff said he supported the amendment, but wanted to see the project move forward regardless, so if the amendment failed, he would still support the original ordinance.

COUNCIL COMMENT
[8:30pm]

Sandberg said she supported the amendment, and commended the petitioner and city staff for negotiating the arrangement. She wanted to see other similar arrangement, and noted that tax abatements were just one incentive for future developers. She said the council should be sparing about giving out abatements, and be sure to save four-year or five-year abatements for projects that offered even more affordable housing options.

Amendment 2 to Resolution 16-11 (cont'd)

Ruff noted that during consideration of the confirming resolution the council could approve, approve and modify, or rescind the initial resolution.

Sturbaum suggested allowing the petitioner to speak toward the finances of the project, the thinking that went into affordability, and how the abatement fit into that concept.

There was discussion among councilmembers and the council attorney about when discussion of that topic would be most appropriate, and it was determined to allow petitioner to respond to Sturbaum's invitation to speak.

Hoffman said the project would be successful regardless of the workforce housing component or the tax abatement outcome. Hoffman said he felt the five-year abatement was appropriate as the project would provide more of a benefit than other projects right across the street that had already received three-year abatements, but that did not have any affordable housing component. Hoffman said the council was sending the wrong signal to future developers, but that it was up to the council to decide. He said the developers entered into discussions with the administration because the administration offered an olive branch that the developers wanted to grab onto, and they wanted to provide an example that showed responsible development could happen, and that city officials wanted to see it happen. Hoffman said he felt an even longer abatement would be appropriate as the difference between the rent for the workforce units and market rent was actually more of a benefit to the city than the developer was getting back with the abatement. Hoffman said the closer the city could get to matching the cost to the developers, the more it would encourage other developers to do similar projects

Sandberg responded to Hoffman's comment about the developments across the street, and provided her perspective on why that developer received the abatement it did. She also noted that because the affordable housing component was new, it was setting precedent, and that was why the council was thinking of starting at a three-year abatement. She added that she was thinking of a compromise of a four-year abatement, but thought the majority of the council supported a three-year abatement. She would like further discussion, but would still support the three-year abatement at that point.

Sturbaum said he had not been involved in negotiations of the abatement, but after talking to a nonprofit developer about the money that went into other similar projects, he understood the financial considerations. He commented he also understood the message that the council wanted to send, but did not want to discourage future developers. He said a four-year abatement might be a compromise.

Piedmont-Smith clarified that this developer was not a non-profit developer. She also expected to continue conversations with Hoffman and city staff and to come back to the council with a longer proposed period of abatement.

Amendment 2 to Resolution 16-11 (cont'd)

Mayer said that the developer and the administration originally had an agreement of a three-year abatement but the development commission had bumped it up to a five-year abatement, and that was how it came to the council.

Granger said she still believed a three-year abatement was the best place to start. She said the council needed to be thoughtful in using that one tool they had, and that the three-year abatement was agreed to in the beginning, plus they still had time to negotiate.

Sturbaum said that he understood then that they had time to continue discussions, and that he would support the amendment.

Ruff clarified whether Sturbaum would be supportive of a four-year abatement if that were the final vote.

Sturbaum said yes, but since there was time for more discussion, he could support amendment.

The motion to adopt Amendment 2 to Resolution 16-11 received a roll call vote of Ayes: 8, Nays: 0.

Vote on Amendment 2 to Resolution 16-11
[8:47pm]

Rollo asked about a comparison of the commercial first floor of the project in the context of other developments in the downtown core.

COUNCIL QUESTIONS on Resolution 16-11
[8:48pm]

Carnes said he talked to the Planning and Transportation Department about that information, and that they were working on gathering it, but that they did not get it to him in time for the meeting. He said he should have it before the August 31 meeting.

Granger asked whether there was a plan in place if the workforce housing apartments could not be filled.

Hoffman said that was why the five-year abatement, or even a longer abatement, would be appropriate, because the developer was taking on risk. If they made an error in judging the demand for that type of housing, the units would sit empty.

Sandberg asked who would be monitoring that those apartments were filled.

Carnes said he imagined it would be the Economic and Sustainable Development Department, but that detail would need to be figured out in the MOU.

Sandberg asked whether the city would have an obligation to advertise and market those apartments.

Carnes said the city would not be obligated to do so, but the city might want to do it anyway.

Hoffman said any referral would be graciously accepted, but the developer would still have to market those units separately, and would incur extra costs to do so.

Sandberg said maybe instead of a marketing push by the city that a referral system would be appropriate.

Piedmont-Smith thanked the developer for taking the initiative and for the dedication to shown to the community. She said she thought it would be a shot in the arm for South Walnut, and would be positive. She said they would be nice buildings, and we would still

COUNCIL COMMENT
[8:53]

have the Chocolate Moose in one of the buildings. She appreciated all the work that had been done. She understood that time was money and it had taken longer than originally hoped, but there was still work to be done. She said she was happy to support the resolution.

Resolution 16-11 (cont'd)

Chopra said she wanted to truly incentivize others to do those sorts of projects, rather than merely reward developers retroactively.

Sturbaum wondered what would happen if the market-rate apartments did not all rent. He hoped there would be a time that the market-rate apartments themselves would be affordable. He said the market was skewed and needed to be incentivized since there was not enough workforce housing for the demand. He said maybe units would age into affordability and wished that the market would work better so that the council would not have to incentivize.

Sandberg looked forward to more thorough conversations with the developer and the administration about the levels and the appropriate use of abatements. She said it was fair to everyone when there was a predictable formula used. She noted she was a member of the affordable living study group and was looking at solutions beyond tax abatements.

Mayer thanked Hoffman and his development team for being the first in that type of program. He looked forward to working with them and the administration on structuring policy to create a roadmap for the future.

Ruff said that type of pioneering idea was exciting, and hoped to modify the agreement in the next month and a half so that it provided more of what both sides wanted. He said there was a lot to like, especially that there would be no difference in access to amenities, or in the units themselves.

The motion to adopt Resolution 16-11 received a roll call vote of Ayes: 8, Nays: 0.

Vote on Resolution 16-11
[9:02pm]

It was moved and seconded that Ordinance 16-17 be introduced and read by title and synopsis only. The motion was approved by a voice vote.

Ordinance 16-17 – To Designate an Economic Development Target Area (EDTA) - Re: Property Located at 405 S. Walnut Street; 114, 118, and 120 E. Smith Avenue; and 404 S. Washington Street and Identified by the Monroe County Parcel ID Numbers 015-35020-00, 015-35010-00, 015-35030-00, 015-10000-00, 015-33130-00 (H.M. Mac Development, LLC, Petitioner)
[9:03pm]

Deputy Clerk Hilderbrand read the legislation by title and synopsis.

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

Carnes explained that the ordinance was a state requirement needed when a tax abatement was granted. He said it set an economic development target area and an expiration date for that area. Carnes said it defined an area that needed economic development.

COUNCIL COMMENT
[9:05pm]

Sturbaum confirmed that the area did in fact need that kind of growth and development. He said the area was not far from Seminary Park, which had started to be more of a negative impact on growth, and hope that the development could be a positive impact.

Granger said she felt they were approaching the issue in reverse order, that they should want to identify such areas first, but would still support the Ordinance.

Ordinance 16-17 (cont'd)

The motion to adopt Ordinance 16-17 received a roll call vote of Ayes: 8, Nays: 0.

Vote on Ordinance 16-17
[9:07pm]

Sherman provided a reminder of the upcoming council recess and gave an overview of the council meetings schedule for after the recess.

COUNCIL SCHEDULE
[9:08pm]

The meeting was adjourned at 9:09pm.

ADJOURNMENT

APPROVE:

ATTEST:

Andy Ruff, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

For Approval

In the Council Chambers of the Showers City Hall, Bloomington, Indiana, on Wednesday, July 12, 2016 at 7:38 pm with Council President Andy Ruff presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
July 12, 2016

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

ROLL CALL
[7:38pm]

Council President Ruff gave the Agenda Summation.

AGENDA SUMMATION
[7:39pm]

It was moved and seconded that Ordinance 16-08 be introduced and read by title and synopsis only. The motion was approved by a voice vote.

LEGISLATION FOR SECOND
READING AND RESOLUTIONS

Clerk Bolden read the legislation by title and synopsis, giving the committee recommendation do pass 7-0-1.

Ordinance 16-08 – To Amend
Title 9 of the Bloomington
Municipal Code Entitled “Water”
(Rate Adjustment)
[7:41pm]

It was moved and seconded that Ordinance 16-08 be adopted.

Director of Utilities, Vic Kelson, gave a presentation on the state and future plans of the City of Bloomington Utilities Department. He provided background information on the mission, role, and governance structure of the Utilities Department. He detailed how the rates and budget for the Utilities Department were set and governed. He summarized the assets owned by the Utilities Department. He explained that the purpose of the current request to raise rates on the water portion of Utilities was to stabilize the financial operations of the water portion of the Utilities Department and to provide money needed to carry out capital maintenance and enhancements of the system. He noted that the last rate increase was completed in 2010 and took effect in 2012. He summarized the ways in which increased funding was used for capital improvements, and detailed what efforts had been taken to improve efficiencies within their operations, including a focus on energy efficiency, procurement and inventory control, restructuring of debt, water conservation efforts, and working to improve digital solutions for customers.

He stated that the priorities for the current rate request would be water quality, infrastructure replacement and rehabilitation, and the introduction of smart technology and smart metering. He provided more detail on the state of water quality in Bloomington and went over recent issues with byproducts and the efforts to address such issues. He said that they were leaving open the possibility that they may need further review of how water was disinfected, or need further review of other procedures, and there was money in the rate request for this. He said they were expecting to spend money on the rehabilitation and replacement of infrastructure as pipes and other infrastructure aged. He detailed efforts to implement smart metering and advanced metering as a means to improve the efficiency of the billing process and the meter-reading process. These efforts were also a way to provide more information to both the Utilities Department and customers in order to monitor water usage and notice leaks. The only new position requested in this rate increase was a flushing coordinator/manager who would be responsible for the utilities water main flushing program. The department had a model in development, and would use it in the future to optimize the flushing processes.

Kelson explained the expected financial impact for customers based on various usage amounts. He provided an estimate of the total increase that various customers could expect when both the current water rate increase was added to the sewer rate increase that passed last month. He provided a rate comparison between Bloomington and comparable communities in Indiana. He gave a history of the combined rates compared to the Consumer Price Index. He noted that the Utilities Department had a program in place for lower income customers and for emergency situations. He said that this was the final action needed from the City on the rate request. The request then moved on to the Indiana Utilities Regulator Commission. The Utilities Department had until September 27, 2016 to file its petition with the IURC, but would likely have the petition filed in August, with a decision from the IURC expected by June 2017. The IURC had 300 days to respond to the petition and it usually used all of those days.

Dave Rollo asked for additional information regarding water quality and by-products of the treatment process and the efforts to address these issues.

COUNCIL QUESTIONS
[7:57pm]

Kelson said efforts had been effective so far, and explained that some of the recent issues were caused by changes in the chlorination process involving at what stage in the water treatment process chlorine was added.

Rollo asked about ozonation as a possible strategy.

Kelson said they had not looked at ozonation. He said the process they were going through was to identify issues with the plants as they currently existed. He said they did not expect funding from the new water rate for at least a year or year and a half, stating that during that period, the department would assess any current operational issues with plants and look at alternate systems and cost savings.

Chris Sturbaum asked why the storm water rate was not increasing.

Kelson said the department did not have a financial shortfall on the storm water side, but did anticipate reviewing storm water rates in the future. The department knew water and sewer rates were the highest priorities.

Sturbaum mentioned that sidewalk work and drainage issues were impacted by not increasing storm water rates.

Isabel Piedmont-Smith asked whether the department had progressed in its consideration of the Everbridge Reporting system that was used by the County.

Kelson said they had not implemented that system, and the department's consideration of the system had not moved much beyond internal discussions. Kelson summarized some of the challenges in implementing such a system.

Piedmont-Smith asked about doing rate increases at regular intervals.

Kelson said the department would prefer to do regular rate increases to adequately keep up with infrastructure needs every 3-4 years.

Piedmont-Smith asked whether asking for rate increases was up to the department.

Kelson said it was up to the department, but they also received direction from their Board and from the administration. The department intended to ask for regular rate increases going forward.

Piedmont-Smith asked whether the Council could communicate its preference to the Mayor and the Utilities Board if the Council would also prefer to see regular rate increases.

Kelson said yes, the Council could.

Rollo asked how long after the current requested rate increase would another increase be needed.

Kelson said he expected to request another increase in 4 years, though a specific time had not been set.

Rollo asked whether rate increases had been tracking cost of living increases, and also noted that the department had had projects beyond just maintaining stasis, such as capital improvements, expanding plants, and adding infrastructure.

Kelson said previous rate increases had paid for some of these things, but the customer base had been growing as well, and a growing customer base and capital needs went together.

Rollo asked about the comparatively low rates in the City of Hammond.

Kelson said Hammond used a different funding method than most places, and they also faced different treatment problems as a result of getting their water from Lake Michigan.

Andy Ruff asked how the department responded to concerns about the impact of the rate increase on people with fixed incomes and people with lower incomes.

Kelson said that the department worked hard to be as efficient as possible with its use of money, and tried to pursue various efficiencies within the department. He pointed to an established customer assistance program, and said people in difficult spots could turn to that. He said the program had 120-150 customers involved, and the department expected to have more money budgeted for the program in the coming year.

Ruff asked Kelson to comment on how increases in utility costs compared to increases in other expenses, such as healthcare.

Kelson said the cost for water had tracked the CPI pretty closely over the years. He said the current rate request was 22%, but that was after 6 years from last rate increase, so it equaled about 3% per year, which was close to the industry benchmark. He said no one liked to pay more for water, but the department needed to cover its costs. Kelson explained that because rates were fixed for years, the department had less and less available to pay for capital improvements as time passed, especially as operational costs increased over that same time period.

Rollo asked whether current rate payers were subsidizing new development or if there were changes they should make to make sure current customers were not subsidizing future growth.

Kelson said that by looking at historical rates, the answers were no, as the rates tracked closely with the CPI.

Rollo asked about Lake Monroe and its intended life-span, and whether the department had been tracking the status of the reservoir.

Kelson said that he did not know the plans of the DNR or the Army Corps of Engineers, but suggested the City be mindful of the state of the reservoir moving forward.

Rollo said that he thought it was wise, needed, and that the City was getting a lot for its money. He pointed out that the department had done a lot of catchup with old infrastructure. He said this increase was needed and that he wholly supported it.

Ordinance 16-08 (cont'd)

FINAL COUNCIL COMMENT
[8:14pm]

Dorothy Granger said that she understood why the rate increase was needed and echoed Rollo's comments. However, she said it was frustrating that they waited so long that they got to that point where it seemed like a steep increase. She said she looked forward to doing increases on a more regular basis so as to avoid sticker shock.

Tim Mayer noted that he praised the director of the department at the last meeting, and wanted to also mention the Board of Directors, as well as Sam Frank, Board President, for the work they did.

Steve Volan reiterated the idea that it seemed to be the wish of Bloomington, maybe the City Council in particular, that they go to progressive rates for water, and it felt like they were on the right track.

Piedmont-Smith said she was glad to see that the rate payer assistance program was still in place.

The motion to adopt Ordinance 16-08 received a roll call vote of Ayes: 9, Nays: 0.

Ordinance 16-08 (cont'd)

Vote on Ordinance 16-08
[8:18pm]

It was moved and seconded that Ordinance 16-09 be introduced and read by title and synopsis only. The motion was approved by a voice vote.

Ordinance 16-09 – An Ordinance of the Common Council of the City of Bloomington, Indiana, Authorizing the Acquisition, Construction, Installation and Equipping by the City of Bloomington, Indiana, of Certain Improvements and Extensions to the City's Waterworks, the Issuance and Sale of Revenue Bonds to Provide Funds for the Payment of the Costs Thereof, the Issuance and Sale of Bond Anticipation Notes in Anticipation of the Issuance and Sale of Such Bonds, and the Collection, Segregation and Distribution of the Revenues of Such Waterworks and Other Related Matters
[8:19pm]

Clerk Bolden read the legislation by title and synopsis, giving the committee recommendation do pass 7-0-1.

It was moved and seconded that Ordinance 16-09 be adopted.

Kelson introduced Deputy Director of Utilities, John Langley, Assistant Director for Transmission and Distribution, Tom Axsom, and Board President Sam Frank. Kelson said he was available for any additional questions.

The motion to adopt Ordinance 16-09 received a roll call vote of Ayes: 9, Nays: 0

Vote on Ordinance 16-09
[8:20pm]

It was moved and seconded that Ordinance 16-16 be introduced and read by title and synopsis only. The motion was approved by a voice vote.

Ordinance 16-16 – To Amend Title 4 (Business Licenses and Regulations) of the Bloomington Municipal Code - Re: Amending 4.16.010 (Solicitors - Definitions), 4.28.160 (Mobile Vendors - Standards of Conduct), and 4.30.150 (Pushcarts - Standards of Conduct) [8:21pm]

Clerk Bolden read the legislation by title and synopsis.

It was moved and seconded that Ordinance 16-16 be adopted.

City Attorney, Patricia Mulvihill, explained that Ordinance 16-16 is a cleanup ordinance in response to the Supreme Court Case *Reed v. Town of Gilbert*. It is also intended to match the Code with the Unified Development Ordinance update. Mayer thanked the legal staff for their work.

FINAL COUNCIL COMMENT

[8:23pm]

The motion to adopt Ordinance 16-16 received a roll call vote of Ayes: 9, Nays: 0

Vote on Ordinance 16-16

[8:24pm]

It was moved and seconded that Ordinance 16-14 be introduced and read by title and synopsis only. The motion was approved by a voice vote.

Ordinance 16-14 – To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” - Re: Alley Parking; No Parking Zones; No Truck Parking Zones; Limited Parking Zones; Loading Zones; Removal and Impoundment of Vehicles; Pedestrian Crosswalks; Parking Permit Fees; Mayoral Authorization to Suspend Enforcement of Garages as Well as Meters; Fees for Law Enforcement Recordings; Class B, C, D, E, and H Traffic Violations; and, Appeals of Parking and Other Violations

[8:25pm]

Clerk Bolden read the legislation by title and synopsis, giving the committee recommendation do pass 1-1-6.

It was moved and seconded that Ordinance 16-14 be adopted.

Alison Chopra raised a question regarding the way in which the council should conduct its deliberations, and suggested the council proceed issue by issue.

Ruff said he had no objection to proceeding with the discussion in the manner proposed by Chopra, but noted that a vote would be on the entire Ordinance with the amendments to be proposed.

Volan said that dividing the question was a motion councilmembers could make should they desire to vote on separate sections of the Ordinance, but said there was no reason the council couldn't proceed with its discussion in the manner proposed by Chopra.

Council Attorney Dan Sherman noted that a motion to divide the question should be presented in writing, but for purposes of deliberation the council could proceed in the proposed fashion.

Mulvihill noted that the presentation prepared by staff may not have been organized in the way the Council wished to proceed, but said she would present what was prepared and attempt to accommodate Council's wishes.

Ruff noted that Councilmembers could ask questions on each section as presented.

Mulvihill provided an overview of the non-technical proposed changes in the Ordinance.

Council had additional discussion about how best to conduct the discussion and questioning.

Mulvihill provided detail regarding a fee newly authorized by state law for requests for law enforcement recordings. Mulvihill explained that state law requires redaction of certain information from law enforcement recordings before said recordings could be provided to the public. She said redaction of information increased the costs associated with complying with public requests for law enforcement information. Mulvihill summarized the current level of public requests for such information, and explained that those types of requests were likely to increase in the future as more people became aware of the availability of such information.

Chopra asked what type of people were requesting law enforcement recordings, aside from the use of the recordings in civil suits.

Mulvihill said that members of the media often requested the information, but requests could be made by any interested person. She said that in order to get the recordings, the requesting person must provide certain specific information, including the date, time, location, and one person involved in the incident at issue. She noted that while this would appear to limit who could make a request, any individual who wanted a recording could find the details needed to submit the request in other publicly available information, such as the daily log from the police.

Chopra asked whether this affected the prosecutor's office.

Mulvihill said no and pointed out that there are certain exceptions for criminal cases and investigations.

Volan asked how long the redaction of such videos took.

Mulvihill said that it depended on the scope of the request, but that she estimated, as an example, one day of redaction work for a typical domestic violence incident.

Volan asked how long after a request was made the City was able to comply with the request.

Mulvihill said it depended on the level or scope of the request, as well as on the number of other requests that were in the queue. Mulvihill said that under state law the City had to acknowledge the receipt of a request within 24 hours and must then give an approximate time by which the City would comply with the request. Mulvihill explained that requests for police records often involved more work than requests for records from other departments. She said complying with some requests could take weeks or months.

Volan asked whether the department had a standard by which it attempted to comply with requests.

Mulvihill said some requests were easier to comply with and could be turned back out in 2 to 3 days. She said more complicated requests took longer, but said the City tried to comply with requests as soon as possible and tried to do the first request in the queue first.

Volan asked whether anyone had ever complained that the City took too long to respond.

Mulvihill said yes, but noted complaints had not been just with the police department. She said the City as a whole had received complaints before. She said one example was when the City had to respond to a request related to the deer task force for emails that were voluminous in nature, which made it difficult to respond.

Volan asked why the ordinance only dealt with a fee for requesting police information.

Mulvihill said that the recently passed state law only dealt with fees associated with complying with requests for police information.

Granger asked how quickly this fee would take effect should the Ordinance be passed.

Mulvihill estimated two weeks.

Transportation and Traffic Engineer, Andrew Cibor, spoke about the technical proposed changes in the Ordinance. Cibor said the ordinance included a number of parking code updates, and gave a brief overview of each update included in the ordinance. Cibor discussed in more detail the changes proposed to be made on 1st Street.

It was moved and seconded to adopt Amendment 01-B to Ordinance 16-14.

Piedmont-Smith provided background information about the proposed amendment, stating that it was a proposal to continue to allow parking on the south side of 1st Street east of High Street, but to disallow parking on the north side. She said the amendment would also remove the allowance for 30-minute non-residential parking on 1st Street west of High Street. She said she felt it was a good amendment, especially with regard to not allowing the 30-minute non-residential parking exception, because if allowances were made in neighborhood parking zones for various entities (employers, schools, churches, etc.) it would set a bad precedent. She said there was a reason for neighborhood zones and she did not want to set a precedent for future such requests. Regarding 1st Street east of High Street, she said that limiting parking for certain hours on a public street felt like they would be acting as an extension of the schools, which they were not.

Amendment 01-B to Ordinance 16-14
[8:56pm]

Ruff said that he concurred with Piedmont-Smith and said this was why the neighborhood program was started. He said he might be more sympathetic if the school did not have a very adequate and carefully planned drop-off system, along with crossing guards. He said the justification for the exception did not seem solid and seemed inconsistent with the general policy. He said this amendment kept things consistent with other changes yet to be discussed, specifically near Juannita's Restaurant.

Volan asked Piedmont-Smith to clarify her earlier comments about 1st Street east of High Street being a public road.

Piedmont-Smith said she meant that it was not part of a residential zone and should be available more generally for parking as opposed to a street that was in a neighborhood zone.

Chopra disclosed that her children attended school at Binford-Rogers, and said that she thought she could vote fairly on this issue. Chopra asked co-sponsors Piedmont-Smith and Ruff whether they had considered adding 1st Street east of High Street to a neighborhood zone.

Piedmont-Smith said she had not considered whether to add 1st Street east of High Street to a neighborhood zone.

Ruff said that nothing east of High Street was in a neighborhood zone, and said the amendment was consistent with High Street being the border of the zone.

Chopra said she was asking whether a solution would be to add it to the neighborhood zone.

Piedmont-Smith said the initial proposal to restrict parking and not allow it during pick-up and drop-off times came from Monroe County Community School Corporation because they did not want parents to use that stretch of road as a pick-up and drop-off location, not because there was a lack of parking for other people.

Mulvihill said staff was fine with either the original ordinance or the amendment, but would have to conduct additional analysis before supporting an expansion of the neighborhood zone.

Chopra asked to clarify what problem this ordinance was designed to address.

Cibor said the school had been attempting to discourage parents from parking on 1st Street east of High Street for pick-up and drop-off as there was limited room to turn around, and parents sometimes used driveways and passed through areas where kids crossed the street. Cibor said the school raised significant safety concerns, brought forward the request, and the traffic commission recommended it.

Granger said that the playground was sometimes used on weekends, and it was nice to have parking available. She said this use was different than many parents attempting to drop kids off and then turn around and hurry to work.

Volan said he did not understand why this street should not just be added to the neighborhood zone.

Ruff said it should not be added to a neighborhood zone because this stretch of road had not had the kind of problems that were typically addressed by adding a neighborhood zone designation. Ruff said the property owner to the south had not complained and actually wanted to preserve parking on the road.

Cibor said the property owner on the south side of 1st Street east of High Street was notified of the school's request to limit parking during certain hours.

Volan clarified that the amendment would delete the restriction on parking.

Chopra asked how much of the concern from the school was related to safety and how much of it was wanting parents to comply with the drop-off and pick-up plan.

Cibor said the school had only expressed safety concerns to staff.

Piedmont-Smith asked for clarification of the concerns the school had regarding safety.

Mulvihill said that cars were turning around in driveways and also turning around into walking paths.

Chopra said it was likely the school has designed traffic patterns that could be disrupted by parents creating their own patterns, which reduced predictability and consistency regarding what to expect when kids were in the area.

Mayer asked about a picture presented at a previous meeting that depicted cars parked illegally.

Mulvihill confirmed that it was prohibited to park facing traffic.

Volan asked what the net effect of the amendment was.

Cibor said the effect was to allow parking on the south side of 1st Street east of High Street.

Volan asked how many spots were available on that stretch of road.

Cibor estimated four or five available spots.

Volan asked whether vehicles parked in that location would have to do a 3-point-turn to exit that area.

Cibor said yes, as the school had a number of signs posted telling vehicles to not enter.

Ruff clarified that parking in general would be allowed under the amendment, not just parents trying to park.

Amendment 01-B to
Ordinance 16-14 (cont'd)

Cibor said that the amendment would be adding a no parking zone on the north side of 1st Street east of High Street.

Volan asked whether these changes would force traffic to nearby streets.

Piedmont-Smith said hopefully parents would utilize the drop-off system designed by the school.

Mulvihill said the amendment limited parking on 1st Street west of High Street to neighborhood zone parking, which was limited to residents. She added that on 1st Street east of High Street, on the north side, no parking would be allowed, but on the south side, parking would be allowed generally. She said the effect of the amendment was to express the desire to keep residential zones available only to residents of those zones and to reduce the number of parents utilizing these spaces as a drop-off zone.

Volan asked whether a crossing guard would still be at 1st Street and High Street.

Mulvihill said yes, as students living in the neighborhoods near the school may walk to school.

Volan asked what the position of staff was on the amendment.

Mulvihill said staff has no objection and was neutral toward the amendment.

Volan asked why any parking should be allowed on either side of 1st Street east of High Street.

Mulvihill said that property owners requested to keep parking available.

Ruff said those spots also provided parking for the playground.

Rollo requested that staff display the picture referred to by Mayer that showed cars parked illegally.

Mulvihill said that staff could direct parking enforcement officers to pay particular attention to the area in question.

Ruff asked whether neighborhood parking officers could issue tickets for other violations.

Mulvihill said parking enforcement officers could enforce parking regulations across town.

Cibor displayed the picture requested by Rollo, which depicted cars parked on both sides of 1st Street facing west.

Mulvihill said that staff would convey to the parking enforcement officers to pay particular attention to this area.

Sandberg asked whether the property owners were in favor of the changes as originally proposed.

Cibor said that property owners, either in attendance at the traffic commission meeting or through letters, had requested to be able to park during the middle of the day, and that they were fine with prohibiting parking during drop-off and pick-up times.

Leo Pilachowski said he owned three empty lots on the southwest corner of 1st Street and High Street. He said he spoke with a neighbor to the west of him, and that he and the neighbor abutted the affected portion of 1st Street west of High Street. He said the amendment was fine, and that neither he nor his neighbor had a strong opinion about what went on east of 1st Street. He said both were in support of the amendment as it related to parking west of 1st Street. He said that the only other person in the neighborhood that spoke at the traffic commission meeting in favor of changing parking west of High Street did not live on 1st Street and that he was just expressing concern after talking with parents at the school.

Granger said she was happy.

Rollo said he appreciated the amendment and supported it.

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

Ruff directed the discussion back to Ordinance 16-14 as amended.

Cibor continued with his presentation and gave an overview of the requested change on the east side of Fairview Street adjacent to Juannita's Restaurant, which designated that stretch of road as a no-parking zone. He said the property owner north of Juannita's Restaurant on Fairview made the request.

Volan asked whether Juannita's Restaurant and the affected resident had any problem with the proposed change.

Cibor said Juannita's Restaurant voiced no concerns with the change, and the request itself actually came from the resident to the north of Juannita's Restaurant.

Volan asked whether parking would continue to be allowed on the west side of Fairview Street.

Cibor said yes.

Chopra asked whether the resident who made the request was Ms. Santamaria and whether this change was addressing the concerns she had voiced to councilmembers.

Cibor said yes.

Rollo directed the council's attention the intersection of Mitchell Street and Southdowns Drive. Rollo said a resident had requested that the council review this intersection as a stop sign that had been placed there blocks his driveway. Rollo reported that city engineering recommended that the stop sign remain, but that the issue was being referred to the traffic commission for its consideration. Rollo said he wanted to provide an update to the public and the council on the matter.

Volan said that he appreciated Chopra's concerns at the outset of the discussion over procedure and said her concerns demonstrated why omnibus ordinances were problematic. He said that was why he had been objecting to such ordinances for years and requested, if so many changes in the code were brought forward at the same time, that they be broken down into separate ordinances in order to be more easily discussed and voted on separately. He recognized staff for putting off some changes until after the council's summer break. He said the discussion would have been hard to follow for

Amendment 01-B to Ordinance 16-14 (cont'd)

PUBLIC COMMENT
[9:26pm]

FINAL COUNCIL COMMENT
[9:28pm]

Vote on Amendment 01-B to Ordinance 16-14
[9:29pm]

FINAL COUNCIL COMMENT
[9:35pm]

those watching from home. He said the ordinance as a whole was acceptable, and thanked staff for their work. He urged city staff and council staff to present separate ordinances in the future.

Rollo concurred with Volan that some of the proposed changes were housekeeping in nature, while others were more complicated, and dividing the question might be a good idea in the future. He said he appreciated staff doing this work, especially planning staff for visiting the sites in question.

The motion to adopt Ordinance 16-14 received a roll call vote of Ayes: 9, Nays: 0.

Vote on Ordinance 16-14 as amended [9:38pm]

There were no changes to the council schedule.

COUNCIL SCHEDULE

The meeting was adjourned at 9:39pm.

ADJOURNMENT

APPROVE:

ATTEST:

Andy Ruff, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

For Approval

In the Council Chambers of the Showers City Hall on Wednesday, December 19, 2001, at 7:30 pm with Council President Cole presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
December 19, 2001

Roll Call: Banach, Ruff, Cole, Diekhoff, Mayer, Pizzo, Willsey, Sabbagh, Gaal

ROLL CALL

Council President Cole gave the Agenda Summation

AGENDA SUMMATION

The minutes of September 12, 2001 (Special Session) and December 5, 2001 (Regular Session) were approved by a voice vote.

APPROVAL OF MINUTES

Michael Diekhoff wished everyone a safe and happy holiday season and reminded them to wear seat belts when traveling.

MESSAGES FROM
COUNCILMEMBERS

Andy Ruff spoke of an article outlining the Indiana Department of Transportation's statement that a proposed I69 route through Bedford was the least harmful in terms of farming. He pointed out that this information contradicted the information available on INDOT's own website. He reminded all to read anything INDOT released with great skepticism.

He also pointed out that the newspaper headline today reflected the H-T's survey of over fifty teachers without finding one who supported the ISTEP tests. He said we need to respect and listen to teachers with regard to classroom issues. He added that the Governor's Educational Roundtable was made up of mainly business persons, but that while educational and business issues are linked, and while the Franklin initiative locally is worthwhile, there would not likely be a statewide business roundtable made up of teachers.

Chris Gaal, Tim Mayer and Tony Pizzo wished everyone Happy Holidays.

David Sabbagh wished everyone Happy Holidays. He also spoke about the next round of Military Base Realignment and Closings saying that Crane Naval Base could be threatened in this round (2003-2005). He said that the base was an important economic development tool, that could be helpful in high tech development, and that we need to see that Crane doesn't get closed.

Patricia Cole said this was her last meeting as president of the council and gave a revue of council accomplishments for 2001. They included the following:

- Resolution for denial of visas to Santa Clara residents.
- Financial help for Wonderlab
- Eliminated any new surface parking downtown.
- Established the Commission for the Status of Black Males.
- Established the McDoel Conservation District.
- Changed the name of W 5th Street to West Kirkwood Avenue.
- Established fees for electronic maps.
- Approved a large park bond, including skateboard parks.
- Established guidelines for sidewalk seating.
- Established a Rainy Day fund as recently allowed by state law.
- Raised environmental standards regarding development.
- Expanded the Golf Course.
- Supported the Buskirk Chumley Theatre.

She said she was proud of the fact that as the longest serving council member presently on the council, that she was able to bring the council together to solve problems. She thanked fellow council members and thanked HT reporter Bethany Swaby. She wished everyone a safe and prosperous new year.

James McNamara introduced Sherry Benham who thanked the council for their past social services funding for a Big Brothers Big Sisters/Boys and Girls Club Career Exploration program. She spoke of the program and Dante Elwarson, Cory Ball, and Dustin Kine, students in the program, spoke of their experiences and thanked the council for their financial help in creating the program. Benham said that the pilot program would continue.

MESSAGE FROM THE MAYOR

Chris Sturbaum announced the Great American Popcorn Boycott. He asked citizens and council members to not buy popcorn and soft drinks at the Kerasotes Theaters to send the message to their owners to lift restrictions on showing of first run movies at the Von Lee Theater for any new owner.

PUBLIC INPUT

Isabel Piedmont said it was a good idea to boycott concessions and asked citizens to announce their plans to the management.

Scott Wells, Monroe County Council, Plan Commission and Comprehensive Plan Committee spoke of water rates and hook on fees. He said increasing water rates now was the result of not charging water connection fees in the past. He told of models used in other communities and said that most of the present bond needed to upgrade the system could have been generated from up-front connection fees.

Jim Rosenbarger, member of the Bicycle and Pedestrian Safety Commission, thanked the council for supporting the Neighborhood Traffic Safety Program. He said the council sidewalk committee's choice to build a new sidewalk on Maxwell Lane was a good one, however the design of the project is problematic without a tree plot. He said they prevent pedestrians from being sprayed by passing vehicles, prevents snow from being piled on the walking area, prevents driveway cuts from making the sidewalk change levels and angles, and separates pedestrians from fast-moving traffic with more perceived and actual safety. He asked for the council work with the mayor and public works on a redesigned plan. He said a good example was the E. 1st Street sidewalk, and added a request for a new plan would send a good message.

Rob Fishman emphasized that the sidewalk was not just a concern of the Bicycle and Pedestrian Commission but a neighborhood issue. He said there were deeper issues that the sidewalk debate raises: that there is no room in the right-of-way for tree plots. He said that the council and Bike and Ped Commission should consider whether this means that streets stay at a width to permit present speed limits, or if the street could change widths to accommodate sidewalk. He cautioned council to understand that not all the hundreds of linear feet of sidewalks would be useful.

There were no appointments.

BOARD AND COMMISSION APPOINTMENTS

It was moved and seconded that Ordinance 01-44 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Do-Pass Recommendation of 3-1-4. It was moved and seconded that Ordinance 01-44 be postponed indefinitely.

LEGISLATION FOR SECOND READING

Ordinance 01-44 To Amend Ordinance 95-75 which established the Housing Trust Fund (Changing the Number, Terms and Qualifications of Board Members, Allowing More Funds to be Used for Loans, and Giving the Board Discretion on Setting the Minimum Periods of Affordability)

There was no public comment or council discussion on this motion.

The motion to postpone Ordinance 01-44 received a roll call vote of Ayes: 8, Nays: 1 (Banach).

It was moved and seconded that Ordinance 01-22 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, saying that this annexation legislation was introduced on September 12, 2000 with the public hearing held on November 14, 2001. It was moved and seconded that Ordinance 01-22 be adopted.

Ordinance 01-22 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory (Broadview Phase III/Southern Pines Area)

Susan Clark, Budget and Research Manager for the Controller's Office, showed slides of the proposed annexation area and described the timeline for the annexation. She outlined the formation of the required advisory board, explained the list of benefits that would be provided by the city to the citizens of the annexation area, and gave cost summaries of these services.

Banach asked if the City of Bloomington was doing more than state law in reviewing the annexations at several meetings. Clark said the process included introduction of the ordinance, adoption of a fiscal plan, announcement and holding of a public hearing, and final action. She said that state law dictated the timing and spacing of this process.

Clark answered Sabbagh's question regarding when the ordinances would take effect by saying that because there was a fire protection district involved, there needed to be a longer period of notification of the annexation.

Scott Wells commented on the Areas Intended for Annexation and asked that the city and county work together to fund major road projects. He said when the city has planning jurisdiction and approves major developments such as the Golf Course Community in the AIFA, the cost of the impact on roads and infrastructure often falls on the county. He said in the Golf Course Community, the number of automobile trips per day would increase dramatically on nearby county roads and intersections, yet county government does not have the revenue to pay for upgrades to infrastructure. He added that this proved the need for concurrency in planning and development.

Mayer noted that this annexation was the last part of a three-phase annexation process of the Broadview Area. He said this was because of the amount of infrastructure improvement needed in the area. He said a lot of improvement was made in the area in the way of roads, sanitation pickup, police protection, and that the neighborhood would be improved by the city.

Cole said that city annexations were not always done for revenue, but also to improve neighborhoods, and that she agreed with Wells that the city and county should work together to plan for road work.

Ruff and Gaal thanked Wells for his statements on concurrency and infrastructure.

Ordinance 01-22 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 01-23 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, saying that this annexation legislation was introduced on September 12, 2001 with the public hearing held on November 14, 2001. It was moved and seconded that Ordinance 01-23 be adopted.

Ordinance 01-23 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory (Fullerton/Tapp Development Area)

Susan Clark, Controller's Office, showed slides of the proposed annexation area and described the timeline. She said this was an undeveloped area and it was the intention to add this area to the Tapp Road TIF. She said possible development would include Medical Offices and Assisted Living.

Banach asked about the requirement of contiguity and Clark said only 1/8 of the property needed to be contiguous.

Ordinance 01-23 (cont'd)

Mayer said he had questions during the earlier presentation because the area was vacant land. He said he was comfortable with taking control of land and development and putting roads into the area, that this was braver and bolder than past annexations and it was the right thing to do.

Ordinance 01-23 received a roll call vote of Ayes: 8, Nays: 1 (Ruff).

It was moved and seconded that Ordinance 01-24 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, saying that this annexation legislation was introduced on September 12, 2001 with the public hearing held on November 14, 2001. It was moved and seconded that Ordinance 01-24 be adopted.

Ordinance 01-24 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory (The Arbors Area)

Susan Clark, Budget and Research Manager for the Controller's Office, showed slides of the proposed annexation noted it was 100% contiguous to city boundaries and described the annexation timeline. She related history of annexations in the area in relation to this area to put the timeline of this annexation into perspective.

Clark said that a remonstrance must be signed by either 65% of the landowners or the owners of more than 75% of the assessed valuation of the land in the annexed territory. She said that a Waiver of Protest of Annexation had been signed by 65% of the landowners and that 90% of the assessed valuation was covered by those waiver forms. She said the waivers were signed at the time of the request for new service connection from the City of Bloomington Utilities for sewer service.

Sabbagh asked who was responsible for the school bus stop on the North side of Moore's Pike expressing concern for children who need to cross the road for the bus. Clark said she didn't know the answer, but that school busses allowed protection for a child who cross the road as the bus stops for them.

Mike Carmin, attorney, said he represented most and essentially all the property owners in The Arbors annexation area. He said there were a couple of technical flaws in the annexation, but that he was present to discuss the propriety rather than the legality of the annexation. He said that the notice to property owners was defective because it didn't advise property owners of the current zoning and what it would become in the letter. He said even though that information was available in a different document it should have been included in the notice according to law. He said he didn't believe that the area fit the criteria of subdivision but that was a matter for a court to decide. He further stated that just because the area had not been annexed before was not a good justification for annexing it now. He cited standards of the city needing to show that the annexation be in the best interests of the tract, that the terms and conditions of the ordinance be fair or just, that the tract was needed for development of the city in the reasonably near future, saying that none of these criteria were present. He said the city controlled development in the area because it is part of the AIFA and there was a not a need for the city to take this area. He said this annexation ran contrary to the policy for not annexing undeveloped areas. He said the residents resented being characterized as leaches that lived close to the city to take advantage of city services without paying for them. He said the city has grown out to the area, not vice versa.

Carmin said he estimated the increase in taxes to the city would be about \$9500 that didn't include the rental inspection fees coming to the city for the rental units

of the Arbors. He said that other services were really not needed because of the nature of the area.

Carmin spoke of a statute that allowed for the approval of a three-year phased in tax abatement for annexed areas. He said it would waive a maximum of 75%, 50% and 25% of taxes due in the first three years respectively. He said to do this would require an amendment to the ordinances. He said another reason for the abatement was that the major costs of this annexation (public streets) were never going to be borne by the city. Carmin asked that the council not approve the annexation, or amend the ordinance to give property tax relief to the residents of the area. In answer to a question by Cole, Carmin said he had spoken with most property owners in the area, although the owner of the Arbors Apartments would speak for himself, and one other property was being sold and that person was not represented in Carmin's statements.

Willsey asked if the defeat of the ordinance would allow its return. Trish Bernens, City Attorney, said that the process would need to begin again with another adoption of a fiscal plan, with no timeline restrictions

Mayer said the area was in the AIFA that was established five years ago when there was a lot of community discussion about these properties being annexed.

Sabbagh asked about the timeline of the ordinance taking effect if it were defeated and brought back in January. Bernens said the city would lose a year of time in the annexation process.

Willsey asked if the council had ever granted a tax abatement on an annexation and Dan Sherman, Council Attorney/Administrator, said this was a recent provision in state statute.

In response to Cole's question about the amount of property tax increase for residents, Carmin said he figured the difference in rate of Perry City over Perry Township to be \$9500.

Banach asked if there were other areas that were 100% contiguous to city boundaries that are not in the AIFA or not being considered for annexation. Clark said the Daisy Garton Farm and Ramsey Farm were 100% contiguous but didn't meet legal criteria for annexation at this time. Banach asked if it was the opinion of the city legal department that the legal requirements were met in this case. Bernens said contiguity was a basic legal requirement, but that density, subdivision and zoning criteria were considered in annexations.

Ruff asked if The Arbors Area could have been annexed earlier. But Bernens said yes, but there were prior annexations and changes in law, particularly in the area of subdivisions that may have affected when this action could have taken place. Both Bernens and Clark said they were fairly new in city annexation plan decisions and, while they couldn't speak to why this area was not targeted for annexation earlier, they were of the opinion that the criteria hadn't been in place for more than a very few years.

An exchange between Ruff and Bernens established the Arbors was built six years ago, and that nothing significant had happened in the area since this time.

Pizzo said the AIFA was going to last five years and that the agreement ended on December 31st of this year. Pizzo said he was concerned about what would happen within the boundaries of the city if the county took over planning for the areas intended for annexation, and that there were economic concerns.

Ruff asked if adopting a graduated tax abatement would be setting precedent for future annexations and Sherman said it was fair to say it would.

Chris Hawes spoke of the advantages of postponing the annexation. He said this was not an area that the county would like to take planning jurisdiction over. He said he was concerned that the area being annexed before development on the vacant 32 acres in the area would cause developers concern because of inventory tax. He said because of this, the more attractive, architecturally significant developments would not happen after annexation. He said a development similar to the Sterling University complex would be built on the vacant area should it be annexed before development would occur. He said new urbanism ideas would not be used if the developers had to pay the cost of higher taxes. He said residents of Bittner Woods would cringe if this were to happen. He said the only kind of development that would occur if this inventory tax were in place would be the cheapest kind available while still meeting code and being marketable. He said it was reasonable to not annex undeveloped land so that the area could be developed, sold off, and then individual residents were responsible for taxes and not the developer.

Hawes said he was interested in purchasing the farm in the area, but couldn't afford to incorporate niceties in developing the area if city taxes were in force, and urged the council to annex at a later time.

Willsey said that while he didn't have a problem with the legalities or timing of the annexation, he did have questions about the tax proration not being part of the discussion. He said since the state statute allowed it to be part of the tool set for use, the council should take the time to inform themselves and consider applying the tool in annexation cases.

Mayer urged council to vote yes based on legal opinion of the city and the inclusion of the area in the AIFA for the last five years.

Sabbagh said he was not opposed to annexing undeveloped land, adding that it had more to do with the city's financial impact than the development community's finances. He urged the city to do more of this type of annexation.

Ruff said his line of questioning indicated that there was an extra factor to be looking at in this annexation, not that he had doubts about timing or legality.

Cole said she liked the comment about more architecturally interesting projects, but that this was the eleventh hour and she would be voting to go forward with the annexation.

Ordinance 01-24 received a roll call vote of Ayes: 7, Nays: 2 (Ruff, Willsey).

It was moved and seconded that Ordinance 01-25 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, saying that this annexation legislation was introduced on September 12, 2000 with the public hearing held on November 14, 2001. It was moved and seconded that Ordinance 01-25 be adopted.

Susan Clark, Budget and Research Manager for the Controller's Office, showed slides and described the proposed annexation area and described the timeline for the annexation. She said that there was a requirement for an advisory board to be formed which would advise the city on the provision of services paid for with

Ordinance 01-25 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory (Silver Creek Area)

impounded taxes in this area. Clark outlined services for the area, and presented the fiscal plan.

Ordinance 01-25 (cont'd)

An exchange between Sabbagh and Clark clarified that Bridgewater Court would continue to be a private road.

Ordinance 01-25 received a roll call vote of Ayes: 8, Nays: 0. (Cole out of chambers).

It was moved and seconded that Ordinance 01-32 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, saying that this annexation legislation was introduced on September 12, 200 with the public hearing held on November 14, 2001. It was moved and seconded that Ordinance 01-32 be adopted.

Ordinance 01-32 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory (Woolery Farm – Parcel A)

Susan Clark, Budget and Research Manager for the Controller’s Office, showed slides and described the proposed annexation area and described the timeline for the annexation. She said the Plan Commission recommended approval of a PUD at its last meeting and that the amendment would be coming to the council in January. She outlined some proposed commercial and residential plans for the parcel and said there was a continuation for the Clear Creek Trail on this area.

Ruff inquired about the status of the environmental violations in the area. Clark said she believed the problems had been corrected.

Sabbagh asked if the city would inherit the county’s tax abatement on the property. Clark affirmed this statement and added that the city plans to add this to the Tapp Road TIF.

Ordinance 01-32 received a roll call vote of Ayes: 8, Nays: 0. (Cole out of chambers).

There was no legislation for first reading.

FIRST READING

There was no public comment.

PUBLIC INPUT

The meeting was adjourned at 9:40 p.m.

ADJOURNMENT

APPROVE:

ATTEST:

Chris Gaal, President
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

In the Council Chambers of the Showers City Hall on Wednesday, Wednesday, October 3, 2001 at 7:30 pm with Council President Patricia Cole presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
October 3, 2001

Roll Call: Banach, Ruff, Cole, Diekhoff, Mayer, Pizzo, Willsey, Sabbagh, Gaal

ROLL CALL

Council President Cole gave the Agenda Summation

AGENDA SUMMATION

The minutes of September 26, 2001 were approved by a voice vote.

APPROVAL OF MINUTES

David Sabbagh announced the National Issues Forum for Growth and Community Well Being in Bloomington and Monroe County and encouraged everyone to attend the November 11, 2001 session that is open to the public. Sabbagh told of a recent visit to the Deam Wilderness said how special natural resources were in Southern Indiana.

MESSAGES FROM
COUNCILMEMBERS

Jeffrey Willsey spoke of the day's news article about the improvement of the city's bond rating saying that this lowers the interest rate the city would be paying on bonds and thus lowering the amount of money spent on capital projects. He congratulated the administration and the city controller for their work in improving our rating.

Cole announced that large print and Braille agendas are available for citizens attending council meetings.

There was no message from the mayor's office.

MESSAGE FROM THE MAYOR

There was no public input.

PUBLIC INPUT

There were no appointments to boards and commissions.

BOARD AND COMMISSION
APPOINTMENTS

It was moved and seconded that Ordinance 01-33 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Do-Pass Recommendation of 9-0. It was moved and seconded that Ordinance 01-33 be adopted.

LEGISLATION FOR SECOND
READING

Mike Hostetler, Chief of Police, urged the passage of this ordinance. He said that tow services are used after all efforts to locate owners of abandoned or illegally parked vehicles that a towing service is called, and they are very cooperative with police in towing and storing vehicles. Mayer thanked the towing company owners and employees that spoke to the council during the committee meeting saying that they were effective in educating council members on their work.

Ordinance 01-33 To Amend Title 15 of The Bloomington Municipal Code Entitled "Vehicles and Traffic" (Adjusting Towing and Storage Fees for Vehicles that Require Emergency Removal (Chapter 15.48) or are Abandoned (Chapter 15.52))

Ordinance 01-33 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 01-34 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Do-Pass Recommendation of 6-0-3. It was moved and seconded that Ordinance 01-34 be adopted.

Ordinance 01-34 To Amend the Text of Title 20 of The Bloomington Municipal Code Entitled, "Zoning" (Amending the "Environmental and Urban Design Standards" (20.06.04.00), "Environmental Performance Standards" (20.06.05.00), "Siltation and Erosion" (20.06.05.03), and "Enforcement" (20.09.05) Provisions to Improve Enforcement Capabilities, Further Protect Environmentally Sensitive Areas, and Reflect Changes in Certain Departmental Responsibilities)

Lynn Friedmeyer said the last amendment to this ordinance was passed in May, 2000. She added that because the response was so good, and with encouragement from the public, plan commission, and the council, planning made the decision to expand their enforcement capabilities to give tickets and warnings for other parts of code. She said the original siltation and erosion control language was cumbersome and that re working of that language should improve response through warning and ticketing. She said the amendment improved capabilities for tree preservation as it asks for remediation before fines should trees be damaged or taken out if they were required to be preserved. She said the enforcement also increased the ability to enforce environmental standards such as karst topography, wetlands, or steep slopes.

Friedmeyer said this would tighten restrictions on sensitive areas around sinkhole areas where karst features as this will buffer the area of 25 feet around that area whether the building feature is residential or not. Friedmeyer added that this ordinance also would not allow grading permits

to be issued prior to plan commission approval. She said that the changes made with regards to the manager of engineering services and storm water utility engineer positions were reflected in the new language.

Sabbagh asked if a property owner could remove trees and Friedmeyer said that there were some trees that are protected in some way, but that tree preservation would be noted on the deed for the property. She said replantings and removing dead trees were up to the property owner.

Scott Wells, county council, county plan commission and comprehensive plan commission commended the writers of the ordinance. He showed pictures of the denuded site at the Daisy Garten Farm on E. 10th Street with no silt fences, pointing out erosion due to rain, saying that tons of soil had left the site. He called for approval and enforcement of this ordinance to protect water supplies and properties.

Ruff said the inspector should have the power to issue tickets on the spot if appropriate. He said if an inspection schedule was required it could be handled by staff and not code. Ruff added that he respected the differing opinion of the staff and would be supporting the ordinance. He emphasized that people often don't see devastation of siltation because folks are usually inside during driving rains that drive truckloads of silt from denuded sites. He said the sediment chokes the life out of streams and takes the streams and ecosystem out of the resources of the community. He reiterated that he differed with a few of the details but was supportive of the ordinance.

Mayer and Cole thanked the Planning Department Staff for their work.

Willsey thanked Tom Micuda, Planning Director, for responding to his questions. He said that he would distribute his email to other council members and asked that the Clerk include that message in the minutes. *(addendum to these minutes)*

Ordinance 01-34 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 01-20 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis stating that this was the legally required public hearing on this annexation. It was moved and seconded that Ordinance 01-20 be adopted.

Susan Clark, Budget and Research Manager for the Controller's Office, outlined the timeline for the annexation. She explained a new requirement of an advisory board to advise the city on how to spend tax money collected that exceeded the amount for basic services. She said the money would be impounded for three years, and then outlined the membership requirements for this advisory board. Clark explained the benefits that would be provided by the city to the annexed area and gave cost summaries of services.

Clark asked for consideration of Amendment #1 to this ordinance. She said this would correct confusion as to which addresses were correct for certain areas of the proposed annexation area.

Sabbagh asked if this would just clarify the addresses. Clark affirmed this.

It was moved and seconded that Amendment #1 to Ordinance 01-20 be adopted. The amendment received a roll call vote of Ayes: 9, Nays: 0.

Willsey asked if there were properties that were not currently hooked up to sanitary sewer service, and Clark said there were some, but that they were located within 300 feet of a sewer main. Willsey asked if there was ever consideration of the waiving of a hook on fee for a certain period of time to encourage property owners to be connected. Clark said this would be a matter for the Utilities Service Board.

Cole said the Affordable Housing Task Force could take up this item.

Ordinance 01-20 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory (Arlington Place/Cascades Heights Area)

Amendment #1

This amendment replaces the first sentence of Section I, which lists the addresses affected by the annexation of Arlington Place/Cascades Heights Area. The north-south section of West Gourley Pike and the northwest corner of the intersection of Gourley Pike and Cascade Avenue are also known as North Maple Street, and both address ranges are now shown.

Ordinance 01-20 as amended (cont'd)

Banach asked Clark to confirm that if a septic system failed and the property was within 300 feet of a sewer main, the owner was obliged to connect to the sewer line regardless of cost. Clark confirmed this.

It was moved and seconded that Ordinance 01-20 be forwarded to November 14, 2001. This motion received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 01-21 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis stating that this was the legally required public hearing on this annexation. It was moved and seconded that Ordinance 01-21 be adopted.

Ordinance 01-21 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory (Grandview Backyards Area)

Susan Clark, Budget and Research Manager for the Controller's Office, outlined the timeline for the annexation, saying that the 100% contiguous area were backyards and didn't know why they were sold or parceled separately, but an error by a GIS intern years before had led to this error.

She said the timeline was similar to the previous annexation legislation, and this action would clarify jurisdictional boundaries.

It was moved and seconded that Ordinance 01-21 be forwarded to the November 14, 2001 regular session meeting for final action. This motion received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 01-14 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Do-Pass Recommendation Of 2-1-5. It was moved and seconded that Ordinance 01-14 be adopted.

Ordinance 01-14 To Amend Title 12 Entitled Street, Sidewalks, and Storm Sewers and Title 2 Entitled Administration and Personnel (Encroachments of the Public Right of Way for Sidewalk Seating and Merchandising by Adjacent Businesses)

AMENDMENT #2 TO Ordinance 01-14 received a roll call vote of Ayes: 9, Nays: 0.

Amendment #2 To Ordinance 01-14

Removes the provision of Ordinance 01-14 that requires encroachments for sidewalk seating and merchandising be removed between the third Monday in November and March 1 of the following year. It repeals existing encroachments on March 1, 2002 rather than November 19, 2001 and makes the terms of permits one year rather terminating them on the third Monday in November.

AMENDMENT #9 TO Ordinance 01-14 received a roll call vote of Ayes: 6, Nays: 3 (Banach, Cole & Sabbagh)

Amendment #9 To Ordinance 01-14

Sets the regular annual permit renewal fee at \$100.00 (rather than \$50.00 as is in the original ordinance) but allows for a lower \$50.00 annual permit renewal fee if the permittee agrees that the permit to encroach would be valid only for the period between March 1 and the third Monday in November.

AMENDMENT #7 TO Ordinance 01-14 received a roll call vote of Ayes: 8, Nays: 1 (Banach).

Amendment #7 To Ordinance 01-14

The amendment modifies Ordinance 01-14 to add a provision requiring that if there is any partition or enclosure between the encroachment and the rest of the sidewalk that is required by any other law, statute or regulation — such as, but not limited to, the rules of the Alcoholic Beverage Commission — then the partition must be fixed to the right-of-way in a manner prescribed by the Department of Public Works.

AMENDMENT #8 TO Ordinance 01-14 received a roll call vote of Ayes: 9, Nays: 0.

Amendment #8 To Ordinance 01-14

States that the permit does not create a right to keep boundaries of the encroachment or maintain the structures within the encroachment in the event there is a change in local, state or federal law or regulation that would require a wider path along or other alteration of the City's right of way.

AMENDMENT #1B TO Ordinance 01-14 received a roll call vote of Ayes: 7, Nays: 2 (Banach and Sabbagh)

Amendment #1B To Ordinance 01-14

Makes exceptions for particular obstructions on the 200 block of W. Kirkwood. It prohibits applying materials such as outdoor carpeting to the sidewalk. It makes more explicit that the penalties and remedies set forth in the ordinance applies to those who encroach without a permit. It makes more explicit that repeated citations for violating the provisions of the ordinance may result in the revocation of a permit to encroach or denial of its renewal. The amendment also corrects three non-substantive drafting errors in the ordinance. *Please note Am 1B is the same as Am 1 with the addition of a new Section 2. This section deals with another obstruction along the 200 block of West Kirkwood.*

AMENDMENT #6 TO Ordinance 01-14 received a roll call vote of Ayes: 0, Nays: 9 and FAILED.

Amendment #6 To Ordinance 01-14

Removes the requirement in that a 54 inch clear straight pathway be maintained for the length of a block and that sidewalk encroachments must accommodate that pathway. Instead this amendment requires that a clear straight pathway, parallel to the curb, be maintained only for the width of the building adjacent to the encroachment and that the width of the pathway never be less than 54 inches as it passes from business to another.

AMENDMENT #11 TO Ordinance 01-14 received a roll call vote of Ayes: 9, Nays: 0.

Amendment #11 To Ordinance 01-14

Modifies some provisions to better accommodate existing encroachments. On both the west side of the 100-block of north College Avenue and the eastside of the 100-block of N. Walnut Street, a tree grate rather than a tree plot is made the closest in (building side) obstruction against which to delineate the street-side edge of the clear straight pathway on those two blocks. For two adjacent buildings on the north side of the 200-block of W. Kirkwood, the width of the clear straight pathway is required to be 40 inches, rather than 54 inches wide. If that block's sidewalks or streetscape be redesigned or renovated, encroachments will be required to accommodate at 54-inch straight clear path at that time. *Note: This amendment was revised to reconcile the citations in sections 1 and 2 with Am 1B.*

AMENDMENT #10 TO Ordinance 01-14 received a roll call vote of Ayes: 0, Nays: 9 and FAILED.

Amendment #10 To Ordinance 01-14

Andy Ruff sponsor. Would require that the clear, straight path for the eastside of the 100 block of South College be determined only by those obstructions that occur south of the wall at the northern end. He wanted this option available if Amendment 6 were not adopted. Amendment 6 would require a clear, straight path along 54 inches wide along each encroachment.

The Ordinance received a roll call vote of Ayes: 9, Nays: 0.

Ordinance 01-14 as amended.

There was no legislation for first reading.

LEGISLATION FOR FIRST READING

There was no public input.

PUBLIC INPUT

It was moved and seconded to cancel the meeting for October 10th. The motion was adopted by a voice vote of Ayes: 8, Nays: 0. (Pizzo was out of the room)

COUNCIL SCHEDULE

The meeting was adjourned at 11:35 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Christopher Gaal, President
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

EMAIL FROM T.MICUDA to J.WILLSEY TO BE INCLUDED IN MINUTES OF 10-3-2001

Subject: Tonight's Enforcement Ordinance
Date: Wed, 03 Oct 2001 11:41:45 -0500
From: Tom Micuda <micudat@city.bloomington.in.us>
Organization: City of Bloomington
To: willseyj@city.bloomington.in.us
CC: LynnFriedmeyer<friedmel@city.bloomington.in.us>, DanSherman<shermad@city.bloomington.in.us>, James McNamara<mcnamarj@city.bloomington.in.us>

Good morning, Jeffrey. I wanted to get back with you on an issue we discussed at last week's Council meeting concerning our proposed Enforcement Ordinance amendments. More specifically, you were interested in finding out how the City would interpret one of the amendments, which states:

"For projects requiring approval by the City Plan Commission, no grading permits shall be issued in advance of Plan Commission approval."

As we discussed, the background for this proposal is the situation which happened to us a few months ago on the Daisy Garten farm (East 10th Street). In this situation, we had already met with the developer concerning a future site plan approval for a new apartment complex as well as rezoning approval for property at the Pete Ellis Drive intersection. No project had yet been filed, however.

Prior to filing, the developer petitioned to receive a grading permit to level the property in preparation for development. I did not want to issue the permit knowing the outcry we would receive if land disturbance was occurring in advance of a public hearing. Sure enough, we were forced to issue the permit because the application material met all of our requirements (erosion control plan, environmental protection measures, drainage and utility placement, etc.). We immediately received phone calls from Council members, Plan Commissioners, and public concerning the activity. As I expected, it also made the approval process much more complicated because we had to debate the site's compliance with erosion control as well as deal with Plan Commissioner frustration that work was going on prior to their scrutiny.

This is the background for the amendment. As for interpretations, I visualize the process working as follows:

1. Applicant submits a permit request or contacts Planning concerning an interest in grading a property.
2. Either during the initial contact or at a separate meeting, the planner discusses the nature of the request with the applicant. Some questions that would be asked include: a) Are you grading the site just to clear up some debris that is overgrown? We have received these requests, and we would issue a permit without the Plan Commission's consideration. b) Are you grading the site to sell marketable timber? We have also received these requests in the past and would issue a permit without Plan Commission approval. c) Are you leveling the site to market the property and speed up development? This is a little trickier. Under this situation, a development proposal could be generated within months or it might take years. Ultimately, this is a judgment call based on who the applicant is, location, and best-guess scenario for the nature of future development and timing. Initially, I suspect we would err on the side of doing the activity by permit. d) Are in the process of preparing plans that would require Plan Commission approval. In this case, we would put a hold on the permit and require the developer to wait.

Based on my experience as a planner, I have never had difficulty separating out grading proposals that were simply extracting a resource on the property versus proposals that were simply trying to jump the gun on the public review process. I think other current and future planners in this office will be able to make appropriate decisions on these requests.

With regards to what would happen in the public review process, the Plan Commission would use the same set of review standards as staff. These include:

1. Does the siltation and erosion control plan comply with code?
2. Does the proposal comply with City requirements concerning sinkhole protection, wetland protection, steep slope protection, and water resource protection?
3. Does the stormwater management plan comply with code?
4. If utilities are being extended or relocated, have they been approved by the Utilities Department?
5. Does the proposal preserve an adequate amount of trees? This would be a difficult issue to review because there is no placement of buildings or parking being proposed. However, if someone is clearing a site for development, you can make certain assumptions for where development will and will not take place. We've made these assumptions in staff-level review of permits, and it would be appropriate for the Plan Commission to require tree preservation in areas of the site that won't be utilized.

As the Plan Commission reviews the criteria outlined above, they are governed by the same standards as staff. However, some of the criteria have room for interpretation, and the Plan Commission can also use the public process to its advantage to get additional concessions (greater sensitive area protection, stormwater detention beyond code requirements).

I will be leaving this afternoon for a Planning Conference near Louisville. Lynne Friedmeyer will be attending tonight in my absence.

Hopefully, she can answer any questions you may have on this issue.

I'll see you soon, Jeffrey.

tom

In the Council Chambers of the Showers City Hall on Wednesday, January 3, 2000 at 7:30 pm with Council President Mayer presiding over the Annual Organizational Session of the Common Council.

COMMON COUNCIL
ORGANIZATIONAL SESSION
JANUARY 3, 2000

Roll Call: Banach, Ruff, Diekhoff, Cole, Mayer, Pizzo, Willsey, Sabbagh, Gaal.

ROLL CALL

Council President Mayer gave the Agenda Summation.

AGENDA SUMMATION

There were no minutes for approval.

MINUTES FOR APPROVAL

Chris Gaal thanked Pam Service for being a role model for representing District 6 for 20 years in working hard and standing up for what she believed in and said he'd do his best to do the same. He looks forward to working with the council stating that he knows they are committed to improving the quality of life in Bloomington. He stated he was thankful for no Y2K problems.

MESSAGES FROM
COUNCILMEMBERS

David Sabbagh welcomed Gaal, Willsey, and Ruff to the council and welcomed everyone else back. He stated his goals for the year as hoping to tackle problems of affordable housing, a discussion of economic development, and a discussion of what Bloomington envisions itself to be economically in the year 2010. Sabbagh would like to see legislation to improve electronic access to public data. He would like to have a review and reauthorization of boards and commissions. Sidewalks are his priority and he looks forward to a council with a vision of Bloomington that they can enunciate.

Jeffrey Willsey noted his appreciation for family, friends, and council colleagues. He expressed his gratitude to voters in the 4th District and stated he is looking forward to an ongoing civic dialogue with the citizens of Bloomington in the interest of the public's health, safety, and welfare. He stated would be, in turn, rich, energetic, transforming, bothersome, hilarious, cantankerous, frustrating, boring, humbling, inspiring, irrelevant, irreverent and essential and added that this process is not always polite, we can do better. He noted that the city is greatly advantaged by having John Fernandez as mayor. The Council is actively supportive of his goals, and while there may be an occasional significant disagreement, there is here an opportunity for achievement, and pledges himself to warm cooperation with the mayor.

Tony Pizzo thanked the electorate, wished everyone a wonderful year 2000 and hoped that there would be great accomplishments in the next four years.

Patricia Cole looks forward to working with the new council, the dynamics, personalities and expertise collected here together and predicted energetic and forward thinking action. She looks forward to working with Fernandez administration. Wishes folks a happy new century. Cole congratulated a citizen of west side, Marti Crouch, one of three winners of the Joe A. Calloway Award for Civic Courage from the Shafik-Nader Trust for the Community Interest presented at Carnegie Institution in DC. Crouch is an advocate for alternatives to trends in biological sciences and researches sustainable agriculture alternatives.

Andy Ruff thanked everyone who participated in the process of electing public officials this past year. He promised to always do his best to do what he feels is in the best interest of the community of Bloomington.

Ruff responded to media claims that he is a rabid leftist, anti-growth, hardliner calling such statements an inaccurate simplistic sound bite. He said he called into question the assumption that the physical expansion or growth of Bloomington was in and of itself a good thing. He proposed that at some point the assumed benefits of growth are outweighed by the costs to the livability of the city. Growth clearly creates problems, loss of green space, crowding of schools, traffic congestion, threats to neighborhood integrity, and tax increases. He questioned the use of examples of bigger cities as models and asked why we have faith in a model which encourages pursuing something we don't want. Ruff reiterated that he is not against growth, just questioning models and former assumptions about growth and driving an unending cycle of growth that leads the community out of control and unable to control our destiny. Not a nostalgia for a Bloomington past... but just the opposite. Ruff wants to create a Bloomington with a future that is not dependent on giving footloose corporations every tax break they ask for, letting them degrade our environment only to have them abandon us for cheap labor and lax

environmental standards. Bloomington has highly educated and skilled citizens, high technology, infrastructure, and partnerships within our own community that will enable us to grow.

Council Member Comments (cont'd)

Jason Banach said he was glad to be present.

Tim Mayer wished everyone a happy new year and prosperous and healthy one.

Mayer asked Regina Moore, City Clerk to make a comment.

She cited her recent research on the duties of the city clerk's office that stated that one of the ancient duties of a clerk was to read a curse to council members who might seek to deceive the public. She said she was happy to be serving.

It was moved and seconded that the following officers be nominated for the following offices for 2000.

ELECTION OF OFFICERS

President	Tim Mayer
Vice President	Mike Diekhoff
Parliamentarian	Tony Pizzo

The nominations were approved by a voice vote.

It was moved and seconded that the following appointments to various Council Positions be considered:

COUNCIL APPOINTMENTS

Citizens Advisory Committee (CDBG)

Social Services	Anthony Pizzo
Physical Improvements	Tim Mayer
Commission for Bloomington Downtown	Jeffrey Willsey
Economic Development Commission (City)	Anthony Pizzo
Economic Development Commission (County)	Patricia Williams
Environmental Resource Advisory Committee	Chris Gaal
Justice Building Commission	David Sabbagh
Metropolitan Planning Organization	Andy Ruff
Plan Commission	Jeffrey Willsey
Solid Waste Management District	Chris Gaal
Urban Enterprise Association Board	Patricia Cole
Utilities Services Board	Patricia Cole

The nominations were approved by unanimous acclamation.

It was moved and seconded that the Resolution 00-01 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation. She also announced that this was a legally advertised public hearing. It was moved and seconded that Resolution 00-01 be adopted.

LEGISLATION FOR FINAL
ACTION
RESOLUTION 00-01

Randy Lloyd gave the synopsis. The 1999 Resolution 99-41 approved last year gave a tax abatement for B&L Sheet Metal and Roofing and also approved a \$100,000 loan from the Bloomington Investment Incentive Fund. Renovations and new equipment for this project will cost about \$750,000-\$800,000. This project will add new employees, union wage jobs with union benefits, and was supported by the Bloomington Urban Enterprise Zone staff.

TO CONFIRM RESOLUTION 99-41
WHICH DESIGNATED AN
ECONOMIC REVITALIZATION AREA
(ERA) Re: 1301 N. Monroe Street (B&L
Sheet Metal & Roofing, Inc., Petitioner)

Ruff asked about hiring from the existing local employee base, and how this could be encouraged in this kind of public assistance. Lloyd stated that on the whole, Bloomington is more of a regional employer and stated that with certain projects, or on a project by project basis this might be worth considering, and was a worthy goal. Randy reported that the UEA has worked with the owner, Jay Lee, and he committed to work with the Enterprise Association in hiring people from the area of the new facility, which is in the enterprise Zone.

Sabbagh asked if it was legal to require a company to hire from a local employee base. Randy Lloyd stated that the Indiana Code, while it might have different interpretations, may also allow leeway in guidelines.

Dan Sherman pointed out that the Code says Council may impose reasonable conditions on tax abatements, and the Enterprise Zone encourages the hiring of residents from the Zone.

Ron Walker, Bloomington Urban Enterprise Association expressed support for this Resolution. He stressed the use of employees from the Dyer Hill area and working with B & L in working to hire folks from this area.

Gaal asked if it was part of the petitioners' commitment to assure that these jobs be unionized positions. Ron Walker said B & L was a union shop.

Cole thanked B & L for working with residents of Dyer Hill and thanked Ron for his commitment to the Zone.

Ruff stated he would be looking with a critical eye at requests for public assistance for economic development but felt that this one deserved support and was an excellent example of one that deserved support citing the desirable aspects: use of an existing building, union jobs, socially, and environmentally responsible type of expansion with a locally based family owned company. He related that when he was a young boy, B & L helped him by cutting a piece to fit a storm door that he accidentally damaged. He thanked B & L for accepting a dollar for the job, the only money he had on him at the time.

Willsey supports this resolution because of the local ownership component, the socially progressive labor practices, and the environmental responsibilities. He encouraged Randy Lloyd to work with the mayor's office and the new council to rework the tax abatement guidelines to take into account concerns brought forth by new council members and the changes in state law that would grant tax abatements for research and development investments in the community.

Lloyd stated that an update to the council is coming that will explain these state law changes, and looks forward to working with the council on this issue.

Gaal commends the petitioner for the choice of location, creating new unionized jobs with good benefits.

The resolution received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Clerk Moore read the legislation by title and synopsis.

Ordinance 00-01 To Amend the Text of Title 20 of the Bloomington Municipal Code (amending the PRO06/RS3.5 Regulations in Section 20.07.15.01).

LEGISLATION FOR FIRST READING

Ordinance 00-02 To Amend Chapter 2.22 of the Bloomington Municipal Code Entitled "Employee Services Department" (To Authorize a Closing Policy for City Operations in the Event of Bad Weather and to Amend the Definitions of Full-time and Part-time Employee).

ORDINANCE 00-01

ORDINANCE 00-02

There was no public input.

The meeting was adjourned at 8:18 p.m.

APPROVE:

ATTEST:

PUBLIC INPUT

Timothy Mayer, President
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

ADJOURNMENT