



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

Gabe Gloden  
Managing Director, Cardinal Stage  
411 East Seventh Street  
Bloomington, IN 47408

October 7, 2020

Dear Gabe —

I am in receipt of, and have read with great interest, the draft proposal drawn up jointly by your organization, the Bloomington Playwrights' Project, and the Pigasus Institute, to renovate and assume responsibility for ownership of the John Waldron Arts Center. I am pleased to read of your plans, most enthusiastic about them, and eager to lend my support. I believe that in fact the Bloomington Common Council can contribute directly and meaningfully to your plan.

As you have documented well in your proposal, maintenance of the Waldron's historic, century-old physical plant has proven to be at great, if not excessive, expense. It has been the undoing of not one but two different operational agreements since 1990 — the Bloomington Area Arts Council's in 2010, and Ivy Tech State College's this year. That is why I am particularly encouraged by your call for a "café/bar" to be created on the Waldron's main floor. I believe that is key to making the building viable to own and maintain.

To that end, I believe that your proposal would benefit from an asset made available by state code in 2005 specifically to incentivize the maintenance of buildings in historic districts, one that the city council is specifically empowered to grant. I call your attention to subsection 7.1-3-20-16(g) of Indiana Code:

(g) After June 30, 2005, the commission may issue not more than ten (10) new three-way, two-way, or one-way permits to sell alcoholic beverages for on-premises consumption to applicants, each of whom must be the proprietor, as owner or lessee, or both, of a restaurant located within a district, or not more than seven hundred (700) feet from a district, that meets the following requirements:

- (1) The district has been listed in the National Register of Historic Places maintained under the National Historic Preservation Act of 1966, as amended.
- (2) A county courthouse is located within the district.
- (3) A historic opera house listed on the National Register of Historic Places is located within the district.
- (4) A historic jail and sheriff's house listed on the National Register of Historic Places is located within the district.

The legislative body of the municipality in which the district is located shall recommend to the commission sites that are eligible to be permit premises. The commission shall consider, but is not required to follow, the municipal legislative body's recommendation in issuing a permit under this subsection. An applicant is not eligible for a permit if, less than two (2) years before the date of the application, the applicant sold a retailer's permit that was subject to IC 7.1-3-22 and that was for premises located within the district described in this section or within seven hundred (700) feet of the district. A permit issued under this subsection shall not be transferred. The cost of an initial permit issued under this subsection is six thousand dollars (\$6,000).

This statute was originally inspired by the city of Valparaiso, but several other cities, including Crown Point, Evansville, and, yes, Bloomington, all are eligible under it. I first became aware of it more than a decade ago, since the Courthouse Square Historic District lies entirely within the city district I represent. I and several of my colleagues at the time thought that there was much potential good to be done with these permits toward the rehabilitation of historic buildings. The then-newness of the statute, and the extraordinary relative value of three-way permits in Bloomington — for which asking prices (before the pandemic) were on the order of \$250,000 — caused enough doubt that no plan for the oversight of such permits was formulated, and no permits were issued.

I believe that your alliance with other performing-arts groups represents a use case for these permits whose time has come. While your business is not restaurant hospitality, performing arts and restaurants have been vital to each other's viability for as long as there has been food, drink, and art. I believe that granting such a permit to a performing-arts not-for-profit — who would then contract with a professional restaurateur to operate a café and bar in the building — is the right formula to ensure that it would directly contribute to the cultural vitality of downtown Bloomington. I am thus prepared to sponsor a resolution that would declare the John Waldron Arts Center an "site...eligible to be permit premises," the first such permit to be granted in Bloomington under IC 7.1-3-20-16(g).

Council will have to develop a plan to oversee such permits; I look forward to consulting about it with you and other not-for-profits which own or operate buildings downtown, as well as restaurateurs and the many others who will have helpful advice to offer. But I felt that it was important, in this stressful time, when the fate of the Waldron hangs in the balance, to make a public statement in support of this idea. I hope that it will help make your proposal successful, so that the former City Hall will thus remain a public good for decades to come.

I look forward to seeing your completed proposal, and to discussing its potential with you at your earliest convenience.

Sincerely yours



Stephen Volan  
President and Member, District VI  
Bloomington Common Council