# City of Bloomington Common Council

## Legislative Packet

## 30 October 2013

Regular Session

*For legislation and background material regarding Ordinances 13-09 and 13-21, please see the 16 October 2013: Common Council Legislative Packet.*
*All other legislation and material contained herein.*

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**To:** **Council Members**
**From:** **Council Office**
**Re:** **Weekly Packet Memo**
**Date:** **October 25, 2013**

# Packet Related Material

**Memo**
**Agenda**
**Calendar**
**Notices and Agendas:**

*None*

**Legislation for Second Reading:**

- **Ord 13-19** To Authorize the Issuance of Bonds by the Monroe County Redevelopment Commission Pursuant to IC 36-7-14-3.5
  *Contact:*
  *Jeff Cockerill at 349-2525 or jcockerill@co.monroe.in.us*

- **Ord 13-21** To Amend Title 8 of the Bloomington Municipal Code Entitled "Historic Preservation and Protection" (Changes to Chapter 8.02 - Definitions, Chapter 8.08 - Historic Districts and Standards, Chapter 8.12 - Demolition and Public Safety, Chapter 8.16 - Administration and Enforcement and Chapter 8.20 - List of Designated Historic Districts)
  *Contact: Lisa Abbott at 349-3420 or abbottl@bloomington.in.gov or*
  *Patty Mulvihill at 349-3426 or mulvihip@bloomington.in.gov*

*Please see the Council Legislative Packet prepared for the 16 October 2013 Regular Session for the Legislation, Associated Materials and Summary*

**Legislation and Background Material for the October 30th – November 6th – November 13th Legislative Cycle:**

- **App Ord 13-03** To Specially Appropriate from the Parks Land Acquisition Fund Expenditures Not Otherwise Appropriated (Appropriating Funds for the Building, Remodeling and Repair of Parks and Recreation Facilities)
  - Memo from Mick Renneisen, Director of Parks and Recreation Department
  - List of Proposed Repairs and Improvements
  - Parks Land Acquisition Fund – Balance Sheet

  *Contact: Mick Renneisen at 349-3700 or renneism@bloomington.in.gov*

**Legislation and Materials Amending the Tax Abatement Package for Woolery Stone Mill, 2200 West Tapp Road (Woolery Ventures LLC, Petitioner)**

- Memo from Danise Alano-Martin, Director of the Economic and Sustainable Development Department
- Map of ERA/ EDTA

  *Contact:*
  *Danise Alano-Martin at 349-3477 or alanod@bloomington.in.gov*

- **Res 13-14** To Amend Resolution 04-02 which Designated an Economic Revitalization Area (ERA), Approved a Statement of Benefits and Authorized a 10-Year Period of Abatement - Re: The Woolery Stone Mill Parcel at 2200 West Tapp Road (Woolery Ventures LLC, Petitioner)
  - Strikeout version of Res 04-02
  - Statement of Benefits

- **Ord 13-20** To Amend Ordinance 04-05 which Designated an Economic Development Target Area ("EDTA") - Re: Woolery Stone Mill, 2200 West Tapp Road
  - Strikeout Version of Ord 04-05

**Minutes from Special Session**:

- September 25, 2013

**Reminders**

- **Staff/Council Internal Work Session on Monday, October 28th at Noon in the McCloskey Room –** Topics: Traffic Ordinance and End-of-the-Year Appropriation Ordinance Coming forward for second Legislative Cycle in November

## Memo

### Two Ordinances Ready for Second Reading and Two Ordinances Ready for Introduction at the Regular Session on Wednesday, October 30th

Next week, the Council will be entering the first of the last three legislative cycles of the year. In order to avoid doubling-up a Committee of the Whole with a Regular Session in the latter part of November (because of Thanksgiving), the Council will

start the next legislative cycle on the fifth Wednesday of October and end it on the second week of November (the 13th).

There are two ordinances ready for second reading, which can be found online as indicated above. There are also two ordinances ready for first reading and the material and related summary are included in this packet and memo. Please note that one of the ordinances is part of a package of legislation amending a previously approved tax abatement and includes a resolution that will be discussed at the Committee of the Whole and is also part of this packet.

## Legislation for the October 30th – November 6th – November 13th Legislative Cycle

## Item One – App Ord 13-03 Transferring Balance of the Parks Land Acquisition Fund to the Cumulative Capital Development Fund and Appropriating Said Funds to Improve and Repair Existing Park Facilities

**App Ord 13-03** transfers $994,000 from the Parks Land Acquisition Fund to its parent fund, the Cumulative Capital Development Fund, and then appropriates those monies to improve existing park facilities over 2013 and 2014. In his memo to the Council, Mick Renneisen, says that the appropriation will "accomplish some much needed repairs and improvements to the more than $50 million of city assets for which (his department is) responsible." He has provided a list of projects and completion dates (which is included in this packet), but cautions that variables such as the timing of funding, availability of contractors and products, disparities between estimated and actual costs, and seasonal conditions may cause slight modifications to the list.

The repairs and improvements on this list are part of the Parks and Recreation Department five-year capital plan[1] and reflect the priority revealed in their five-year Citizen Attitude and Interest Survey in maintaining existing parks and park facilities. The extent of the repairs and improvements are, in part, a result of "recent budget requests (that) had minimal or no funds available for capital improvements." By acting now, particularly in regard to the paving projects, Renneisen anticipates taking advantage of competitive prices for materials and City staff for labor to lower costs. A summary of the list of project provided by Renneisen follows:

[1] The memo indicates that all City departments have compiled a similar list which "is being evaluated by consultants as part of the Mayor's efforts to complete a Comprehensive Financial Analysis of all City funding needs and sources."

| Park/Facility | Project | 2013 – Cost | 2014 - Cost |
|---|---|---|---|
| **Banneker Community Center** | Rehabilitate Restrooms – Contract to design and renovate | | $75,000 |
| **Bryan Park** | Contract to design and renovate restroom; Resurface Henderson Street playground; and Repair tennis court surface | | $168,000 |
| **Rev. Butler Park** | Paved overlay for trail; and Resurface and stripe parking lot | $8,000 | |
| **Golf Course** | Resurface golf cart paths (with some work performed by Pubic Works) | $30,000 | |
| **Leonard Springs** | Construction of trail bridge | | $9,500 |
| **Lower Cascades - Ballfields** | Rehabilitate restrooms; and Replace netting/backstop (to protect spectators); and | | $40,000 |
| | Replace bleachers | $20,000 | |
| **Miller Showers Park** | Repair pond spillway limestone | | $10,000 |
| **Park Ridge** | Improve playground and basketball court (as a result of consultations with neighborhood) | | $80,000 |
| **Park Ridge East** | Repair surface of, and perimeter drainage for, tennis courts | | $18,500 |
| **Peoples Park** | Replace lights vandalized by Occupy Movement with more vandal-resistant ones. | | $19,000 |
| **RCA Park** | Resurface and reline tennis court to double as Pickle Ball courts *(Total Cost = $40,000)* | | $10,000 (with some CDBG funds) |
| **Sherwood Oaks Park** | Replace tennis practice backboard | $5,000 | |

| | | | |
|---|---|---|---|
| **Third Street (Waldron, Hill, and Buskirk) Park** | Fence playground, protect trees, and improve access. | $60,000 | |
| **Twin Lakes Sports Park** | Replace netting/backstop and add shades for bleachers | | $49,000 |
| **Winslow Sports Park** | Repave parking lot, replace some bumpers, and fix wet area by entrance;<br>Replace scoreboard; and<br>Replace bleachers on "senior side (13-18 yr olds)" | $98,000 | |
| | Pave fitness trail;<br>Repair surface of tennis courts; and<br>Replace netting/backstop and add shades for bleachers | | $131,500 |
| **Amenities – Various Facilities** | Replace drinking fountains, basketball backboards (Bryan Park), Rail Trail signs and markings, and other amenities | | $22,500 |
| **Equipment** | Replace Packer (trash) truck ($105,000), mower (for Twin Lakes ($16,000), and Infield groomer ($19,000) | $140,000 | |
| **TOTALS** | | $361,00 | $633,000 |
| **GRAND TOTAL** | | $994,000 | |

Park Land Acquisition Fund

As noted above, this ordinance transfers the balance of the Parks Land Acquisition Fund (PLAF) ($994,886.79) to the Cumulative Capital Development Fund (CCDF) and then appropriates ($994,000) from the CCDF for the projects listed in the foregoing chart. The City established the CCDF in 1984 to raise a small property tax levy that could be used for purposes consistent with statute and ordinance. In the early years, it needed to be reauthorized on a three-year basis. Ordinances reauthorizing the CCDF in 1990 and 1993 set aside what amounted to about 1/15 of the levy for the acquisition of land for park purposes. You may recall that, over the years, this fund helped acquire land for the expansion of Cascades Park and, more recently, the Black Rail Spur. Last year, the Council and Mayor reauthorized the CCDF with general, statutorily-allowed purposes that included the acquisition of park land, but did not specifically set aside revenues for that purpose. This

ordinance leaves the PLAF in place, but transfers its balance to the CCDF, where it will be used to address some pressing repairs and improvements at our parks. Please note that at the Staff/Council Internal Work Session, staff indicated that other funds were available for park land acquisitions occurring in the foreseeable future.

**Items Two and Three - Res 13-14 Amending Res 04-02 which Confirmed the Designation of an Economic Revitalization Area (ERA), Approval of a Statement of Benefits, and Authorization of a 10-Year Tax Abatement**
**and**
**Ord 13-20 – Amending Ord 04-05 which**
**Designated an Economic Development Target Area Designation (EDTA)**
**for the Woolery Stone Mill**

This ordinance and resolution amend legislation adopted in 2004 that took the steps necessary to grant a tax abatement for the renovation and conversion of the Woolery Stone Mill into a hotel, condominium, restaurant/brew pub, and climbing gym facility. The mill is located north of the intersection of Kegg Road and West Sunstone Drive and currently addressed as 2200 West Tapp Road. Due to the lapse of time without significant progress on this project and guidance from the City Council, the Economic and Sustainable Development staff and the Economic Development Commission have worked with the owner about the future of the project and the tax abatement. Because of the commitment of the owner, complexity of the project, and potential economic and other public benefits that would flow from its completion, they recommend keeping the abatement in place for another five years. The ERA and EDTA designations will terminate at the end of 2018, but the tax abatement will be available if the owner has commenced work by that time.

*Please note the ordinance will be introduced at the Regular Session on October 30th and then the ordinance and resolution will be discussed at the Committee of the Whole on November 6th and are scheduled for second reading at the Regular Session on November 13th. The public comment on the resolution at the meeting on November 13th will serve as the required legally-advertised public hearing on that legislation.*

**Woolery Ventures, LLC (Randy Cassady) Renovation of Old Stone Mill as Part of Parcel A of the Woolery PUD**

In 2001, the petitioner, Woolery Ventures, LLC, proposed investing $6 million to renovate the 76,000 s.f. historic Woolery Stone Mill in accordance with Secretary of Interior standards. When remodeled, the stone mill would house 42 condominiums (with a mix of 2 and 3 bedroom units), a 55-room hotel and conference center, climbing facility, a restaurant/brew pub, and 99 interior parking spaces. These uses were approved by the Council with the adoption of Ord 02-01, which amended the preliminary plan for Parcel A of the Woolery PUD and included other site improvements that are not part of this abatement. One of those other improvements involved the renovation of an office building, which received a tax abatement through the county. By 2003, the petitioner had agreed to annexation (which became effective January 1, 2003) and become part of the Tapp Road TIF.[2]

**Overview of Legislation Needed to Grant this Tax Abatement in 2004**

The tax abatement for the Woolery Stone Mill required three pieces of legislation that were heard over two legislative cycles in early 2004. The first item was a resolution (Res 04-01), which gave the initial tax abatement approval for the proposal. It designated the property as an Economic Revitalization Area (ERA), approved the statement of benefits, and authorized a 10-year tax abatement schedule for improvements on real estate.

The second item in this package was an ordinance (Ord 04-05) that was considered at the same time as the resolution and established the site as an Economic Development Target Area (EDTA). This designation is necessary in order to grant a tax abatement for uses that would not otherwise be eligible for them.

And, the third piece of legislation needed for these abatements was another resolution (Res 04-02) which confirmed the first one.

[2] Please note that, at the time of this abatement, the Redevelopment Commission was required to adopt a resolution approving the applications for all abatements that lay within TIF districts. Now, the designating body that created the TIF district (i.e. the City Council) must adopt a resolution approving the Statement of Benefits. (I.C. 6 -1.1-12.1-2[k] – formerly [l])

**Item Two – <u>Res 13-14</u> Amending <u>Res 04-02</u> Confirming Designation of the ERA, Approval of the Statement of Benefits & Authorization of a 10-Year Abatement**

**<u>Res 04-02</u>** confirmed three statutory determinations regarding this project. First, it designated the property as an Economic Revitalization Area, which entailed a finding that the property was not susceptible to normal growth and development. Second, the resolution approved the Statement of Benefits. In so doing, it found that the stated benefits were a reasonable and probable outcome of the development, imposed additional conditions, and provided that the failure of the owner to take reasonable steps to comply with the Statement of Benefits and additional conditions would be a basis for rescinding the abatement. Those benefits and conditions included:

- "renovation of an abandoned limestone mill into a mixed use facility rehabilitated to the historic standards of the Secretary of Interior";
- investing $6 million in the property and increasing the assessed valuation of the building from $244,430 to $4.444 million;
- adding 45 new jobs with a total payroll of $762,000 and providing 100 temporary construction jobs to renovate the building (please see the breakdown of hourly wages in packet); and
- developing and using the land and improvements in a manner that complies with local code.

Third, the resolution proposed a graduated ten-year schedule of tax abatement provided for by statute at that time. [3]

**<u>Res 13-14</u>** makes the following changes to the prior resolution:

- First, it sets December 31, 2018 as the date the ERA designation ends, but entitles the property owner to the abatement if he/she "commence(s) work"[4] on the project by that date and otherwise files the necessary forms with the County Auditor; and
- Second, it requires the owner to "enter into and comply with a Memorandum of Agreement with the City … (to) be executed by both parties within one month of the adoption of this resolution." Please note that this Memorandum of Agreement will allow the parties to account for changes in the overall project and establish what will constitute substantial compliance with the Statement of Benefits and additional conditions.

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[3] Please note that, as of June 30, 2013, the Council has greater latitude in approving the schedule. Based upon the promised benefits, the schedule can now be from 1 to 10 years and the abatement can be from 0% to 100%. IC 6-1.1-12.1-17(b)

[4] This phrase is defined as "obtains a building permit for (this project)."

**Item Three – Ord 13-20 Amends Ord 04-05 which Established the EDTA for the Woolery Stone Mill Building Located at 2200 West Tapp Road**

As stated above, **Ord 04-05** designated the Woolery Stone Mill building located at 2200 West Tapp Road as an Economic Development Target Area (EDTA). An EDTA is a statutory designation that can only be applied to 15 % of the City's jurisdiction and allows tax abatements for uses that would not otherwise be eligible for them.[5] In this case the designation would allow a retail use to receive a tax abatement as well as a residential use without requiring that at least 20% of the units be set aside for affordable housing.[6]

In order to grant this designation, State law requires that the Common Council find the property eligible either because of its historic character or because it has "become undesirable or impossible for normal growth and development." In this case, the stone mill qualified for this designation, in part, because it had been listed on the National Register of Historic Places.

**Ord 13-20** makes one change to this ordinance which, along with the accompanying resolution, terminate the underlying designation at the end of 2018.

**Happy Birthday Bloomington City Clerk, Regina Moore**
**- Monday, October 28th**

[5] IC 6-1.1-12.1-7(b)
[6] IC 6-1.1-12.1-3(e)(10) and (11).

**NOTICE AND AGENDA**
**BLOOMINGTON COMMON COUNCIL REGULAR SESSION**
**7:30 P.M., WEDNESDAY, OCTOBER 30, 2013**
**COUNCIL CHAMBERS**
**SHOWERS BUILDING, 401 N. MORTON ST.**

**I. ROLL CALL**

**II. AGENDA SUMMATION**

**III. APPROVAL OF MINUTES FOR:** September 25, 2013 Special 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. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS**

1. Ordinance 13-19 To Authorize the Issuance of Bonds by the Monroe County Redevelopment Commission Pursuant to IC 36-7-14-3.5

   Committee Recommendation: Do Pass 7-0-0

2. Ordinance 13-21 To Amend Title 8 of the Bloomington Municipal Code Entitled "Historic Preservation and Protection" (Changes to Chapter 8.02 - Definitions, Chapter 8.08 - Historic Districts and Standards, Chapter 8.12 - Demolition and Public Safety, Chapter 8.16 - Administration and Enforcement and Chapter 8.20 - List of Designated Historic Districts)

   Committee Recommendation: Do Pass 7-0-0

**VII. LEGISLATION FOR FIRST READING**

1. Appropriation Ordinance 13-03 To Transfer Funds from the Parks Land Acquisition Fund to the Cumulative Capital Development Fund (CCDF) and to Specifically Appropriate CCDF Funds Not Otherwise Appropriated (Appropriating Funds for the Building, Remodeling and Repair of Parks and Recreation Facilities)

2. Ordinance 13-20 To Amend Ordinance 04-05 which Designated an Economic Development Target Area ("EDTA") – Re: Woolery Stone Mill, 2200 West Tapp Road

**VIII. ADDITIONAL PUBLIC COMMENT*** (A maximum of twenty-five minutes is set aside for this section.)

**IX. COUNCIL SCHEDULE**

**X. ADJOURNMENT**

* Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment 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.

Posted & Distributed: Friday, October 25, 2013

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

To Council Members
From Council Office
Re Weekly Calendar – 28 October – 2 November 2013

## Monday, 28 October

11:00 am Monroe County Suicide Prevention Coalition Awareness Committee, Council Chambers
12:00 pm Council-Staff Internal Work Session, McCloskey
4:00 pm Council for Community Accessibility, McCloskey
5:30 pm Bloomington Human Rights Commission, McCloskey

***Happy Birthday to Regina Moore, Bloomington City Clerk!***

## Tuesday, 29 October

*No meetings are scheduled for this date.*

## Wednesday, 30 October

2:00 pm Hearing Officer, Kelly Room
2:00 pm Dr. Martin Luther King, Jr. Birthday Commission – A Day On, Not a Day Off! Grant Workshop, McCloskey
7:30 pm Common Council Regular Session, Council Chambers

## Thursday, 31 October

10:30 am Address Coordination, McCloskey Room

***Happy Halloween!***
***Trick or Treat Hours: 5:30pm-8:30pm***

## Friday, 1 November

*No meetings are scheduled for this date.*

## Saturday, 2 November

9:00 am Bloomington Community Farmers' Market, Showers Common – 401 N. Morton

*Posted and Distributed: Friday, 25 October 2013*

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**APPROPRIATION ORDINANCE 13-03**

**TO TRANSFER FUNDS FROM THE PARKS LAND ACQUISITION FUND TO THE CUMULATIVE CAPITAL DEVELOPMENT FUND (CCDF) AND TO SPECIALLY APPROPRIATE CCDF FUNDS NOT OTHERWISE APPROPRIATED (Appropriating Funds for the Building, Remodeling and Repair of Parks and Recreation Facilities)**

WHEREAS, Ordinance 84-28 established a Municipal Cumulative Capital Development Fund for years 1985, 1986 and 1987, for certain purposes, including, building, remodeling and repairing Parks and Recreation facilities; and

WHEREAS, Ordinances 87-24, 90-33 and 93-38 each reauthorized the Cumulative Capital Development Fund for additional three (3) year periods and authorized a set aside of a certain amount for Parks and Recreation; and

WHEREAS, Ordinance 12-15 reauthorized the Cumulative Capital Development Fund, for certain purposes as set forth in Indiana Code 36-9-15.5-2, which includes building, remodeling and repairing Parks and Recreation facilities, and acquiring land for Parks and Recreation purposes, without setting aside a specific amount of the levy for the Parks Land Acquisition Fund; and

WHEREAS, the balance in the Parks Land Acquisition Fund is currently at approximately $1 million; and

WHEREAS, there is a need to improve existing park facilities and the Parks and Recreation department wishes to expend $994,000 for the building, remodeling and repair of Parks and Recreation facilities; and

WHEREAS, the Mayor and Council agree that the balance of the Parks Land Acquisition Fund should be returned to the Cumulative Capital Development Fund and an appropriation made from the Cumulative Capital Development Fund for the improvement of existing park facilities; and

WHEREAS, the Mayor and Council agree that the Parks Land Acquisition Fund is worth continuing as a repository for donations and other revenues for the Fund's stated purposes;

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

SECTION 1. The Controller shall transfer the remaining balance of the Parks Land Acquisition Fund to the Cumulative Capital Development Fund, which was the original source of funding for the Parks Land Acquisition Fund.

SECTION 2. For the expenses of said municipal corporation, the following additional sums of money are hereby appropriated and ordered set apart from the funds herein named and for the purposes herein specified, subject to the laws governing the same:

| | AMOUNT REQUESTED |
|---|---|
| Cumulative Capital Development Fund (Fund 601) | |
| Line 3990 - Other Services and Charges | $ 994,000 |
| Total Cumulative Capital Development Fund | 994,000 |
| Grand Total All Funds | $ 994,000. |

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

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 13th day of November, 2013.

_____
DARRYL NEHER, President
Bloomington Common Council

ATTEST:

_____
REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2013.

_____
REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2013.

_____
MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance transfers $994,000 from the Parks Land Acquisition Fund to the Cumulative Capital Development Fund, which was the original source of funding for the Parks Land Acquisition Fund, and appropriates said funds for the building, remodeling and repairing Parks and Recreation facilities.

# Memorandum

To: Members of the City of Bloomington Common Council

From: Mick Renneisen, Director, Parks & Recreation Department

Date: October 22, 2013

## Appropriation Request

The Parks and Recreation Department is requesting a $994,000 appropriation from the parks land acquisition fund to accomplish some much needed repairs and improvements to the more than $50 million of city assets for which we are responsible. The attached list outlines the proposed projects to be used with these funds. The projects will be completed in 2013-14 as a result of the timing of available funding, possible availability of contractors/products, estimates vs. actual quotes and the challenge of accomplishing the attached list of projects in the remaining months of 2013. The list of projects may be slightly modified depending on the variables above.

## Background

The Parks and Recreation Department has routinely kept a 5-year capital improvement plan updated in an effort to prioritize the most crucial repair/renovation and new project needs for our department. Recently, all city departments have compiled a similar list that is being evaluated by consultants as part of the mayor's efforts to complete a Comprehensive Financial Analysis of all city funding needs and sources.

Our department conducts statistically valid Citizen Attitude and Interest Surveys every five years. The most recent survey, completed in the fall of 2011, indicated that the two highest priorities for how citizens would allocate financial resources for parks and recreation were to maintain existing parks and facilities.

As the Council is aware, recent parks budget requests have had minimal or no funds available for capital improvements. As a result, capital repair and replacement needs have been deferred until appropriate funding sources could be identified. Based on our most recently updated Capital Improvement Plan, we identified the most pressing repair and replacement needs to match the available funding available from the cumulative capital fund. Those priorities are indicated in the attached document. Note that the cost estimates for the paving projects identified on the list reflect use of Public Works employees and their paving skills. The Public Works Department has available staff time and expertise to accomplish

the paving projects while saving the city/citizens taxpayer dollars by keeping the work “in house.” It should also be noted that paving material prices are currently very competitive. These two reasons create the opportunity to maximize available city labor availability and stretch our capital improvement dollars. It’s crucial to take advantage of this while the paving season is still open in 2013.

Some of the other capital needs can be purchased prior to the end of 2013. The balance of the projects identified for 2014 were deemed unable to be completed in 2013 due to complexity or weather variables.

## Conclusion

We appreciate the Council’s support of our Capital Improvements Appropriation Request. The controller, corporation counsel and I will be available to answer any questions you might have.

Thank you for your consideration!

| Park/Facility | Project | Est. Cost | Subtotal | Notes | Year | Year |
|---|---|---|---|---|---|---|
| Banneker Community Center | Restroom Rehabilitation | $75,000 | | Contracted project to renovate the public restroom of the facility - Includes consultant fees for design/blueprints. | | 2014 |
| | | | **$75,000** | | | |
| Bryan Park | Park Restroom Rehabilitation | $60,000 | | Contracted project. Includes consultant fees for design/blueprints. | | 2014 |
| Bryan Park | S. Henderson playground poured-in-place rubber surface - 5,300 SF | $78,000 | | Replacement of playground surface for safety reasons due to wear/tear. | | 2014 |
| Bryan Park | Tennis court surface repairs | $30,000 | | Surface crack repair and court repainting/relining. Contracted. | | 2014 |
| | | | **$168,000** | | | |
| Rev. Butler Park | Paved trail surface overlay + parking lot resurface and striping. | $8,000 | | Surface repair for safety/use reasons. | 2013 | |
| | | | **$8,000** | | | |
| Golf Course | Cart paths surface overlay | $30,000 | | Resurfacing aging cart path infrastructure. Some work to be performed by Public Works and some contracted based on size of path. | 2013 | |
| | | | **$30,000** | | | |
| Leonard Springs | Trail bridge construction | $9,500 | | Contractually built bridge for safety of trail. | | 2014 |
| | | | **$9,500** | | | |
| Lower Cascades Park - Ballfields | Restroom rehabilitation at ballfields | $25,000 | | 30 year old facility that needs rehabilitation for summer youth league play and national tournaments we will be hosting. | | 2014 |
| Lower Cascades Park - Ballfields | Netting/backstop replacement for safety | $15,000 | | Adding height/width to catch more foul balls. Spectator requested. | | 2014 |
| Lower Cascades Park - Ballfields | Bleacher replacement | $20,000 | | Replacement of old, rusted bleachers with aluminum type bleachers. | 2013 | |
| | | | **$60,000** | | | |
| Miller Showers | Pond spillway limestone repair | $10,000 | | Normal wear/tear repair of limestone spillways. | | 2014 |
| | | | **$10,000** | | | |
| Park Ridge | Playground replacement and basketball court rehab. or 1/2 removal and resurface | $80,000 | | Contracted - Includes consultant fees. No neighborhood consensus to date on desired improvements. Will meet with Neighborhood Assoc to resolve final plans | | 2014 |
| | | | **$80,000** | | | |
| Park Ridge East | Tennis court surface repairs. | $12,500 | | Surface crack repair and court repainting/relining. Contracted. | | 2014 |
| Park Ridge East | Tennis court perimeter drainage improvements | $6,000 | | Reduce water runoff onto courts. Tandem project of court surface repairs. | | 2014 |
| | | | **$18,500** | | | |
| Peoples Park | Lighting replacement | $19,000 | | Replace vandalized (Occupy Movement) lighting with more vandal resistant type lights.. | | 2014 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | | | **$19,000** | | | |
| RCA | Tennis court surface repairs and relining for Pickle Ball use ($40,000) | $10,000 | | Estimate is $40,000. Some CDBG funding is available for this project. | | 2014 |
| | | | **$10,000** | | | |
| Sherwood Oaks | Tennis practice backboard | $5,000 | | Highly requested feature at this park by residents | 2013 | |
| | | | **$5,000** | | | |
| Third St. Park (Waldron, Hill & Buskirk) | Playground fencing, tree protection, landscaping and access improvements | $60,000 | | Contracted project - Includes consultant fees for design. Safety and aesthetic improvements. | 2013 | |
| | | | **$60,000** | | | |
| Twin Lakes Sports Park | Netting/backstop replacement for safety | $25,000 | | Adding height/width to catch more foul balls | | 2014 |
| | Shade/bleacher protection structures | $24,000 | | Paired with netting project. | | 2014 |
| | | | **$49,000** | | | |
| Winslow Sports Park | Repave parking lot, replace bumpers as needed, fix wet area at lot entrance | $50,000 | | Replace original pavement (1978) and repair water related/drainage problems./ Work to be performed by Public Works. | 2013 | |
| | Scoreboard replacement | $23,000 | | Replacement of 20 year old scoreboards that malfunction frequently and require hard to find replacement parts. | 2013 | |
| | Fitness trail paving - add amenities | $75,000 | | Convert gravel surface to paved to minimize frequent erosion/safety problems and lower maintenance costs. Contracted - Includes consultant fees for design and survey | | 2014 |
| | Tennis court surface repairs | $12,500 | | Surface crack repair and court repainting/relining. Contracted. | | 2014 |
| | Shade/bleacher protection structures | $24,000 | | Paired with netting project. | | 2014 |
| | Netting/backstop replacement for safety | $20,000 | | Adding height/width to catch more foul balls. Spectator requested. | | 2014 |
| | Senior side (13-18 yr. olds) bleacher replacement | $25,000 | | Remove rusted bleachers and replace with aluminum style, lower height (safety) | 2013 | |
| | | | **$229,500** | | | |
| Amenities | Replacement drinking fountains (10k), Bryan Park bball backboards (5k), Rail Trail signs and pavement markings (2.5k), misc.site amenity replacements (5k) etc. | $22,500 | | General amenity replacements due to wear/tear or user requests. | | 2014 |
| | | | **$22,500** | | | |
| Equipment | Replacement Packer (trash) truck | $105,000 | | Truck doesn't function. Have to hand carry trash bags in pick up trucks. | 2013 | |
| | Mower at Twin Lakes | $16,000 | | replacement of aging mower | 2013 | |
| | Infield groomer | $19,000 | | replacement of infield grooming equipment | 2013 | |
| | | | **$140,000** | | | |
| Totals | **TOTAL** | **$994,000** | **$994,000** | | $361,000 | $633,000 |

# Balance Sheet

Through 10/24/13
Detail Listing
Include Rollup Account/Rollup to Account

| Account | Account Description | Current YTD Balance | Prior Year Total Actual | Net Change | Change % |
|---|---|---|---|---|---|
| Fund Category | **Governmental** | | | | |
| Fund Type | **Special Revenue Funds** | | | | |
| Fund | **207 - Parks Land Acquisition** | | | | |
| ASSETS | | | | | |
| 10000 | Cash | 994,886.79 | 992,417.79 | 2,469.00 | .25 |
| | ASSETS TOTALS | $994,886.79 | $992,417.79 | $2,469.00 | 0.25% |
| FUND EQUITY | | | | | |
| 34000 | Retained Earnings | 992,417.79 | 992,417.79 | .00 | .00 |
| | FUND EQUITY TOTALS Prior to Current Year Changes | $992,417.79 | $992,417.79 | $0.00 | 0.00% |
| | Prior Year Fund Equity Adjustment | .00 | | | |
| | Fund Revenues | (2,469.00) | | | |
| | Fund Expenses | .00 | | | |
| | FUND EQUITY TOTALS | $994,886.79 | $992,417.79 | $2,469.00 | 0.25% |
| | LIABILITIES AND FUND EQUITY TOTALS | $994,886.79 | $992,417.79 | $2,469.00 | 0.25% |
| | Fund **207 - Parks Land Acquisition** Totals | $0.00 | $0.00 | $0.00 | +++ |
| | Fund Type **Special Revenue Funds** Totals | $0.00 | $0.00 | $0.00 | +++ |
| | Fund Category **Governmental** Totals | $0.00 | $0.00 | $0.00 | +++ |
| | Grand Totals | $0.00 | $0.00 | $0.00 | +++ |

# Legislation and Materials Amending the Tax Abatement Package for Woolery Stone Mill, 2200 West Tapp Road (Woolery Ventures LLC, Petitioner)

- Memo from Danise Alano-Martin, Director of the Economic and Sustainable Development Department
- Map of ERA/ EDTA

- **Res 13-14** To Amend Resolution 04-02 which Designated an Economic Revitalization Area (ERA), Approved a Statement of Benefits and Authorized a 10-Year Period of Abatement - Re: The Woolery Stone Mill Parcel at 2200 West Tapp Road (Woolery Ventures LLC, Petitioner)
    - Strikeout version of Res 04-02
    - Statement of Benefits

- **Ord 13-20** To Amend Ordinance 04-05 which Designated an Economic Development Target Area ("EDTA") - Re: Woolery Stone Mill, 2200 West Tapp Road
    - Strikeout Version of Ord 04-05

CITY OF BLOOMINGTON
economic & sustainable development

# MEMORANDUM

**To:** City of Bloomington Common Council

**From:** Danise Alano-Martin, Director

**Date:** September 23, 2013

**Re:** **Amendments to the Woolery Mill Tax Abatement**

---

A 10-year tax abatement for the historic rehabilitation of the Woolery Mill was recommended by the Economic Development Commission in November 2003 and approved by the City Council in February 2004 (Council Resolution 04-02 and Ordinance 04-05). Some infrastructure work has been completed, but work toward the completion of the project itself (originally proposed as restoration of the exterior to historic standards and conversion of the interior into condominiums, a hotel, a restaurant, and a fitness center with climbing gym) has not commenced due to many factors.

In June 2011, the EDC recommended rescission of the abatement because of the significant lapse of time since the original approval; however, the Common Council recommended returning the matter to the EDC for further deliberation, as the project, if completed, is still expected to provide economic and community benefits worthy of tax abatement consideration.

Since that time, the EDC and City staff have been working with Woolery Ventures LLC which remains committed to this complex project. In recognition of this commitment and complexity, as well as the potential economic and other public benefits if the project is completed, the EDC and City staff recommend retaining the abatement approval. However, staff and the EDC propose amending the original approval to place an expiration date on the underlying Economic Development Target Area (EDTA) and Economic Revitalization Area (ERA). This recognizes the City's interest in seeing the project move forward in a timely manner.

**Background: EDTA and ERA**
State law prescribes that an Economic Revitalization Area (ERA) must be designated by the legislative body for any property in order for that property to be eligible for tax abatement. Council Resolution 04-02 provided that designation.

Further, in order for housing or retail projects to be eligible for property tax abatement, the area must first be designated an Economic Development Target Area (EDTA). Council Ordinance 04-05 designated the Woolery Mill as an EDTA in accordance with state law.

**Amendment to the ERA and EDTA: Expiration Dates**
The legislation before City Council amends those designations so that they will expire on December 31, 2018 as recommended by the EDC in its Resolutions 13-01 and 13-02. This deadline will have no impact on the project's ability to realize the tax abatement savings if the proposed project is commenced (defined as obtaining a building permit) before the expiration date. If the project is commenced within that time frame, the project will still be eligible for the 10-year tax abatement that was recommended by the EDC in 2003 and approved by the City Council in 2004. If the project is not commenced by the expiration date, then the eligibility for abatement also expires. City staff and

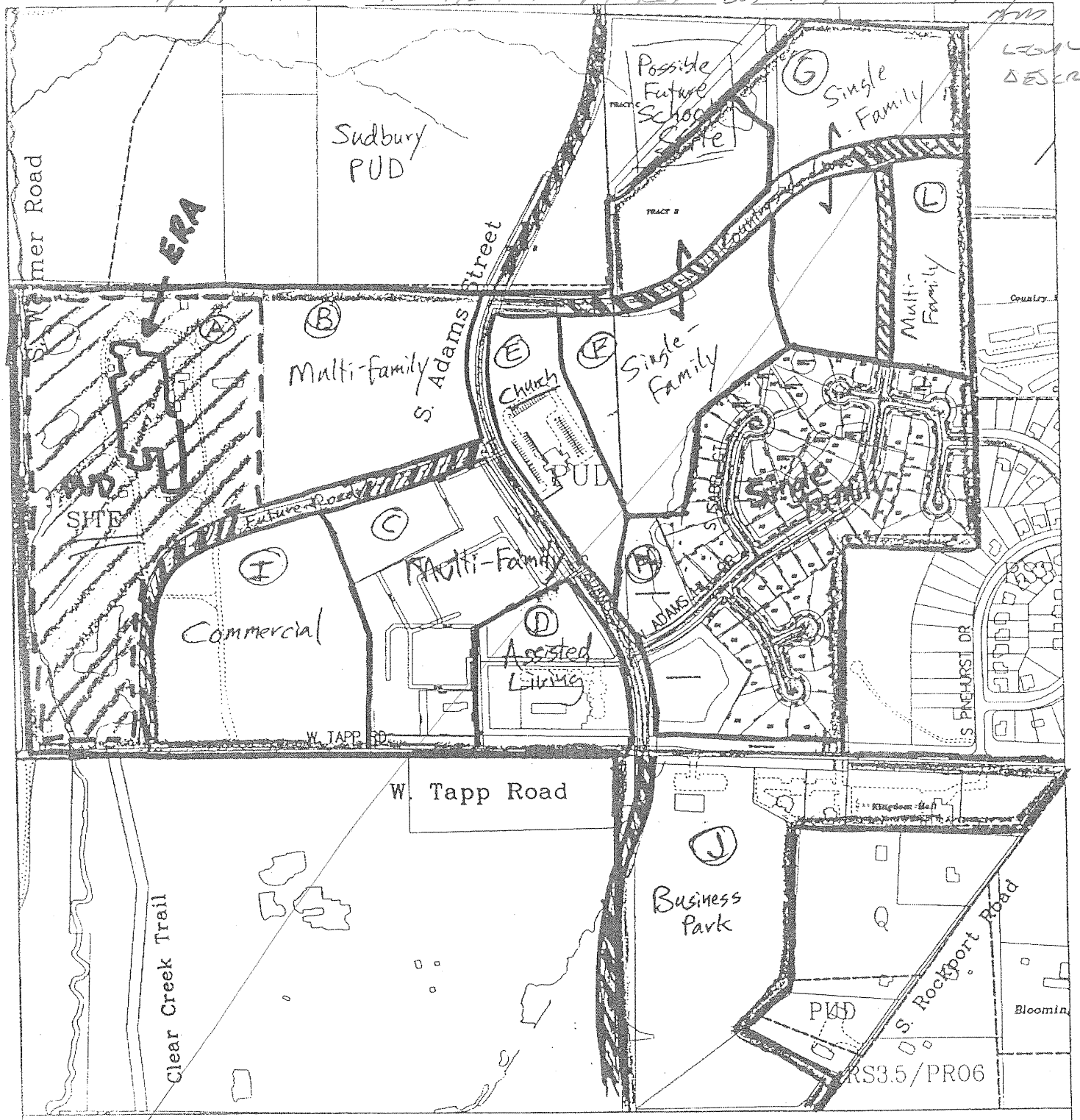
the EDC believe that this five-year timeframe provides Woolery Ventures with sufficient notice to secure financing and finalize project construction details before the expiration.

Woolery Ventures and the City will enter into a Memorandum of Agreement (MOA) which will define terms of substantial compliance as well as consequences and remedies for noncompliance. Such MOAs are required by City tax abatement policy now, but were not the practice in 2004. The MOA will also include Woolery Ventures' commitment to provide annual updates to the EDC prior to commencement of the project in addition to the annual compliance reports (State of Indiana CF-1 Forms) that are required after the abatement begins.

We're pleased to be able to continue working with Woolery Ventures on this project. We recognize the difficult nature of this renovation of a historic, industrial limestone mill into a mixed-use development. The continuation of the tax abatement approval is valuable toward making the project financially feasible and securing additional capital. We feel that the five-year designations on the EDTA and ERA provide sufficient time to make progress and commence the project.

Thank you for your consideration.

MAP WENT OUT IN 1/30/04 PACKET BUT REPLACED W/ NEW MAP AND LEGAL DESCRIPTION




PUD-35-01

2200 W. Tapp Road

Woolery PUD Preliminary Plan Amendment

Woolery PUD Layout

By: roachja

31 Oct 01

500 0 500 1000 1500

N

City of Bloomington Planning

Scale: 1" = 500'

For reference only; map information NOT warranted.

**RESOLUTION 13-14**

**TO AMEND RESOLUTION 04-02 WHICH DESIGNATED AN ECONOMIC REVITALIZATION AREA (ERA), APPROVED A STATEMENT OF BENEFITS AND AUTHORIZED A 10-YEAR PERIOD OF ABATEMENT -**
**Re: The Woolery Stone Mill Parcel at 2200 West Tapp Road**
**(Woolery Ventures LLC, Petitioner)**

WHEREAS, In November of 2003, the Economic Development Commission ("EDC") of the City of Bloomington responded to an application from Woolery Ventures LLC ("Petitioner") and adopted Resolution 03-04 which designated the building located north of the intersection of Kegg Road and West Sunstone Drive and currently addressed as 2200 West Tapp Road as an "Economic Revitalization Area" (ERA) and abated real estate property taxes on the proposed improvements to the Woolery Stone Mill building for a period of 10 years; and

WHEREAS, In 2004, pursuant to state law, the Common Council ("Council") adopted Resolution 04-01 which approved the ERA, approved this tax abatement for a 10-year period, and after proper notice and public hearing, confirmed those actions with the adoption of Resolution 04-02; and

WHEREAS, Also in 2004, at the recommendation of the EDC Resolution 03-05, the Common Council adopted Ordinance 04-05 which designated the Woolery Stone Mill Building as an Economic Development Target Area (EDTA) which made retail and residential improvements to the property eligible for the abatement; and

WHEREAS, the improvements to the property proposed by Petitioner and approved by the Common Council in its approval of Petitioner's Statement of Benefits, consisted of rehabilitation of the Woolery Stone Mill building exterior to historic standards and conversion of the interior into condominiums, a hotel, a restaurant, and a fitness center with climbing gym (the "Project"); and

WHEREAS, Resolution 04-01 and Resolution 04-02 require that construction on the Project must commence within 12 months of the ERA designation and that the land and improvements shall be developed and used in compliance with local code; and

WHEREAS, the Petitioner has completed installation of water and road infrastructure related to the project, but has not yet filed the deduction application that initiates the abatement (State of Indiana Form 322/RE) and has needed more time to arrange financing for the Project; and

WHEREAS, on July 26, 2013, the EDC adopted its Resolutions 13-01 and Resolution 13-02 which recommended to the Council a specific termination date for the EDTA and ERA designations; and

WHEREAS, Woolery Ventures LLC will enter into a Memorandum of Agreement with the City of Bloomington defining the terms of "Substantial Compliance" regarding the Project for which abatement was approved; and

WHEREAS, the Council has announced their intention to hold a public hearing on November 13, 2013 to consider amending Resolution 04-02 to specify an ERA termination date;

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

1. Resolution 04-02 be amended in the following manner: SECTION 1 and SECTION 2 of the "Now Therefore" portion of the resolution shall be deleted and replaced with the following text:

SECTION 1. The Common Council finds and determines that the Woolery Stone Mill building, located north of the intersection of Kegg Road and West Sunstone Drive and currently addressed as 2200 West Tapp Road, Bloomington, Indiana and Statement of Benefits form should be designated as an "Economic Revitalization Area" ("ERA") as set forth in I.C. 6-1.1-12.1-1 et. seq., which ERA shall terminate on December 31, 2018; the Common Council further finds and determines that if the Petitioner or its successors commence work (as defined in Section 2 herein) on the Project on or before December 31, 2018, the Petitioner or its successors shall be entitled to an abatement of property taxes for the Project as provided in I.C. 6-1.1-12.1 et. seq. for a period of 10 years and the amount of annual deductions shall be as follows:

| YEAR OF DEDUCTION | PERCENTAGE |
|---|---|
| 1st | 100% |
| 2nd | 90% |
| 3rd | 80% |
| 4th | 70% |
| 5th | 60% |
| 6th | 50% |
| 7th | 40% |
| 8th | 30% |
| 9th | 20% |
| 10th | 10% |
| 11th and thereafter | 0%; |

and, the Common Council further finds and determines that if the Petitioner or its successors fail to commence work on the Project prior to December 31, 2018, then the approval for abatement of property taxes for the Project shall expire.

SECTION 2. In granting this designation and deduction the Common Council incorporates I.C. 6-1.1-12.1-12 and also expressly exercises the power set forth in I.C. 6-1.1-12.1-2(I)(5) to impose additional, reasonable conditions on the rehabilitation or redevelopment beyond those listed in the Statement of Benefits, as follows:

a. The date work commences on the Project shall be defined as the date Woolery Ventures LLC or its successors obtains a building permit for the Project.

b. This ERA shall terminate December 31, 2018. If the Project is commenced prior to the ERA termination date, and the Petitioner timely files the State Form 322/RE or other forms prescribed by the County Auditor pursuant to the tax abatement request, then the 10-year term of abatement may be initiated.
c. Petitioner or its successors must develop and use the land and improvements in a manner that complies with local code;
d. Petitioner must enter into and comply with a Memorandum of Agreement with the City of Bloomington. The Agreement must be executed by both parties within one month of adoption of this Resolution.
e. The failure of the Petitioner or its successors to comply with any of these reasonable conditions provides additional basis for the Council to declare the project to be noncompliant and to rescind this designation and deduction.

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

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2013.

_____
DARRYL NEHER, President
Bloomington Common Council

ATTEST:

_____
REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2013.

_____
REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2013.

_____
MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This resolution amends Resolution 04-02 which designated an Economic Revitalization Area at the Woolery Stone Mill building at located north of the intersection of Kegg Road and West Sunstone Drive and currently addressed as 2200 West Tapp Road, approved a Statement of Benefits, and granted a 10-year tax abatement on improvements to the building. The amendment provides for a specific termination date of the ERA of December 31, 2018, and allows for a tax abatement on the real estate improvements for a period of 10 years provided that the Project commences prior to the ERA expiration date. The public hearing on this resolution will be held during the public comment on this item at the Common Council Regular Session scheduled for November 13, 2013 at 7:30 p.m. in the Council Chambers (City Hall, 401 North Morton Street, Room 115).

**RESOLUTION 04-02 *(AS AMENDED BY RESOLUTION 13-14*)**

**TO CONFIRM RESOLUTION 04-01**
**WHICH DESIGNATED AN ECONOMIC REVITALIZATION AREA (ERA),**
**APPROVED A STATEMENT OF BENEFITS, AND**
**AUTHORIZED A 10-YEAR PERIOD OF ABATEMENT**
**Re: The Woolery Stone Mill Parcel at 2200 West Tapp Road**
**(Woolery Ventures LLC, Petitioner)**

WHEREAS, Petitioner has filed an application for designation of the 6.68 acre Woolery Stone Mill building and parcel located at 2200 West Tapp Road as an "Economic Revitalization Area"; and

WHEREAS, the application has been reviewed by the Planning Department, and the Economic Development Commission has passed a resolution recommending to the Common Council designate the parcel as "Economic Revitalization Area" (ERA), approve the Statement of Benefits, and authorize a 10-year period of abatement; and

WHEREAS, Petitioner intends to restore the exterior of the historic Woolery Stone Mill building and convert the interior into condominiums, a hotel and convention center, a restaurant, a climbing gym, and parking spaces, and wishes to obtain tax abatement for improvements, which shall be referred to as the Project; and

WHEREAS, pursuant to state law, petitioners seeking designation for their property as an Economic Revitalization Area must complete a Statement of Benefits and must provide information in a timely fashion each year to the County Auditor and the Common Council showing the extent to which there has been compliance with the Statement of Benefits; and

WHEREAS, the Common Council has investigated the area and reviewed the Application and Statement of Benefits, which are attached and made a part of Resolution 04-01, and 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 property described above has experienced a cessation of growth;

WHEREAS, the Common Council adopted Resolution 04-01 on February 18, 2004, which designated the above property as an "Economic Revitalization Area," approved the Statement of Benefits, and authorized a 10-year period of abatement; and

WHEREAS, the City Clerk has published a notice of the passage of that resolution, which requested that persons having objections or remonstrance to the designation appear before the Common Council at its Regular Session on March 3, 2004 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 04-01 that the area described above is an "Economic Revitalization Area," and further finds and determines that the totality of benefits of the Project entitle the owner of the property to a deduction from the assessed value of the related improvements for a period of ten (10) years.~~

**SECTION 1. The Common Council finds and determines that the Woolery Stone Mill building, located north of the intersection of Kegg Road and West Sunstone Drive and currently addressed as 2200 West Tapp Road, Bloomington, Indiana and Statement of Benefits form should be designated as an "Economic Revitalization Area" ("ERA") as set forth in I.C. 6-1.1-12.1-1 et. seq., which ERA shall terminate on December 31, 2018; the Common Council further finds and determines that if the Petitioner or its successors commence work (as defined in Section 2 herein) on the Project on or before December 31, 2018, the Petitioner or its successors shall be entitled to an abatement of property taxes for the Project as provided in I.C. 6-1.1-12.1 et. seq. for a period of 10 years and the amount of annual deductions shall be as follows:**

| YEAR OF DEDUCTION | PERCENTAGE |
|---|---|
| 1st | 100% |
| 2nd | 90% |
| 3rd | 80% |
| 4th | 70% |
| 5th | 60% |
| 6th | 50% |
| 7th | 40% |
| 8th | 30% |
| 9th | 20% |
| 10th | 10% |
| 11th and thereafter | 0%; |

**and, the Common Council further finds and determines that if the Petitioner or its successors fail to commence work on the Project prior to December 31, 2018, then the approval for abatement of property taxes for the Project shall expire.**

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

~~a. the improvements described in the application shall be commenced (defined as obtaining a building permit and actual start of construction) within twelve months of the date of this designation; and~~

~~b. the land and improvements will be developed and used in a manner that complies with local code.~~

**a. The date work commences on the Project shall be defined as the date Woolery Ventures LLC or its successors obtains a building permit for the Project**

**b. This ERA shall terminate December 31, 2018. If the Project is commenced prior to the ERA termination date, and the Petitioner timely files the State Form 322/RE or other forms prescribed by the County Auditor pursuant to the tax abatement request, then the 10-year term of abatement may be initiated.**

**c. Petitioner or its successors must develop and use the land and improvements in a manner that complies with local code;**

d. **Petitioner must enter into and comply with a Memorandum of Agreement with the City of Bloomington. The Agreement must be executed by both parties within one month of adoption of this Resolution.**
e. **The failure of the Petitioner or its successors to comply with any of these reasonable conditions provides additional basis for the Council to declare the project to be noncompliant and to rescind this designation and deduction.**

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2004.

_____
MICHAEL DIEKHOFF, President
Bloomington Common Council

ATTEST:

_____
REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2004.

_____
REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2004.

_____
MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This resolution affirms the determination of the Common Council expressed in Resolution 04-01 to designate the Woolery Stone Mill parcel on the property located at 2200 West Tapp Road as an "Economic Revitalization Area," approve a Statement of Benefits, and grant a deduction in assessed valuation of improvements within that parcel for a period of ten (10) years. Before it may adopt the resolution, state law requires that the Common Council hold a legally advertised public hearing for the purpose of receiving public comment on this legislation.

# STATEMENT OF BENEFITS

State Form 27167 (R7 / 12-01)
Prescribed by the Department of Local Government Finance

**FORM SB - 1**

*INSTRUCTIONS:*

1. *This statement must be submitted to the body designating the economic revitilization 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*** *a person installs the new manufacturing equipment and / or research and development equipment, or* ***BEFORE*** *the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. "Projects" planned or committed to after July 1, 1987 and areas designated after July 1, 1987 require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)*
2. *Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation, or prior to installation of the new manufacturing equipment and / or research and development equipment,* ***BEFORE*** *a deduction may be approved.*
3. *To obtain a deduction, Form 322 ERA, Real Estate Improvements and / or Form 322 ERA / PPME and / or 322 ERA / PPR & DE, must be filed with the county auditor. With respect to real property, Form 322 ERA must be filed by the later of: (1) May 10; or (2) thirty (30) days after a notice of increase in real property assessment is received from the township assessor. Form 322 ERA / PPME and / or 322 ERA PPR & DE must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment and / or research and development equipment becomes assessable, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and the extended due date of that year.*
4. *Property owners whose Statement of Benefits was approved after June 30, 1991 must submit Form CF - 1 annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
5. *The schedules established under IC 6-1.1-12.1-4(d) and IC 6-1.1-12.1-4.5 (e) effective July 1, 2000 apply to any statement of benefits filed on or after July 1, 2000.*
   *The schedules effective prior to July 1, 2000 shall continue to apply to those statement of benefits filed before July 1, 2000.*

## SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: Woolery Ventures LLC

Address of taxpayer *(street and number, city, state and ZIP code)*: P.O.BOX 122 Ellettsville Indiana 47429

Name of contact person: Randy Cassady

Telephone number: (812 ) 876-1121

## SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body: Bloomington City Council

Resolution number:

Location of property: 2200 Tapp Road

County: Monroe

Taxing district: Perry Township

Description of real property improvements and / or new manufacturing equipment and / or research and development equipment *(use additional sheets if necessary)*

| | ESTIMATED Start Date | ESTIMATED Completion Date |
|---|---|---|
| Real Estate | Nov.03 | June 05 |
| New Mfg Equipment | | |
| R & DE | | |

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

| Current number | Salaries | Number retained | Salaries | Number additional | Salaries |
|---|---|---|---|---|---|
| | | | | 45 | 762,000 |

## SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

**NOTE:** Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the **COST** of the property is confidential.

| | Real Estate Improvements | | Machinery | | Research and Development Equipment | |
|---|---|---|---|---|---|---|
| | Cost | Assessed Value | Cost | Assessed Value | Cost | Assessed Value |
| Current values | 350,000 | 244,430 | | | | |
| Plus estimated values of proposed project | 6,000,000 | 4,200,000 | | | | |
| Less values of any property being replaced | | | | | | |
| Net estimated values upon completion of project | 6,350,000 | 4,444,430 | | | | |

## SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

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

Other benefits:

Renovation of an abandoned limestone mill into a mixed use facility rehabilitated to the historic standards of the secretary of the interior.

## SECTION 6 — TAXPAYER CERTIFICATION

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

| Signature of authorized representative | Title | Date signed (*month, day, year*) |
|---|---|---|
| | Member | 10/15/03 |

## FOR USE OF THE DESIGNATING BODY

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

A. The designated area has been limited to a period of time not to exceed _____ calendar years * *(see below)*. The date this designation expires is _____ .

B. The type of deduction that is allowed in the designated area is limited to:

1. Redevelopment or rehabilitation of real estate improvements; ☐ Yes ☐ No
2. Installation of new manufacturing equipment; ☐ Yes ☐ No
3. Installation of new research and development equipment; ☐ Yes ☐ No
4. Residentially distressed areas ☐ Yes ☐ No

C. The amount of deduction applicable for redevelopment or rehabilitation is limited to $ _____ cost with an assessed value of $ _____.

D. The amount of deduction applicable to new manufacturing equipment is limited to $ _____ cost with an assessed value of $ _____.

E. The amount of deduction applicable to new research and development equipment is limited to $ _____ cost with an assessed value of $ _____.

F. Other limitations or conditions *(specify)* AS NOTED IN RES 04-01 AND RES 04-02

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

| Approved: *(signature and title of authorized member)* | Telephone number<br>( ) | Date signed *(month, day, year)* |
|---|---|---|
| Attested by: | Designated body | |

* If the designating body limits the time period during which an area is an economic revitilization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4 or 4.5

**ORDINANCE 13-20**

**TO AMEND ORDINANCE 04-05 WHICH DESIGNATED AN ECONOMIC DEVELOPMENT TARGET AREA ("EDTA") -**
**Re: Woolery Stone Mill, 2200 West Tapp Road**

WHEREAS, on November 25, 2003, the Economic Development Commission of the City of Bloomington adopted Resolution 03-05 recommending that the Common Council designate the Woolery Stone Mill building owned by Woolery Ventures LLC, located north of the intersection of Kegg Road and West Sunstone Drive and currently addressed as 2200 West Tapp Road, Bloomington, Indiana, as an Economic Development Target Area in compliance with Indiana Code 6-1.1-12.1-7(a);

WHEREAS, the Common Council subsequently adopted Ordinance 04-05 designating the above-described area as an Economic Development Target Area (EDTA), making certain findings pursuant to statutory criteria; and

WHEREAS, the EDTA designation enabled residential and retail uses of the properties to be eligible for tax abatement on new assessed value; and

WHEREAS, the EDTA designation remains in effect unless modified by the Council; and

WHEREAS, since 2004, Woolery Ventures LLC has completed installation of water and road infrastructure related to the project, but has not yet filed a deduction application (State of Indiana Form 322/RE) and has needed more time to arrange financing for the rehabilitation of the Woolery Stone Mill building and implementation of the full proposal of restoration of the exterior to historic standards; conversion of the interior into condominiums, a hotel, a restaurant, and a fitness center with climbing gym (the "Project"); and

WHEREAS, the Economic Development Commission on July 26, 2013 adopted Resolution 13-02 recommending to the Council the adoption of a specified termination date for this EDTA, meaning that the project for which tax abatement was approved must be initiated before the expiration of the EDTA; and

WHEREAS, Woolery Ventures LLC will enter into a Memorandum of Agreement with the City of Bloomington defining the terms of "Substantial Compliance" regarding the project for which abatement was approved;

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

SECTION 1. Ordinance 04-05 be amended in the following manner: SECTION 1 of the "Now Therefore" portion of the Ordinance shall be deleted and replaced with the following text:

> SECTION 1. The Woolery Stone Mill building located just north of the intersection of Kegg Road and West Sunstone Drive and currently addressed as 2200 West Tapp Road, Bloomington, Indiana, is hereby designated as an Economic Development Target Area under the authority of Indiana code 6-1.1-12.1-7(a), and this designation shall terminate on December 31, 2018.

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

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2013.

_____
DARRYL NEHER, President
Bloomington Common Council

ATTEST:

_____
REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2013.

_____
REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2013.

_____
MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Ordinance 04-05 which designated the Woolery Stone Mill building located north of the intersection of Kegg Road and West Sunstone Drive and currently addressed as 2200 West Tapp Road as an Economic Development Target Area and enabled residential and retail uses of the properties to be eligible for tax abatement. This amendment provides for the EDTA to expire on December 31, 2018.

**ORDINANCE 04-05 *(AS AMENDED BY ORDINANCE 13-20)***

**TO DESIGNATE AN ECONOMIC DEVELOPMENT TARGET AREA (EDTA)**
**Re: Woolery Stone Mill Building Located at 2200 West Tapp Road**

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

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

(1) has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration or improvement or character or occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevented a normal development of property or use of property; or

(2) is designated as a registered historic district under the National Historic Preservation Act of 1966 or under the jurisdiction or a preservation commission organized under Indiana Code 36-7-11, 36-7-11.1 or 14-3-3.2; or

(3) encompasses buildings, structures, sites or other facilities that are:

(A) listed in the national register or historic places under the National Historic Preservation Act of 1966; or
(B) listed on the register of the Indiana historic sites and historic structures; or
(C) determined to be eligible for listing on the Indiana register by the state historic preservation officer; and

WHEREAS, on November 25, 2003, the City of Bloomington Economic Development Commission held a hearing to consider the request to designate the Woolery Stone Mill building, owned by Woolery Ventures LLC and located at 2200 Tapp Road, Bloomington, Indiana, as an Economic Development Target Area; and

WHEREAS, at the conclusion of the hearing, the Economic Development Commission adopted Resolution 03-05, which recommended that the Common Council designate the above-described area as an Economic Development Target Area in compliance with Indiana Code 6-1.1-12.1-7(a);

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

SECTION 1. The Woolery Stone Mill building **located just north of the intersection of Kegg Road and West Sunstone Drive and currently addressed as** ~~at~~ 2200 Tapp Road, Bloomington, Indiana is hereby designated as an Economic Development Target Area under the authority of Indiana code 6-1.1-12.1-7(a)**, and this designation shall terminate on December 31, 2018**.

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

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2004.

_____
MICHAEL DIEKHOFF, President
Bloomington Common Council

ATTEST:

_____
REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2004.

_____
REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2004.

_____
MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance designates the Woolery Stone Mill building at 2200 Tapp Road as an Economic Development Target Area (EDTA). This designation was recommended by the Economic Development Commission and will enable the proposed residential and retail uses within the building to be eligible for tax abatement. Final approval of the tax abatement for the renovation and reuse of the Woolery Stone Mill building will also require the adoption of an initial and confirming resolution, which must designate this site as an Economic Revitalization Area (ERA), approve the statement of benefits, and authorize a period of abatement.

| | |
|---|---|
| In the Council Chambers of the Showers City Hall on Wednesday, September 25, 2013 at 7:30 pm with Council President Darryl Neher presiding over a Special Session of the Common Council. | COMMON COUNCIL SPECIAL SESSION September 25, 2013 |
| Roll Call: Mayer, Neher, Ruff, Sandberg, Spechler, Volan, Granger, Rollo, Sturbaum<br>Absent: None | ROLL CALL |
| Council President Neher gave the Agenda Summation. He noted the Committee of the Whole meeting that would follow immediately after this meeting. | AGENDA SUMMATION |
| Ordinance 13-12 Petition to Appeal for an Increase to the Maximum Levy (A Request for Permission from the Department of Local Government Finance to Impose an Excess Levy as a Result of a Revenue Shortfall) | LEGISLATION FOR FIRST READING<br>Ordinance 13-12 |
| Ordinance 13-13 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" to Establish the Parking Meter Fund (Inserting BMC 15.40.015 - Parking Meter Fund) | Ordinance 13-13 |
| Ordinance 13-14 Establishing the Parking Facilities Fund | Ordinance 13-14 |
| Ordinance 13-15 An Ordinance Fixing the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana for the Year 2014 | Ordinance 13-15 |
| Ordinance 13-16 An Ordinance Fixing the Salaries of Appointed Officers, Non-Union and A.F.S.C.M.E. Employees for All the Departments of the City of Bloomington, Monroe County, Indiana for the Year 2014 | Ordinance 13-16 |
| Ordinance 13-17 To Fix the Salaries of All Elected City Officials for the City of Bloomington for the Year 2014 | Ordinance 13-17 |
| Ordinance 13-18 Appropriations and Tax Rates for Bloomington Transportation Corporation for 2014 | Ordinance 13-18 |
| Appropriation Ordinance 13-01 An Ordinance for Appropriations and Tax Rates (Establishing 2014 Civil City Budget for the City of Bloomington) | Appropriation Ordinance 13-01 |
| Appropriation Ordinance 13-02 An Ordinance Adopting a Budget for the Operation, Maintenance, Debt Service and Capital Improvements for the Water and Wastewater Utility Departments of the City of Bloomington, Indiana for the Year 2014 | Appropriation Ordinance 13-02 |
| It was moved and seconded that the council cancel the Committee of the Whole Session meeting of October 2, 2013. The motion was approved by a roll call vote of Ayes: 9, Nays: 0. | COUNCIL SCHEDULE |
| It was moved and seconded to reschedule the Internal Work Session of September 30, 2013 to October 7, 2013. The motion was approved by a roll call vote of Ayes: 9, Nays: 0. | |
| The meeting was adjourned at 7:43 pm. | ADJOURNMENT |

APPROVE: ATTEST:

Darryl Neher, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

for approval