

# City of Bedford

## City Council Public Hearing & Meeting

November 19, 2024

7:00 P.M.

### *Minutes*

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#### ***Public Hearing: On Resolution Approving Waiver of Noncompliance-Greg Pittman***

- Attorney Greg Pittman opened the public hearing.
- The public hearing is for Greyson Real Estate LL application for a tax abatement. The tax abatement was applied for after the construction of the building. The abatement was applied for previously and denied in the July 2024 meeting. There is nothing that prevents the business from resubmitting the real estate abatement. For the abatement to be considered, a resolution must be passed in a regular meeting.
- Anyone wishing to speak on the Wavier of Noncompliance, is given two minutes.
- With no one speaking up, the hearing was closed.

***Prayer: Heath Hawkins***

***Pledge of Allegiance: Larry Hardman***

***Call to Order: Mayor Sam Craig***

The Common Council of the City of Bedford, Indiana met for a Regular City Council Meeting on November 19, 2024, at 7:00 P M at Stonegate Arts & Education Center. Mayor Craig presided and called the meeting to order.

#### ***Members in attendance:***

- Judy Carlisle
- Ryan Griffith
- Kathy Blackburn
- Brad Bough
- Larry Hardman
- Heath Hawkins
- Dan Bortner

#### ***Members absent:***

- None

## **Reading/Approval of Minutes:**

October 15, 2024 –Regular Meeting

- Larry Hardman made the motion to approve the minutes,
- Ryan Griffith seconded the motion,
- *All votes were in favor of the motion. No One Opposed, Passed*

## **Old Business**

### **1. Tabled- Requested Approval of White River Humane Society Agreement-Mayor Sam Craig**

- Mayor Craig stated that the White River Humane Society Agreement was discussed at the last meeting, and it was tabled. He asked if there was any discussion, if not is there a motion?
  - Dan Bortner stated that he made the motion last month to give the public time to ask any questions. No questions were asked to him.
  - Ryan Griffith asked if the liaison from the city was added to the agreement.
  - Sarah Turpen from the WRHS stated that it was added to the agreement, and the mayor agreed.
- Ryan Griffith made the motion to approve the agreement,
  - Larry Hardman seconded the motion,
  - *All votes were in favor of the motion. No One Opposed, Passed*

## **New Business**

### **1. Update of TIF Annual Spending Plan-Andy Mouser (Baker Tilly), Billie Tumey, Mayor Sam Craig**

- Andy Mouser from Baker Tilly presented the council with the TIF Spending Plan for 2025. He stated that the council does not need to act on the plan, RDC approved the plan in their meeting earlier this evening.
- In the 2023 legislative session, it was estimated that all RDC boards must adopt a TIF Spending Plan by December 1 beginning in 2024. The clerk treasurer will upload the plan to the Indiana Gateway.
- There is no formal budget, but it does control spending for 2025 in various categories of expenditures. The plan may be amended if necessary.

- Mayor Craig stated that one reason we wanted Andy at the meetings today is that the RDC update the Redevelopment Plan. New to the plan is the addition of police and fire expenses. This is a change in the legislation that allows us to pay wages for police and fire.
- The city has had two police officer resign in the last month and one more has put in their resignation. The clerk treasurer has started to look at ways to work some expenses out of the TIF funds to free up other funds to put towards the issues with public safety.

## **2. Presentation-April Haskett (Hope Resources)**

- April Haskett addressed the council and thanked them for the funds that were appropriated to Hope Resources from the restricted opioid funds.
- Ms. Haskett updated the council on all the programs Hope Resources provides.

## **3. Request Approval and Acceptance of Bubbas Pizza, LLC Statement of Benefits SB-1 Tax Abatement-Personal Property-2717 John Williams BLVD.-Greg Pittman**

- Greg Pittman addressed the council, the personal property tax abatement for Bubbas Pizza was last submitted to the council in June the council voted to deny it. It does not qualify for the personal property tax abatement because there is no manufacturing equipment. It was resubmitted; therefore, it is on the agenda. The recommendation is to deny the abatement because it does not qualify.
- Ryan Griffith made the motion to deny the personal property tax abatement request,
- Dan Bortner seconded the motion,
- *All votes in favor of the motion, no one opposed, passed.*

## **4. Request Approval of Resolution 23-2024-Approving Waiver of Noncompliance for Greyson Real Estate, LLC Tax Abatement-Greg Pittman**

- Greg Pittman stated that this is the second abatement for the Kings. This is the resolution that waives the noncompliance because they started building before, they applied for the abatement. This resolution must be approved before considering agenda item 5. He recommends approving the resolution.
- Dan Bortner made the motion for approval of Resolution 23-2024,
- Heath Hawkins seconded the motion,
- *All votes in favor of the motion, no one opposed, passed.*

**CITY OF BEDFORD  
CITY COUNCIL  
RESOLUTION NO. 23 - 2024**

**A RESOLUTION OF THE BEDFORD CITY COUNCIL  
APPROVING WAIVER OF NONCOMPLIANCE FOR GREYSON REAL ESTATE, LLC  
UNDER INDIANA CODE § 6-1.1-12.1-9.5**

**WHEREAS**, Greyson Real Estate, LLC has submitted a Statement of Benefits and made an application in an Economic Revitalization Area pursuant to Indiana Code § 6-1.1-12.1 et. seq. for the property located at 2717 John Williams Boulevard, Bedford, Indiana, also known as parcel number 47-06-15-200-071.000-010 and more particularly described as follows, to-wit: SEC 15 TWP 5 R1W E PT NW 2.0720A; and

**WHEREAS**, I.C. § 6-1.1-12.1 requires that a business file a deduction application prior to the start of construction; and

**WHEREAS**, Greyson Real Estate, LLC has begun construction prior to filing its deduction application and is requesting that the designating body waive the noncompliance with the filing deadline pursuant to I.C. § 6-1.1-12.1-9.5; and

**WHEREAS**, the company wishes to receive the deductions applicable for real property investment inside the economic revitalization area; and

**WHEREAS**, Indiana Code § 6-1.1-12.1-9.5 authorizes the designating body to waive noncompliance with the filing deadline requirement applicable to an application, statement of benefits, or another document that is required to be filed under I.C. § 6-1.1-12.1 et. seq..

**NOW, THEREFORE, BE IT RESOLVED** that the Bedford City Council:

1. Finds that Greyson Real Estate, LLC qualifies for the deduction and has submitted its deduction application prior to the resolution for the deduction being adopted;
2. Waives the noncompliance for failure to file timely, or complete, deduction applications;
3. Recommends that the SB-1 RE, deduction application for Greyson Real Estate, LLC be accepted;
4. Instructs Greyson Real Estate, LLC to file all necessary paperwork and filing fees in accordance with IC § 6-1.1-12.1;
5. Instructs the Clerk-Treasurer to certify a copy of this resolution to the taxpayer and the department of local government finance.

**5. Request Approval and Acceptance of Greyson Real Estate, LLC Statement of Benefits SB-1 Tax Abatement-Real Estate Improvements-2717 John Williams Blvd; and Approving Resolution 24-2024 for Establishing Rehabilitation Deduction for Greyson Real Estate Tax Abatement-City Attorney Greg Pittman**

- Greg Pittman stated this abatement was presented in June, tabled, and presented again in July and it was denied by a four to three vote, at that time the mayor casting the tie breaking vote.
- It has been resubmitted, there is nothing that prohibits the submitting the request for abatement again. His recommendation at the time and still today is to deny because of the statute that applies to this particular restaurant, stating that “any entity that is required to have an alcohol permit cannot get the abatement.” It does not qualify for the abatement. The law has not changed. It is the council’s decision.
- The primary concern is not due to the particular company but setting a precedent by giving a company that does not qualify for an abatement. It is his recommendation not to approve the abatement due to the statute.
- To follow up with the RDC board that met tonight, they recommended denying it, but they did go ahead and score the abatement just in case the council passed it.
- The score was 66%, which would be a 7-year abatement with the yearly percentages being determined and 100% of the 15% fee going to RDC.
- Dan Bortner stated that when the council voted in July, he was not present because he had a DNR meeting and was not able to attend. He says he defers to the counsel’s recommendation. When he looks at Indiana code, in that particular reference, I believe, in my personal opinion, I am not an attorney, the intent of the legislature is for packaged liquor. This is an economic revitalization area. We have a business that has a track record prior, they built there now and \$650,000 building. I am going to support it.

- Dan Bortner made the motion to approve the SB-1 Tax Abatement for Greyson Real Estate, LLC,
- Brad Bough seconded the motion,
- For: Dan Bortner, Brad Bough, Heath Hawkins & Ryan Griffith
- Against: Judy Carlisle, Larry Hardman & Kathy Blackburn
- ***4 votes in favor of the motion, 3 votes opposed, passed.***

- Greg Pittman stated that the RDC board recommend a 7-year abatement based on the average scoring. The percentages (base on previous state schedule) would be Year 1-100%, Year 2- 85%, Year 3-71%, Year 4-57%, Year 5 -43 %, Year 6-29% and Year 7-14%. With the 15% abatement fee going to the RDC.

- Ryan Griffith made the motion to approve the abatement for 7 years with the schedule listed and the abatement fee going to RDC,
- Brad Bough seconded the motion,
- ***All votes in favor of the motion, no one opposed, passed.***

**CITY OF BEDFORD  
CITY COUNCIL  
RESOLUTION NO. 24 - 2024**

A RESOLUTION ESTABLISHING THE PERIOD FOR REHABILITATION DEDUCTIONS  
FOR GREYSON REAL ESTATE, LLC – 2717 JOHN WILLILAMS BOULEVARD,  
BEDFORD, INDIANA  
FOR PURPOSES OF TAX ABATEMENT

**WHEREAS**, Greyson Real Estate, LLC (the "Applicant") has submitted a Statement of Benefits and made an application in an Economic Revitalization Area pursuant to Indiana Code § 6-1.1-12.1 et seq, and the City of Bedford Resolution (the "Tax Phase-In Resolution") for the property located at 2717 John Willilams Boulevard, Bedford, Indiana, also known as parcel number 47-06-15-200-071.000-010; and

**WHEREAS**, said property meets the criteria for designation as an Economic Revitalization Area pursuant to IC § 6-1.1-12.1 et seq; and

**WHEREAS**, IC § 6-1.1-12.1-11.3 allows for designation of Economic Revitalization Areas and confirmation of Form SB-1; and

**WHEREAS**, the waiver of non-compliance is accepted as allowed in IC § 6-1.1-12.1-9.5.

**NOW THEREFORE, BE IT RESOLVED** by the Bedford City Council as follows:

**Section 1.** The Bedford City Council has reviewed the Statement of Benefits and additional information submitted pursuant to IC § 6-1.1-12.1 and Bedford City Ordinance and made the following findings:

- a. The estimate of the value of the redevelopment and real property investment at the Site is reasonable for projects of that nature; and
- b. The estimate of the number of individuals who will be employed or whose employment will be retained by the project can be reasonably expected to result from the proposed project; and
- c. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained by this project can reasonably be expected to result from the project; and
- d. The totality of benefits likely to accrue from this project is sufficient to justify a tax deduction; and
- e. The property known as: 2717, John Willilams Boulevard, Bedford, IN 47421 and more particularly described as follows, to-wit: SEC 15 TWP 5 R1W E PT NW 2.0720A has found to meet the requirements of an Economic Revitalization Area pursuant to IC § 6-1.1-12.1.

**Section 2.** Based on these findings, the Bedford City Council has determined that the purposes of IC § 6-1.1-12.1 are served by allowing the deduction.

**Section 3.** The application shall apply to property tax deductions for “real property” as provided in IC § 6-1.1-12.1.

**Section 4.** The length of deduction to be allowed for this project for the real property improvements, which takes place within this Economic Revitalization Area, shall be for ten (10) years and consistent with the tax phase-in schedule in Attachment 1.

**Section 5.** The Statement of Benefits submitted by the applicant and dated November 1, 2023 is hereby approved.

**Section 6.** Greyson Real Estate, LLC shall be entitled to apply for real property tax deductions for the increase in assessed value resulting from the redeveloped or rehabilitated property over a period of seven (7) years commencing with the 2024 pay 2025 tax year in accordance with the following abatement schedule percentages:

Year 1	<u>100</u> %
Year 2	<u>85</u> %
Year 3	<u>71</u> %
Year 4	<u>57</u> %
Year 5	<u>43</u> %
Year 6	<u>29</u> %
Year 7	<u>14</u> %

The Bedford City Council hereby imposes an annual fee pursuant to IC § 6-1.1-12.1-14 throughout the term of the deduction stipulated in IC §§ 6-1.1-12.1-4.

15 % percentage to be applied by the Lawrence County Auditor  
(Not to exceed 15% or the lesser of \$100,000.00)

IC § 6-1.1-12.-14 fees collected must be distributed by the Lawrence County Auditor in accordance therein provided:

100 % Bedford Redevelopment Commission

0 % Lawrence County Economic Growth Council

0 % Bedford Revitalization, Inc.

0 % Bedford Urban Enterprise Association

**Section 7.** This Resolution shall be in full force and effect from and after its passage and signing by the Mayor and the Bedford City Council, and advertisement, if any, as required by law.

Adopted by the City of Bedford Common Council of the City of Bedford, Indiana on the 19<sup>th</sup> day of November, 2024.

The City of Bedford Common Council

Judy Carlisle  
Judy Carlisle

Dan Bortner  
Dan Bortner

Heath Hawkins  
Heath Hawkins

Ryan Griffith  
Ryan Griffith

Kathy Blackburn  
Kathy Blackburn

Brad Bough  
Brad Bough

Larry Hardman  
Larry Hardman

Attested:

Billie Tumey  
Billie Tumey, Clerk-Treasurer

Presented by me to the Mayor of the City of Bedford, Indiana, this 19 day of November, 2024.

Billie Tumey  
Billie Tumey, Clerk-Treasurer

This resolution is accepted and signed by me this 19 day of November, 2024.

Samuel J. Craig  
Samuel J. Craig, Mayor

**6. Request Approval and Acceptance of J. Davis Properties, LLC Statement of Benefits SB-1 Tax Abatement-Real Estate Improvements-2113 John Williams Blvd; and Approving Resolution 25-2024 for Establishing Rehabilitation Deduction for Greyson Real Estate Tax Abatement-City Attorney Greg Pittman**

- Greg Pittman stated that this property does qualify under the statute.
  - It was presented to the RDC board who recommended a 9-year abatement based on the average scoring. The percentages would be Year 1-100%, Year 2- 88%, Year 3- 77% Year 4-66%, Year 5 -55 %, Year 6-44%, Year 7-33% Year 8-22% and Year 9- 11% With the 15% abatement fee going to the RDC.
  - Shance Sizemore stated this is a \$500,000 investment.
- 
- Ryan Griffith made the motion to approve the abatement for 9 years with the schedule listed and the abatement fee going to RDC,
  - Kathy Blackburn seconded the motion,
  - ***All votes in favor of the motion, no one opposed, passed.***

**CITY OF BEDFORD  
CITY COUNCIL  
RESOLUTION NO. 25 - 2024**

A RESOLUTION ESTABLISHING THE PERIOD FOR REHABILITATION DEDUCTIONS  
FOR J. DAVIS PROPERTIES, LLC – 2113 JOHN WILLIAMS BLVD.,  
BEDFORD, INDIANA  
FOR PURPOSES OF TAX ABATEMENT

**WHEREAS**, J. Davis Properties, LLC (the "Applicant") has submitted a Statement of Benefits and made an application in an Economic Revitalization Area pursuant to Indiana Code § 6-1.1-12.1 et seq, and the City of Bedford Resolution (the "Tax Phase-In Resolution") for the property located at 2113 John Williams Blvd., Bedford, Indiana, also known as parcel number 47-06-15-103-033.000-010; and

**WHEREAS**, said property met the criteria for designation as an Economic Revitalization Area pursuant to IC § 6-1.1-12.1 et seq; and

**WHEREAS**, IC § 6-1.1-12.1-11.3 allows for designation of Economic Revitalization Areas and confirmation of Form SB-1; and

**WHEREAS**, the waiver of non-compliance is accepted as allowed in IC § 6-1.1-12.1-9.5.

**NOW THEREFORE, BE IT RESOLVED** by the Bedford City Council as follows:

**Section 1.** The Bedford City Council has reviewed the Statement of Benefits and additional information submitted pursuant to IC § 6-1.1-12.1 and Bedford City Ordinance and made the following findings:

- a. The estimate of the value of the redevelopment and real property investment at the Site is reasonable for projects of that nature; and
- b. The estimate of the number of individuals who will be employed or whose employment will be retained by the project can be reasonably expected to result from the proposed project; and
- c. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained by this project can reasonably be expected to result from the project; and
- d. The totality of benefits likely to accrue from this project is sufficient to justify a tax deduction; and
- e. The property known as: 2113 John Williams Blvd., Bedford, IN 47421 and more particularly described as follows, to-wit: SUNSET S1/2 LOT 4 – 128X124 LOT 5 – 128X125 40X124 VACATED U ST & 148X25 – TR 34 has been found to meet the requirements of an Economic Revitalization Area pursuant to IC § 6-1.1-12.1.

**Section 2.** Based on these findings, the Bedford City Council has determined that the purposes of IC § 6-1.1-12.1 are served by allowing the deduction.

**Section 3.** The application shall apply to property tax deductions for “real property” as provided in IC § 6-1.1-12.1.

**Section 4.** The length of deduction to be allowed for this project for the real property improvements, which takes place within this Economic Revitalization Area, shall be for ten (10) years and consistent with the tax phase-in schedule in Attachment 1.

**Section 5.** The Statement of Benefits submitted by the applicant and dated December 1, 2023 is hereby approved.

**Section 6.** J. Davis Properties, LLC shall be entitled to apply for real property tax deductions for the increase in assessed value resulting from the redeveloped or rehabilitated property over a period of nine (9) years commencing with the 2024 pay 2025 tax year in accordance with the following abatement schedule percentages:

Year 1	<u>100</u> %
Year 2	<u>88</u> %
Year 3	<u>77</u> %
Year 4	<u>66</u> %
Year 5	<u>55</u> %
Year 6	<u>44</u> %
Year 7	<u>33</u> %
Year 8	<u>22</u> %
Year 9	<u>11</u> %

The Bedford City Council hereby imposes an annual fee pursuant to IC § 6-1.1-12.1-14 throughout the term of the deduction stipulated in IC §§ 6-1.1-12.1-4.

15 % percentage to be applied by the Lawrence County Auditor  
(Not to exceed 15% or the lesser of \$100,000.00)

IC § 6-1.1-12.-14 fees collected must be distributed by the Lawrence County Auditor in accordance therein provided:

100 % Bedford Redevelopment Commission

0 % Lawrence County Economic Growth Council

0 % Bedford Revitalization, Inc.

0 % Bedford Urban Enterprise Association

**Section 7.** This Resolution shall be in full force and effect from and after its passage and signing by the Mayor and the Bedford City Council, and advertisement, if any, as required by law.

19<sup>th</sup> Adopted by the City of Bedford Common Council of the City of Bedford, Indiana on the day of November, 2024.

The City of Bedford Common Council

Judy Carlisle  
Judy Carlisle

Dan Bortner  
Dan Bortner

Heath Hawkins  
Heath Hawkins

Ryan Griffith  
Ryan Griffith

Kathy Blackburn  
Kathy Blackburn

Brad Bough  
Brad Bough

Larry Hardman  
Larry Hardman

Attested:

Billie Tumey  
Billie Tumey, Clerk-Treasurer

Presented by me to the Mayor of the City of Bedford, Indiana, this 19 day of November, 2024.

Billie Tumey  
Billie Tumey, Clerk-Treasurer

**7. Ordinance 20-2024-Ordinance Enacting 32.057-False Alarms; False Calls-Chief Luke Pinnick**

- Chief Pinnick requested the council approve the ordinance approving fees for false alarm calls.
- He stated that there has been an uptick in false alarms. Some places up to twenty times, it has slowed down for a while, but it is beginning to increase again.
- Heath Hawkins asked if the fire trucks go out each time.
- Chief Pinnick said the fire trucks do go out each time, but they can use discretion.
- Ryan Griffith asked if the Alarm Board is over this.
- Mayor Craig stated that no, this falls to the fire department.

- Ryan Griffith made the motion to approve of the first passage of Ordinance 20-2024,
- Heath Hawkins seconded the motion,
- *All votes in favor of the motion, no one opposed, first passage passed.*
- Brad Bough made the motion to approve of the second passage of Ordinance 20-2024,
- Larry Hardman seconded the motion,
- *All votes in favor of the motion, no one opposed, second passage passed.*
- *Third and final passage will be voted on in the December meeting.*

**8. Ordinance 21-2024-Ordinance Enacting 32.058-Inspections; Code Compliance-Chief Luke Pinnick**

- Chief Pinnick stated that currently the inspector will go out and inspect a business and give them 30 days to make corrections.
- Most of the time the corrections are made but not always. This would give us an ability to impose a fine. All we can do now is continue to go back to a business three or four times. A fine would encourage them to get it fixed.
- Mayor Craig stated that there are large turnovers in staff at some of these businesses and nothing gets resolved.

- Larry Hardman made the motion to approve of the first passage of Ordinance 21-2024,
- Ryan Griffith seconded the motion,
- *All votes in favor of the motion, no one opposed, first passage passed.*
- Judy Carlisle made the motion to approve of the second passage of Ordinance 21-2024,
- Dan Bortner seconded the motion,
- *All votes in favor of the motion, no one opposed, second passage passed.*
- *Third and final passage will be voted on in the December meeting.*

## 9. Ordinance 22-2024-Ordinance Amending 33.75-Paternity Leave-Denise Henderson

- Denise Henderson stated that the paternity leave ordinance is vague, it just refers to FMLA. The handbook states to use FMLA, sick leave or vacation. It was determined that in the paternity policy, it is not appropriate to use sick leave for the bonding after birth or adoption.
- Asking the council to update the ordinance and enact a benefit that gives paid leave to civilian employees and police for 3 days or 24 hours immediately following birth or adoption for bonding purposes. And 24 hours for fire department. Anything beyond that would be FMLA, comp time or vacation time.
  
- Dan Bortner stated that this is quite common in human resources.
  
- Ryan Griffith made the motion to approve of the first passage of Ordinance 22-2024,
- Brad Bough seconded the motion,
- *All votes in favor of the motion, no one opposed, first passage passed.*
  
- Judy Carlisle made the motion to approve of the second passage of Ordinance 22-2024,
- Kathy Blackburn seconded the motion,
- *All votes in favor of the motion, no one opposed, second passage passed.*
- *Third and final passage will be voted on in the December meeting.*

## 10. Ordinance 23-2024-Amending Tree Board Ordinance-Isaiah Moore

- Isaiah Moore -Recreations Director for the Parks Department and president of the tree board addressed the council.
- He stated that they are requesting updates to the tree ordinance concerning Bradford Pear trees.
- Bradford Pear trees would be a prohibited tree and be removed from all sections of the tree ordinance.
- Mayor Craig stated that it has been sometime since the tree ordinance has been updated. We are going to get the tree board more active in the future.
- Dan Bortner stated that the Bradford Pear is an evasive species, he anticipates that the legislation will pass legislation to make the trees illegal to be sold in Indiana.
  
- Ryan Griffith made the motion to approve of the first passage of Ordinance 23-2024,
- Kathy Blackburn seconded the motion,
- *All votes in favor of the motion, no one opposed, first passage passed.*

- Larry Hardman made the motion to approve of the second passage of Ordinance 23-2024,
- Ryan Griffith seconded the motion,
- *All votes in favor of the motion, no one opposed, second passage passed.*
- *Third and final passage will be voted on in the December meeting.*

**11. Discussion**

- Mayor Craig stated that there will be project update in the next meeting.

**12. Adjourn**

- Judy Carlisle made the motion adjourn.
- Kathy Blackburn seconded the motion,
- *All votes in favor of the motion, No one opposed, meeting adjourned.*

*Bedford City Council 2024*

- *Judy Carlisle, President* \_\_\_\_\_
- *Kathy Blackburn* \_\_\_\_\_
- *Ryan Griffith* \_\_\_\_\_
- *Heath Hawkins* \_\_\_\_\_
- *Dan Bortner* \_\_\_\_\_
- *Larry Hardman* \_\_\_\_\_
- *Brad Bough* \_\_\_\_\_

*Attest: Billie Tumey*  
*Clerk-Treasurer* \_\_\_\_\_