ORDINANCE 86-20

TO AMEND CHAPTER 2.20 ENTITLED "BOARD OF PARKS AND RECREATION" OF THE BLOOMINGTON MUNICIPAL CODE TO ADOPT THE PROVISIONS OF I.C. §36-10-4 ENTITLED "PARKS DEPARTMENT IN CERTAIN CITIES".

WHEREAS, I.C. §36-10-4, et seq., authorizes the Common Council in each city having a population of at least 35,000 to adopt all or part of the statute entitled "Parks and Recreation Law," and, the Board of Parks and Recreation has recommended to the Common Council that this statute be adopted in its entirety; and

WHEREAS, procedures under this statute will enable the Board by resolution to extend the Park District's boundaries to the county, which will result in more equitable funding of the parks program, equitable distribution of programs and facilities, and long-range planning in the field; and, when the extension is made, there will be one five-member parks board, "Bloomington and Monroe County Board of Park Commissioners" governing an extended parks district representing both the city and county; and

WHEREAS, the Monroe County Commissioners and Monroe County Council have also recommended the creation of the Bloomington and Monroe County Board of Park Commissioners, which will administer parks and other recreational activities throughout Bloomington and Monroe County;

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

SECTION 1. Chapter 2.20 of the Bloomington Municipal Code is repealed and reenacted to read as follows:

Sections:		
	2.20.000	Establishment
	2.20.010	Appointment
	2.20.020	Qualifications
	2.20.030	Terms
	2.20.040	Removal from Office
	2.20.050	Meetings
	2.20.060	Officers
	2.20.070	Rules and Regulations
	2.20.080	Majority Vote
	2.20.090	Special Nonreverting Operating Fund
	2.20.095	Gifts and Bequests
	2.20.100	Special Nonreverting Capital Fund
	2.20.110	Committees
	2.20.120	Department of Parks and Recreation Establishment
	2.20.130	Appointment of Director

2.20.000 Establishment. Pursuant to Indiana Code §36-10-4, et seq., the statute entitled "Parks Department in Certain Cities" is adopted by the Common Council in its entirety. Under this authority there is hereby created the Bloomington and Monroe County Board of Park Commissioners, which shall exercise such powers and duties as are set forth in I.C. §36-10-4.

2.20.010 Appointments. The Bloomington and Monroe County Board of Park Commissioners (hereinafter "Board") shall consist of four Commissioners appointed by the Mayor.

2.20.020 Qualifications. The four commissioners shall be appointed on the basis of their interest in and knowledge of parks and recreation. No more than two members may be affiliated with the same political party. Each commissioner must be a freeholder residing in the city. In making initial appointments the Mayor, in order to provide continuity of experience and programs, shall give special consideration to the appointment of members from previous park or recreation boards.

2.20.030 Terms. Appointments to the Board shall be made with staggered terms of expiration, as follows: one term shall expire on December 31, 1986; one term shall expire on December 31, 1987; one term shall expire on December 31, 1988; and one term shall expire on December 31, 1989.

2.20.040 Removal from Office. Commissioners may be removed from office only for ineffiency, neglect of duty and malfeasance in office, as provided by statute.

2.20.050 Meetings. The Board shall fix the time and place for holding regular meetings. Special meetings may be called by the president, or by any two commissioners, upon written request to the secretary.

2.20.060 Officers. At its first regular meeting the Board shall elect a president and vice-president. The vice-president shall perform the duties of the president during the absence or disability of the president.

2.20.070 Rules and Bylaws. the Board shall adopt rules and bylaws prescribing procedural rules for its meetings and administrative procedures for the operation of the Park and Recreation Department.

2.20.080 Majority Vote. Action of the Board shall not be official unless it is authorized by a majority of the Commissioners at a regular or special meeting. In case of a tie vote the Mayor casts the deciding vote, as provided by statute.

2.20.090 Special Nonreverting Operating Fund. The special nonreverting operating fund created under I.C. §36-10-5-2 is continued, as authorized under I.C. §36-10-4-16. Monies from various activities including concessions shall be deposited daily with the City Controller who shall deposit such monies in this fund. Fees from golf courses, swimming pools, skating rinks or other similar facilities requiring major expenditures for management and maintenance shall not be deposited in this fund. Expenditures from this fund by the Board shall be disbursed only on approved claims allowed and signed by the president and secretary of the Board. At the end of each year, the Controller shall, if directed by the Board, transfer all or a portion of any surplus monies in this fund to the parks and recreation general fund.

2.20.095 Gifts and Bequests. The Board may accept gifts, donations, and subsidies for park and recreation purposes. No gift or transfer of public property to the Board shall be made without its approval. Any gift or grant of money shall belong to the general park fund, the special nonreverting operating fund, or the special nonreverting capital fund to be used by the Board as provided by state statute. The City Controller shall draw warrants against such special nonreverting fund only upon vouchers signed by the president or vice-president and secretary of the Board.

2.20.100 Special Nonreverting Capital Fund. The special nonreverting capital fund created under the previous statute and authorized under I.C. §36-10-4-16 is continued. Expenditures may be made by appropriation by the Common Council. Expenditures from this fund may be disbursed only on approved claims allowed and signed by the president and secretary of the board. Expenditures may be made for the sole purpose of acquiring land or making specific capital improvements. Funds received by the department as a result of the agreement between the Department and the Cascade Golf Course Manager shall be deposited in this fund and only expended following an appropriation for improvements to the Cascade Golf Course. Monies placed in this fund shall not be withdrawn except for the purposes for which the fund was created, unless the Common Council repeals this provision and abolishes the fund.

2.20.110 Committees. The Board may create an advisory council and special committees composed of citizens interested in the problems of parks and recreation. In selecting such advisory council or special committees, the Board shall give consideration to the groups in the community particularly interested in parks and recreation. In a resolution creating an advisory council or a special committee, the Board shall specify the terms of its members and the purposes for which created. Such advisory council or a special committee shall report to the Board only.

2.20.120 Department of Parks and Recreation - Establishment. There is hereby created a Department of Parks and Recreation which shall be responsible for all parks and recreation of the City of Bloomington, and which shall follow such rules and procedures as are now set out in I.C. §36-10-4, or as shall be added by future amendments to the Indiana Code.

2.20.130 Appointment of Director. The Department of Parks and Recreation shall be administered by the Director of Parks and Recreation who is appointed by the Mayor, with the approval of the Board of Parks and Recreation, and shall serve at the pleasure of the Mayor.

SECTION 5. Severability. If any section of this ordinance or any part of any section shall be declared invalid or unconstitutional, such declaration shall not affect the validity or unconstitutionality of the remaining portions.

SECTION 6. This Ordinance shall be in full force and effect from and after its passage by the Common Council by the City of Bloomington, Monroe County, Indiana, and approval by the Mayor, upon this 23 day of April, 1986.

James C Regester
JAMES C. REGESTER, PRESIDENT
BLOOMINGTON COMMON COUNCIL

ATTEST:

Patricia Williams
Patricia Williams, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 24 day of April, 1986.

Patricia Williams
Patricia Williams, City Clerk

SIGNED AND APPROVED by me upon this 24 day of April, 1986.

Tomilea Allison
TOMILEA ALLISON, MAYOR
CITY OF BLOOMINGTON

SYNOPSIS

This ordinance repeals current code provisions and reenacts Chapter 2.20 under I.C. §36-10-4, for the organization and operation of the Bloomington and Monroe County Board of Park Commissioners. This statute enables the Board by resolution to extend its boundaries and administration of the parks program to the county boundaries. Other changes include (1) Removal of Board members are specifically limited to neglect of duty, malfeasance, and inefficiency rather than "for cause" (2) Special meetings may be required by 2 rather than 3 members; (3) Decisions will be made by a majority of commissioners rather than a majority present and voting; and (4) In case of a tie, the mayor casts a deciding vote.