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3	ORDINANCES								
4	Ord 12-01	TO AMEND THE OUTLINE PLAN AND DISTRICT ORDINANCE FOR PARCEL I OF THE WOOLERY PLANNED UNIT DEVELOPMENT (PUD) – Re: 1480 W. Tapp Road (Tommy and Lesli Berry, Petitioners)	PUD	no	1/4/2012	9-0	1/18/2012	8-0 Spechler absent	This ordinance adds “Recreation Center” to the list of permitted uses for Parcel I of the Woolery PUD and approves changes to the UDO architectural standards for this use.
5	Ord 12-02	TO AMEND THE PLANNED UNIT DEVELOPMENT (PUD) DISTRICT ORDINANCE AND Preliminary Plan FOR PARCEL C(a) OF THE THOMSON AREA PUD - Re: 1140 S. Morton Street (First Capital Management, Petitioner)	PUD	no	1/25/2012	7-0-2	3/7/2012	8-0 Mayer absent	This ordinance amends the PUD District Ordinance and Preliminary Plan for a part of Tract C of the Thomson Area PUD, to be known now as Tract C (a). The amendment changes the permitted uses and development standards for this tract and establishes the standards for construction in the floodway. This amendment facilitates the construction of 16 multi-family units and a commercial building.
6	Ord 12-03	TO AMEND THE PLANNED UNIT DEVELOPMENT (PUD) DISTRICT ORDINANCE AND PRELIMINARY PLAN FOR TRACT E OF THE THOMSON PUD - Re: 1525 S. Rogers Street (NSSX Properties, LLC - Warehouse Community Center, petitioner)	PUD	no	1/25/2012	6-0-3	3/7/2012	8-0 Mayer Absent	This ordinance would amend the list of permitted uses, development standards, and the floodplain ordinance for this portion of Tract E of the Thomson PUD as well as approve a new preliminary plan to redevelop an existing warehouse building on this tract.
7	Ord 12-04	TO AMEND THE BLOOMINGTON ZONING MAPS FROM Institutional (IN) to Residential Multifamily (RM) - Re: 718 East 8th Street (Cheryl Underwood, Petitioner)	Zoning	no	none	none	3/21/2012	motion to table: 8-1 (Volan)	This ordinance would approve the rezoning of 0.18 acre of land at 718 East 8 <sup>th</sup> Street from Institutional (IN) to Residential Multifamily (RM).
8	Ord 12-05	TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED “HISTORIC PRESERVATION AND PROTECTION” TO ESTABLISH A HISTORIC DISTRICT - Re: 700 North Walnut Street (Petitioner: Bloomington Historic Preservation Commission)	Title 8	yes	2/22/2012	4-1 (Spechler)- 4(Rollo, Ruff, Mayer, Volan)	2/29/2012	7-2 (Ruff, Spechler)	This ordinance amends Chapter 8.20 of the Bloomington Municipal Code entitled “The List of Designated Historic Districts” in order to designate “700 North Walnut Street” as a historic district. The Bloomington Historic Preservation Commission sought these actions after review under the Demolition Delay Ordinance and, after a public hearing on November 29, 2011, recommended that the structure be designated historic with a rating as “notable” based upon certain historic and architectural criteria set forth in Title 8 (Historic Preservation and Protection). The Commission also imposed an interim protection order to preserve the property until the Council makes its decision. This notable property owned by Roy Burns, local grocer, illustrates an era in retail history before corporate commercial entities overwhelmed locally-owned neighborhood grocery stores. Its architecture features unusual examples of masonry materials and craft. Local designation insures that this property will be preserved in any future development plan.

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9	Ord 12-06	TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "ADMINISTRATION AND PERSONNEL" Re: Changing the Name and Focus of Section 2.23.050 from the "Community and Family Resources Commission" to the "Commission on the Status of Children and Youth"	Title 2	yes	3/28/2012	9-0	4/18/2012	9-0	This ordinance amends Section 2.23.050 of the Bloomington Municipal Code by changing the name and focus of the "Community and Family Resource Commission" to a youth-oriented commission named the "Commission on the Status of Children and Youth."
10	Ord 12-07	TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "VEHICLES AND TRAFFIC" Re: To Amend Chapter 15.26 Entitled "Neighborhood Traffic Safety Program" to Approve Installation of Traffic Calming Devices in the Prospect Hill Neighborhood (on West Third Street) and to Amend BMC 15.32.090 - Schedule N (Limited Parking ) per 90-Day Order	Title 15	yes	3/28/2012	3 (Sturbaum Sandberg, Spechler) - 0 - 6 (Neher, Granger, Mayer, Ruff, Rollo, Volan)	4/14/2012	9-0	This ordinance authorizes the permanent installation of a series of traffic calming devices (speed cushions) on West Third Street and amends Schedule J-1 of the Chapter 15.26 of the Bloomington Municipal Code to list the type and location of these devices. This ordinance also makes changes to limited parking zones section of the Bloomington Municipal Code.
11	Ord 12-08	TO VACATE A PUBLIC PARCEL - Re: Alley Right-of-Way Running North/South between North College Avenue and North Morton Street, North of West Ninth Street (KPM Hotel group, Petitioner)	R-O-W	no	4/11/2012	8-0 (Ruff Absent)	4/18/2012	8-0 (Sturbaum absent)	The petitioner, KPM Hotel Group, requests vacation of a segment of alley right-of-way bounded by North College Ave. and North Morton Street, north of West 9 <sup>h</sup> Street in order to construct a hotel.
12	Ord 12-09	TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "ADMINISTRATION AND PERSONNEL" –Re: Amending Chapter 2.04 Entitled "Common Council" to Ease the Opportunity for Standing Committees to Consider Legislation Pending Before the Council As Amended <b>FAILED</b>		yes	4/25/2012	2 (Rollo, Volan) - 4 (Mayer, Sandberg, Sturbaum, Spechler) - 3 (Neher, Granger, Ruff)	5/2/2012	4 (Ruff, Rollo, Volan, Spechler) - 5 (Neher, Granger, Sturbaum, Sandberg, Mayer) <b>FAILED</b>	This ordinance changes a single word of Bloomington municipal code. It changes from a requirement to an option ("shall" to "may") that legislation before the City Council be referred to a committee of the whole, encouraging the Council to refer legislation to one or more of a slate of standing committees. Making this change will help Council manage its growing workload more effectively, while in a manner more time-efficient for individual Council members, City employees, petitioners, and members of the public. The use of standing committees, as defined by long-extant code, will lengthen the default legislative cycle without compromising efficiency when desired, will shorten meetings, will not reduce Council member privilege, and will allow Council members to focus on their areas of expertise and interest to their constituents.
13		Amendment #1 to Ord 12-09		yes	na	na	5/2/2012	5 (Neher, Ruff, Rollo, Volan, Spechler) - 4 (Granger, Sturbaum, Mayer, Sandberg)	This amendment was requested by Council member Volan and would provide for more balanced representation on Standing Committees.

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14	Ord 12-10	TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "ADMINISTRATION AND PERSONNEL" –Re: Amending Chapter 2.04 Entitled "Common Council" to Establish and Clarify Scheduling Policies for Council Committees	Title 2	yes	4/25/2012	3 (Ruff, Rollo, Volan) - 3 (Mayer, Sandberg, Sturbaum) - 2 (Neher, Spechler) Granger left before this vote.	5/2/2012	5 (Neher, Granger, Ruff, Rollo, Volan) - 3 (Sturbaum, Sandberg, Mayer) Spechler had left the meeting at time of vote	This ordinance changes city code to clarify and harmonize scheduling policies for council committees, whether they be standing, special or of the whole. It unifies committee scheduling policies, scattered throughout Article III of Chapter 2.04 of municipal code, under a single new section 2.04.255. Two changes address meetings "convened to consider legislation referred" to standing committees and committees of the whole. (Special committees, even if legislation has been referred to them, are excepted.) It does not allow for standing committees to overlap and guarantees that standing committees can be scheduled to start no later than 9:45 pm. In deference to the role of standing committees, motions for referral to a standing committee shall be entertained before a motion for referral to the committee of the whole and shall include the approximate time at which the committee will convene.

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15									Another change moves language prohibiting the scheduling of committee meetings on holidays to its own heading, and clarifies it to apply to all types of committees. Since committees could possibly meet on days other than Wednesday, it clarifies the definition of the end-of-the-year recess to disallow any official meeting between the fourth Wednesday of December and the end of the year.
16	Ord 12-11	To Amend the Planned Unit Development (PUD) District Ordinance and Preliminary Plan for Lot 205 of Renwick Phase III, Section I Within the Renwick PUD – Re: 1522 S. Piazza Drive (Renwick Village Center, Petitioner)	PUD	no	5/23/2012	8-0-0	6/6/2012	7-0 Granger, Spechler absent	This ordinance amends the PUD District Ordinance and Preliminary Plan for Lot 205 of Renwick Phase III, Section 1 within the Renwick PUD. The amendment would add fitness studio/gym as a permitted use for this individual lot.
17	Ord 12-12	To Amend Title 14 of the Bloomington Municipal Code Entitled "Peace and Safety" Re: Amending Section 14.36.090 (Intoxicating Beverages – Consumption in Public) to Authorize Sale of Beer at Cascades Golf Course	Title 14	yes	5/23/2012	7-0-1 (Granger)	6/6/2012	7-0 Granger, Spechler absent	This ordinance amends Bloomington Municipal Code 14.36.090 to allow the sale of alcohol on the Cascades Golf Course outside the Clubhouse in accordance with Indiana Alcohol and Tobacco Commission permit requirements. It also corrects the name of the Indiana Alcohol and Tobacco Commission and the citation to the state law on temporary wine permits.
18	Ord 12-13	<u>not introduced</u>							
19	Ord 12-14	To Amend the Approved Planned Unit Development (PUD) District Ordinance and Preliminary Plan - Re: 223 W. Dodds Street (Neighborhood Solutions, Petitioner)	PUD	no	6/13/2012	9-0	6/20/2012	9-0	This ordinance would amend the list of permitted uses and development standards, as well as approve a new District Ordinance and preliminary plan to develop a mixed-use development on a PUD originally approved in 2009.
20	Ord 12-15	TO REAUTHORIZE THE CUMULATIVE CAPITAL DEVELOPMENT FUND	Cum Cap Fund	no	6/27/2012	6-0-1 (Neher) Mayer, Rollo absent	7/3/2012	6-0 Granger, Volan, Spechler absent	This Ordinance reauthorizes the Municipal Cumulative Capital Development Fund for taxes assessed in year 2012 and payable in year 2013 and authorizes collection of property tax at the rate of \$0.05 per \$100 of valuation; the fund may generally be used for the purposes set out in IC 36-9-15.5 et seq
21	Ord 12-16	TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED "HISTORIC PRESERVATION AND PROTECTION" TO ESTABLISH A HISTORIC DISTRICT - Re: Elm Heights Historic District (Bloomington Historic Preservation Commission, Petitioner)	Title 8	yes	7/11/2012	9-0	7/18/2012	8-0 Spechler absent	This ordinance amends Chapter 8.20 of the Bloomington Municipal Code entitled "The List of Designated Historic Districts" in order to designate Elm Heights as a historic district. The Bloomington Historic Preservation Commission sought these actions and, after a public hearing on October 13, 2011, recommended them to the Common Council based upon certain historic and architectural criteria set forth in Title 8 (Historic Preservation and Protection). Local designation will provide the protection needed to ensure that these properties are preserved.

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22	Ord 12-17	<u>Ordinance 12-17</u> An Ordinance Fixing the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2013	Salary Ord	no	9/12/2012		9/19/2012	9-0	This ordinance sets the maximum salary rates for all sworn fire and police personnel for the year 2013 in accordance with Council-approved collective bargaining agreements.
23	Ord 12-18	<u>Ordinance 12-18</u> 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 2013	Salary Ord	no	9/12/2012		9/19/2012	9-0	This ordinance sets the maximum 2013 salary for all appointed officers, non-union and A.F.S.C.M.E. employees for all the departments of the City of Bloomington.

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24	Ord 12-19	<u>Ordinance 12-19</u> To Fix the Salaries of All Elected City Officials for the City of Bloomington for the Year 2013	Salary Ord	no	9/12/2012		9/19/2012	9-0	This ordinance sets the maximum 2013 salary rate for all elected city officials for the City of Bloomington
25	Ord 12-20	<u>Ordinance 12-20</u> Appropriations and Tax Rates for Bloomington Transportation Corporation for 2013	Budget	no	9/5/2012	8-0 Spechler absent	9/19/2012	9-0	Be it ordained by the BLOOMINGTON TRANSPORTATION unit, Monroe County, Indiana that for the expenses of BLOOMINGTON TRANSPORTATION for the year ending December 31, 2013 the sum of \$8,057,188, as shown on Budget Form 4-A are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expense of BLOOMINGTON TRANSPORTATION, a total property tax levy of \$1,121,400 and a total tax rate of 0.0341 as shown on Budget Form 4-B are included herein. Budget Form 4-A and 4-B for all funds and departments are incorporated by the signing of this form and must be completed and submitted in the manner prescribed by the Department of Local Government Finance.
26	Ord 12-21	<u>Ordinance 12-21</u> 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)	Budget	no	9/12/2012		9/19/2012	9-0	Ordinance 12-21 approves a Petition for Appeal to the Department of Local Government Finance for an increase to the maximum levy, pursuant to IC 6-1.1-18.5-16. The appeal from relief from the levy limitations is necessary in order to carry out the governmental functions committed to the City of Bloomington. The excess levy appeal is in the amount of \$377,930 and is the result of a property tax shortfall due to erroneous certified net assessed valuation figures being provided by the Monroe County Auditor
27	Ord 12-22	TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "VEHICLES AND TRAFFIC" Re: Stop and Yield intersections, Angle Parking, No Parking, Limited Parking, Residential Neighborhood Permit Parking, Accessible Parking, and the Traffic Violation Schedule <b>AS AMENDED</b>	Title 15 Traffic	yes	9/19/2012	9-0	10/3/2012	7-0-1 (Granger) Sandberg Absent	This ordinance makes several changes to the Bloomington Municipal Code. This includes stop intersections, yield intersections, angle parking, no parking zones, limited parking zones, accessible parking for persons with physical disabilities, residential neighborhood permit parking zones, and violations.
28		Amendment #1 to Ord 12-22	(Title 15 Traffic)	(yes)	n/a	n/a	10/3/2012	5 (Neher, Sturbaum, Ruff, Rollo, Spechler)-1 (Volan)-2 (Granger, Mayer) Sandberg Absent	This amendment is sponsored by Councilmember Rollo. It follows up on a recommendation in the Council Sidewalk Committee Report for 2012, which called for a portion of the 900 block of Mitchell Street (from Maxwell Lane to Southdowns Drive) be set aside for a walkway (via lane markings). Because the road is narrow, the recommendation was conditioned on the removal of parking from this block. Although staff recommended this change to the Traffic Commission at its March, 2012 meeting, the Commission did not approve it. In accordance with long-standing practice, matters like this one where staff and the Commission disagree, are generally brought forward as an amendment to the next traffic ordinance. Please note that residents and owners of property on this block as well as the affected Neighborhood Association were notified of this proposal and the opportunity to comment before and at the meeting on October 3rd

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29	Ord 12-23	TO AMEND TITLE 6 (HEALTH AND SANITATION), TITLE 15 (VEHICLES AND TRAFFIC), AND TITLE 17 (CONSTRUCTION REGULATIONS) OF THE BLOOMINGTON MUNICIPAL CODE - Re: Adjusting Fees and Fines Found in Chapter 6.06 (Refuse and Weeds), Chapter 15.48 (Removal and Impoundment of Vehicles), Section 15.60.080 (Services and Fees), and Section 17.08.050 (Fees) and Making Other Related Changes to those Provisions	Title 6 Title 15 Title 17	yes	9/19/2012	8-0-1 (Volan)	10/3/2012	8-0 Sandberg Absent	This is an omnibus piece of legislation which has four essential parts. The <b>first part</b> is a proposed repeal and replacement of Chapter 6.06 which has seven key components. <b>First</b> , because a substantial modification of an already existing ordinance which regulates the removal of weeds and rank vegetation requires the presence of certain notice provisions under Indiana Code Chapter 36-7-10.1 the following must be added to the Chapter: (a) the word "weed" must be defined, and the City has chosen to use a definition utilized by the State and Federal governments and provide a further list established by the City's environmental planner; (b) if the City abates a violation notice of that abatement must occur in a certain manner; and (c) if a property has already been the subject of an abatement, the City can post a continuous abatement notice without having to seek Board of Public Work approval for each new abatement request. <b>Second</b> , the current ordinance repeatedly uses the phrase "rubbish, trash and refuse." In an effort to consolidate this phrase and make it more identifiable to the average public the ordinance rolls all of those words into one commonly defined word called "garbage".
30									(cont'd) <b>Third</b> , the ordinance adds a new prohibition against dumping trash into a private dumpster without having the owner of said dumpster's permission to do so. <b>Fourth</b> , the ordinance clarifies how and when a person can appeal a Notice of Violation versus an Abatement Order. <b>Fifth</b> , while not required by State law, in an effort to provide the community with a more open and transparent government, the ordinance specifically advises citizens that an abatement can be effectuated by either the City or by a private contractor hired by the City. <b>Sixth</b> , the ordinance adopts a new fine schedule—(a) the first violation in a 12-month period results in a \$50.00 fine; (b) the second violation in a 12-month period results in a \$100.00 fine; (c) the third and all subsequent violations in a 12-month period results in a \$150.00 fine; and (d) the 12-month period will run from August 1 to the following July 31. <b>Seventh</b> , "habitual nuisance" properties can regularly avoid penalties under the current ordinance.
31									(cont'd) The current ordinance prohibits a fine from being issued to a rental property if one of two things occur; either the landlord provides HAND with a copy of a valid lease within 7 days of the notice of violation or the violation is remedied within 7 days. What happens is that "habitual nuisance" properties will regularly clean up the violation within 7 days of getting a notice, but since there is no penalty assessed for the violation, the violations continue to occur on a regular and consistent basis. In an effort to alleviate the "habitual nuisance" properties, this ordinance provides that the only way a landlord can avoid being fined for his tenants violation of the ordinance is to provide the City with a copy of a valid lease within 7 days of the notice—this will allow the City to always pass along a penalty to the tenants who violate the ordinance, thereby hopefully reducing the number of "habitual nuisance" properties within the community.
32									(cont'd) <b>The second part</b> adds a new section to Chapter 15.48 (Removal and Impoundment of Vehicles). Specifically the newly created Section 15.48.070 imposes a \$25.00 administrative fee upon any person whose vehicle is towed pursuant to Chapter 15.48. The purpose of the administrative fee is to offset, to the extent practicable, the cost to the City's Police Department of implementing, enforcing and administering the provisions of Chapter 15.48.
33									(cont'd) <b>The third part</b> amends Section 15.60.080 (Miscellaneous Traffic Rules) in five key ways. First, it raises the fee for fingerprinting services provided by the Police Department. Second, it provides differing fees for City residents requesting this service versus non-City residents requesting the service. The fee for City residents shall be \$15.00 per card. The fee for non-City residents shall be \$25.00 for one card, and \$15.00 for each additional card. Third, it raises the fee for obtaining accident reports from \$5.00 to \$8.00. Fourth, it amends the City's ordinance to accurately reflect the Indiana Code's mandate as to which funds certain collected fees are to be deposited. Fifth, it amends the City's ordinance to accurately reflect the Indiana Code's requirement on how much of a fee the City is to charge for handgun applications. Sixth, it deletes those provisions of the ordinance that were the result of Indiana Code requirements which have now been repealed by the Indiana General Assembly.

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34									(cont'd) <b>The fourth</b> and final part amends Section 17.08.050 (Fees) by increasing the fee for a temporary sign permit and a permanent sign permit in Part (e). The temporary sign permit fee is raised from \$55.00 an application to \$75.00 an application and the permanent sign permit fee is raised from \$55.00 a sign to \$125.00 a sign. In addition to raising the fee, the change makes it clear that each new application, regardless of whether or not it's a renewal application, will be charged the same fee. <b>Finally</b> , the ordinance changes an incorrect reference to a Title 20 provision and replaces it with the correct statement of the law
35	Ord 12-24	TO AMEND THE BLOOMINGTON ZONING MAPS FOR SIX PARCELS IN THE OLD NORTHEAST NEIGHBORHOOD FROM Institutional (IN) to Residential Multifamily (RM) (FOUR PARCELS), COMMERCIAL GENERAL (CG) (ONE PARCEL) AND COMMERCIAL DOWNTOWN (CD) (ONE PARCEL) -Re: 718 E. 8th Street, 702 E. 10th Street, 525 N. Park Avenue, 514 N. Fess Avenue, 403 E. 6th Street, and 613 E. 12th Street (The City of Bloomington, Petitioner)	Zoning	no	10/10/2012	8-0 Sandberg absent	10/17/2012	8-0 Sandberg absent	This ordinance would rezone six individual properties from Institutional (IN) zoning to the following: 718 E. 8th Street to Residential Multifamily (RM), 702 E. 10th Street to Residential Multifamily (RM), 525 N. Park Avenue to Residential Multifamily (RM), 514 N. Fess Avenue to Residential Multifamily (RM), 403 E. 6th Street to Commercial Downtown (CD), and 613 E. 12th Street to Commercial General (CG) zoning.
36	Ord 12-25	TO VACATE A PUBLIC PARCEL - Re: Alley Right-of-Way Running East/West Between South Gentry Street and the B-Line Trail, South of Kirkwood Avenue and North of West 4 <sup>th</sup> Street (REI Investments, Petitioner)	R-O-W	no	11/7/2012	Ayes: 4 (Neher, Sandberg, Mayer, Spechler), Nays: 0, Abstain: 4 (Ruff, Granger, Volan, Rollo)	11-26-12 special session	8-1 (Ruff)	The petitioner, REI Investments, requests vacation of a segment of alley right-of-way bounded by South Gentry Street, the B-Line Trail, West 4th Street and Kirkwood Ave. in order to construct a Hyatt Place Hotel.
37	Ord 12-26	TO VACATE A PUBLIC PARCEL Re: Portion of Morton Street Right-of-Way, South of Kirkwood Avenue and Directly West of the B-Line Trail (CFC, Inc., Petitioner) <b>WITHDRAWN BY PETITIONER</b>	R-O-W	no	11/7/2012	recommend acceptance of withdrawal 7-0-0	11/14/2012	to accept withdrawal 1-0-5	The petitioner, CFC, Inc., requests vacation of a portion of Morton Street right-of-way bounded by West Kirkwood Avenue and the B-line Trail in order to move a limestone building from 217 West Kirkwood Avenue to create an active retail space along the B-Line Trail.
38	Ord 12-27	TO AMEND TITLE 16 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "HOUSING INSPECTION" (Repealing and Reenacting Title 16 with the New Title Name of "Residential Rental Unit and Lodging Establishment Inspection Program" and a Total of Ten Chapters) <b>AS AMENDED</b>	TITLE 16	yes	11/7/2012	Ayes: 1(Spechler), Nays: 0, Abstain: 5. (Sandberg and Granger left the meeting before this vote was taken.)	11/14/2012	9-0	This ordinance repeals and replaces the current Title 16. Currently Title 16 is named "Housing Inspection", this ordinance proposes to rename the Title to "Residential Rental Unit and Lodging Establishment Inspection Program", so that the name of the Title more accurately reflects what the ordinance itself actually regulates. In addition to a name change, this ordinance proposes that the current two Chapters be morphed into ten Chapters, in an effort to better differentiate the regulations within the Title and to make the ordinance more streamlined and easy to read and navigate for both City staff and City residents. The ten new Chapters are entitled: Ordinance Foundation; Definitions; Administration of Residential Rental Units; Property Maintenance; Administration of Lodging Establishments; Public Health & Safety; Smoke Detectors for Residential Rental Units; Carbon Monoxide Detectors for Residential Rental Units; Fire Extinguishers; and Enforcement, Penalties, Appeals and Variances.

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39									(cont'd) Of these ten new Chapters, three—Public Health & Safety, Carbon Monoxide Detectors for Residential Rental Units, and Fire Extinguishers—can not go into effect until they have been reviewed and approved by the Indiana Fire Prevention and Building Safety Commission. The Commission is required to review and approve these three Chapters because they contain regulations that qualify as either a “building law” or a “fire safety law” under Indiana Code.
40									(cont'd) There are five key changes, aside from the format changes previously discussed, with this ordinance. <b>The first</b> , the City will increase inspection fees for residential rental units, with the fee increase occurring in three immediate stages—one going into effect on January 1, 2013, the second going into effect on January 1, 2014 and the third going into effect on January 1, 2015. Beginning in January of 2016 the Board of Public Works will conduct an annual review of the inspection fees and determine whether it is necessary to adjust said fees. <b>Second</b> , the fines for violations of Title 16 have been specifically enumerated and raised in some instances. For example failing to appear for a scheduled inspection will result in a flat \$50 fee, whereas failing to provide required paperwork will result in a flat \$25.00 fee. <b>Third</b> , because of a rash of complaints against the habitability of certain hotels, this ordinance has added a section that allows for the City to inspect and issue correction orders to hotels if a violation is found; the inspections can only occur if the City receives a written complaint—there will be no regular inspection program.
41									(cont'd) <b>Fourth</b> , while smoke detectors are already required in all residential rental units by the State, the State provides that the detectors may be battery operated or hardwired interconnected. The proposed ordinance is more stringent than State law, in that it mandates that only hardwired interconnected smoke detectors be used. This proposal is based on extensive research that shows that hardwired interconnected smoke detectors are more durable, less prone to malfunction and provide a higher level of protection for residents. <b>Finally</b> , the ordinance proposes that all residential rental units which contain fuel-fired appliances, fireplaces and attached garages be equipped with carbon monoxide detectors. Again this is being proposed because studies have shown that the presence of a carbon monoxide detector provides greater protection for residents and ensures a greater likelihood of individuals being notified a problem before it is too late for them to evacuate the premises.
42									(cont'd) At the Regular Session on November 14, 2012, the Council adopted two amendments. Am 01 made nine changes to Sections 16.01.060, 16.01.080, 16.02.020, 16.03.030 and 16.08.010. Am 02 made changes to 16.07.090
43		Amendment #1 to Ord 12-27 (with 9 parts)	na	na	na	na	11/14/2012	8 – 0 (Sandberg out of room)	This Amendment makes nine changes to <u>Ord 12-27</u> which are briefly described and set forth in a strikeout version in the following paragraphs: <b>Part 1</b> adds a reasonable person standard to the Director’s ability to call for additional documentation regarding the strength or proper operation of something inside of a residential rental unit or lodging establishment. <b>Part 2</b> deletes a vague statement in the ordinance, said statement does not provide enough specific information as to when the Director may or may not make certain changes. <b>Part 3</b> ensures that Section 16.06.020 is consistent with Section 16.03.040(c)(1) and makes it clear that a complaint inspection will only occur if there appears to be a violation of Title 16. <b>Part 4</b> adds a new definition; it defines the word “accessory structure” as these types of structures are regulated by Title 16. The definition used is the same definition used in Title 20, the Unified Development Ordinance.



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52		<b>RESOLUTIONS</b>							
53	Res 12-01	TO APPROVE RECOMMENDATIONS OF THE MAYOR FOR DISTRIBUTION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR 2012	CDBG	no	2/22/2012	9-0	2/19/2012	9-0	The City of Bloomington is eligible for a Community Development Block Grant of \$774,753 from the Department of Housing and Urban Development for fiscal year 2012. The resolution outlines program recommendations by the Mayor with input from the Citizen's Advisory Committee and the Redevelopment Commission. General program areas include: Social Service Programs, Physical Improvements, and Administrative Services
54	Res 12-02	TO AUTHORIZE EXPENDITURES FROM THE INDUSTRIAL DEVELOPMENT FUND TO SUPPORT AN ECONOMIC DEVELOPMENT PROJECT (Cigital, 100 S. College Avenue)	IDF Fund Expense	no	none	none	3/7/2012	8-0 Mayer Absent	In accordance with state law, this resolution authorizes payment of up to \$32,000 to be expended from the Industrial Development Fund ("IDF") to Cigital (Developer) to assist with the high technology company's expansion into the Downtown Community Revitalization Enhancement District ("CRED"). The resolution also authorizes the City to enter into an economic development financing agreement with the Developer to include the terms and conditions of the compliance and potential clawback of the one-time payment in the event of noncompliance.
55	Res 12-03	RESOLUTION OF THE CITY OF BLOOMINGTON, INDIANA CONSENTING TO THE FINANCING OF IMPROVEMENTS TO THE YMCA OF MONROE COUNTY, INC. THROUGH THE ISSUANCE OF ECONOMIC DEVELOPMENT REVENUE BONDS BY MONROE COUNTY, INDIANA	Statement of Consent	no	3/28/2012	9-0	4/4/2012	9-0	This resolution gives the City's consent for the Monroe County YMCA to finance improvements to, and expansion of, its pool facilities at 2125 South Highland through the issuance of no more than \$2.75 million of Monroe County Economic Development Revenue Bonds pursuant to Indiana Code 36-7-11.9 and -12
56	Res 12-04	TO ESTABLISH A SLATE OF STANDING COMMITTEES OF THE BLOOMINGTON COMMON COUNCIL <b>FAILED</b>	Com- mittees	no	4/25/2012	3 (Ruff, Rollo, Volan) - 2 (Sandberg, Sturbaum) - 2 Neher, Spechler At the time of the vote, Granger had left the meeting and Mayer was out of the room.	5/2/2012	3 (Ruff, Rollo, Volan) - 4 (Sturbaum, Sandberg, Mayer, Neher) - 1 (Granger) Spehler had left the meeting <b>FAILED</b>	This Resolution proposes a slate of Standing Committees for the management of the Council's legislative workload. In addition to providing practical time-management benefits, the naming of standing committees gives Council more tools for overseeing the functioning of the City, and clearer reporting lines for various departments. The use of standing committees would make the development of legislation more predictable, as an official or petitioner will know who will be likely to hear the legislation in committee. These committees can also hold hearings on issues that are not the subject of pending legislation, but may need to be; such hearings allow Council to gather information and input without having to develop an ordinance or wait for events to overtake the issue. Standing committees would subsume the responsibility of making nominations to boards and commissions, eliminating the need for dozens of nominating committees. The Sidewalk and Jack Hopkins Social Service Fund Committees, having a limited mandate and ceasing to function after the mandate has been completed, fit the definition of "special," not "standing," committee

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57	Res 12-05	<u>Resolution 12-05</u> Authorizing the Allocation of the Jack Hopkins Social Services Program Funds for the Year 2012 and Other Related Matters.	JHSSF	no	na	na	6/20/2012	8-0-1 (Sturbaum)	This resolution brings forward the recommendations of the Jack Hopkins Social Services Funding Program Committee. The principal task of the Committee is to recommend funding for local social services agencies which offer proposals consistent with program criteria. Over the last 19 years (1993 – 2011), the City expended approximately \$2.2 million dollars to local social services programs. In 2012, the City decided to increase the annual amount of funds for this program from \$220,000 to \$250,000 and target the additional \$30,000 toward encouraging collaboration among local social services agencies. The resolution allocates the social services funds to 26 agency programs (including two collaborative projects), approves the funding agreements with these agencies, accepts the report of the Committee, authorizes the chair of the Committee to resolve any questions regarding the interpretation of the agreements, and also authorizes the chair of that year's Committee to appoint the two non-Council member appointees to this seven member Committee.

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58	Res 12-06	WAIVING CURRENT PAYMENTS IN LIEU OF TAXES BY THE BLOOMINGTON HOUSING AUTHORITY TO THE CITY	PILOT	no	na	na	6/27/2012	7-0 Rollo, Mayer absent	This resolution waives the right of the City of Bloomington to receive payments in lieu of taxes from the Bloomington Housing Authority for the year 2011.
59	Res 12-07	TO APPROVE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF BLOOMINGTON AND MONROE COUNTY, INDIANA IN REGARDS TO 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)	INTER-LOCAL	no	na	na	6/27/2012	7-0 Rollo, Mayer absent	This resolution approves the Interlocal Cooperation Agreement between the City of Bloomington and Monroe County Indiana regarding the use of the 2012 Edward Byrne Memorial Justice Assistance Grant. The Interlocal Agreement provides that the total grant award is \$33,460.00. The City will utilize \$10,936.00 for the purchase of two eKiosks, one of which will be located in the Police Department's headquarters and the other will be located in City Hall. The City will utilize an additional \$5,199.00 to purchase a secure server so that both the City's Police Department and the Monroe County Sheriff's Department may access and utilize the Law Enforcement National Data Exchange. The Sheriff's Department will use the remaining \$17,325.00 in grant funds to purchase in-car cameras for some of their patrol vehicles
60	Res 12-08	Resolution of the City of Bloomington, Indiana, Consenting to a New Borrower in Connection with the Economic Development Revenue Bonds, Series 2012 (1302 South Rogers, LLP Project), of the City and Approving Certain Amending Financing Documents in Connection Therewith	ARRA Bonds	no	6/27/2012	7-0 Rollo, Mayer absent	7/3/2012	6-0 Granger, Volan, Spechler absent	This resolution amends Ord 10-19, which authorized the issuance of Economic Development Revenue Bonds, Series 2012 (1302 South Rogers, LLP Project) of the City, by consenting to a new borrower for the bonds and approving amendments to financing documents relating to those bonds.
61	Res 12-09	Supporting an Amendment to the United States Constitution to Provide That Corporations Are Not "People" and Money Is Not "Speech."	Statement of Position	no	na	na	6/20/2012	9-0	This resolution is sponsored by Councilmembers Mayer, Rollo, Ruff and Sandberg. It opposes the U.S. Supreme Court's interpretation of the Constitution in <i>Citizens United v. Federal Elections Commission</i> and supports an amendment to the U.S. Constitution making clear that corporations are not "people" and that money is not "speech." The resolution calls upon the State and federal representatives to enact resolutions and legislation to advance the effort of amending the Constitution. The City Clerk is directed to send copies of this resolution to the Indiana Congressional Delegation and the President of the United States
62	Res 12-10	TO ADOPT A NEPOTISM IN CONTRACTING POLICY IN CONFORMANCE WITH STATE LAW	Policy	no	7/18/2012	7-0-1 (Rollo)	8/1/2012	6-0 Neher, Sandberg, Sturbaum absent	This resolution is intended to bring the City of Bloomington in compliance with newly-enacted state standards regarding nepotism in contracting. It prohibits the City from entering into contracts with relatives of elected officials unless certain conditions are met, including public disclosure, certification that the contract was the lowest bid offered or that the appropriate City agency explained why the vendor or contractor was selected and approval by the Common Council.
63	Res 12-11	TO ADOPT A NEPOTISM IN EMPLOYMENT POLICY IN CONFORMANCE WITH STATE LAW	Policy	no	7/18/2012	7-0-1 (Rollo)	8/1/2012	6-0 Neher, Sandberg, Sturbaum absent	This resolution is intended to bring the City of Bloomington in compliance with newly-enacted state standards regarding nepotism in government employment. It prohibits City employees from directly supervising relatives and prohibits employment of relatives of City employees in other situations unless certain conditions are met.
64	Res 12-12	To Approve the Interlocal Agreement Between Monroe County, Town of Ellettsville, and the City of Bloomington for Animal Shelter Operation for the Year 2013	ZONING	NO	na	na	10/17/2012	8-0 Sandberg absent	This resolution authorizes execution, by the Mayor and Director of Animal Care and Control, of the Animal Shelter Interlocal Agreement for Fiscal Year 2013 between the City of Bloomington, Monroe County and Town of Ellettsville. The agreement provides that Monroe County shall pay the City of Bloomington the sum of \$293,590.47 for 2013 in return for the space the City provides to the County and services it renders on the County's behalf. The agreement further provides that the Town of Ellettsville shall provide the City of Bloomington the sum of \$19,741.53 for 2013 in return for the space the City provides the Town of Ellettsville and services it renders on the Town of Ellettsville's behalf.

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65	Res 12-13	TO ACCEPT THE REPORT ENTITLED "COMMON GROUND: TOWARD BALANCE AND STEWARDSHIP – RECOMMENDATIONS OF THE JOINT CITY OF BLOOMINGTON-MONROE COUNTY DEER TASK FORCE" AS AN ADVISORY DOCUMENT	report of committee	NO	11/28/2012	7-0-2 (Mayer, Sturbaum)	12/5/2012	9-0	This resolution thanks the members of the Joint City of Bloomington-Monroe County Deer Task Force for the difficult work they have performed and finds that the Task Force has fulfilled its charge. It also accepts the Report as an advisory document. Given the advisory nature of the recommendations, it will be up to elected officials to decide how, and if, to move forward with any of the recommendations. Acceptance of this document as advisory does not eclipse the possibility of other management strategies that may come forward that prove to satisfy criteria of cost, efficacy, humaneness, safety and community acceptance and that are congruent with Indiana Department of Natural Resources policy. In accordance with its enabling legislation, the Task Force ends its charge and expires with the submission of its Report.
66	APPROP ORDS								
67	App Ord 12-01	TO SPECIALLY APPROPRIATE FROM THE PARKS LAND ACQUISITION FUND EXPENDITURES NOT OTHERWISE APPROPRIATED (Appropriating Funds for the purchase of the Black Lumber Rail Spur)	add. Appropriations	no	3/7/2012	8-0 Mayer absent	3/21/2012	9-0	This ordinance appropriates \$10,000 from the Parks Land Acquisition Fund for the purchase of the Black Lumber Rail Spur
68	App Ord 12-02	An Ordinance for Appropriations and Tax Rates (Establishing 2013 Civil City Budget for the City of Bloomington)	Budget	no	9/12/2012		9/19/2012	9-0	This ordinance sets the Civil City Budget for 2013
69	App Ord 12-03	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 2013	Utilities Budget	no	9/12/2012		9/19/2012	9-0	This ordinance, approved by the Utilities Service Board in July of 2012 sets the water and wastewater budgets for 2013.
70	App Ord 12-04	TO SPECIALLY APPROPRIATE FROM THE GENERAL FUND, PARKS GENERAL FUND, FIRE CAPITAL FUND, RISK MANAGEMENT FUND, AND RENTAL INSPECTION PROGRAM FUND EXPENDITURES NOT OTHERWISE APPROPRIATED (Appropriating Various Transfers of Funds within the General Fund, Parks General Fund, and Risk Management Fund; and, Appropriating Additional Funds from the Fire Capital Fund, Risk Management Fund and Rental Inspection Program Fund)	add. Appropriations	no	11/28/2012	9-0	12/5/2012	9-0	This ordinance appropriates various transfers of funds within the General Fund, Parks General Fund, and Risk Management Fund. It also appropriates additional funds from the Fire Capital Fund, Risk Management Fund and Rental Inspection Program Fund.