Defeated 12/14/83
Ayes 7:
Nayes 1 (Towell)
Absent Jack Morrison

ORDINANCE 83-60

To Amend Chapter 2.20 entitled, "Board of Parks and Recreation" of the Bloomington Municipal Code

WHEREAS, I.C. §36-10-4-1 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 unanimously 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 resulting in more equitable funding of the parks and recreation programs, better distribution of programs and facilities, and more comprehensive consolidated planning for the entire Bloomington-Monroe County community; and, if the extension is made, there will be one joint five member parks and recreation board, the "Bloomington-Monroe County Board of Parks and Recreation", governing the parks district representing both the city and county,

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

SECTION I. Chapter 2.20 of the Bloomington Municipal Code shall be repealed and reenacted to read as follows: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
2.20.100 Special Nonreverting Capital Fund
2.20.110 Gifts and Bequests
2.20.120 Committees
2.20.130 Department of Parks and Recreation Establishement
2.20.140 Appointment of Director

2.20.00 Establishment. Pursuant to Indiana Code §36-10-4-1, Chapter 4, Article 10 of Title 36 entitled, "Parks Department in Certain Cities" is adopted in its entirety. Under this authority there is hereby created Board of Parks and Recreation which shall exercise such powers and duties as are set forth in I.C. §36-10-4.

2.20.010 Appointments. The Board shall consist of four Commissioners appointed by the Mayor

2.20.020 Qualifications. The four members shall be appointed on the basis of their interest in and knowledge of parks and recreation. No more than two members may be members of the same political party. Each member 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.

FAILED

2.20.030 Terms. Appointments shall be made for staggered four year terms as detailed in I.C. §36-10-4-4.

2.20.040 Removal From Office. Commissioners may be removed only for inefficiency, neglect of duty and malfeasance in office. The procedure for removal shall be that set out in I.C. §36-10-4-4.

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 in Februa 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 meeting procedures 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.

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. Moneys from various activities including concessions shall be deposited daily with the City Controller who shall deposit such moneys in this fund. Fees from golf courses, except as provided in 2.20.100 herein, swimming pools, skating rinks or other similar facilities requiring major expenditures for management and maintenance shall not be deposited in this fund, but shall be deposited in the General 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 resolution of the Board, transfer all or a portion of any surplus moneys in this fund to the parks and recreation general fund.

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 by the Common Council for improvements to the Cascade Golf Course. Moneys 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.

FAILED

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 shall be appointed by the Mayor, with the approval of the Board of Parks and Recreation, and shall serve at the pleasure of the Mayor.

SECTION II. 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 constitutionality of the remaining portions.

SECTION III. This Ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, Monroe County, Indiana, and approval by the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, this _____ day of _____, 1983.

_____
KATHERINE DILCHER, President
Bloomington Common Council

PRESENTED by me to the Mayor of the City of Bloomington, Indiana, this _____ day of _____, 1983.

_____
PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon the _____ day of _____, 1983.

_____
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This Ordinance adopts the provisions of I.C. §36-10-4 for the organization and operation of the Board of Parks and Recreation. One statutory provision will enable the Board by Resolution to extend its authority and administration of the parks program to the county boundaries. Other provisions eliminate the MCCSC appointment to the Board, set out procedures for removal of members and meeting and voting procedure, and designate deposit of a portion of golf course fees into the special nonreverting capital fund.

FAILED