



City of Bloomington Common Council

Legislative Packet

Regular Session

followed by

Committee of the Whole Discussion

11 July 2007

Office of the Common Council
P.O. Box 100
401 North Morton Street
Bloomington, Indiana 47402

812.349.3409

council@bloomington.in.gov
<http://www.bloomington.in.gov>



Packet-Related Material

Memo

Agenda

Calendar

Notices and Agendas:

- **Schedule** of Budget- Related and Other Meetings of the Common Council from July through Early September 2007.

Reports (from the Mayor)

- **Public Hearing**
Notice of Public Hearing – Re: Relocation of Downtown Post Office
Message from Danise Alano, Director of Economic Development – Re: Foregoing Public Hearing

Legislation for Final Action:

- **Ord 07-12** To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” - Re: Establishing a New Zone 10 Residential Neighborhood Permit Parking Zone for the Near West Side with Additional Two-Hour Parking Limits
Contact: Susie Johnson at 349-3411 or johnsons@bloomington.in.gov
- **Ord 07-14** To Amend Ordinance 06-14 Which Fixed 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 2007 - Re: Position in the Public Works Department
Contact: Daniel Grundmann at 349-3578 or grundmad@bloomington.in.gov
- **App Ord 07-02** To Specially Appropriate from the General Fund, Special Non-Reverting Improvement Fund, Alternative Transportation Fund, Local Road & Street Fund, Cumulative Capital Development Fund, Cumulative Capital Improvement – Rate Fund And Parks Acquisition Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the General Fund for

Animal Care & Control, City Clerk's Office, Community & Family Resources, Controller's Office, Police and Public Works; Appropriating Funds from the Special Non-Reverting Improvement Fund, Alternative Transportation Fund, Local Road & Street Fund, Cumulative Capital Development Fund, Cumulative Capital Improvement – Rate Fund and Parks Acquisition Fund)
Contact: Susan Clark at 349-3416 or clarks@bloomington.in.gov

- **Ord 07-05** To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” - Re: Amending Provisions Regarding Stop Intersections, Limited Parking Zones, Parking Garage and Lot Permits
Contact: James McNamara at 349-3406 r mcnamarj@bloomington.in.gov
- **App Ord 07-03** To Specially Appropriate from the Parking Enforcement Fund Expenditures Not Otherwise Appropriated (Transferring Funds within and Taking Additional Funds from the Parking Enforcement Fund for a Management Contract, Equipment and Signage for the Downtown Garages)
Contact: Susan Clark at 349-3416 or clarks@bloomington.in.gov
- **Ord 07-07** To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles And Traffic” – Re: Provisions Regarding Stop Signs, Speed Limits, Various Parking Restrictions, and Pedestrian Crossings
Contact: Justin Wykoff at 349-3593 or wykoffj@bloomington.in.gov

Please see the Legislative Packet issued for the [20 June 2007](#) Committee of the Whole for legislation, summary, and background material.

Legislation and Background Material for First Reading:

- **Ord 07-13** To Amend the Bloomington Zoning Maps from RE to Planned Unit Development (PUD) and to Amend the Preliminary Plan for the Meadowood/Jill's House PUD - Re: 800 E. Tamarack Trail (Meadowood Retirement Community)
 - Certification (7 – 0); Map of Surrounding Uses and Aerial Photo of Area; Memo from Pat Shay, Development Review Manager; Petitioner Statement; Site Plan; Grading Plan; Staff Report for June 4, 2007 Planning Commission; Environmental Report*Contact: Pat Shay at 349-3524 or shayp@bloomington.in.gov*

Minutes from Regular Session:

May 2, 2007

Memo

Two Meetings on July 11th With Six Ordinances Ready for Final Action and One Ready for Introduction at the Regular Session and One Ready for Discussion at the Committee of the Whole

The Council is entering the July schedule which, due to the July 4th holiday and end-of-the-month departmental budget hearings, entails a Regular Session immediately followed by a Committee of the Whole on both July 11th and 18th. There are six ordinances ready for final action at the Regular Session next Wednesday, which all can be found in the 20 June 2007 Legislative Packet. Please note that there were some questions raised by members of the Council which are noted below and which staff will answer by that evening. After wrapping up those items, an ordinance amending the Meadowood/Jill's House PUD will be introduced at the Regular Session and discussed at the Committee of the Whole next week. The materials for this ordinance are included herein.

Disclosure of Potential Conflict of Interest for Councilmember Wisler

Councilmember Wisler will be submitting a Disclosure of a Conflict of Interest form for Council acceptance next Wednesday during the Reports from Council members. It says that he will be acquiring a minority interest in property that will include 702 North Rogers and/or nearby parcels and foresees that other representatives for the property will approach various City offices regarding a high tech, office and retail project they have in mind for the site. This disclosure insulates him from certain liabilities and is intended to alert the public that discussions with the City regarding this project will likely occur and that decisions may be made by City representatives that may constitute transactions covered by the disclosure statutes (I.C. 35-44-1-3). It is also intended assure the public that Councilmember Wisler is aware of his obligations as an elected official of the City and will not use his position as a member of the Council to influence any decisions made by the City in regard to that project. The disclosure also mentions that further disclosures may be filed in the future in order to avoid the appearance of impropriety. It will be available for public inspection and, once acted upon by the Council, will be forwarded to the Indiana State Board of Accounts and the Monroe County Clerk.

Reports from the Mayor – United States Postal Service (USPS) Public Hearing

Danise Alano, Director of Economic Development, has provided a notice of a short public hearing the USPS will hold during “Reports from the Mayor” next Wednesday. Jim Mennel, newly-appointed Postmaster for Bloomington, and Richard Drury, real estate agent for the USPS, will be there to initiate the public process for the site selection and relocation of the downtown post office, which will lose its lease on East 4th Street in March of 2009. While the USPS has expressed a desire for a “centrally located” site, its size will affect the availability of sites. In this case, the size has increased from 1.5 acres (for just retail activities) to 4.5 - 5 acres (for retail as well as the carrier distribution operations), which will make it difficult to find a home in the downtown area. The USPS is seeking input to relay to its Great Lakes regional office in Chicago, which typically makes a decision within 120 days.

Questions from the Committee of the Whole

- **App Ord 07-02 Appropriation of \$2.2 Million from Numerous Funds**

Sabbagh: Wishes to Divide the Question in order for a separate vote be taken on the Downtown Specialist given the on-going nature of this cost. I will prepare the necessary documents for the Council to consider Wednesday night.

- **App Ord 07-03 Appropriation from Parking Enforcement Fund – Management of Garages**

Wisler: What are the capital and operating costs associated with owning and managing the City garages?

Clark: Will e-mail information.

Wisler: Will the operating costs for the management of the garages be covered by revenues?

Clark: Will estimate costs under proposed contract.

Ruff: Whether the payment structure REI will receive under the City’s contract is similar to the payment structure (incentives) it receives under contracts for the management of garages in other cities?

Ruff: Are there examples in other cities where large permit holders such as CFC have some sort of a guarantee in the contract that they will get their spots? What are the assurances?

- **Ord 07-07 Amending Title 15 (Vehicles and Traffic)**

There were numerous abstentions and many questions about the proposal to impose a 160 foot no parking zone on both sides of Maxwell Street just south of Hillside Drive.

I spoke with Justin Wykoff who tells me that he has spoken with Tim Hansen (who addressed the Council last week) and another neighbor (Pam White) and will propose:

- leaving the ordinance as it is,
- painting a lane marker in the street, and
- imposing a 90-day order to add one more parking space on the east side of the Maxwell Street just north of the second driveway south of Hillside. This change would return one of the three parking spaces lost by the ordinance.

Please let me know if you have any questions or want to offer something different.

First Readings

Item One – Ord 07-13 – Amending the Zoning Maps to Expand the Meadowood /Jill’s House Planned Unit Development and Modify its Preliminary Plan

Ord 07-13 would expand the Meadowood / Jill’s House PUD by about six acres and would amend the Preliminary Plan by relocating and redesigning the Assisted Care Living Facility (ACLF) and by altering a condition regarding access to and from the site by construction traffic. The following summary was derived from the memo and background material provided by Pat Shay, Senior Zoning Planner, as well as other material kept by the Council Office regarding the initial approval of this PUD.

History

As you may recall, the City approved the Meadowood / Jill's House PUD in October of last year with the adoption of Ord 06-19, which can be seen, along with the summary and background materials, in the [6 October 2006](#) Legislative Packet. This PUD currently occupies a 10.6 acres strip of land along Tamarack Trail, which connects Meadowood to North Dunn Street, and includes the second house north of Tamarack Trail on North Dunn. It allowed for the construction of a 20-bed temporary residential facility related to the Midwest Proton Radiation Therapy Institute (MPRI) known as Jill's House (please note that the Plan Commission authorized an increase to 25 beds) and nine garden homes on the north side and a 60-bed Assisted Care Living Facility (ACLF) on the south side of Tamarack Trail. The conditions of approval primarily dealt with minimizing the effect of this development on the Griffy Lake Watershed, but also addressed neighborhood concerns, provided for setbacks and side paths, and dedicated right-of-ways.

Proposed Changes

After previous efforts, the Petitioner was finally able to acquire the 6 acre parcel on the south side of Tamarack Trail. This parcel includes a house, which is in poor condition, and "moderately sloping land with two high points and two low areas" with "overgrown bushy areas and a younger tree canopy cover(ing) the site." This acquisition will now help the petitioner avoid moving a private sanitary sewer force main, which serves the IU Cyclotron and runs under the current site for the facility. It will also allow the petitioner to relocate the ACLF further south onto higher and flatter ground (away from an environmentally-sensitive area).

Single Family Home at 2500 North Dunn

The single-family house at the corner of North Dunn will be subdivided into a 1.8 acre lot and will either be renovated or removed to make way for another home.

Assisted Care Living Facility (ACLF)

The Petitioner is requesting the following changes to the PUD regarding the ACLF:

- move the ACLF away from the sanitary sewer line to higher, flatter ground further south and east of its original location, which will also allow for better separation between the pedestrian path and Tamarack Trail;
- redesign the building so that it will have better "articulation" (visual interest), one less floor (now 3 floors), and which will meet Leadership in Energy and

Environmental Design (LEED) silver certification standards (These standards will entail the use of natural materials, passive and solar energy, and partial use of green roofs, along with other energy efficient measures.) ;

- install surface parking along all but the south side of the building, rather than use underground parking, which will increase the area disturbed by construction;
- add 3.82 acres of undisturbed land to conservation easement areas; and
- add a 4-way stop at the primary intersection with Tamarack Trail and redirect access for delivery vehicles so that they enter and leave further from the single-family homes in the area.

Conditions of Approval

The petitioner also proposes changing one of the Conditions of Approval which required all construction traffic to access the site via Milo B. Sampson Lane rather than Tamarack Trail. It turns out that Indiana University owns Milo B. Sampson Lane and had concerns about its use by construction traffic and the lack of safe access unto the SR 45-46 Bypass. A compromise was obtained whereby the larger trucks will use Milo B. Sampson Lane subject to certain limitations and the smaller vehicles will use Tamarack Trail.

Environmental Commission Report

The Environmental Commission had “no outstanding environmental issues with the latest site plans” and was “very pleased” with the commitment to obtain a LEED silver certification for the facility.

Recommendation

The Commission heard this proposal at one meeting on June 4th and voted 7 - 0 to recommend approval by the Common Council with the following five conditions:

- all terms and conditions of the original PUD shall remain in effect unless specifically amended by this petition;
- petitioner must design the building to meet a silver level LEED certification and must demonstrate proof of application for this certification as a condition for receiving a building permit approval;
- petitioner or successor must dedicate 27.5 feet of right-of-way from the centerline of North Dunn and construct an 8 foot side path at the time of the subdivision or future final plans regarding the single-family house;

- Construction must comply with the following restrictions:
 - All delivery and large construction vehicles must use Milo P. Sampson Lane;
 - All trips exiting onto SR 45/46 must use a flagman, only turn left, not occur between 4:00 p.m. and 6:00 p.m., and to the extent possible, be combined to minimize interruptions;
 - No trips shall occur on days of IU football games; and
 - Petitioner must repair any damage to Milo P. Sampson Lane caused by the construction traffic generated by this project.

- Staff will review the final plan for the ACLF and any construction on the site of the single family home.

**NOTICE AND AGENDA FOR
BLOOMINGTON COMMON COUNCIL
REGULAR SESSION & COMMITTEE OF THE WHOLE
7:30 P.M., WEDNESDAY, JULY 11, 2007
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 NORTH MORTON**

REGULAR SESSION

- I. ROLL CALL**
- II. AGENDA SUMMATION**
- III. APPROVAL OF MINUTES FOR:** May 2, 2007 (Regular Session)
- IV. REPORTS FROM:**
 - 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 07-12 To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” – Re: Establishing a New Zone 10 Residential Neighborhood Permit Parking Zone for the Near West Side with Additional Two-Hour Parking Limits

Committee Recommendation: Do Pass 7 – 0 – 1

2. Ordinance 07-14 To Amend Ordinance 06-14 Which Fixed 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 2007 – Re: Position in the Public Works Department

Committee Recommendation: Do Pass 7 – 0 – 2

3. Appropriation Ordinance 07-02 To Specially Appropriate from the General Fund, Special Non-Reverting Improvement Fund, Alternative Transportation Fund, Local Road & Street Fund, Cumulative Capital Development Fund, Cumulative Capital Improvement – Rate Fund And Parks Acquisition Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the General Fund for Animal Care & Control, City Clerk’s Office, Community & Family Resources, Controller’s Office, Fire, Police and Public Works; Appropriating Funds from the Special Non-Reverting Improvement Fund, Alternative Transportation Fund, Local Road & Street Fund, Cumulative Capital Development Fund, Cumulative Capital Improvement – Rate Fund and Parks Acquisition Fund)

Committee Recommendation: Do Pass 7 – 0 – 2

4. Ordinance 07-05 To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” – Re: Amending Provisions Regarding Stop Intersections, Limited Parking Zones, Parking Garage and Lot Permits

Committee Recommendation: Do Pass 7 – 0 – 1

5. Appropriation Ordinance 07-03 To Specially Appropriate from the Parking Enforcement Fund Expenditures Not Otherwise Appropriated (Transferring Funds Within and Taking Additional Funds from the Parking Enforcement Fund for a Management Contract, Equipment and Signage for the Downtown Garages)

Committee Recommendation: Do Pass 6 – 0 – 2

6. Ordinance 07-07 To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” – Re: Amending Provisions Regarding Stop Signs, Speed Limits, Various Parking Restrictions, and Pedestrian Crossings

Regular Session	March 21, 2007	Acceptance of Withdrawal	9-0-0
Regular Session	June 20, 2007	Reintroduced	9-0-0
Committee of the Whole	June 27, 2007	Do Pass	2-0-6

(Continued)

VII. LEGISLATION FOR FIRST READING

1. Ordinance 07-13 To Amend the Bloomington Zoning Maps From Re To Planned Unit Development (PUD) and to Amend The Preliminary Plan for the Meadowood/Jill's House PUD – Re: 800 E. Tamarack Trail (Meadowood Retirement Community)

VIII. PRIVILEGE OF THE FLOOR

IX. ADJOURNMENT

(and immediately reconvene for)

COMMITTEE OF THE WHOLE

Chair: Susan Sandberg

1. Ordinance 07-13 To Amend the Bloomington Zoning Maps From Re To Planned Unit Development (PUD) and to Amend The Preliminary Plan for the Meadowood/Jill's House PUD – Re: 800 E. Tamarack Trail (Meadowood Retirement Community)

Asked to Attend: Patrick Shay, Development Review Manager
Representative of Petitioner

City of
Bloomington
Indiana

City Hall
401 N. Morton St.
Post Office Box 100
Bloomington, Indiana 47402



Office of the Common Council
(p:) 812.349.3409
(f:) 812. 349.3570
council@bloomington.in.gov
www.bloomington.in.gov/council

To: Council Members
From: Council Office
Re: Calendar for the Week of July 9-14, 2007

Monday, July 9, 2007

8:30 am Emergency Management Coordination Board, McCloskey
4:30 pm Plat Committee, Hooker Room
5:00 pm Utilities Service Board, Board Room, Utilities Service Building, 600 E. Miller Dr.
5:30 pm Plan Commission, Council Chambers
5:30 pm Bloomington Public Transportation Corporation, Transportation Center, 130 W. Grimes Lane

Tuesday, July 10, 2007

12:00 pm Safe Routes to School presented by the *Institute of Transportation Engineers*: Overview of Safe Routes to School, Council Chambers
5:30 pm Bloomington Community Arts Commission, Kelly
6:00 pm Bloomington Commission on Sustainability, McCloskey
7:30 pm Telecommunications Council, Council Chambers

Wednesday, July 11, 2007

9:30 am Emergency Management Meeting, Council Chambers
11:30 am Bloomington Urban Enterprise Association, McCloskey
12:00 pm Safe Routes to School presented by the *Institute of Transportation Engineers*: Identifying Barriers and Engineering Solutions for Safe Routes to School, Council Chambers
2:00 pm Hearing Officer, Kelly
4:00 pm Bloomington Housing Quality Appeals, McCloskey
4:15 pm Commission on the Status of Black Males, Hooker Room
7:30 pm Common Council Regular Session immediately followed by Committee of the Whole, Council Chambers

Thursday, July 12, 2007

12:00 pm Housing Network, McCloskey
12:00 pm Safe Routes to School presented by the *Institute of Transportation Engineers*: School Area Traffic Controls, Council Chambers
3:30 pm Bloomington Historic Preservation Commission, McCloskey
4:00 pm Bloomington Municipal Facilities Corporation, Dunlap
4:00 pm Bloomington Digital Underground, Kelly
5:30 pm Fifth Street Homeowners Drainage Meeting, Council Chambers

Friday, July 13, 2007

No meetings are scheduled for this date.

Saturday, July 14, 2007

8:00 am Bloomington Community Farmers' Market & A Fair of the Arts, Showers Common

**NOTICE OF SCHEDULE
FOR BUDGET-RELATED HEARINGS AND
OTHER REGULARLY SCHEDULED MEETINGS OF THE COMMON COUNCIL
TO BE HELD IN JULY, AUGUST & EARLY SEPTEMBER OF 2007
Departmental Budget Hearings (6:00 pm) and Regular Meetings (7:30 pm)
in the City Council Chambers (Room 115)
Showers Center - 401 North Morton Street**

July

Wednesday, July 4, 2007 - No Meeting - July 4th Holiday

Wednesday, July 11, 2007 Presiding: Rollo 7:30 pm

Common Council Regular Session

(Immediately Followed By)

Chair: Sandberg

Common Council Committee of the Whole

Wednesday, July 18, 2007 Presiding Rollo 7:30 pm

Common Council Regular Session

(Immediately Followed By)

Chair: Sturbaum

Common Council Committee of the Whole

Monday, July 23, 2007 Chair: Volan 6:00 pm

Departmental Hearings

Overview

Compensation and Health Insurance

Employee Services

Legal *(Includes Risk Management, Human Rights, and Board of Public Safety as Programs)*

Information and Technology Services

Telecommunications

City Council

City Clerk

Controller *(Includes Bonds and Leases)*

Office of the Mayor

Tuesday, July 24, 2007 Chair: Wisler 6:00 pm

Departmental Hearings

Police Department

Police Pension

Fire Department

Fire Pension

Public Transit

Utilities

Wednesday, July 25, 2007 Chair: Diekhoff 6:00 pm

Departmental Hearings *(Note: There will not be a Committee of the Whole this evening.)*

Planning

Housing and Neighborhood Development

Community and Family Resources

Parks and Recreation

Thursday, July 26, 2007 Chair: Mayer 6:00 pm

Departmental Hearings

Public Works

Public Works General

Engineering

Street

Sanitation (and Recycling)

Fleet Maintenance

Animal Control

Traffic Control

Parking Enforcement

August

Wednesday, August 1, 2007 Presiding: Rollo 7:30 pm

Common Council Regular Session

(Council August Recess Begins After August 1st Meeting and Ends September 5, 2007)

September

Wednesday, September 5, 2007 Presiding: Rollo 7:30 p.m.

Common Council Regular Session

Introduction of Budget Related Ordinances

(Immediately Followed By)

Chair: Ruff

Common Council Committee of the Whole

Discussion of Budget Related Ordinances

Wednesday, September 12, 2007 Presiding: Rollo 7:30 p.m.

Common Council Special Session

Final Action on Budget Related Ordinances

(Immediately Followed By)

Chair: Sabbagh

Common Council Committee of the Whole

(Council intends to meet on the remaining Wednesdays in September according to its posted annual schedule.)

This statement is provided in accordance with the Indiana Open Door Law and gives notice that these meetings will occur and are open for the public to attend, observe and record what transpires.

Dated and Posted: July 6, 2007

REPORTS FROM THE MAYOR

NOTICE PUBLIC INVITED

THE U.S. POSTAL SERVICE WILL BE ON THE AGENDA FOR THE NEXT BLOOMINGTON CITY COUNCIL MEETING. THE PURPOSE OF THIS IS TO INFORM OUR POSTAL CUSTOMERS OF THE NEED TO REPLACE THE EXISTING BLOOMINGTON, INDIANA MAIN POST OFFICE. THE MEETING IS ALSO TO SOLICIT PUBLIC COMMENT CONCERNING THE PROPOSED ACTION.

THE MEETING WILL BE HELD IN THE BLOOMINGTON CITY COUNCIL CHAMBERS AT 7.30 P. M. ON WEDNESDAY, JULY 11, 2008. THE CITY OFFICES ARE LOCATED AT 401 N MARTON ST, BLOOMINGTON, IN.

Please contact Richard Drury at 972-740-1872, FAX 972-223-6728 or mail to 912 Hunters Creek Dr Desoto, TX75115-4711 with your comments.

Great Lakes Facilities Service Office
Bloomington, IL 60117-7000
(630) 295-6278
Fax: (630) 295-6262

From: Alano, Danise

Sent: Thursday, July 05, 2007 2:58 PM

To: Rhoads, Stacy; Sherman, Dan

Cc: Desmond, Josh; Heslin, Maria; Kruzan, Mark; McNamara, James; Micuda, Tom; Roach, James; Robling, Kevin; Shay, Patrick; Wason, Adam

Subject: Reports from the Mayor July 11

Attachments: AdMeetingBloomington.rtf

As most of you know, the U.S. Postal Service leases its downtown (Fourth Street) location from the First United Methodist Church. This lease expires March 2009 and although it's not clear what the property's future use will be, it is clear that the lease with USPS will not be renewed. Therefore, USPS will be seeking a new site to relocate the downtown postal services. The USPS has a federally mandated public process for site selection and relocation. Its 10-15 minutes on the July 11 agenda is the initiation of that public process.

At the meeting, we can expect that the real estate agent for USPS, Richard Drury, will explain the public input process as well as the process by which sites can be submitted for consideration by USPS. It is my understanding that the following steps for USPS will be to receive those site offers; receive public comment on the site offers received; make a site selection; and finally receive public comment on that selection. In Mr. Drury's prior experience with post office site selections, 120 days has been allotted to complete this process.

The City is eager to see USPS maintain a commitment to a downtown post office. The USPS has indicated it also wishes to be centrally located to ensure efficiency of carrier routes and to serve the city's population. In addition, it is vital to businesses that the downtown location continues to have available post office boxes. Housing 2,000 mailboxes requires additional interior square footage for the post office and increases their land acquisition costs for a retail operation.

Note, however, that the City, USPS, citizens and businesses each may define "centrally located" differently. When USPS representatives met with Mayor Kruzan in December 2006, they indicated they were looking for approximately 1 to 1.5 acres of land on which to move their retail operation. City Planning staff conducted some research regarding potential parcels and in January Tom Micuda and I presented a list of nearly a dozen possible sites to the USPS real estate agent and to then-Acting Postmaster Jim Mennel. Some of these properties were on the market; others fit the USPS parameters but the availability of the property was unknown. These properties were located within the North-South boundaries of 11th Street to 2nd Street, and within the East-West boundaries of Indiana Avenue to Rogers Street. We provided known contact information to the USPS for those properties.

Soon after providing that information, the USPS determined it more feasible to consolidate the relocation and move both the retail operation and the carrier/distribution operations to the same facility rather than to separate the operations. Thus, they are now looking for a site with approximately 4.5 to 5 acres of available land and are looking within these boundaries:

- North to South: 45/46 Bypass to Winslow/Tapp/Country Club
- East to West: Indiana Avenue to Weimer Road.

Although this area encompasses a majority of the core downtown business district, it also extends well beyond downtown.

Last week, Bloomington Postmaster (now officially appointed) Jim Mennel, joined me in meeting with representatives of the Greater Bloomington Chamber of Commerce, Downtown Bloomington, Inc. and Representative Baron Hill's office, in order to provide the above status update. We reiterated to Postmaster Mennel the importance of a downtown post office to the community. He assured us he

shared the same desire to maintain a central location in order to best serve his customers. Also, he is eager to convey the community's input to those in the Great Lakes regional office of USPS, but we must be aware that the final decision-making authority for the site selection rests with that office and not with Postmaster Mennel.

I hope the above provides you with context for the USPS presentation on July 11. Please do not hesitate to contact me with any questions.

Danise C. Alano
Director of Economic Development
Office of the Mayor, City of Bloomington
401 N. Morton St., PO Box 100
Bloomington, IN 47402-0100
V: 812.349.3477 F: 812.349.3455
E: alanod@bloomington.in.gov
W: <http://www.bloomington.in.gov>

From: Richard Drury [mailto:richard_drury@sbcglobal.net]
Sent: Tuesday, July 03, 2007 7:53 AM
To: Alano, Danise; Jim - Indianapolis IN Mennel
Cc: BRADFORD MEADOR; Bryant J - Chicago IL Schroeder
Subject: Bloomington, IN - Public Notice

Please post the attached notice on your public bulletin board.

Thank you.

Rich

LEGISLATIVE ITEMS

ORDINANCE 07-13

**TO AMEND THE BLOOMINGTON ZONING MAPS FROM RE
TO PLANNED UNIT DEVELOPMENT (PUD)
AND TO AMEND THE PRELIMINARY PLAN FOR THE
MEADOWOOD/JILL'S HOUSE PUD
- RE: 800 E. Tamarack Trail
(Meadowood Retirement Community)**

WHEREAS, Ordinance 06-24, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled, "Zoning", including the incorporated zoning maps, and incorporated Title 19 of the Bloomington Municipal Code, entitled "Subdivisions", went into effect on February 12, 2007; and

WHEREAS, the Plan Commission has considered this case, PUD-19-07, and recommended that the petitioner, Meadowood Retirement Community, be granted an expansion of the Meadowood/Jill's House Planned Unit Development (PUD) to include 800 E. Tamarack Trail as well as an amendment to the Preliminary Plan. The Plan Commission thereby requests that the Common Council consider this petition;

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

SECTION I. Through the authority of IC 36-7-4 and pursuant to Chapter 20.04 of the Bloomington Municipal Code, the approximately six acres of property located at 800 E. Tamarack Trail be rezoned from Residential Estate (RE) to Planned Unit Development (PUD) and become a part of the Meadowood/Jill's House Planned Unit Development (PUD) and that the Preliminary Plan for that PUD be amended. The property is further described as follows:

Lot 1, Lot 2, and Lot 3 of Meadowood Assisted Living Subdivision recorded May 1, 2007 in Plat Cabinet D, Envelope 65, office of the Recorder, and Lot 4 of North Dunn Addition recorded August 8, 1945 in Plat Cabinet B, Envelope 51 (formerly Plat Book 3, Page 83A), office of the Recorder, Monroe County, Indiana, more particularly described as follows:

Beginning at the northeast corner of said Lot 3 in Meadowood Assisted Living Subdivision; Thence on the east lines of said Lot 3 and said Lot 4 of North Dunn Addition South 00 degrees 16 minutes 33 seconds West 594.00 feet to the southeast corner of said Lot 4; Thence on the south line of said Lot 4 North 87 degrees 53 minutes 28 seconds West 1314.00 feet to the southwest corner of said Lot 4; Thence on the west line of said Lot 4 and said Lot 3 of Meadowood Assisted Living Subdivision and on and along the centerline of North Dunn Street North 00 degrees 16 minutes 33 seconds East 248.00 feet to the west northwest corner of said Lot 3; Thence leaving North Dunn Street and on a north line of said Lot 3 South 87 degrees 52 minutes 48 seconds East 389.65 feet to the southwest corner of said Lot 2; Thence leaving said north line and on the west line of said Lot 2 North 02 degrees 12 minutes 43 seconds East 148.00 feet to the southeast corner of said Lot 1; Thence leaving said west line and on the south line of said Lot 1 North 87 degrees 53 minutes 28 seconds West 394.65 feet to the southwest corner of said Lot 1; Thence on the west line of said Lot 1 and on and along the centerline of North Dunn Street North 00 degrees 16 minutes 33 seconds East 198.00 feet to the northwest corner of said Lot 1; Thence leaving North Dunn Street and on the north line of said Meadowood Assisted Living subdivision South 87 degrees 53 minutes 28 seconds East 1314.00 feet to the Point of Beginning, containing 16.58 acres, more or less.

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

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2007.

DAVE ROLLO, 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 _____, 2007.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2007.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance rezones approximately 6 acres at 800 E. Tamarack Trail, which is on the south east corner of the intersection of North Dunn and East Tamarack Trail, from Residential Estate (RE) to Planned Unit Development (PUD) and amends a previously approved preliminary plan to expand the PUD, relocate an assisted care living facility, add a single family lot, and revise a previous condition of approval.

****ORDINANCE CERTIFICATION****

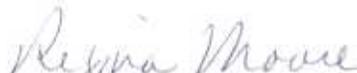
In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 07-13 is a true and complete copy of Plan Commission Case Number PUD-19-07 which was given a recommendation of approval by a vote of 7 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on June 4, 2007

Date: June 11, 2007



 Thomas B. Micuda, Secretary
 Plan Commission

Received by the Common Council Office this 11th day of June, 2007.



 Regina Moore, City Clerk

Appropriation Ordinance # _____	Fiscal Impact Statement Ordinance # _____	Resolution # _____
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Type of Legislation:

Appropriation Budget Transfer Salary Change Zoning Change New Fees	End of Program New Program Bonding Investments Annexation	Penal Ordinance Grant Approval Administrative Change Short-Term Borrowing Other
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If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure _____	Emergency _____
Unforeseen Need _____	Other _____

Funds Affected by Request:

Fund(s) Affected _____	\$ _____	\$ _____
Fund Balance as of January 1 _____	\$ _____	\$ _____
Revenue to Date _____	\$ _____	\$ _____
Revenue Expected for Rest of year _____	\$ _____	\$ _____
Appropriations to Date _____	\$ _____	\$ _____
Unappropriated Balance _____	\$ _____	\$ _____
Effect of Proposed Legislation (+/-) _____	\$ _____	\$ _____
Projected Balance _____	\$ _____	\$ _____

Signature of Controller

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

Yes _____ No _____

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary.)



PUD-19-07 MEADOWOOD RETIREMENT COMMUNITY (ASSISTED CARE FACILITY)
 800 E. TAMARRACK TRAIL
 LOCATION ZONING/LAND USE MAP
 PLAN COMMISSION

By: shayp
 30 May 07

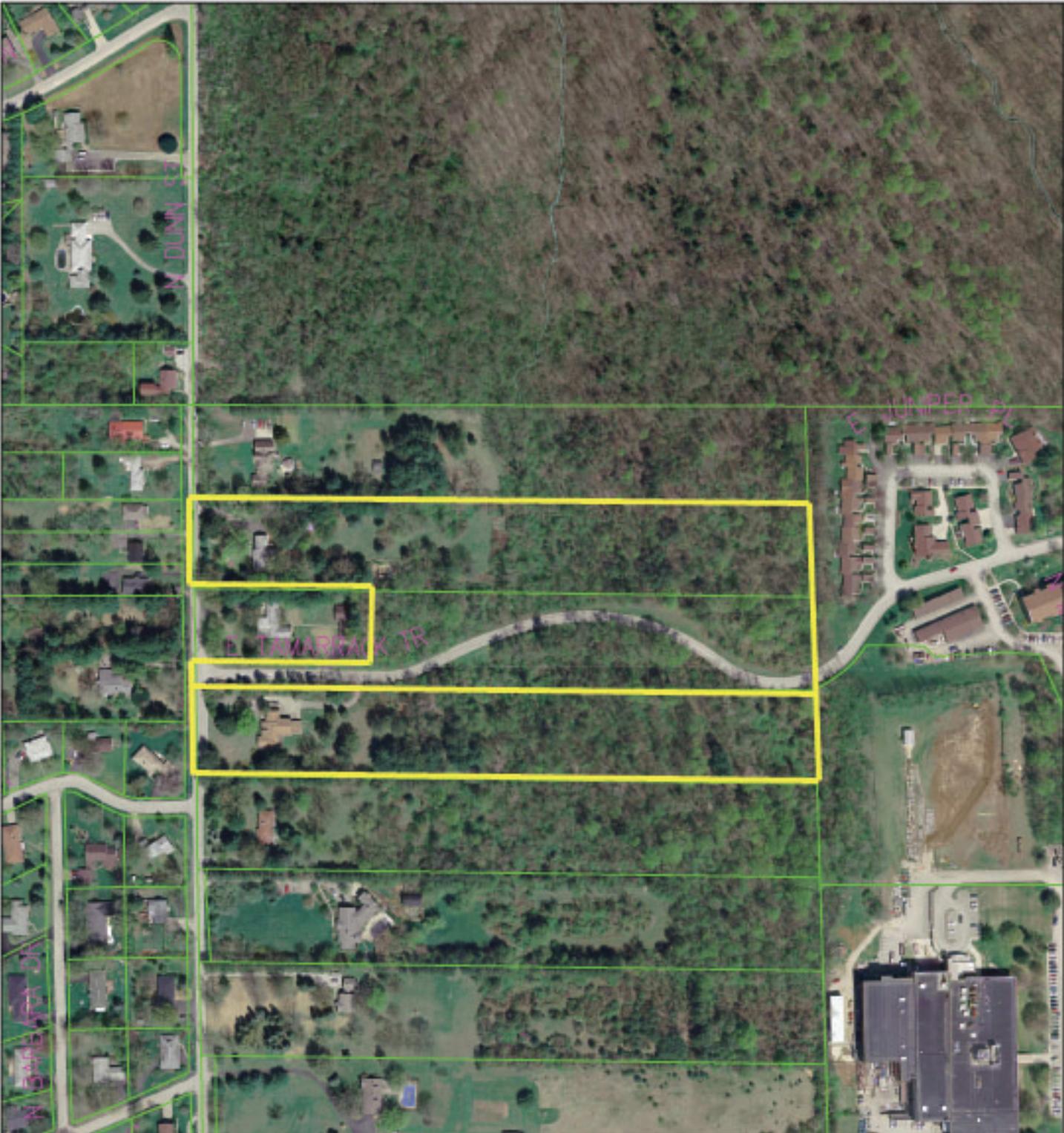


For reference only; map information NOT warranted.

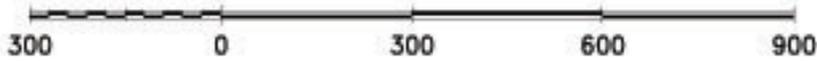
City of Bloomington
 Planning



Scale: 1" = 400'



By: shayp
14 Aug 06



For reference only; map information NOT warranted.



City of Bloomington
Planning



Scale: 1" = 300'

Interdepartmental Memo

To: Members of the Common Council
From: Patrick Shay, AICP, Development Review Manager
Subject: Case # PUD-19-07
Date: June 18, 2007

Attached are the staff report, petitioner's statements, maps, and exhibits which pertain to Plan Commission Case # PUD-19-07. The Plan Commission heard this petition at its June 4, 2007 meeting and voted 7-0 to send this petition to the Common Council with a favorable recommendation.

REQUEST: The petitioners are requesting a preliminary plan amendment to the Meadowood/Jill's House Planned Unit Development (PUD) and a rezone of 6 acres of Residential Estate (RE) land to be added to the Meadowood/Jill's House PUD.

SITE INFO:

Area: 16.8 total acres (6 new)
Current Zoning: RE and PUD
GPP Designation: Public/Semi-Public/Institutional and Conservation Residential
Existing Land Use: Vacant, one single family home
Proposed Land Use: Assisted care living facility
Surrounding Uses: **North** – Single family, Jill's House, and the Griffy Nature Preserve
West – Single family
East – Existing Meadowood Retirement Community
South – Single Family

EXECUTIVE SUMMARY: The petitioner is proposing to add approximately 6 acres to the recently approved Planned Unit Development (PUD) known as the Meadowood/Jill's House PUD (PUD-16-06, Ordinance #06-19). This additional acreage would allow the petitioner to subdivide a parcel for the existing single family home along N. Dunn Street and alter the building design and location of the approved 60-bed assisted care living facility (ACLF). In addition, the petitioner is requesting an amendment to the previously approved condition of approval that required all construction traffic to utilize Milo B. Sampson Lane rather than Dunn St.

The parcel to be rezoned is a 6 acre tract that currently houses a single family home along Dunn St. with existing trees and two drainage ways located to the rear (east) of the property. The house is in very poor condition. The approval would allow for a subdivision that would create a single family lot for the existing home at 2500 N. Dunn St. similar to what was approved for 2620 N. Dunn St.

with the original PUD. With approval of this request, the home would be renovated, if possible, or removed to allow for construction of a new single family home.

The rear of the property would be used to relocate a redesigned ACLF building. The approved design in 2006 limited construction to a smaller area between Tamarack Trail and the new property. The previous design is complicated due to a large sanitary sewer force main that runs through the previously approved building location. This force main is private and services the Cyclotron. This main did not show up on any of the original surveys and makes it very difficult to place the ACLF in this area. To resolve this issue, the petitioner has gained control of the property in question allowing for the amended layout.

The availability of the additional parcel has allowed for more room to construct the building and parking area and has resulted in several proposed changes to the development. These changes are summarized as follows:

- The proposed building has shifted south and east of its original location.
- Underground parking is no longer shown. A single bay of parking now wraps the northern portion of the building.
- The disturbed area has increased by just over an acre due to the provision of surface parking rather than structured parking.
- The building has been moved to higher, flatter ground away from the main drainageway and away from the steeper slopes.
- An additional 3.82 acres of undisturbed land will be placed within conservation easements.
- The petitioner has committed to designing the building to Leadership in Energy and Environmental Design (LEED) certification standards, seeking a Silver designation.
- Additional room is available to create better separation between a new pathway and Tamarack Trail.
- The service area for deliveries to the ACLF has been located on the northeast side of the building, away from the single family homes along N. Dunn St.
- The building has been redesigned with more articulation.
- The number of stories has been reduced from 4 to 3.

The Plan Commission found these changes to allow for a more environmentally friendly project. Although more land will be disturbed, additional land is being placed within conservation easements and the disturbance is occurring in less sensitive areas.

During the initial PUD process, several neighbors raised concerns about potential construction traffic on N. Dunn St. To allay those concerns, the petitioner agreed to a condition of approval to funnel all construction traffic to Milo B. Sampson Lane. After the petition was approved, the petitioner was contacted by Indiana

University regarding this condition. Milo B. Sampson Lane is a private street owned by the University. There are concerns from the University about construction vehicles using a non-signalized intersection to provide access to the SR45/46 Bypass.

With the proposed PUD amendment, staff held discussions with several surrounding neighbors, the University, and the petitioner to find a potential resolution to this issue. Ultimately, the Plan Commission recommended that the agreement be altered to funnel larger trucks toward the Milo B. Sampson Lane and SR45/46 intersection and to allow smaller vehicles to utilize Dunn St. Additional restrictions regarding timing, turning movements, repair, and flagging have also been recommended to reduce the impacts of the development. These restrictions are reflected in the proposed condition of approval #4.

GROWTH POLICIES PLAN ANALYSIS: The Growth Policies Plan (GPP) has designated the existing portion of the PUD as Public/Semi-Public/Institutional and the new portion as Conservation Residential. The intent of the Public/Semi-Public/Institutional area is *“to provide adequate land to support compatible government, non-profit and social service land use activities.”* This designation specifically anticipates uses such as Jill’s House and an ACLF as demonstrated in the Land Use guidance that reads as follows:

The Public/Semi-Public/Institutional designation encompasses properties controlled by public and private institutions and developed for: 1) schools (including Indiana University), 2) **non-profit facilities**, 3) government facilities, and 4) hospitals, medical parks, and **assisted care facilities**.

The GPP also gives guidance for any future Public/Semi-Public/Institutional uses to have adequate public services on site to support the use. This new development will be served by utilities that also serve the existing Meadowood Retirement Community. Other guidance for development in this area include new utilities to be placed underground and new development to be constructed in a manner to *“respect and compliment the existing character of the surrounding land uses.”* Utilities for the proposal will be underground and a large overhead power line will also be relocated underground with this proposal.

The Conservation Residential intent states that *“This category identifies areas possessing special natural environmental characteristics that require careful attention with regard to development proposals”* and that *“Any development in Conservation Residential areas should be low in density and clustered in a manner that protects environmentally sensitive lands and preserves infrastructure capacities.”*

The proposed site plan does seek to cluster development in the least sensitive areas of the 6 acre tract and preserve the more sensitive areas thus fulfilling the site design guidance stating *“dwellings and structures shall be sited so not to*

hinder any environmentally sensitive areas or conditions.” With this petition, approximately 3.8 acres of ground will be placed within conservation easements. This includes steeply sloped areas adjacent to the two drainageways located on this site. The GPP also notes that *“access to property located within these areas should be from existing streets and roads. The development and construction of new public roadways within these areas should be discouraged.”* This development would gain access from the existing private roadway, Tamarack Trail.

The petitioner originally attempted to address other goals of the GPP through the inclusion of design elements such as many of the LEED requirements for construction (partial use of green roofs, natural materials, passive energy, and solar energy). The petitioner is now proposing to design the building as a fully LEED certified building. The Plan Commission found this to be very consistent with many goals of the GPP pertaining to sustainability. Additionally, interior trails, native plantings, redundant water quality measures and Best Management Practices (BMP's) for water quality improvement will also be utilized.

FINAL PLANS: With the proposed amendment, staff would review future final plans for the ACLF structure and any potential reconstruction of the single family home. All other portions of the PUD have received final plan approval.

CONCLUSION: The Plan Commission found that the proposed changes allow for a more environmentally sensitive site design while continuing to maintain the single family nature along Dunn St. The petitioner's commitment to designing a fully LEED certified building is also applauded. Furthermore, the Plan Commission is supportive of the proposed amended construction traffic plan.

RECOMMENDATION: The Plan Commission voted 7:0 to forward this petition to the Common Council with a positive recommendation including the following conditions:

1. Unless specifically amended by this petition, all terms and conditions of PUD-16-06 shall remain in full effect.
2. The building must be designed to a silver level LEED certification. The petitioner must demonstrate that this certification has been applied for as a condition of building permit approval.
3. 27.5 feet of right-of-way dedication from the centerline of N. Dunn Street is required with the future subdivision of the single family home or any future final plans. An 8-foot sidepath must also be constructed on the N. Dunn Street frontage with the subdivision or future final plans.
4. All trips of large construction vehicles must be coordinated to minimize the impacts and disturbance to N. Dunn Street and Milo B. Sampson Lane. More specifically construction traffic for this PUD must comply with the following restrictions:

- All delivery and use of large construction vehicles must utilize Milo B. Sampson Lane.
 - All exiting trips are restricted from making left turning movements onto the SR45/46 Bypass.
 - No trips shall be permitted on days of IU football games.
 - All exiting trips must be restricted from occurring between 4 and 6pm.
 - All exiting trips must utilize flagmen at the intersection of SR45/46 to ensure safe movement.
 - To the maximum extent possible, all exiting trips shall be combined to lessen the number of interruptions to the intersection.
 - Meadowood shall be responsible for repairing any damage occurring to Milo B. Sampson due to construction traffic for this project.
5. The Plan Commission delegates to staff the authority to render final plan approval for both the ACLF as well as any new construction on the single family home site.



BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

May 8, 2007

City of Bloomington Planning Department
And Plan Commission Members
401 N. Morton Street
Bloomington, Indiana 47404

Re: Meadowood Assisted Living
PUD Outline Plan Amendment

Dear Patrick:

On behalf of Meadowood Retirement Community, Bynum Fanyo and Associates, Inc. would respectfully request an amendment to the Meadowood PUD Outline Plan. This amendment of the previously approved PUD consists of adding a six-acre residential lot adjacent south to the property and relocating the assisted living building to promote better use of the land. Along with the Outline Plan request, we respectfully request the subdivision of the six-acre lot to create a single-family lot along Dunn Street to separate the existing single family home on site. This PUD is located at 800 North Dunn Street, adjacent and west of the existing Meadowood Retirement community along Tamarack Trail.

Existing Conditions:

The subject property consists of 7.75 acres resting south of Tamarack Trail. The land consists of moderately sloping land with two high points and two low areas. Overgrown brushy areas and a younger tree canopy cover the site with few larger more mature trees scattered throughout. There is currently a single family home on site along Dunn Street that will remain and be subdivided off on a 1.8 acre lot. All private utilities are, or soon will be, readily available along the adjacent Tamarack Trail. The property does lie within the upper limits of the Lake Griffy Watershed, but does not contain any environmentally sensitive areas such as sinkholes, natural springs or caves. Meadowood Retirement Community has been in operation since 1980 and has been owned and operated by Bob and Don Wheeler since 1990.

Purpose:

Three factors have led to the request of this amendment. First, during the approval process for this PUD, there was a strong attempt to purchase the land south of the project, lot 4 of Dunn Street Subdivision. It was explained at that point in time that lot 4 could not be subdivided further as residential lots under the current City of Bloomington municipal code, and that the land would be best used to support a strong layout for the Meadowood Community. Unfortunately, the owner was unwilling to sell. He had hopes of developing his land further

without adequate right of way frontage. Due to the immediate need for Jill's House and the assisted living accommodations at Meadowood, the petitioner decided to proceed with the property that was currently owned. Since the time of the successful PUD approval in October, the owner of the adjacent land has offered to sell his property to Meadowood. The petitioner has always recognized this additional land as crucial for the best functionality of the Assisted Living aspect of Meadowood. If this land was available at the time of the Jill's House development, it would have been included in our outline plan.

Secondly, since the approval of the PUD Outline plan and the progression of the development plan for the assisted living building, it has been discovered that a privately owned sanitary force main exists along the southern portion of the petition site. This line lies within a recorded easement deeded to Indiana University, but was cross referenced incorrectly and not discovered initially. This force main further complicated the character and functionality of the new assisted living building. The best scenario proved to move the location of the proposed building without relocating the force main, which services the Cyclotron.

Thirdly, the location of the approved building was in a low-lying area that was least desired by the Environmental Committee with regards to protecting Lake Griffy. Proper engineering techniques were implemented to protect the lake even with the building in the low areas, but the best result will be to stay out of the areas and slopes completely. This new layout will achieve these goals by placing the building and parking on the high, less sensitive ground on the southern property furthest from the lake. This land is also listed as a less sensitive area according to an environmental study taken in the Bloomington Area.

Proposal:

Building Use:

This development will bring forth the construction of a sixty (60) bed assisted care facility for Meadowood. The first floor of the proposed facility will be utilized for common area and facilities for the tenants such as dining areas, a kitchen, social areas, etc. as well as some live in rooms. The second and third floors will consist of residential living space. The building is proposed to be three stories tall and contains approximately 25,000 sq. ft. of floor area on each floor. We are pleased to announce that this building will be a full LEED certified building. The silver designation is being sought.

Infrastructure:

The main entrance of this development will intersect Tamarack Trail across from the proposed Garden Homes to the north at a four-way stop intersection. This drive will be 24' wide and support 31 residential surface parking spaces and two drop off areas to the west and north of the proposed building. A second access point exists along the east end of Tamarack trail with adequate site distance and a 32' road cut width to accommodate delivery trucks. This access provides a delivery area to the northeast corner of the building, dumpster access and 10 employee surface parking spaces. Fire access is provided with drives to both ends of the building as well as a sidewalk to the rear of the building.

Potable water service will be provided with the extension of an 8" public water main located along Tamarack Trail and serviced by City of Bloomington Utility Department. Fire hydrants will be provided along Tamarack Trail to provide fire protection to the proposed buildings. A master meter and fire suppression pit will be supplied to the north end of the building, which will also be sprinkled.

Sanitary sewer service will be provided to the building via six-inch (6") sanitary sewer lateral running west along Tamarack Trail and ultimately discharging into the proposed lift station to be constructed at Jill's House. This lift station has been previously reviewed and approved by the City of Bloomington Utilities Department and is expected to begin construction in July of this year.

This PUD amendment will incorporate all elements and requirements of the previously approved PUD outline plan and will include the following design principals:

- The two (2) existing ravines onsite have been preserved with no disturbance proposed in either area.
- Approximately 5.16 acres, nearly 66% of the site, will be preserved as undisturbed area.
- Approximately 6.48 acres, nearly 84% of the site, will be preserved as open space.
- Two bioretention ponds will be located downstream of the building to capturing runoff from all of the proposed development. The west side of the site will be collected in the approved pond to the north, adjacent to the proposed Jill's House. The east side of the site will be collected in a new basin east of the assisted living building and employee parking. These ponds will detain all runoff water, cleans it, and discharge it back into the areas where it currently drains.
- Redundant water quality measures and erosion control best management practices (BMP's) will be employed in all development plans, above and beyond that required by IDEM's Rule 5 program, in order to promote preservation of the Lake Griffy Environmental Area.

Contributing Design Concepts:

Many positive factors are gained due to this amendment to the Meadowood PUD:

- The building is proposed as a full certified LEED building, a rare achievement so far in Bloomington, and one that we hope will serve as a key example of an environmentally sensitive building.
- The total acreage and % of undisturbed area has increased from the approved PUD
- The total acreage and % of open space area has increased from the approved PUD.
- The building has moved out of the sensitive low lying areas of the property.
- The new building location minimizes the disturbance to the slopes on the property.
- The Assisted Living building has been moved further from Tamarack Trail, increasing safety of pedestrian travel around the building.

- The addition of the south lot allows the proposed multiuse path to have a common width and tree plot throughout its length as well as eliminate the necessity of retaining walls.
- Moving the building away from the road increases the view entering the Meadowood campus.
- The layout allows for much smoother, efficient and functional delivery and drop off areas for goods and residents of the new facility.
- The new four-way stop will add to traffic calming and pedestrian safety.
- The existing utilities for the Cyclotron do not have to be relocated. They may need to be lowered due to site grading, but the modification should be minimal.

There are many additional design concepts that have been implemented in this PUD to address the environmental sensitivity of the site. The largest design concept proposed is the construction of a LEED certified building. Highlights of the LEED building and campus include the partial use of green roofs, the use of natural materials, utilization of passive energy, incorporation of solar energy, and shielded and pedestrian scale lighting. The second of these concepts was to utilize the existing Tamarack Trail Entry. By utilizing the existing private road the impacts to the existing site due to new road construction are minimized. Thirdly, we have employed the minimization of the building footprint. Instead of the typical one-story construction that spreads out across large amounts of land, a multi-story building is proposed. This reduction of the building footprints limits disturbance and the addition of impervious surfaces, therefore minimizing the increase of storm water runoff. Although this new building and parking layout is larger than the previously approved PUD, we strongly feel the benefits of the buildable area outweigh the increase in disturbance.

The fourth design concept implemented is the placement of the proposed building such that it is on high ground out of the ravine areas limiting the need for large amounts of mass grading to be required. Finally, we have proposed reforestation with native plantings and specimen trees. As part of the future development plan for this site, a landscaping plan will be generated in accordance with the City of Bloomington Municipal Code for review by the City of Bloomington Planning Staff. This plan will include the exclusive use of native species including or similar to the provided list with this petition.

Drainage:

In order to maintain and/or increasing the water quality of the runoff from this site to Lake Griffy, two (2) bioretention facilities are proposed to collect and filter runoff generated by this development. These facilities have been designed to retain and treat the first ½" of runoff from all proposed impervious surfaces. The outlet control structures for these ponds have been designed such that ½" of runoff from all impervious surfaces will be retained in the pond and discharged through perforated under drain filters installed in the bottoms of each pond. This extended detention time will allow suspended solids to settle out of the runoff before being discharged offsite. In addition native plantings are proposed in each pond to help filter and break down pollutants. A typical cross-section of these facilities has been included with this report.

In addition to providing water quality mitigation, the proposed bioretention facilities will provide water quantity mitigation. The outlet structures for the proposed ponds have been designed such

that the post-development site peak runoff rate is less than or equal to the "natural" peak runoff rate. Two (2) ponds are placed on this site in order to maintain the existing flow in the same subwatershed as requested by the environmental commission.

Erosion Control:

Because the site is located in the Lake Griffy watershed, erosion control planning becomes very important. As with all developments of one (1) acre or greater the development plans will be required to obtain a Rule 5 permit. In order to do so minimum erosion control standards must be employed such as the use of silt fencing, stone entrance pads, temporary & permanent seeding, concrete washout areas, inlet protection, temporary sediment basins, storm sewer outlet protection, and post construction water quality treatment. In addition to the minimum requirements for erosion control, redundancy will be built into the erosion control plan in compliance with the watershed overlay district requirements.

Architecture:

The proposed architecture for this project will reflect the architecture of the adjacent Meadowood retirement community. It will employ a mix of architectural detail and materials on each new building. Building materials to be utilized will be a mix of natural stone and cementitious siding. For more information please find attached multiple examples of the proposed architecture for the proposed buildings within the development.

Summary:

In summation the proposed layout will include most of the same restrictions of the previously approved PUD. The benefits of reduced disturbance in the environmentally sensitive areas combined with a full LEED building outweigh the increase in building and surface.

We believe the efforts put forth thus far on this exciting new project will flourish into a successful project that will offer a community exemplifying Bloomington. We are respectfully requesting a waiver from a second hearing with the understanding that the final construction plans will be supplied to the Planning and Engineering Departments during the submittal for the grading permit. If you have further questions regarding this development plan, please do not hesitate to contact me at any time.

Best Regards,



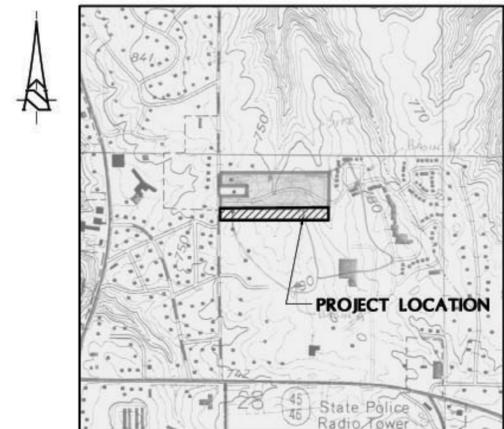
Steven M. Peters
Project Manager
Bynum Fanyo & Associates

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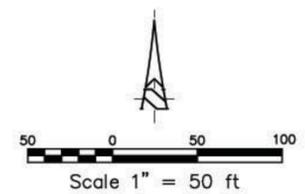
MEADOWOOD ASSISTED LIVING PUD

SITE / LANDSCAPE OUTLINE PLAN

revisions:



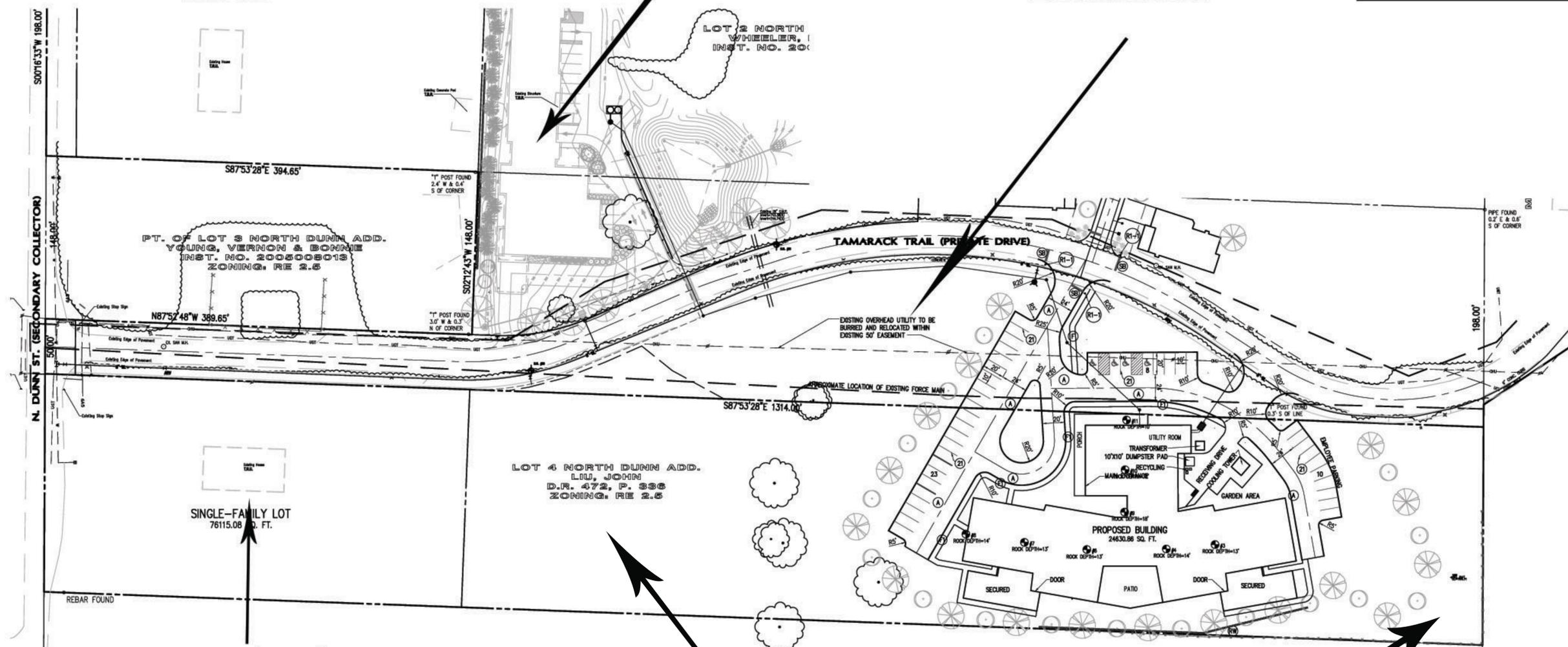
SCALE: 1"=1000'



SITE LEGEND	
(A)	PROPOSED BITUMINOUS PAVING
(C)	PROPOSED CONCRETE PAVING
(ZI)	PROPOSED PAVEMENT MARKING, PAINTED, 4", SOLID, WHITE
(RW)	PROPOSED RETAINING WALL
(XX)	PROPOSED NUMBER OF PARKING SPACES PER LOT
(F)	PROPOSED CONCRETE SIDEWALK
(FI)	PROPOSED MONOLITHIC CURB & SIDEWALK
(SB)	PROPOSED STOP BAR
(RI-1)	PROPOSED STOP SIGN

Jill's House

Previous ACLF Location



New Single Family Lot

Areas of New Conservation Easements

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

BYNUM FANTO & ASSOCIATES, INC.
528 north walnut street
(812) 332-8030

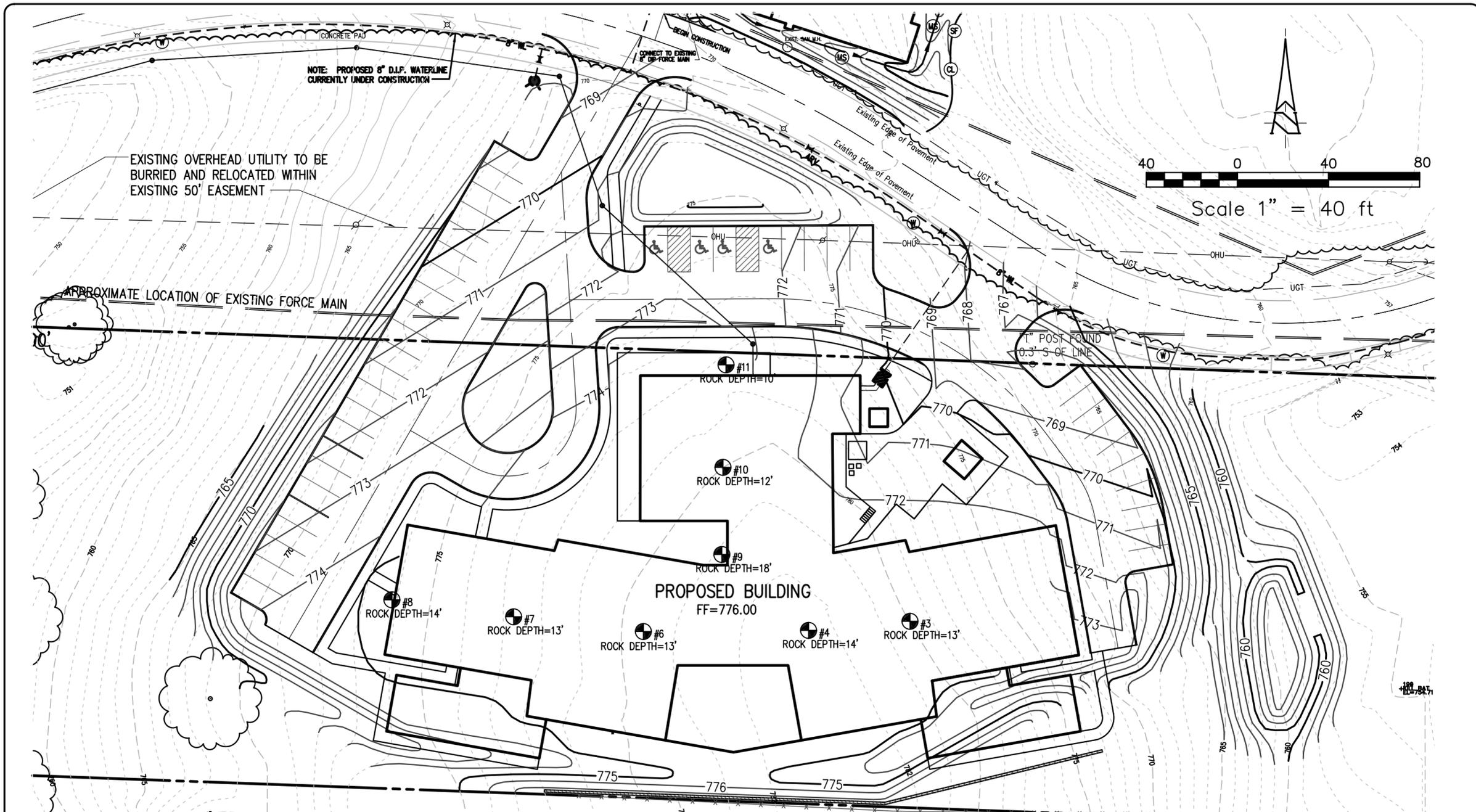
certified by:

Proposed:
MEADOWOOD ASSISTED LIVING BUILDING
800 Tamarack Trail
Bloomington Indiana

title: OUTLINE PLAN

NOTE: CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY INACCURACIES IN LOCATION OR ELEVATION OR ANY CONFLICTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CONFLICTING ELEVATIONS.

designed by:
drawn by:
sheet no:
project no.: 400108



MEADOWOOD ASSISTED LIVING FACILITY
BEDROCK BORING DEPTHS

Date: May 16, 2007

Project No: 400708

BFA
 BYNUM FANYO & ASSOCIATES, INC.
 528 North Walnut Street
 Bloomington, Indiana 47404
 Phone (812)332-8030 Fax (812)339-2990

**BLOOMINGTON PLAN COMMISSION
FIRST HEARING STAFF REPORT
LOCATION: 2520 N. Dunn Street**

**CASE NO: PUD-19-07
DATE: June 4, 2007**

PETITIONER: Meadowood Retirement Community/Jill's House
2455 Tamarack Trail, Bloomington

COUNSEL: Bynum Fanyo and Associates, Inc.
528 N. Walnut St., Bloomington

REQUEST: The petitioners are requesting a preliminary plan amendment to the Meadowood/Jill's House Planned Unit Development (PUD) and a rezone of 6 acres of Residential Estate (RE) land to be added to the Meadowood/Jill's House PUD. A waiver from the second hearing has also been requested.

BACKGROUND:

Area: 7.75 Acres
Current Zoning: RE and PUD
GPP Designation: Public/Semi-Public/Institutional and Conservation Residential
Existing Land Use: Vacant, one single family home
Proposed Land Use: Assisted care living facility
Surrounding Uses:
North – Single family, Jill's House, and the Griffy Nature Preserve
West – Single family
East – Existing Meadowood Retirement Community
South – Single Family

REPORT SUMMARY: The petitioner is proposing to add approximately 6 acres to the recently approved Planned Unit Development (PUD) known as the Meadowood/Jill's House PUD (PUD-16-06). This additional acreage would allow the petitioner to subdivide a parcel for the existing single family home and alter the building design and location of the approved 60-bed assisted care living facility (ACLF). In addition, the petitioner is requesting an amendment to the previously approved condition of approval that required all construction traffic to utilize Milo B. Sampson Lane rather than N. Dunn Street.

The parcel to be rezoned is a 6 acre tract that currently houses a single family home along Dunn St. with existing trees and two drainage ways located to the rear of the property. The house is in very poor condition. The approval would allow for a subdivision that would create a single family lot for the existing home at 2500 N. Dunn St. similar to what was approved for 2620 N. Dunn St. with the previous PUD. With this approval, the home would be renovated if possible or removed to allow for construction of a new single family home.

The rear of the property would be used to relocate a redesigned ACLF building. The approved design in 2006 limited construction to a small area between Tamarack Trail and the new property. The previous design has also been complicated due to the discovery of a large private force main that services the Cyclotron. This main did not show up on any of the original surveys and makes it very difficult to place the ACLF in this area. To resolve this issue, the petitioner has gained control of the property in question allowing for the amended layout.

The availability of the additional parcel has allowed for more room to construct the building and parking area and has resulted in several changes to the impact of the development. These changes are summarized as follows:

- The building has shifted to the south and east of its original location.
- The disturbed area has increased by just over an acre due to the provision of surface parking rather than structured parking.
- The building has been moved to higher, flatter ground away from the main drainageway and off the steeper slopes.
- The underground parking is no longer shown. A single bay of parking now wraps the northern portion of the building.
- An additional 3.82 acres of undisturbed land will be placed within conservation easements.
- The petitioner has committed to designing the building to LEED certification standards, seeking a Silver designation.
- The pathway may be separated from Tamarack Trail.
- The service area for deliveries has been located on the northeast side of the building, away from the single family homes on N. Dunn St.
- The building has been redesigned with more articulation.
- The number of stories has been reduced from 4 to 3.

Staff finds these changes to allow for a more environmentally friendly project. Although more land will be disturbed, additional land is being placed within conservation easements and the disturbance is occurring in less sensitive areas. Staff commends the petitioner for their desire to create a fully LEED certified building.

During the initial PUD process, staff had received several comments of concern from neighbors about potential construction traffic on N. Dunn St. To allay those concerns, the petitioner agreed to funnel all construction traffic to N. Milo B. Sampson Lane. After the petition was approved, the petitioner was contacted by Indiana University regarding this condition. Milo B. Sampson Ln. is a private street owned by the university. There are concerns from the University about construction vehicles using a non-signalized intersection providing access to the SR45/46 Bypass. The petitioner is now attempting to come to an amicable resolution that is acceptable by all parties involved. Options to be discussed at the Plan Commission meeting may include, separation of larger truck traffic from subcontractors, timing of truck traffic, and future road repair.

GROWTH POLICIES PLAN ANALYSIS: The Growth Policies Plan (GPP) has designated the existing portion of the PUD as Public/Semi-Public/Institutional and the new portion as Conservation Residential. The intent of the Public/Semi-Public/Institutional area is *“to provide adequate land to support compatible government, non-profit and social service land use activities.”* This designation specifically anticipates uses such as Jill’s House and an ACLF as demonstrated in the Land Use guidance that reads as follows:

The Public/Semi-Public/Institutional designation encompasses properties controlled by public and private institutions and developed for: 1) schools (including Indiana University), 2) **non-profit facilities**, 3) government facilities, and 4) hospitals, medical parks, and **assisted care facilities**.

The GPP also gives guidance for any future Public/Semi-Public/Institutional uses to have adequate public services on site to support the use. This new development will be served by utilities that also serve the existing Meadowood Retirement Community. Other guidance for development in this area include new utilities to be placed underground and new development to be constructed in a manner to *“respect and compliment the existing character of the surrounding land uses.”* Utilities for the proposal will be underground and a large overhead power line will also be relocated underground with this proposal.

The Conservation Residential intent states that *“This category identifies areas possessing special natural environmental characteristics that require careful attention with regard to development proposals”* and that *“Any development in Conservation Residential areas should be low in density and clustered in a manner that protects environmentally sensitive lands and preserves infrastructure capacities.”*

The proposed site plan does seek to cluster development in the least sensitive areas of the 6 acre tract and preserve the more sensitive areas thus fulfilling the site design guidance stating *“dwellings and structures shall be sited so not to hinder any environmentally sensitive areas or conditions.”* With this petition, approximately 3.8 acres of ground will be placed within conservation easements. This includes steeply sloped areas adjacent to the two drainageways located on this site. The GPP also notes that *“access to property located within these areas should be from existing streets and roads. The development and construction of new public roadways within these areas should be discouraged.”* This development would gain access from the existing private roadway, Tamarack Trail.

The petitioner originally attempted to address other goals of the GPP through the inclusion of design elements such as many of the Leadership in Energy and Environmental Design (LEED) requirements for construction (partial use of green roofs, natural materials, passive energy, and solar energy). The petitioner is now proposing to design the building as a fully LEED certified building. Staff finds this to be very consistent with many goals of the GPP pertaining to sustainability. Additionally, interior

trails, native plantings, redundant water quality measures and Best Management Practices (BMP's) for water quality improvement will also be utilized.

PUD AMENDMENT ISSUES:

Environmental: As previously stated, the petitioner has created a plan that includes more disturbed area, but allows for a more environmentally friendly design, ultimately creating a more beneficial plan for the sensitive Griffy Lake watershed.

EC Report Summary – The Environmental Commission (EC) is very pleased with the proposed amendment and finds it to superior to the former approval.

Pedestrian Facilities: No changes have been proposed to the pedestrian network with the development. Although Tamarack Trail is a private street, the petitioners originally agreed to place an 8-foot sidepath along the south side of the street per recommendation of the Bicycle and Pedestrian Safety Commission. The path will extend from the existing sidewalk for Meadowood west to N. Dunn Street where it will tie into the planned sidepath along N. Dunn Street. Wherever possible, the sidepath was to include a five foot separation from the street. Due to the lack of initial property, a five-foot separation was not entirely possible. The existing street is very close to the property line and did not have adequate room to create the desired separation. The previous approval recommended that staff field verify the location of the path at final plan stage to maximize the separation from Tamarack Trail and that the pathway be able to meander to create the maximum separation while working with the existing grades and specimen trees in the area. With the addition of this parcel, additional separation may now be possible. Street trees may not be feasible between the path and the street due to the potential utility relocation.

To help address additional internal traffic and pedestrian safety, the petitioner has proposed to add a 4-way stop condition to the intersection created by the new entrances for the condos and ACLF with Tamarack Trail. Staff finds this to be a positive change to the proposal.

The additional property will also allow additional alternatives for a golf cart path to take patients from Jill's House to MPRI at a better grade than previously planned. The exact location of this golf cart path will be reviewed with the final plan.

Utilities: Water service is being proposed to connect to existing public and private water mains located adjacent to the site. New fire hydrants will be installed along a new main to provide direct fire protection to the proposed structures.

Sanitary sewer service is proposed to be provided to each building via a low-pressure force system. This system will connect to an existing private sanitary sewer line located just east of the existing Meadowood site. Grinder pumps would be installed within each building and connect to the proposed low-pressure system.

Architecture: The petitioners have agreed to utilize a mixture of stone and cementitious siding for the proposed structures. The ACLF is being designed to compliment the Jill's House structure and to be a LEED certified building. The building will no longer have a lower level garage and will be three stories in height. All lighting was restricted to a maximum of 15 feet in height and will be downlit.

Parking: The petitioner has proposed 41 parking spaces in compliance with their original approval. These spaces are no longer found underneath the building since the structure has been shifted off of the sloped area, making the basement design more difficult. The petitioner has designed the parking lot as a single tier of parking that surrounds the building on three sides, but is not located on the residential side of the property. Therefore, there are less large expanses of asphalt than is normally associated with these types of uses.

Other Development Standards: Most development standards were outlined with previous approvals including the approved plat for the northern portion of this site. Staff recommends that the same standards apply to the new lot and be noted on the future plat in regards to setbacks. This would include a reduced lot area for the single family home as approved with the previous single family home at 2620 N. Dunn St.

Neighborhood Issues: The petitioners made contact with several of the surrounding owners and representatives of neighborhood associations in this area. Very few concerns were raised with the exception of construction traffic and proximity to residential uses.

FINAL PLANS: With the original approval, final plan approval for Jill's House was delegated to staff, while final plans for the condo units and the ACLF were to be approved by the Plan Commission. The final plan for the condos is currently under consideration by the Plan Commission. Very little changed with the condo request between preliminary plan and final plan. If the Plan Commission/Council is in agreement, staff is comfortable with delegation of the final plan for the ACLF to staff level as was done with Jill's House. If the single family home is removed, all new construction shall be approved at staff level as well.

WAIVER OF SECOND HEARING: Because this PUD was originally approved last year, staff is comfortable with having the Plan Commission approve this amendment package with a waiver of second hearing.

DEVELOPER TRACK RECORD: Meadowood has progressively developed the existing retirement community over the last 20-plus years. Staff has not received any complaints nor issued any known violations to the petitioner.

RECOMMENDATION: Staff recommends approval of this preliminary plan amendment with waiver of second hearing and with the following conditions:

1. Unless specifically amended by this petition, all terms and conditions of PUD-16-06 shall remain in full effect.
2. The building must be designed to a silver level LEED certification. The petitioner must demonstrate that this certification has been applied for as a condition of building permit approval.
3. 27.5 feet of right-of-way dedication from the centerline of N. Dunn Street is required with the future subdivision of the single family home or any future final plans. An 8-foot sidepath must also be constructed on the N. Dunn Street frontage with the subdivision or future final plans.

MEMORANDUM

Date: May 29, 2007 for June 4th PC meeting
To: Bloomington Plan Commission
From: Bloomington Environmental Commission
Through: Linda Thompson, Senior Environmental Planner
Subject: PUD-19-07 Meadowood Assisted Living

This memorandum contains the Environmental Commission's (EC) input and recommendations regarding PUD-19-07, Meadowood Assisted Living, preliminary plan amendment to add about six (6) acres to the Meadowood/Jill's House Planned Unit Development, and to rezone the six (6) acre parcel from RE to PUD.

The EC has no outstanding environmental issues with the latest site plans. The EC is very pleased with the following outstanding new sustainable development initiatives presented by the developer at the May, 2007 EC meeting: a commitment to achieving Silver LEED certification for the facility, including installation of a partial vegetated roof; additional conservancy area; and reuse of wood from felled trees on site.

These initiatives are consistent with section 20.05.049 GD-01 of the Unified Development Ordinance (UDO), which recognizes sustainability as a key component of nurturing Bloomington's environmental integrity. The EC commends the petitioner for these initiatives.

In the Council Chambers of the Showers City Hall on Wednesday, May 2, 2007 at 7:30 pm with Council President Dave Rollo presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
May 2, 2007, 2007

Roll Call: Wisler, Diekhoff, Ruff, Sandberg, Rollo, Sturbaum, Volan, Sabbagh, Mayer (left meeting at 8:55 pm).

ROLL CALL

Council President Rollo gave the Agenda Summation

AGENDA SUMMATION

There were no minutes to be approved.

APPROVAL OF MINUTES
REPORTS:
COUNCILMEMBERS

Brad Wisler reminded citizens of the primary election and gave information on voting early.

Steve Volan mused about the prospects of recycling glass bottles in the future. He announced "Dancing with the Celebrities" as a fundraiser for various charities and said he would be participating as a dancer.

Chris Sturbaum talked about issues he had with the 10th and Morton project that would be discussed at the Plan Commission meeting on the following Monday. He noted a student residential development was the first coming to the commission after the new UDO passage. He was concerned about the height of the building as it would tower over the adjacent building and the project would cover an entire city block. He said the project's parking garage vents and doors would be facing a street where pedestrians would be walking so it would not be pedestrian friendly. He said he believed the long term public good should be taken into consideration in this project which would set precedence as to how the Plan Commission interpreted this new ordinance.

Tim Mayer highlighted the Postal Workers food drive and wished them well.

Dave Rollo noted that water bottles presented to the council were from Walnut Grove, a local bottler. He announced Stone Belt's art exhibit in City Hall. The photos portrayed the Mayor and Council members in art. He invited the public to come see those pieces along with others from the Stone Belt artists that were on display in the atrium.

Deputy Mayor James McNamara introduced Jerry Sutherlin of the National Association of Letter Carriers. He read a proclamation by Mayor Kruzan pronouncing May 12, 2007 to be Letter Carriers Community Food Drive Day in Bloomington. The proclamation encouraged citizens to leave food by their mailboxes and contribute to the drive in a friendly competition with the Purdue community. McNamara noted that Liz Feitl was present at the meeting to help Sutherlin promote the drive.

MAYOR and CITY OFFICES

McNamara read another mayoral proclamation recognizing May 1-7, 2007 as "211 Service Awareness Week." The proclamation explained that the 211 Telephone Dialing Option service provides citizens with information about human and social services and will serve as an information and referral service for social service agencies in the county.

McNamara reported on the City's collaboration with Bloom Magazine's "Picture Pawfect" event. He said that 175 dogs attended with their owners to raise awareness and funds (almost \$1000) for the animal shelter and its adoption campaign. He thanked the editor of the magazine Malcolm Abrams and his dog Sophie for help in pulling this event together and added that the picture of participants with their dogs would be featured in the June/July issue of the magazine.

McNamara reported that the Be Beautiful Bloomington campaign, sponsored by the City and the Downtown Bloomington Commission, cleaned up the downtown on May 1, 2007. He thanked the sponsors, participants, and city departments involved. The volunteers picked up 2000 pounds of trash which doubled what was gathered the previous year.

Lastly, McNamara read a proclamation from the Mayor designating May 15, 2007 as Peace Officer's Day and the week of May 13-19, 2007 as Police Week to pay tribute to law enforcement officers. He noted that the Peace Officers Service would take place on May 15th and would honor those police and firefighters who gave their lives in the course of duty.

There were no reports from council committees at this meeting.

COUNCIL COMMITTEES

Gail Merrill, of Water's Edge Drive in Bloomington, spoke as the District 9 leader of the Department of Peace Campaign. She asked that the Council consider a formal endorsement in support of House Resolution 808 that proposed a U.S. cabinet level Department of Peace be established. She said that the work of this department would impact all city residents with its international and domestic work. It would use federal resources in conflict resolution, being a clearing house for best practices in peace building programs, recidivism, domestic abuse, and other types of violence. She said a National Peace Academy would be established to educate emissaries of the concept. Merrill supplied the council with information about the contents of the bill, sponsors of the bill, statistics on violence in the country, and samples of resolutions supporting the bill from other cities.

PUBLIC INPUT

Adrian Ziepol, a 40-year resident of the community, said the Department of Peace and Non-Violence would not change policy, but would indicate to the world that the attainment of peace was important to the people of this country. He urged the council to support this concept with a resolution.

Ingrid Skoog, a Bloomington resident for over 20 years and professional mediator, noted that in addition to Bloomington being "Tree City" she would enjoy Bloomington being known as the "Peace City."

Christy Campbell, a resident of Bloomington and recent SPEA graduate, thanked the council for listening to the presenters and encouraged the council to be a trendsetter in support of a Department of Peace. She said that her previous work with probation and domestic violence gave her insight into the impact of this department's work. She noted also that conflict is bad for the economy and the quality of life of communities.

David Keppel, Bloomington resident, thanked the Council for their work and spoke of the Department of Peace initiative. Recalling that the Department of Defense influenced how the US approached the world and its problems after World War II, he said that a Department of Peace could also influence our country's approach to international relations. He noted the country's mass investment in war drained its financial status, and said that the investment encouraged the psychology of war. Keppel said he wished that the US Congress was as concerned and receptive as the Bloomington City Council.

Isabel Piedmont stated that the Indiana University Board of Trustees would make a decision on outsourcing bookstore services at IU and thanked the council for supporting the staff and employees by opposing the outsourcing services. She noted that cost savings of this outsourcing were to be had at the expense of the workers, their benefits, and the living wages they presently earned. She also noted that the level of

service would not increase, and costs of textbooks and services to students would rise. She urged the public to pay attention to this issue.

PUBLIC INPUT (*cont'd*)

Rollo named Sturbaum, Ruff and Sandberg to the Historic Preservation Interview Committee.

BOARD AND COMMISSION APPOINTMENTS

It was moved and seconded that the Ordinance 07-06 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 9-0-0. It was moved and seconded that Ordinance 07-06 be adopted.

LEGISLATION FOR SECOND READING

Ordinance 07-06 To Amend Title 20 of the Bloomington Municipal Code Entitled "Unified Development Ordinance" – Re: To Correct Drafting Errors With Respect to Allowing Accessory Chicken Flocks in the Residential Core (RC) District; Establishing of Maximum Residential Density in the Business Park (BP) and Medical (MD) Districts, and Identification of Districts in Which Use of Dwelling Unit Equivalents is Permitted

Planning Director Tom Micuda noted that Ordinance 07-06 would correct three minor errors in the Unified Development Ordinance passed last year. The first correction to the UDO would allow accessory chicken flocks in the Residential Core Zoning districts. The second correction would add multifamily density limitations for the Business Park and Medical Zoning districts, and the final correction would revise the definition of Dwelling Unit Equivalent to specify zoning districts where such units would occur. Micuda said that the correction would reward those developers who have lower count units. He stated these were the three amendments for now, but there would be more substantial amendments to come before the end of the year.

Sturbaum noted that these were simple clerical errors which needed to be corrected and that the Council should approve the ordinance.

Rollo asked for public comment. There was none.

Ordinance 07-06 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that the Ordinance 07-09 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 6-0-2. It was moved and seconded that Ordinance 07-09 be adopted.

Ordinance 07-09 To Amend Ordinance 06-14 Which Fixed 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 2007 – Re: Positions in the Community and Family Resources Department, Office of the Mayor, and Parks and Recreation

Director of Employee Services Daniel Grundmann described the ordinance. He said Employee Services constantly looks at job description changes. He said that the department considers organizational structure and budgetary considerations within and between surrounding departments before amendments are proposed to the salary ordinances. He then gave an overview of the changes in job descriptions and departments that Employee Services had reviewed that resulted in this ordinance.

It was moved and seconded that Ordinance 07-09 be divided so that the changes in the office of the Mayor would be separated from the other position changes.

MOTION TO DIVIDE THE QUESTION

Rollo stated that the requirements for this motion needs a second, a simple majority to pass, and may not be reconsidered.

Sabbagh stated that there are two distinct elements to this ordinance because Parks and Recreation had no fiscal impact, but the proposed changes in the Mayors office would have significant fiscal impact.

The motion to divide the question received a roll call vote of Ayes: 3 (Wisler, Sabbagh, Volan), Nays: 6 (Diekhoff, Rollo, Mayer, Sturbaum, Sandberg, Ruff) and therefore failed.

Economic Development Director Danise Alano said the two new positions would allow the economic development department to expand and enhance the efforts the Mayor's office already had underway. She stated the Assistant Director of Economic Development of the Arts

Discussion on Ordinance 07-09

would spearhead the development of the Bloomington Entertainment Arts District, and would also engage in helping with public arts projects. She noted other duties such as assisting with gallery exhibits would fall under this position. The second assistant director position would be in charge of small business and sustainable development. This person would be a liaison to the Bloomington Commission on Sustainability and help Teen Green's Efforts. They would be a small business advocate and ensure small business concerns were addressed.

Mayer said the arts are an important aspect of economic development and we need to take initiative to support this position.

Sandberg stated she was in support of the ordinance because the arts are an important aspect of economic development and felt that the ordinance was a fiscally responsible proposal.

Wisler said the Council should focus its efforts on expanding the way we look at economic development. He said he was a business owner and from his business alone there were \$25,000 of incremental tax withholding that could be staying in Bloomington and suspects that many businesses in the community would be in the same boat. Wisler said he hoped this ordinance would create an opportunity to focus more resources on local activities. He would support it with the understanding that the additional resources go to focus on outreach efforts and helping businesses understand the importance of reporting paperwork. This will attract future employers and create jobs.

Sabbagh said that he has seen staff added to the Mayor's office but has not seen any significant results. He said there was a lack of understanding of economic development at the City. He added that he had serious concerns about adding employees to the Mayor's office and would not be supporting this ordinance because the Mayor's office sections were not separated from the other changes.

Sturbaum stated that he supported putting more people in the Economic Development Department. He said it was good businesses to invest money into hiring people that will keep Bloomington business going.

Ruff stated he was encouraged to see the emphasis on the sustainability component in one of the positions. He said we were entering a period where local sustainability would be very important. He said he was happy to see the expanded definition of economic development by the Kruzan Administration, and believed this had kept Bloomington moving in a positive direction. He stated he did not agree with Councilmember Sabbagh's opinion that there have been no results in economic development. He said he found it confusing that some folks are quick to attribute job growth to the Bloomington Economic Development Corporation, but dismiss the efforts of local government such as the Kruzan Administration who were expanding economic development efforts. He said that local government was a major factor in helping with economic growth.

Wisler said we have an opportunity locally to recycle glass. He believed we were currently spending a lot of dollars to transport glass, and wanted to know what the City can do to recycle and reuse glass.

Rollo stated that economic development did not just consist of growing jobs or money, but was development that enhances quality of life. He said he believed this was an innovative approach which focused on sustainability and was visionary in terms of our economy.

Ordinance 07-09 received a roll call vote of Ayes: 8, Nays: 1 (Sabbagh). Final Vote on Ordinance 07-09

There was no legislation for first reading at this meeting.

LEGISLATION FOR FIRST
READING

It was moved and seconded that the Committee of the Whole meeting scheduled for May 9th be cancelled since there was no legislation to discuss. The motion was approved by a voice vote.

Cancellation of the Committee of the Whole Meeting for the next week:

Privilege of the Floor:

Volan stated that there were two three-digit numbers given to Bloomington 50 years ago which formed a part of Bloomington's identity. The first one was the 812 area code prefix assigned to our area. However, within a couple of years, Volan stated, we may no longer have a postal service downtown. He said the area code of 812 for southern Indiana was coming to the end. Area codes are splitting in other places due to population growth, and Bloomington will be part of the split. Volan said it might be possible for us to choose our three-digit code in a couple of years, and we need to think about what three-digit code Bloomington wanted to have. He suggested like the numbers 463 which spell IND. He wanted folks to know the days of dialing 812 and getting a Bloomington number are limited.

Mayor Kruzan thanked his staff for all their hard work. He asked Councilmember Sabbagh to remember that his candidacy for Mayor was a challenge to him (Kruzan) and not to his staff. There was no public input at this time.

PUBLIC INPUT

The meeting was adjourned at 9:00 pm

ADJOURNMENT

APPROVE:

ATTEST:

Dave Rollo, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

