



City of Bloomington Common Council

Legislative Packet

August 3, 2005

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

812.349.2409

council@bloomington.in.gov



To: Council Members
From: Council Office
Re: Weekly Packet Memo
Date: July 29, 2005

Packet Related Material

Memo Agenda Calendar

Notices and Agendas:

Notice of the August Recess

Legislation for Final Action:

Res 05-14 A Resolution Expressing Support for the CSX Rail Corridor Acquisition and Trail Project

(Please see the packet for the July 27th meetings for the legislation, summary, and background materials.)

Contact: Mick Renneisen at 349-3711 or renneism@bloomington.in.gov
Susan Clark at 349-3416 or clarks@bloomington.in.gov
Susan Failey at 349-3553 or faileys@bloomington.in.gov

Ord 05-19 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" (Amending Chapter 15.37 – Residential Neighborhood Permit Parking – By Adding the North College Zone (8) and Southwest Campus Zone (9))
(Please see the packet for the July 27th meetings for the legislation, summary, and background materials.)

Contact: James McNamara at 349-3853 or mcnamarj@bloomington.in.gov

Res 05-15 Waiving Current Payments in Lieu of Taxes by the Bloomington Housing Authority to the City

(Please see the packet for the July 27th meetings for the legislation, summary, and background materials.)

Contact: Jennifer Osterholt at 339-3491 ext 122 or josterholt@blha.net

Memo from Ron Walker, Director of Economic Development Regarding Res 05-12 and Res 05-13

Res 05-12 To Terminate Tax Deduction for Improvements to Real Estate and Remove the Economic Revitalization Area (Era) Designation Authorized by Resolution 94-32 and Resolution 94-52 - Re: 210, 216 & 220 West Allen Street (Bloomington Business Incubator, LLC, Former Owner And Petitioner; Storage Express Holdings, LLC, Current Owner)

(Please see the packet for the July 27th meetings for the legislation, summary, and background materials.)

Contact: Ron Walker at 349-3534 or walkerr@bloomington.in.gov

Res 05-13 To Terminate a Tax Deduction for the Installation of New Manufacturing Equipment Yet Continue the Economic Revitalization Area Designation Authorized by Resolution 03-14 and Resolution 03-15 - Re: 1300 South Patterson Drive (PTS Corporation, Initial Petitioner)

(Please see the packet for the July 27th meetings for the legislation, summary, and background materials.)

Contact: Ron Walker at 349-3534 or walkerr@bloomington.in.gov

Legislation and Background Material for First Reading:

None

Minutes from Regular Session:

July 27, 2005

Memo

Chair of Meeting: Sturbaum *(Ruff will be arriving late this evening)*

Five Items on the Last Agenda Before the Council Recess

There are five items on the last Regular Session before the August Recess, which can all be found in the packet for the July 27th meetings. The link to this packet can be found at:

<http://bloomington.in.gov/egov/apps/document/center.pl?path=doc&id=22421&id2=21379&linked=0&fDD=202-0>

(For those who receive hard copies of the packet, please note that the background material for **Res 05-12** and **Res 05-13** should be switched.)

Recess Begins Next Thursday and Ends with the Regular Session and Committee of the Whole on September 7th

Happy Birthday to Clerk Intern Megan Trusnik !

Good Bye to Council Intern Alexis St. Juliana

**NOTICE AND AGENDA FOR
COMMON COUNCIL, REGULAR SESSION
7:30 P.M., WEDNESDAY, AUGUST 3, 2005
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 NORTH MORTON**

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: July 27, 2005

IV. REPORTS FROM:

- 1. Council Members**
- 2. The Mayor and City Offices**
- 3. Council Committees**
- 4. Public**

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING

1. Resolution 05-14 A Resolution Expressing Support for the CSX Rail Corridor Acquisition and Trail Project

Committee Recommendation: 8 – 0

2. Ordinance 05-19 To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” (Amending Chapter 15.37 – Residential Neighborhood Permit Parking – and Chapter 15.64 – Traffic Violation Schedule)

Committee Recommendation: 8 – 0

3. Resolution 05-15 Waiving Current Payments in Lieu of Taxes by the Bloomington Housing Authority to the City

Committee Recommendation: None

4. Resolution 05-12 To Terminate Tax Deduction for Improvements to Real Estate and Remove the Economic Revitalization Area (ERA) Designation Authorized by Resolution 94-32 and Resolution 94-52 - Re: 210, 216 & 220 West Allen Street (Bloomington Business Incubator, LLC, Former Owner and Petitioner; Storage Express Holdings, LLC, Current Owner)

Committee Recommendation: None

5. Resolution 05-13 To Terminate a Tax Deduction for the Installation of New Manufacturing Equipment yet Continue the Economic Revitalization Area Designation Authorized by Resolution 03-14 and Resolution 03-15 - Re: 1300 South Patterson Drive (PTS Corporation, Initial Petitioner)

Committee Recommendation: None

VII. LEGISLATION FOR FIRST READING

None

VIII. PRIVILEGE OF THE FLOOR (This section of the Agenda is limited to a maximum of 25 minutes. Each speaker is allotted 5 minutes.)

IX. ADJOURNMENT

City of
Bloomington
Indiana



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Post Office Box 100
Bloomington, Indiana 47402

Office of the Common Council
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To: Council Members
From: Council Office
Re: Calendar for the Week of August 1 – 6, 2005
Date: July 29, 2005

Sunday, July 31, 2005

Happy Birthday to Clerk Intern Megan Trusnik!

Monday, August 1, 2005

5:00 pm Redevelopment Commission, McCloskey
5:30 pm Bicycle & Pedestrian Safety Commission Work Session, Hooker Room

Tuesday, August 2, 2005

9:30 am Emergency Management Advisory Council, Kelly
1:30 pm Development Review Committee, McCloskey
3:00 pm Bloomington Community Farmers' Market, Showers Plaza
4:00 pm Municipal Facilities Corporation, Hooker Room
7:30 pm Telecommunications Council, Council Chambers

Wednesday, August 3, 2005

10:30 am Opening of Quotes for Equipment by Public Works staff, McCloskey
12:00 pm Urban Enterprise Association, McCloskey
2:00 pm Hearing Officer, Kelly
7:00 pm Council for Community Accessibility Head Injury Support Group, Dunlap
7:30 pm Common Council Regular Session, Council Chambers

Thursday, August 4, 2005

4:00 pm Bloomington Digital Underground Advisory Committee, McCloskey
5:30 pm Commission on the Status of Women, McCloskey

Council Recess begins; the Council will reconvene September 7th for a Regular Session and Committee of the Whole at 7:30pm in Council Chambers.

Friday, August 5, 2005

There are no events scheduled for today.

Saturday, August 6, 2005

7:00 am Bloomington Community Farmers' Market, Showers Common



City of Bloomington
Office of the Common Council

MEETING NOTICE

THE COMMON COUNCIL WILL BE IN RECESS
AFTER THE REGULAR SESSION AUGUST 3, 2005.

THE NEXT MEETING OF THE COUNCIL WILL BE A
REGULAR SESSION FOLLOWED BY THE
COMMITTEE OF THE WHOLE ON WEDNESDAY,
SEPTEMBER 7, 2005, AT
7:30 PM IN COUNCIL CHAMBERS, LOCATED AT
401 NORTH MORTON STREET.

Posted and Distributed: July 29, 2005

In the Council Chambers of the Showers City Hall on Wednesday, July 27, 2005 at 7:38 pm with Council President Andy Ruff presiding.

COMMON COUNCIL
REGULAR SESSION
MEETING
July 27, 2005

Roll Call: Banach, Diekhoff, Gaal, Sturbaum, Ruff, Mayer, Sabbagh and Volan.
Absent: Rollo

ROLL CALL

Council President Ruff gave the Agenda Summation

AGENDA SUMMATION

There were no minutes for approval.

APPROVAL OF MINUTES
REPORTS:

There were no councilmember reports.

- COUNCILMEMBERS
- MAYOR and CITY OFFICES

Maren McGrane of the Office of the Mayor announced the 22nd Annual National Night Out, a crime and drug prevention event, hosted by the Crestmont and Reverend Butler neighborhoods and Bloomington Housing Authority on August 2 from 6:00-8:30 p.m. The event is free-of-charge and is open to the public. McGrane also announced the Tree City Arts Competition in honor of the 21st year designation of Bloomington being named a Tree City USA. The competition will focus on the artistic interpretation of trees and features categories for adults and youth. The deadline for contest submissions is August 11 and 12, 2005 from 8:00 a.m. 5:00 p.m.

There were no council committee reports.

- COUNCIL COMMITTEES

There was no public comment at this time.

- PUBLIC

There were no appointments to board or commissions.

APPOINTMENTS TO
BOARDS AND
COMMISSIONS
LEGISLATION FOR SECOND
READING

It was moved and seconded that Ordinance 05-17 be introduced and read by title and synopsis. Deputy Clerk Matt Weber read the legislation and synopsis. It was moved and seconded that Ordinance 05-17 be adopted.

Ordinance 05-17 To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” –Re: Inserting Section 2.26.070 which Establishes a Restricted Donation Fund.

Susan Clark, City Controller, explained that the ordinance will allow the city to establish a restricted donation fund to receive monetary donations. She said the fund will allow city to accept and expend donations not to exceed \$5,000 per donation, pending approval by the Board of Public Works. Clark noted that this procedure was recommended by the State Board of Accounts.

There was no public comment at this time.

There was no council comment at this time.

Ordinance 05-17 received a roll call vote of Ayes: 8, Nays: 0.

It was moved and seconded that Ordinance 05-18 be introduced and read by title and synopsis. Deputy Clerk Weber read the legislation and synopsis. It was moved and seconded that Ordinance 05-18 be adopted.

Ordinance 05-18 To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” (Amending Chapter 2.26 (Controller’s Department) in Order to Authorize Acceptable Financial Instruments, a Surcharge for Dishonored

Susan Clark, Controller, described the ordinance as a housekeeping ordinance. She announced that the ordinance will allow the city to establish financial instruments to collect fees in order to offset administrative costs associated with making collections. Clark noted that the city is restricted statutorily, meaning the city can and will only

charge its actual costs of production. The ordinance will also enable the city to charge for copying public records. She also mentioned that the ordinance will allow the city to purchase a blanket bond and fix the amount of the controller's surety bond. Clark reiterated that the ordinance is recommended by the State Board of Accounts.

Banach asked what percentage is approximately \$24,000 of the total revenue for the Department of Utilities. Clark said she did not have an answer at the time and would e-mail Banach an answer to his question as soon as possible.

Mayer asked Clark if the city was comfortable accepting cash for payment. Clark responded that the city is comfortable accepting cash.

Volan asked approximately when the city began accepting credit card payments. Clark said the civil city started in 2001 and that the Parks Department began accepting credit card payments in the mid-1990s.

Volan asked Clark to speak to the benefit of accepting credit cards payments. Clark said that the city accepts credit card payments in order to provide convenience to citizens.

Volan asked if the city receives less bounced checks since accepting credit card payments. Clark said she did not know the answer.

There was no public comment at this time.

Banach noted that he read that a man paid a divorce settlement of \$70,000 in pennies but does not believe it is necessary to pass an ordinance prohibiting payments in change.

Volan explained his questions about credit cards are related to his concern of fees adding up. He said he would not want to remove the convenience of credit cards, but just pointed out that the fees do add up for the city. For example, he noted that the city paid over \$18,000 in credit card fees in 2004. He described the fees as a cost of doing business and providing a service to the public.

Ordinance 05-18 received a roll call vote of Ayes: 8, Nays: 0.

It was moved and seconded that Resolution 05-07 be introduced and read by title and synopsis. Deputy Clerk Weber read the legislation and synopsis. It was moved and seconded that Resolution 05-07 be adopted.

Ron Walker, Director of Economic Development, described the city's Business Investment Incentive Fund as a loan fund created by the city to provide low interest loans to businesses committed to improving the economic vitality of the community. He noted that within the guidelines of the program, grants are allowed for projects and not-for-profit organizations within the Downtown Development Opportunity Overlay. To be eligible for a grant, Walker explained that the petitioner must be engaging in capital improvements and have a retail or commercial activity as a primary purpose. The petitioner, the Bloomington Area Arts Council, meets all of the necessary guidelines Walker pointed out. He said the petitioner is seeking a \$25,000 grant to go toward a \$60,000 renovation project to their building, which is the former city hall and on the National Trust of Historic Places list. The Bloomington Area Arts Council intends to pay for the remainder of the project from private fund raising efforts and Walker highlighted that the \$25,000 grant will not be disbursed until the organization provides their matching funds.

Walker reported that the Business Investment Incentive Fund has an

Checks Drafts, Orders, or Like Instruments, and a Fee Schedule for the Providing Copies of Public Records; and, Amending Chapter 2.21 (Department of Law) in Order to Authorize the Purchase of a Blanket Bond or Crime Insurance Policy and Fixing the Amount of the City Controller's Surety Bond).

Resolution 05-07 To Approve Application and Authorize Grant from the Business Investment Incentive Fund (Bloomington Area Arts Council, Petitioner)

approximately \$690,000 balance with only one outstanding loan which is from Cha Cha retail establishment on Kirkwood. He added that Cha Cha received a loan for business disruption during the “big dig” construction project. In addition the retail establishment was affected by a fire in a neighboring building. Walker said the Legal Department is monitoring court proceedings regarding the fire and the establishment and is working on receiving the remainder of the loan.

Sally Gaskill, Executive Director of the Bloomington Area Arts Council said she was happy to speak on behalf of the board of directors. She noted that their capital improvement project will be the first major renovation and maintenance at their current location. Examples of work to be completed include interior and exterior improvement. Ted Jones of the Bloomington Area Arts Council asked the council for consideration of this resolution. He emphasized that their needs match the criteria of the fund.

Sharon Brehm of the Bloomington Area Arts Council said they enjoy being in their current building and said it is a great facility and asked for council support.

Sabbagh pointed out that the application asked for a written business plan and inquired if that is not applicable to not-for-profit organizations. Walker confirmed that the business plan section of the application is not applicable to not-for-profit organizations. Sabbagh pointed out that the Bloomington Urban Enterprise Zone (BUEA) helped with building repairs. Gaskill noted that the Bloomington Area Arts Council received support from the BUEA for a \$10,000 roof replacement.

Volan inquired about the funds allocated by the BUEA. Gaskill said the funds were received for a capital improvement.

There was no public comment at this time.

Resolution 05-07 received a roll call vote of Ayes: 8, Nays: 0.

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Clerk Weber read the legislation by title and synopsis.

Ordinance 05-19 To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” (Amending Chapter 15.37 – Residential Neighborhood Permit Parking – By Adding the North College Zone (8) and Southwest Campus Zone (9)).

Citizen David Grubb announced that he was asking the mayor for his job. He said he felt he was more qualified and said he believed the tax payers of the city were not happy. Since recently becoming a resident of the city, he inquired how to take over the job of mayor. He stated that city officials are not doing their job right.

The meeting was adjourned at 8:12 pm.

APPROVE:

ATTEST:

Andy Ruff, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

LEGISLATION FOR FIRST
READING

ORDINANCE 05-19

PUBLIC INPUT

ADJOURNMENT