

City of Bloomington Common Council

Legislative Packet

Wednesday, 16 November 2016

Regular Session

For legislation and material regarding
Ordinance 16-41 and Ordinance 16-42 please consult the
[02 November 2016 Legislative Packet](#).

For Legislation and material regarding Ordinance 16-24 please
consult the [19 October 2016 Legislative Packet](#).

All other legislation and background material contained herein.

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**City of
Bloomington
Indiana**

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Office of the Common Council
(812) 349-3409
Fax: (812) 349-3570
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To: Council Members
From: Council Office
Re: Weekly Packet Memo
Date: November 10, 2016

Packet-Related Material

Memo

Agenda

Calendar

Notices and Agendas:

None

Council Annual Schedule

- **Annual Schedule**
 - **Memo to Council** from Dan Sherman Administrator/Attorney
Contact: Dan Sherman at 349-3409, shermand@bloomington.in.gov

Legislation for Second Reading and Resolutions at the Regular Session on Wednesday, November 16th:

- **Res 16-14** A Resolution by the City of Bloomington of the State of Indiana Stating its Support for the Development of United States Bicycle Route 235
 - Map of Proposed USBR 235 from Indianapolis to Columbus, Indiana with Narrative (incorporated by reference into the resolution)
 - Memo from Scott Robinson, Planning Services Manager, Planning and Transportation Department
 - Letter in support of USBR 235 from the City of Bloomington Bicycle and Pedestrian Safety Commission
Contact: Beth Rosenbarger, 812-349-3423, rosenbab@bloomington.in.gov
- **Ord 16-41** To Establish the Housing Development Fund
Contact: Philippa Guthrie at 812-349-3547 or guthrip@bloomington.in.gov
Thomas Cameron at 812-349-3557 or cameront@bloomington.in.gov

Please see the Weekly Council Legislative Packet issued for the [02 November 2016](#) Regular Session for the legislation, materials, and summary for this item.

- **Ord 16-24** To Amend the Zoning Maps from Residential Single Family (RS) and Residential High-Density Multifamily (RH) to Planned Unit Development (PUD) as well as Approve a District Ordinance and Preliminary Plan - Re: 600-630 E. Hillside Drive (Dwellings LLC, Petitioner)
Contact: James Roach at 812-349-3527 or roachja@bloomington.in.gov

Please see the Weekly Council Legislative Packet issued for the [19 October 2016](#) Regular Session for the legislation, materials, and summary for this item.

- **Ord 16-42** To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” - Re: Amending BMC 2.04.050 (Regular Meetings) and BMC 2.04.255 (Committees – Scheduling) to Start Common Council Regular Sessions and Committees of the Whole an Hour Earlier - at 6:30 p.m.
*Contact: Cm. Chopra at 812-349-3409 or chopraa@bloomington.in.gov
Dan Sherman at 812-349-3409 or sherman@bloomington.in.gov*

Please see the Weekly Council Legislative Packet issued for the [02 November 2016](#) Regular Session for the legislation, materials, and summary for this item.

Legislation and Background Material for First Reading (Found in this Legislative Packet):

- **App Ord 16-07** To Specially Appropriate from the General Fund, LOIT Special Distribution Fund, Police Education Fund, Non-Reverting Improvement 1 (Westside) Fund, and Rental Inspection Program Fund Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Parks General Fund, Parking Facilities Fund, Solid Waste Fund, and Fleet Maintenance Fund; and, Appropriating Additional Funds from the General Fund, LOIT Special Distribution Fund, Police Education Fund, Non-Reverting Improvement 1 (Westside) Fund, Rental Inspection Program Fund)
 - Memo from City Controller, Jeffrey Underwood*Contact: Jeffrey Underwood at 349-3416 or underwoj@bloomington.in.gov*

- **Ord 16-43** To Amend Title 2 Of the Bloomington Municipal Code Entitled “Administration and Personnel” (Amending Chapter 2.26 (Controller’s Department) to Add Section 2.26.110 Authorizing a Fee Schedule for the Private Rental of City Facilities)
 - Facility Use Policy
 - Memo from Philippa Guthrie, Corporation Council
Contact: Philippa Guthrie at 349-3547 or guthriep@bloomington.in.gov

Minutes from Regular Session:

- 02 November 2016

Memo

Four Items Ready under Second Readings and Resolutions, Two Ordinances Ready for Introduction, and the 2017 Annual Schedule Ready for Consideration at the Regular Session on Wednesday November 16th

There are four items ready under Second Readings and Resolutions at the Regular Session next Wednesday. These include a resolution, which is enclosed in this packet and summarized below, and three ordinances, which can be found in two packets as indicated above (and on the cover). Please note that one of these, Ord 16-24 (Lauchli PUD) was postponed from November 2nd to this evening and appears third on this part of the agenda.

In addition there are two ordinances ready under First Readings both of which can be found in this packet. Lastly, there is a Council Annual Schedule for 2017 ready for your consideration under Council Schedule which can be found in this packet and is summarized below.

Council Schedule

Annual Schedule for 2017

This packet contains the proposed Council Schedule for 2017 and a memo explaining it. Please review the material and offer your comments and be ready to vote on it on November 16th - unless you need another few weeks to consider the matter. Acting on it in November makes it likely that the Council Intern will be able to complete and distribute the Annual City Calendar before she leaves for Winter Recess.

The Annual Schedule includes 21 legislative cycles which are set forth in rows with five columns of dates for the following meetings and deadlines associated with each legislative cycle:

- Internal Work Sessions;
- Deadline for submittal of ordinances and associated materials to the Council Office (and another for resolutions);
- First Regular Session;
- Committee (of the Whole); and
- Second Regular Session.

As you know, the Council generally meets on the first four Wednesdays of the month for Regular Sessions and Committees of the Whole. It also meets on Fridays about twice a month for Staff-Council Internal Work Sessions to informally hear about upcoming legislation and other pending matters. Here are some of the meetings (and deadlines) that would *not* follow the usual rule (please see the proposed Schedule and Memo for more detailed information):

- **January** – This schedule proposes holding:
 - an Organizational Meeting and Committee of the Whole on Wednesday, January 11th (which is the second Wednesday of the month and the last day to hold this meeting without a special vote of the Council);
- **February** – *Nothing unusual*
- **March** - This schedule would avoid meeting during Spring Break (which falls on the third week of March) and proposes holding the second Regular

Session and Committee of the Whole on the fourth Wednesday and fifth Wednesdays of that month instead.

- **April** - *Nothing unusual*

Budget Meetings (May, August, September, and October) - This schedule proposes some changes to the Budget Schedule by holding the:

- Budget Advance on the second Wednesday in May (May 10th) at 5:00 p.m.;
 - Four evenings of Departmental Budget Hearings at 6:00 p.m. commencing on the *second Monday of August* (running from August 14th to 17th) and including a due date for Budget Books on Monday, August 7th), and
 - Final Budget hearings:
 - starting with a Special Session and Committee of the Whole on the fourth Wednesday in September; and
 - wrapping those hearings up with a Special Budget Session on Wednesday, October 11th which would provide two weeks between meetings.
-
- **June** – This schedule accounts for the Annual Tax Abatement Report being heard at a Special Session before the Committee of the Whole on the fourth Wednesday of the month.

 - **July** – This schedule starts the Summer Recess after the first Wednesday in July and ends it on the second Wednesday in August. This, in effect, moves one Legislative Cycle from early July to early August.
-
- **August** – As, in part, noted above (under July), this schedule:
 - Shifts one Legislative Cycle from early July to early August (with a Regular Session and a Committee of the Whole on Wednesday, August 9th);
 - Holds the Department Budget Hearings starting on the *second Monday* in August (and includes a due-date for the Budget Books on the *first Monday* of the month); and
 - Holds a Regular Session on the fourth Wednesday and a Committee of the Whole on the last (fifth) Wednesday of the month.

 - **September** – This schedule no longer has the first Regular Session of the month consider items that were both introduced and discussed the

previous week. However, more importantly and as in the past, it also blends a Budget and Non-Budget Legislative Cycle starting in mid-September and ending in mid-October. This year the Non-Budget Legislative Cycle includes a Regular Session on *Tuesday, September 19th* (because Rosh Hashanah – the Jewish New Year - falls on a Wednesday night),¹ a Committee of the Whole on Wednesday, October 4th, and a Regular Session on Wednesday, October 18th. The Budget Legislative Cycle includes a Special Session and Committee of the Whole on Wednesday, September 27th and a Special Session on Wednesday, October 11th.

- **October** – Holding of the Special Budget Session on the second Wednesday in October, in essence, replaces the First Regular Session that month. The rest of the Wednesdays follow the usual four-Wednesday schedule.
- **November** – In order to account for the holiday on the fourth Wednesday (Eve of Thanksgiving), this schedule holds a Committee of the Whole on the fifth Wednesday of the month.

Other Exceptions and Irregularities

- **Fifth Wednesdays** - note that there are four months with five Wednesdays next year - in March, May, August, and November - *which may affect deadlines for filing legislation and provide opportunities to shift your meetings.*
- **Because of holidays, deadlines for Ordinances and Resolutions:**
 - **Overlap** on:
 - Wednesday, December 28th (2016);
 - Monday, July 31st;
 - Monday, September 11th (Budget Legislation); and
 - Wednesday, December 27th; and
 - **fall on some other day than Monday** (along with dates above) on:
 - Friday, January 13th

¹ Religious Holiday Adjustments – this proposal adjusts schedule in September for Rosh Hashanah (the Jewish New Year). I can use your help in determining whether there are other religious holidays to be observed. Please see this link to the IU Religious Holiday Schedule http://www.indiana.edu/~vpfaa/docs/religious_observances/religious-observances-calendar-2013-2018.pdf

- Friday, February 17th
 - Wednesday, May 24th
 - Friday, September 1st
 - Friday, October 6th
 - Wednesday, November 15th; and
- **Unusual Dates for Staff/Council Internal Work Sessions:**
 - Monday, December 19th, 2016; and
 - Monday, December 18th, 2017 (because folks take time-off or leave town later in the month).

Second Readings and Resolutions

Item One – Res 16-14 Supporting Designation of the United States Bicycle Route Spur Known as USBR 235 which Traverses the City of Bloomington

The first item under Second Readings and Resolutions is **Res 16-14**. It is being brought forward from the Planning and Transportation Department at the request of the Bloomington Bicycle Club and with the support of the City of Bloomington Bicycle and Pedestrian Safety Commission. It supports the designation of the United States Bicycle Route (USBR) 235, which is a 100-mile spur of the longer USBR 35, which connects Michigan to Kentucky through Indiana. *(See the map which is incorporated by reference into the resolution.)*

According to the memo from Scott Robinson, Planning Services Manager (Memo), “(t)his 100-mile spur will link important scenic and tourist areas of Indiana that include the cities of Indianapolis, Martinsville, Bloomington, Nashville and Columbus.” As the Memo explains, the “U.S. Bicycle Route System is a developing network of officially numbered interstate bicycle routes that connect America’s cities, suburbs, and rural areas... on roads or trails suitable for bicycle travel” and targets “long distance travelers who are experienced road users.”

These bicycle routes are the work of “local agencies, organizations, and volunteers” who work in concert with various state departments of transportation to select routes, which then apply to the American Association of State Highway Transportation Officials for designation and cataloguing. Please note that the Memo also indicates that “(t)he designation does not require resources and only needs support of from each local agency before (the) Indiana Department of Transportation can proceed with the official route designation.”

First Readings

Item One - App Ord 16-07 (End-of-Year Appropriation Ordinance)

App Ord 16-07 is the first of two ordinances scheduled for introduction next Wednesday. Otherwise referred to as the typical end-of-year appropriation ordinance, this legislation makes various transfers of funds *within* the General Fund, Parks General Fund, Parking Facilities Fund, Solid Waste Fund, and Fleet Maintenance Fund. The measure also appropriates \$525,600 in *additional monies* from the following funds: the General Fund (\$40,600), LOIT Special Distribution Fund (\$128,000), Police Education Fund (\$6,000), Non-Reverting Improvement (Westside) Fund – Controller (\$121,000), and Rental Inspection Program Fund (\$230,000). The nature of the transfers and the additional appropriations are briefly described below.

General Fund Transfers– \$40,600 Additional Appropriation - from Additional Revenue) App Ord 16-07 transfers \$328,800 in General Fund monies from departments which have a surplus to departments which may have a shortfall. The Controller notes in his memo that the increase of \$40,600 across all of the General Fund transfers is due to the appropriation of new money - a rebate check from Duke Energy – which will be used to install LED lighting in portions of the Showers Building.

According to the memo submitted by Controller Underwood, these transfers are made to cover the difference between the initial budget prepared for 2016 and the actual operational results as the year comes to a close. In a conversation, the Controller confirmed that departmental surpluses are typically due to budgeting for positions that become vacant. Departmental deficits typically stem from overtime expenses, additional hours for temporary employees, additional staff, salary increases, and payout for departing employees.

The following chart sets forth the transfers out of one department and into another. Please see the footnotes for more about the transfers within each of these budgets and please note that the additional information on these and other allocations noted further in the summary was gleaned from a conversation with the Controller.

INTER-DEPARTMENTAL TRANSFERS			
TRANSFER OUT	-	TRANSFER IN	+
Police	(191,600) ²	Fire	235,000 ³
Controller	(133,000) ⁴	Public Works – Facilities	48,600 ⁵
Community & Family	(4,200) ⁶	Mayor	40,700 ⁷
		HAND	32,400 ⁸
		ITS	\$12,700 ⁹
SUB-TOTAL	(328,800)		369,400
TOTAL		(\$40,600)	

² The Police Department wishes to surrender \$191,600 to the General Fund. This will entail moving \$150,000 from Category 1 (Personnel), \$71,000 from Category 2 (Supplies) and \$10,000 from Category 3 (Services and Charges), and returning all but \$40,000 to the General Fund. The \$40,000 would be deposited in Category 4 (Capital).

³ The Fire Department wishes to shift \$15,000 from Category 3 (Services and Charges) to Category 1 (Personnel) and receive \$235,000 from the General Fund for that category as well.

⁴ The Controller wishes to surrender \$90,000 from Category 1 (Personnel) and \$43,000 from Category 3 (Services and Charges) to the General Fund. The latter surplus was due to vacant or unfilled positions.

⁵ Public Works – Facilities requests that an additional appropriation of \$8,000 go to Category 1 (Personnel) (to provide temporary help if needed before the end of the year) and \$40,600 go to Category 2 (Supplies) (for the LED light installation noted above).

⁶ CFR wishes to shift \$10,000 out of Category 1 (Personnel), with \$5,600 moved to Category 3 (Services and Charges) and \$4,200 returned to the General Fund. The \$5,600 will go toward the CJAM work with the Downtown Safety and Civility Dialogue and Deliberation Project (DSCDDP).

⁷ The Office of the Mayor wishes to move \$1,300 from Category 3 (Services and Charges) and receive an appropriation of \$40,700 with \$41,000 being deposited in Category 1 (Personnel) and \$1,000 deposited in Category 2 (Supplies).

⁸ HAND requests that \$2,400 be appropriated to Category 2 (Supplies) and \$30,000 to Category 3 (Services and Charges). This money will be used to fund the local review of the SHAARD survey.

⁹ ITS wishes to receive an additional appropriation of \$12,700 and move \$52,000 from Category 1 (Personnel) and \$2,500 from Category 2 (Supplies) and have it all deposited in Category 3 (Services and Charges). These funds will be used for legal fees associated with the City-wide fiber project.

Along with the inter-departmental transfers, there were five departments where the transfers all occurred within the departmental budget. These include:

- Animal Care and Control, where \$5,000 was moved from Categories 2 (Supplies) and 3 (Services and Charges) to Category 1 (Personnel Services);
- the Clerk and Economic and Sustainable Development departments, where less than \$1,000 was transferred in each department from Category 3 (Services and Charges) to Category 2 (Supplies);
- Legal, where \$4,150 was shifted from Category 1 (Personnel Services) and Category 2 (Supplies) to Category 3 (Services and Charges) to cover legal fees for the City-wide fiber project; and
- Planning and Transportation, where \$21,500 was shifted from Category 1 (Personnel Services) to Category 3 (Services and Charges) to help pay for the consultant work related to the Comprehensive Master Plan.

LOIT Special Distribution Fund - \$128,000 Fiscal Impact (New Money)

According to the Controller's memo, the Planning and Transportation Department requests \$128,000 to be deposited in Category 2 (Supplies) in order to "complete funding for various street projects." This money became available as a result of a distribution of LOIT monies withheld by the State in previous years which is deposited in this new fund and may only be used for road and street projects.

Police Education Fund - \$6,000 Fiscal Impact

As the memo from Underwood indicates, the Police Department requests an additional appropriation of \$6,000 "in order to complete additional training for its officers."

Non-Reverting Improvement 1 (Westside) Fund – Controller - \$121,000 Fiscal Impact

As mentioned in Underwood's memo, the Controller is requesting an additional appropriation of \$121,000 "to provide funds for professional services related to Capital Finance/Bonds, Annexation, and Broadband."

HAND Rental Inspection Program -- \$230,000 Additional Appropriation

In 2012, the Indiana General Assembly enacted a new law requiring that rental inspection fees be deposited in a separate fund (I.C. §36-1-20-3). While revenue is deposited into this designated fund, the expenses for the rental inspection program are appropriated in the General Fund. Locally, the Rental Inspection Program Fund is the fund into which local inspection fees are deposited. As of 31 October

2015, \$215,000 in inspection fee revenue has been deposited into the fund. Note that while the City has collected \$215,000 as of the end of October, there is \$230,000 available for transfer from this fund due to monies collected during the last two months of 2015. For this reason, this legislation reimburses the General Fund \$230,000 for program expenses.

Other Intra-Fund Transfers with Net Zero Impact

- **Parks General Fund** - Parks wishes to move \$15,000 from Category 1 (Personnel) to Category 3 (Services and Charges).
- **Parking Facilities Fund** - Public Works wishes to transfer \$20,000 from Category 3 (Services and Charges) to Category 1 (Personnel Services).
- **Solid Waste Fund** - Public Works requests a transfer of \$27,000 from Category 1 (Personnel Services) to Category 4 (Capital) to help purchase accessories for sanitation vehicles (unrelated to automation – per Adam Wason).
- **Fleet Maintenance Fund** - As the memo from Underwood indicates, the Public Works Department requests as transfer of \$7,500 from Category 3 (Services and Charges) to Category 1 (Personnel Services) “to cover additional wages paid for temporary and overtime wages.”

Item Two – Ord 16-43 (Authorizing a Fee Schedule for the Private Rental of City Facilities)

Ordinance 16-43 authorizes fees associated with the rental of City facilities by private/for-profit groups and individuals. As you may be aware, the City has been without a formal facilities use policy for some time. Instead of governed by a clear policy, when an outside group or person wished to use a City meeting room or outside space, the group or person was required to secure a City sponsor. Instead of this *ad hoc* approach, the Administration has developed a uniform proposed “Facilities Use Policy” (“Policy”). As communicated in the accompanying Memorandum from Corporation Counsel, Philippa Guthrie, this Policy has been developed by the Administration in the spirit of transparency and in the interest of making City facilities maximally accessible to the public. Notably, any person or entity wishing to rent a City facility is eligible to rent the facility only if the event

is open to the public.¹⁰

When it comes to renting City facilities to non-profits and other governmental entities, the City does *not* propose to attach a charge for the use of facilities. However, when it comes to rental of City facilities by *private/for-profit entities*, the Administration proposes attaching a fee to such use. It is because a fee will be associated with rental of City facilities by private entities/non-profits that the matter is before the Council. The Council must approve the fees. Ord 16-43 approves fee schedules for such rental of both indoor and outdoor City facilities.

THE POLICY

Priority of Use

While the Administration is making City Hall and associate spaces much more available to the public, significantly, it is *not* at the expense of City use. Indeed, the Policy outlines a prioritization of use, with first and highest use assigned to the City Council, City Departments, City boards and commissions, and City programs and services. Furthermore, the Policy provides that the City reserves the right to cancel a reservation by an outside group at any time if the City Department is unable to secure a meeting location in a City facility.

The prioritization list is as follows, with the highest priority listed first:

1. City government
2. City government partners (individuals or non-profits acting on behalf of or in partnership with the City)
3. Non-City governmental entities (e.g., jurisdictions proximate to the City, state and federal entities)
4. City residents and local non-profit organizations
5. Non-City residents, other non-profit organizations
6. Private/For-Profit organizations

Space for Use

The Policy opens up the following spaces for use by the public:

Indoor Spaces: City Hall meetings rooms (Chambers, McCloskey, Kelly, Hooker, Dunlap, and the Atrium)

¹⁰ Note, however, that the Policy provides that, “[t]he City Clerk or Mayor may conduct wedding ceremonies, at their discretion, provided they do not conflict with any existing events on the City of Bloomington Event Calendar.” (Sec. 3(F)).

Outdoor Spaces: City Hall Plaza, Showers Common, and, Plaza oneA (free speech plaza along the B-Line)

Terms of Use

Following are some of the key terms of use associated with the Policy. The reader is directed to the Policy itself for further detail.

- Only entities whose events or meetings will be **open to the public** will be eligible.
- Any entity renting a City Hall facility must **return the space to its original condition** (Sec, 4(A))
- Any entity renting a City Hall facility is **responsible for all trash removal** (Sec. 11)
- Users of Council Chambers are put on notice that “**the needs of the Common Council will take precedence over any other use at any time.**” (Sec. 3). When the needs of the Council pre-empt a scheduled rental of Chambers, any damage deposits will be returned.
- **Food** is not allowed in Council Chambers; however, is allowed in other facilities. Where a user is providing food, the user must comply with all applicable state laws and regulations. Notably, no vendors are allowed to sell food (or anything else) during the Farmers’ Market.
- **Alcohol** is not permitted in City Hall; however, alcohol is permitted in the Showers Common. The sales of alcohol is allowed in the Common requires an alcohol permit, licensed distributors, and adequate security. The user must provide the City with proof that the user has obtained a permit.
- **Security** The Policy provides that events held inside City Hall after 5pm on weekdays and on weekends may require security or the presence of a building supervisor. When required, the user is responsible for providing security. The Policy provides that the user may hire an off-duty BPD officer or may hire a private security firm with City approval. The Policy further provides that, at the City’s discretion, the user may be required to supplement private security with one or more on-duty BPD or Sheriff’s officers.
- **Damage Deposit** required.
- **Insurance:** An entity holding an event may be required to provide a Certificate of Insurance naming the City as an additional insured, unless the City provides written approval of the event without insurance.

- **Hold Harmless**: Any entity holding an event (rather than just a meeting), must agree to release, hold harmless, and indemnify the City against any claims arising out of the use of City facilities.

Hours Available for Rental

Indoor

All indoor spaces (all meeting rooms and the Chambers) are available for rental

M-F: 8am-10pm; Sat-Sun: 8am-8pm

- Use of meeting rooms on weekends during normal business hours restricted for use of City departments at City's discretion
- Council Chambers is available except when in use or needed by Council or a City board or commission
- Atrium is unavailable for rental during Farmers' Market: Saturdays, April-November, 8am-3pm

Outdoor

- Showers Common: M-F: 6pm-11pm; Sat-Sun: 8am-11pm, except on Saturdays of the Farmers' Market, April-November when the space is available 3pm-8pm.
- City Hall Plaza: M-Sun: 8am-11pm, except on Saturdays of the Farmers' Market, April-November when the space is available 3pm-8pm.
- Plaza oneA (along the B-Line): Generally available for rental, M-Sun 5am-11pm (same hours as B-Line), except on Saturdays of the Farmers' Market, April-November, 6am-1pm.
 - When not reserved, this is a free-speech zone available to extemporaneous use by all.

THE FEES

Ord 16-43 outlines the following fees:

Indoor Space

	Mon-Fri 8:00 AM- 5:00 PM First Hour	Each Additio nal Hour	Kitche n Fee	8 Hour Rental With Kitche n	8 Hour Rental Withou t Kitchen	Additional Refundabl e Damage Deposit	Set up/Tear Down
Room/Space							
McCloskey	\$20	\$5	\$20	\$75	\$55	\$100	
Kelly	\$10	\$5	\$20	\$51	\$31	\$100	
Hooker	\$20	\$5	\$20	\$75	\$55	\$100	
Dunlap	\$10	\$5	\$20	\$51	\$31	\$100	
Atrium	\$50	\$5	\$20	\$100	\$75	\$100	\$100
Council Chambers	\$50	\$5	\$20	\$100	\$75	\$100	\$100

Outdoor Space

Space	Daily Flat Fee	Additional Refundable Damage Deposit	Set up/Tear Down
City Hall Plaza	\$200	\$100	\$100
Showers Common	\$400	\$250	\$100
Plaza oneA	\$100	\$100	-----

Other Fees

Technical Support: (\$25/hour). This fee is assessed when the user requires the assistance of City IT for AV needs.

After Hours Building Supervisor Fee: (\$30/hour). This fee is intended to cover the cost of a building supervisor or other staff member required to stay after-hours.

Vendor Fee: (\$50/vendor). In separate communication with Corporation Council Guthrie, Guthrie communicates that this fee is assessed when “individuals or groups want to sell things, e.g. food trucks, or a musician who wants to sell CDs. We charge that fee to compensate for the fact that we are allowing public property to be utilized for private commercial purposes.”

Event Holdover Fee: (\$100). This is a flat fee is assessed when an event lasts 30 minutes or more beyond the end time included in the user’s rental agreement with the City.

Fees: The “Reasonableness” Requirement

Home Rule allows a political subdivision to require user fees provided those fees are *reasonably related to reasonable and just* rates for the services provided (§ 36-1-3-8(a)(6)). Ord 16-43 asserts that the fees assessed in the ordinance will help cover the operational costs associated with maintaining these City “rooms and spaces for the continued benefit of the public.”

Space – Open to All

The Policy provides that the City does not discriminate on the basis of race, gender, gender identity, color, ancestry, national origin, religion, disability, age, marital status, sexual orientation or any other legally-protected classification. While there is no requirement that the City open up City facilities for private speech or to keep the space open for such use, once it does so, the space becomes a “designated public forum.” This means that the space is treated like a traditional public forum. Any regulation of this space will be upheld if it is a reasonable time, place, and manner restrictions and those restricts are content and viewpoint-neutral and narrowly tailored to serve a compelling government interest. So, while the City can clearly limit the hours during which entities can rent City facilities, it clearly cannot refuse to rent a space to group based solely on the City’s disagreement with the group’s point of view. Toward this end, the policies make clear that “[u]se of City facilities by any group does not constitute the City’s endorsement of that group or its goals or policies.” (Sec. B(1)).

Right of Refusal

The Policy provides that the City reserves the right to refuse a request for rental “for any lawful reason e.g., because the request poses undue risks, conflicts with or would disrupt other events or city business, or does not further this Policy’s purposes of fostering community engagement and interaction.” (Sec. B(1))

Happy Birthday Cm. Granger – Friday, November 18th

NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL REGULAR SESSION
7:30 P.M., WEDNESDAY, NOVEMBER 16, 2016
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES: November 02, 2016 (Regular Session)

IV. REPORTS (A maximum of twenty minutes is set aside for each part of this section.)

- 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. Resolution 16-14 – A Resolution by the City of Bloomington of the State of Indiana Stating Its Support for the Development of United States Bicycle Route (USBR) 235

Committee Recommendation: None

2. Ordinance 16-41 – To Establish the Housing Development Fund

Committee Recommendation: Do Pass 6-0-0

3. Ordinance 16-24 – To Amend the Zoning Maps from Residential Single Family (RS) and Residential High-Density Multifamily (RH) to Planned Unit Development (PUD) as well as Approve a District Ordinance and Preliminary Plan – Re: 600-630 E. Hillside Drive (Dwellings LLC, Petitioner)

Committee Recommendation: Do Pass 1-4-4

4. Ordinance 16-42 – To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” –Re: Amending BMC 2.04.050 (Regular Meetings) and BMC 2.04.255 (Committees – Scheduling) to Start Common Council Regular Sessions and Committees of the Whole an Hour Earlier – at 6:30 p.m.

Committee Recommendation: Forward Without Recommendation 6-0-0

VII. LEGISLATION FOR FIRST READING

1. Appropriation Ordinance 16-07 To Specially Appropriate from the General Fund, LOIT Special Distribution Fund, Police Education Fund, Non-Reverting Improvement 1 (Westside) Fund, and Rental Inspection Program Fund Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Parks General Fund, Parking Facilities Fund, Solid Waste Fund, and Fleet Maintenance Fund; and, Appropriating Additional Funds from the General Fund, LOIT Special Distribution Fund, Police Education Fund, Non-Reverting Improvement 1 (Westside) Fund, Rental Inspection Program Fund)

2. Ordinance 16-43 – To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” (Amending Chapter 2.26 (Controller’s Department) to Add Section 2.26.110 Authorizing a Fee Schedule for the Private Rental of City Facilities)

VIII. ADDITIONAL PUBLIC COMMENT* (A maximum of twenty-five minutes is set aside for this section.)

IX. COUNCIL SCHEDULE: Council Schedule for 2017

X. ADJOURNMENT

**Members of the public may speak on matters of community concern not listed on the agenda at one of the two Reports from the Public opportunities. Citizens may speak at one of these periods, but not both. Speakers are allowed five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.*

***Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call (812)349-3409 or e-mail council@bloomington.in.gov.*

Posted & Distributed: 10 November 2016



**City of Bloomington
Office of the Common Council**

To Council Members
From Council Office
Re Weekly Calendar – 14 November -19 November 2016

Monday, 14 November

12:00 pm Board of Public Works Work Session, Kelly
5:00 pm Utilities Service Board, 600 E Miller Dr
5:30 pm Bicycle and Pedestrian Safety Commission, Hooker Conference Room
6:00 pm Commission on Sustainability, McCloskey

Tuesday, 15 November

11:30 am Plan Commission Work Session, Kelly
4:00 pm Board of Park Commissioners, Chambers
5:00 pm Board of Public Safety, McCloskey
5:30 pm Animal Care Commission, Kelly
5:30 pm Board of Public Works, Chambers
5:30 pm Bloomington Public Transportation Corporation, 130 W Grimes Ln
6:00 pm Commission on the Status of Children and Youth Award Ceremony, Atrium
6:30 pm Sister Cities International-Cuba, Dunlap

Wednesday, 16 November

9:30 am Tree Commission, 930 W 4th St
10:00 am MPO Technical Advisory Committee, McCloskey
2:00 pm Hearing Officer, Kelly
2:30 pm Affordable Care Act Committee, McCloskey
4:00 pm Board of Housing Quality Appeals, McCloskey
4:15 pm Economic Development Commission, Hooker Conference Room
5:00 pm Dr. Martin Luther King, Jr Birthday Commission, Kelly
5:30 pm Traffic Commission, Chambers
6:00 pm Council of Neighborhood Associations, Hooker Conference Room
6:30 pm MPO Citizens' Advisory Committee, McCloskey
7:30 pm Common Council Regular Session, Chambers

Thursday, 17 November

8:00 am Bloomington Housing Authority, 1007 N Summit
5:15 pm Monroe County Solid Waste Management District- Citizens' Advisory Committee, McCloskey
5:30 pm Board of Zoning Appeals, Chambers
5:30 pm Community Development Block Grant Citizens' Advisory Committee, Hooker Conference Room
7:00 pm Environmental Commission, McCloskey

Friday, 18 November

12:00 pm Common Council Internal Work Session, Library
12:00 pm Domestic Violence Task Force, McCloskey

Happy birthday to Councilmember Dorothy Granger!

Saturday, 19 November

9:00 am Bloomington Community Farmers' Market, Showers Common, 401 N Morton St

*Auxiliary aids for people with disabilities are available upon request with adequate notice. Please contact the applicable board or commission or call (812) 349-3400.

**COMMON COUNCIL
MEETING SCHEDULE AND LEGISLATION DEADLINES FOR THE YEAR 2017
(Subject to Revision by Common Council)**

LEGIS CYCLE	INTERNAL WORK SESSIONS ⁹	DEADLINE FOR ORDINANCES; E-MAILED TO CCL BY NOON	DEADLINE FOR RESOLUTIONS; E-MAILED TO CCL BY NOON	REGULAR SESSION 1st READING FOR ORDS.	COMMITTEE OF THE WHOLE DISCUSSION	REGULAR SESSION 2 nd READINGS AND RESOLUTIONS	<i>* Note on Legislative Cycle</i>
1	Mon. Dec. 19 (2016)	Wed. Dec. 28 (2016)	Wed. Dec. 28 (2016)	¹ Jan. 11	¹ Jan. 11	Jan. 18	
2	Fri. Jan. 6	Mon. Jan. 9	Fri. Jan. 13	Jan. 18	Jan. 25	Feb. 1	
3	Fri. Jan 20	Mon. Jan. 23	Mon. Jan. 30	Feb. 1	Feb. 8	Feb. 15	
4	Fri. Feb. 3	Mon. Feb. 6	Mon. Feb. 13	Feb. 15	Feb. 22	Mar. 1	
5	Fri. Feb. 17	Fri. Feb. 17	Mon. Feb. 27	Mar. 1	Mar. 8	² Mar. 22	
6	Fri. Mar. 10	Mon. Mar. 13	Mon. Mar. 20	² Mar. 22	² Mar. 29	Apr. 5	
7	Fri. Mar. 24	Mon. Mar. 27	Mon. Apr. 3	Apr. 5	Apr. 12	Apr. 19	
8	Fri. Apr. 7	Mon. Apr. 7	Mon. Apr. 17	Apr. 19	Apr. 26	May 3	
9	Fri. Apr. 21	Mon. Apr. 24	Mon. May 1	May 3	³ May 10	May 17	
10	Fri. May 5	Mon. May 8	Mon. May 15	May 17	May 24	June 7	
11	Fri. May 19	Wed. May 24	Mon. June 5	June 7	June 14	⁴ & ⁵ June 21	
12	Fri. June 9	Mon. June 12	Mon. June 19	June 21	June 28	July 5	

**SUMMER RECESS AND
DEPARTMENTAL BUDGET HEARINGS (STARTING ON MONDAY, AUGUST 14TH) ³**

13	Fri. Aug. 4	Mon. July 31	Mon. July 31	Wed. Aug 9	Wed. Aug. 9	⁵ Wed. Aug. 23
14	Fri. Aug. 11	Mon. Aug. 7	Mon. Aug. 14	⁵ Aug. 23	Aug. 30	Sep. 6
15	Fri. Aug. 25	Mon. Aug. 28	Fri. Sept. 1	Sep. 6	Sep. 13	⁷ Sep. 19
16	N/A	Mon. Sep. 11	Mon. Sep. 11	⁶ Sep. 27	⁶ Sep. 27	⁶ Oct. 11
17	Fri. Sept. 8	Mon. Sept. 11	Mon. Sept. 18	⁷ Sep. 19	⁷ Oct. 4	⁷ Oct. 18
18	Fri. Oct. 6	Fri. Oct. 6	Mon. Oct. 16	⁷ Oct. 18	Oct. 25	Nov. 1
19	Fri. Oct. 20	Mon. Oct. 23	Mon. Oct. 30	Nov 1	Nov. 8	⁸ Nov. 15
20	Fri. Nov. 3	Mon. Nov. 6	Wed. Nov. 15	⁸ Nov. 15	⁸ Nov. 29	Dec. 6
21	Fri. Nov. 17	Mon. Nov. 20	Mon. Dec. 4	Dec. 6	Dec. 13	⁵ Dec. 20

YEAR END RECESS

First Legislative Cycle for 2018:

1	Mon. Dec. 18	Wed. Dec. 27	Wed. Dec. 27	¹ Wed. Jan. 10 (2018)	¹ Wed. Jan. 10 (2018)	Wed. Jan. 17 (2018)
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Deadlines for Legislation: The deadline for submitting legislation and all accompanying materials, including a summary memo, is set at noon on the date listed. For information on the manner for submitting these materials, please inquire with the Council Office.

Usual Day, Location, and Time of Meetings: Unless otherwise indicated, the Council meets on the first four Wednesdays of the month in the Council Chambers in Room 115 of the Showers Center, 401 North Morton, at 6:30 p.m. It also meets for a Staff-Council Internal Work Session on Fridays about 10 days before the beginning of the next legislative cycle. (See the first column of the above chart and footnote #9 for the day, time, location of those meetings and the typical topics discussed at them.)

*** Note on the Legislative Cycle:** While it is typical for the Council to introduce and take final action on legislation during the same cycle, the Council may schedule legislation or other matters for further consideration at subsequent Committees of the Whole, Regular Sessions, or Special Sessions.

The following footnotes list and explain the exceptions to this general rule:

- The Council will hold an annual Organizational Meeting on this date when, along with other matters, it elects officers and gives legislation first reading. Under local code, the meeting must be held by the second Wednesday in January unless rescheduled by a majority of the Council. (BMC 2.04.010 and BMC 2.04.050[a, c & d]). This meeting will be immediately followed by a Committee of the Whole.
- The Council will hold its second Regular Session in March on Wednesday, March 22nd, and second Committee of the Whole that month on the 29th. This schedule avoids meeting over Spring Break (when many residents are out-of-town) and takes advantage of a fifth Wednesday to shift meetings to the fourth and fifth Wednesdays of the month.
- The Council will hold a Council Budget Advance in the McCloskey Room (Room 135) of City Hall at 5:00 p.m. on Wednesday, May 10th and Departmental Budget Hearings in the Council Chambers at 6:00 p.m. on Monday, August 14th, Tuesday, August 15th, Wednesday, August 16th, and Thursday, August 17th, 2017. Budget Books are scheduled to be delivered on Monday, August 7th, which is one week before the start of the Departmental Budget Hearings.
- The Council will hear the Annual Tax Abatement Report as a Report from the Mayor and City Offices at this Regular Session.
- BMC 2.04.050[e] & [g] call for the Council to take a brief recess after the first Regular Session in August and the second Regular Session in December, and not introduce legislation for first reading at these meetings. By approving this Annual Schedule, the Council will be starting and ending the Summer Recess earlier than usual. The Summer Recess will begin after the second Legislative Cycle in June and end with an Internal Work Session on Friday, August 4th. Please note that this will move a Legislative Cycle from before to after the Summer Recess and include four evenings of Departmental Budget Hearings. (See Footnote #3 for more information on the Departmental Budget Hearings.)
- After holding Departmental Budget Hearings in the mid-August (See Footnote #3), the Council will formally consider the

City Budget for 2018 during a separate legislative cycle (known as the "Budget Cycle") starting in late September and ending in early October. In keeping with the Wednesday meeting schedule, this Budget Cycle typically starts with a Special Session and Committee of the Whole on the fourth Wednesday in September and ends with a Special Session on the second Wednesday in October. The Budget Cycle in 2017 will entail a Special Session and Committee of the Whole on Wednesday, September 27th and a Special Session on Wednesday, October 11th. Please note that the statutorily required initial public hearings associated with the City Budget package will be held during the aforementioned Committee of the Whole on September 27th and the adoption hearings will be held at the Special Budget Session on October 11th.

7. The second Legislative Cycle in September overlaps with the Budget Cycle and is intended to allow for consideration of routine, non-budget legislation during that time. That schedule typically results in the Second Legislative Cycle spanning from the third Wednesday in September to the third Wednesday in October. However, because Rosh Hashanah (the Jewish New Year) falls on a Wednesday night in 2017, those meetings will include a Regular Session on *Tuesday*, September 19th, a Committee of the Whole on October 4th (a first Wednesday), and a Regular Session on October 18th. In essence, this arrangement will replace one legislative cycle in early October with the Budget Cycle.

8. The Council will not meet for a Committee of the Whole on the Wednesday before Thanksgiving per BMC 2.04.050 (f). Because there are five Wednesdays in November, that meeting will be held on the last Wednesday in November.

9. Staff-Council Internal Work Sessions provide an opportunity for the Council members to learn about City initiatives, most of which are close to formal consideration by the Council. These meetings will be held in the Council Office Library (Room 110 of City Hall) at noon. If the room is too small for the meeting, the Council may move it to another room in City Hall and post notice on the door of the Council Office the day of the change in location. Except for the meetings on Monday, December 19, 2016 and Monday, December 18, 2017, these meetings will be held on a Friday.



Office of the
Common Council

Memorandum

To: Members of the City of Bloomington Common Council, Mayor, and City Clerk
From: Daniel Sherman, Attorney/Administrator, Common Council
Re: Annual Council Schedule for 2017
Date: November 3, 2016

Dear Council Members, Mayor, and City Clerk – I’m sending a preliminary draft of the proposed Annual Schedule for early discussion and, hopefully, in time for one to go out with the Council Weekly Packet distributed on November 11th for consideration at the Regular Session on November 16th.

The Annual Schedule provides notice of the Council meetings and, importantly, limits the need to post additional notice of meetings to only those occasions when the essential facts about the meeting (e.g. day, time, and kind of the meeting) are changed. This reduces the risk of having to cancel or redo a meeting because of a failure to post notice.

It is brought forward in November of the prior year because the Annual Schedule entails use of the Council Chambers and other meeting rooms and its approval is followed by identifying and resolving conflicts in room reservations before the Annual Calendar is printed and distributed in early December. The Annual Calendar is currently provided by the Council Office and offers a more user-friendly format for City meetings and Council deadlines than the Annual Schedule. Please know that the Annual Schedule requires a majority vote to be adopted and, if needed in the future, amended.

Please review and respond to Andy or me over the next week.

Highlights of Deviations of the Four-Wednesday-Rule and Other Significant Changes in Proposed Annual Schedule for 2017

As you know, the Council generally meets on the first four Wednesdays of the month for Regular Sessions and Committees of the Whole. It also meets on Fridays about twice a month for Staff-Council Internal Work Sessions to informally hear about upcoming legislation and other pending matters. Here are some of the meetings (and deadlines) that would *not* follow the usual rule:

- **6:30 pm Start-Time for Regular Sessions and Committees of the Whole** – based upon the response at the Staff-Council Internal Work Session on October 21st, this Schedule assumes that the Council will decide to meet at 6:30 pm for Regular Sessions and Committees of the Whole (but can be easily changed if that is not the will of the Council).
- **Staff-Council Internal Work Sessions** are scheduled on Friday at noon in the Council Library (unless a bigger room is necessary) except for:

- Monday, December 19, 2016 – (before Council members and staff often take time off for the holidays); and
 - Monday, December 18, 2017 - *(same)*;
- **January - Organizational Meeting and first Committee of the Whole** are scheduled for second Wednesday in January per past practice;
 - **March** – The Council does not meet over IU Spring Break (March 11th – 19th) and shifts the Regular Session and Committee of the Whole to the fourth and fifth Wednesdays of the month (thereby avoiding a two-meeting evening);
 - **March, May, August & November– a Fifth Wednesday** – There are five Wednesdays in four months next year. All those except the one in May will be used for meetings because of holidays or other Council activities (Departmental Budget Hearings in August).
 - **June & July – Early Summer Recess** – In order, among other things, to bring the Council Summer Recess in line with the IU and MCCSC 2017-18 School Year and to account for the new Public Safety Local Income Tax Allocation process, this schedule proposes that the Council start its Summer Recess after the first Wednesday in July and end with the second Wednesday in August.
 - **Budget Schedule - May and August thru early October** - The Budget Schedule has some minor changes because of five Wednesdays in August and entail:
 - A Budget Advance on the second Wednesday in May at 5:00 pm in the McCloskey Room
 - *The 5:00 pm start time is earlier than usual and would allow for the Council to hold the Committee of the Whole at 6:30 pm.*
 - Department Budget Hearings over four evenings starting in the second Monday of August (Monday the 14th – Thursday the 17th)
 - *Because many Council members work at IU and experience unusually busy days during the first week of the IU semester (which starts on the 21st in 2017), this schedule moves the Departmental Budget Hearings to the second Monday of that month;*
 - *This schedule also lists the expected arrival of the Budget Books a week before the hearings begin.*
 - Formal Consideration of the Budget with a:
 - Special Session and Committee of the Whole on Wednesday, September 27th and
 - Special Session on Wednesday, October 11th;
 - *This separates the two evenings by two weeks.*

- **Non-Budget Meetings in August, September, and October** – The months of August, September, and October include both Budget (noted above) and Non-Budget (see below) that deserve note.
 - **August** - even though there are five Wednesdays in August, this schedule continues the practice of holding a Regular Session and Committee of the Whole on the last Wednesday of the month.
 - This helps Council Office staff handle Departmental Budget Hearing without having to produce a large packet in the same week;
 - **September and October** – the second Legislative Cycle in September overlaps with the Budget Cycle and, therefore, typically includes a Regular Session on the third Wednesday in September, a Committee of the Whole on the first Wednesday in October, and a Regular Session on the third Wednesday in October (after which the Council returns to its usual schedule of Legislative Cycles.
 - **Regular Session on Tuesday, September 19th (Rosh Hashanah)¹** - Since Rosh Hashanah (the Jewish New Year) falls on a Wednesday, this schedule proposes that the Regular Session be held on Tuesday of that week;
- **November** - the Council does not meet on the eve of Thanksgiving but, given the five Wednesdays that month, the Committee of the Whole typically scheduled for the fourth Wednesday, is now scheduled for the last Wednesday of November.

More Detailed Overview of Exceptions to Four-Wednesday-Rule and Other Notable Meeting Dates in the Proposed Annual Schedule for 2017

Here is a more detailed look at unusual meeting dates in 2017:²

January

Wednesday, January 11 Organizational Meeting and Committee discussion.
Please note that the schedule sets this meeting on the second Wednesday of the month which, with a recent change in our local code, is the last day we can hold that meeting.

February

(Nothing Unusual)

March

In 2017, the IU Spring Break will occur during the week of March 11th – 19th. This schedule would have the Council skip over the Wednesday during Spring Break and meet for a Regular Session and Committee of the Whole on the fourth and fifth Wednesdays that month.

¹ Religious Holiday Adjustments – this proposal adjusts schedule in September for Rosh Hashanah (the Jewish New Year). I'll need to confirm these dates and can use your help in determining whether there are other religious holidays to be observed. Please see this link to the IU Religious Holiday Schedule http://www.indiana.edu/~vpfaa/docs/religious_observances/religious-observances-calendar-2013-2018.pdf

² This lists a few, but not all, of the Internal Work Sessions.

Wednesday, March 15th *No Meeting – Spring Break*
Wednesday, March 22nd Regular Session
Wednesday, March 29th Committee of the Whole (*fifth Wednesday*)

April (*Nothing Unusual*)

May *Budget Advance*

Wednesday, May 10th “Budget Advance” in the McCloskey Room at 5:00 p.m.

June *Special Session (to hear Annual Tax Abatement Report) and Committee of the Whole on last Wednesday in June*

Wednesday, June 28th Special Session *immediately followed by a* Committee of the Whole

July *Commences the Summer Recess after the **first** Wednesday in July*

Wednesday, July 5th Regular Session (*Summer Recess begins after this meeting and ends with a Regular Session on Wednesday, August 9th.*)

August *Adds a Legislative Cycle in early August and holds Departmental Budget Hearings a week earlier (because of the start of the IU 2017-18 School Year)*

Friday, August 4th Internal Work Session
Monday, August 7th Budget Books due in Council Office
Wednesday, August 9th Regular Session
Friday, August 11th Internal Work Session
Monday, August 14th Start four evenings of Departmental Budget Hearings (*on second Monday*)
Thursday, August 17th End Departmental Budget Hearings
Friday, August 18th Internal Work Session
Wednesday, August 23rd Regular Session
Wednesday, August 30st Committee of the Whole

September and October *Overlap of Regular and Budget Legislative Cycles – Rosh Hashanah on third Wednesday.*

Wednesday, September 6th Regular Session
Wednesday, September 13th Committee of the Whole
Tuesday, September 19th Regular Session (Rosh Hashanah)
Wednesday, September 27th Special Budget Session and Committee of the Whole

Wednesday, October 4th Committee of the Whole (*on MCCSC fall break*)
Wednesday, October 11th Adoption Hearing on Budget
Wednesday, October 18th First Regular Session in October
Wednesday, October 25th Second Committee of the Whole in October

November

Five Wednesdays and a holiday – no need to double-up meetings

Wednesday, November 22nd *Off – Thanksgiving*

Wednesday, November 29th Committee of the Whole (on a fifth Wednesday)

December

Schedules the first Internal Work Session on a Monday before folks take off for the holidays.

Wednesday, December 20th Last meeting of the year

Monday, December 18th Internal Work Session (for first Legislative Cycle in 2018)

RESOLUTION 16-14

**A RESOLUTION BY THE CITY OF BLOOMINGTON OF THE STATE OF INDIANA
STATING ITS SUPPORT FOR THE DEVELOPMENT OF
UNITED STATES BICYCLE ROUTE (USBR) 235**

- WHEREAS, bicycle tourism is a growing industry in North America, presently contributing approximately \$47 billion dollars a year nationally to the economies of communities that provide facilities for said tourism; and
- WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has designated a corridor - spur in southern Indiana to be developed as United States Bicycle Route (USBR) 235; and
- WHEREAS, the Bloomington Bicycle Club (BBC), in cooperation with the Indiana Department of Transportation and other stakeholders, has proposed a specific route to be designated as USBR 235, a map of which is herein incorporated into this resolution by reference; and
- WHEREAS, the proposed USBR 235 traverses the City of Bloomington, is expected to provide a benefit to local residents and businesses, and is supported by the City of Bloomington Bicycle and Pedestrian Commission; and
- WHEREAS, the City of Bloomington has duly considered said proposed route and determined it to be a suitable route through the City and desires that the route be formally designated so that it can be appropriately mapped and signed, thereby promoting bicycle tourism in the Greater Bloomington Community.

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

SECTION 1. The City of Bloomington hereby expresses its approval and support for the development of USBR 235 and requests that the appropriate government officials take action to officially designate the route accordingly as soon as possible.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2016.

ANDY RUFF, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2016.

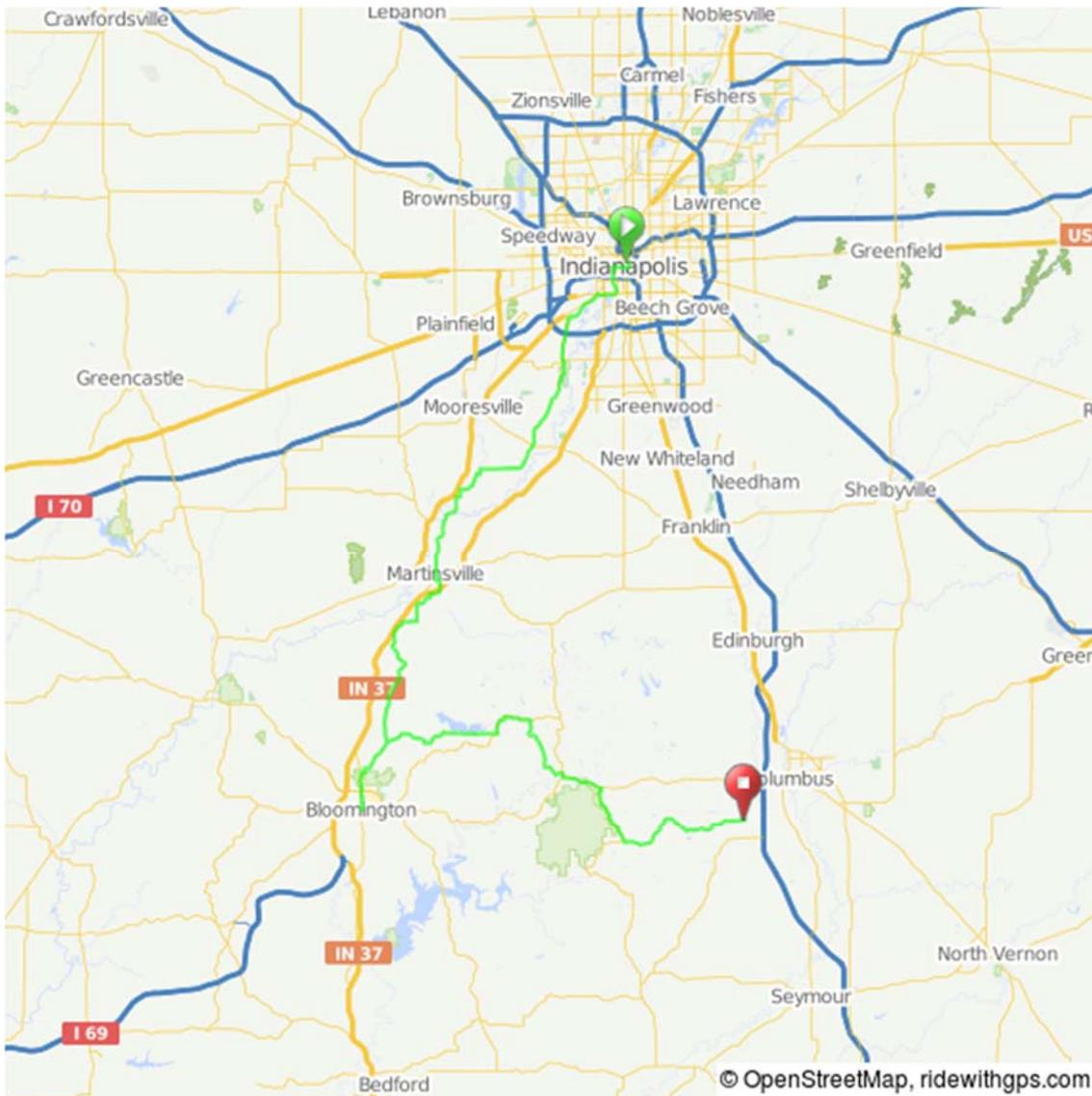
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2016.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This resolution supports the development of United States Bicycle Route (USBR) 235. USBR 235 is a spur of USBR 35, which is a designated bicycle route running from Michigan through Indiana to Kentucky. This 100-mile spur would connect Indianapolis to Columbus, Indiana, and run through Monroe County and the City of Bloomington along the way. The resolution is being sought by the Bloomington Bicycle Club and is supported by the City's Bicycle and Pedestrian Safety Commission.



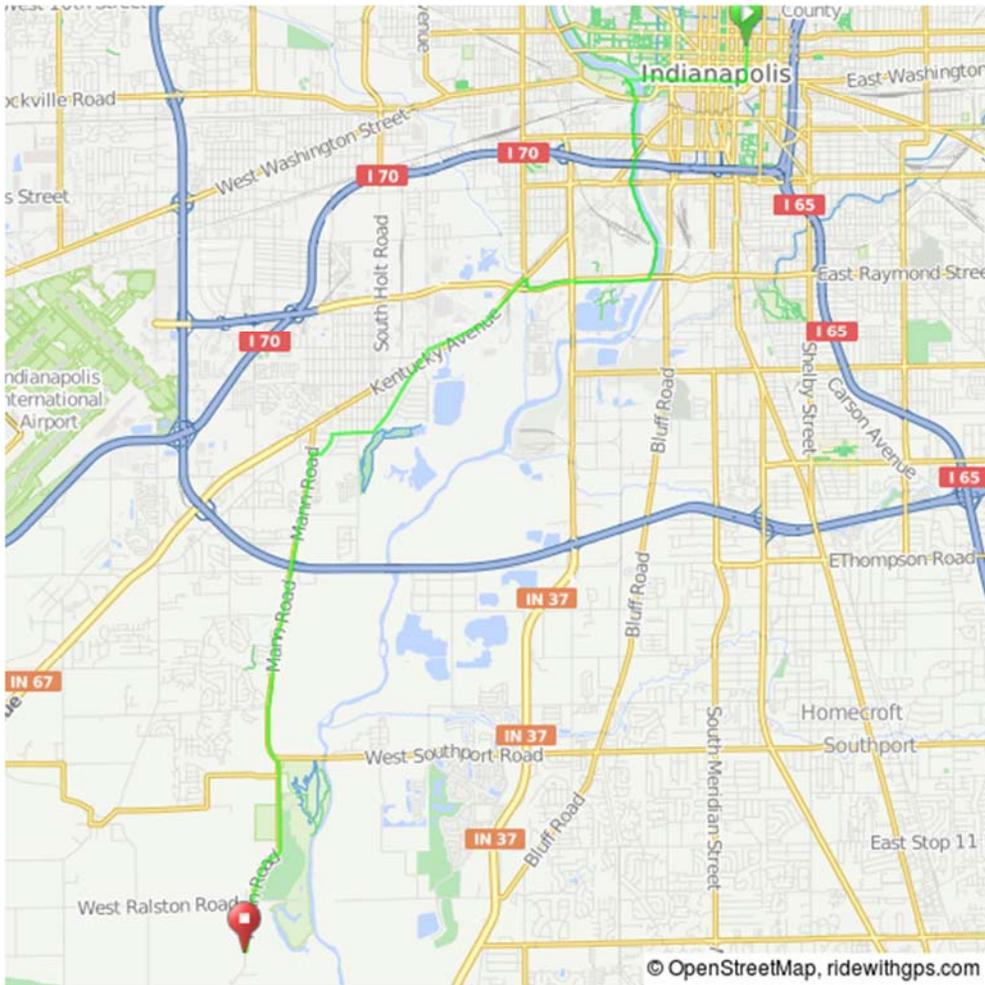
USB 235 SPUR INDIANAPOLIS TO COLUMBUS

<https://ridewithgps.com/routes/12095419>

USB 235 is a proposed corridor and spur of USB 35 linking important scenic and tourist areas of Indiana that include the cities of Indianapolis, Martinsville, Bloomington, Nashville, and Columbus.

This 103.4 mile spur leaves USB 35 in downtown Indianapolis and follows many designated bicycle trails and bicycle routes. Leaving Marion County it travels south and west on primary country roads and into cities of Brooklyn and Martinsville. INDOT has assured that Mann Rd – Centenary Rd will remain continuous on all I-69 Section 6 plans. South of Martinsville it stays east of I-69 and utilizes a new I-69 access road from Liberty Church Rd to the present Old 37. The route continues on Old 37 through Monroe County into Bloomington onto College Avenue at Miller- Showers Park to the courthouse and back north on Walnut St, duplicating the southern route but then turn east on Robinson Rd toward Nashville. This duplication is to showcase Monroe County's Bicycle Byway from Griffey Lake to Lake Lemon. In Brown County the route takes IN-45 but enters Nashville the back way on Helmsburg Rd. Continuing east on a wide shoulder of IN-46 past Brown County State Park and around it on IN-135, and then the last leg is primarily Bellsville Pike to the end in Bartholomew County at S 400 W southwest of Columbus where it links back with USB 35, Columbus to the north and terminates at Jeffersonville to the south..

This suggested route has been broken down into individual counties and cities for a more specific southbound and eastbound narrative to the appropriate government entities.

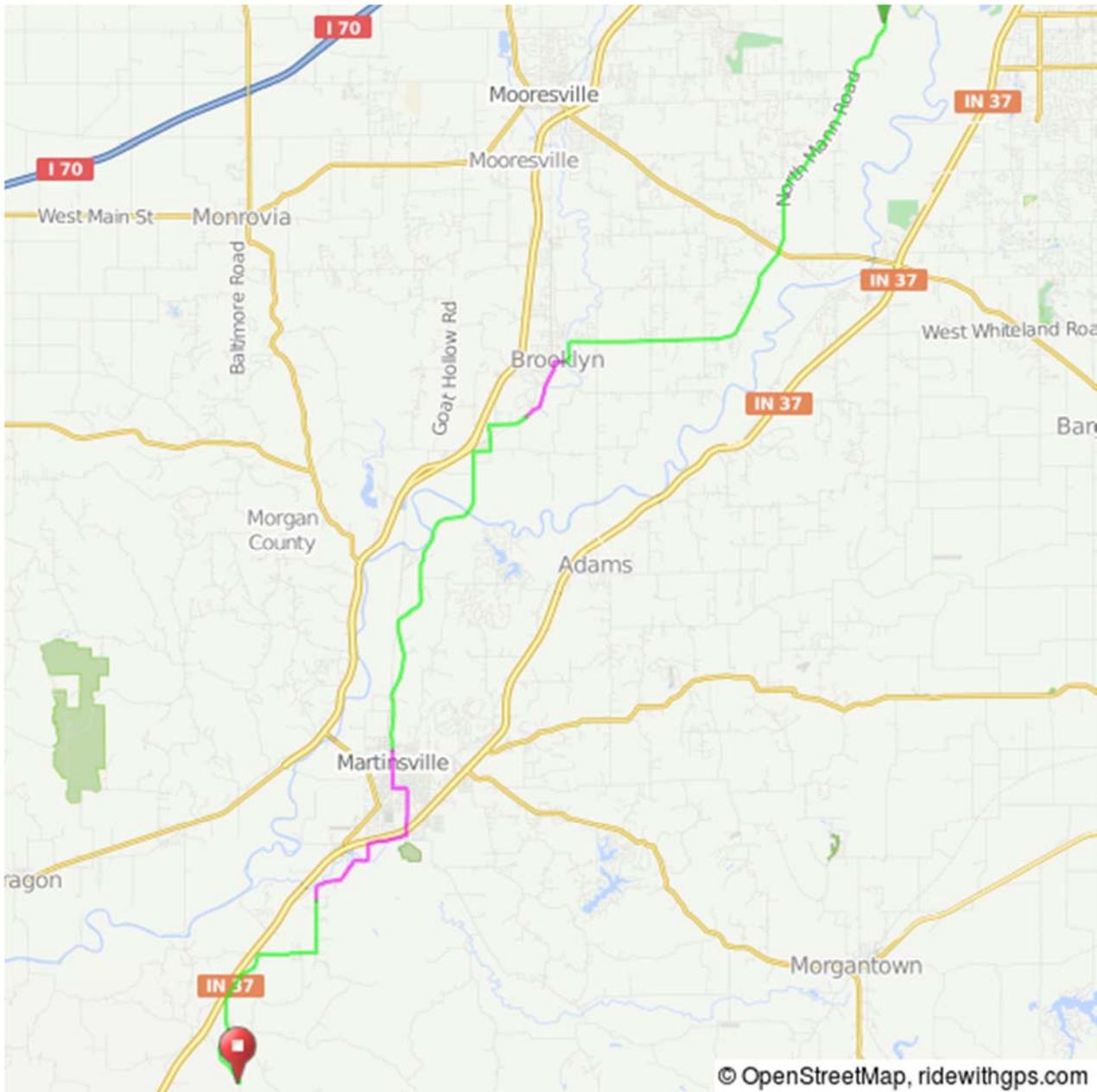


INDIANAPOLIS - MARION COUNTY 14.1 miles <https://ridewithgps.com/routes/12111339>

USBR 235 leaves USBR 35 at Alabama St and Massachusetts Ave on the critically acclaimed Indianapolis Cultural Trail. Heading south on Alabama St, the Indy Bike Garage bike shop will be on the right before turning west on the trail alongside Washington St. At Meridian on the right is Monument Circle and the Indiana State Soldiers and Sailors Monument, the first in the United States to be dedicated to the common soldier. Since its public dedication in 1902, the monument has become an iconic symbol of Indianapolis.

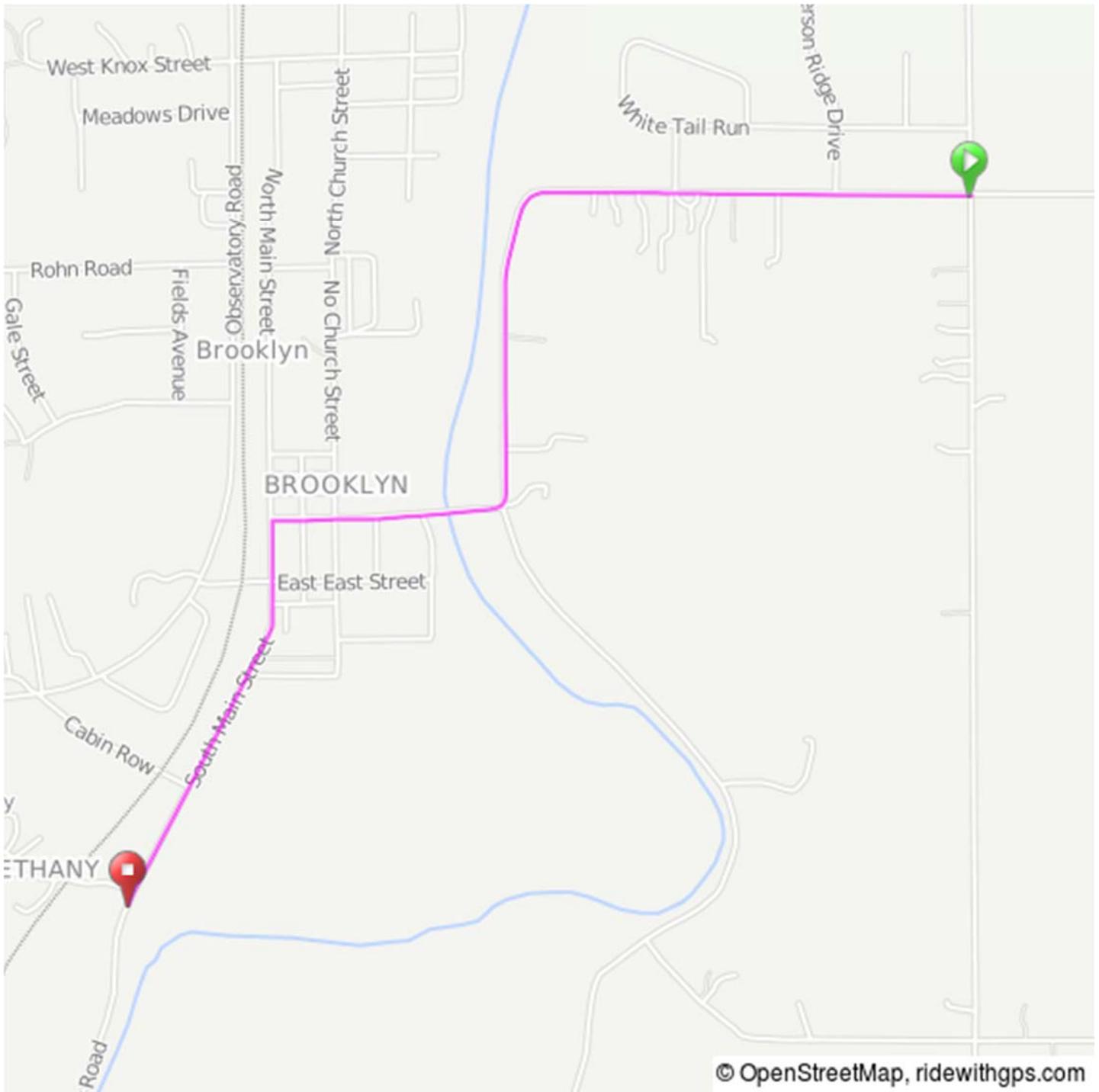
USBR 235 continues west passing by the Indiana State Capitol and into the White River State Park with its many museums and the Indianapolis Zoo where it becomes the White River Trail. There are also many hotels and eating establishments nearby.

After crossing over the White River, USBR 235 then travels south on the White River Trail along the west side of the White River, and then goes west along Raymond St. It becomes Eagle Creek Greenway at the busy intersection of Raymond St and Harding St with traffic lights and crosswalks. The World Headquarters of Eli Lilly is nearby. The Eagle Creek Greenway turns northwest and abruptly ends. *Assuming that Indianapolis is planning extend the greenway, and also utilize the nearby railroad bridge over Eagle Creek at Belmont Ave and the railroad corridor running along Kentucky Ave on the north side.* Currently, the route must be on the shoulder of a busy Kentucky Ave for 0.7 miles where it turns right at Warman Ave and then left onto Maywood Ave, a residential area. This crosses Kentucky Ave and becomes Mooresville Rd, a designated Indianapolis bike route, through more residential neighborhoods. It then turns left on Mayflower Drive and Standish Drive, and then left onto Mann Rd, a primary arteriole leading out to I-465 and rural areas. USBR-235 also intersects the east-west USBR-50 at Southport Rd. This Marion County section then ends at Southwestway Park, a popular mountain bike area of Indianapolis.



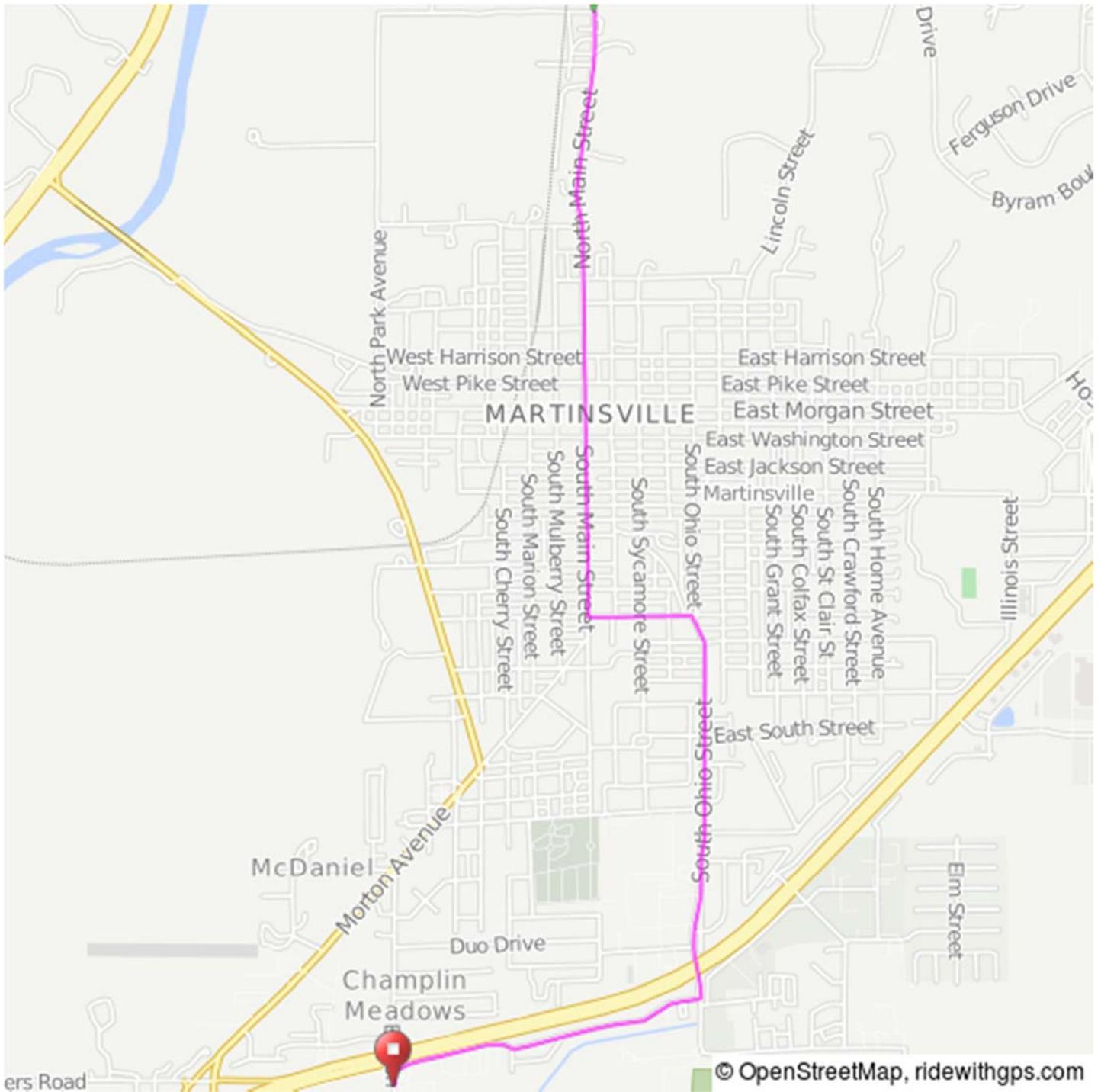
MORGAN COUNTY 29.5 miles <https://ridewithgps.com/routes/12111983>

This northern area of Morgan County is essentially flat farmland, but with section 6 of I-69, Mann Rd may be hugging close to I-69 or intersecting it. INDOT has assured that the Mann Rd – Centenary Road will remain continuous. After crossing IN-144 the road becomes Centenary Rd. As you approach Brooklyn on Centenary Rd, you will curve left and past a park on the left and then a slight curve to the right to cross White Lick Creek and it now is Mill St. While there are eating establishments and a nearby convenience store, the route turns left at Main St. There are actually two more hamlets, Bethany and Centerton, compressed together to confuse things a bit. Main St turns into Tide Water Rd in Bethany and then becomes Center Valley Rd in Centerton, and then turns left on High St. Turn right on Centerton and then Blue Bluff Rd all the way to Martinsville on the John Wooden Interurban Way while passing the coal power plant on the right. Martinsville is also known as the gateway to southern Indiana as the terrain changes drastically to some challenging hilly roads. But, the scenery is well worth it. Winding about Indian Creek, then Jordan Creek, and finally Little Indian Creek, one will realize that these creeks were all created by glaciers that melted out and left the hills to the south. Now approaching I-69 on Liberty Church Rd, turn left before I69 onto a new access road, “new” Old State Road 37. A long gradual climb brings you into Morgan-Monroe State Forest.



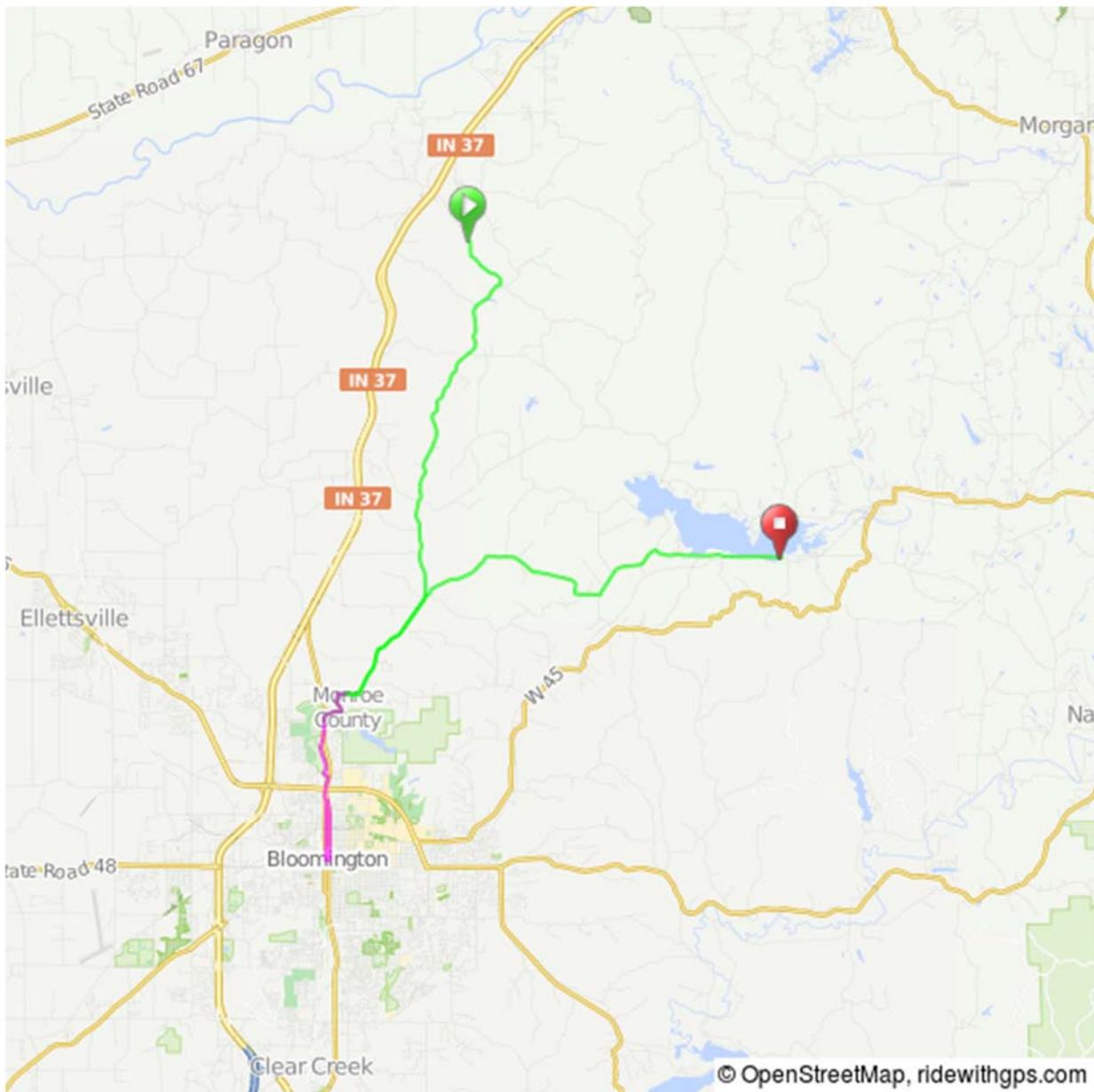
BROOKLYN 1.7 MILES <https://ridewithgps.com/routes/12112037>

As you approach Brooklyn on Centenary Rd, you will curve left and past a park on the left and then a slight curve to the right to cross White Lick Creek and it now is Mill St. While there are eating establishment and a nearby convenience store, the route turns left at Main St into the two hamlets of Bethany and Centerton.



MARTINSVILLE 3.4 MILES <https://ridewithgps.com/routes/12112107>

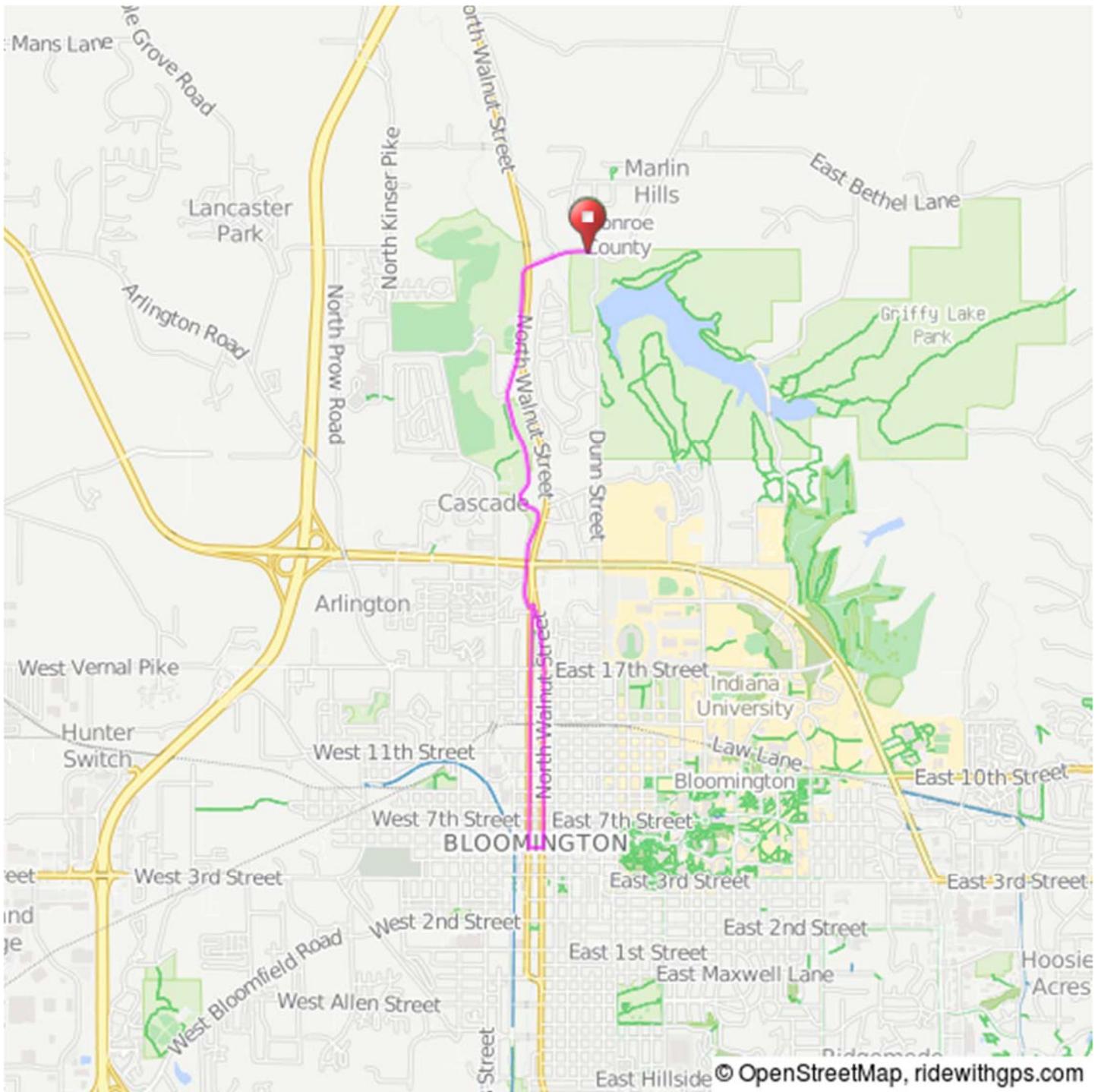
Martinsville is the county seat of Morgan County and is mostly known for its many artesian springs and healing spa's in the late 1800's and 1900's. Entering from the north on Main St, the courthouse square welcomes you with a few diners. Turning left onto Garfield and then curve right onto Ohio St one will find grocery stores, pharmacies, convenience stores, and chain restaurants. After crossing I-69 turn onto Southview Drive, a city access road, and then turn left onto Burton Lane to leave town.



MONROE COUNTY 28.6 miles <https://ridewithgps.com/routes/12112514>

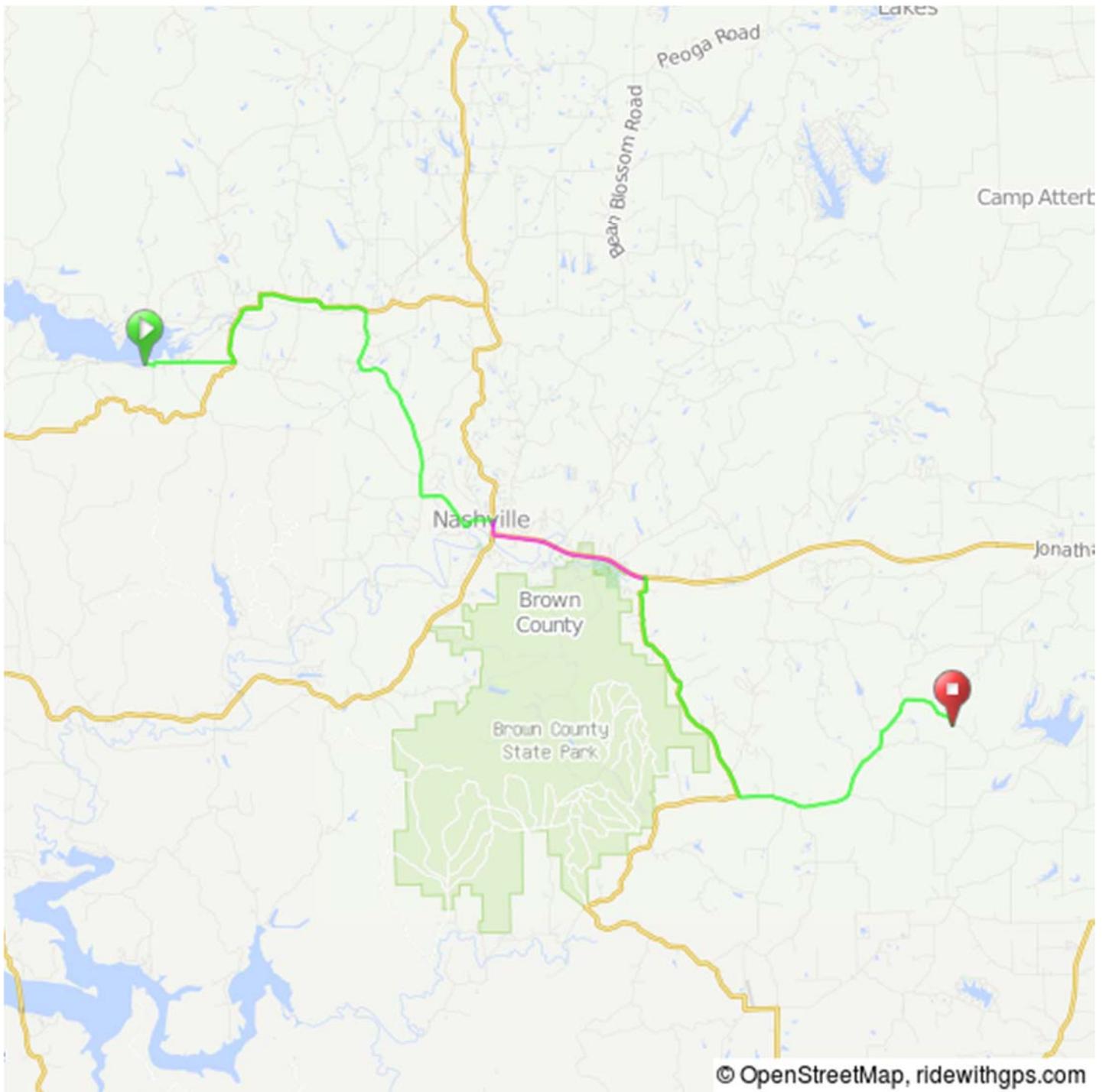
You are now deep into Morgan Monroe State Forest that does offer hiking and a campground around 5 miles to your left where Old 37 veers right. If for some reason one would not want to visit Bloomington, USBR 235 turns east at Robinson Rd. This entire area is a very popular area for bicycling especially in the early spring when IU students are training for the annual Little 500 during spring week. After climbing Firehouse Hill, riders should stop at the firehouse on the right. They have had a drinking fountain for bicyclists for many years. In order to avoid a dangerous blind hill there will be a right turn onto Audubon Drive into a housing addition and then left onto Hillview Dr. Monroe County is developing a bicycling byway from Griffy Lake to Lake Lemon and there will eventually be bike lanes on Old 37 and the route in the addition will be part of the designated byway.

Leaving Bloomington on the north side, this route duplicates with the entrance into Bloomington so that the best bicycling can be offered as one travels eastward. The route then turns onto Robinson Rd. Bicyclists coming from Nashville heading west and not wanting to ride to Bloomington can turn north on Old 37 to reach Martinsville. Butler Winery is located on Robinson Rd where wine tasting is available and a grill with limited hours. Off of Tunnel Rd is Riddle Point Park where one can spend some time at the beach, and an active railroad trestle can be scoped out at the short west causeway to the right. Port Hole Inn is on the left where one can eat some lunch or dinner and cool off with a cold one. The county line is at the end of the long east causeway.



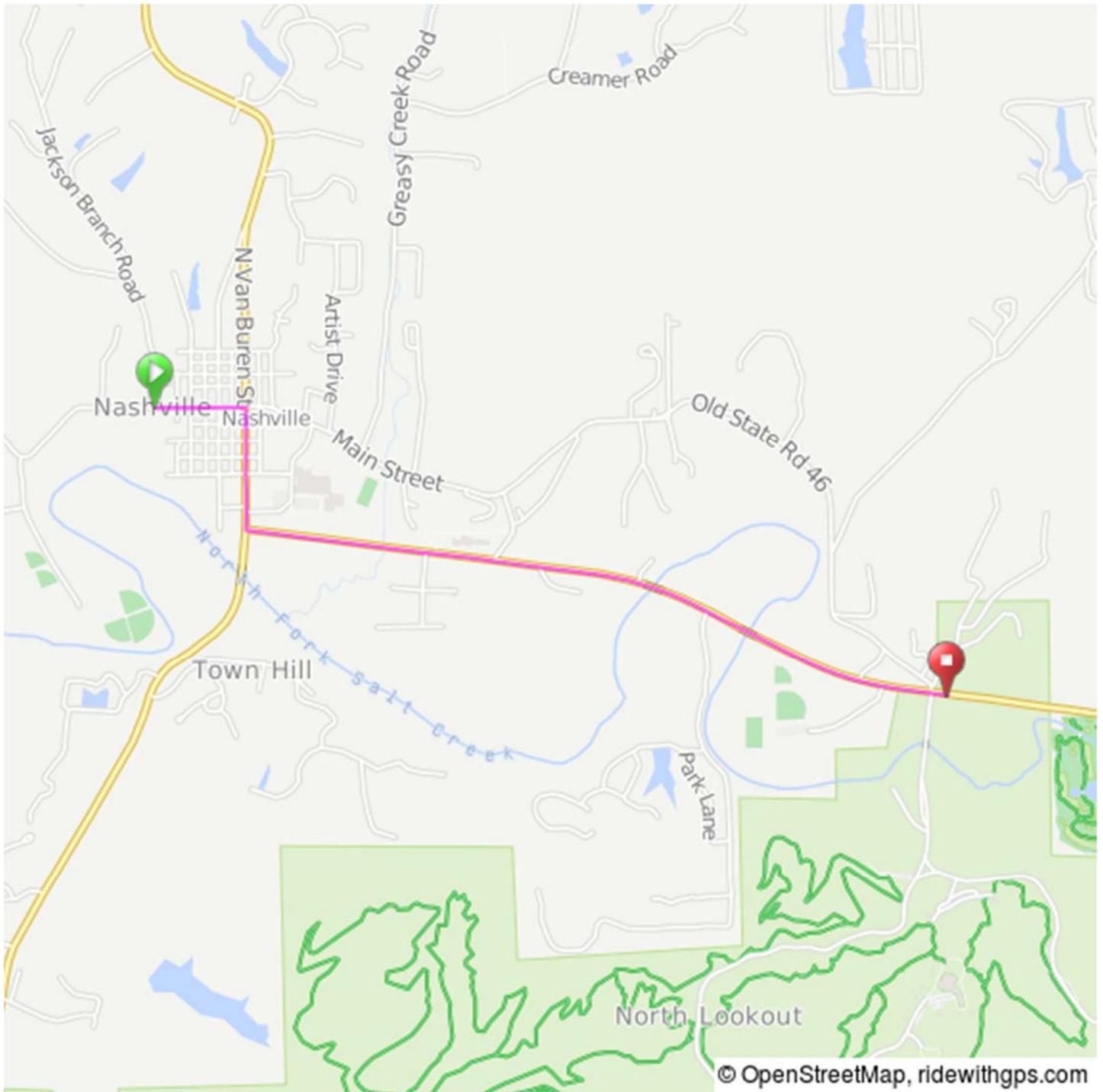
BLOOMINGTON 6.6 miles <https://ridewithgps.com/routes/12112688>

USBR 235 enters Bloomington from the north, and leaves from the north also. Eventually, a USBR 37 will continue south on the B-Line to Bedford and continue to Evansville. Bicyclists are encouraged to spend ample amount of time in Bloomington, in fact a whole weekend is suggested. This is the home of "Breaking Away" ranking in the top five of sports movies and of course the most popular of cycling movies. Bloomington also is currently a gold level bicycle friendly city as determined by the League of American Bicyclists. It is the highest ranked city in Indiana boasting many bike lanes, bike trails, sharrowed lanes, and designated and signed bike routes. It is the home of Indiana University and their Little 500 every spring. This college town has quite an eclectic choice of restaurants, brew pubs, and nightlife. The B-line is a spectacular bike trail that traverses all of downtown. There are also four bike shops in the city.



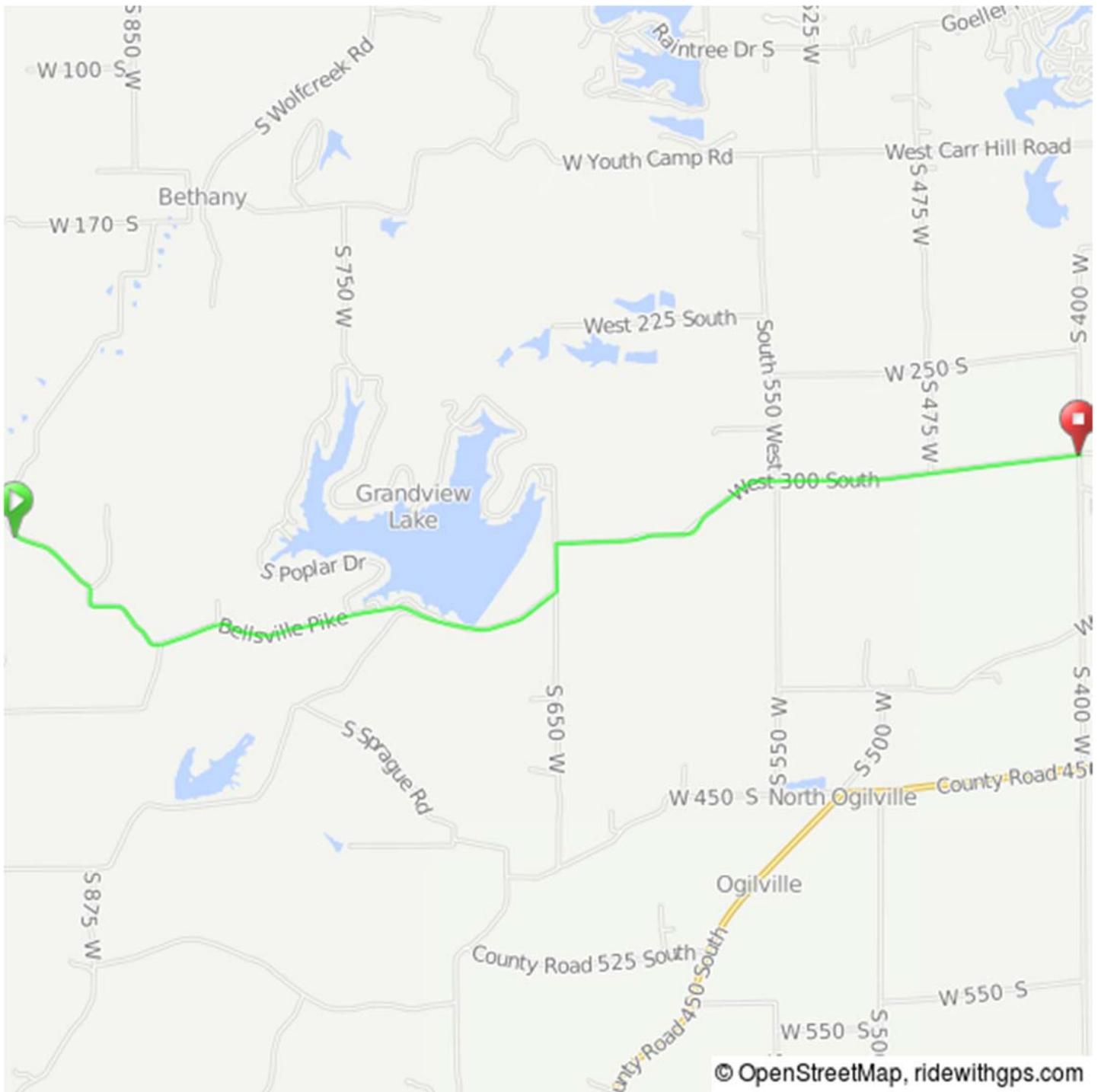
BROWN COUNTY 25.4 miles <https://ridewithgps.com/routes/12113373>

Now entering Brown County at the end of the long east causeway, you then turns left onto IN-45. Motorists are used to seeing bicyclists on this winding state road. In Helmsburg you will turn right at the Helmsburg General Store onto Helmsburg Rd. Stop in for a snack. Continue all the way to Nashville with a long uphill in the middle. At the main intersection of downtown Nashville, turn right and follow IN-135. This has a wide shoulder for bicyclists. About a mile later there is Hesitation Point Bike Shop on the right. You may think it odd that this large bike shop is in the middle of nowhere, but it is near Brown County State Park, the largest in Indiana, and home of the best mountain biking east of the Mississippi. The state park has a large campground and a full service inn. Follow IN-135 when it turns right along the east side of the park. The road T's at Stonehead, which is a historic 1851 mile marker or waypoint between Columbus and Fairfax. This route turns east toward Columbus on Bellsville Pike, quite an idyllic valley ride.



NASHVILLE 2.3 miles <https://ridewithgps.com/routes/12113251>

Nashville has become famous as a haven for artists of all types that started in the 1900's. It had always been a sleepy little town but now has become quite a weekend getaway for city folk from Indianapolis, Louisville, and Cincinnati metro areas. There are shops of all kinds, hotels, many art galleries, and quite tasty food at various restaurants. Proceed south onto Van Buren St and then east onto IN-46 / IN-135. This has a wide shoulder for bicycles. A McDonald's, hardware store, and grocery store is on the right while leaving town.



BARTHOLOMEW COUNTY 5.8 miles <https://ridewithgps.com/routes/12113467>

USBR 235 continues to the south side of Grandview Lake with all its luxurious cottages, left, and then right onto CR W 300 S to USBR 35 on S 400 W southwest of Columbus. Turning north onto USBR 35 will take one to Columbus, known for its prized architecture and also the many miles of the Peoples Trail. Turning south on USBR 35 will eventually take one to Jeffersonville and the Ohio River where one can cross the river on the Big Four bike/ped bridge to Louisville, KY.



To: Bloomington Common Council
From: Scott Robinson, Planning Services Manager
Date: 11/09/2016
Re: U.S. Bike Route 235 – Resolution 16-14
CC: Beth Rosenbarger, Christy Langley, and file

U.S. Bike Route Background

The U.S. Bicycle Route System is a developing network of officially numbered interstate bicycle routes that connect America's cities, suburbs, and rural areas. U.S. Bicycle Routes are defined as routes that connect two or more states, a state and an international border, or other U.S. Bicycle Routes. U.S. Bicycle Routes may be on roads or trails suitable for bicycle travel. State departments of transportation apply for U.S. Bicycle Route numbered designation, and work in coordination with local agencies, organizations, and volunteers in planning and choosing routes. U.S. Bicycle Routes are catalogued and designated by the American Association of State Highway Transportation Officials (AASHTO).

U.S. Bike Route 35 (USBR 35) is currently a designated route running from Michigan, through Indiana, to Kentucky. The Bloomington Bicycle Club has proposed a spur of USBR 35 to run from Indianapolis, through Bloomington, to Columbus called USBR 235. This 100 plus mile spur will link important scenic and tourist areas of Indiana that include the cities of Indianapolis, Martinsville, Bloomington, Nashville, and Columbus. The target users of the USBR system are long distance travelers who are experienced road users. They often are associated with the membership organization of Adventure Cycling. The Bloomington Bicycle Club has been successful in working with the Indiana Department of Transportation and other local agencies towards officially designating USBR 235. The designation does not require resources and only needs support from each local agency before Indiana Department of Transportation can proceed with the official route designation.

Bicycle and Pedestrian Safety Commission Support

The Bloomington Bicycle Club presented the USBR 235 proposal to the Bicycle and Pedestrian Safety Commission at their June 2016 meeting. Subsequently, at their July 2016 meeting they signed a letter to Mayor Hamilton recommending full support of USBR235. The Commission acknowledged the need, economic value, and practicality of designating this spur, which comes right into downtown Bloomington. A signed letter by the Commission to the Mayor is included for reference.

Staff is requesting the Bloomington Common Council support the designation of USBR 235 with Resolution 16-14.



July 11, 2016

Dear Mayor Hamilton,

The Bicycle and Pedestrian Safety Commission heard a request by the Bloomington Bicycle Club's to support U.S. Bike Route 235 (USBR 235) into Bloomington at our May meeting. This route would be a spur off already approved U.S. Bike Route 35. This 100 plus mile spur leaves downtown Indianapolis and follows many designated bicycle trails and bicycle routes on primary country roads and into the cities of Brooklyn, Martinsville, Bloomington, and onto Columbus.

At our June meeting, we had discussions with a Monroe County official regarding their concurrent bicycle friendly efforts that also supports this USBR 235 proposal. Subsequently, at our July meeting we acknowledged the need, economic value, and practicality of designating this spur, which comes right into downtown Bloomington. We also acknowledge that this designation does not require any resources from the City.

As part of the spur's approval process, each local agency would need to support the proposed route within their respective jurisdiction before the Indiana Department of Transportation could designate the route. Other local agencies along the USBR 235 route have subsequently endorsed the proposal. It is with our great pleasure and full support of USBR 235 that we recommend your endorsement of U.S. Bike Route 235.

Sincerely,

A handwritten signature in blue ink that reads "Mitch Rice".

Mitch Rice, Chair
mcrice@indiana.edu

A handwritten signature in blue ink that reads "Jaclyn Ray".

Jaclyn Ray, Vice-Chair
jaclyn@clutterwrangler.com

www.bloomington.in.gov/bpsc

2nd Monday at 5:30 p.m.

Hooker Conference Room | Bloomington City Hall, 401 N. Morton St

APPROPRIATION ORDINANCE 16-07

TO SPECIALLY APPROPRIATE FROM THE GENERAL FUND, LOIT SPECIAL DISTRIBUTION FUND, POLICE EDUCATION FUND, NON-REVERTING IMPROVEMENT 1 (WESTSIDE) FUND, AND RENTAL INSPECTION PROGRAM FUND EXPENDITURES NOT OTHERWISE APPROPRIATED

(Appropriating Various Transfers of Funds within the General Fund, Parks General Fund, Parking Facilities Fund, Solid Waste Fund, and Fleet Maintenance Fund; and, Appropriating Additional Funds from the General Fund, LOIT Special Distribution Fund, Police Education Fund, Non-Reverting Improvement 1 (Westside) Fund, Rental Inspection Program Fund)

- WHEREAS, various Departments within the General Fund, desire to transfer Classifications 1, 2, 3 & 4 amounts for personal services, supplies, services and capital replacement not included in the adopted budget; and
- WHEREAS, the Parks Department desires to transfer funds between Classifications 1 & 3 amounts for services not included in the adopted budget; and
- WHEREAS, the Public Works Department desires to transfer funds for the Parking Facilities Fund between Classifications 1 & 3 amounts for personal services not included in the adopted budget; and
- WHEREAS, the Planning and Transportation Department desires to appropriate fund in LOIT Special Distribution Fund Classification 2 – Supplies for supplies not included in the adopted budget; and
- WHEREAS, the Police Department desire to increase its budget for the Police Education Fund in Classification 3 – Services and Charges to pay for additional officer training; and
- WHEREAS, the Public Works Department desire to transfer funds in the Solid Waste Fund budget between Classifications 3 and 4 to pay for some capital costs; and
- WHEREAS, the Public Works Department desire to transfer funds in the Fleet Maintenance Fund budget between Classifications 1 and 3 to pay for temporary labor; and
- WHEREAS, the Office of the Controller desires to increase its budget for the Non-Reverting Improvement 1 (Westside) Fund in Classification 3 – Services and Charges to pay for expenditures not otherwise appropriated; and
- WHEREAS, the Housing & Neighborhood Development Department desires to increase its budget in Classification 3 – Services and Charges in its Rental Inspection Program Fund to reimburse the General Fund for program expenses;

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

SECTION I. For the expenses of said municipal corporation the following additional sums of money are hereby appropriated and ordered set apart from the funds herein named and for the purposes herein specified, subject to the laws governing the same:

	AMOUNT REQUESTED
General Fund – Animal Care & Control	
Classification 1 – Personal Services	\$ 5,000.00
Classification 2 – Supplies	\$ (3,000.00)
Classification 3 – Services and Charges	\$ (2,000.00)
Total General Fund – AC&C	<u>0.00</u>
 General Fund – Public Works Facilities	
Classification 1 – Personal Services	\$ 8,000.00
Classification 2 – Supplies	\$ 40,600.00
Total General Fund – PWF	<u>48,600.00</u>

General Fund – Community and Family Resources	
Classification 1 – Personal Services	\$ (10,000.00)
Classification 3 – Services and Charges	\$ <u>5,800.00</u>
Total General Fund – CFRD	<u>(4,200.00)</u>
General Fund – City Clerk	
Classification 2 – Supplies	\$ 435.00
Classification 3 – Services and Charges	<u>(435.00)</u>
Total General Fund – Clerk	<u>(0.00)</u>
General Fund – Controller	
Classification 1 – Personal Services	\$ (90,000.00)
Classification 3 – Services and Charges	\$ <u>(43,000.00)</u>
Total General Fund – OOTC	<u>(133,000.00)</u>
General Fund – Economic and Sustainability Development	
Classification 2 – Supplies	\$ 735.00
Classification 3 – Services and Charges	\$ <u>(735.00)</u>
Total General Fund – ESD	<u>0.00</u>
General Fund – Fire	
Classification 1 – Personal Services	\$ 250,000.00
Classification 2 – Supplies	\$ <u>(15,000.00)</u>
Total General Fund – Fire	<u>235,000.00</u>
General Fund – Housing & Neighborhood Development	
Classification 2 – Supplies	\$ 2,400.00
Classification 3 – Services and Charges	\$ <u>30,000.00</u>
Total General Fund – HAND	<u>32,400.00</u>
General Fund – Information Technology Services	
Classification 1 – Personal Services	\$ (52,000.00)
Classification 2 – Supplies	\$ (2,500.00)
Classification 3 – Services and Charges	\$ <u>67,200.00</u>
Total General Fund – ITS	<u>12,700.00</u>
General Fund – Legal	
Classification 1 – Personal Services	\$ (3,150.00)
Classification 2 – Supplies	\$ (1,000.00)
Classification 3 – Services and Charges	\$ <u>4,150.00</u>
Total General Fund – Legal	<u>0.00</u>
General Fund – Mayor	
Classification 1 – Personal Services	\$ 41,000.00
Classification 2 – Supplies	\$ 1,000.00
Classification 3 – Services and Charges	\$ <u>(1,300.00)</u>
Total General Fund – Mayor	<u>40,700.00</u>
General Fund – Planning and Transportation	
Classification 1 – Personal Services	\$ (21,500.00)
Classification 2 – Services and Charges	<u>21,500.00</u>
Total General Fund – P&T	<u>0.00</u>

General Fund – Police	
Classification 1 – Personal Services	(150,000.00
	\$)
Classification 2 – Supplies	\$ (71,600.00)
Classification 3 – Services and Charges	\$ (10,000.00)
Classification 4 – Capital	\$ 40,000.00
Total General Fund – Police	<u>(191,600.00)</u>
 Grand Total General Fund	 \$ <u>40,600.00</u>
 Parks General Fund	
Classification 1 – Personal Services	\$ (15,000.00)
Classification 3 – Services and Charges	\$ 15,000.00
Total Parks General Fund	<u>0.00</u>
Grand Total Parks General Fund	\$ <u>0.00</u>
 Parking Facilities Fund – Public Works	
Classification 1 – Personal Services	\$ 20,000.00
Classification 3 – Services and Charges	\$ (20,000.00)
Total Parking Facilities – Public Works	<u>0.00</u>
Grand Total Parking Facilities Fund	\$ <u>0.00</u>
 LOIT Special Distribution Fund - Controller	
Classification 2 – Supplies	\$ 128,000.00
Total LOIT Special Distribution - Controller	<u>128,000.00</u>
Grand Total LOIT Special Distribution Fund	\$ <u>128,000.00</u>
 Police Education Fund - Police	
Classification 3 – Services and Charges	\$ 6,000.00
Total Police Education Fund - Police	<u>6,000.00</u>
Grand Total Police Education Fund	\$ <u>6,000.00</u>
 Non-Reverting Improvement 1 (Westside) Fund - Controller	
Classification 3 – Services and Charges	\$ 121,000.00
Total Non-Reverting Improvement 1 (Westside) Fund	<u>121,000.00</u>
Grand Total Non-Reverting Improvement 1 (Westside) Fund	\$ <u>121,000.00</u>
 Solid Waste Fund – Public Works	
Classification 3 – Services and Charges	\$ (27,000.00)
Classification 4 – Capital	\$ 27,000.00
Total Solid Waste Fund – Public Works	<u>0.00</u>
Grand Total Solid Waste Fund	\$ <u>0.00</u>
 Fleet Maintenance Fund – Public Works	
Classification 1 – Personal Services	\$ 7,500.00
Classification 3 – Services and Charges	\$ (7,500.00)
Total Fleet Maintenance Fund – Public Works	<u>0.00</u>
Grand Total Fleet Maintenance Fund	\$ <u>0.00</u>
 Rental Inspection Program Fund – HAND	
Classification 3 – Services and Charges	\$ 230,000.00
Total Rental Inspection Program Fund - HAND	<u>230,000.00</u>
Grand Total Rental Inspection Program Fund	\$ <u>230,000.00</u>
 Grand Total All Funds	 \$ <u>525,600.00</u>

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2016.

ANDY RUFF, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2016.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2016.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance appropriates various transfers of funds within the General Fund, Parks General Fund, Parking Facilities Fund, Solid Waste Fund, and Fleet Maintenance Fund. It also appropriates additional funds from the General Fund, LOIT Special Distribution Fund, Police Education Fund, Non Reverting Improvement 1 (Westside) Fund, and Rental Inspection Program Fund.



JOHN HAMILTON
MAYOR

CITY OF BLOOMINGTON

401 N Morton St
Post Office Box 100
Bloomington IN 47402

JEFFREY H. UNDERWOOD
CONTROLLER

CONTROLLER'S OFFICE

p 812.349.3416
f 812.349.3456
controller@bloomington.in.gov

Memorandum

To: Council Members
From: Jeffrey Underwood, Controller
Date: November 9, 2016
Re: Appropriation Ordinance 16-07

Appropriation Ordinance 16-07 is our comprehensive 2016 year-end appropriation. The total "net" additional appropriation is \$525,600.00. In addition, there are appropriations that are simple transfers between departments that have zero net impact on the total budget.

1. **General Fund – Various** The majority of this ordinance transfers appropriations between departments and categories in order to cover changes between the initial budget prepared, and actual operational results. As in previous years, the net effect on the actual appropriation from the General Fund is zero. However, there is an overall increase of \$40,600. This is to appropriate a rebate check from Duke Energy related to the installation of LED light fixtures in a portion of the Showers Building. This will allow us to utilize those funds to complete that replacement project. There will be no impact on the fund balance or tax rates.
2. **Parks General Fund** – This is a transfer between categories and will have no impact on the fund balance or tax rates.
3. **Parking Facilities Fund** – This is a transfer between categories and will have no impact on the fund balance.
4. **LOIT Special Distribution Fund** – The Planning & Transportation department is requesting an appropriation from this fund in order to complete funding for various street projects. This fund was established due to a special distribution allowed by the State of Local Option Income Tax funds that had been withheld in previous years. The State allowed for these funds to be deposited into a special fund dedicated solely to road and street projects. This is the first appropriation from this fund.
5. **Police Education Fund** – The Police department is requesting an additional appropriation from this fund in order to complete additional training for its officers. The cash balance in the fund will support the additional appropriation.
6. **Non-Reverting Improvement Fund I (Westside)** – The Office of the Controller is requesting an additional appropriation from this fund in order to provide funds for professional services related to Capital Finance/Bonds and Annexation. The cash balance in the fund will support the additional appropriation.
7. **Solid Waste Fund** – The Public Works Department is requesting a transfer of funds from Classification 3 – Services and Charges to Classification 4 – Capital to the purchase of lifts for two of their vehicles. There will not be an impact on the fund balance.
8. **Fleet Maintenance Fund** – The Public Works Department is requesting a transfer of funds from Classification 3 – Services and Charges to Classification 1 – Personal Services to cover additional wages paid for temporary and overtime wages. There will not be an impact on the fund balance.
9. **Rental Inspection Program – HAND** In 2012 the state legislature created new rules regarding rental inspection programs. This requires the City to deposit receipts from the program in a designated fund. As of October 31, that fund has collected approximately \$230,000.00 for the 12 months ended October 31, 2016. Although the revenue is now accounted for in the new fund, expenses for the program are still appropriated in the general fund. As such, we will be creating an invoice to reimburse the general fund from the rental inspection program fund.

ORDINANCE 16-43

**TO AMEND TITLE 2
OF THE BLOOMINGTON MUNICIPAL CODE
ENTITLED “ADMINISTRATION AND PERSONNEL”**

(Amending Chapter 2.26 (Controller’s Department) to Add Section 2.26.110 Authorizing a Fee Schedule for the Private Rental of City Facilities)

WHEREAS, The City of Bloomington (“City”) has established a City of Bloomington Facility Use Policy (“Policy”), attached here as Exhibit A; and

WHEREAS, The Policy governs use of rooms and indoor and outdoor spaces in or near the City Hall portion of the Showers Building by non-City government partners, non-profits; community groups, and private citizens; and

WHEREAS, Reservation and use of such rooms and spaces will be free to most users, and prioritized by type of event and user, with the Common Council and City Departments having ultimate first priority for reservation of any and all rooms and spaces and with the City reserving the right to cancel a reservation by an outside group at any time where the Common Council or a City Department is unable to secure a meeting location in a City facility; and

WHEREAS, In the event a private/for-profit organization, or an individual representing such an organization, enters into an agreement with the City of Bloomington to rent a City facility or space for an event open to the public, the City believes it is appropriate to charge such parties rental fees that contribute to the cost of maintaining the rooms and spaces for the continued benefit of the public; and

WHEREAS, Indiana Home Rule Act § 36-1-3-8(a)(6) allows the City to impose service charges or user fees which are reasonably related to reasonable and just rates and charges for the services provided;

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

SECTION 1. Chapter 2.26 of the Bloomington Municipal Code, “Controller’s Department,” shall be amended to add Section 2.26.110 Fees for Private Rental of City Facilities, which shall be reflected in the Chapter’s table of contents and shall read as follows:

2.26.110 Fees for Private Rental of City Facilities

In accordance with the City of Bloomington Facility Use Policy, as it may hereinafter be amended in a manner consistent with granting the Common Council and City departments highest priority for use, the following fee schedule applies to all private/for-profit “Renters” of the below-listed City facilities. A “Renter” is a private/for-profit organization, or an individual representing such an organization, that enters into an agreement with the City of Bloomington to rent a City-owned facility or space for an event that is open to the public.

Indoor Facility Rental Fee Schedule

	Mon-Fri 8:00 AM- 5:00 PM First Hour	Each Additional Hour	Kitchen Fee	8 Hour Rental With Kitchen	8 Hour Rental Without Kitchen	Additional Refundable Damage Deposit	Set up/ Tear Down
Room/Space							
McCloskey	\$20	\$5	\$20	\$75	\$55	\$100	-----
Kelly	\$10	\$5	\$20	\$51	\$31	\$100	-----
Hooker	\$20	\$5	\$20	\$75	\$55	\$100	-----
Dunlap	\$10	\$5	\$20	\$51	\$31	\$100	-----
Atrium	\$50	\$5	\$20	\$100	\$75	\$100	\$100
Council Chambers	\$50	\$5	\$20	\$100	\$75	\$100	\$100

Outdoor Facility Rental Fee Schedule

Space	Daily Flat Fee	Additional Refundable Damage Deposit	Set up/Tear Down
City Hall Plaza	\$200	\$100	\$100
Showers Common	\$400	\$250	\$100
Plaza oneA	\$100	\$100	-----

Other Applicable Fees

The following additional fees may be assessed depending on the event:

Technical Support Fee	\$25/hour
After Hours Building Supervisor Fee	\$30/hour
Vendor fee	\$50/vendor (certain events only)
Event Holdover fee	\$100 (flat fee if event lasts 30 minutes or more beyond scheduled end time)

SECTION 3. If any section, sentence, chapter or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any other section, sentence, chapter, provision or application of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 4. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, with approval of the Mayor, and after any required publication, waiting and/or notice periods under Indiana law.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this _____ day of _____, 2016.

 ANDY RUFF, President
 Bloomington Common Council

ATTEST:

 NICOLE BOLDEN, Clerk
 City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2016.

 JOHN HAMILTON, Clerk
 City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2016.

 JOHN HAMILTON, Mayor
 City of Bloomington

SYNOPSIS

The City has established the City of Bloomington Facility Use Policy (“Policy”) for managing the use of rooms and spaces in City facilities by non-City organizations and individuals. The new Policy provides that City employees and Departments have first priority for use of City facilities. After that, reservation and temporary use of spaces in City facilities is free to non-profit and government entities. This ordinance seeks to permit the City to charge reasonable rent to private/for-profit “Renters” desiring to hold events open to the public in City rooms or spaces. Under the Policy, Renters have last priority for use of City spaces. Rental fees would help support the cost of such events for city staff and the cost of maintaining City facilities for the benefit of all.

EXHIBIT A

CITY OF BLOOMINGTON FACILITY USE POLICY

CITY OF BLOOMINGTON FACILITY USE POLICY

The City of Bloomington owns many buildings, structures and spaces that belong to all City residents. We welcome the citizens and friends of our community to our public facilities and spaces for gatherings, meetings and other opportunities for communal interaction. This policy is designed to make access to city-owned or managed facilities as easy and efficient as possible, while at the same time allowing the City administration to preserve, protect and maintain the City's assets for future generations. We hope to see you in our gathering spaces soon!

A. DEFINITIONS

User(s) – Any group, entity or individual that reserves a City of Bloomington facility or space for meetings or events that are open to the public.

Renter(s) – A private/for-profit organization, or an individual representing such an organization, that enters into an agreement with the City of Bloomington to rent a City-owned facility or space for an event open to the public.

B. POLICY

1. General Policy Statement

The City of Bloomington's policy is to open its buildings and spaces to the community as much as possible, so long as such use is consistent with responsible stewardship, maintenance and preservation of the City's precious public assets. Reservation and temporary use of spaces in City facilities is free to non-profit and government entities. In order to help support the cost of maintaining its facilities for the benefit of all, the City charges reasonable rent to Renters for use of its spaces. Rental and related fees are set forth in Section E of this policy.

Reservation requests will be prioritized in accordance with type of event and category of User as set forth in Section B.2 and B.3. Events will also be evaluated by the City for their level of risk. The City of Bloomington reserves the right to deny use or rental requests for any lawful reason e.g., because the request poses undue risks, conflicts with or would disrupt other events or city business, or does not further this Policy's purposes of fostering community engagement and interaction. Decisions to deny requests may be appealed to the Board of Public Works. Anyone wishing to file an appeal must contact the City of Bloomington's Department of Public Works Customer Service Representative at (812) 349-3410, or email the Representative at hoseav@bloomington.in.gov.

The City of Bloomington does not discriminate on the basis of race, gender, gender identity, color, ancestry, national origin, religion, disability, age, marital status, sexual orientation or any other legally-protected classification. Use of City facilities by any group does not constitute the City's endorsement of that group or its goals or policies.

2. Eligibility

- A. City Hall Plaza, Plaza oneA and Showers Common.** Users producing an event that is not-for-profit and open to the public may apply to use Showers Common, Plaza oneA or City Hall Plaza.
- B. City Hall Meeting Rooms.** Groups and organizations may request to reserve City Hall meeting rooms. Reservations will be granted pending room availability.

3. Priority of Use

Priority use of these facilities shall be determined in the order below, with A being the highest priority:

- A. City Government.** Common Council, City of Bloomington departments, City of Bloomington boards and commissions, City programs and services.
- B. City Government Partners.** Individuals or non-profit groups acting on behalf of or in partnership with City of Bloomington departments, boards and commissions, programs and services.
- C. Non-City Governmental.** Neighboring jurisdictions, regional entities, state and federal agencies.
- D. City Residents, and Local Non-Profit Organizations.** City residents, civic and neighborhood associations, non-profit organizations.
- E. Non-City Residents, Other Non-Profit Organizations.** Residents and civic and non-profit groups of other jurisdictions.
- F. Private/For Profit Organizations.**

Use of Showers Complex facilities for private business meetings and private social functions is normally not permitted; however, exceptions may be granted if approved in writing by the Mayor or his designee. The City Clerk or Mayor may conduct wedding ceremonies, at their discretion, provided they do not conflict with any existing events on the City of Bloomington Event Calendar.

4. Showers Building Requirements

- A. Showers Building Meeting Rooms.** Occupancy limits for Showers Building meeting rooms are necessarily reduced if use of space includes tables, chairs, serving tables, decorations, musicians and equipment. (See occupancy limit chart on page 6.) Please notify the City at the time of application if these items are to be used.

Users are responsible for configuring table and chair set-up and must return the room to its original seating configuration after the meeting. Renters asking for set up and tear down assistance from the City will be charged a fee.

Additional chairs and tables are available, but the total number of chairs and tables may not exceed the occupancy limit for each room. If additional chairs or tables are needed, they must be requested in advance. With pre-approval from the City, the User may bring in its own tables and chairs provided that the number does not affect the occupancy limit for each room.

B. Council Chambers. Some equipment in the Council Chambers requires the assistance of an Audio/Visual technician, who will be chosen by the City of Bloomington. Groups wishing to use such equipment must inform the City of this fourteen (14) days in advance of the event.

C. Kitchen Use. A kitchen is available next to the Council Chambers on the first floor. No food is allowed inside the Council Chambers, but food may be served in the conference rooms and City Hall Atrium.

D. City Hall Decorations. Items such as flowers, plants, balloons, ribbons, garlands, cords, etc., may be used as decorations. The use of glitter, confetti and rice is prohibited, as is the use of candles or any other item with an open flame. No tape except masking tape, and no staples, tacks or other hardware may be used on any surfaces.

5. Facility Supervision and Security

Events held inside City Hall after 5:00 pm on weekdays or during weekends may require security or the presence of a building supervisor. As soon as the reservation for the event is approved, the User must provide the City with contact information, including a cell phone number, for a representative of the User's organization. Depending on the type of event, the City will advise the User on whether security is necessary.

The User is responsible for providing any necessary security. The User may hire off-duty officers of the Bloomington Police Department. The use of a private security company is also permissible with City approval. The City in its discretion may require the presence of one or more uniformed BPD or Sheriff's officers to supplement any private security.

6. Parking

The User's event coordinator is responsible for informing event participants of parking options.

Two (2) parking garages are located within three (3) blocks of the Showers Complex: the garage at 7th and Walnut Streets and the garage at 7th and Morton Streets. Other than the five (5) City Hall visitor spots on the south side of the entrance to Showers Common, the

parking lot at Showers Common is for City Hall employees only from 5:00 am to 5:00 pm Monday through Friday. Metered parking is available in streets near the Showers Complex from 5:00 am to 9:00 pm Monday through Saturday. Metered parking is free after 9:00 pm and on Sundays. On Saturdays during the Farmers' Market season, some Morton Street parking may be reserved, and the Showers Common parking lot is unavailable until 3:00 pm. No vehicles may be parked on the City Hall Plaza at any time.

Parking validation tickets for the 7th and Morton garage may be purchased by the User to distribute to event attendees. Tickets are \$0.50 each for an hour of validated parking, and can be purchased in sets of \$20 for a total of 40 parking hours per set. The City of Bloomington can assist with making these arrangements.

7. Restrooms

City Hall restroom facilities are available during City Hall business hours or for events that take place inside City Hall. Events that utilize Showers Common or Showers Plaza will not have access to City Hall facilities and must provide the appropriate number of Port-o-lets (1 per 500 attendees, including hand-washing services). The delivery and pick-up time of the port-o-lets and their locations must be approved by the City. The City of Bloomington requires at least one of the secured port-o-lets to be handicap accessible.

8. Electricity/Water

Users of outside spaces are responsible for supplying appropriate electricity (including generators and hook-ups) and access to water for their events.

9. Food, Beverage and Merchandise Sales and Service

Users supplying food must comply with applicable Indiana State laws and regulations. A Food Permit may be required if food/refreshments are served. The User must contact the Monroe County Board of Health (812-349-2543) at least thirty (30) days prior to the event to determine what is required.

There will be no vendors of any kind allowed to sell food, services or merchandise in or around City Hall during the hours of the Farmers' Market (Saturdays April-November from 8:00 am-1:00 pm), except those engaged by the City. Sales by outside vendors may commence once the Farmers' Market is completed for the day.

Users are responsible for adhering to all laws pertaining to alcohol sales and distribution. Alcohol is **not** permitted inside City Hall, but may be allowed in Showers Common. The sale of alcoholic beverages requires an alcohol permit, licensed distributors and adequate security. Permit fees are the responsibility of the User. Users must provide the City with proof that they have obtained a valid alcohol permit.

10. Certificates of Insurance

Users holding certain events to which the public is invited may be required to have a Certificate of Insurance naming the City of Bloomington as an additional insured, unless the City of Bloomington approves the event without it, in writing. The Certificate of Insurance must accompany the application.

If insurance is required, the insurance provided shall be General Liability Insurance with a minimum combined single limit of one million dollars (\$1,000,000) for each occurrence and two million dollars (\$2,000,000) aggregate. The policy shall stipulate that the insurance will operate as primary insurance and that no insurance of the City's will be called upon to contribute to a loss arising out of or resulting from the rental or use of the premises.

In exchange for the City's agreement to permit use or rental of City facilities or premises, the City will ask all Users who are holding events (as opposed to simply using a meeting room) to agree to release, hold harmless, and indemnify the City of Bloomington and its officers, employees, agents, and assigns from any and all claims, causes of action, suits, proceedings, or demands ("Claims") that may relate to or arise from the use of the City's facilities or premises and the event.

11. Clean-Up of Showers Common and City Plaza

Users are responsible for all trash removal, including securing additional receptacles as needed from the City, and hauling all trash from City facilities to appropriate trash or recycling facilities. Failure to comply may result in forfeiture of all or part of the damage deposit.

The City of Bloomington encourages all groups using Showers Complex facilities to engage in environmentally healthy event planning practices, such as providing recycling options for event attendees. Recycling receptacles are available in City Hall hallways, but Users must supply recycling receptacles for events in Showers Plaza or Showers Common.

C. FACILITY DESCRIPTIONS

1. City Hall Meeting Rooms and Spaces

The City of Bloomington City Hall offers five meeting rooms: Council Chambers, Dunlap Conference Room, Kelly Conference Room, Hooker Conference Room and McCloskey Conference Room. The number of chairs and maximum occupancy of each room is listed in the table below. All Second Floor Meeting Rooms are handicap accessible via the elevator across from the Council Chambers.

Meeting Rooms are available Monday through Friday from 8:00 a.m. to 10:00 p.m. and from 8:00 am to 8:00 pm on Saturday and Sunday. However, the use of meeting rooms

on weekdays during normal business hours will be restricted for the use of City Departments at the City’s discretion.

Meeting Room	Floor	Tables	Chairs	Occupancy (Max)
Council Chambers	1 st /2 nd	10	93/57	176/60
Dunlap Conference Room	2 nd	1	10	11
Kelly Conference Room	1 st	1	8	14
Hooker Conference Room	2 nd	2	20	26
McCloskey Conference Room	1 st	2	20	38
City Hall Atrium	1 st	10	-	294

Other capacity restrictions may apply based on room configuration.

The Council Chambers is ideal for meetings and other events that require a presentation or audience. Seating on the main level will accommodate 93 people. Seating in the balcony, accessible from the second floor of City Hall, will accommodate 60 additional people. The Chambers is equipped with microphones and projectors which can generate images from a document camera, video tape, DVD player, television tuner or computer. (See Reservation Procedures 3. B. for additional information.) If not already reserved, the Council Chambers is available Monday through Friday from 8:00 a.m. to 10:00 p.m. and from 8:00 am to 8:00 pm on Saturday and Sunday, except when the City Council or City boards and commissions are in session.

The City Hall Atrium provides a large open space for gatherings. Chairs and tables may be requested. Audio/Visual equipment is not available in the City Hall Atrium. The Atrium is available Monday through Friday from 8:00 a.m. to 10:00 p.m. and from 8:00 am to 8:00 pm on Saturday and Sunday. However, the Atrium is unavailable for rental during the Farmers’ Market (Saturdays, April-November from 8 am to 3 pm). The Atrium is also frequently used as a gallery space. All art exhibits must be coordinated through, and approved in advance by, the City of Bloomington’s Assistant Economic Development Director for the Arts. Application information is available at www.bloomington.in.gov/bead.

2. City Hall Outdoor Spaces

In addition to the indoor facilities, City Hall has three outdoor spaces that are seasonably available for rent: The Showers Common, City Hall Plaza and Plaza oneA. These areas are more suitable for large groups, fairs, or other public events.

The Showers Common is a (45,000 ft²; 250x 250) parking lot with several awnings providing shade. Showers Common is available seasonally Monday through Friday from 6:00 pm to 11:00 pm. On Saturday and Sunday, Showers Common is available from 8:00 am to 11:00 pm, except on Farmers’ Market Saturdays (April-November), when it is available from 3 pm to 8 pm.

The City Hall Plaza is a brick plaza located at the entrance to City Hall, bordered by Showers Common and an open green space (6,000 ft²; 80x80). No vehicles are allowed on City Hall Plaza. When not reserved under these policies, the Plaza is available for

extemporaneous use by City of Bloomington residents and visitors, whether individual or group, public or private, not-for-profit or for-profit, as long as all applicable city, state and federal laws are obeyed. City Hall Plaza is available seasonally Monday through Sunday from 8:00 am to 11:00 pm, except on Farmers' Market Saturdays (April-November) when it is available from 3:00 pm to 8:00 pm.

Note: A noise permit may be required for events at Showers Common or City Hall Plaza. Contact the City for additional information.

Plaza oneA is a small plaza located on the B-Line Trail and intended as a space for free-speech gatherings, music and art performances. When not reserved under this policy, the plaza is available for extemporaneous use by City of Bloomington residents and visitors, whether individual or group, public or private, not-for-profit or for-profit, as long as all applicable city, state and federal laws are obeyed. Plaza oneA is reserved exclusively for City use on Farmers' Market Saturdays (April-November) from 6 am to 1 pm. Otherwise, Plaza oneA is generally available for reservation and public use during the open hours of the B-Line Trail, which are 5:00 am to 11:00 pm.

D. RESERVATION PROCEDURES

1. Date Reservation and Event Confirmation Procedures

Anyone interested in reserving City facilities may come in person to the City Hall, call the Public Works Customer Service Representative at (812) 349-3410 or e-mail the Representative at hoseav@bloomington.in.gov, Monday through Friday from 8:00 am to 5:00 pm to check on availability.

Upon request for a reservation, the City will place a courtesy hold on the date, pending receipt of the completed use application (available online at www.bloomington.in.gov) Courtesy holds are valid for fifteen (15) days, and the City may release them **without notice** when the holding period expires. Whenever possible, reservations should be confirmed sixty (60) or more days prior to the event. An event date is confirmed when the City receives a signed agreement.

For events or meetings in City Hall, at least thirty (30) minutes free time must be scheduled between successive meetings. Any extra time needed for set-up or clean up must be included in the User's total time requested.

2. Reservation Request Timeline

Showers Common, City Hall Plaza, Plaza oneA or the City Hall Atrium:

Reservation requests for Showers Common, City Hall Plaza or the City Hall Atrium will be accepted as early as the first business day of the year in which the event will take place. Whenever possible, reservations should be made at least sixty (60) days in advance of the event date.

City Hall Meeting Rooms:

City Hall Meeting Rooms may be reserved well in advance, but dates cannot be guaranteed in order to allow for priority use by the City government. The City reserves the right to cancel a reservation by an outside group at any time up to the date and time of reserved use if a City Department is unable to secure a meeting location in a city facility. In such event, if there is more than one outside group reserving a room, cancellations will be made in the order of most recent reservation.

3. Cancellations

The City of Bloomington will honor event cancellations necessitated by inclement weather or any other reason.

Users of the City Council Chambers should be aware that the needs of the Common Council will take precedence over any other use **at any time**. Should an event in the Council Chambers be pre-empted by the need for the Common Council to use the Chambers, any damage deposits will be refunded.

E. RENTAL FEE SCHEDULE

Rental fees apply to for-profit Renters only. The City reserves the right to change fee amounts at any time.

1. Indoor Facility Rental Fee Schedule

	Mon-Fri 8:00 AM- 5:00 PM First Hour	Each Additional 1 Hour	Kitchen Fee	8 Hour Rental With Kitche n	8 Hour Rental Without Kitchen	Additional Refundable Damage Deposit	Set up /Tear Down
Room/Space							
McCloskey	\$20	\$5	\$20	\$75	\$55	\$100	
Kelly	\$10	\$5	\$20	\$51	\$31	\$100	
Hooker	\$20	\$5	\$20	\$75	\$55	\$100	
Dunlap	\$10	\$5	\$20	\$51	\$31	\$100	
Atrium	\$50	\$5	\$20	\$100	\$75	\$100	\$100
Council Chambers	\$50	\$5	\$20	\$100	\$75	\$100	\$100

2. Outdoor Facility Rental Fee Schedule

Space	Daily Flat Fee	Additional Refundable Damage Deposit	Set up/ Tear Down
City Hall Plaza	\$200	\$100	\$100
Showers Common	\$400	\$250	\$100
Plaza oneA	\$100	\$100	-----

3. Other Applicable Fees

The following additional fees may be assessed depending on the event:

Technical Support Fee	\$25/hour
After Hours Building Supervisor Fee	\$30/hour
Vendor fee	\$50/vendor (certain events only)
Event Holdover fee	\$100 (flat fee if event lasts 30 minutes or more beyond end time)

F. MISCELLANEOUS

1. All applicable state and federal laws (including occupancy limits), as they may be amended, are hereby incorporated as part of this policy.
2. Users may collect normal dues from members at events held in City Hall but may not solicit donations or sell merchandise without written approval of the City of Bloomington.
3. No User equipment or other items may be stored at City Hall. The City of Bloomington assumes no responsibility for property brought to or left at City Hall and Showers Complex facilities.
4. Smoking is prohibited anywhere inside City Hall. Ashtrays are provided outside the building at both entrances and may not be moved due to City ordinance. Smoking is also prohibited at any outdoor event where food is served or sold.
5. Misuse of City facilities, including leaving rooms in a disorderly condition, failing to use rooms when reserved or exceeding the time period for which the room is reserved, may bar a group from future use of City Hall facilities. In addition, all or a portion of the damage deposit charged to a Renter may be forfeited and any damage in excess of the deposit will be charged to the Renter and payable within two (2) weeks of notice of the charge.
6. No City-owned property may be removed from City facilities or premises without the express consent and approval of the City of Bloomington.

7. No City-owned property located inside City Hall or Showers Complex facilities may be utilized for events occurring outside such facilities except with the express permission of the City.

August 2016

MEMORANDUM



CITY OF BLOOMINGTON LEGAL DEPARTMENT

TO: Members of the Common Council of the City of Bloomington

FROM: Philippa Guthrie, Corporation Counsel

CC: Dan Sherman, Council Administrator/Attorney

RE: City of Bloomington Facility Use Policy

DATE: November 4, 2016

Over the last few months, the Mayor's office has fielded a number of questions from non-City individuals and groups about outside use of City facilities for meetings and events. There has apparently been no official policy on this issue, but rather a long-standing practice of requiring an interested outside party to secure a City employee as a "sponsor" in order to reserve a City conference room or space. The current administration believes that transparency and opening City facilities as much as possible to the public is a good thing, and that establishing an organized and publicly available policy for interested parties would be a more efficient approach. To that end, the administration has drafted the City of Bloomington Facility Use Policy ("Policy").

The new Policy provides that City employees and Departments have first priority in all cases for use of City facilities. After that, reservation and temporary use of spaces in City facilities is free to non-profit and government entities, and the Policy includes a priority system for handling conflicting requests based on type of event and user. Events are also evaluated by the City for their level of risk, and the City reserves the right to deny any and all use or rental requests for any reason. Decisions to deny requests may be appealed to the Board of Public Works.

In order to help support the cost of maintaining City facilities for the benefit of all, the Policy permits the City to charge reasonable rent to for-profit "Renters," who have last priority for use of City spaces. The inclusion of a rental fee schedule is the reason that the Policy is coming before the Common Council, which must approve the imposition of such fees.

If you have any questions regarding the City of Bloomington Facility Use Policy, please do not hesitate to contact me.

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, November 2, 2016 at 7:32pm with Council President Andy Ruff presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
November 2, 2016

Roll Call: Granger, Mayer, Sandberg, Ruff, Volan, Piedmont-Smith, Chopra, Rollo
Absent: Sturbaum

ROLL CALL
[7:32pm]

Council President Andy Ruff gave a summary of the agenda.

AGENDA SUMMATION
[7:32pm]

It was moved and seconded to approve the minutes from October 19, 2016.

APPROVAL OF MINUTES
[7:34pm]

The motion to approve the minutes was approved by voice vote.

October 19, 2016 (Regular Session)

Councilmember Isabel Piedmont-Smith reminded the public that they could vote early or on Election Day. She added that it was one of the most important elections ever, and asked people to vote.

REPORTS
• COUNCIL MEMBERS
[7:34pm]

Councilmember Steve Volan acknowledged with a heavy heart that the Cubs were playing in game seven of the World Series that evening and he was in a council meeting. He added that there were several important issues on the agenda and he was doing his duty that night. He finished by saying "Go, Cubs. Go".

Councilmember Dorothy Granger reminded everyone of the task of the month for the Monroe County Energy Challenge, which was to turn one's water heater down to 120° degrees.

Councilmember Tim Mayer reminded the public to enjoy the beautiful weather.

Jacqueline Bauer, Sustainability Coordinator, gave an update on the projects that she was working on, which included:

• The MAYOR AND CITY OFFICES
[7:35pm]

- Green Building Ordinance planned for next year: Allison Jukebox, the Animal Shelter, and Buskirk Chumley were first on the list to determine whether LEED certification was possible. In addition, City Hall would be re-evaluated for certification. Bauer noted that the Guaranteed Energy Savings Contract that was on the agenda for later that evening tied directly into the evaluation process.
- Solar project/Solarize Bloomington: hoped to have the project launched for the public portion sometime in December.
- Monroe County Energy Challenge: Activities supporting the Energy Challenge continued, and included a Workplace Partners Program (25 partners, 55,000-person reach, including clients, staff, and tenants), Energy Leaders (25 community members), more than 400 home assessments completed, 22 low-income household attics insulated, 14 child care center assessments completed, and more than 1000 LED bulbs distributed in October.
- Team Green grant: launched second round of internal sustainability grants, with money coming from Hoosier to Hoosier Community Sale.
- Community sustainability plan process to be launched the next year - would dovetail with the comprehensive plan, and

would develop specific goals and strategies for advancing sustainability in the community. Details of the process were still being worked out, but would be a joint effort between ESD and Planning, and would involve ample opportunity for public participation.

- The MAYOR AND CITY OFFICES (*contd*)

Piedmont-Smith asked for more detail on the Solarize Bloomington project.

Bauer responded that the project was a way for residents to purchase solar panels in conjunction with the city so that they could enjoy a lower price to install solar panels.

Councilmember Dave Rollo commented that there was a lot of good news, and asked if there was a way to get an estimate on CO₂ reductions.

Bauer affirmed that it was possible and said that they were working on a final draft of the city's energy inventory. She added that the Energy Challenge would also have numbers and that she would be able to get more as they came in.

Councilmember Allison Chopra asked if there were a limited number of stakes that could be passed out to households.

Bauer responded that they made a commitment to recognize one household per week but they had plenty of space for more.

Ruff asked for clarification of how many low-income homes were insulated.

Bauer clarified that the 22 homes were insulated over a six-week period in July and August.

There were no council reports.

- COUNCIL COMMITTEES

Ruff called for public comment.

- PUBLIC

Dr. Mary Howard-Hamilton, President of the Bloomington Alumnae chapter of Delta Sigma Theta (DST), spoke on behalf of the chapter. Howard-Hamilton noted that the chapter came every year to provide a small reception for the council, and to talk about the mission of their organization. She thanked the council for its hard work, and addressed some concerns that the sorority wanted to see the council address in the year to come which included:

- Encouraging everyone to vote.
- Collaborating with their DST to encourage women and minorities to file for office.
- Maintaining a civil, caring community devoted to social justice and welcoming all populations.
- Issuing more resolutions recognizing minority populations in the community.

Howard-Hamilton the council to reach out if they needed anything and invited them to their annual pancake breakfast on February 4, 2017.

Ruff asked if the council could get an email reminder for the breakfast, and inquired if the breakfast was a fundraiser.

Howard-Hamilton responded yes to the email, and that the breakfast was a scholarship fundraiser.

Cindy Rhodenbaugh, a resident in Ridgefield neighborhood, spoke about an issue with a storm drainage pipe that was open and flowing in the neighborhood. She asked the council for assistance.

- PUBLIC (contd)

Ron Chatlos, a resident in Ridgefield neighborhood, also spoke about the storm drainage pipe. He also asked the council for assistance.

Michael Hibbard, a resident in Ridgefield neighborhood, spoke about the need for city assistance in correcting the problem with the storm drainage pipe.

It was moved and seconded to appoint Steven Bryant and Michael Burton to the Telecommunications Commission. The motion was approved by voice vote. ¹

APPOINTMENTS TO BOARDS AND COMMISSIONS [8:00pm]

It was moved and seconded to appoint Kurt Seiffert and Eric Dockendorf to the Bloomington Digital Underground Advisory Commission. The motion was approved by voice vote. ²

It was moved and seconded that Ordinance 16-24 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Nicole Bolden read the legislation by title and synopsis, giving the committee Do Pass recommendation of 1-4-4.

LEGISLATION FOR SECOND READING AND RESOLUTIONS [8:01pm]

It was moved and seconded that Ordinance 16-24 be adopted.

Ordinance 16-24 – To Amend the Zoning Maps from Residential Single Family (RS) and Residential High-Density Multifamily (RH) to Planned Unit Development (PUD) as well as Approve a District Ordinance and Preliminary Plan – Re: 600-630 E. Hillside Drive (Dwellings LLC, Petitioner)

Volan explained that after the last committee of the whole meeting the petitioner asked for more time to gather answers for the council.

Volan also explained that the petitioner, staff, representatives from the Bryant Park neighborhood association, Councilmember Piedmont-Smith and himself met earlier in the day to ascertain the forward motion of the PUD. The result of the conversation was that the petitioner and the neighborhood cautiously agreed that they could work out some details of the proposal before it came to the council again in regular session.

Volan thought the issues came down to the massing of the buildings as opposed to the density, whether greater parking could be established on Henderson, and whether the main buildings could be built at grade. He thought the meeting did a good job of narrowing the issues and postponing consideration of the ordinance would give the parties more time to work things out.

Piedmont-Smith added that the petitioners submitted two preliminary renderings of changes to their plan that they would like to further hone before presentation to the council on November 16, 2016.

Volan added that the petitioner asked him to sit down again, and encouraged other members of council to join him if they would like.

It was moved and seconded to postpone consideration of Ordinance 16-24 until the Regular Session on November 16, 2016.

The motion to postpone consideration of Ordinance 16-24 until the Regular Session on November 16, 2016 received a roll call vote of Ayes: 8, Nays: 0

Vote to postpone Ordinance 16-24 [8:08pm]

¹ Corrective action needed-Steven Bryant was already a Mayoral appointee

² Corrective action needed-Council appointed two people when there was only one space available.

It was moved and seconded that Resolution 16-17 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read Resolution 16-17 by title and synopsis.

It was moved and seconded that Resolution 16-17 be adopted.

Virgil Sauder, Animal Care and Control Director, introduced the resolution. He explained that the percentage of the shelter operations budget for 2017 was figured from the percentage of intake of animals from 2015.

Piedmont-Smith asked if the euthanization rates were going down.

Sauder replied that they were going down, and that they had hit a plateau around 11-12% total based on intake of animals to the shelter. He said that many of those were severe injuries and aggressive animals.

Chopra asked for clarification as to whether the agreement was identical to the year prior, with the exception of the changed percentages per entity based on how they were serviced.

Sauder agreed that was correct.

Chopra asked whether the percentage change was large.

Sauder said it was a 1% decrease from the previous year.

Chopra asked from where and to where that 1% change took place.

Sauder said there was a 1% decrease in the total number of animals taken in from the Town of Ellettsville and Monroe County from 2014 to 2015.

Chopra asked whether each entity paid a proportion based on number of animals taken in.

Sauder said each entity paid a different percentage, and the total figure was calculated for Monroe County, and Monroe County then worked with Ellettsville for reimbursement of its portion.

Chopra asked for more specific information regarding the percentages that each entity was paying.

Sauder said the percentage of operations from Monroe County, including the Town of Ellettsville, was down 1% from 2014 to 2015. He added that the total number of animals brought into the shelter increased by 19, while the number of animals coming from Monroe County, including the Town of Ellettsville, decreased by 54 between those two years.

Chopra asked about the difference between the number of animals brought in by the City, Monroe County, and the Town of Ellettsville. She asked whether each entity paid a proportion based on the number of animals brought in from that entity.

Sauder said that was correct.

Chopra asked whether those numbers had changed since the last agreement.

Sauder said yes, the last agreement was at 44%.

Chopra asked what 44% represented.

Jeffrey Underwood, Controller, said 44% of total intake. He said the amounts were calculated by looking at the total amount of animals taken in combined, and the number brought in from the City, Monroe County, and the Town of Ellettsville.

Chopra asked Underwood to provide those numbers.

Underwood it was 43%.

Chopra asked what 43% represented.

Sauder clarified the total number of animals the shelter received was 3,793 animals, with 1,637 coming from the County and Town of Ellettsville. He said Monroe County took in 1,522 animals, while the Town of Ellettsville took in 115.

Resolution 16-17 – To Approve the Interlocal Agreement Between Monroe County, Town of Ellettsville, and the City of Bloomington for Animal Shelter Operation for the Year 2017
[8:08pm]

Council Questions:

Resolution 16-17 (contd)

Chopra asked if Sauder had those numbers in terms of percentages.

Sauder said the County and Town of Ellettsville made up 43% of total animal intake, and that Monroe County accounted for 40% of the total animals coming into the shelter, while Ellettsville accounted for 3%. He said 42% of the total intake came from within City limits, while the remaining 15% came from outside the county.

Chopra asked whether those figures were from the current agreement or the previous agreement.

Sauder said they were from the current agreement.

Chopra asked Sauder to provide those percentages for the last agreement.

Sauder said he did not have those specific figures for each entity in front of him, but he could provide them.

Chopra asked if there was a time consideration with the resolution, or a date by which it had to be passed, because she was uncomfortable with the lack of answers. She noted that there had not been a work session on the resolution either.

Adam Wason, Public Works Director, answered that the current agreement expired at the end of the year, so there was a time consideration to allow the other entities to pass the agreement before the end of the year.

Mayer thanked Sauder for following up on stray animals.

Council Comment:

Chopra expressed surprise at the level of scrutiny that the agreement was receiving. She said that, as council members, they were asked to oversee such matters, and that there was a reason they were voting on the issue. She said that if they did not have the numbers to be informed voters, they should not be voting on the issue that evening.

She commented that many times when people heard about fraud and mistakes, it stemmed from places where no one was watching. She thought it was their responsibility to take a more careful look at the issue.

It was moved and seconded to postpone consideration of Resolution 16-17 until a later date.

Granger thanked the staff for bringing the issue forward, and said that she was pleased with the way the shelter treated animals.

Councilmember Susan Sandberg said that it was not the first time the members of the council who had been on it for several years had heard the interlocal agreement presentation. She assured the public that there was a process and procedure that was agreed upon by all of the parties. She stated that she was very comfortable with the information that had been provided, and she was prepared to vote on it that evening.

Volan commented that he understood Chopra's desire for more information, but that it had been a largely uncontroversial decision in the past. He pointed out that just because they could legally adopt the resolution with one hearing did not mean that they could not have a second hearing to make their decision. He said that he had no objection to the agreement itself, but that he did not think another hearing would cause undo problems.

Chopra commented that when people rested on their laurels and said they had heard something several times was when mistakes were more likely to be made. She stated that it was not a reflection

on her time on council, but was a reflection of how the council was doing its duties and how much scrutiny it should be putting into local agreements. She added that there was a reason other government bodies had problems with their finances and said that it was because people did not check and were not doing the things they needed to do to ensure that everything was tight. She hoped that she would not decrease the level of scrutiny she gave to items like this the longer she was on council. She said that it was not a lack of understanding or that she thought it was controversial. She said that she did not feel that the answers she was given made her comfortable answering to the people who elected her to take care of the city's coffers.

Resolution 16-17 (contd)

Councilmember Dave Rollo stated that he did not see the need for more information, and asked Chopra what information she was looking for exactly.

Chopra responded that she wanted the answers to her questions in a public hearing.

Wason commented that the problem was that Sauder did not have the answers right in front of him, and that they were able to pull up the numbers.

Dan Sherman, Council Administrator, commented that the paper he handed out to the council a few minutes prior was a listing of reimbursements based on previous year's statistics.

Chopra stated that they were the numbers that she had been looking for.

Piedmont-Smith said that the information was available to make an informed decision, and that she did not see a problem with passing the resolution.

The motion to postpone Resolution 16-17 received a roll call vote of Ayes: 2 (Volan, Chopra), Nays: 6. FAILED

Vote to postpone Resolution 16-17
[8:27pm]

The motion to adopt Resolution 16-17 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 1 (Chopra).

Vote to adopt Resolution 16-17
[8:28pm]

It was moved and seconded that Resolution 16-19 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read Resolution 16-19 by title and synopsis.

Resolution 16-19 – To Seek
Proposals Regarding Conservation
Measures Through a Guaranteed
Savings Contract
[8:28pm]

It was moved and seconded that Resolution 16-19 be adopted.

Bauer introduced the legislation and explained that the administration was asking the council to authorize staff to issue a Request for Proposals (RFP) for a guaranteed savings contract. She explained that the contracts were authorized by state statute, and enabled public entities to enter into contracts with private entities in order to pay for conservation measures. She said that it was a way to make extensive improvements on city buildings without an additional burden on the city's debt limit. Bauer noted that the city had completed a similar plan in the past, and that the savings were realized earlier than expected.

Mayer asked for examples of what the savings might be used for this time.

Council Questions:

Bauer responded that LED lighting and solar power were two examples of new opportunities. She pointed out that aging infrastructure would also be addressed.

Resolution 16-19 (contd)

Piedmont-Smith expressed surprise that the city had not done a guaranteed savings contract since 2003.

Bauer noted that it was explored at the time of the green building ordinance in 2009, but noted that there was not support for the idea at that time.

Piedmont-Smith asked if retro-commissioning would be on the list in the RFP.

Bauer responded that the RFP would list a full investment grade audit on City Hall (which would include retro-commissioning), less detailed audits of several other buildings, and a project concept list from each agency. She explained that it was a multi-step process to choose a firm and then make a list of projects for the council's further approval. She estimated that the list would come back to council in the fall of 2017.

Rollo clarified that a lot of things were done in-house after the green building ordinance, and then asked if the council would have to make an appropriation when the contract came before the council again.

Sherman replied that the resolution started the process, and the council would approve the contract next year. He stated that after the approval, the appropriations would just appear in the annual budget.

Rollo asked if the city was liable for any expenditures other than the savings over a ten year period.

Sherman responded that the guarantee was that the savings would at least equal the costs over a period of time.

Bauer confirmed that there was some flexibility on the number of years, usually around 10-15 years, and added that any savings not realized were paid by the firm, not the city.

Rollo clarified that the terms and contract would be brought before the council the following year, at that time the council would be able to review the time schedule, savings, and implementation.

Chopra asked for more detail on how the contract would not impact the debt obligation of the city.

Bauer explained that the type of funding was governed by state statute and was exempted from the debt limit of the city. She added that it was a more flexible tool for funding.

Granger asked if the contract was similar to what the county did a few years earlier.

Bauer confirmed that it was.

Granger asked how it differed from the request for qualifications that was issued in July, and why the RFP was then necessary.

Bauer explained that the city had introduced that extra step in the process in order to have more control and to reduce the burden on staff. She also explained that the firms who were working on the initial audit of the building would still participate in the RFP, but staff was complying with the notice period required by the state.

Granger then asked if the city would get proposals from several other companies.

Bauer explained that it was possible that other firms would respond to the RFP.

Piedmont-Smith confirmed whether that meant the city was most likely to choose one of the two companies.

Bauer agreed that was case.

Piedmont-Smith said that she thought it was a great idea.

Council Comments:

The motion to adopt Resolution 16-19 received a roll call vote of Ayes: 8, Nays: 0.

Vote to adopt Resolution 16-19
[8:48pm]

It was moved and seconded that Ordinance 16-22 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read Ordinance 16-22 by title and synopsis.

Ordinance 16-22 - To Amend Title 2 (Administration and Personnel) of the Bloomington Municipal Code (To Establish a Parking Commission)
[9:36pm]

It was moved and seconded that Ordinance 16-22 be adopted.

Volan introduced the legislation to the council by reading the following statement:

“We have no Parking Department. In fact, as many as eight city departments have some say in the management of parking since the meters went in and departments were reorganized to make transportation policy more coherent (Whereas #2). There is no one person tasked with parking, no parking “czar.” And no one department has authority over the others to oversee the wide range of policies that parking touches on. Parking has no obvious point person.

Parking in District 6 is a bigger deal than noise; it’s bigger than trash. It’s bigger even than the most recent intractable social issue of vagrancy downtown. All of seven and parts of two more of the eleven parking zones are in District 6. You know that I’m working on a new parking zone for Garden Hill, which wants enforcement on evenings and weekends. All 14 municipal parking lots and all three city-owned garages are in District 6. Since 2013, the entire parking meter zone is in District 6. The existential issue of District 6, for as long as I have served, is parking.

Frankly, I have every right to claim to be that person, or at least the city’s go-to authority on parking. Instead, I am proposing Ordinance 16-22, to devote a nine-member commission to parking, and all the impacts it has across the city.

The primary goal of that commission would be to develop a comprehensive policy towards the use and management of parking. Because we’ve never had such a policy, we’ve made ad hoc decisions on parking that have sometimes conflicted with each other (Whereas #3).

Parking is a significant use of land locally. We’ve had a comprehensive land-use plan, the Growth Policies Plan, to guide our policymaking for 25 years. Parking significantly impacts five of the seven pillars of the GPP, which we still use. Most of the impacts of parking create negative externalities (Whereas #4):

- Compact urban form: Parking lots are antithetical to “compact” form.
- Nurture environmental integrity: Parking lots and facilities take up space where trees and buildings used to be or could be, and increase stormwater runoff.
- Leverage public capital: Parking lots take up space that could be used for almost anything else; parking garages are very expensive. Every dollar the city spends on car parking is a dollar not spent on sidewalks, trails, public transit, or bike parking.
- Mitigate traffic: perhaps the most important principle, specifically calls for “expanding public transit, bike

Ordinance 16-22 (contd)

and ped facilities,” as well as implementing strategies to manage traffic.” It specifically does not call for “more free parking,” or “more convenient parking.”

- Conserve community character: The GPP calls, under this heading, for “protecting and enhancing neighborhoods, improving downtown vitality, and maintaining Bloomington’s historic character.” Unchecked parking construction destroyed a great deal of this community’s character in the 50s, 60s and 70s.

Many people have asked why parking issues can’t be taken up by, say, the Traffic Commission. The simplest reason is: it would easily double their workload. But a more important reason is that Traffic’s reason for existence is to consider the movement of vehicles. The storage of vehicles is a very different matter, and at least as important (Whereas #5). Vehicle storage generates revenue, something Traffic was not designed to consider. There’s dispute about which types of users should be using which type of parking, an economic and sustainable development issue that Traffic was not engineered to tackle, nor is Traffic designed to consider the bureaucratic problems of managing permits, tickets, or appeals.

The easiest way to think of this proposal is that if the question involves a vehicle in motion, it’s the domain of the Traffic Commission. If the vehicle is at rest, it’s the domain of the Parking Commission.

The new Commission’s purpose is modeled on, but significantly different from, the Traffic Commission, which was created in the 70s and predates the GPP. Its purpose in city code is to “improve traffic conditions,” not to “mitigate traffic” like the GPP calls for.

Thus, the main point of the Parking Commission is not simply to “improve parking conditions,” but, rather, to achieve the city’s comprehensive plan objectives through parking policy. To that end, one of its primary goals will be to develop that comprehensive policy on parking that would function as an attachment to the GPP, just like Master Thoroughfare Plan.

The ordinance creates a new §2.12.110 in Bloomington Municipal Code, which describes the composition and duties of the new Parking Commission. Because parking is an economic development issue, the Commission would have three representatives from organizations: two merchants with addresses in the meter zone, and a representative from a not-for-profit organization that owns or leases space in the meter zone. Because parking generates a great deal of revenue, there would be four citizens, at least one of whom would have to be a resident of the meter zone, and another one of the four a resident of either the meter zone or a neighborhood parking zone. And because parking generates bureaucratic concerns, there would also be a Councilmember and a staffer from Planning & Transportation. All nine commissioners, five Mayoral and four Council appointees all together, would jointly be concerned with overall policy: Council would appoint a councilmember, a merchant and two citizens.

The new Commission would have access to all parking data, after it was anonymized. It would regularly review the

performance of all parking facilities, and any statistics about services and enforcement provided by various departments. It would produce an annual report. And it would make regular recommendations on pricing, hours, locations of spaces, neighborhood parking zones, bureaucratic concerns, and similar parking-related matters.

Without this new commission, we as a city will continue to make parking decisions arbitrarily, in fits and starts, and without coherent rationale. This is why we plan, and why we make subplans. There ought to be a written policy for how parking is used, and there are many other ongoing considerations regarding the management of parking. I ask your support for a Parking Commission to tackle these objectives.”

Volan finished his statement by saying he welcomed questions, and noted that there was a member of the Traffic Commission in the audience to answer questions as well.

Ryan Cobine, Traffic Commission member, commented that the Parking Commission proposal illustrated a clear lack and presented a straightforward remedy. He said that the current proposal would have a minor impact on the existing Traffic Commission, and did not think there would be a great deal of overlap.

Council Questions:

Rollo asked for clarification between the duties of the Traffic Commission and the Parking Commission because he felt that there would be some overlap.

Volan explained, using the example of the proposed PUD on Hillside and Henderson, that the questions of the number of spaces and whether or not they should be metered would fall to the Parking Commission. He further explained that the question of whether they would have angled, back-in parking would be a question for the Traffic Commission, since it dealt with the question of vehicle movement and traffic flow.

Rollo followed up by noting that angled parking could potentially end up in front of both the Parking and Traffic Commissions.

Volan said that he did not think there was any harm in having recommendations from both.

Cobine added that plans for development that included parking did not, as a matter of course, go before the Traffic Commission. He added that the question of angled, back-in parking was initially presented to the Traffic Commission as an idea that staff wanted some feedback on, with no recommendation added. Cobine thought that the current practices would continue, with only new or unusual traffic flow issues coming before the commission.

Rollo asked if moving from parallel parking to angled parking usually came to the Traffic Commission.

Cobine replied that it had not in the past and that the only parking issues the Traffic Commission had dealt with in the past were either moving parking from one side of the street to another or eliminating parking altogether.

Chopra asked for clarification for how the meter zone was defined.

Volan answered that it was defined in the city code.

Chopra followed up by asking if that meant members could be on the commission if they lived or worked on either side of the street if it was on the border of the meter zone.

Volan answered that it did not, that the zone had clearly defined boundaries in the code, and the membership was tied to those

Ordinance 16-22 (contd)

boundaries. He noted that this held true for neighborhood residential areas as well.

Granger asked what the administration's position was on the proposed commission.

Volan answered that they believed all of the boards and commissions should be reviewed. They had suggested merging Traffic, Bike and Ped, and Parking into one commission. Volan thought the administration's idea was a good thing that would take a long time. He added that he thought there was a compelling reason to make a Parking Commission immediately.

Chopra asked who would appoint each of the members of the commission and when they would be appointed.

Volan explained the appointments, which were also listed in the ordinance. He added that it would follow the same appointment schedule that other commissions followed, with appointments made in January.

Chopra asked what the powers of the commission would be.

Volan answered that the commission would have the power to recommend only, not to veto or overrule.

Piedmont-Smith asked if Volan envisioned the commission being regularly consulted when parking issues came up as a matter of course.

Volan answered yes, but he also thought practices would have to be established. He thought that staff should see it as an additional resource.

Rollo asked if the commission would set meter rates.

Volan replied that it could make recommendations on meter rates.

Rollo asked if it could make recommendations on use of funds derived from meters.

Volan affirmed that it could do that also, and could take a broad view on how those funds could be appropriated as it worked with the administration.

Rollo asked about revenues generated from parking citations in non-meter zones.

Volan said that those would fall under the commission's purview as well, to make recommendations to the city.

Granger asked for more clarification on the proposal, since it seemed to be focused on the downtown area.

Volan answered that the goal was to have a diverse group of citizens looking at the issue, but the majority of the appointees would come from the areas where the most parking happened. He added that there was room on the commission for people from all over the city.

Rollo asked if there would be an annual report brought to the council.

Volan replied that there would, and added that he was trying to get a schedule of reports from all of the boards and commissions on the council agenda.

Kaleb Crane, citizen, spoke about supporting the legislation, but asked the council to table discussion until more information could be included about disability rights and concerns.

Public Comment:

Morgan Taylor, student, asked why a member of the Economic and Sustainability Department was not a part of the commission.

Ordinance 16-22 (*contd*)

Clerk Bolden spoke about a person with accessibility issues who asked the city to do some to make parking more accessible, and who supported the proposed legislation.

Volan said that the administration's department heads were not inclined to be on the Parking Commission, and that the membership would remain a citizen group.

Council Comment:

Volan said that the point of the commission would be to look at issues of parking as they impact disabled people, and that there was also the Council on Community Accessibility. He said that he was open to amending the membership list if anyone on the council was inclined to do so.

Chopra said that she was happy to hear from students and citizens. She said that she thought the commission was a great idea and thanked Volan for bringing it forward. She noted that Volan had done a lot of work and that the legislation had gone through numerous drafts and that it was very well thought out.

Rollo said that it was a great proposal and that the city needed the commission. He said that he thought there could be a potential conflict between the Traffic and Parking Commission, and suggested a liaison between the commissions. He noted that the staff member on the commission could have an impact based on their area of expertise, and really encouraged the appointment of an alternative transportation planner.

Piedmont-Smith said that it was a good proposal that was overdue. She noted that parking was something that came up in the Planning Commission often, and thought their guidance would be welcome. She thought the public comment issues could be brought to the commission, and reminded people that the meetings would be public like all commissions. She added that she thought all of the city departments involved in parking would be reporting to the commission, and was happy to support it.

Granger appreciated Volan's thought in the process, and dittoed the comments of Chopra. She said that she was not completely happy with it, but that she would vote yes because it created an avenue to look at parking throughout the entire city.

Mayer said that he was uncomfortable with the ordinance and wished that he had more time to talk with the administration. He said that there could be a merger between the Traffic and Parking Commission that he thought could be beneficial. He preferred to continue the discussion. He did not think that a complete review of the boards and commissions was necessary.

Sandberg said that she supported the commission, and that membership diversity was important. She looked forward to the coordination with the council on parking issues and said that it would be interesting to see how the commission evolved over time.

Ruff thanked Cobine for providing input. He noted that the idea of the commission had been around for some time, and was grateful to Volan for taking the time and effort to bring it forward. He said that he shared Mayer's concerns about the administration, but believed that Volan had spent time working with the administration and the

prior administration on the issue. Ruff noted that the administration would always be leery about making a process more complicated, but he liked the idea and thought that the time had come. He said it could increase transparency, increase citizen participation, help with policymaking, and called it a very Bloomington idea. He noted that it might need to be tweaked in the future, but that was part of the democratic process. He ended by saying that he appreciated the public comment that night, but said he thought that the local government did a good job of addressing accessibility issues even if they made mistakes.

Ordinance 16-22 (contd)

Volan said he was grateful for the kind words for the proposal. He said that the idea of the liaisons was a good one, since it would enable commissions to work together. He pointed out disabled parking was something the commission should be thinking about. He said that the fact that the administration was not present should point to the idea that they did not object too strenuously to the commission, and added that the Mayor had five appointments on the commission, which would allow the administration to retain some control. He said that it was a citywide, citizen commission whose time had come.

Vote to adopt Ordinance 16-22
[9:42pm]

The motion to adopt Ordinance 16-22 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 1 (Mayer).

LEGISLATION FOR FIRST READING
[9:42pm]

It was moved and seconded that Ordinance 16-41 be introduced and read by title and synopsis only. Clerk Bolden read the legislation and synopsis.

Ordinance 16-41 – To Establish the Housing Development Fund

It was moved and seconded that Ordinance 16-42 be introduced and read by title and synopsis only. Clerk Bolden read the legislation and synopsis.

Ordinance 16-42 – To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” –Re: Amending BMC 2.04.050 (Regular Meetings) and BMC 2.04.255 (Committees – Scheduling) to Start Common Council Regular Sessions and Committees of the Whole an Hour Earlier – at 6:30 p.m.

Ruff called for any additional public comment. There was no additional public comment.

PUBLIC COMMENT

Sherman reminded the Council of the meeting schedule for the following week.

COUNCIL SCHEDULE
[9:43pm]

Granger noted that the score in the Cubs game was 5-1 for the Cubs.

The meeting was adjourned at 9:45pm.

ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this _____ day of _____, 2016.

APPROVE:

ATTEST:

Andy Ruff, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

For Approval