

City of Bloomington Common Council

Legislative Packet

Containing legislation and materials related to:

Wednesday, 17 March 2021

Regular Session

at 6:30 pm

**Please see the notes on the [Agenda](#) addressing public meetings during the public health emergency. For a schedule of upcoming meetings of the Council and the City's boards and commissions, please consult the City's [Calendar](#).*



CITY OF BLOOMINGTON COMMON COUNCIL

AGENDA AND NOTICE:
REGULAR SESSION
WEDNESDAY | 6:30 PM
17 March 2021

*Per Executive Orders issued by the Governor, these meetings will be conducted electronically.
The public may access the meetings at the following link:*

<https://bloomington.zoom.us/j/92934905576?pwd=UDVRVFc4QUNQWjR4VHZFUDNnN2g2dz09>

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES

- 09 June 2004
- 21 July 2004
- 04 August 2004
- 08 September 2004
- 22 September 2004
- 15 December 2004

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

- A. Councilmembers**
- B. The Mayor and City Offices**
 - a. Commission on Aging – 2020 COA Annual Report**
- C. Council Committees**
- D. Public***

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READINGS AND RESOLUTIONS

- A. Ordinance 21-09 – To Amend Title 9 of the Bloomington Municipal Code Entitled “Water” (Rate Adjustment)

This item was not referred to a committee.

- B. Ordinance 21-10 – An Ordinance Authorizing the Acquisition, Construction and Installation by the City of Bloomington, Indiana, of Certain Extensions and Improvements to the City’s Waterworks Utility, the Issuance and Sale of Revenue Bonds to Provide Funds for the Payment of the Costs Thereof, and the Collection, Segregation and Distribution of the Revenues of Such Waterworks Utility and Other Related Matters

This item was not referred to a committee.

- C. Ordinance 21-08 – To Amend the City of Bloomington Zoning Maps by Rezoning 87 Acres from Planned Unit Development to Mixed-Use Corridor (MC) – Re: 3100 W. Fullerton Pike (Bill C Brown Revocable Trust, Petitioner)

Land Use Committee Recommendation (10 March 2021) – Do Pass: 0-3-1

Revised and posted: 15 March 2021

VII. LEGISLATION FOR FIRST READINGS

- A. Ordinance 21-11 – To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” – Re: Updating and Harmonizing Portions of Title 2 of the Municipal Code
- B. Ordinance 21-12 – To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” - Re: Restricted Turns on Red at Signalized Intersections
- C. Ordinance 21-13 – To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles And Traffic" Re: Amending Chapters 12.32.080, Schedule M, “No Parking Zones,” to remove three “no parking” zones and add ten “no parking” zones; and to amend Chapter 15.32.100, Schedule O, “Loading Zones,” to add two loading zones

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

IX. COUNCIL SCHEDULE

X. ADJOURNMENT

- * Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment 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.

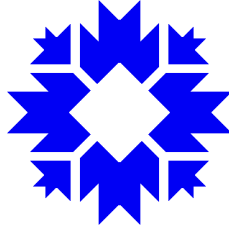
STATEMENT ON PUBLIC MEETINGS DURING THE PUBLIC HEALTH EMERGENCY

As a result of Executive Orders issued by Indiana Governor Eric Holcomb, the Council and its committees may adjust normal meeting procedures to adhere to guidance provided by state officials. These adjustments may include:

- *allowing members of the Council or its committees to participate in meetings electronically;*
- *posting notices and agendas for meetings solely by electronic means;*
- *using electronic meeting platforms to allow for remote public attendance and participation (when possible);*
- *encouraging the public to watch meetings via Community Access Television Services broadcast or livestream, and encouraging remote submissions of public comment (via email, to council@bloomington.in.gov).*

Please check <https://bloomington.in.gov/council> for the most up-to-date information on how the public can access Council meetings during the public health emergency.

Revised and posted: 15 March 2021



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

NOTICE

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Please check <https://bloomington.in.gov/council> for the most up-to-date information

As a quorum of the Council or its committees may be present, this gathering constitutes a meeting under the Indiana Open Door Law (I.C. § 5-14-1.5). For that reason, this statement provides notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.



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

Minutes for Approval

09 June 2004 | 21 July 2004 | 04 August 2004 | 08 September 2004

22 September 2004 | 15 December 2004



**City of Bloomington
Office of the City Clerk**

CLERK'S CERTIFICATE

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

I, Nicole Bolden, being the duly elected, qualified and current Clerk of the City of Bloomington, Monroe County, Indiana, hereby do certify that I am the custodian of the records of the Bloomington City Council and the City of Bloomington, and that the attached copy of the minutes for the June 9, 2004 meeting of the Bloomington City Council is a full, true and complete copy of drafts of the minutes of that meeting and which is kept in this office in the normal course of business.

I affirm under the penalties for perjury that the foregoing representations are true.

IN WITNESS WHEREOF, I
hereunto set my signature as Clerk
of the City of Bloomington on the
date set forth below.

Nicole Bolden
City Clerk
City of Bloomington, Indiana

Date: _____

The attached copy of the minutes for the June 9, 2004 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the _____ day of _____, 2021.

Jim Sims
President, Common Council
City of Bloomington, Indiana

In the Council Chambers of the Showers City Hall on Wednesday, June 9, 2004 at 7:30 pm with Council Vice President Andy Ruff presiding over a Special Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
June 9, 2004

Roll Call: Banach, Diekhoff, Ruff, Gaal, Rollo, Sturbaum, Volan, Sabbagh, Mayer
(Diekhoff arrived at 8:25 p.m. after the first three votes)

ROLL CALL

Council Vice President Ruff gave the Agenda Summation.

AGENDA SUMMATION

It was moved and seconded that Ordinance 04-12 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation. It was moved and seconded that Ordinance 04-12 be adopted.

LEGISLATION FOR SECOND
READING

Ordinance 04-12 Ordinance
Authorizing Issuance of Lease
Rental Refunding Bonds by the
Monroe County Redevelopment
Authority

Susan Faley, City Legal Department, explained the Ordinance in detail.

There were no council questions.

Council Questions

There were no public comments.

Public Comment

There were no council comments.

Council Comments

Ordinance 04-12 received a roll call vote of Ayes: 8, Nays: 0 (Diekhoff had not yet arrived).

Vote on Ordinance 04-12

It was moved and seconded that Ordinance 04-09 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 3-1-4. It was moved and seconded that Ordinance 04-09 be adopted.

Ordinance 04-09 To Amend the
Bloomington Zoning Maps from RS
3.5/PRO6 to PUD and to amend the
Preliminary Plan for the Renwick
Planned Unit Development (PUD) –
Re: 2401 East Moores Pike (Ramsey
Land Development, Petitioner)

It was moved and seconded to limit debate on Ordinance 04-09 to the following schedule:

Motion to limit debate on Ordinance
04-09.

- Planning staff presentation: 20 minutes
- Petitioner Presentation: 30 minutes to be allocated as it wishes between opening and rebuttal
- Ramsey Farm Neighborhood Coalition Presentation: 20 minutes
- Sycamore Knolls Neighborhood Association Presentation: 20 minutes
- Public Comment: 5 minutes with only one opportunity to speak.
- Petitioner Rebuttal (as noted above)
- Council Member Questions: no time limit
- Council Member Comments: no time limit
- Council Member Vote

The motion to limit debate received a roll call vote of Ayes: 8, Nays: 0 (Diekhoff had not yet arrived).

It was moved and seconded to amend the title of Ordinance 04-09 in order to correct an error in the title of the ordinance so that it indicates that the ordinance approves and not merely amends the Preliminary Plan.

Amendment #1 The title to Ordinance
04-09 shall be amended by replacing
the word “amend” with the word
“approve” as it appears before the
words “the preliminary plan.”

Volan asked why the amendment was necessary.

Council Question

Dan Sherman, council attorney, said the amendment was necessary because the title was incorrect. He said tonight the council was approving the plan and not amending the plan.

There were no public comments.

Public Comment

There were no council comments.

Council Comment

Amendment #1 to Ordinance 04-09 received a roll call vote of Ayes: 8, Nays: 0 (Diekhoff had not yet arrived).

Tom McCudah explained how the rezoning project complied with the growth policy plan (GPP). He provided an illustrated plan for the subarea and explained the reasoning behind roundabouts. He answered specific questions from last week's meeting.

Eric Stolberg, from Wininger/Stolberg Group, stated his engineering team was at the meeting to answer any questions. He said he hoped the council would vote to approve the Ordinance.

Ruff asked to hear from the Neighborhood Coalition of the Primarily Northern Neighborhood.

John Russel, representative for the northern neighborhood, stated his community did not want to be restructured.

Tim Buyers spoke of past violations made by Wininger/Stolberg Group. He said the real estate plan would violate standards concerning energy efficiency.

Rebecca Vinelinger stated the real estate plan went against the standards set by the Growth Policy Plan Committee, especially concerning the park.

Charles Bonser spoke in opposition for Ordinance 04-09 because the new real estate development threatened the authenticity of Bloomington's downtown area.

Council President Michael Diekhoff introduced representatives from the Sycamore Knolls Neighborhood Association.

Carol McGregor, Chair of Planning and Development for the Sycamore Knolls Neighborhood Association, spoke of the goals behind her association. She stated her concern with the real estate plan.

Beth Ellis spoke in support for the plan. Ellis hoped the developers would focus on water drainage to prevent water runoff into her section of the neighborhood.

Bill McConnell said he did not believe this was a perfect plan, yet believed it was the best option presented.

Shirley Davies described the misconceptions associated with the commercial center. She spoke in support for the Ordinance.

Ivan Davies spoke in support for the Ordinance because integrating roundabouts into the area was the best option to slow traffic.

Jan Lamb, President of Sycamore Knolls Neighborhood Association, spoke in support for neighborhood development.

Mary Gardens stated her concern for traffic control on Morris Pike.

Nancy Bonser stated that Bloomington needed to be careful when developing areas to ensure the area was built well. She hoped every party's concerns would be heard and taken seriously.

Public Comment

Ranada Cassock spoke in support for the Ordinance because she wanted a commercial center near her home.

Keith Roberts spoke in support of developing Ramsey Farms, yet was concerned about traffic flow in that area. He said he was in opposition of a roundabout because it would create even more issues with traffic flows.

Fran Weinberg spoke of heavy traffic near Ramsey Farms and her apprehension for the Ordinance.

Steve Gotleap stated his concern for the development of this area.

David Wise spoke against the roundabout being added to his neighborhood because he was worried about pedestrian accidents due to speeding cars.

Jean Creek spoke against this Ordinance due to a lack of a park and the roundabout.

Octa Atwood described her educational background and explained the inefficiency of integrating a roundabout in this particular area.

Robert Terrell spoke in opposition of the roundabout.

Jim Sherman spoke about the psychological process of decision making. He stated his support for the Ordinance.

Mike Wilkerson stated his opposition for the Ordinance because he wanted some of the land to go towards creating a public park.

Ian Byers Ginsberg said he wanted a pedestrian crossing to enter South East Park to ensure safe crossing.

Paul Gordon spoke in opposition of the roundabout.

Jeff Brown stated his issues concerning the real estate development.

Heather Reynolds said she believed the development plan needed to be reevaluated because many issues had remained unsolved.

Isabel Piedmont spoke of her concerns for this project.

Pedro Roman spoke of environmental issues concerning the building project.

Ellen Stewart spoke of the impact small businesses had on a community.

Ted Nagen recommended a solution to slow down traffic on East Moores Pike.

Barbara McNamooore stated she did not believe this development project was in Bloomington's best interest.

Derek Fullerton stated his support for this Ordinance because the new development plan would lead to new opportunities.

Roberta McCuskey thanked the council for listening to the public.

Gail Hall stated her concern for the environment if this project was approved. She asked the council to reevaluate the Ordinance.

Diekhoff announced that without any other public comments, the petitioner now had the chance to rebuttal.

Jeff Grodner, the attorney representing Wininger/Stolberg Group, said his company recognized there would be resident opposition to any neighborhood development. He said experts endorsed roundabouts as the best option for that area. He said roundabouts improved pedestrian safety as opposed to two way stops. He said the company was compliant with environmental code.

Sabbagh asked if the planning staff would later determine the size of the roundabout. Council Questions

McCudah said the council was to determine if the roundabout was a suitable concept for this development. If the council approved this Ordinance, the planning committee would move forward with the plans.

Sabbagh asked if public works meetings were open to the public.

McCudah said there would be a public process for review and consideration.

Sabbagh asked if federal guidelines were involved in the process.

McCudah said there were published federal guidelines for roundabouts that engineers must use.

Sabbagh asked if the pedestrian sidewalk on eastside of Winfield Drive would take precedent over other sidewalks.

McCudah said no it would not. He said if they created a list of pedestrian heavy areas, Winfield Drive would be lower than other areas. He said that was only an example to demonstrate how sidewalks were needed in this area to account for pedestrian traffic.

Sabbagh asked how experts were determined.

McCudah said experts were determined by their degrees and certifications.

Mayer asked if the petitioner had the right to build by right instead of going back to the petitioner process if the plan was denied.

McCudah said the petitioner can build by the RS3.5 zoning, subdivide the property, or utilize the PR06 for up to six units.

Mayer asked him to explain what those options meant.

McCudah explained the process.

Mayer asked about amenities that might be seen in the park or school.

McCudah explained the relevance of some aspects included in the development plan. He provided examples of amenities provided with the plan.

Ruff asked if the petitioners would return to the council for reevaluation if the council originally denied the petitioner and asked for specific plan changes. Ruff asked what the time limit would be.

McCudah said they would return to the council. He then explained the process for time frames given for development projects.

Ruff asked how many council meetings that would entail.

McCudah explained the number of council meetings would depend on the time frame given by the planning commission.

Ruff asked what public benefits might be lost if this development was approved.

McCudah said construction of trail, off-site sidewalks, off-site park improvements, and the dedication of parkland within the property would all be lost. He explained examples of smaller aspects that could be lost if the development was approved, such as lack of diversity and city input on design aspects.

Ruff asked to what extent potential improvements would be considered on-site and mandatory. He gave the example of requirements for a park.

McCudah gave the example that the city would not be able to require a pedestrian bridge.

Ruff asked why the city could not require safe pedestrian access to the site.

McCudah said the developers followed the instructions given in the ordinance rather than following the growth policy plan. He said when dealing with pedestrian accommodation off of the property, the developers must meet minimal code requirements.

Ruff asked if the sidewalks could be required to the property line and if the pedestrian bridge could be required to the middle of the right-of-way.

McCudah said yes about the sidewalk requirements. He said he did not believe a pedestrian bridge could ever be required under any development scenario.

Ruff asked why the intersection was not being used in the development plan. He asked if adding lanes made pedestrian crossings more dangerous.

McCudah said evaluating tradeoffs for vehicular and pedestrian traffic is essential. He said the traffic study on Sare Road was going to be congested unless an extra lane was added.

Ruff asked if congestion was the only way to seek alternative transportation.

McCudah said widening intersections was the best way to handle street congestion.

Ruff asked how McCudah would respond to Atwood's points.

McCudah said when his team looked at potential traffic analysis, they did assume street crossings would be made.

Ruff asked him if the street could function without a roundabout because other streets in Bloomington were fine without one.

McCudah said other streets do function well without a roundabout, yet street efficiency was determined by pedestrian safety and vehicle speed.

Ruff asked if there was currently a safety issue for intersections in Bloomington.

McCudah said increasing safety was always a good idea.

Sturbaum asked what the solution would be for the roundabout since there were blind areas geographically.

McCudah said parts of the topographic area would have to be shaved down. He said there would be higher levels of safety in this area due to decreased speed and shaved hills.

Sturbaum asked if adding a roundabout was to increase road safety.

McCudah said that was correct.

Sturbaum asked if the two-way stop and multiple lanes was a safety issue for pedestrians.

McCudah said a longer street often led to increased dangers of pedestrian crossings.

Sturbaum asked if there would be an expansion of Southeast Park.

McCudah said no.

Rollo asked if there were other parties besides the Parks Department that advocated for dedication to the GPP and park expansion during the public process.

McCudah said during the public process, the Planning Department pushed for an expansion of Southeast Park. He said there was not a significant push from the public or any boards and commissions.

Rollo said the environmental committee, which he was a member of, pushed for park expansion. Rollo asked what fraction of the total traffic within that development were left turns on Morris Pike.

McCudah said there was a projected 483 left turns on Morris Pike.

Rollo asked if the volume of the ponds on the development property changed to accommodate the reduction of ponds.

McCudah said the pond distribution was the same from the initial submittal.

Tim Hansen, a consultant of the petitioner's team, said there were adequate areas on the site to keep the ponds.

Rollo asked if the water was going to other locations besides the designated ponds.

Hansen said the water was going to the same locations. He used a map to show the areas where the ponds were located.

Rollo asked how much of that water was going to the creek.

Hansen said the developers had already proposed that no water would descend the slopes other than what falls on the slopes.

Rollo asked McCudah if the developers must expand southeast park because the expansion was stated in the plans.

McCudah said this aspect was the most difficult to comply with because of conflicting plans between the developers and the parks department.

Rollo asked if there was land in the vicinity to expand the park if the original developers did not expand the park.

McCudah said there were several acres dedicated to a park in the middle of the development. He also said the developers had planned to expand the park.

Rollo asked if the pedestrian bridge was the safest passage for pedestrians to cross the street.

McCudah said that was correct.

Rollo asked why public entities were not informed of any storm water violations.

McCudah explained that the public policy stated the planning committee evaluated the petitioner's plan and did not evaluate track records.

Rollo asked if any history of the petitioner was considered.

McCudah said the planning commission made their decisions based on the use of land proposed and what the land impacts were.

Rollo asked Wininger/Stolberg Group about their previous storm water violations over the years. He asked why the company had failed to comply with the Clean Water Act.

Grodner said the company had made improvements to solve the issues of storm water citations.

Rollo asked if the company was in compliance at that moment in time.

Grodner said the company had a schedule for implementation and he believed the company had always been in compliance.

Rollo cited previous reports from a government official that sediment had entered the water connected to Stolberg's properties. He asked if Grodner was disputing the claims.

Grodner said he was not disputing that they had received citations and the company had appropriately complied.

Volan asked if the council could still send the developer's plan back to the planning commission for review.

Sherman said the council could not.

Volan asked Sherman what options the council had in regards to this plan.

Sherman said if the council voted against the development plan, the petitioner could return to the planning commission.

Banach said the petitioner could withdraw their petition and build by right.

Volan asked if the council requested the petitioner to return to the planning commission for further review at the previous meeting.

Sherman said the petitioners claimed they would return to the planning commission if the council had voted no.

Volan asked how much money would be needed to build everything listed in the plan. He also asked how much money the petitioner was donating to sidewalks and the park.

McCudah said some calculations had been made.

Council Questions (*cont'd*)

Volan asked if they could estimate how much the project would cost and what portion of that total was being used for sidewalks and parkland.

Grodner said because the plan was still in the preliminary stages, the developers could not estimate the total cost of the project.

Volan asked how it was possible for the developers to not possess that knowledge.

Grodner said the developers did not have that information with them. He said the company had not evaluated public benefit costs yet.

Sturbaum asked if the developers had any idea how long the construction would take concerning the roundabout.

McCudah said the developers were expecting to begin construction in 2005 if the plans were approved. He said the initial construction on Morris Pike would be addressed in early 2005.

Rollo asked if the plan was denied and the council gave specific instructions for improvements, could McCudah arrange another planning commission meeting in July.

McCudah said the next filing deadline for an early August meeting would have to occur by the end of June. He said there was no way to expedite the process due to the mandatory application process.

Rollo asked what the application process was for the PR06.

McCudah said it was the same process but there was not council consideration.

Sabbagh asked if there would be a sidewalk on the north side of Morris Pike headed west.

McCudah said one of the current plans for a sidewalk was on the north side of Morris Pike connected to Sare Road.

Sabbagh asked about a sidewalk headed west.

McCudah said a sidewalk would head towards Valley Forge, yet there were off-site gaps.

Grodner said if the council required the petitioners to reconfigure the maps, the planning process would prolong the construction.

Ruff asked if the petitioners would have to create a new plan for the by right construction.

Grodner said time would be needed to create a by right construction. He said the company would only have to look at the zoning ordinance for that specific area and not the growth policy plan.

Ruff asked if the developers could petition in early August with a new construction plan.

McCudah said a new plan would have to be filed in late June and then heard in August by the planning commission. He said that would be very difficult for the company to do in a few weeks.

Ruff asked the developers to explain the issues associated with the Morris Pike plan. He asked what the actual cost would be for various aspects of the plan.

McCudah provided an example of rock removal to be a significant and costly issue.

Ruff asked how much of an issue the construction of the roundabout would be.

McCudah said he was unable to answer that question.

Volan said Wyckoff's estimate to build a pedestrian bridge ranges from \$150,000 to \$600,000 depending on the amount of rock in that area.

Ruff asked why the time delays between the intersection and the roundabout were drastically different.

McCudah said the times were different because the engineers were

asked to analyze Morris Pike as a street. He said Morris Pike performed efficiently as a roundabout or a two-way stop. Council Questions (*cont'd*)

Steve Smith, team member of Wininger/Stolberg Group, said the wait time was longer at a two-way stop. He said a roundabout allowed cars to have minimal delay in stopping because every car had the right to go. He said two-way intersections were much more dangerous.

Ruff asked what times a road would see an increase in cut-through traffic.

Smith said cut-through traffic would be heaviest at all times of day.

Diekhoff asked what would happen to the crab apple trees along Morris Pike.

Hansen said the developers were committed to maintaining the trees. He said any trees that would have to be removed would be replanted on the property.

Diekhoff asked if the trees could be saved and replanted.

Hansen said the landscape coordinator said the trees could be removed and replanted.

Sabbagh said he was confident in the Planning and Transportation Director. He stated his concern for the sidewalks in that area. He said the west side needed more public parks. Sabbagh approved of the plan because it followed the GPP.

Rollo spoke in opposition for Ordinance 04-09. He explained his reasoning that the growth policy plan was flawed. He further explained his issues with the development plan. He said he wanted the plan to be sent back for review to the Planning Committee. Council Comment

Mayer spoke in support for the Ordinance because it met all requests from citizens. He spoke of his support for neighborhood associations.

Banach stated his support for the Ordinance.

Sturbaum spoke of the benefits of neighborhood developments. He spoke in support of the new neighborhood development because the plan met the standards of the GPP. He also said the development would benefit the Bloomington community.

Gaal said he listened to all issues raised by the community. He explained how the new development would benefit the community. He said negotiations were difficult and the council did all they could to improve the plan for the development.

Ruff stated his opposition to Gaal's comments. He said the council had stated their issues with the plan since the Planning Commission published the developer's plan. He spoke of the issues with the developer's plan.

Volan said he was upset about Gaal's previous statements. Volan said he supported certain aspects of the developer's plan. He listed various issues found in the plan.

Diekhoff spoke in support of the roundabout because pedestrian safety would be improved with the plan. He stated his support for the Ordinance.

Ordinance 04-09 as amended received a roll call vote of Ayes: 6 (Banach, Sturbaum, Gaal, Diekhoff, Mayer, Sabbagh), Nays: 3 (Ruff, Rollo, Volan).

The meeting was adjourned at 1:00 am on 6-10-04.

ADJOURNMENT

APPROVE:

ATTEST:

Michael Diekhoff, President
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

For Approval



**City of Bloomington
Office of the City Clerk**

CLERK'S CERTIFICATE

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

I, Nicole Bolden, being the duly elected, qualified and current Clerk of the City of Bloomington, Monroe County, Indiana, hereby do certify that I am the custodian of the records of the Bloomington City Council and the City of Bloomington, and that the attached copy of the minutes for the July 21, 2004 meeting of the Bloomington City Council is a full, true and complete copy of drafts of the minutes of that meeting and which is kept in this office in the normal course of business.

I affirm under the penalties for perjury that the foregoing representations are true.

IN WITNESS WHEREOF, I
hereunto set my signature as Clerk
of the City of Bloomington on the
date set forth below.

Nicole Bolden
City Clerk
City of Bloomington, Indiana

Date:_____

The attached copy of the minutes for the July 21, 2004 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the _____day of _____, 2021.

Jim Sims
President, Common Council
City of Bloomington, Indiana

In the Council Chambers of the Showers City Hall on Wednesday, July 21, 2004 at 7:30 pm with Council President Diekhoff presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
July 21, 2004

Roll Call: Diekhoff, Ruff (arr. 8:29), Gaal, Rollo, Volan, Sabbagh, Mayer

ROLL CALL

Absent: Banach, Sturbuam

Council President Diekhoff gave the Agenda Summation

AGENDA SUMMATION

The following minutes were approved by a voice vote.

APPROVAL OF MINUTES

Regular Session, February 18, 2004 (postponed from July 14, 2004); Regular Session; April 28, 2004 (postponed from July 14, 2004); Regular Session, May 5, 2004 (postponed from July 14, 2004); Regular Session, March 24, 2004; Regular Session, July 14, 2004

There were no appointments to boards and commissions.

BOARD AND COMMISSION
APPOINTMENTS

It was moved and seconded that the Ordinance 04-17 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0-1. It was moved and seconded that Ordinance 04-17 be adopted.

LEGISLATION FOR SECOND
READING

Ordinance 04-17 To Authorize
Reestablishment of the Cumulative
Capital Development Fund

Ordinance 04-17 received a roll call vote of Ayes: 6, Nays: 0.

It was moved and seconded that the Ordinance 04-14 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 4-0-5. It was moved and seconded that Ordinance 04-14 be adopted.

Ordinance 04-14 To Amend Title 15
of the Bloomington Municipal Code
Entitled "Vehicles and Traffic" –
Re: Changes to Chapter 15.32
(Parking Controls), Chapter 15.37
(Residential Neighborhood Permit
Parking), Chapter 15.38 (Public
Employee Parking Permits), Chapter
15.40 (Municipal Parking Lots,
Garages, and On-Street Metered
Parking), Chapter 15.48 (Emergency
Removal and Impoundment of
Vehicles), and Chapter 15.64
(Traffic Violation Schedule)

It was moved and seconded that Amendment #2 to Ordinance 04-14 be adopted.

Amendment #2 This amendment
extends the Monday – Saturday, 5:00
a.m. – 5:00 p.m., 2-hour limited parking
zone to include Sixth Street from
Walnut Street to Washington Street and
Washington Street from Kirkwood
Avenue to Sixth Street.

The motion received a roll call vote of Ayes: 6, Nays: 0.

It was moved and seconded that Amendment #3 to Ordinance 04-14 be adopted.

Amendment #3 This amendment
extends the Monday – Saturday, 5:00
a.m. – 5:00 p.m., 2-hour limited parking
zone to include Fourth Street from
College Avenue to Madison Street,
Madison Street from Fourth Street to
Kirkwood Avenue, and Gentry Avenue.
It also provides limited parking on the
east side of Madison Street between
Fourth Street and Kirkwood Avenue.

The motion received a roll call vote of Ayes: 7, Nays: 0.

It was moved and seconded that Amendment #4 to Ordinance 04-14 be adopted.

Amendment #4 This amendment adds
two one-hour parking spaces by the

The motion received a roll call vote of Ayes: 7, Nays: 0.

It was moved and seconded that Amendment #5 to Ordinance 04-14 be adopted.

The motion received a roll call vote of Ayes: 7, Nays: 0.

It was moved and seconded that Amendment #6 to Ordinance 04-14 be adopted.

The motion received a roll call vote of Ayes: 7, Nays: 0.

It was moved and seconded that Amendment #1 to Ordinance 04-14 be adopted.

The motion received a roll call vote of Ayes: 2 (Roll, Sabbagh), Nays: 5 and thus failed.

It was moved and seconded that Amendment #7 to Ordinance 04-14 be adopted.

The motion received a roll call vote of Ayes: 6, Nays: 1 (Mayer).

northwest corner of 10th Street and College Avenue.

Amendment #5 This amendment makes numerous minor or uncontested changes in the ordinances. They include: 1) providing limited parking in front of the Kirkwood Manor (formerly the entrance to Maces grocery store); 2) striking the new South Downtown Residential Neighborhood Zone (Zone 8); 3) correcting the boundaries for the Old Northeast parking zone (Zone 4) in order to exclude 6th Street between Walnut Street and Washington Street; 4) correcting Schedule V (rates and fees for municipal lots and garages) in regard to the hours for the 12/5 annual lease and the fee for the reserved spaces in Lot 3 (4th and Dunn Streets); and finally, 5) reducing the Monday – Saturday, 5:00 a.m. – 5:00 p.m., 2-hour limited parking zone to exclude Kirkwood Avenue between Washington and Walnut Street, Sixth Street from Lincoln to Walnut Street, and Walnut Street from Fourth Street to Kirkwood Avenue.

Amendment #6 This amendment would provide residents of owner-occupied premises on North Walnut between Kirkwood Avenue and Seventh Street and in the 100 block of East Sixth Street with the opportunity of purchasing Zone 4 residential neighborhood parking permit. It also extends this offer to residents of rental housing in the 100 block of East Sixth Street until August 15, 2005.

Amendment #1 This ordinance makes Municipal Lot 11 (e.g. the main Municipal Lot south of the Showers Complex) an employee parking lot during the weekdays and only allows the public to park there after 5:00 p.m. on weekdays and only when they are conducting business in City Hall. This amendment would allow the public to park in Municipal Lot 11 for certain hours on the weekends when City Hall is closed, except during the Farmers' Market season or during events approved by the Board of Public Works. In other words, this amendment would allow the public to park their cars in Lot 11 from 5:00 a.m. to 11:00 p.m. on Saturday and Sunday when the lot is open and without having to conduct city business.

Amendment #7 This amendment addresses the period of time tickets must remain unpaid before the additional \$50 fine may be imposed or the car may be towed. That period of time has been increased from 30 to 60 days and now applies to all rather than just one of the tickets.

It was moved and seconded that Amendment #8 to Ordinance 04-14 be adopted.

The motion received a roll call vote of Ayes: 7, Nays: 0.

It was moved and seconded that Amendment #9 to Ordinance 04-14 be adopted.

The motion received a roll call vote of Ayes: 7, Nays: 0.

Ordinance 04-14 as amended by Amendments #2, 3, 4, 5, 6, 7, 8, and 9 received a roll call vote of Ayes: 7, Nays: 0.

It was moved and seconded that the Ordinance 04-15 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0-1. It was moved and seconded that Ordinance 04-15 be adopted.

Ordinance 04-15 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that the Appropriation Ordinance 04-04 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0-1. It was moved and seconded that Appropriation Ordinance 04-04 be adopted.

Appropriation Ordinance 04-04 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that the Ordinance 04-15 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 6-0-3. It was moved and seconded that Ordinance 04-15 be adopted.

Ordinance 04-15 received a roll call vote of Ayes: 9, Nays: 0.

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

Ordinance 04-13 To Amend The Bloomington Zoning Maps from RS 4.5 to PUD and to Approve the Preliminary Plan for The South Dunn Street Planned Unit Development (PUD) – Re: 1330 South Dunn Street (Neighborhood Solutions LLC, Petitioner)

The meeting was adjourned at 10:55pm.

APPROVE:

ATTEST:

Michael Diekhoff, President
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

Amendment #8 This amendment removes the delayed effective date for a portion of the ordinance which has been removed (regarding the establishment of a new Zone 8 Residential Permit Parking Zone).

Amendment #9 This amendment deletes a reference to parking on North College that should be removed given the adoption of Amendment 4.

Ordinance 04-14 as amended

Ordinance 04-15 To Amend the Ordinance Which Fixed the Salaries of Appointed Officers and Employees of the Civil City (Ordinance 03-20) For the Year 2004 – Re: Adding a Parking Enforcement Officer and Two Security Guards in the Parking Enforcement Division

Appropriation Ordinance 04-04 To Specially Appropriate from the Parking Enforcement Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the Parking Enforcement Fund for New Positions in the Parking Enforcement Division and the Purchase of Equipment)

Ordinance 04-16 To Amend the Ordinance Which Fixed the Salaries of Appointed Officers and Employees of the Civil City (Ordinance 03-20) For the Year 2004 – Re: Positions in the Clerk’s Office and the Council Office

LEGISLATION FOR FIRST READING

Ordinance 04-13

ADJOURNMENT



**City of Bloomington
Office of the City Clerk**

CLERK'S CERTIFICATE

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

I, Nicole Bolden, being the duly elected, qualified and current Clerk of the City of Bloomington, Monroe County, Indiana, hereby do certify that I am the custodian of the records of the Bloomington City Council and the City of Bloomington, and that the attached copy of the minutes for the August 4, 2004 meeting of the Bloomington City Council is a full, true and complete copy of drafts of the minutes of that meeting and which is kept in this office in the normal course of business.

I affirm under the penalties for perjury that the foregoing representations are true.

IN WITNESS WHEREOF, I
hereunto set my signature as Clerk
of the City of Bloomington on the
date set forth below.

Nicole Bolden
City Clerk
City of Bloomington, Indiana

Date:_____

The attached copy of the minutes for the August 4, 2004 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the _____day of _____, 2021.

Jim Sims
President, Common Council
City of Bloomington, Indiana

In the Council Chambers of the Showers City Hall on Wednesday, August 4, 2004 at 7:30 pm with Council President Diekhoff presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
August 4, 2004

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

ROLL CALL

Council President Diekhoff gave the Agenda Summation

AGENDA SUMMATION

The minutes of Special Session of February 25, 2004 and Regular Session of May 19, 2004 were approved by a voice vote.

APPROVAL OF MINUTES

Mike Diekhoff submitted to the council a disclosure of a conflict of interest. He stated that he was a captain in the Bloomington Police Department and would be asked to vote on matters that would affect his department and his own compensation, but, he would refrain from participating in the Police and Salary Ordinance. It was moved and seconded to accept Diekhoff's conflict of interest statement.

- Conflict of Interest Statement

The motion received a roll call vote of Ayes: 8, Nays: 0, with Diekhoff abstaining from this vote.

There were no appointments at this meeting.

BOARD AND COMMISSION
APPOINTMENTS

It was moved and seconded that Ordinance 04-13 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 5-0-3. It was moved and seconded that Ordinance 04-13 be adopted. Clerk Moore read the ordinance and synopsis.

LEGISLATION FOR SECOND
READING

Ordinance 04-13 To Amend The Bloomington Zoning Maps from RS 4.5 to PUD and to Approve The Preliminary Plan for the South Dunn Street Planned Unit Development (PUD) – Re: 1330 South Dunn Street (Neighborhood Solutions LLC, Petitioner)

Ordinance 04-13 received a roll call vote of Ayes: 6, Nays: 3 (Diekhoff, Mayer, Sabbagh).

LEGISLATION FOR FIRST
READING

There was no legislation for first reading.

The meeting was adjourned at 11:17 p.m.

ADJOURNMENT

APPROVE:

ATTEST:

Michael Diekhoff, President
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington



**City of Bloomington
Office of the City Clerk**

CLERK'S CERTIFICATE

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

I, Nicole Bolden, being the duly elected, qualified and current Clerk of the City of Bloomington, Monroe County, Indiana, hereby do certify that I am the custodian of the records of the Bloomington City Council and the City of Bloomington, and that the attached copy of the minutes for the September 8, 2004 meeting of the Bloomington City Council is a full, true and complete copy of drafts of the minutes of that meeting and which is kept in this office in the normal course of business.

I affirm under the penalties for perjury that the foregoing representations are true.

IN WITNESS WHEREOF, I
hereunto set my signature as Clerk
of the City of Bloomington on the
date set forth below.

Nicole Bolden
City Clerk
City of Bloomington, Indiana

Date:_____

The attached copy of the minutes for the September 8, 2004 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the _____day of _____, 2021.

Jim Sims
President, Common Council
City of Bloomington, Indiana

In the Council Chambers of the Showers City Hall on Wednesday, September 8, 2004 at 7:30 pm with Council President Diekhoff presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
September 8, 2004

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

ROLL CALL

Council President Diekhoff gave the Agenda Summation

AGENDA SUMMATION

LEGISLATION FOR SECOND
READING

It was moved and seconded that the Ordinance 04-18 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 7-1. It was moved and seconded that Ordinance 04-18 be adopted.

Ordinance 04-18 To Fix the Salaries of All Elected City Officials for the City of Bloomington for the Year 2005

Ordinance 04-18 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that the Ordinance 04-19 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 6-2. It was moved and seconded that Ordinance 04-19 be adopted.

Ordinance 04-19 An Ordinance Fixing the Salaries of Appointed Officers and Employees of the City of Bloomington, Monroe County, Indiana, for the Year 2005

Ordinance 04-19 received a roll call vote of Ayes: 7, Nays: 2 (Banach, Sabbagh)

It was moved and seconded that the Ordinance 04-20 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 5-2. It was moved and seconded that Ordinance 04-20 be adopted.

Ordinance 04-20 An Ordinance Fixing the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2005

Ordinance 04-20 received a roll call vote of Ayes: 6, Nays: 2 (Banach, Sabbagh)

*Diekhoff did not participate in this vote.

It was moved and seconded that the Ordinance 04-23 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 6-2. It was moved and seconded that Ordinance 04-23 be adopted.

Ordinance 04-23 To Amend Title 6 of the Bloomington Municipal Code Regarding "Health And Sanitation" (Changing User Fees, Establishing Uniform Fines for Certain Violations, Affording Non-Resident Owners an Opportunity to Cure Violations, and Making Other Minor Amendments)

Ordinance 04-23 received a roll call vote of Ayes: 7, Nays: 2 Banach, Sabbagh).

It was moved and seconded that the Resolution 04-15 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 7-1. It was moved and seconded that Resolution 04-15 be adopted.

Resolution 04-15 Petition to Appeal for an Increase to the Maximum Levy

Resolution 04-15 received a roll call vote of Ayes: 8, Nays: 1 (Sabbagh)

It was moved and seconded that the Appropriation Ordinance 04-05 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 7-1. It was moved and seconded that Appropriation Ordinance 04-05 be adopted.

Appropriation Ordinance 04-05 An Ordinance for Appropriations and Tax Rates (2005 Civil City Budget for the City of Bloomington)

It was moved and seconded to incorporate Amendment 1 to Appropriation Ordinance 04-05

The motion received a roll call vote of Ayes: 0, Nays: 9 and therefore failed.

Appropriation Ordinance 04-05 received a roll call vote of Ayes: 8, Nays: 1 (Sabbagh).

It was moved and seconded that the Ordinance 04-21 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 7-1. It was moved and seconded that Ordinance 04-21 be adopted.

Ordinance 04-21 received a roll call vote of Ayes: 8, Nays: 1 (Sabbagh).

It was moved and seconded that the Appropriation Ordinance 04-06 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0. It was moved and seconded that Appropriation Ordinance 04-06 be adopted.

Appropriation Ordinance 04-06 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that the Ordinance 04-22 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0. It was moved and seconded that Ordinance 04-22 be adopted.

Ordinance 04-22 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that the Ordinance 04-24 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0. It was moved and seconded that Ordinance 04-24 be adopted.

Ordinance 04-24 received a roll call vote of Ayes: 9, Nays: 0.

Amendment 1 This amendment identifies \$300,000 of Capital Outlays in the General Fund budget that could be used for employee raises. Since the Council is only empowered to approve or cut expenditures, it would begin the reallocation process by reducing the capital outlays from the General Fund by that amount. Should this amendment pass, then the Council would probably need to postpone action on the budget to give the Administration an opportunity to propose shifting those funds to the Personal Services category and cover necessary capital needs through use of the Cumulative Capital Development, Cumulative Capital Improvement, or other fund.

Final Vote on Appropriation Ordinance 04-05

Ordinance 04-21 An Ordinance Fixing the Salaries of Appointed Officers and Employees of the Utilities Department for the City of Bloomington, Monroe County, Indiana, for the Year 2005

Appropriation Ordinance 04-06 An Ordinance Adopting a Budget for the Operation, Maintenance, Debt Service and Capital Improvements for the Water and Wastewater Utility Departments of the City of Bloomington, Indiana for the Year 2005

Ordinance 04-22 An Ordinance Reviewing and Modifying the Budget of the Bloomington Public Transportation Corporation for the Year 2005

Ordinance 04-24 To Codify the Provisions of Ordinance 79-74, and Ordinance 87-31, Each as Amended, Establishing and Authorizing Expenditures from the Special Non-Reverting Improvement Fund, To Codify the Provisions of Ordinance 96-31 as Amended Establishing and Authorizing Expenditures from the Telecommunications Fund, and To Authorize Expenditures from the Mayor's Promotion of Business Line in the Mayor's Office Budget

It was moved and seconded that the Resolution 04-16 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation on the item. It was moved and seconded that Resolution 04-16 be adopted.

Resolution 04-16 To Adopt a Written Fiscal Plan and to Establish a Policy for the Provision of City Services to an Annexed Area (Hoadley Quarries Area)

Resolution 04-16 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that the Resolution 04-17 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation on the item. It was moved and seconded that Resolution 04-17 be adopted.

Resolution 04-17 To Adopt a Written Fiscal Plan and to Establish a Policy for the Provision of City Services to an Annexed Area (Rhorer/Gordon Area)

Resolution 04-17 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that the Resolution 04-18 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation on the item. It was moved and seconded that Resolution 04-18 be adopted.

Resolution 04-18 To Adopt a Written Fiscal Plan and to Establish a Policy for the Provision of City Services to an Annexed Area (St. James/ East Wingfield/ Rolling Hills Area)

Resolution 04-18 received a roll call vote of Ayes: 8, Nays: 0 (Ruff out of room)

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

LEGISLATION FOR FIRST READING

Ordinance 04-25 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory (Hoadley Quarries Area)

Ordinance 04-25

Ordinance 04-26 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory (Rhorer/Gordon Area)

Ordinance 04-26

Ordinance 04-27 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory (St. James/ East Wingfield/ Rolling Hills Area)

Ordinance 04-27

The meeting was adjourned at 11:20

ADJOURNMENT

APPROVE:

ATTEST:

Michael Diekhoff, President
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington



**City of Bloomington
Office of the City Clerk**

CLERK'S CERTIFICATE

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

I, Nicole Bolden, being the duly elected, qualified and current Clerk of the City of Bloomington, Monroe County, Indiana, hereby do certify that I am the custodian of the records of the Bloomington City Council and the City of Bloomington, and that the attached copy of the minutes for the September 22, 2004 meeting of the Bloomington City Council is a full, true and complete copy of drafts of the minutes of that meeting and which is kept in this office in the normal course of business.

I affirm under the penalties for perjury that the foregoing representations are true.

IN WITNESS WHEREOF, I
hereunto set my signature as Clerk
of the City of Bloomington on the
date set forth below.

Nicole Bolden
City Clerk
City of Bloomington, Indiana

Date:_____

The attached copy of the minutes for the September 22, 2004 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the _____day of _____, 2021.

Jim Sims
President, Common Council
City of Bloomington, Indiana

In the Council Chambers of the Showers City Hall on Wednesday, September 22, 2004 at 7:30 pm with Council President Diekhoff presiding over a Regular Session of the Common Council.

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

Council President Diekhoff gave the Agenda Summation

The minutes of September 1, 2004 were approved by a voice vote.

It was moved and seconded to accept the report from the Sidewalk Committee.

The motion received a roll call vote of Ayes: 8, Nays: 0.

There were no appointments to boards and commissions.

It was moved and seconded that Resolution 04-14 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 9-0. It was moved and seconded that Resolution 04-14 be adopted.

Resolution 04-14 received a roll call vote of Ayes: 8 Nays: 0.

It was moved and seconded that Resolution 04-13 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no Committee Do Pass recommendation. It was moved and seconded that Resolution 04-13 be adopted.

Resolution 04-13 received a roll call vote of Ayes: 8 Nays: 0.

It was moved and seconded to limit speakers to three minutes per person.

The motion received a roll call vote of Ayes: 6, Nays: 2 (Mayer, Rollo).

It was moved and seconded that Resolution 04-19 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no Committee Do Pass recommendation. It was moved and seconded that Resolution 04-19 be adopted.

Resolution 04-19 received a roll call vote of Ayes: 7, Nays: 1 (Sabbagh).

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

Ordinance 04-28 To Amend the Text of Title 20 of the Bloomington Municipal Code Entitled "Zoning" (Revising the Definitions Along with the Permitted and Conditional Use Allowances for Hospitals and Outpatient Care Facilities)

COMMON COUNCIL
REGULAR SESSION
September 22, 2004

ROLL CALL

AGENDA SUMMATION

APPROVAL OF MINUTES

COMMITTEE REPORTS
▪ Report from Sidewalk
Committee for 2004

BOARD AND COMMISSION
APPOINTMENTS

LEGISLATION FOR SECOND
READING

Resolution 04-14 To Authorize Expenditures from the Industrial Development Fund for Physical Improvements to Support Development Projects (Cook Pharmica, LLC and Schulte Corporation) at the Indiana Enterprise Center

Resolution 04-13 To Approve the Interlocal Agreement Between Monroe County and the City of Bloomington for Animal Shelter Operation for the Year 2005

MOTION TO LIMIT DEBATE
ON RESOLUTION 04-19

Resolution 04-19 Opposing the Routing of Interstate 69 (I-69) Through the City of Bloomington

LEGISLATION FOR FIRST
READING

Ordinance 04-28

Ordinance 04-29 To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” (Amending Chapter 2.23 Entitled “Community and Family Resources Department” by Removing Section 2.23.040 (Community and Family Resources Forum) and Modifying Section 2.23.050 (Community and Family Resources Commission))

Ordinance 04-29

The meeting was adjourned at 10:55 p m.

ADJOURNMENT

APPROVE:

ATTEST:

Michael Diekhoff, President
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

for approval



**City of Bloomington
Office of the City Clerk**

CLERK'S CERTIFICATE

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

I, Nicole Bolden, being the duly elected, qualified and current Clerk of the City of Bloomington, Monroe County, Indiana, hereby do certify that I am the custodian of the records of the Bloomington City Council and the City of Bloomington, and that the attached copy of the minutes for the December 15, 2004 meeting of the Bloomington City Council is a full, true and complete copy of drafts of the minutes of that meeting and which is kept in this office in the normal course of business.

I affirm under the penalties for perjury that the foregoing representations are true.

IN WITNESS WHEREOF, I
hereunto set my signature as Clerk
of the City of Bloomington on the
date set forth below.

Nicole Bolden
City Clerk
City of Bloomington, Indiana

Date:_____

The attached copy of the minutes for the December 15, 2004 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the _____day of _____, 2021.

Jim Sims
President, Common Council
City of Bloomington, Indiana

In the Council Chambers of the Showers City Hall on Wednesday, December 15, 2004 at 7:30 pm with Council President Diekhoff presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
December 15, 2004

Roll Call: Banach, Diekhoff (arrived at 9:30 pm), Ruff, Gaal, Rollo, Volan, Sabbagh,
Absent: Mayer, Sturbaum

ROLL CALL

Council Vice President Andy Ruff gave the Agenda Summation

AGENDA SUMMATION

The minutes of October 20, 2004, November 3, 2004 and November 17, 2004 were approved by a voice vote.

APPROVAL OF MINUTES

It was moved and seconded that Kris Floyd be appointed to the Bloomington Community Arts Commission. The appointment was approved by a voice vote.

BOARD AND COMMISSION
APPOINTMENTS

It was moved and seconded that Resolution 04-24 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 9-0. It was moved and seconded that Resolution 04-24 be adopted.

LEGISLATION FOR SECOND
READING

Resolution 04-24 To Approve and Authorize the Execution of a Collective Bargaining Agreement Between the City of Bloomington and the Bloomington Metropolitan Firefighters, Local 586

Resolution 04-24 received a roll call vote of Ayes: 6, Nays: 0.

It was moved and seconded that Ordinance 04-39 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 9-0. It was moved and seconded that Ordinance 04-39 be adopted.

Ordinance 04-39 To Amend Ordinance 04-20 which Fixed the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2005 (Reflecting the Collective Bargaining Agreement with Bloomington Metropolitan Firefighters, Local 586)

Ordinance 04-39 received a roll call vote of Ayes: 6, Nays: 0.

It was moved and seconded that Resolution 04-25 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 9-0. It was moved and seconded that Resolution 04-25 be adopted.

Resolution 04-25 A Resolution Expressing Support for the Provision of Salary Increases for Non-Union Employees Effective January 1, 2005

Resolution 04-25 received a roll call vote of Ayes: 6, Nays: 0.

It was moved and seconded that Ordinance 04-36 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 9-0. It was moved and seconded that Ordinance 04-36 be adopted.

Ordinance 04-36 To Amend Ordinance 04-18 which Fixed the Salaries of all Elected City Officials for the City of Bloomington for the Year 2005

Ordinance 04-36 received a roll call vote of Ayes: 6, Nays: 0.

It was moved and seconded that Ordinance 04-25 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis saying that the recommendation at the public hearing held on November 10, 2004 was to forward this to the December 15th meeting with a roll call vote of Ayes: 7, Nays: 1. It was moved and seconded that Ordinance 04-25 be adopted.

Ordinance 04-25 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory (Hoadley Quarries Area)

Ordinance 04-25 received a roll call vote of Ayes: 6, Nays: 0.

It was moved and seconded that Ordinance 04-26 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis saying that the recommendation at the public hearing held on November 10, 2004 was to forward this to the December 15th meeting with a role call vote of Ayes: 6, Nays: 0, Abstain: 2. It was moved and seconded that Ordinance 04-26 be adopted.

Ordinance 04-26 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory (Rhorer/Gordon Area)

Ordinance 04-26 received a roll call vote of Ayes: 5 (Rollo out of room), Nays: 0.

It was moved and seconded that Ordinance 04-27 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis saying that the recommendation at the public hearing held on November 10, 2004 was to forward this to the December 15th meeting with a role call vote of Ayes: 7, Nays: 0, Abstain: 1. It was moved and seconded that Ordinance 04-27 be adopted.

Ordinance 04-27 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory (St. James/ East Wingfield/ Rolling Hills Area)

Ordinance 04-27 received a roll call vote of Ayes: 6, Nays: 0.

It was moved and seconded that Ordinance 04-38 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 5-0-4. It was moved and seconded that Ordinance 04-38 be adopted.

Ordinance 04-38 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" (Regulations Regarding Stop, Yield, and Signalized Intersections, One Way Streets, Various Parking Zones, and Pedestrian Crossings)

It was moved and seconded to adopt Amendment #3.

Amendment #3 This amendment would switch the north and south side of East Cottage Grove from North Indiana to North Fess and the east and west side of North Fess from East 10th Street to Cottage Grove from Zone 6 to Zone 7 at the request of the Collins Living Learning Center and its Hillcrest Annex. It would allow residents of these Collins facilities to park on these blocks.

Amendment #3 received a roll call vote of Ayes: 6, Nays: 0.

Ordinance 04-38 as amended received a roll call vote of Ayes: 7, Nays: 0.

Ordinance 04-38 as amended

It was moved and seconded that Resolution 04-26 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, saying that there was no committee recommendation on this resolution. It was moved and seconded that Resolution 04-26 be adopted.

Resolution 04-26 To Recognize the Importance of Democratic, Transparent and Fair Elections

Resolution 04-26 received a roll call vote of Ayes: 5, Nays: 0. Sabbagh left the meeting at 10:20 pm. Banach left the meeting at 10:30 pm.

This being the last council meeting for the year 2004, there was no legislation for first reading.

LEGISLATION FOR FIRST READING

The meeting was adjourned at 11:17 p.m.

ADJOURNMENT

APPROVE:

ATTEST:

Michael Diekhoff, President
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington



MEMO FROM COUNCIL OFFICE ON:

Ordinance 21-09 – To Amend Title 9 of the Bloomington Municipal Code Entitled “Water” (Rate Adjustment)

Synopsis

This ordinance amends the rates and charges in Title 9 of the Bloomington Municipal Code, entitled “Water”, to reflect increased costs of supplying water and services to customers, and to make debt service payments on bond financing for required capital improvements.

Relevant Materials

- Ordinance 21-09
- Memo from Chris Wheeler, Assistant City Attorney
- Redline version of Ord 21-09 showing current and proposed rates and charges within Municipal Code
- Water Report from Utility Financial Solutions
- Cost of Services Study from Utility Financial Solutions
- Preliminary Revenue Requirements Report from Crowe LLP
- 2021 Water Works Rate Case Fact Sheet
- Utilities Service Board – January 19, 2021 Minutes

Summary

Ordinance 21-09 amends Title 9 of the Bloomington Municipal Code by increasing, in two phases, various rates associated with the city’s water utility. The ordinance provides that the existing rates and charges of the water utility will remain in effect until the new rates fixed by Ordinance 21-09 are approved by order of the Indiana Utility Regulatory Commission (“IURC”) (IURC’s website - <https://www.in.gov/iurc/>). The memo provided by Assistant City Attorney Chris Wheeler notes that the IURC is not expected to issue a ruling until early 2022 on Phase I of the increase. It also notes that the city’s Utilities Service Board proposes Phase II take effect on January 1, 2024.

State law provides that the rates and charges made by a municipality for a service rendered or to be rendered, either directly or in connection therewith, must be nondiscriminatory, reasonable, and just.¹ The phrase “reasonable and just rates and charges for services” has a specific definition in state law, and means rates and charges that produce sufficient revenue to:

¹ [IC 8-1.5-3-8](#)



1. pay all the legal and other necessary expenses incident to the operation of the utility, including;
 - a. maintenance costs;
 - b. operating charges;
 - c. upkeep;
 - d. repairs;
 - e. depreciation;
 - f. interest charges on bonds or other obligations, including leases; and
 - g. costs associated with the acquisition of utility property under IC 8-1.5-2;
2. provide a sinking fund for the liquidation of bonds or other obligations, including leases;
3. provide a debt service reserve for bonds or other obligations, including leases, in an amount established by the municipality, not to exceed the maximum annual debt service on the bonds or obligations or the maximum annual lease rentals;
4. provide adequate money for working capital;
5. provide adequate money for making extensions and replacements to the extent not provided for through depreciation in subdivision (1); and
6. provide money for the payment of any taxes that may be assessed against the utility.

State law also provides that the rates and charges should produce an income sufficient to maintain the utility property in a sound physical and financial condition to render adequate and efficient service. Rates and charges too low to meet these requirements are unlawful. These rates and charges are subject to the approval of the Council and to the approval of the IURC. The Utilities Service Board recommended Ordinance 21-09 to the Council at its January 19, 2021 meeting. Minutes from that meeting are included herein.

Ordinance 21-09 states that the Council, based upon the facts detailed in the ordinance and supporting materials, finds that the rates should be increased to produce sufficient revenues to meet the requirements of state law. It states that the rates will increase as set forth in the ordinance with Phase I taking effect as determined in upcoming proceedings before the IURC and Phase II taking effect January 1, 2024. The ordinance states that the Council finds the proposed rates and charges nondiscriminatory, reasonable, and just. Staff notes that, if the Council adopts Ordinance 21-09, CBU anticipates filing the rate case with the IURC on or before March 31, 2021. The IURC would then have up to 300 days to rule on the proposal.

Contact

Vic Kelson, Utilities Director, kelsonv@bloomington.in.gov, 812-349-3650

Chris Wheeler, Assistant City Attorney, wheelech@bloomington.in.gov, 812-349-3426

ORDINANCE 21-09

**TO AMEND TITLE 9
OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED “WATER”
(Rate Adjustment)**

WHEREAS, the City of Bloomington, Indiana (“City”) owns and operates a waterworks system, through its Utilities Service Board, pursuant to IC 8-1.5-2 and IC 8-1.5-3, as amended (“Act”), which waterworks system is subject to the jurisdiction of the Indiana Utility Regulatory Commission (“Commission”); and,

WHEREAS, the current rates and charges of the waterworks system of the City were established by Order of the Commission under Cause No. 44855 on the 4th Day of August, 2017; and,

WHEREAS, the City, through its Utilities Service Board, recommends necessary construction of additions and improvements to the waterworks, including maintaining and improving water quality, replacement and rehabilitation of water mains, tanks, booster stations and hydrants; and,

WHEREAS, the City, through its Utilities Service Board, determined that it will be necessary to finance said additions and improvements through the issuance of bonds and, if necessary, bond anticipation notes; and,

WHEREAS, the City, through its Utilities Service Board, engaged Crowe LLP to analyze the revenue requirements of the waterworks system pursuant to the provisions of the Act; and,

WHEREAS, Crowe LLP studied the revenue requirements of the waterworks system pursuant to the provisions of the Act and determined that the waterworks system annual operating revenues from water service do not produce sufficient revenues to meet the requirements of the Act and that said revenues need to be increased to provide income sufficient to pay the debt service on the proposed financing of the additions and improvements to the waterworks and otherwise provide for the revenue requirements set forth in the Act, specifically IC 8-1.5-3-8; and,

WHEREAS, the City, through its Utility Service Board, engaged Utility Financial Solutions, LLC (“UFS”), to prepare a cost of service study (“COSS”) to determine the costs of providing service to each class of customers and to assist in the design of water rates for customers; and,

WHEREAS, the City, through its Utilities Service Board, upon consideration of the studies prepared by Crowe LLP and UFS, recommends that the Common Council approve a two phase increase in the revenues of the waterworks with an 11.73% increase in the revenues for phase I and a 9.38% increase in the revenues for phase II; and,

WHEREAS, based upon the aforementioned studies, and the recommendations of the Utility Service Board, the Common Council of the City finds that the rates and charges of the waterworks system of the City should be increased as set forth herein with Phase I to take effect at such time as may be determined in an upcoming proceeding before the Indiana Utility Regulatory Commission, and with Phase II to take effect January 1, 2024, so as to produce sufficient revenues to meet the requirements of the Act; and,

WHEREAS, the Common Council of the City finds that the rates and charges set forth herein are nondiscriminatory, reasonable and just and are based upon the cost of providing service to the customers of the waterworks system of the City, while giving due consideration to the concept of gradualism to minimize rate shock to customers.

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

SECTION 1. Section 9.08.010 of the City Code of Bloomington (“Code”), entitled “Monthly rates generally” is hereby amended and restated as follows:

9.08.010 Monthly rates generally.

The following rates and charges are established for the use of and service rendered by the water utility of the city. The schedule of rates and charges for the use of the water utility as set forth in this chapter reflects the rates and charges of the water utility as adopted by ordinance of the common council of the city and may not necessarily reflect the actual rates and charges of the water utility, which are subject to the approval of the Indiana Utility Regulatory commission (“commission”). The actual rates and charges of the water utility as approved by the commission are set forth in the most recent tariff of the water utility on file with the commission and the clerk of the city and open for public inspection. Appropriate Indiana Sales Tax will also apply to billings for customers that are not tax-exempt. Each customer will pay a monthly charge according to the following schedule:

Monthly Usage Charge Applicable to Residential, Commercial, Governmental, Interdepartmental, Industrial, Indiana University – Master Metered, Indiana University – Non-Master Metered, and Irrigation Classes.

Category	Rate Per 1,000 gallons	
	Phase I	Phase II
Residential	4.09	4.54
Commercial, Governmental, Interdepartmental	3.79	4.20
Industrial	3.50	4.20
Indiana University – Master Metered	2.78	3.31
Indiana University – Non-Master Metered	3.79	4.20
Irrigation	4 .10	4 .92

Monthly Service Charge, in Addition to Monthly Usage for the Customer Categories Listed Above.

Meter Size	Charge		Meter Size	Charge	
	Phase I	Phase II		Phase I	Phase II
5/8”	6.45	6.58	3”	60.55	60.55
¾”	7 .86	7.86	4”	99.57	99.57
1”	10.59	10.59	6”	197.13	197.13
1 ½”	22.07	22.80	8”	294.69	294.69
2”	30.25	30.25	10”	392.24	392.24

Monthly Surcharges for Fire Protection Service for the customer categories listed above excluding Indiana University – Master Metered.

Meter Size	Charge Inside City		Charge Outside City	
	Phase I	Phase II	Phase I	Phase II
5/8”	2.17	2.17	3 .40	3 .40
¾”	3.25	3.25	5 .10	5 .10
1”	5.41	5.41	8 .50	8 .50
1 ½”	10.83	10.83	17.01	17.01
2”	17.32	17.32	27.21	27.21
3”	34.23	34.23	57.50	57.50
4”	58.67	58.67	98.53	98.53
6”	122.27	122.27	205.29	205.29
8”	176.06	176.06	295.60	295.60
10”	283.63	283.63	496.83	517.40

The monthly Fire Protection Charge for Indiana University – Master Metered accounts as a group shall be as follows: Phase I: \$1,501.88; Phase II: \$1,730.82.

SECTION 2. Section 9.08.020 of the Code, entitled “Contract sales for resale” is hereby amended and restated as follows:

9.08.020 Contract sales for resale.

The rate for contract sales for resale shall be \$2.81 per one thousand gallons for Phase I and \$3.18 per one thousand gallons for Phase II.

Monthly Service Charge in Addition to Monthly Usage Charge.

Meter Size	Charge		Meter Size	Charge	
	Phase I	Phase II		Phase I	Phase II
5/8”	6.45	6.58	3”	60.55	60.55
3/4”	7.86	7.86	4”	99.57	99.57
1”	10.59	10.59	6”	197.13	197.13
1 1/2”	22.07	22.80	8”	294.69	294.69
2”	30.25	30.25	10”	392.24	392.24

SECTION 3. Section 9.08.040 of the Code, entitled “Private fire connections per connection” is hereby amended and restated as follows:

9.08.040 Private fire connections per connection.

Line Size	Monthly		ly	
	Phase I	Phase II	Phase I	Phase II
4” or smaller	11.83	12.37	142.32	148.44
6”	32.88	33.56	394.56	402.72
8”	67.38	70.12	808.56	841.44
10”	118.01	125.11	1,416.12	1,501.32
12”	186.06	201.33	2,232.72	2,415.96

SECTION 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed; provided, however, that the existing rates and charges of the waterworks system of the City shall remain in full force and effect until the rates and charges fixed by this ordinance shall be approved by order of the Commission and the tariff reflecting said approved rates and charges shall have been filed with and approved by the Commission.

SECTION 5. In the event the rates and charges of the waterworks system approved by the Commission shall differ from the rates and charges set forth herein, the Common Council hereby approves said rates and charges as adjusted by the Commission without further action of the Common Council. The rates and charges of the waterworks system of the City as reflected in the tariff filed with and approved by the Commission shall be filed with the Clerk of the City and be open for public inspection.

SECTION 6. If any section, sentence, or provision of this ordinance or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other parts of this ordinance which can be given effect without the invalid part, and to this end the provisions of this ordinance are declared to be severable.

SECTION 7. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City and approval of the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2021.

JIM SIMS, 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 _____, 2021.

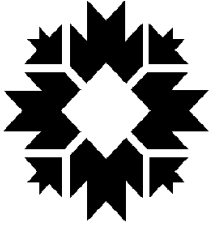
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2021.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends the rates and charges in Title 9 of the Bloomington Municipal Code, entitled "Water", to reflect increased costs of supplying water and services to customers, and to make debt service payments on bond financing for required capital improvements.



**CITY OF BLOOMINGTON
LEGAL DEPARTMENT
MEMORANDUM**

TO: City of Bloomington Common Council Members
FROM: Christopher J. Wheeler, Assistant City Attorney
RE: Ordinance 21-09 authorizing Waterworks Utility rate increase
DATE: January 25, 2021

The City of Bloomington, Indiana (“City”) owns and operates a waterworks utility through its Utilities Department (“CBU”), by and through its Utilities Service Board (“USB”), pursuant to IC 8-1.5-2 and IC 8-1.5-3, as amended. The waterworks utility is subject to the jurisdiction of the Indiana Utility Regulatory Commission (“IURC”). CBU, by and through the USB is seeking a rate adjustment to its waterworks utility. Ordinance 21-09 (“Rate Ordinance”) is before the Common Council for approval as a necessary step before CBU can file a water rate adjustment case with the Indiana Utility Regulatory Commission (“IURC”).

Ordinance 21-09 authorizes a two phase increase in the revenues of the waterworks with an 11.73% increase in the revenues for phase I and a 9.38% increase in the revenues for phase II. This increase applies only to the water portion of customers’ bills. Both the City Administration and the Utilities Service Board support this adjustment. Upon approval by the Common Council of this rate case, CBU anticipates filing its water rate case on or before March 31, 2021. The IURC has up to and including three hundred (300) days to rule on the case. Phase I will not take effect until the IURC has conducted a full hearing on this water rate case and issued its decision. The IURC is not likely to issue such a ruling until late January or early February of 2022. The USB proposes that Phase II take effect on January 1, 2024. This rate adjustment is based upon a cost of service study conducted by Utility Finance Solutions, LLC and a complete analysis of the revenue requirements of the waterworks system conducted by Crowe LLP. Implementing a two phase introduction of this rate adjustment gives due consideration to the concept of gradualism to minimize rate shock to its customers. The rate adjustment will produce revenue sufficient to meet the waterworks utility’s on-going operation and maintenance expenses, make present debt service payments and other on-going obligations, while also permitting the City to make capital improvements to the waterworks system and cover the debt service payments and other costs associated with making those improvements.

Most of the rate increase covers inflationary increases in Operation and Maintenance costs. In addition, CBU wishes to increase its annual investments for its ongoing water-main replacement program to \$2 million in 2022-2023, \$2.5 million in 2024 and \$3 million per year in 2025. In the first three years of this replacement program CBU has replaced about 6 miles of water mains at a cost of \$1.7 million per year. This amounts to a 215-year replacement schedule for CBU’s 430

miles of distribution mains. CBU's goal is to ultimately achieve a 100-year replacement schedule for water mains. We expect to achieve this in future rate cycles.

For a much more detailed and comprehensive discussion of the concepts presented in this memorandum, please find for your information and consideration the following documentation supporting this rate case:

1. Utility Finance Solutions, LLC Water Report
2. Utility Finance Solutions, LLC Cost of Services PDF
3. Crowe LLP Revenue Requirements Report
4. Water Rate Case Fact Sheet

The rate case will be presented to the Common Council by Vic Kelson, Director for the City of Bloomington Utilities Department. In attendance to support this presentation will be the following persons:

1. CBU by:
 - a. Tom Axsom, Assistant Director of Operations
 - b. Laura Pettit, Assistant Director-Finance
 - c. Brad Schroeder, Assistant Director-Engineering
 - d. Brandon Prince, Assistant Director-T&D
 - e. James Hall, Assistant Director-Environmental Programs
 - f. Holly McLauchlin, Public Affairs Specialist
2. Christopher J. Wheeler, Assistant City Attorney-Utilities
3. Jennifer Wilson and Craig Lotz, Crowe LLP
4. Mark Beauchamp and Jillian Jurczyk, Utilities Finance Solutions, LLC

ORDINANCE 21-09

**TO AMEND TITLE 9
OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED “WATER”
(Rate Adjustment)**

WHEREAS, the City of Bloomington, Indiana (“City”) owns and operates a waterworks system, through its Utilities Service Board, pursuant to IC 8-1.5-2 and IC 8-1.5-3, as amended (“Act”), which waterworks system is subject to the jurisdiction of the Indiana Utility Regulatory Commission (“Commission”); and,

WHEREAS, the current rates and charges of the waterworks system of the City were established by Order of the Commission under Cause No. 44855 on the 4th Day of August, 2017; and,

WHEREAS, the City, through its Utilities Service Board, recommends necessary construction of additions and improvements to the waterworks, including maintaining and improving water quality, replacement and rehabilitation of water mains, tanks, booster stations and hydrants; and,

WHEREAS, the City, through its Utilities Service Board, determined that it will be necessary to finance said additions and improvements through the issuance of bonds and, if necessary, bond anticipation notes; and,

WHEREAS, the City, through its Utilities Service Board, engaged Crowe LLP to analyze the revenue requirements of the waterworks system pursuant to the provisions of the Act; and,

WHEREAS, Crowe LLP studied the revenue requirements of the waterworks system pursuant to the provisions of the Act and determined that the waterworks system annual operating revenues from water service do not produce sufficient revenues to meet the requirements of the Act and that said revenues need to be increased to provide income sufficient to pay the debt service on the proposed financing of the additions and improvements to the waterworks and otherwise provide for the revenue requirements set forth in the Act, specifically IC 8-1.5-3-8; and,

WHEREAS, the City, through its Utility Service Board, engaged Utility Financial Solutions, LLC (“UFS”), to prepare a cost of service study (“COSS”) to determine the costs of providing service to each class of customers and to assist in the design of water rates for customers; and,

WHEREAS, the City, through its Utilities Service Board, upon consideration of the studies prepared by Crowe LLP and UFS, recommends that the Common Council approve a two phase increase in the revenues of the waterworks with an 11.73% increase in the revenues for phase I and a 9.38% increase in the revenues for phase II; and,

WHEREAS, based upon the aforementioned studies, and the recommendations of the Utility Service Board, the Common Council of the City finds that the rates and charges of the waterworks system of the City should be increased as set forth herein with Phase I to take effect at such time as may be determined in an upcoming proceeding before the Indiana Utility Regulatory Commission, and with Phase II to take effect January 1, 2024, so as to produce sufficient revenues to meet the requirements of the Act; and,

WHEREAS, the Common Council of the City finds that the rates and charges set forth herein are nondiscriminatory, reasonable and just and are based upon the cost of providing service to the customers of the waterworks system of the City, while giving due consideration to the concept of gradualism to minimize rate shock to customers.

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

SECTION 1. Section 9.08.010 of the City Code of Bloomington (“Code”), entitled “Monthly rates generally” is hereby amended and restated as follows:

9.08.010 Monthly rates generally.

The following rates and charges are established for the use of and service rendered by the water utility of the city. The schedule of rates and charges for the use of the water utility as set forth in this chapter reflects the rates and charges of the water utility as adopted by ordinance of the common council of the city and may not necessarily reflect the actual rates and charges of the water utility, which are subject to the approval of the Indiana Utility Regulatory commission (“commission”). The actual rates and charges of the water utility as approved by the commission are set forth in the most recent tariff of the water utility on file with the commission and the clerk of the city and open for public inspection. Appropriate Indiana Sales Tax will also apply to billings for customers that are not tax-exempt. Each customer will pay a monthly charge according to the following schedule:

Monthly Usage Charge Applicable to Residential, Commercial, Governmental, Interdepartmental, Industrial, Indiana University – Master Metered, Indiana University – Non-Master Metered, and Irrigation Classes.

Category	Rate Per 1,000 gallons	
	<u>Phase I</u>	<u>Phase II</u>
Residential	3.79 4.09	4.54
Commercial, Governmental, Interdepartmental	3.21 3.79	4.20
Industrial	2.96 3.50	4.20
Indiana University – Master Metered	2.40 2.78	3.31
Indiana University – Non-Master Metered	3.21 3.79	4.20

Irrigation

~~3.48~~ 4.10 4.92

Monthly Service Charge, in Addition to Monthly Usage for the Customer Categories Listed Above.

Meter Size	Charge		Meter Size	Charge	
	<u>Phase I</u>	<u>Phase II</u>		<u>Phase I</u>	<u>Phase II</u>
5/8"	5.99 <u>6.45</u>	<u>6.58</u>	3"	61.52 <u>60.55</u>	<u>60.55</u>
3/4"	7.99 <u>7.86</u>	<u>7.86</u>	4"	101.17 <u>99.57</u>	<u>99.57</u>
1"	10.76 <u>10.59</u>	<u>10.59</u>	6"	200.31 <u>197.13</u>	<u>197.13</u>
1 1/2"	18.69 <u>22.07</u>	<u>22.80</u>	8"	299.45 <u>294.69</u>	<u>294.69</u>
2"	26.62 <u>30.25</u>	<u>30.25</u>	10"	398.57 <u>392.24</u>	<u>392.24</u>

Monthly Surcharges for Fire Protection Service for the customer categories listed above excluding Indiana University – Master Metered.

Meter Size	Charge Inside City		Charge Outside City	
	<u>Phase I</u>	<u>Phase II</u>	<u>Phase I</u>	<u>Phase II</u>
5/8"	1.99 <u>2.17</u>	<u>2.17</u>	3.33 <u>3.40</u>	<u>3.40</u>
3/4"	2.98 <u>3.25</u>	<u>3.25</u>	5.01 <u>5.10</u>	<u>5.10</u>
1"	4.97 <u>5.41</u>	<u>5.41</u>	8.36 <u>8.50</u>	<u>8.50</u>
1 1/2"	9.94 <u>10.83</u>	<u>10.83</u>	16.68 <u>17.01</u>	<u>17.01</u>
2"	15.90 <u>17.32</u>	<u>17.32</u>	26.27 <u>27.21</u>	<u>27.21</u>
3"	34.78 <u>34.23</u>	<u>34.23</u>	58.43 <u>57.50</u>	<u>57.50</u>
4"	59.62 <u>58.67</u>	<u>58.67</u>	100.13 <u>98.53</u>	<u>98.53</u>
6"	124.24 <u>122.27</u>	<u>122.27</u>	208.61 <u>205.29</u>	<u>205.29</u>
8"	178.90 <u>176.06</u>	<u>176.06</u>	300.38 <u>295.60</u>	<u>295.60</u>
10"	288.21 <u>283.63</u>	<u>283.63</u>	483.96 <u>496.83</u>	<u>517.40</u>

The monthly Fire Protection Charge for Indiana University – Master Metered accounts as a group shall be ~~\$1,823.45~~ as follows: Phase I: \$1,501.88; Phase II: \$1,730.82.

SECTION 2. Section 9.08.020 of the Code, entitled “Contract sales for resale” is hereby amended and restated as follows:

9.08.020 Contract sales for resale.

The rate for contract sales for resale shall be ~~\$2.43~~ \$2.81 per one thousand gallons for Phase I and \$3.18 per one thousand gallons for Phase II.

Monthly Service Charge in Addition to Monthly Usage Charge.

Meter Size	Charge		Meter Size	Charge		
	Phase I	Phase II		Phase I	Phase II	
5/8"	5.99	<u>6.45</u>	6.58	3"	61.52 <u>60.55</u>	<u>60.55</u>
3/4"	7.99	<u>7.86</u>	<u>7.86</u>	4"	101.17 <u>99.57</u>	<u>99.57</u>
1"	10.76	<u>10.59</u>	<u>10.59</u>	6"	200.31 <u>197.13</u>	<u>197.13</u>
1 1/2"	18.69	<u>22.07</u>	<u>22.80</u>	8"	299.45 <u>294.69</u>	<u>294.69</u>
2"	26.62	<u>30.25</u>	<u>30.25</u>	10"	398.57 <u>392.24</u>	<u>392.24</u>

SECTION 3. Section 9.08.040 of the Code, entitled "Private fire connections per connection" is hereby amended and restated as follows:

9.08.040 Private fire connections per connection.

Line Size	Monthly		Annually		
	Phase I	Phase II	Phase I	Phase II	
4" or smaller	10.02	<u>11.83</u>	<u>12.37</u>	120.19 <u>142.32</u>	<u>148.44</u>
6"	27.84	<u>32.88</u>	<u>33.56</u>	334.08 <u>394.56</u>	<u>402.72</u>
8"	57.06	<u>67.38</u>	<u>70.12</u>	684.71 <u>808.56</u>	<u>841.44</u>
10"	99.93	<u>118.01</u>	<u>125.11</u>	1,199.16 <u>1,416.12</u>	<u>1,501.32</u>
12"	157.55	<u>186.06</u>	<u>201.33</u>	1,890.61 <u>2,232.72</u>	<u>2,415.96</u>

SECTION 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed; provided, however, that the existing rates and charges of the waterworks system of the City shall remain in full force and effect until the rates and charges fixed by this ordinance shall be approved by order of the Commission and the tariff reflecting said approved rates and charges shall have been filed with and approved by the Commission.

SECTION 5. In the event the rates and charges of the waterworks system approved by the Commission shall differ from the rates and charges set forth herein, the Common Council hereby approves said rates and charges as adjusted by the Commission without further action of the Common Council. The rates and charges of the waterworks system of the City as reflected in the tariff filed with and approved by the Commission shall be filed with the Clerk of the City and be open for public inspection.

SECTION 6. If any section, sentence, or provision of this ordinance or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other parts of this ordinance which can be given effect without the invalid part, and to this end the provisions of this ordinance are declared to be severable.

SECTION 7. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City and approval of the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2021.

JIM SIMS, 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 _____, 2021.

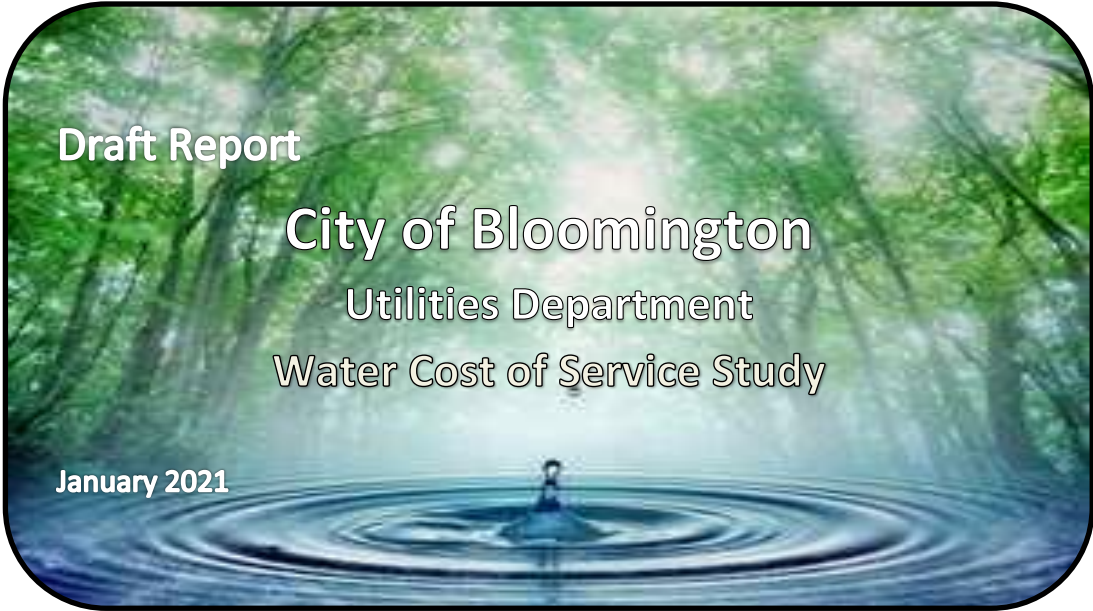
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2021.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends the rates and charges in Title 9 of the Bloomington Municipal Code, entitled "Water", to reflect increased costs of supplying water and services to customers, and to make debt service payments on bond financing for required capital improvements.



Draft Report

City of Bloomington

Utilities Department

Water Cost of Service Study

January 2021

UFS
Utility Financial Solutions, LLC

**Specializing in Cost of Service,
Rate Design, and Financial Analysis**

Rate Design and Financial Analysis

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January 2021

Vic Kelson
Director
City of Bloomington Utilities Department
600 E. Miller Drive
Bloomington, IN 47401

Dear Mr. Kelson;

We are pleased to present the Draft Report for the water cost of service study for the City of Bloomington Utilities Department (The City). This report was prepared to provide The City with a comprehensive examination of its existing rate structure by an outside party.

The specific purposes of this rate study are:

- Determine water utility's revenue requirements for fiscal year 2020
- Identify cross-subsidies that may exist between rate classes
- Recommend rate adjustments needed to meet targeted revenue requirements
- Identify the appropriate monthly customer charge for each customer class

This report includes results of the water cost of service study and recommendations on future rate designs.

This report is intended for information and use by the utility and management for the purposes stated above and is not intended to be used by anyone except the specified parties.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Beauchamp", is written over a horizontal line.

Utility Financial Solutions, LLC
Mark Beauchamp
CPA, MBA, CMA
185 Sun Meadow Ct
Holland, MI 49424

TABLE OF CONTENTS

1. Introduction1

2. Cost of Service Summary2

 Utility Rate Process2

 Cost of Service Summary Results: Water Department2

 Cost of Service Components: Water Department4

 Determination of Meter Equivalents5

 Distribution Cost Breakdown11

 Treatment Cost Breakdown11

 Customer-Related Cost Breakdown12

 Private Fire Protection Cost Breakdown13

 Public Fire Protection Cost Breakdown14

 Combined Cost Summary16

3. Significant Assumptions17

4. Water Department Proposed Rate Design17

Accountant’s Compilation Report19

Appendix A – Supplemental Informationi

LIST OF FIGURES

Figure 1 – Breakdown of Cost Structure10

Figure 2 – Breakdown of Distribution Costs11

Figure 3 – Breakdown of Customer Costs12

LIST OF TABLES

Table 1 – Cost of Service Summary3

Table 2 – Comparison of Monthly Charge with Cost of Service4

Table 3 – Comparison of Monthly Commodity Charge with Cost of Service5

Table 4 – Meter Capacity Factors5

Table 5 – Comparison of Monthly Customer Charge with Cost of Service6



Table 6 – Customer Charge Breakdown Phase I7

Table 7 – Customer Charge Breakdown Phase II7

Table 8 – Comparison of Monthly Commodity Charge with Cost of Service.....8

Table 9 – Commodity Charge Breakdown Phase I8

Table 10 – Commodity Charge Breakdown Phase II9

Table 11 – Private Fire Protection Breakdown Phase I.....13

Table 12 – Private Fire Protection Breakdown Phase II.....13

Table 13 – Public Fire Protection Breakdown Phase I14

Table 14 – Public Fire Protection Breakdown Phase II15

Table 15 – Total Costs by Customer Class.....16

Table 16 – Revenue Requirements17

Table 17 – Proposed Rate Design.....18

Table 18 – Summary of Over (Under) Recoveryi

1. Introduction

This report was prepared to provide the City of Bloomington Utilities Department (The City) with a water cost of service study and a comprehensive examination of its existing rate structure by an outside party. The specific purposes of the study are identified below:

- 1) **Analyze water utility's revenue requirements for fiscal year 2020.** The City's revenue requirements were projected in two phases by Crowe LLP and utilized in the cost of service analysis. Phase I represents annual revenue requirements for 2021 – 2023. Phase II represents annual revenue requirements for 2024 – 2025. Each phase included adjustments for the following:
 - a. Capital improvement plan projected over next five years
 - b. Taxes other than income taxes
 - c. Average Annual Lease Payment for AMI and Solar Lease
 - d. Average Annual Extensions and Replacements
- 2) **Identify cross-subsidies that may exist between rate classes.** Cross-subsidies exist when certain customer classes subsidize the water costs of other customers. The rate study identifies if cross-subsidies exist and practical ways to reduce the subsidies. The cost of service study was completed using 2020 actual revenues and expenses.
- 3) **Recommend rate adjustments needed to meet targeted revenue requirements.** The primary purpose of this study is to identify the rate adjustments needed to meet targeted revenue requirements.
- 4) **Identify the appropriate monthly customer charge for each customer class.** The monthly customer charge consists of fixed costs to service customers.

2. Cost of Service Summary

Utility Rate Process

The City retained Utility Financial Solutions, LLC to review utility rates and cost of service and make recommendations on the appropriate course of action. This report includes results of the water cost of service and unbundling study and recommendations on future rate designs.

Cost of Service Summary Results: Water Department

A cost of service study was completed to determine the cost of providing service to each class of customers and to assist in design of water rates for customers. A cost of service study consists of the following general steps:

- 1) Classify utility expenses into common cost pools.
- 2) Allocate costs to customer classes based on the classes' contribution to utility expenses.
- 3) Compare revenues received from each class to the cost of service.

The cost of service summary is included as Table 1 which compares the projected cost to serve each class with the revenue received from each class. The “% change” column is the revenue adjustment necessary to meet projected cost of service requirements. The cost of service summary uses the current rates, including any adjustment factors.

Table 1 – Cost of Service Summary

Customer Class	Phase I			Phase II (Cumulative)		
	Cost of Service (\$)	Projected Revenues (\$)	% Change	Cost of Service (\$)	Projected Revenues (\$)	% Change
5/8" Meter	489,818	455,857	7.5%	509,045	455,857	11.7%
3/4" Meter	1,307,476	1,425,945	-8.3%	1,374,553	1,425,945	-3.6%
1" Meter	388,017	431,447	-10.1%	412,980	431,447	-4.3%
1.5" Meter	124,475	106,092	17.3%	131,537	106,092	24.0%
2" Meter	180,534	167,130	8.0%	192,990	167,130	15.5%
3" Meter	60,243	67,392	-10.6%	64,315	67,392	-4.6%
4" Meter	84,235	99,968	-15.7%	90,351	99,968	-9.6%
6" Meter	132,642	164,801	-19.5%	142,817	164,801	-13.3%
8" Meter	26,747	36,542	-26.8%	29,158	36,542	-20.2%
10" Meter	11,159	14,121	-21.0%	12,166	14,121	-13.8%
Residential and Multi Family	6,289,355	5,943,896	5.8%	6,904,052	5,943,896	16.2%
Comm, Gov, Interdept Usage	3,021,933	2,491,162	21.3%	3,313,989	2,491,162	33.0%
Industrial	204,062	148,842	37.1%	224,112	148,842	50.6%
Wholesale	3,046,266	2,479,465	22.9%	3,294,760	2,479,465	32.9%
Indiana University Usage	1,085,103	840,125	29.2%	1,175,137	840,125	39.9%
Irrigation Usage	914,295	385,328	137.3%	1,020,953	385,328	165.0%
Fire Protection	1,501,621	1,630,512	-7.9%	1,745,579	1,630,512	7.1%
Total	\$ 18,867,983	\$ 16,888,625	11.7%	\$ 20,638,493	\$ 16,888,625	22.2%

Cost of Service Components: Water Department

The purpose of a cost of service study is to allocate costs between flow (Commodity Costs) and customer service costs (Customer Costs). The cost of service study was based on recognized procedures from the American Water Works Association.

Customer Costs are costs associated with serving customers regardless of their usage or demand characteristics. Customer costs include the operation and maintenance expenses related to meters and services, meter reading costs, billing and collection costs. The customer costs were allocated on the basis of the relative cost of meters and services and the number of customers.

Commodity Costs are costs that tend to vary with the quantity of water used, as well as costs associated with purchasing, pumping and distributing water to customers. Commodity costs include wholesale water purchase costs plus pumping stations and transmission lines.

The revenue requirements for the study are set on the utility basis. Table 2 details the current monthly charge and provides a comparison with cost of service. We recommend the utility move toward the cost of service monthly charge.

Table 2 – Comparison of Monthly Charge with Cost of Service

Customer Class	Phase I		Phase II	
	Cost of Service Meter \$/Month	Cost of Service Meter \$/Month	Cost of Service Meter \$/Month	Current Meter \$/Month
5/8" Meter	\$ 6.33	\$ 6.58	\$ 5.89	
3/4" Meter	7.21	7.58	7.86	
1" Meter	9.52	10.14	10.59	
1.5" Meter	21.58	22.80	18.39	
2" Meter	28.30	30.25	26.20	
3" Meter	54.13	57.79	60.55	
4" Meter	83.90	89.99	99.57	
6" Meter	158.66	170.83	197.13	
8" Meter	215.70	235.15	294.69	
10" Meter	309.99	337.94	392.24	

Table 3 outlines the COS commodity rates compared to the current commodity charge. The rates below are not the recommended rates. They are used as a guide to move toward cost of service slowly over time.

Table 3 – Comparison of Monthly Commodity Charge with Cost of Service

Customer Class	Phase I		Phase II		Current Commodity Charge
	Cost of Service Commodity by Class	Cost of Service Commodity by Class	Cost of Service Commodity by Class	Cost of Service Commodity by Class	
Residential and Multi Family	\$ 3.95	\$ 4.33	\$ 4.33	\$ 3.73	\$ 3.73
Comm, Gov, Interdept Usage	3.83	4.20	4.20	3.16	3.16
Industrial	4.00	4.40	4.40	2.92	2.92
Wholesale	2.94	3.18	3.18	2.39	2.39
Indiana University Usage	3.06	3.32	3.32	2.37	2.37
Irrigation Usage	8.11	9.06	9.06	3.42	3.42

Determination of Meter Equivalentents

A meter equivalent is the maximum capacity of the utility’s smallest meter size compared with the maximum capacity of other meters. The meter equivalent ratios are standard factors used by AWWA.

Table 4 – Meter Capacity Factors

Meter Size	Meter Capacity Ratios	
	5/8"	
0.63	1.00	
0.75	1.50	
1.00	2.50	
1.50	5.00	
2.00	8.00	
3.00	15.00	
4.00	25.00	
6.00	50.00	
8.00	80.00	
10.00	115.00	
12.00	215.00	

*Table of capacity factors was calculated using theoretical volume capacity of each meter size.

**The table can be interpreted as a 2-inch meter has 8 times more potential capacity than a 1-inch meter.

Customer Charge Breakdown

Table 5 outlines the COS customer charges compared to the current customer charge. The rates below are not the recommended rates, but a guide for future designs of water rates.

Table 5 – Comparison of Monthly Customer Charge with Cost of Service

Customer Class	Phase I		Phase II	
	Cost of Service Meter \$/Month	Cost of Service Meter \$/Month	Cost of Service Meter \$/Month	Current Meter \$/Month
5/8" Meter	\$ 6.33	\$ 7.21	\$ 6.58	\$ 5.89
3/4" Meter	7.21	7.58	7.58	7.86
1" Meter	9.52	10.14	10.14	10.59
1.5" Meter	21.58	22.80	22.80	18.39
2" Meter	28.30	30.25	30.25	26.20
3" Meter	54.13	57.79	57.79	60.55
4" Meter	83.90	89.99	89.99	99.57
6" Meter	158.66	170.83	170.83	197.13
8" Meter	215.70	235.15	235.15	294.69
10" Meter	309.99	337.94	337.94	392.24

The customer charge consists of expenses related to, 1) providing a minimum amount of water to the residential customer, and 2) servicing a meter on the customer’s premises; together they reflect the cost for availability of service. The methodology used in this study is consistent with methodologies and practices used by AWWA. The customer charge includes two types of charges called minimum system and direct charges. A further discussion of these charges follows.

Minimum System Charges: Utilities provide water lines to connect customers to the water transmission system, pumping stations, reservoirs, and subsequently the water treatment facilities. The cost to provide the minimum level of service is allocated to each meter size based on the potential capacity of the customer’s meter. For cost of service purposes, the total cost of the water distribution infrastructure is broken into two components:

1. The minimum system costs, in effect provide a customer with the minimum capacity and should be recovered through the customer charge.
2. Demand-related costs are additional infrastructure costs of providing customers with capacity in the water system for usage greater than the minimum amounts and should be recovered through the usage component.
3. The study used a 2” line as the minimum sizing requirement

The customer charge cost-based rate breakdown for meter sizes under Phase I are listed in Table 6 and Phase II are listed in Table 7 .

Table 6 – Customer Charge Breakdown Phase I

Phase I

Rate Class - Monthly Unit Costs	Meters	Services	Cust. Serv.	Distribution		Billing	Total Customer COS	Current Customer Charge
				Facilities				
5/8" Meter	\$ 3.10	\$ 0.16	\$ 0.40	\$ 1.44	\$ 1.24	\$ 6.33	\$ 5.89	
3/4" Meter	3.10	0.23	0.48	2.16	1.24	7.21	7.86	
1" Meter	3.66	0.39	0.64	3.60	1.24	9.52	10.59	
1.5" Meter	11.40	0.78	0.96	7.21	1.24	21.58	18.39	
2" Meter	13.01	1.24	1.28	11.53	1.24	28.30	26.20	
3" Meter	27.02	2.33	1.92	21.62	1.24	54.13	60.55	
4" Meter	40.19	3.88	2.55	36.03	1.24	83.90	99.57	
6" Meter	73.76	7.77	3.83	72.07	1.24	158.66	197.13	
8" Meter	81.62	12.43	5.11	115.30	1.24	215.70	294.69	
10" Meter	118.75	17.87	6.39	165.75	1.24	309.99	392.24	

Table 7 – Customer Charge Breakdown Phase II

Phase II

Rate Class - Monthly Unit Costs	Meters	Services	Cust. Serv.	Distribution		Billing	Total Customer COS	Current Customer Charge
				Facilities				
5/8" Meter	\$ 3.10	\$ 0.15	\$ 0.40	\$ 1.69	\$ 1.24	\$ 6.58	\$ 5.89	
3/4" Meter	3.10	0.23	0.48	2.53	1.24	7.58	7.86	
1" Meter	3.66	0.38	0.64	4.21	1.24	10.14	10.59	
1.5" Meter	11.41	0.77	0.96	8.43	1.24	22.80	18.39	
2" Meter	13.02	1.23	1.28	13.48	1.24	30.25	26.20	
3" Meter	27.04	2.30	1.92	25.28	1.24	57.79	60.55	
4" Meter	40.22	3.84	2.56	42.13	1.24	89.99	99.57	
6" Meter	73.81	7.68	3.84	84.26	1.24	170.83	197.13	
8" Meter	81.67	12.29	5.12	134.82	1.24	235.15	294.69	
10" Meter	118.82	17.67	6.40	193.81	1.24	337.94	392.24	

Customer Service	Personnel cost to service accounts
Meters	Installation, operation, and maintenance costs of meter
Services	Installation, operation, and maintenance cost of service drop
Distribution Facilities	Installation and maintenance cost of minimum sized distribution system
Billing	Billing and collection costs

Commodity Charge Breakdown

Table 8 outlines the COS commodity rates compared to the current commodity charge. The rates below are not the recommended rates, but a guide for future designs of water rates.

Table 8 – Comparison of Monthly Commodity Charge with Cost of Service

Customer Class	Phase I		Phase II		Current Commodity Charge
	Cost of Service Commodity by Class	Cost of Service Commodity by Class	Cost of Service Commodity by Class	Cost of Service Commodity by Class	
Residential and Multi Family	\$ 3.95	\$ 4.33	\$ 3.95	\$ 4.33	\$ 3.73
Comm, Gov, Interdept Usage	3.83	4.20	3.83	4.20	3.16
Industrial	4.00	4.40	4.00	4.40	2.92
Wholesale	2.94	3.18	2.94	3.18	2.39
Indiana University Usage	3.06	3.32	3.06	3.32	2.37
Irrigation Usage	8.11	9.06	8.11	9.06	3.42

The cost based commodity rates are broken down between rate classes and listed for Phase I in Table 9 and Phase II in Table 10.

Table 9 – Commodity Charge Breakdown Phase I

Phase I				Total Customer COS	Current Customer Charge
Rate Class - Monthly Unit Costs	Treatment	Distribution	Transmission		
Residential and Multi Family	\$ 2.60	\$ 0.82	\$ 0.53	\$ 3.95	\$ 3.73
Comm, Gov, Interdept Usage	2.55	0.77	0.51	3.83	3.16
Industrial	2.62	0.84	0.54	4.00	2.92
Wholesale	2.45	-	0.48	2.94	2.39
Indiana University Usage	2.55	-	0.51	3.06	2.37
Irrigation Usage	4.42	2.56	1.14	8.11	3.42

Table 10 – Commodity Charge Breakdown Phase II

Phase II

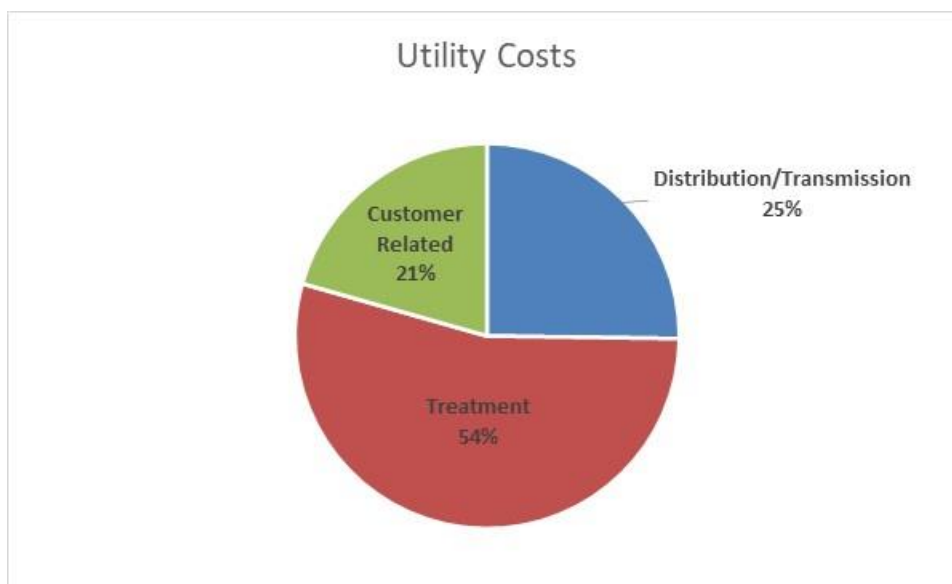
Rate Class - Monthly Unit Costs	Treatment	Distribution	Transmission	Total Customer COS	Current Customer Charge
Residential and Multi Family	\$ 2.78	\$ 0.95	\$ 0.60	\$ 4.33	\$ 3.73
Comm, Gov, Interdept Usage	2.73	0.89	0.58	4.20	3.16
Industrial	2.81	0.97	0.61	4.40	2.92
Wholesale	2.63	-	0.55	3.18	2.39
Indiana University Usage	2.73	-	0.59	3.32	2.37
Irrigation Usage	4.80	2.97	1.29	9.06	3.42

Treatment	Cost related to source of supply and treatment of water
Transmission	Cost to transport between the treatment plant and local distribution lines
Distribution	The usage component of the distribution facilities

Unbundling Process

The cost of treatment, distribution, customer-related, and fire protection are identified as part of the unbundling process and are the first step in determining unbundled charges to customers. The total Phase II revenue requirements adjusted for other operating revenues of \$20,638,493 are separated into three categories identified in Figure 1.

Figure 1 – Breakdown of Cost Structure

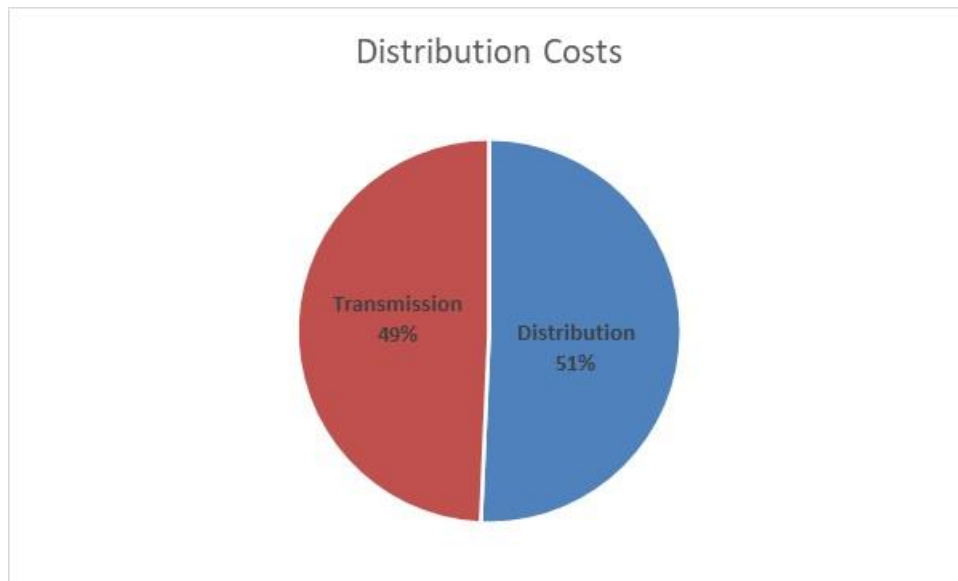


The expenses consist of customer-related costs 21%, distribution costs 25%, treatment costs 54%. These components are broken down into each of the subcomponents and are identified in the following sections.

Distribution Cost Breakdown

Total distribution costs of \$5.12 million for Phase II are broken down into the main components Figure 2 below: Distribution and Transmission.

Figure 2 – Breakdown of Distribution Costs



For cost of service purposes, cost of mains 16 inches and above were classified as transmission and below 16 inches as distribution. Each of these components are allocated to customer groups based on certain factors established in the study, such as the length of line extensions to reach certain customer classes. The distribution-related costs are separated into the customer charge based on the cost to provide a minimum amount of water to the customer, and the usage component expressed as a rate per thousand gallons. Transmission costs are allocated into the usage component of the rates.

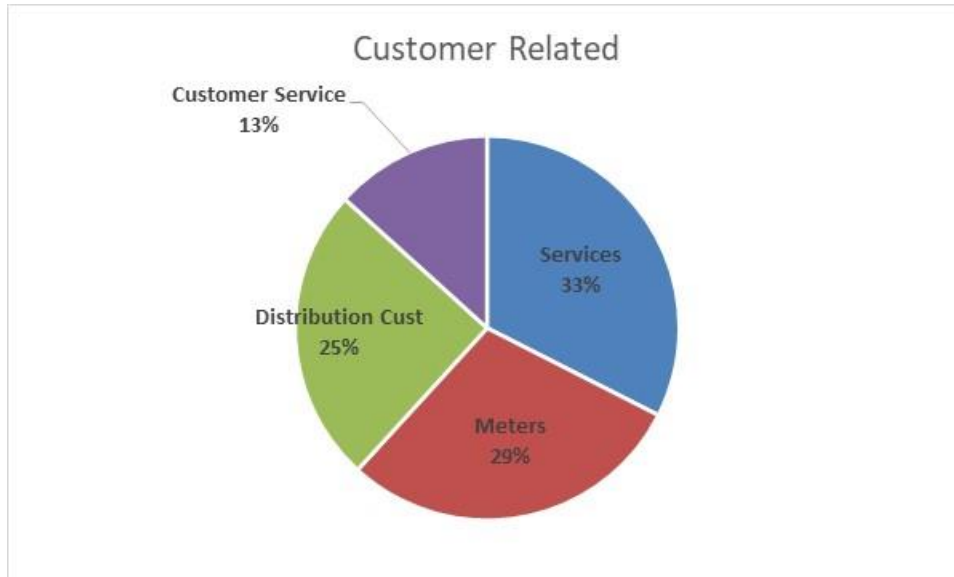
Treatment Cost Breakdown

Total treatment costs for Phase II were \$11.27 million.

Customer-Related Cost Breakdown

The City's total expenses for customer-related costs are \$4.25 million for Phase II. The cost is broken down into the following components in Figure 3.

Figure 3 – Breakdown of Customer Costs



Direct customer-related costs are allocated to rate classes based on cost of meters, minimum sizing requirements, customer service and billing costs for each customer class and meter size.

Private Fire Protection Cost Breakdown

The cost based private fire protection rates are broken down by meter size and listed for Phase I in Table 11 and Phase II in Table 12 below.

Table 11 – Private Fire Protection Breakdown Phase I

Phase I

Private Fire Meter Size (Inches)	Monthly Rate	Customer and Billing	Cost of Service		% Change
			Meter \$/Month	Current Meter \$/Month	
4	\$ 9.66	\$ 1.24	\$ 10.89	\$ 9.86	10%
6	28.05	1.24	29.29	27.40	7%
8	59.77	1.24	61.01	56.15	9%
10	107.49	1.24	108.73	98.34	11%
12	173.63	1.24	174.86	155.05	13%

Table 12 – Private Fire Protection Breakdown Phase II

Phase II

Private Fire Meter Size (Inches)	Monthly Rate	Customer and Billing	Cost of Service		% Change
			Meter \$/Month	Current Meter \$/Month	
4	\$ 11.13	\$ 1.24	\$ 12.37	\$ 9.86	25%
6	32.32	1.24	33.56	27.40	22%
8	68.88	1.24	70.12	56.15	25%
10	123.88	1.24	125.12	98.34	27%
12	200.09	1.24	201.33	155.05	30%

Public Fire Protection Cost Breakdown

The cost based public fire protection rates are broken down by meter size and listed for Phase I in Table 13 and Phase II in

Table 14 below.

Table 13 – Public Fire Protection Breakdown Phase I

Phase I				
Meter Size	Cost of Service Meter \$/Month	Current Meter \$/Month		% Change
Fire Pro 5/8" Meter In	\$ 1.86	\$ 1.96		-5%
Fire Pro 3/4" Meter In	2.79	2.93		-5%
Fire Pro 1" Meter In	4.65	4.89		-5%
Fire Pro 1.5" Meter In	9.30	9.78		-5%
Fire Pro 2" Meter In	14.87	15.64		-5%
Fire Pro 3" Meter In	27.89	34.23		-19%
Fire Pro 4" Meter In	46.48	58.67		-21%
Fire Pro 6" Meter In	92.96	122.27		-24%
Fire Pro 8" Meter In	148.74	176.06		-16%
Fire Pro 10" Meter In	213.81	283.63		-25%
Fire Pro 5/8" Meter Out	2.92	3.28		-11%
Fire Pro 3/4" Meter Out	4.38	4.93		-11%
Fire Pro 1" Meter Out	7.30	8.22		-11%
Fire Pro 1.5" Meter Out	14.60	16.41		-11%
Fire Pro 2" Meter Out	23.37	26.29		-11%
Fire Pro 3" Meter Out	43.81	57.50		-24%
Fire Pro 4" Meter Out	73.02	98.53		-26%
Fire Pro 6" Meter Out	146.05	205.29		-29%
Fire Pro 8" Meter Out	233.68	295.60		-21%
Fire Pro 10" Meter Out	602.47	476.27		26%

Table 14 – Public Fire Protection Breakdown Phase II

Phase II				
Meter Size	Cost of Service Meter \$/Month	Current Meter \$/Month		% Change
Fire Pro 5/8" Meter In	\$ 2.17	\$ 1.96		10%
Fire Pro 3/4" Meter In	3.25	2.93		11%
Fire Pro 1" Meter In	5.41	4.89		11%
Fire Pro 1.5" Meter In	10.83	9.78		11%
Fire Pro 2" Meter In	17.33	15.64		11%
Fire Pro 3" Meter In	32.48	34.23		-5%
Fire Pro 4" Meter In	54.14	58.67		-8%
Fire Pro 6" Meter In	108.28	122.27		-11%
Fire Pro 8" Meter In	173.25	176.06		-2%
Fire Pro 10" Meter In	249.05	283.63		-12%
Fire Pro 5/8" Meter Out	3.40	3.28		4%
Fire Pro 3/4" Meter Out	5.10	4.93		3%
Fire Pro 1" Meter Out	8.50	8.22		3%
Fire Pro 1.5" Meter Out	17.01	16.41		4%
Fire Pro 2" Meter Out	27.21	26.29		4%
Fire Pro 3" Meter Out	51.02	57.50		-11%
Fire Pro 4" Meter Out	85.03	98.53		-14%
Fire Pro 6" Meter Out	170.07	205.29		-17%
Fire Pro 8" Meter Out	272.11	295.60		-8%
Fire Pro 10" Meter Out	517.39	476.27		9%

Combined Cost Summary

Table 15 compares the cost of service rates for each customer class with the current rates. Charging these rates would directly match the cost of providing service to each customer class shown below.

Table 15 – Total Costs by Customer Class

Customer Class	Phase I		Phase II		Variance from Phase II
	Cost of Service Meter \$/Month	Cost of Service Meter \$/Month	Current Meter \$/Month	Current Meter \$/Month	
5/8" Meter	\$ 6.33	\$ 6.58	\$ 5.89		12%
3/4" Meter	7.21	7.58	7.86		-4%
1" Meter	9.52	10.14	10.59		-4%
1.5" Meter	21.58	22.80	18.39		24%
2" Meter	28.30	30.25	26.20		15%
3" Meter	54.13	57.79	60.55		-5%
4" Meter	83.90	89.99	99.57		-10%
6" Meter	158.66	170.83	197.13		-13%
8" Meter	215.70	235.15	294.69		-20%
10" Meter	309.99	337.94	392.24		-14%

Customer Class	Phase I		Phase II		Variance from Phase II
	Cost of Service Commodity by Class	Cost of Service Commodity by Class	Current Commodity Charge	Current Commodity Charge	
Residential and Multi Family	\$ 3.95	\$ 4.33	\$ 3.73		16%
Comm, Gov, Interdept Usage	3.83	4.20	3.16		33%
Industrial	4.00	4.40	2.92		51%
Wholesale	2.94	3.18	2.39		33%
Indiana University Usage	3.06	3.32	2.37		40%
Irrigation Usage	8.11	9.06	3.42		165%

The table above compares the current customer charges with the cost-based customer charges and identifies the cost-based commodity rates for each class.

3. Significant Assumptions

This section outlines the procedures used to develop the cost of service for The City and the related significant assumptions.

Unit Sales

Actual usage units from April 2019 through March 2020 were used in the study.

Revenue Requirements

Revenue requirements were projected by Crowe LLP for Phase I and Phase II.

Table 16 – Revenue Requirements

Description	Phase I	Phase II
Operation & Maintenance Expenses	\$ 10,456,788	\$ 10,482,255
Annual Debt Service	5,771,928	6,459,471
Annual Lease Payment: Advance Meter Infrastructure	456,755	456,755
Annual Lease Payment: Solar Lease	189,646	189,646
Average Annual Extensions and Replacements	2,809,000	3,866,500
Total Cost of Service	\$ 19,684,117	\$ 21,454,627
Less Other Operating Revenues	(816,134)	(816,134)
Total Revenue Requirements	\$ 18,867,983	\$ 20,638,493

4. Water Department Proposed Rate Design

The City may consider a rate design for Phase I and Phase II to meet revenue requirements and move the charges toward cost of service over time. Table 17 provides a proposed rate design by rate component for Phase I and Phase II.

Table 17 – Proposed Rate Design

	Current	Phase 1	Phase 2
Meter Size			
5/8" Meter	\$ 5.89	\$ 6.45	\$ 6.58
3/4" Meter	7.86	7.86	7.86
1" Meter	10.59	10.59	10.59
1.5" Meter	18.39	22.07	22.80
2" Meter	26.20	30.25	30.25
3" Meter	60.55	60.55	60.55
4" Meter	99.57	99.57	99.57
6" Meter	197.13	197.13	197.13
8" Meter	294.69	294.69	294.69
10" Meter	392.24	392.24	392.24
Fire Pro 5/8" Meter In	1.96	2.17	2.17
Fire Pro 3/4" Meter In	2.93	3.25	3.25
Fire Pro 1" Meter In	4.89	5.41	5.41
Fire Pro 1.5" Meter In	9.78	10.83	10.83
Fire Pro 2" Meter In	15.64	17.32	17.32
Fire Pro 3" Meter In	34.23	34.23	34.23
Fire Pro 4" Meter In	58.67	58.67	58.67
Fire Pro 6" Meter In	122.27	122.27	122.27
Fire Pro 8" Meter In	176.06	176.06	176.06
Fire Pro 10" Meter In	283.63	283.63	283.63
Fire Pro 5/8" Meter Out	3.28	3.40	3.40
Fire Pro 3/4" Meter Out	4.93	5.10	5.10
Fire Pro 1" Meter Out	8.22	8.50	8.50
Fire Pro 1.5" Meter Out	16.41	17.01	17.01
Fire Pro 2" Meter Out	26.29	27.21	27.21
Fire Pro 3" Meter Out	57.50	57.50	57.50
Fire Pro 4" Meter Out	98.53	98.53	98.53
Fire Pro 6" Meter Out	205.29	205.29	205.29
Fire Pro 8" Meter Out	295.60	295.60	295.60
Fire Pro 10" Meter Out	476.27	496.83	517.40
Private Fire 4" or Less	9.86	11.83	12.37
Private Fire 6"	27.40	32.88	33.56
Private Fire 8"	56.15	67.38	70.12
Private Fire 10"	98.34	118.01	125.11
Private Fire 12"	155.05	186.06	201.33
Commodity Charge ('000 Gallons)			
Residential and Multi Family	\$ 3.73	\$ 4.09	\$ 4.54
Comm, Gov, Interdept Usage	3.16	3.79	4.20
Industrial	2.92	3.50	4.20
Wholesale	2.39	2.81	3.18
Indiana University Usage	2.37	2.78	3.31
Irrigation Usage	3.42	4.10	4.92
Total Revenue	\$ 16,888,625	\$ 18,868,132	\$ 20,631,124
Total Revenue Annual Change		11.7%	9.3%
Total Revenue Cumulative Change		11.7%	22.2%

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Accountant's Compilation Report

Governing Body
City of Bloomington Utilities Department

The accompanying forecasted statements of revenues and expenses of the City of Bloomington Utilities Department (utility) were compiled for the year ending December 31, 2020 in accordance with guidelines established by the American Institute of Certified Public Accountants.

The purpose of this report is to assist management in forecasting revenue requirements and determining the cost to service each customer class. This report should not be used for any other purpose.

A compilation is limited to presenting, in the form of a forecast; information represented by management and does not include evaluation of support for any assumptions used in projecting revenue requirements. We have not audited the forecast and, accordingly, do not express an opinion or any other form of assurance on the statements or assumptions accompanying this report.

Differences between forecasted and actual results will occur since some assumptions may not materialize and events and circumstances may occur that were not anticipated. Some of these variations may be material. Utility Financial Solutions has no responsibility to update this report after the date of this report.

This report is intended for information and use by the governing body and management for the purposes stated above. This report is not intended to be used by anyone except the specified parties.

UTILITY FINANCIAL SOLUTIONS

Mark Beauchamp,
President, Utility Financial Solutions, LLC
Holland, MI
January 2021

Appendix A – Supplemental Information

After Phase II rates are implemented, cross subsidization is greatly reduced. However, some cross subsidization will remain. Table 18 shows the over and under recovery after implementation of the Phase II rate design. A positive value implies over-recovery to offset costs for other classes.

Table 18 – Summary of Over (Under) Recovery

Over/Under Recovery	Phase 2
Meter Size	
5/8" Meter	-
3/4" Meter	51,452
1" Meter	18,484
1.5" Meter	-
2" Meter	-
3" Meter	3,079
4" Meter	9,621
6" Meter	21,988
8" Meter	7,384
10" Meter	1,955
Fire Pro 5/8" Meter In	-
Fire Pro 3/4" Meter In	-
Fire Pro 1" Meter In	-
Fire Pro 1.5" Meter In	-
Fire Pro 2" Meter In	-
Fire Pro 3" Meter In	1,634
Fire Pro 4" Meter In	3,900
Fire Pro 6" Meter In	10,352
Fire Pro 8" Meter In	292
Fire Pro 10" Meter In	1,245
Fire Pro 5/8" Meter Out	-
Fire Pro 3/4" Meter Out	-
Fire Pro 1" Meter Out	-
Fire Pro 1.5" Meter Out	-
Fire Pro 2" Meter Out	-
Fire Pro 3" Meter Out	1,147
Fire Pro 4" Meter Out	1,930
Fire Pro 6" Meter Out	3,382
Fire Pro 8" Meter Out	470
Private Fire 4" or Less	-
Private Fire 6"	-
Private Fire 8"	-
Private Fire 10"	-
Private Fire 12"	-
Commodity Charge ('000 Gallons)	
Residential and Multi Family	330,794
Comm, Gov, Interdept Usage	-
Industrial	(9,833)
Wholesale	-
Indiana University Usage	-
Irrigation Usage	(466,056)

City of Bloomington: Water Department Cost of Service Study 2020

Table of Contents

Plant Data Inputs	1-2
T & D Inputs	3-4
Usage and Revenue Projections	5-7
Diversified Class Ratio's	8
Ratebase Allocators	9-10
Depreciation Expense	11-12
Expense Classification	13-15
Development of Allocators	16-17
Customer Allocator	18
Unit Costs	19-22
Fire Protection	23-24
Rate of Return	25

Bloomington Water Department
Cost of Service Study FY2020
Plant Data Inputs

Water		
Plant Capacity (Normal)	MGD	30.00
Total Production FY1900	MG	5,555.1
Max Day FY 2019	MG	22.30
Max Hour FY 2019	MG	24.00
Max Month FY 2019	MG	576
Max Hour	Date/Hour	8/15/2019 17:00
Max Day	Date	9/13/2019
Max Month	month	Sep-19

Bloomington Water Department
Cost of Service Study FY2020
Plant Data Inputs

Water Pumping from Treatment Plant					
Month	2015	2016	2017	2018	2019/2020
January	490,627	461,320	458,647	457,828	475,300
February	464,851	441,520	425,049	414,720	403,200
March	472,606	447,516	445,807	426,563	399,200
April	473,595	448,603	455,157	434,849	455,714
May	510,082	451,757	460,363	469,846	452,945
June	469,694	484,620	501,685	446,640	439,377
July	483,173	474,729	490,817	490,767	489,242
August	515,295	508,933	541,820	476,842	515,383
September	514,444	497,670	523,838	470,032	528,074
October	483,915	505,960	505,112	458,930	484,917
November	439,590	450,417	440,059	422,942	428,782
December	452,676	465,398	432,214	417,129	482,966
1 Annual Production	5,770,548	5,638,443	5,680,568	5,387,088	5,555,100
Monthly Water Sales					
Month	2015	2016	2017	2018	2019/2020
January	294,818	306,607	290,399	296,277	299,704
February	320,443	304,795	305,482	333,734	328,265
March	303,161	297,200	266,703	312,414	289,159
April	262,387	341,098	305,711	268,838	302,253
May	295,243	309,189	304,435	294,535	282,713
June	311,964	300,021	311,485	350,523	340,992
July	317,030	356,865	352,758	360,108	327,506
August	332,992	329,122	361,349	384,695	335,676
September	342,140	356,907	502,781	353,947	389,084
October	411,747	395,368	405,837	387,184	379,060
November	343,461	327,537	358,385	309,954	367,021
December	299,946	333,396	338,932	352,969	296,005
2 Sales - Gallons	3,835,332	3,958,105	4,104,257	4,005,178	3,937,439
	2015	2016	2017	2018	2019/2020
3 Unbilled Revenues	1,935,216	1,680,338	1,576,311	1,381,910	1,617,661
4 Authorized Consumption	1,283,634	541,254	408,623	375,001	527,533
5 Water Loss	651,582	1,139,084	1,167,688	1,006,909	1,090,128
6 Authorized Consumption - % of total production	22.2%	9.6%	7.2%	7.0%	9.5%
7 Total Unbilled Water - % of total production	33.5%	30%	28%	26%	29%
8 System water Loss - % of production	11.3%	20.2%	20.6%	18.7%	19.6%
9 Production less Authorized Usage	4,486,914	5,097,189	5,271,945	5,012,087	5,027,567
10 System water Loss - % of adjusted production	14.5%	22.3%	22.1%	20.1%	21.7%
11 System water loss - % of sales	17.0%	28.8%	28.5%	25.1%	27.7%

Bloomington Water Department
Cost of Service Study FY2020
T&D Inputs

Linear Feet Outside City and Installed Cost Unavailable

Mains - Plant (Installed)

Pipe Size (inch)	Classification of Type	Water (In) Installed		Water (Out) Installed		Inch Foot - Inside System	Inch Foot - Outside System
		Linear Feet	\$/LF	Linear Feet	\$/LF		
0.5	Service Drops					-	-
0.75	Service Drops	444		325		333	244
1	Service Drops	8,151		5,203		8,151	5,203
1.25	Service Drops	2		0		3	-
1.5	Service Drops	5,087		217		7,631	326
2.5	Distribution	0		0		-	-
2	Distribution	49,921		22,472		99,842	44,944
3	Distribution	388		0		1,164	-
4	Distribution	68,686		37,010		274,744	148,040
6	Distribution	606,932		217,610		3,641,592	1,305,660
8	Distribution	291,842		137,956		2,334,736	1,103,648
10	Distribution	13,522		5,472		135,220	54,720
12	Distribution	277,702		166,427		3,332,424	1,997,124
14	Distribution	6,274		0		87,836	-
16	Transmission	31,962		24,671		511,392	394,736
18	Transmission	24,831		4		446,958	72
20	Transmission	57,486		28,824		1,149,720	576,480
24	Transmission	67,193		17,937		1,612,632	430,488
30	Transmission	0		46		-	1,380
36	Transmission	11,653		59,566		419,508	2,144,376
42	Transmission	0		0		-	-
48	Transmission	0		544		-	26,112
54	Transmission	0		0		-	-
TOTAL		1,522,076		724,284		14,063,885	8,233,552

Bloomington Water Department
Cost of Service Study FY2020

T&D Inputs

Classification of Linear Feet

	Inside City	Outside City	System
Service Drops	13,684	5,745	19,429
Distribution	1,315,267	586,947	1,902,214
Transmission	193,125	131,592	324,717
Total	1,522,076	724,284	2,246,360

Classification of Inch-Foot

	Inside City	Outside City	System
Service Drops	16,117	5,772	21,889
Distribution	9,907,558	4,654,136	14,561,694
Transmission	4,140,210	3,573,644	7,713,854
Total	14,063,885	8,233,552	22,297,437

Determination of Minimum System Percent

	Inside City	Outside City	Total	
Distribution System - Inch Foot	9,907,558	4,654,136	14,561,694	
Linear Feet of Distribution	1,315,267	586,947	1,902,214	
Minimum Size Pipe - Distribution - Inch	2.00	2.00	2.00	
Minimum System Factor	2,630,534	1,173,894	3,804,428	2 times 3
Percent to Minimum System	26.6%	25.2%	26.1%	4 divided 1

Percent of System - Transmission

	Inch Feet	Percent of Total	
Lines less than 16 inches	14,583,583	65%	Including Service Drops
Lines 16 inches and above	7,713,854	35%	
Total	22,297,437	100%	

Ideal calculation below would use costs

Determination of Percent of Distribution to Allocate to Fire Protection

Inch-Foot 2 - 6 inch	4,017,342	Small distribution
Linear Feet 8 - 14 inch	589,340	Large distribution
6 inch factor		6 Factor
Equivalent for 8 - 14	3,536,040	Inch-Foot
Minimum System Factor	2,630,534	Used for minimum system above
Total Distribution Inch-Foot	9,907,558	
Capacity Percent	49.7%	(1+4-5)/6
Min System Percent	26.1%	From minimum system calculation
Total Percent before Fire Protection	75.8%	7+8
Fire Protection 1 - Percent	24.2%	1-9

Determination of Loss by Service Level

Service Level	Percent	Units 1,000 Gallons	Loss Factor	Production	Loss Factor
Distribution	65%	2,545,523	712,996	3,258,518	28%
Transmission	35%	3,937,439	377,133	4,314,571	10%
Total	100%		1,090,128	5,027,567	28%

Bloomington Water Department
 Cost of Service Study FY2020
 Usage and Revenue Projections

Meters Actual													Total	Average	Projected	Meter	
	January	February	March	April	May	June	July	August	September	October	November	December				Equivalent Factor	Equivalent Meters
5/8"	6,361	6,361	6,361	6,446	6,499	6,461	6,636	6,702	6,402	6,411	6,394	6,361	77,395	6,450	6,450	1.00	6,450
3/4"	14,709	14,709	14,709	15,191	15,332	15,254	15,721	15,733	15,221	15,122	15,008	14,709	181,418	15,118	15,118	1.50	22,677
1"	3,301	3,301	3,301	3,419	3,438	3,418	3,495	3,590	3,420	3,399	3,358	3,301	40,741	3,395	3,395	2.50	8,488
1 1/2"	479	479	479	480	485	479	486	483	480	480	480	479	5,769	481	481	5.00	2,404
2"	525	525	525	545	547	534	537	536	534	529	517	525	6,379	532	532	8.00	4,253
3"	92	92	92	86	93	89	94	94	97	95	97	92	1,113	93	93	15.00	1,391
4"	83	83	83	86	81	84	84	85	84	84	84	83	1,004	84	84	25.00	2,092
6"	69	69	69	70	70	68	70	72	70	70	70	69	836	70	70	50.00	3,483
8"	10	10	10	11	11	11	11	10	10	10	10	10	124	10	10	80.00	827
10"	3	3	3	3	3	3	3	3	3	3	3	3	36	3	3	115.00	345
Total	25,632	25,632	25,632	26,337	26,559	26,401	27,137	27,308	26,321	26,203	26,021	25,632	314,815	26,235	26,235		52,409

Meter Rates - 2019	January	February	March	April	May	June	July	August	September	October	November	December	Total	Average	Projected
5/8"	5.89	5.89	5.89	5.89	5.89	5.89	5.89	5.89	5.89	5.89	5.89	5.89	\$ 455,857	37,988	\$ 455,857
3/4"	7.86	7.86	7.86	7.86	7.86	7.86	7.86	7.86	7.86	7.86	7.86	7.86	\$ 1,425,945	118,829	\$ 1,425,945
1"	10.59	10.59	10.59	10.59	10.59	10.59	10.59	10.59	10.59	10.59	10.59	10.59	\$ 431,447	35,954	\$ 431,447
1 1/2"	18.39	18.39	18.39	18.39	18.39	18.39	18.39	18.39	18.39	18.39	18.39	18.39	\$ 106,092	8,841	\$ 106,092
2"	26.20	26.20	26.20	26.20	26.20	26.20	26.20	26.20	26.20	26.20	26.20	26.20	\$ 167,130	13,927	\$ 167,130
3"	60.55	60.55	60.55	60.55	60.55	60.55	60.55	60.55	60.55	60.55	60.55	60.55	\$ 67,392	5,616	\$ 67,392
4"	99.57	99.57	99.57	99.57	99.57	99.57	99.57	99.57	99.57	99.57	99.57	99.57	\$ 99,968	8,331	\$ 99,968
6"	197.13	197.13	197.13	197.13	197.13	197.13	197.13	197.13	197.13	197.13	197.13	197.13	\$ 164,801	13,733	\$ 164,801
8"	294.69	294.69	294.69	294.69	294.69	294.69	294.69	294.69	294.69	294.69	294.69	294.69	\$ 36,542	3,045	\$ 36,542
10"	392.24	392.24	392.24	392.24	392.24	392.24	392.24	392.24	392.24	392.24	392.24	392.24	\$ 14,121	1,177	\$ 14,121
Total Meter Charge Revenues													\$ 2,969,294		

Bloomington Water Department
Cost of Service Study FY2020
Usage and Revenue Projections

Meters Actual - Fire Protection Charges	January	February	March	April	May	June	July	August	September	October	November	December	Total	Average	Projected	Meter Equivalent Factor	Equivalent Meters
5/8"	5,055	5,058	5,065	5,151	5,203	5,175	5,347	5,412	5,113	5,112	4,868	5,050	61,609	5,134	5,134	1.00	5,134
3/4"	9,979	9,956	9,966	10,442	10,590	10,532	10,992	10,989	10,445	9,281	9,689	9,981	122,842	10,237	10,237	1.50	15,355
1"	2,711	2,712	2,711	2,828	2,856	2,828	2,911	3,004	2,832	2,813	2,570	2,710	33,486	2,791	2,791	2.50	6,976
1 1/2"	428	429	429	429	434	427	434	430	427	427	427	428	5,149	429	429	5.00	2,145
2"	457	458	456	477	479	467	471	470	468	464	453	457	5,577	465	465	8.00	3,718
3"	78	78	79	71	78	74	79	79	82	79	81	78	936	78	78	15.00	1,170
4"	71	71	72	73	70	72	72	73	72	72	72	71	861	72	72	25.00	1,794
6"	61	62	62	62	62	60	62	64	62	61	61	61	740	62	62	50.00	3,083
8"	9	9	9	9	9	9	9	8	8	8	8	9	104	9	9	80.00	693
10"	3	3	3	3	3	3	3	3	3	3	3	3	36	3	3	115.00	345
Fire Pro 5/8" Meter Out	1,306	1,303	1,296	1,295	1,296	1,286	1,289	1,290	1,289	1,299	1,526	1,311	15,786	1,316	1,316	1.00	1,316
Fire Pro 3/4" Meter Out	4,730	4,753	4,743	4,749	4,742	4,722	4,729	4,744	4,776	5,841	5,319	4,728	58,576	4,881	4,881	1.50	7,322
Fire Pro 1" Meter Out	590	589	590	591	582	590	584	586	588	586	788	591	7,255	605	605	2.50	1,511
Fire Pro 1.5" Meter Out	51	50	50	51	51	52	52	53	53	53	53	51	620	52	52	5.00	258
Fire Pro 2" Meter Out	68	67	69	68	68	67	66	66	66	65	64	68	802	67	67	8.00	535
Fire Pro 3" Meter Out	14	14	13	15	15	15	15	15	15	16	16	14	177	15	15	15.00	221
Fire Pro 4" Meter Out	12	12	11	13	11	12	12	12	12	12	12	12	143	12	12	25.00	298
Fire Pro 6" Meter Out	8	7	7	8	8	8	8	8	8	9	9	8	96	8	8	50.00	400
Fire Pro 8" Meter Out	1	1	1	2	2	2	2	2	2	2	2	1	20	2	2	80.00	133
Total	25,632	25,632	25,632	26,337	26,559	26,401	27,137	27,308	26,321	26,203	26,021	25,632	314,815	26,235	26,235		52,409

Fire Protection Rates - 2019	January	February	March	April	May	June	July	August	September	October	November	December	Total	Average	Projected
5/8"	1.96	1.96	1.96	1.96	1.96	1.96	1.96	1.96	1.96	1.96	1.96	1.96	\$ 120,754	10,063	10,063
3/4"	2.93	2.93	2.93	2.93	2.93	2.93	2.93	2.93	2.93	2.93	2.93	2.93	\$ 359,927	29,994	29,994
1"	4.89	4.89	4.89	4.89	4.89	4.89	4.89	4.89	4.89	4.89	4.89	4.89	\$ 163,747	13,646	13,646
1 1/2"	9.78	9.78	9.78	9.78	9.78	9.78	9.78	9.78	9.78	9.78	9.78	9.78	\$ 50,357	4,196	4,196
2"	15.64	15.64	15.64	15.64	15.64	15.64	15.64	15.64	15.64	15.64	15.64	15.64	\$ 87,224	7,269	7,269
3"	34.23	34.23	34.23	34.23	34.23	34.23	34.23	34.23	34.23	34.23	34.23	34.23	\$ 32,039	2,670	2,670
4"	58.67	58.67	58.67	58.67	58.67	58.67	58.67	58.67	58.67	58.67	58.67	58.67	\$ 50,515	4,210	4,210
6"	122.27	122.27	122.27	122.27	122.27	122.27	122.27	122.27	122.27	122.27	122.27	122.27	\$ 90,480	7,540	7,540
8"	176.06	176.06	176.06	176.06	176.06	176.06	176.06	176.06	176.06	176.06	176.06	176.06	\$ 18,310	1,526	1,526
10"	283.63	283.63	283.63	283.63	283.63	283.63	283.63	283.63	283.63	283.63	283.63	283.63	\$ 10,211	851	851
Fire Pro 5/8" Meter Out	3.28	3.28	3.28	3.28	3.28	3.28	3.28	3.28	3.28	3.28	3.28	3.28	\$ 51,778	4,315	4,315
Fire Pro 3/4" Meter Out	4.93	4.93	4.93	4.93	4.93	4.93	4.93	4.93	4.93	4.93	4.93	4.93	\$ 288,780	24,065	24,065
Fire Pro 1" Meter Out	8.22	8.22	8.22	8.22	8.22	8.22	8.22	8.22	8.22	8.22	8.22	8.22	\$ 59,636	4,970	4,970
Fire Pro 1.5" Meter Out	16.41	16.41	16.41	16.41	16.41	16.41	16.41	16.41	16.41	16.41	16.41	16.41	\$ 10,174	848	848
Fire Pro 2" Meter Out	26.29	26.29	26.29	26.29	26.29	26.29	26.29	26.29	26.29	26.29	26.29	26.29	\$ 21,085	1,757	1,757
Fire Pro 3" Meter Out	57.50	57.50	57.50	57.50	57.50	57.50	57.50	57.50	57.50	57.50	57.50	57.50	\$ 10,178	848	848
Fire Pro 4" Meter Out	98.53	98.53	98.53	98.53	98.53	98.53	98.53	98.53	98.53	98.53	98.53	98.53	\$ 14,090	1,174	1,174
Fire Pro 6" Meter Out	205.29	205.29	205.29	205.29	205.29	205.29	205.29	205.29	205.29	205.29	205.29	205.29	\$ 19,708	1,642	1,642
Fire Pro 8" Meter Out	295.60	295.60	295.60	295.60	295.60	295.60	295.60	295.60	295.60	295.60	295.60	295.60	\$ 5,912	493	493
Fire Pro 10" Meter Out	476.27	476.27	476.27	476.27	476.27	476.27	476.27	476.27	476.27	476.27	476.27	476.27	\$ -	-	-
Total Fire Protection Revenues													\$ 1,464,903		



Bloomington Water Department
Cost of Service Study FY2020
Usage and Revenue Projections

Private Fire Protection	January	February	March	April	May	June	July	August	September	October	November	December	Total	Average	Projected	Meter	
																Equivalent Factor	Equivalent Meters
Private Fire 4" or Less	203	203	203	203	206	200	205	202	201	193	191	187	2,397	200	200	25.00	4,994
Private Fire 6"	245	248	249	252	252	253	254	254	253	246	247	243	2,996	250	250	50.00	12,483
Private Fire 8"	65	63	65	65	64	64	63	63	63	62	60	59	756	63	63	80.00	5,040
Private Fire 10"	4	4	4	4	4	4	4	4	4	4	4	4	48	4	4	115.00	460
Private Fire 12"	7	6	6	7	7	7	7	7	7	7	7	7	82	7	7	215.00	1,469

Private Fire Protection Rates - 2019	January	February	March	April	May	June	July	August	September	October	November	December	Total
Private Fire 4" or Less	9.86	9.86	9.86	9.86	9.86	9.86	9.86	9.86	9.86	9.86	9.86	9.86	\$ 23,634
Private Fire 6"	27.40	27.40	27.40	27.40	27.40	27.40	27.40	27.40	27.40	27.40	27.40	27.40	\$ 82,090
Private Fire 8"	56.15	56.15	56.15	56.15	56.15	56.15	56.15	56.15	56.15	56.15	56.15	56.15	\$ 42,449
Private Fire 10"	98.34	98.34	98.34	98.34	98.34	98.34	98.34	98.34	98.34	98.34	98.34	98.34	\$ 4,720
Private Fire 12"	155.05	155.05	155.05	155.05	155.05	155.05	155.05	155.05	155.05	155.05	155.05	155.05	\$ 12,714
Total Private Fire Protection Revenues													\$ 165,609
Reconciliation factor	2.28%	2.28%	2.28%	2.28%	2.28%	2.28%	2.28%	2.28%	2.28%	2.28%	2.28%	2.28%	
Wholesale reconciliation factor				1.76%	1.76%	1.76%	1.76%	1.76%	1.76%	1.76%	1.76%	1.76%	
Irrigation reconciliation factor				-2.34%	-2.34%	-2.34%	-2.34%	-2.34%	-2.34%	-2.34%	-2.34%	-2.34%	

Units - 1,000 Gallons	January	February	March	April	May	June	July	August	September	October	November	December	Total	Average	Projected
Residential and Multi Family	123,555	138,238	130,801	134,450	120,654	140,261	136,147	118,703	136,079	144,162	140,817	129,672	1,593,538	1,593,538	1,593,538
Comm, Gov, Interdept Usage	54,563	55,958	55,260	58,657	55,922	71,175	70,480	73,293	79,333	76,595	75,881	61,226	788,343	788,343	788,343
Industrial	3,806	3,442	2,666	3,435	3,448	5,362	4,279	5,086	6,291	4,612	4,914	3,633	50,973	50,973	50,973
Wholesale	90,003	95,327	77,333	76,239	66,838	92,259	86,970	87,399	107,518	92,351	92,983	72,215	1,037,433	1,037,433	1,037,433
Indiana University Usage	27,361	34,294	22,732	29,026	34,605	24,543	20,118	33,312	34,848	34,873	34,616	24,154	354,483	354,483	354,483
Irrigation Usage	416	1,006	368	447	1,247	7,393	9,512	17,883	25,014	26,467	17,812	5,106	112,669	112,669	112,669
Total	299,704	328,265	289,159	302,253	282,713	340,992	327,506	335,676	389,084	379,060	367,021	296,005	3,937,439	3,937,439	3,937,439
	274,669	313,987	293,722	301,354	281,888	340,333	326,979	335,510	389,125	379,137	366,745	295,332			

Units - 1,000 Gallon 2019 Rates	January	February	March	April	May	June	July	August	September	October	November	December	Total
Residential and Multi Family	3.73	3.73	3.73	3.73	3.73	3.73	3.73	3.73	3.73	3.73	3.73	3.73	\$ 5,943,896
Comm, Gov, Interdept Usage	3.16	3.16	3.16	3.16	3.16	3.16	3.16	3.16	3.16	3.16	3.16	3.16	\$ 2,491,162
Industrial	2.92	2.92	2.92	2.92	2.92	2.92	2.92	2.92	2.92	2.92	2.92	2.92	\$ 148,842
Wholesale	2.39	2.39	2.39	2.39	2.39	2.39	2.39	2.39	2.39	2.39	2.39	2.39	\$ 2,479,465
Indiana University Usage	2.37	2.37	2.37	2.37	2.37	2.37	2.37	2.37	2.37	2.37	2.37	2.37	\$ 840,125
Irrigation Usage	3.42	3.42	3.42	3.42	3.42	3.42	3.42	3.42	3.42	3.42	3.42	3.42	\$ 385,328
Usage Revenues													12,288,818

Bloomington Water Department
Cost of Service Study FY2020
Diversified Class Ratio's

Billed Usage							
	Residential and Multi Family	Comm, Gov, Interdept Usage	Industrial	Wholesale	Indiana University Usage	Irrigation Usage	Total
<i>From Projected Usages</i>							
January	123,555	54,563	3,806	90,003	27,361	416	299,704
February	138,238	55,958	3,442	95,327	34,294	1,006	328,265
March	130,801	55,260	2,666	77,333	22,732	368	289,159
April	134,450	58,657	3,435	76,239	29,026	447	302,253
May	120,654	55,922	3,448	66,838	34,605	1,247	282,713
June	140,261	71,175	5,362	92,259	24,543	7,393	340,992
July	136,147	70,480	4,279	86,970	20,118	9,512	327,506
August	118,703	73,293	5,086	87,399	33,312	17,883	335,676
September	136,079	79,333	6,291	107,518	34,848	25,014	389,084
October	144,162	76,595	4,612	92,351	34,873	26,467	379,060
November	140,817	75,881	4,914	92,983	34,616	17,812	367,021
December	129,672	61,226	3,633	72,215	24,154	5,106	296,005
Total	1,593,538	788,343	50,973	1,037,433	354,483	112,669	3,937,439
Distribution Losses	28%	28%	28%			28%	
Transmission Losses	10%	10%	10%	10%	10%	10%	1,090,128
Water Production	2,192,515	1,084,664	70,133	1,136,800	388,436	155,019	5,027,567

Statistics	Residential and Multi Family	Comm, Gov, Interdept Usage	Industrial	Wholesale	Indiana University Usage	Irrigation Usage	Total
Average Day	6,007	2,972	192	3,115	1,064	425	13,774
Max Month Usage	193,108	106,314	7,333	104,927	38,110	31,812	481,605
Max Period	Sept - Nov	Aug - October	August - Oct	Aug - Oct	Sept - Nov	Sept - Nov	September
Days of Max Month	30.33	30.33	30.67	30.67	30.33	30.67	
Average Day Max Month	6,366	3,505	239	3,422	1,256	1,037	15,825
Units Sales	1,593,538	788,343	50,973	1,037,433	354,483	112,669	3,937,439
Average Day	6,007	2,972	192	3,115	1,064	425	13,774
Average Day Usage Max Month	6,366	3,505	239	3,422	1,256	1,037	15,825
MM/AD Ratio	1.06	1.18	1.24	1.10	1.18	2.44	
System MD/MM Ratio	1.09	1.09	1.09	1.09	1.09	1.09	
Weekly Usage Adjustment	1.35	1.17	1.17	1.17	1.17	1.35	
Max Day	9,411	4,490	306	4,383	1,610	1,533	21,733
MD Factor	1.57	1.51	1.59	1.41	1.51	3.61	
Max Hour Ratio	1.13	1.13	1.13	1.13	1.13	1.13	
Max Hour Usage	10,634	5,074	346	4,953	1,819	1,733	24,559
MH Factor	1.77	1.71	1.80	1.59	1.71	4.08	

Bloomington Water Department
 Cost of Service Study FY2020
 Ratebase Allocators

	2	3.00	4	4
Classification Factors				
	Treatment	Distribution	Transmission	Reservoirs
Max Hour		1.70	1.70	8.78
Max Day	7.08	7.08	7.08	
Base	15.22	3.04	15.22	15.22
Customer-Related		6.37		
Fire Protection		5.80		
Total	22.30	24.00	24.00	24.00

	Total	Capacity - Treat		Extra Capacity - Distribution			Extra Capacity - Transmission			Distribution				
		Treatment Base	Treatment MD	Distribution Base	Distribution MD	Distribution MH	Transmission Base	Transmission MD	Transmission MH	Meters	Services	Fire Prot.	Hydrants	Facilities
Source of Supply	22.30	22.30	-	-	-	-	-	-	-	-	-	-	-	-
Pumping	22.30	15.22	7.08	-	-	-	-	-	-	-	-	-	-	-
Treatment	22.30	15.22	7.08	-	-	-	-	-	-	-	-	-	-	-
Transmission Plant	24.00	-	-	-	-	-	15.22	7.08	1.70	-	-	-	-	-
Distribution Plant														
(303.5) Land & Land Rights	24.00	-	-	3.04	7.08	1.70	-	-	-	-	-	5.80	-	6.37
(341) Structures & Improvements	24.00	-	-	3.04	7.08	1.70	-	-	-	-	-	5.80	-	6.37
(330.5) Distribution Storage	24.00	-	-	15.22	-	8.78	-	-	-	-	-	-	-	-
(344) Distribution Mains	24.00	-	-	3.04	7.08	1.70	-	-	-	-	-	5.80	-	6.37
(345) Services	1.00	-	-	-	-	-	-	-	-	-	1.00	-	-	-
(346) Meters	1.00	-	-	-	-	-	-	-	-	1.00	-	-	-	-
(348) Hydrants	1.00	-	-	-	-	-	-	-	-	-	-	1.00	-	-
(336.5) Backflow Prevention Devices	1.00	-	-	-	-	-	-	-	-	-	1.00	-	-	-
(339.5) Other Distribution Plant 1	24.00	-	-	3.04	7.08	1.70	-	-	-	-	-	5.80	-	6.37
(339.55) Other Distribution Plant 2	24.00	-	-	3.04	7.08	1.70	-	-	-	-	-	5.80	-	6.37

	Total	Capacity - Treat		Extra Capacity - Distribution			Extra Capacity - Transmission			Distribution				
		Treatment Base	Treatment MD	Distribution Base	Distribution MD	Distribution MH	Transmission Base	Transmission MD	Transmission MH	Meters	Services	Fire Prot.	Hydrants	Facilities
Source of Supply	-	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Pumping	-	68%	32%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Treatment	-	68%	32%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Transmission Plant	-	0%	0%	0%	0%	0%	63%	30%	7%	0%	0%	0%	0%	0%
Distribution Plant														
(303.5) Land & Land Rights	-	0%	0%	13%	30%	7%	0%	0%	0%	0%	0%	24%	0%	27%
(341) Structures & Improvements	-	0%	0%	13%	30%	7%	0%	0%	0%	0%	0%	24%	0%	27%
(330.5) Distribution Storage	-	0%	0%	63%	0%	37%	0%	0%	0%	0%	0%	0%	0%	0%
(344) Distribution Mains	-	0%	0%	13%	30%	7%	0%	0%	0%	0%	0%	24%	0%	27%
(345) Services	-	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%
(346) Meters	-	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%	0%
(348) Hydrants	-	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%
(336.5) Backflow Prevention Devices	-	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%
(339.5) Other Distribution Plant 1	-	0%	0%	13%	30%	7%	0%	0%	0%	0%	0%	24%	0%	27%
(339.55) Other Distribution Plant 2	-	0%	0%	13%	30%	7%	0%	0%	0%	0%	0%	24%	0%	27%

Bloomington Water Department
Cost of Service Study FY2020
Ratebase Allocators

	2	3.00	4	4
Classification Factors				
	Treatment	Distribution	Transmission	Reservoirs
Max Hour		1.70		8.78
Max Day	7.08	7.08	7.08	
Base	15.22	3.04	15.22	15.22
Customer-Related		6.37		
Fire Protection		5.80		
Total	22.30	24.00	24.00	24.00

	Extra Capacity - Treatment			Extra Capacity - Distribution			Extra Capacity - Transmission							
	Treatment Base	Treatment MD		Distribution Base	Distribution MD	Distribution MH	Transmission Base	Transmission MD	Transmission MH	Meters	Services	Fire Prot.	Hydrants	Distribution Facilities
Source of Supply	4,822,418	4,822,418	-	-	-	-	-	-	-	-	-	-	-	-
Pumping	3,257,106	2,222,931	1,034,175	-	-	-	-	-	-	-	-	-	-	-
Treatment	42,342,800	28,898,395	13,444,405	-	-	-	-	-	-	-	-	-	-	-
Transmission Plant	\$ -	-	-	-	-	-	-	-	-	-	-	-	-	-
(340) Land & Land Rights	308,530	-	-	-	-	-	195,652	91,023	21,854	-	-	-	-	-
(343.5) Transmission Mains Outside City	19,489,249	-	-	-	-	-	12,358,987	5,749,773	1,380,488	-	-	-	-	-
Distribution Plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(303.5) Land & Land Rights	583,298	-	-	73,949	172,086	41,317	-	-	-	-	-	141,076	-	154,870
(341) Structures & Improvements	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(330.5) Distribution Storage	2,285,569	-	-	1,449,380	-	836,190	-	-	-	-	-	-	-	-
(344) Distribution Mains	36,845,795	-	-	4,671,192	10,870,351	2,609,910	-	-	-	-	-	8,911,495	-	9,782,846
(345) Services	38,529	-	-	-	-	-	-	-	-	-	38,529	-	-	-
(346) Meters	814,883	-	-	-	-	-	-	-	-	814,883	-	-	-	-
(348) Hydrants	1,457,203	-	-	-	-	-	-	-	-	-	-	-	1,457,203	-
(336.5) Backflow Prevention Devices	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(339.5) Other Distribution Plant 1	3,690	-	-	468	1,089	261	-	-	-	-	-	892	-	980
(339.55) Other Distribution Plant 2	230,830	-	-	29,264	68,100	16,350	-	-	-	-	-	55,828	-	61,287
SubTotal	112,479,899	35,943,745	14,478,579	6,224,252	11,111,625	3,504,029	12,554,640	5,840,797	1,402,343	814,883	38,529	9,109,292	1,457,203	9,999,983
Ratebase Subtotal Percent	100%	32%	13%	6%	10%	3%	11%	5%	1%	1%	0%	8%	1%	9%
T&D Subtotal	\$ 60,350,865	\$ -	\$ -	\$ 6,150,303	\$ 10,939,539	\$ 3,462,712	\$ 12,358,987	\$ 5,749,773	\$ 1,380,488	\$ -	\$ 38,529	\$ 8,968,216	\$ 1,457,203	\$ 9,845,113
T&D Allocator	100%	0%	0%	10%	18%	6%	20%	10%	2%	0%	0%	15%	2%	16%
General Plant														
Land & Land Rights	17,750	5,672	2,285	982	1,753	553	1,981	922	221	129	6	1,438	230	1,578
Structures and Improvements	3,667,990	1,172,132	472,149	202,974	362,352	114,267	409,409	190,469	45,731	26,573	1,256	297,056	47,520	326,101
Office Furniture and Equipment	44,567	14,242	5,737	2,466	4,403	1,388	4,974	2,314	556	323	15	3,609	577	3,962
Transportation Equipment	1,801,399	-	-	183,579	326,532	103,358	368,901	171,624	41,206	-	1,150	267,690	43,496	293,865
Tools, Shop and Garage Equipment	4,075	1,302	525	226	403	127	455	212	51	30	1	330	53	362
Laboratory Equipment	124,573	39,808	16,035	6,893	12,306	3,881	13,904	6,469	1,553	902	43	10,089	1,614	11,075
Power Operated Equipment	73,170	23,382	9,419	4,049	7,228	2,279	8,167	3,800	912	530	25	5,926	948	6,505
Communication Equipment	49,854	15,931	6,417	2,759	4,925	1,553	5,565	2,589	622	361	17	4,037	646	4,432
Miscellaneous Equipment	157,874	50,450	20,322	8,736	15,596	4,918	17,621	8,198	1,968	1,144	54	12,786	2,045	14,036
Total Plant In Service	\$ 118,421,153	\$ 37,266,664	\$ 15,011,468	6,636,916	\$ 11,847,124	\$ 3,736,353	\$ 13,385,617	\$ 6,227,393	\$ 1,495,162	\$ 844,875	\$ 41,097	\$ 9,712,252	\$ 1,554,332	\$ 10,661,900
Total Rate Base Percent	100.0%	31.5%	12.7%	5.6%	10.0%	3.2%	11.3%	5.3%	1.3%	0.7%	0.0%	8.2%	1.3%	9.0%

Bloomington Water Department
Cost of Service Study FY2020
Depreciation Expense

	Classification Factors			
	Treatment	Distribution	Transmission	Reservoirs
Max Hour		1.70	1.70	8.78
Max Day	7.08	7.08	7.08	
Base	15.22	3.04	15.22	15.22
Customer-Related		6.37		
Fire Protection		5.80		
Total	22.30	24.00	24.00	24.00

		Extra Capacity - Treatment		Extra Capacity - Distribution			Extra Capacity - Transmission			Meters	Services	Fire Prot.	Hydrants	Distribution Facilities
		Treatment Base	Treatment MD	Distribution Base	Distribution MD	Distribution MH	Transmission Base	Transmission MD	Transmission MH					
Source of Supply	-	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Pumping	-	68%	32%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Treatment	-	68%	32%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Transmission Plant	-	0%	0%	0%	0%	0%	63%	30%	7%	0%	0%	0%	0%	0%
Distribution Plant														
(303.5) Land & Land Rights	-	0%	0%	13%	30%	7%	0%	0%	0%	0%	0%	24%	0%	27%
(341) Structures & Improvements	-	0%	0%	13%	30%	7%	0%	0%	0%	0%	0%	24%	0%	27%
(330.5) Distribution Storage	-	0%	0%	63%	0%	37%	0%	0%	0%	0%	0%	0%	0%	0%
(344) Distribution Mains	-	0%	0%	13%	30%	7%	0%	0%	0%	0%	0%	24%	0%	27%
(345) Services	-	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%
(346) Meters	-	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%	0%
(348) Hydrants	-	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%
(336.5) Backflow Prevention Devices	-	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%
(339.5) Other Distribution Plant 1	-	0%	0%	13%	30%	7%	0%	0%	0%	0%	0%	24%	0%	27%
(339.55) Other Distribution Plant 2	-	0%	0%	13%	30%	7%	0%	0%	0%	0%	0%	24%	0%	27%

Bloomington Water Department
Cost of Service Study FY2020
Depreciation Expense

	Classification Factors			
	Treatment	Distribution	Transmission	Reservoirs
Max Hour		1.70	1.70	8.78
Max Day	7.08	7.08	7.08	
Base	15.22	3.04	15.22	15.22
Customer-Related		6.37		
Fire Protection		5.80		
Total	22.30	24.00	24.00	24.00

	Extra Capacity - Treatment		Extra Capacity - Distribution			Extra Capacity - Transmission								
	Total	Treatment Base	Treatment MD	Distribution Base	Distribution MD	Distribution MH	Transmission Base	Transmission MD	Transmission MH	Meters	Services	Fire Prot.	Hydrants	Distribution Facilities
Source of Supply	319,230	319,230	-	-	-	-	-	-	-	-	-	-	-	-
Pumping	513,649	350,558	163,090	-	-	-	-	-	-	-	-	-	-	-
Treatment	3,687,783	2,516,862	1,170,920	-	-	-	-	-	-	-	-	-	-	-
Transmission Plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(340) Land & Land Rights	11,224	-	-	-	-	-	7,118	3,311	795	-	-	-	-	-
(343.5) Transmission Mains Outside City	1,491,884	-	-	-	-	-	946,069	440,140	105,675	-	-	-	-	-
Distribution Plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(303.5) Land & Land Rights	21,220	-	-	2,690	6,260	1,503	-	-	-	-	-	5,132	-	5,634
(341) Structures & Improvements	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(330.5) Distribution Storage	299,377	-	-	189,848	-	109,529	-	-	-	-	-	-	-	-
(344) Distribution Mains	2,820,512	-	-	357,575	832,115	199,786	-	-	-	-	-	682,167	-	748,868
(345) Services	49,288	-	-	-	-	-	-	-	-	-	49,288	-	-	-
(346) Meters	68,222	-	-	-	-	-	-	-	-	68,222	-	-	-	-
(348) Hydrants	200,519	-	-	-	-	-	-	-	-	-	-	-	200,519	-
(336.5) Backflow Prevention Devices	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(339.5) Other Distribution Plant 1	514	-	-	65	152	36	-	-	-	-	-	124	-	137
(339.55) Other Distribution Plant 2	23,870	-	-	3,026	7,042	1,691	-	-	-	-	-	5,773	-	6,338
SubTotal	9,507,291	3,186,651	1,334,011	553,205	845,570	312,545	953,187	443,451	106,470	68,222	49,288	693,197	200,519	760,976
Ratebase Subtotal Percent	100%	34%	14%	6%	9%	3%	10%	5%	1%	1%	1%	7%	2%	8%
T&D Subtotal	\$ 4,885,964	\$ -	\$ -	\$ 550,515	\$ 839,309	\$ 311,042	\$ 946,069	\$ 440,140	\$ 105,675	\$ -	\$ 49,288	\$ 688,064	\$ 200,519	\$ 755,342
T&D Allocator	100%	0%	0%	11%	17%	6%	19%	9%	2%	0%	1%	14%	4%	15%
General Plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Land & Land Rights	646	216	91	38	57	21	65	30	7	5	3	47	14	52
Structures and Improvements	299,952	100,538	42,088	17,453	26,677	9,861	30,073	13,991	3,359	2,152	1,555	21,870	6,326	24,009
Office Furniture and Equipment	60,177	20,170	8,444	3,502	5,352	1,978	6,033	2,807	674	432	312	4,388	1,269	4,817
Transportation Equipment	354,203	-	-	39,909	60,845	22,549	68,584	31,907	7,661	-	3,573	49,881	14,536	54,758
Stores Equipment	76	26	11	4	7	3	8	4	1	1	0	6	2	6
Tools, Shop and Garage Equipment	1,597	535	224	93	142	53	160	74	18	11	8	116	34	128
Laboratory Equipment	13,305	4,459	1,867	774	1,183	437	1,334	621	149	95	69	970	281	1,065
Power Operated Equipment	42,810	14,349	6,007	2,491	3,807	1,407	4,292	1,997	479	307	222	3,121	903	3,427
Communication Equipment	37,637	12,615	5,281	2,190	3,347	1,237	3,773	1,756	421	270	195	2,744	794	3,013
Miscellaneous Equipment	8,058	2,701	1,131	469	717	265	808	376	90	58	42	588	170	645
Other Tangible Equipment	219	73	31	13	19	7	22	10	2	2	1	16	5	18
Total Plant In Service	\$ 10,325,971	\$ 3,342,334	\$ 1,399,183	\$ 620,141	\$ 947,725	\$ 350,364	\$ 1,068,339	\$ 497,023	\$ 119,333	\$ 71,555	\$ 55,268	\$ 776,943	\$ 224,852	\$ 852,911
Total Rate Base Percent	100.0%	32.4%	13.6%	6.0%	9.2%	3.4%	10.3%	4.8%	1.2%	0.7%	0.5%	7.5%	2.2%	8.3%

Bloomington Water Department
Cost of Service Study FY2020
Expense Classification

	Treatment		Distribution Facilities			Transmission			Meters	Services	Cust. Serv.	Fire Prot.	Hydrants	Distribution Facilities	Billing
	Treatment Base	Treatment MD	Distribution Base	Distribution MD	Distribution MH	Transmission Base	Transmission MD	Transmission MH							
Source of Supply	22.30	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Treatment	15.22	7.08	-	-	-	-	-	-	-	-	-	-	-	-	-
Pumping	15.22	7.08	-	-	-	-	-	-	-	-	-	-	-	-	-
Reservoirs	-	-	15.22	-	8.78	-	-	-	-	-	-	-	-	-	-
Distribution Lines	-	-	3.04	7.08	1.70	-	-	-	-	-	5.80	-	6.37	-	
Transmission	-	-	-	-	-	15.22	7.08	1.70	-	-	-	-	-	-	

	Total	Treatment Base	Treatment MD	Capacity - Treat			Extra Capacity - Distribution			Extra Capacity - Transmission			Meters	Services	Cust. Serv.	Fire Prot.	Hydrants	Distribution Facilities	Billing
				Distribution Base	Distribution MD	Distribution MH	Transmission Base	Transmission MD	Transmission MH										
(1) Source of Supply	22.30	22.30	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(2) Power & Chemicals	22.30	22.30	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(3) Loadings	22.30	22.30	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(4) Treatment	22.30	15.22	7.08	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(5) Other Treatment 1	22.30	15.22	7.08	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(6) Other Treatment 2	22.30	15.22	7.08	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(7) System Pumping	22.30	15.22	7.08	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(8) Hydrants	1.00	-	-	-	-	-	-	-	-	-	-	1.00	-	-	-	-	-	-	-
(9) Transmission Mains City	24.00	-	-	-	-	-	15.22	7.08	1.70	-	-	-	-	-	-	-	-	-	-
(10) Transmission Mains Outside City	24.00	-	-	-	-	-	15.22	7.08	1.70	-	-	-	-	-	-	-	-	-	-
(11) Transmission Mains Common to All	24.00	-	-	-	-	-	15.22	7.08	1.70	-	-	-	-	-	-	-	-	-	-
(12) Distribution Storage	24.00	-	-	15.22	-	8.78	-	-	-	-	-	-	-	-	-	-	-	-	-
(13) Distribution Mains	24.00	-	-	3.04	7.08	1.70	-	-	-	-	-	5.80	-	6.37	-	-	-	-	-
(14) Services	1.00	-	-	-	-	-	-	-	-	1.00	-	-	-	-	-	-	-	-	-
(15) Meters	1.00	-	-	-	-	-	-	-	-	1.00	-	-	-	-	-	-	-	-	-
(16) Min System Inside	1.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1.00	-	-
(17) Min System Outside	1.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1.00	-	-
(18) Distribution Mains Inside	24.00	-	-	3.04	7.08	1.70	-	-	-	-	-	5.80	-	6.37	-	-	-	-	-
(19) Distribution Mains Outside	24.00	-	-	3.04	7.08	1.70	-	-	-	-	-	5.80	-	6.37	-	-	-	-	-
(20) Hydrants	1.00	-	-	-	-	-	-	-	-	-	-	-	1.00	-	-	-	-	-	-
(21) T&D Other	29.80	-	-	-	-	-	15.22	7.08	1.70	-	-	5.80	-	-	-	-	-	-	-
(22) Meter Reading	1.00	-	-	-	-	-	-	-	-	1.00	-	-	-	-	-	-	-	-	-
(23) Billing	1.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1.00
(24) Uncollectible Accounts	1.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1.00
(25) Miscellaneous	1.00	-	-	-	-	-	-	-	-	-	1.00	-	-	-	-	-	-	-	-
(26) Customer Rec & Collection	1.00	-	-	-	-	-	-	-	-	-	-	1.00	-	-	-	-	-	-	-

Bloomington Water Department
Cost of Service Study FY2020
Expense Classification

Source of Supply
 Treatment
 Pumping
 Reservoirs
 Distribution Lines
 Transmission

	Treatment		Distribution Facilities			Transmission			Meters	Services	Cust. Serv.	Fire Prot.	Hydrants	Distribution Facilities	Billing
	Treatment Base	Treatment MD	Distribution Base	Distribution MD	Distribution MH	Transmission Base	Transmission MD	Transmission MH							
Source of Supply	22.30	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Treatment	15.22	7.08	-	-	-	-	-	-	-	-	-	-	-	-	-
Pumping	15.22	7.08	-	-	-	-	-	-	-	-	-	-	-	-	-
Reservoirs	-	-	15.22	-	8.78	-	-	-	-	-	-	-	-	-	-
Distribution Lines	-	-	3.04	7.08	1.70	-	-	-	-	-	-	5.80	-	6.37	-
Transmission	-	-	-	-	-	15.22	7.08	1.70	-	-	-	-	-	-	-

	Check = 0	Capacity - Treat		Extra Capacity - Distribution			Extra Capacity - Transmission			Meters	Services	Cust. Serv.	Fire Prot.	Hydrants	Distribution	
		Treatment Base	Treatment MD	Distribution Base	Distribution MD	Distribution MH	Transmission Base	Transmission MD	Transmission MH						Facilities	Billing
(1) Source of Supply	-	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
(2) Power & Chemicals	-	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
(3) Loadings	-	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
(4) Treatment	-	68%	32%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
(5) Other Treatment 1	-	68%	32%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
(6) Other Treatment 2	-	68%	32%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
(7) System Pumping	-	68%	32%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
(8) Hydrants	-	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%
(9) Transmission Mains City	-	0%	0%	0%	0%	0%	63%	30%	7%	0%	0%	0%	0%	0%	0%	0%
(10) Transmission Mains Outside City	-	0%	0%	0%	0%	0%	63%	30%	7%	0%	0%	0%	0%	0%	0%	0%
(11) Transmission Mains Common to All	-	0%	0%	0%	0%	0%	63%	30%	7%	0%	0%	0%	0%	0%	0%	0%
(12) Distribution Storage	-	0%	0%	63%	0%	37%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
(13) Distribution Mains	-	0%	0%	13%	30%	7%	0%	0%	0%	0%	0%	24%	0%	27%	0%	0%
(14) Services	-	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%	0%	0%
(15) Meters	-	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%	0%	0%	0%
(16) Min System Inside	-	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%
(17) Min System Outside	-	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%
(18) Distribution Mains Inside	-	0%	0%	13%	30%	7%	0%	0%	0%	0%	0%	24%	0%	27%	0%	0%
(19) Distribution Mains Outside	-	0%	0%	13%	30%	7%	0%	0%	0%	0%	0%	24%	0%	27%	0%	0%
(20) Hydrants	-	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%
(21) T&D Other	-	0%	0%	0%	0%	0%	51%	24%	6%	0%	0%	19%	0%	0%	0%	0%
(22) Meter Reading	-	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%	0%	0%	0%
(23) Billing	-	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%
(24) Uncollectible Accounts	-	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%
(25) Miscellaneous	-	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%	0%
(26) Customer Rec & Collection	-	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%	0%

Bloomington Water Department
Cost of Service Study FY2020
Expense Classification

	Treatment		Distribution Facilities			Transmission			Meters	Services	Cust. Serv.	Fire Prot.	Hydrants	Distribution Facilities	Billing
	Treatment Base	Treatment MD	Distribution Base	Distribution MD	Distribution MH	Transmission Base	Transmission MD	Transmission MH							
Source of Supply	22.30	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Treatment	15.22	7.08	-	-	-	-	-	-	-	-	-	-	-	-	-
Pumping	15.22	7.08	-	-	-	-	-	-	-	-	-	-	-	-	-
Reservoirs	-	-	15.22	-	8.78	-	-	-	-	-	-	-	-	-	-
Distribution Lines	-	-	3.04	7.08	1.70	-	-	-	-	-	-	5.80	-	6.37	-
Transmission	-	-	-	-	-	15.22	7.08	1.70	-	-	-	-	-	-	-

Capacity - Treat **Extra Capacity - Distribution** **Extra Capacity - Transmission**

Expense	Amount	Treatment Base	Treatment MD	Distribution Base	Distribution MD	Distribution MH	Transmission Base	Transmission MD	Transmission MH	Meters	Services	Cust. Serv.	Fire Prot.	Hydrants	Distribution Facilities	Billing
(1) Source of Supply	\$ 1,064,388	1,064,388	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(2) Power & Chemicals	1,289,925	1,289,925	-	-	-	-	-	-	-	-	-	-	-	-	-	-
(4) Treatment	1,776,769	1,212,621	564,148	-	-	-	-	-	-	-	-	-	-	-	-	-
(7) System Pumping	566,768	386,811	179,956	-	-	-	-	-	-	-	-	-	-	-	-	-
(8) Hydrants	53,661	-	-	-	-	-	-	-	-	-	-	-	-	53,661	-	-
(9) Transmission Mains City	506,670	-	-	-	-	-	321,302	149,479	35,889	-	-	-	-	-	-	-
(12) Distribution Storage	197,707	-	-	125,375	-	72,332	-	-	-	-	-	-	-	-	-	-
(13) Distribution Mains	957,896	-	-	121,439	282,601	67,851	-	-	-	-	-	-	231,676	-	254,329	-
(14) Services	27,422	-	-	-	-	-	-	-	-	-	27,422	-	-	-	-	-
(15) Meters	499,569	-	-	-	-	-	-	-	-	499,569	-	-	-	-	-	-
(22) Meter Reading	419,094	-	-	-	-	-	-	-	-	419,094	-	-	-	-	-	-
(23) Billing	313,698	-	-	-	-	-	-	-	-	-	-	-	-	-	-	313,698
(26) Customer Rec & Collection	131,293	-	-	-	-	-	-	-	-	-	-	131,293	-	-	-	-
Operation and Maintenance	\$ 7,804,861	\$ 3,953,745	\$ 744,104	\$ 246,814	\$ 282,601	\$ 140,183	\$ 321,302	\$ 149,479	\$ 35,889	\$ 918,664	\$ 27,422	\$ 131,293	\$ 231,676	\$ 53,661	\$ 254,329	\$ 313,698
Admin and General	2,103,844	1,065,754	200,578	66,530	76,177	37,787	86,609	40,293	9,674	247,631	7,392	35,391	62,450	14,465	68,556	84,559
Engineering	636,277	205,951	86,216	38,212	58,398	21,589	65,830	30,626	7,353	4,409	3,406	-	47,875	13,855	52,556	-
Environmental Services	115,651	37,434	15,671	6,946	10,615	3,924	11,965	5,567	1,337	801	619	-	8,702	2,518	9,553	-
Insurance	109,481	35,437	14,835	6,575	10,048	3,715	11,327	5,270	1,265	759	586	-	8,238	2,384	9,043	-
Taxes and Tax Equivalents	358,542	116,054	48,583	21,533	32,907	12,165	37,095	17,258	4,144	2,485	1,919	-	26,977	7,807	29,615	-
Administrative total	\$ 1,219,951	\$ 617,996	\$ 116,308	\$ 38,579	\$ 44,172	\$ 21,912	\$ 50,222	\$ 23,365	\$ 5,610	\$ 143,593	\$ 4,286	\$ 20,522	\$ 36,212	\$ 8,388	\$ 39,753	\$ 49,033
Total Operation & Maintenance Expenses	\$ 11,128,656	\$ 5,414,376	\$ 1,109,987	\$ 386,610	\$ 470,746	\$ 219,364	\$ 534,128	\$ 248,493	\$ 59,662	\$ 1,174,748	\$ 41,344	\$ 166,684	\$ 385,917	\$ 94,690	\$ 423,651	\$ 398,257
Total Debt Service & Capital	10,325,971	\$ 3,342,334	\$ 1,399,183	\$ 620,141	\$ 947,725	\$ 350,364	\$ 1,068,339	\$ 497,023	\$ 119,333	\$ 71,555	\$ 55,268	\$ -	\$ 776,943	\$ 224,852	\$ 852,911	\$ -
Late Payment	(211,586)	\$ -	\$ -	\$ (26,824)	\$ (62,423)	\$ (14,987)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (51,174)	\$ -	\$ (56,178)	\$ -
Misc Service Revenues	(265,155)	\$ -	\$ -	\$ (33,615)	\$ (78,227)	\$ (18,782)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (64,130)	\$ -	\$ (70,401)	\$ -
Other Water Revenues	(339,392)	\$ -	\$ -	\$ (43,027)	\$ (100,128)	\$ (24,040)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (82,085)	\$ -	\$ (90,111)	\$ -
Total Revenue Requirements	\$ 20,638,493	\$ 8,756,710	\$ 2,509,170	\$ 903,284	\$ 1,177,693	\$ 511,918	\$ 1,602,467	\$ 745,516	\$ 178,994	\$ 1,246,303	\$ 96,612	\$ 166,684	\$ 965,470	\$ 319,542	\$ 1,059,873	\$ 398,257



Bloomington Water Department
Cost of Service Study FY2020
Development of Allocators

Customer Class	Treatment			Distribution			Transmission		
	Base - A	MD - A	MH - A	Base - D	MD - D	MH - D	Base - T	MD - T	MH - T
Fire Protection	-	840	4,200					840	4,200
Hydrants	-	-							
5/8" Meter	-	-							
3/4" Meter	-	-							
1" Meter	-	-							
1.5" Meter	-	-							
2" Meter	-	-							
3" Meter	-	-							
4" Meter	-	-							
6" Meter	-	-							
8" Meter	-	-							
10" Meter	-	-							
Residential and Multi Family	4,366	2,474	3,363	4,366	2,474	3,363	4,366	2,474	3,363
Comm, Gov, Interdept Usage	2,160	1,104	1,528	2,160	1,104	1,528	2,160	1,104	1,528
Industrial	140	83	112	140	83	112	140	83	112
Wholesale	2,842	1,158	1,678				2,842	1,158	1,678
Indiana University Usage	971	498	689				971	498	689
Irrigation Usage	309	806	951	309	806	951	309	806	951
Total	10,788	6,962	12,520	6,974	4,466	5,953	10,788	6,962	12,520

Customer Class	Base - A	MD - A	MH - A	Base - D	MD - D	MH - D	Base - T	MD - T	MH - T
Fire Protection	0.0%	12.1%	33.5%	0.0%	0.0%	0.0%	0.0%	12.1%	33.5%
Hydrants	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
5/8" Meter	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
3/4" Meter	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
1" Meter	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
1.5" Meter	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
2" Meter	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
3" Meter	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
4" Meter	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
6" Meter	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
8" Meter	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
10" Meter	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Residential and Multi Family	40.5%	35.5%	26.9%	62.6%	55.4%	56.5%	40.5%	35.5%	26.9%
Comm, Gov, Interdept Usage	20.0%	15.9%	12.2%	31.0%	24.7%	25.7%	20.0%	15.9%	12.2%
Industrial	1.3%	1.2%	0.9%	2.0%	1.9%	1.9%	1.3%	1.2%	0.9%
Wholesale	26.3%	16.6%	13.4%	0.0%	0.0%	0.0%	26.3%	16.6%	13.4%
Indiana University Usage	9.0%	7.1%	5.5%	0.0%	0.0%	0.0%	9.0%	7.1%	5.5%
Irrigation Usage	2.9%	11.6%	7.6%	4.4%	18.0%	16.0%	2.9%	11.6%	7.6%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%

Bloomington Water Department
Cost of Service Study FY2020
Development of Allocators

Customer Class	Meters	Services	Cust. Serv.	D - Min	Hydrants	Distribution Facilities	Direct Fire Protection	Revenues	Customers	Volume Sales
Fire Protection	-	-	-				1	-	1	
Hydrants	-	-	-		1			1,464,903	1	
5/8" Meter	2,323,785	2,580	4,031	2,580		2,580		455,857	6,450	
3/4" Meter	5,447,075	9,071	11,339	9,071		9,071		1,425,945	15,118	
1" Meter	1,444,778	3,395	3,395	3,395		3,395		431,447	3,395	
1.5" Meter	637,715	962	721	962		962		106,092	481	
2" Meter	805,083	1,701	1,063	1,701		1,701		167,130	532	
3" Meter	291,698	557	278	557		557		67,392	93	
4" Meter	391,341	837	335	837		837		99,968	84	
6" Meter	598,028	1,393	418	1,393		1,393		164,801	70	
8" Meter	98,156	331	83	331		331		36,542	10	
10" Meter	41,458	138	30	138		138		14,121	3	
Residential and Multi Family								5,943,896		1,593,538
Comm, Gov, Interdept Usage								2,491,162		788,343
Industrial								148,842		50,973
Wholesale								2,479,465		1,037,433
Indiana University Usage								840,125		354,483
Irrigation Usage								385,328		112,669
Total	12,079,116	20,964	21,693	20,964	1	20,964	1	16,888,625	26,760	3,937,439

Customer Class	Meters	Services	Cust. Serv.	D - Min	Hydrants	Distribution Facilities	Direct Fire Protection	Revenues	Customers	Volume Sales
Fire Protection	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	40.5%
Hydrants	0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	8.7%	0.0%	0.0%
5/8" Meter	19.2%	12.3%	18.6%	12.3%	0.0%	12.3%	0.0%	2.7%	24.1%	0.0%
3/4" Meter	45.1%	43.3%	52.3%	43.3%	0.0%	43.3%	0.0%	8.4%	56.5%	0.0%
1" Meter	12.0%	16.2%	15.7%	16.2%	0.0%	16.2%	0.0%	2.6%	12.7%	0.0%
1.5" Meter	5.3%	4.6%	3.3%	4.6%	0.0%	4.6%	0.0%	0.6%	1.8%	0.0%
2" Meter	6.7%	8.1%	4.9%	8.1%	0.0%	8.1%	0.0%	1.0%	2.0%	0.0%
3" Meter	2.4%	2.7%	1.3%	2.7%	0.0%	2.7%	0.0%	0.4%	0.3%	0.0%
4" Meter	3.2%	4.0%	1.5%	4.0%	0.0%	4.0%	0.0%	0.6%	0.3%	0.0%
6" Meter	5.0%	6.6%	1.9%	6.6%	0.0%	6.6%	0.0%	1.0%	0.3%	0.0%
8" Meter	0.8%	1.6%	0.4%	1.6%	0.0%	1.6%	0.0%	0.2%	0.0%	0.0%
10" Meter	0.3%	0.7%	0.1%	0.7%	0.0%	0.7%	0.0%	0.1%	0.0%	0.0%
Residential and Multi Family	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	35.2%	0.0%	0.0%
Comm, Gov, Interdept Usage	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	14.8%	0.0%	20.0%
Industrial	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.9%	0.0%	1.3%
Wholesale	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	14.7%	0.0%	26.3%
Indiana University Usage	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	5.0%	0.0%	9.0%
Irrigation Usage	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	2.3%	0.0%	2.9%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

Bloomington Water Department
Cost of Service Study FY2020
Customer Allocator

Customer Class	Number of		Meter Size	Customer Services Weighting	Weighted Time to Read a Meter	Billing Weighting Factor	Meter Equivalent Ratio (based on 5/8)	Equivalent Services	Fire Protection Equivalent Ratio	Outside =1
	Meters	Meter Costs								
Fire Protection	1.0	\$ -	-	0.0	0.0	0.0	0.00	0.00	0.0	0.0
Hydrants	1.0	\$ -	-	0.0	0.0	0.0	0.00	0.00	0.0	0.0
5/8" Meter	6,450	\$ 360	0.63	0.6	0.6	0.6	0.40	0.40	0.0	0.0
3/4" Meter	15,118	\$ 360	0.75	0.8	0.8	0.8	0.60	0.60	0.0	0.0
1" Meter	3,395	\$ 426	1.00	1.0	1.0	1.0	1.00	1.00	0.0	0.0
1.5" Meter	481	\$ 1,327	1.50	1.5	1.5	1.5	2.00	2.00	0.0	0.0
2" Meter	532	\$ 1,515	2.00	2.0	2.0	2.0	3.20	3.20	0.0	0.0
3" Meter	93	\$ 3,145	3.00	3.0	3.0	3.0	6.00	6.00	0.0	0.0
4" Meter	84	\$ 4,677	4.00	4.0	4.0	4.0	10.00	10.00	0.0	0.0
6" Meter	70	\$ 8,584	6.00	6.0	6.0	6.0	20.00	20.00	0.0	0.0
8" Meter	10	\$ 9,499	8.00	8.0	8.0	8.0	32.00	32.00	0.0	0.0
10" Meter	3	\$ 13,819	10.00	10.0	10.0	10.0	46.00	46.00	0.0	0.0
12" Meter	-	\$ 20,105	12.00	12.0	12.0	12.0	86.00	86.00	0.0	0.0
Residential and Multi Family	0.0	\$ -	-	0.0	0.0	0.0	0.00	0.00	0.0	0.0
Comm, Gov, Interdept Usage	0.0	\$ -	-	0.0	0.0	0.0	0.00	0.00	0.0	0.0
Industrial	0.0	\$ -	-	0.0	0.0	0.0	0.00	0.00	0.0	0.0
Wholesale	0.0	\$ -	-	0.0	0.0	0.0	0.00	0.00	0.0	0.0
Indiana University Usage	0.0	\$ -	-	0.0	0.0	0.0	0.00	0.00	0.0	0.0
Irrigation Usage	0.0	\$ -	-	0.0	0.0	0.0	0.00	0.00	0.0	0.0
Private Fire 4" or Less	199.8	\$ 360	4.00	4.0	4.0	4.0	10.00	10.00	10.0	0.0
Private Fire 6"	249.7	\$ 360	6.00	6.0	6.0	6.0	20.00	20.00	20.0	0.0
Private Fire 8"	63.0	\$ 360	8.00	8.0	8.0	8.0	32.00	32.00	32.0	0.0
Private Fire 10"	4.0	\$ 360	10.00	10.0	10.0	10.0	46.00	46.00	46.0	0.0
Private Fire 12"	6.8	\$ 360	12.00	12.0	12.0	12.0	86.00	86.00	86.0	0.0
Fire Pro 5/8" Meter In	5,069	\$ -	0.63	0.0	0.0	0.0	0.40	0.00	0.4	0.0
Fire Pro 3/4" Meter In	10,412	\$ -	0.75	0.0	0.0	0.0	0.60	0.00	0.6	0.0
Fire Pro 1" Meter In	2,772	\$ -	1.00	0.0	0.0	0.0	1.00	0.00	1.0	0.0
Fire Pro 1.5" Meter In	406	\$ -	1.50	0.0	0.0	0.0	2.00	0.00	2.0	0.0
Fire Pro 2" Meter In	426	\$ -	2.00	0.0	0.0	0.0	3.20	0.00	3.2	0.0
Fire Pro 3" Meter In	54	\$ -	3.00	0.0	0.0	0.0	6.00	0.00	6.0	0.0
Fire Pro 4" Meter In	57	\$ -	4.00	0.0	0.0	0.0	10.00	0.00	10.0	0.0
Fire Pro 6" Meter In	49	\$ -	6.00	0.0	0.0	0.0	20.00	0.00	20.0	0.0
Fire Pro 8" Meter In	6	\$ -	8.00	0.0	0.0	0.0	32.00	0.00	32.0	0.0
Fire Pro 10" Meter In	-	\$ -	10.00	0.0	0.0	0.0	46.00	0.00	46.0	0.0
Fire Pro 5/8" Meter Out	1,316	\$ -	0.63	0.0	0.0	0.0	0.40	0.00	0.4	1.0
Fire Pro 3/4" Meter Out	4,881	\$ -	0.75	0.0	0.0	0.0	0.60	0.00	0.6	1.0
Fire Pro 1" Meter Out	605	\$ -	1.00	0.0	0.0	0.0	1.00	0.00	1.0	1.0
Fire Pro 1.5" Meter Out	52	\$ -	1.50	0.0	0.0	0.0	2.00	0.00	2.0	1.0
Fire Pro 2" Meter Out	67	\$ -	2.00	0.0	0.0	0.0	3.20	0.00	3.2	1.0
Fire Pro 3" Meter Out	15	\$ -	3.00	0.0	0.0	0.0	6.00	0.00	6.0	1.0
Fire Pro 4" Meter Out	-	\$ -	4.00	0.0	0.0	0.0	10.00	0.00	10.0	1.0
Fire Pro 6" Meter Out	-	\$ -	6.00	0.0	0.0	0.0	20.00	0.00	20.0	1.0
Fire Pro 8" Meter Out	-	\$ -	8.00	0.0	0.0	0.0	32.00	0.00	32.0	1.0
Fire Pro 10" Meter Out	-	\$ -	10.00	0.0	0.0	0.0	46.00	0.00	46.0	1.0

Bloomington Water Department
Cost of Service Study FY2020
Unit Costs

Rate Class - Units	Extra Capacity - Extra Capacity -			Meters	Services	Cust. Serv.	Distribution Facilities	Billing
	Total	Treatment Base	Distribution Base					
5/8" Meter	-	-	-	2,323,785	2,580	4,031	2,580	6,450
3/4" Meter	-	-	-	5,447,075	9,071	11,339	9,071	15,118
1" Meter	-	-	-	1,444,778	3,395	3,395	3,395	3,395
1.5" Meter	-	-	-	637,715	962	721	962	481
2" Meter	-	-	-	805,083	1,701	1,063	1,701	532
3" Meter	-	-	-	291,698	557	278	557	93
4" Meter	-	-	-	391,341	837	335	837	84
6" Meter	-	-	-	598,028	1,393	418	1,393	70
8" Meter	-	-	-	98,156	331	83	331	10
10" Meter	-	-	-	41,458	138	30	138	3
Residential and Multi Family	4,366	4,366	4,366	-	-	-	-	-
Comm, Gov, Interdept Usage	2,160	2,160	2,160	-	-	-	-	-
Industrial	140	140	140	-	-	-	-	-
Wholesale	2,842		2,842	-	-	-	-	-
Indiana University Usage	971		971	-	-	-	-	-
Irrigation Usage	309	309	309	-	-	-	-	-
Total	10,788	6,974	10,788	12,079,116	20,964	21,693	20,964	26,760

Bloomington Water Department
Cost of Service Study FY2020
Unit Costs

Rate Class - Revenue Requirements	Total	Extra Capacity - Extra Capacity -			Meters	Services	Cust. Serv.	Distribution Facilities	Billing	Revenue Requirements
		Treatment Base	Distribution Base	Transmission Base						
5/8" Meter	-	-	-	239,764	11,889	30,974	130,431	95,987	509,045	
3/4" Meter	-	-	-	562,020	41,804	87,125	458,605	224,998	1,374,553	
1" Meter	-	-	-	149,070	15,646	26,088	171,648	50,528	412,980	
1.5" Meter	-	-	-	65,798	4,431	5,541	48,611	7,155	131,537	
2" Meter	-	-	-	83,067	7,839	8,169	86,002	7,911	192,990	
3" Meter	-	-	-	30,097	2,565	2,138	28,135	1,380	64,315	
4" Meter	-	-	-	40,378	3,856	2,572	42,300	1,245	90,351	
6" Meter	-	-	-	61,704	6,421	3,212	70,444	1,037	142,817	
8" Meter	-	-	-	10,128	1,524	635	16,718	154	29,158	
10" Meter	-	-	-	4,278	636	231	6,977	45	12,166	
Residential and Multi Family	3,543,966	565,470	648,541	-	-	-	-	-	6,904,052	
Comm, Gov, Interdept Usage	1,753,243	279,745	320,841	-	-	-	-	-	3,313,989	
Industrial	113,363	18,088	20,745	-	-	-	-	-	224,112	
Wholesale	2,307,211	-	422,217	-	-	-	-	-	3,294,760	
Indiana University Usage	788,356	-	144,268	-	-	-	-	-	1,175,137	
Irrigation Usage	250,572	39,981	45,854	-	-	-	-	-	1,020,953	
Total	\$ 8,756,710	\$ 903,284	\$ 1,602,467	\$ 1,246,303	\$ 96,612	\$ 166,684	\$ 1,059,873	\$ 398,257	\$ 20,638,493	

Bloomington Water Department
Cost of Service Study FY2020
Unit Costs

Rate Class - Unit Costs	Total	Extra Capacity - Extra Capacity -			Meters	Services	Cust. Serv.	Distribution	
		Treatment Base	Distribution Base	Transmission Base				Facilities	Billing
	Units								
5/8" Meter	6,450	\$ -	\$ -	\$ -	\$ 37.18	\$ 1.84	\$ 4.80	\$ 20.22	\$ 14.88
3/4" Meter	15,118	-	-	-	37.18	2.77	5.76	30.33	14.88
1" Meter	3,395	-	-	-	43.91	4.61	7.68	50.56	14.88
1.5" Meter	481	-	-	-	136.87	9.22	11.53	101.12	14.88
2" Meter	532	-	-	-	156.26	14.75	15.37	161.79	14.88
3" Meter	93	-	-	-	324.49	27.65	23.05	303.35	14.88
4" Meter	84	-	-	-	482.60	46.09	30.74	505.58	14.88
6" Meter	70	-	-	-	885.70	92.17	46.10	1,011.16	14.88
8" Meter	10	-	-	-	980.08	147.47	61.47	1,617.85	14.88
10" Meter	3	-	-	-	1,425.85	211.99	76.84	2,325.66	14.88
Residential and Multi Family	1,593,538	2.22	0.35	0.41	-	-	-	-	-
Comm, Gov, Interdept Usage	788,343	2.22	0.35	0.41	-	-	-	-	-
Industrial	50,973	2.22	0.35	0.41	-	-	-	-	-
Wholesale	1,037,433	2.22	-	0.41	-	-	-	-	-
Indiana University Usage	354,483	2.22	-	0.41	-	-	-	-	-
Irrigation Usage	112,669	2.22	0.35	0.41	-	-	-	-	-

Bloomington Water Department
Cost of Service Study FY2020
Unit Costs

Rate Class - Monthly Unit Costs	Total	Treatment	Distribution	Transmission	Meters	Services	Cust. Serv.	Distribution Facilities	Billing	Total Customer COS	Current Customer Charge
	Units										
5/8" Meter	6,450	\$ -	\$ -	\$ -	\$ 3.10	\$ 0.15	\$ 0.40	\$ 1.69	\$ 1.24	\$ 6.58	\$ 5.89
3/4" Meter	15,118	-	-	-	3.10	0.23	0.48	2.53	1.24	7.58	7.86
1" Meter	3,395	-	-	-	3.66	0.38	0.64	4.21	1.24	10.14	10.59
1.5" Meter	481	-	-	-	11.41	0.77	0.96	8.43	1.24	22.80	18.39
2" Meter	532	-	-	-	13.02	1.23	1.28	13.48	1.24	30.25	26.20
3" Meter	93	-	-	-	27.04	2.30	1.92	25.28	1.24	57.79	60.55
4" Meter	84	-	-	-	40.22	3.84	2.56	42.13	1.24	89.99	99.57
6" Meter	70	-	-	-	73.81	7.68	3.84	84.26	1.24	170.83	197.13
8" Meter	10	-	-	-	81.67	12.29	5.12	134.82	1.24	235.15	294.69
10" Meter	3	-	-	-	118.82	17.67	6.40	193.81	1.24	337.94	392.24
Residential and Multi Family	1,593,538	\$ 2.78	\$ 0.95	\$ 0.60	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4.33	\$ 3.73
Comm, Gov, Interdept Usage	788,343	2.73	0.89	0.58	-	-	-	-	-	4.20	3.16
Industrial	50,973	2.81	0.97	0.61	-	-	-	-	-	4.40	2.92
Wholesale	1,037,433	2.63	-	0.55	-	-	-	-	-	3.18	2.39
Indiana University Usage	354,483	2.73	-	0.59	-	-	-	-	-	3.32	2.37
Irrigation Usage	112,669	4.80	2.97	1.29	-	-	-	-	-	9.06	3.42

Bloomington Water Department
Cost of Service Study FY2020
Fire Protection

Allocation of Costs to Public and Private Fire Service - Base Extra Capacity Method 2020

Allocated Fire Protection Costs	\$ 1,418,235
Direct Fire Protection	319,557
Total Fire Protection Costs	1,737,792

Private Fire Service Allocation	197,944
Fire Service Equivalent Units	56,804
Charge per Equivalent Unit	3.48

Line No.	Private Fire Meter Size (Inches)	Number of Services	Demand Factor	Equivalent Connections	Annual Charge	Monthly Rate	Customer and Billing	Cost of Service		% Change
								Meter \$/Month	Current Meter \$/Month	
4	4	200	38.32	7,654	\$ 26,673	\$ 11.13	\$ 1.24	\$ 12.37	\$ 9.86	25%
5	6	250	111.31	27,791	\$ 96,842	32.32	1.24	33.56	27.40	22%
6	8	63	237.21	14,944	\$ 52,076	68.88	1.24	70.12	56.15	25%
7	10	4	426.58	1,706	\$ 5,946	123.88	1.24	125.12	98.34	27%
8	12	7	689.04	4,708	\$ 16,408	200.09	1.24	201.33	155.05	30%

**Bloomington Water Department
Cost of Service Study FY2020**

Fire Protection

Public Fire Protection

Fire Protection	830,267
Hydrants	220,013
Total	1,050,280
Equivalent Meters	40,414
Annual Rate - EQ	25.99

Meter Size	Number of Customers	Factor	Equivalent Meters	Fire Protection Costs	Cost of Service Meter \$/Month	Current Meter \$/Month	% Change
Fire Pro 5/8" Meter In	5,134	1.00	5,134	133,423.31	\$ 2.17	\$ 1.96	10%
Fire Pro 3/4" Meter In	10,237	1.50	15,355	399,048.51	3.25	2.93	11%
Fire Pro 1" Meter In	2,791	2.50	6,976	181,297.09	5.41	4.89	11%
Fire Pro 1.5" Meter In	429	5.00	2,145	55,754.57	10.83	9.78	11%
Fire Pro 2" Meter In	465	8.00	3,718	96,622.48	17.33	15.64	11%
Fire Pro 3" Meter In	78	15.00	1,170	30,405.68	32.48	34.23	-5%
Fire Pro 4" Meter In	72	25.00	1,794	46,615.54	54.14	58.67	-8%
Fire Pro 6" Meter In	62	50.00	3,083	80,128.92	108.28	122.27	-11%
Fire Pro 8" Meter In	9	80.00	693	18,018.18	173.25	176.06	-2%
Fire Pro 10" Meter In	3	115.00	345	8,965.78	249.05	283.63	-12%
Fire Pro 5/8" Meter Out	1,316	1.00	1,316	53,693.60	3.40	3.28	4%
Fire Pro 3/4" Meter Out	4,881	1.50	7,322	298,855.62	5.10	4.93	3%
Fire Pro 1" Meter Out	605	2.50	1,511	61,691.86	8.50	8.22	3%
Fire Pro 1.5" Meter Out	52	5.00	258	10,544.16	17.01	16.41	4%
Fire Pro 2" Meter Out	67	8.00	535	21,823.02	27.21	26.29	4%
Fire Pro 3" Meter Out	15	15.00	221	9,030.57	51.02	57.50	-11%
Fire Pro 4" Meter Out	12	25.00	298	12,159.80	85.03	98.53	-14%
Fire Pro 6" Meter Out	8	50.00	400	16,326.45	170.07	205.29	-17%
Fire Pro 8" Meter Out	2	80.00	133	5,442.15	272.11	295.60	-8%

Bloomington Water Department
Cost of Service Study FY2020
Results (by defined group)

TOTAL COST OF SERVICE (by defined group)

Customer Class	Cost of Service (\$)	Projected Revenues (\$)	% Change
Fire Protection	\$ 1,745,579	\$ 1,630,512	7.1%
Meter Charges	2,959,911	2,969,294	-0.3%
Residential and Multi Family	6,904,052	5,943,896	16.2%
Comm, Gov, Interdept Usage	3,313,989	2,491,162	33.0%
Industrial	224,112	148,842	50.6%
Wholesale	3,294,760	2,479,465	32.9%
Indiana University Usage	1,175,137	840,125	39.9%
Irrigation Usage	1,020,953	385,328	165.0%
Total	\$ 20,638,493	\$ 16,888,625	22.20%

Preliminary Revenue Requirements Report

Bloomington Municipal Water Utility
December 29, 2020

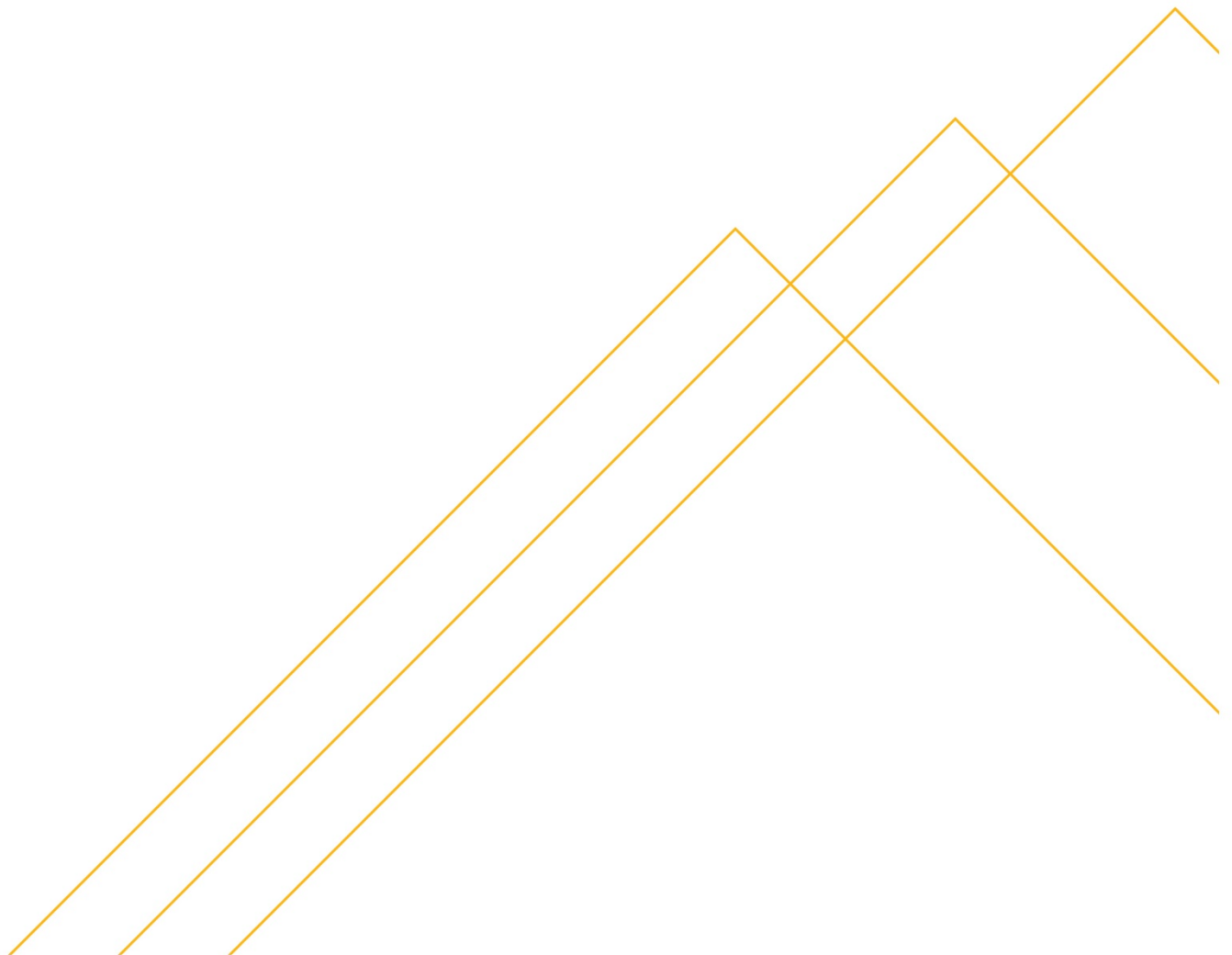


Table of Contents

Purpose of the Report	1
Financial Statements	2
Balance Sheets as of March 31, 2020, December 31, 2019, and December 31, 2018.....	2
Combined Outstanding Debt	4
Amended Waterworks Revenue Bonds of 2006, Series A-1 Amortization Schedule	5
Waterworks Revenue Bonds of 2017 Amortization Schedule.....	6
Waterworks Refunding Revenue Bonds of 2020, Series A Amortization Schedule	7
Waterworks Refunding Revenue Bonds of 2020, Series B Amortization Schedule	8
ESG Solar Lease Amortization Schedule.....	9
Equipment Lease Purchase for Advance Metering Infrastructure Project Amortization Schedule ...	10
Statements of Income for the Twelve Months Ended March 31, 2020, December 31, 2019, and December 31, 2018	11
Adjustments to the Financial Statements	14
Adjusted Statement of Income	14
Detail of Adjustments.....	16
Capital Improvement Plan	18
Proposed Waterworks Revenue Bonds, Series 2022	20
Estimated Sources and Uses of Funds	20
Estimated Amortization Schedule.....	21
Estimated Combined Debt after Issuance of the Proposed 2022 Bonds	22
Statement of Revenue Requirements	23
Schedule of Present Rates and Charges	24
Schedule of Non-Recurring Charges	26
Appendix A: Risks and Assumptions	27
Risks	27
Assumptions	28

Purpose of the Report

Crowe LLP (“Crowe” or “we”) has performed a study and analysis of the operating and financial reports, budgets, and other data pertaining to Bloomington Municipal Water Utility (“Utility”). The results of our analysis are contained in this Preliminary Revenue Requirements Report (“Report”).

The purpose of this Report is to estimate the Utility’s on-going revenue requirements for operation and maintenance expenses, current and proposed debt service payments, and make capital improvements to the Utility’s system. This Report is based on data for the twelve months ended March 31, 2020 (“Test Year”). The historical information used in this Report was taken from the books and records of the Utility and was adjusted as necessary for fixed, known, and measurable items as disclosed in the schedules of this Report.

In the course of preparing this Report, we have not conducted an audit of any financial or supplemental data used in the accompanying exhibits and schedules. We have made certain projections that may vary from actual results because events and circumstances frequently do not occur as estimated and such variances may be material. We have no responsibility to update this Report for events and circumstances occurring after the date of this Report.

If you have any questions regarding this Report, please call Jennifer Wilson at (317) 269-6699 or Craig Lotz at (317) 689-5512.

Financial Statements

Balance Sheets as of March 31, 2020, December 31, 2019, and December 31, 2018

ASSETS AND OTHER DEBITS	March 31, 2020	December 31, 2019	December 31, 2018
<u>Utility Plant</u>			
Utility Plant in Service	\$ 145,333,991	\$ 145,149,832	\$ 142,381,674
Less: Accumulated Depreciation	(56,805,829)	(56,805,829)	(53,642,740)
Accumulated Amortization	(60,794)	(60,794)	(58,768)
Net Utility Plant in Service	88,467,368	88,283,209	88,680,166
Add: Construction Work in Progress	6,027,906	5,463,406	3,738,465
Net Utility Plant	94,495,274	93,746,615	92,418,631
<u>Restricted Assets</u>			
Sinking Fund	806,964	262	61
Hydrant Meter Fund	43,300	43,650	43,950
Cash with Fiscal Agent	1,987,325	3,595,052	1,609,148
Debt Service Reserve Fund	6,252,339	6,252,339	6,120,952
Construction Fund	657,793	936,801	1,846,167
Total Restricted Assets	9,747,721	10,828,104	9,620,278
<u>Current and Accrued Assets</u>			
Operation and Maintenance Fund	2,592,434	3,642,292	3,634,267
Accounts Receivable - Net	1,024,926	1,053,201	927,396
Materials and Supplies	645,349	689,508	633,238
Prepaid Expenses	623	623	623
Total Current and Accrued Assets	4,263,332	5,385,624	5,195,524
<u>Deferred Debits</u>			
Unamortized Bond Discount	509,100	509,100	515,217
Unamortized Bond Issuance Costs	66,625	66,625	84,071
Deferral Loss on Advancement	-	-	55,215
Total Deferred Debits	575,725	575,725	654,503
Total Assets and Other Debits	\$ 109,082,052	\$ 110,536,068	\$ 107,888,936

Data Source: Utility

Balance Sheets as of March 31, 2020, December 31, 2019, and December 31, 2018 (Continued)

LIABILITIES AND OTHER CREDITS	March 31, 2020	December 31, 2019	December 31, 2018
<u>Equity Capital</u>			
Unappropriated Retained Earnings	\$ 47,632,059	\$ 44,321,267	\$ 40,066,983
Current Year Earnings	369,440	3,310,792	4,254,284
Prior Period Adjustments	25,943	25,943	25,943
Total Equity Capital	<u>48,027,442</u>	<u>47,658,002</u>	<u>44,347,210</u>
<u>Long Term Debt</u>			
Refunding Revenue Bonds of 2003	-	-	550,000
Revenue Bonds of 2011 (1)	29,130,000	30,480,000	31,225,000
Amended 2006 Bonds	1,950,200	2,227,700	2,491,200
Revenue Bonds of 2017	3,990,000	4,255,000	4,430,000
State Revolving Fund Loans (1)	5,939,000	8,084,000	10,160,000
Long Term Lease	3,348,000	3,348,000	-
Total Long Term Debt	<u>44,357,200</u>	<u>48,394,700</u>	<u>48,856,200</u>
<u>Current and Accrued Liabilities</u>			
Accounts Payable	(3,883)	309,764	281,881
Revenue Bonds - Current	1,807,500	789,100	759,600
State Revolving Fund Loans - Current	1,612,000	-	-
Accounts Payable to Associated Company	3,091	3,091	421,765
Compensated Absences Payable	119,106	119,106	147,345
Customer Deposits	43,300	43,650	43,950
Unearned Revenue	71,233	70,907	68,545
Accrued Taxes	60,966	79,651	72,443
Accrued Payroll	134,876	134,876	123,999
Short Term Lease	168,000	252,000	75,273
Total Current and Accrued Liabilities	<u>4,016,189</u>	<u>1,802,145</u>	<u>1,994,801</u>
<u>Deferred Credits</u>			
Unamortized Bond Premium	204,603	204,603	214,107
Contributions in Aid of Construction	12,476,618	12,476,618	12,476,618
Total Liabilities and Other Credits	<u>\$ 109,082,052</u>	<u>\$ 110,536,068</u>	<u>\$ 107,888,936</u>

(1) The Utility issued its Waterworks Revenue Refunding Bonds of 2020, Series A and Series B, in May of 2020 which refunded the Utility's 2011 Bonds and the Utility's State Revolving Fund Loans.

Data Source: Utility

Combined Outstanding Debt

Year	Amended 2006 Bonds	2017 Bonds	2020A Refunding Bonds	2020B Refunding Bonds	Total
2020	\$ 381,207	\$ 299,444	\$ 1,525,611	\$ 1,177,374	\$ 3,383,636
2021	381,836	295,844	1,577,288	3,023,160	5,278,128
2022	376,721	297,244	1,569,713	3,035,140	5,278,818
2023	380,895	298,494	1,278,000	3,320,625	5,278,014
2024	374,101	299,694	1,279,251	3,324,087	5,277,133
2025	376,743	299,244		4,603,413	5,279,400
2026	378,382	303,169		4,595,355	5,276,906
2027		301,794		4,976,140	5,277,934
2028		300,344		4,976,858	5,277,202
2029		303,669			303,669
2030		301,769			301,769
2031		304,644			304,644
2032		306,907			306,907
2033		308,859			308,859
2034		310,500			310,500
2035		311,569			311,569
2036		312,306			312,306
2037		315,038			315,038
Totals	<u>\$ 2,649,885</u>	<u>\$ 5,470,532</u>	<u>\$ 7,229,863</u>	<u>\$ 33,032,152</u>	<u>\$ 48,382,432</u>
Average Annual Debt Service (2021-2025)					<u>\$ 5,278,299</u>

Amended Waterworks Revenue Bonds of 2006, Series A-1 Amortization Schedule

Date	Principal	Coupon	Interest	Period Total	Fiscal Total
7/1/20	\$ 138,900	4.73 %	\$ 53,496	\$ 192,396	
1/1/21	138,600	4.75	50,211	188,811	\$ 381,207
7/1/21	143,300	4.75	46,920	190,220	
1/1/22	148,100	4.78	43,516	191,616	381,836
7/1/22	147,800	4.78	39,977	187,777	
1/1/23	152,500	4.80	36,444	188,944	376,721
7/1/23	157,200	4.80	32,784	189,984	
1/1/24	161,900	4.83	29,011	190,911	380,895
7/1/24	161,600	4.83	25,102	186,702	
1/1/25	166,200	4.83	21,199	187,399	374,101
7/1/25	170,900	4.83	17,185	188,085	
1/1/26	175,600	4.83	13,058	188,658	376,743
7/1/26	180,200	4.83	8,817	189,017	
1/1/27	<u>184,900</u>	4.83	<u>4,465</u>	<u>189,365</u>	<u>378,382</u>
Totals	<u>\$ 2,227,700</u>		<u>\$ 422,185</u>	<u>\$ 2,649,885</u>	

Note: The 2006 A-1 Bonds were issued through the Indiana Bond Bank. The amortization schedule was amended March 26, 2015, and resulted in a reduction in the overall payments of approximately \$480,000.

Data Source: Bond Specimen for the Amended 2006 Series A Bonds, as recalculated by Crowe.

Waterworks Revenue Bonds of 2017 Amortization Schedule

Date	Principal	Coupon	Interest	Period Total	Fiscal Total
7/1/20	\$ 90,000	2.000 %	\$ 60,172	\$ 150,172	
1/1/21	90,000	2.000	59,272	149,272	\$ 299,444
7/1/21	90,000	2.000	58,372	148,372	
1/1/22	90,000	2.000	57,472	147,472	295,844
7/1/22	90,000	2.000	56,572	146,572	
1/1/23	95,000	2.000	55,672	150,672	297,244
7/1/23	95,000	2.000	54,722	149,722	
1/1/24	95,000	2.000	53,772	148,772	298,494
7/1/24	95,000	2.000	52,822	147,822	
1/1/25	100,000	3.000	51,872	151,872	299,694
7/1/25	100,000	3.000	50,372	150,372	
1/1/26	100,000	3.000	48,872	148,872	299,244
7/1/26	105,000	3.000	47,372	152,372	
1/1/27	105,000	3.000	45,797	150,797	303,169
7/1/27	110,000	3.000	44,222	154,222	
1/1/28	105,000	3.000	42,572	147,572	301,794
7/1/28	110,000	3.000	40,997	150,997	
1/1/29	110,000	3.000	39,347	149,347	300,344
7/1/29	115,000	3.000	37,697	152,697	
1/1/30	115,000	3.000	35,972	150,972	303,669
7/1/30	115,000	3.000	34,247	149,247	
1/1/31	120,000	3.000	32,522	152,522	301,769
7/1/31	120,000	3.000	30,722	150,722	
1/1/32	125,000	3.125	28,922	153,922	304,644
7/1/32	130,000	3.125	26,969	156,969	
1/1/33	125,000	3.125	24,938	149,938	306,907
7/1/33	135,000	3.125	22,984	157,984	
1/1/34	130,000	3.125	20,875	150,875	308,859
7/1/34	140,000	3.125	18,844	158,844	
1/1/35	135,000	3.250	16,656	151,656	310,500
7/1/35	145,000	3.250	14,463	159,463	
1/1/36	140,000	3.250	12,106	152,106	311,569
7/1/36	145,000	3.250	9,831	154,831	
1/1/37	150,000	3.250	7,475	157,475	312,306
7/1/37	310,000	3.250	5,038	315,038	315,038
Totals	<u>\$ 4,170,000</u>		<u>\$ 1,300,532</u>	<u>\$ 5,470,532</u>	

Data Source: Waterworks Revenue Bonds of 2017 Final Official Statement, as recalculated by Crowe.

Waterworks Refunding Revenue Bonds of 2020, Series A Amortization Schedule

Date	Principal	Coupon	Interest	Period Total	Fiscal Total
7/1/20	\$ 190,000	1.50 %	\$ 9,611	\$ 199,611	
1/1/21	1,275,000	1.50	51,000	1,326,000	\$ 1,525,611
7/1/21	745,000	1.50	41,438	786,438	
1/1/22	755,000	1.50	35,850	790,850	1,577,288
7/1/22	755,000	1.50	30,188	785,188	
1/1/23	760,000	1.50	24,525	784,525	1,569,713
7/1/23	620,000	1.50	18,825	638,825	
1/1/24	625,000	1.50	14,175	639,175	1,278,000
7/1/24	630,000	1.50	9,488	639,488	
1/1/25	635,000	1.50	4,763	639,763	1,279,251
Totals	<u>\$ 6,990,000</u>		<u>\$ 239,863</u>	<u>\$ 7,229,863</u>	

Data Source: Waterworks Refunding Revenue Bonds of 2020, Series A Amortization Schedule provided by the Utility, as recalculated by Crowe.

Waterworks Refunding Revenue Bonds of 2020, Series B Amortization Schedule

Date	Principal	Coupon	Interest	Period Total	Fiscal Total
7/1/20	\$ 155,000	1.300 %	\$ 47,003	\$ 202,003	
1/1/21	720,000	1.300	255,371	975,371	\$ 1,177,374
7/1/21	1,265,000	1.300	250,691	1,515,691	
1/1/22	1,265,000	1.300	242,469	1,507,469	3,023,160
7/1/22	1,285,000	1.300	234,246	1,519,246	
1/1/23	1,290,000	1.300	225,894	1,515,894	3,035,140
7/1/23	1,445,000	1.300	217,509	1,662,509	
1/1/24	1,450,000	1.700	208,116	1,658,116	3,320,625
7/1/24	1,470,000	1.700	195,791	1,665,791	
1/1/25	1,475,000	1.700	183,296	1,658,296	3,324,087
7/1/25	2,130,000	1.700	170,759	2,300,759	
1/1/26	2,150,000	1.700	152,654	2,302,654	4,603,413
7/1/26	2,165,000	1.700	134,379	2,299,379	
1/1/27	2,180,000	1.950	115,976	2,295,976	4,595,355
7/1/27	2,390,000	1.950	94,721	2,484,721	
1/1/28	2,420,000	1.950	71,419	2,491,419	4,976,140
7/1/28	2,440,000	1.950	47,824	2,487,824	
1/1/29	<u>2,465,000</u>	1.950	<u>24,034</u>	<u>2,489,034</u>	4,976,858
Totals	<u>\$ 30,160,000</u>		<u>\$ 2,872,152</u>	<u>\$ 33,032,152</u>	

Data Source: Waterworks Refunding Revenue Bonds of 2020, Series B Amortization Schedule provided by the Utility, as recalculated by Crowe.

ESG Solar Lease Amortization Schedule

Date	Principal	Coupon	Interest	Period Total	Fiscal Total	Water Portion (1)
6/30/20	\$ 263,273	2.97 %	\$ 184,342	\$ 447,615		
12/30/20	267,183	2.97	180,432	447,615	\$ 895,230	\$ 189,646
6/30/21	271,150	2.97	176,465	447,615		
12/30/21	275,177	2.97	172,438	447,615	895,230	189,646
6/30/22	279,263	2.97	168,352	447,615		
12/30/22	283,410	2.97	164,205	447,615	895,230	189,646
6/30/23	287,619	2.97	159,996	447,615		
12/30/23	291,890	2.97	155,725	447,615	895,230	189,646
6/30/24	296,225	2.97	151,390	447,615		
12/30/24	300,623	2.97	146,991	447,614	895,229	189,645
6/30/25	305,088	2.97	142,527	447,615		
12/30/25	309,618	2.97	137,997	447,615	895,230	189,646
6/30/26	314,216	2.97	133,399	447,615		
12/30/26	318,882	2.97	128,733	447,615	895,230	189,646
6/30/27	323,618	2.97	123,997	447,615		
12/30/27	328,423	2.97	119,192	447,615	895,230	189,646
6/30/28	333,300	2.97	114,315	447,615		
12/30/28	338,250	2.97	109,365	447,615	895,230	189,646
6/30/29	343,273	2.97	104,342	447,615		
12/30/29	348,371	2.97	99,244	447,615	895,230	189,646
6/30/30	353,544	2.97	94,071	447,615		
12/30/30	358,794	2.97	88,821	447,615	895,230	189,646
6/30/31	364,122	2.97	83,493	447,615		
12/30/31	369,529	2.97	78,086	447,615	895,230	189,646
6/30/32	375,017	2.97	72,598	447,615		
12/30/32	380,586	2.97	67,029	447,615	895,230	189,646
6/30/33	386,237	2.97	61,377	447,614		
12/30/33	391,973	2.97	55,642	447,615	895,229	189,645
6/30/34	397,794	2.97	49,821	447,615		
12/30/34	403,701	2.97	43,914	447,615	895,230	189,646
6/30/35	409,696	2.97	37,919	447,615		
12/30/35	415,780	2.97	31,835	447,615	895,230	189,646
6/30/36	421,954	2.97	25,661	447,615		
12/30/36	428,220	2.97	19,395	447,615	895,230	189,646
6/30/37	434,580	2.97	13,035	447,615		
10/30/37	443,227	2.97	4,388	447,615	895,230	189,646
Totals	<u>\$ 12,413,606</u>		<u>\$ 3,700,532</u>	<u>\$ 16,114,138</u>		
Average Annual Lease Payment						<u>\$ 189,646</u>

- (1) The ESG Solar Lease payments are allocated between the Water Utility, the City of Bloomington Sewage Works, the City of Bloomington Redevelopment Commission, and the City of Bloomington Parks & Recreation Department. The Utility's allocated share is twenty-one and one hundred and eighty-four thousandths percent (21.184%). The ESG Solar Lease payments are not on parity with the outstanding bonds of the Utility.

Data Source: ESG Solar Lease Payment Schedule, as recalculated by Crowe.

Equipment Lease Purchase for Advance Metering Infrastructure Project Amortization Schedule

Date	Principal	Coupon	Interest	Period Total	Fiscal Total	Water Portion (1)
8/15/20	\$ 420,000	3.40 %	\$ 149,430	\$ 569,430		
2/15/21	430,000	3.40	142,290	572,290	\$ 1,141,720	\$ 456,688
8/15/21	435,000	3.40	134,980	569,980		
2/15/22	445,000	3.40	127,585	572,585	1,142,565	457,026
8/15/22	450,000	3.40	120,020	570,020		
2/15/23	460,000	3.40	112,370	572,370	1,142,390	456,956
8/15/23	470,000	3.40	104,550	574,550		
2/15/24	470,000	3.40	96,560	566,560	1,141,110	456,444
8/15/24	485,000	3.40	88,570	573,570		
2/15/25	490,000	3.40	80,325	570,325	1,143,895	457,558
8/15/25	500,000	3.40	71,995	571,995		
2/15/26	505,000	3.40	63,495	568,495	1,140,490	456,196
8/15/26	520,000	3.40	54,910	574,910		
2/15/27	520,000	3.40	46,070	566,070	1,140,980	456,392
8/15/27	535,000	3.40	37,230	572,230		
2/15/28	540,000	3.40	28,135	568,135	1,140,365	456,146
8/15/28	555,000	3.40	18,955	573,955		
2/15/29	<u>560,000</u>	3.40	<u>9,520</u>	<u>569,520</u>	1,143,475	457,390
Totals	<u>\$ 8,790,000</u>		<u>\$ 1,486,990</u>	<u>\$ 10,276,990</u>		
Average Annual Lease Payment						<u>\$ 456,755</u>

- (1) The Advance Metering Infrastructure Project lease payments are allocated between the Water Utility and the City of Bloomington Sewage Works. The Water Utility's allocated share is forty percent (40%). The Advance Metering Infrastructure Project lease payments are not on parity with the outstanding bonds of the Utility.

Data Source: Equipment Lease Purchase for Advance Metering Infrastructure Project Agreement, as recalculated by Crowe.

Statements of Income for the Twelve Months Ended March 31, 2020, December 31, 2019, and December 31, 2018

	March 31, 2020	December 31, 2019	December 31, 2018
Operating Revenues			
Metered Sales Residential	\$ 4,750,585	\$ 4,782,223	\$ 4,726,481
Metered Sales Commercial	1,916,871	1,962,829	2,064,859
Metered Sales Industrial	167,090	158,404	152,733
Sales to Public Authorities	1,859,847	1,829,604	2,042,016
Multiple Family Dwellings	3,709,181	3,668,236	3,678,376
Public Fire Protection	812,080	811,339	809,601
Private Fire Protection	807,957	801,996	780,375
Irrigation Sales	385,329	380,685	366,580
Sales for Resale	2,479,467	2,416,353	2,431,102
Forfeited Discounts	36,010	41,367	32,680
Connection Charges	265,155	376,318	414,431
Miscellaneous Operating Revenues	515,026	472,821	372,658
Total Operating Revenues	17,704,598	17,702,175	17,871,892
Operating Expenses			
Operation and Maintenance Expenses			
Source of Supply			
Purchased Water	173,209	169,538	178,467
Purchased Power	677,071	671,417	645,310
Materials and Supplies	24,462	37,609	30,213
Total Source of Supply	874,742	878,564	853,990
Treatment			
Salaries and Wages	924,118	921,955	803,092
Employee Pensions and Benefits	306,237	416,999	392,597
Purchased Power	227,533	230,095	228,331
Chemicals	1,062,392	1,079,054	860,339
Materials and Supplies	287,219	270,239	374,361
Contractual Services - Engineering	-	4,945	2,228
Contractual Services - Testing	30,063	29,018	34,323
Contractual Services - Other	6,558	4,463	3,400
Transportation Expenses	31,162	29,428	34,321
Miscellaneous Expenses	45,879	43,256	34,189
Total Treatment	2,921,161	3,029,452	2,767,181

Data Source: Utility

Statements of Income (Continued)

	March 31, 2020	December 31, 2019	December 31, 2018
Transmission and Distribution			
Salaries and Wages	\$ 803,723	\$ 792,239	\$ 728,733
Employee Pensions and Benefits	291,815	412,343	399,391
Purchased Power	416,736	435,543	358,149
Materials and Supplies	531,614	498,209	346,232
Transportation Expenses	127,038	125,703	107,984
Miscellaneous Expenses	29,112	27,423	21,139
Total Transmission and Distribution	2,200,038	2,291,460	1,961,628
Customer Account			
Salaries and Wages	358,590	352,556	365,741
Employee Pensions and Benefits	137,947	199,707	200,475
Materials and Supplies	107,244	102,121	118,855
Transportation Expenses	19,422	19,189	20,722
Bad Debt Expense	-	10,956	10,323
Miscellaneous Expenses	137,585	134,853	119,477
Total Customer Account	760,788	819,382	835,593
Administrative and General			
Salaries and Wages	1,002,785	989,983	955,893
Employee Pensions and Benefits	325,833	454,516	467,579
Purchased Power	6,004	5,117	7,118
Materials and Supplies	76,284	88,436	78,476
Contractual Services - Engineering	14,074	14,074	-
Contractual Services - Accounting	10,347	2,696	25,608
Contractual Services - Legal	799	3,494	15,717
Contractual Services - Testing	48,820	14,406	30,685
Contractual Services - Other	34,118	34,016	20,647
Transportation Expenses	34,237	30,329	25,707
Insurance - General Liability	102,314	76,924	75,714
Insurance - Other	7,167	5,548	2,000
Advertising Expense	945	843	6,687
Miscellaneous Expenses	1,290,686	702,946	444,137
Total Administrative and General	2,954,413	2,423,328	2,155,968
Total Operation and Maintenance Expenses	9,711,142	9,442,186	8,574,360
Depreciation Expense	3,163,089	3,163,089	2,995,754
Amortization Expense	2,026	2,026	3,040
Taxes Other Than Income Taxes			
Utility Receipts Tax	202,272	196,144	208,863
Payment in Lieu of Property Taxes	303,188	-	-
Total Taxes Other Than Income Taxes	505,460	196,144	208,863
Total Operating Expenses	13,381,717	12,803,445	11,782,017
Net Operating Income	4,322,881	4,898,730	6,089,875

Data Source: Utility

Statements of Income (Continued)

	March 31, 2020	December 31, 2019	December 31, 2018
<u>Other Income</u>			
Interest Income	\$ 285,328	\$ 299,569	\$ 153,617
Miscellaneous Other Income	<u>7,750</u>	<u>9,680</u>	<u>13,100</u>
Total Other Income	<u>293,078</u>	<u>309,249</u>	<u>166,717</u>
<u>Other Expenses</u>			
Interest Expense	1,989,288	1,895,587	2,000,708
Miscellaneous Other Expenses	<u>1,600</u>	<u>1,600</u>	<u>1,600</u>
Total Other Expenses	<u>1,990,888</u>	<u>1,897,187</u>	<u>2,002,308</u>
Net Income	<u>\$ 2,625,071</u>	<u>\$ 3,310,792</u>	<u>\$ 4,254,284</u>

Data Source: Utility

Adjustments to the Financial Statements

Adjusted Statement of Income

	March 31, 2020	Adjustment	Pro Forma
Operating Revenues			
Metered Sales Residential	\$ 4,750,585		\$ 4,750,585
Metered Sales Commercial	1,916,871		1,916,871
Metered Sales Industrial	167,090		167,090
Sales to Public Authorities	1,859,847		1,859,847
Multiple Family Dwellings	3,709,181		3,709,181
Public Fire Protection	812,080		812,080
Private Fire Protection	807,957		807,957
Irrigation Sales	385,329		385,329
Sales for Resale	2,479,467		2,479,467
Forfeited Discounts	36,010		36,010
Connection Charges	265,155		265,155
Miscellaneous Operating Revenues	515,026		515,026
Total Operating Revenues	17,704,598		17,704,598
Operating Expenses			
Operation and Maintenance Expenses			
Source of Supply			
Purchased Water	173,209		173,209
Purchased Power	677,071		677,071
Materials and Supplies	24,462		24,462
Total Source of Supply	874,742		874,742
Treatment			
Salaries and Wages	924,118	\$ 28,344 (1)	952,462
Employee Pensions and Benefits	306,237	111,737 (2)	423,427
		5,453 (7)	
Purchased Power	227,533		227,533
Chemicals	1,062,392		1,062,392
Materials and Supplies	287,219		287,219
Contractual Services - Engineering	-		-
Contractual Services - Testing	30,063		30,063
Contractual Services - Other	6,558		6,558
Transportation Expenses	31,162		31,162
Miscellaneous Expenses	45,879		45,879
Total Treatment	2,921,161	145,534	3,066,695
Transmission and Distribution			
Salaries and Wages	803,723	29,534 (1)	833,257
Employee Pensions and Benefits	291,815	123,872 (2)	421,580
		5,893 (7)	
Purchased Power	416,736		416,736
Materials and Supplies	531,614	(6,398) (3)	525,216
Transportation Expenses	127,038		127,038
Miscellaneous Expenses	29,112		29,112
Total Transmission and Distribution	2,200,038	152,901	2,352,939

See Appendix A: Risks and Assumptions

Adjusted Statement of Income (Continued)

	March 31, 2020	Adjustment	Pro Forma
Customer Account			
Salaries and Wages	\$ 358,590	\$ 85,794 (1)	\$ 444,384
Employee Pensions and Benefits	137,947	133,452 (2)	275,140
		3,741 (7)	
Materials and Supplies	107,244		107,244
Transportation Expenses	19,422		19,422
Bad Debt Expense	-	10,639 (4)	10,639
Miscellaneous Expenses	137,585		137,585
Total Customer Account	760,788	233,626	994,414
Administrative and General			
Salaries and Wages	1,002,785	16,941 (1)	1,019,726
Employee Pensions and Benefits	325,833	112,591 (2)	446,586
		8,162 (7)	
Purchased Power	6,004		6,004
Materials and Supplies	76,284		76,284
Contractual Services - Engineering	14,074		14,074
Contractual Services - Accounting	10,347		10,347
Contractual Services - Legal	799		799
Contractual Services - Testing	48,820		48,820
Contractual Services - Other	34,118		34,118
Transportation Expenses	34,237		34,237
Insurance - General Liability	102,314		102,314
Insurance - Other	7,167		7,167
Advertising Expense	945		945
Miscellaneous Expenses	1,290,686	(373,234) (3)	778,168
		(189,646) (5)	
		50,362 (6)	
Total Administrative and General	2,954,413	(374,824)	2,579,589
Total Operation and Maintenance Expenses	9,711,142	157,237	9,868,379
Depreciation Expense	3,163,089		3,163,089
Amortization Expense	2,026		2,026
Taxes Other Than Income Taxes			
Utility Receipts Tax	202,272		202,272
Payment in Lieu of Property Taxes	303,188	55,354 (8)	358,542
Total Taxes Other Than Income Taxes	505,460	55,354	560,814
Total Operating Expenses	13,381,717	212,591	13,594,308
Net Operating Income	\$ 4,322,881	\$ (212,591)	\$ 4,110,290

See Appendix A: Risks and Assumptions

Detail of Adjustments

(1)

To adjust Salaries and Wages (exclusive of overtime) for the budgeted changes in the 2021 Budget.

	<u>Pro Forma</u>	<u>Test Year</u>	<u>Increase</u>
Treatment	\$ 827,827	\$ 799,483	\$ 28,344
Transmission and Distribution	802,108	772,574	29,534
Customer Account	811,260	725,466	85,794
Administrative and General	<u>633,244</u>	<u>616,303</u>	<u>16,941</u>
Total	\$ 3,074,439	\$ 2,913,826	\$ 160,613

(2)

To adjust Employee Pension and Benefits for the budgeted changes in the 2021 Budget and to include health insurance trust expense annually paid to the City that were not included in the Test Year.

	<u>Pro Forma</u>	<u>Test Year</u>	<u>Increase</u>
Treatment	\$ 350,565	\$ 238,828	\$ 111,737
Transmission and Distribution	357,836	233,964	123,872
Customer Account	349,832	216,380	133,452
Administrative and General	<u>259,890</u>	<u>147,299</u>	<u>112,591</u>
Total	\$ 1,318,123	\$ 836,471	\$ 481,652

(3)

To adjust Operation and Maintenance Expenses for non-recurring expenses.

<u>Area</u>	<u>Expense Classification</u>	
Transmission and Distribution	Materials and Supplies	\$ (6,398)
	<i>Purchase of custom utility trailer</i>	
Administrative and General	Miscellaneous Expenses	<u>(373,234)</u>
	<i>Cost of organizational assesement, security costs for Griffy Plant Grounds, grant matching funds given to Friends of Monroe, water and conservation program adjustment</i>	
Total		\$ (379,632)

(4)

To adjust "Operation and Maintenance Expenses" for a typical year of Bad Debt expenses based on a two-year average.

Average Bad Debt Expense 2018-2019	\$ 10,639
Less: Test Year	<u>-</u>
Adjustment - Increase	\$ 10,639

(5)

To adjust "Operation and Maintenance Expenses" to remove the ESG Solar Lease Payment from Operating Expenses.

<u>Area</u>	<u>Expense Classification</u>	
Administrative and General	Miscellaneous Expenses	<u>\$ (189,646)</u>

See Appendix A: Risks and Assumptions

Detail of Adjustments (Continued)

(6)

To adjust "Operation and Maintenance Expenses" for the Water Utility's portion of the 2019 Shared Services Contract between City of Bloomington Utilities ("CBU") and the City of Bloomington.

<u>Area</u>	<u>Expense Classification</u>		
Administrative and General	Miscellaneous Expenses	\$	611,292
Less: Amount Paid During Test Year			<u>(560,930)</u>
Adjustment - Increase		\$	<u>50,362</u>

(7)

To adjust Employee Pension and Benefits for the increase in FICA related to increased Salaries and Wages.

	Pro Forma			
	Salaries and	Pro Forma		
	<u>Test Year Overtime</u>	<u>FICA</u>	<u>Test Year</u>	<u>Increase</u>
Treatment	\$ 952,461	\$ 72,863	\$ 67,410	\$ 5,453
Transmission and Distribution	833,258	63,744	57,851	5,893
Customer Account	495,659	37,918	34,177	3,741
Administrative and General	<u>968,451</u>	<u>74,087</u>	<u>65,925</u>	<u>8,162</u>
Total	<u>\$ 3,249,829</u>	<u>\$ 248,612</u>	<u>\$ 225,363</u>	<u>\$ 23,249</u>

(8)

To adjust "Taxes Other Than Income Taxes" for the pro forma Payment in Lieu of Property Taxes (PILOT)

Net Utility Plant in Service (UPIS) as of December 31, 2019	\$	88,283,209
Add: Construction Work in Progress		5,463,406
Less: Outside City Net UPIS		<u>(53,810,974)</u>
Inside City UPIS as of December 31, 2019		39,935,641
Times: Gross Corporate Tax Rate (per \$100 Assessed Valuation)		<u>0.8978</u>
Pro Forma PILOT		358,542
Less: Test Year		<u>(303,188)</u>
Adjustment - Increase	\$	<u>55,354</u>

See Appendix A: Risks and Assumptions

Capital Improvement Plan

Project	2021	2022	2023	2024	2025	Total
Monroe Water Treatment Plant						
Dewatering System Improvements		\$ 3,100,000 *				\$ 3,100,000
Residual Holding Basin Improvements	\$ 570,000					570,000
Main Building Roof Replacement	213,000					213,000
Filter Media and Underdrain Replacement	115,000	700,000				815,000
Water Quality Process Improvements	300,000					300,000
Chemical Tank Repair	150,000					150,000
Intake HVAC Repair	60,000					60,000
Addition of Second Washwater Pump		110,000				110,000
LS Outdoor Switchgear Enclosure Coating			\$ 110,000			110,000
Substation Transformer Upgrade		45,000	415,000			460,000
Standby Power Improvements		250,000	2,750,000 *			3,000,000
High Service Pump VFD Replacement (Two)			100,000	\$ 680,000 *		780,000
Chemical Feed Line Replacements		75,000				75,000
Transfer Pump VFD Replacement (Two)			90,000	580,000 *		670,000
SCADA Filter Terminal and Other Sensors	25,000					25,000
SCADA System Improvements		100,000				100,000
Finished Water Reservoir Repairs				225,000		225,000
Facilities Plan and Demand Study Update				200,000		200,000
Miscellaneous Repair and Replacement	150,000	150,000	150,000	150,000	\$ 150,000	750,000
Distribution						
Gentry Booster Improvements				45,000		45,000
Bulk Water Station #2	120,000					120,000
West Booster Rehabilitation		70,000	770,000			840,000
South Central Booster Rehabilitation			100,000	1,400,000 *		1,500,000
Dogwood Booster Rehabilitation		50,000				50,000
Storage Tank Inspections	10,500	10,500			11,000	32,000
East Tank Coating Replacement and Improvements		700,000	250,000			950,000
System SCADA updates and WQ monitoring		120,000	120,000			240,000
Auto flushing equipment	50,000					50,000
Water Main Replacement Program	1,200,000 *	2,000,000 *	2,000,000 *	2,500,000	3,000,000	10,700,000
Fire Hydrant Maint and Capacity testing	156,000	156,000	156,000	156,000	156,000	780,000
Valve Testing (20% System Annually)	70,000	70,000	70,000	70,000	70,000	350,000
Transportation Project Relocations	100,000	150,000	150,000	150,000	150,000	700,000
Lead and Copper rule		100,000				100,000

Data Source: Utility

Capital Improvement Plan (Continued)

Project	2021	2022	2023	2024	2025	Total
Other						
Service Center Relocation	\$ 150,000	\$ 394,000 *				\$ 544,000
Vehicle and Equipment Replacement	150,000	350,000	\$ 350,000	\$ 350,000	\$ 350,000	1,550,000
Total Capital Improvement Plan	\$ 3,589,500	\$ 8,700,500	\$ 7,581,000	\$ 6,506,000	\$ 3,887,000	\$ 30,264,000
Less: Projects to be Funded by Proposed 2022 Bonds (*)	\$ 1,200,000	\$ 5,494,000	\$ 4,750,000	\$ 2,660,000		14,104,000
Extensions and Replacements	\$ 2,389,500	\$ 3,206,500	\$ 2,831,000	\$ 3,846,000	\$ 3,887,000	\$ 16,160,000
Average Annual Extensions and Replacements 2021-2023						\$ 2,809,000
Average Annual Extensions and Replacements 2024-2025						\$ 3,866,500

Data Source: Utility

Proposed Waterworks Revenue Bonds, Series 2022

Estimated Sources and Uses of Funds

	Amount
Sources of Funds:	
Par Amount	\$ 15,745,000
Total Sources of Funds	\$ 15,745,000
Uses of Funds:	
Project Fund (1)	14,104,000
Debt Service Reserve Fund (2)	1,183,466
Insurance Expense (50 bps)	111,284
Underwriter's Discount (1% of Par)	157,450
IURC Regulatory Fee	39,363
Other Costs of Issuance	149,437
Total Uses of Funds	\$ 15,745,000

- (1) See Capital Improvement Plan.
 (2) Funded at Maximum Annual Debt Service.

See Appendix A: Risks and Assumptions

Estimated Amortization Schedule

Date	Principal	Coupon (1)	Interest	Period Total	Fiscal Total
7/1/22			\$ 246,756	\$ 246,756	
1/1/23			246,756	246,756	\$ 493,512
7/1/23			246,756	246,756	
1/1/24			246,756	246,756	493,512
7/1/24	\$ 345,000	1.80 %	246,756	591,756	
1/1/25	345,000	1.90	243,651	588,651	1,180,407
7/1/25	355,000	1.90	240,374	595,374	
1/1/26	350,000	2.05	237,001	587,001	1,182,375
7/1/26	360,000	2.05	233,414	593,414	
1/1/27	360,000	2.20	229,724	589,724	1,183,138
7/1/27	370,000	2.20	225,764	595,764	
1/1/28	365,000	2.35	221,694	586,694	1,182,458
7/1/28	375,000	2.35	217,405	592,405	
1/1/29	375,000	2.50	212,999	587,999	1,180,404
7/1/29	380,000	2.50	208,311	588,311	
1/1/30	390,000	2.60	203,561	593,561	1,181,872
7/1/30	390,000	2.60	198,491	588,491	
1/1/31	400,000	2.70	193,421	593,421	1,181,912
7/1/31	405,000	2.70	188,021	593,021	
1/1/32	405,000	2.85	182,554	587,554	1,180,575
7/1/32	420,000	2.95	176,783	596,783	
1/1/33	415,000	3.10	170,588	585,588	1,182,371
7/1/33	425,000	3.15	164,155	589,155	
1/1/34	435,000	3.25	157,461	592,461	1,181,616
7/1/34	445,000	3.30	150,393	595,393	
1/1/35	445,000	3.40	143,050	588,050	1,183,443
7/1/35	460,000	3.45	135,485	595,485	
1/1/36	460,000	3.55	127,550	587,550	1,183,035
7/1/36	475,000	3.55	119,385	594,385	
1/1/37	475,000	3.65	110,954	585,954	1,180,339
7/1/37	490,000	3.65	102,285	592,285	
1/1/38	495,000	3.75	93,343	588,343	1,180,628
7/1/38	515,000	3.75	84,061	599,061	
1/1/39	510,000	3.80	74,405	584,405	1,183,466
7/1/39	530,000	3.80	64,715	594,715	
1/1/40	530,000	3.85	54,645	584,645	1,179,360
7/1/40	555,000	3.90	44,443	599,443	
1/1/41	550,000	3.95	33,620	583,620	1,183,063
7/1/41	570,000	3.95	22,758	592,758	
1/1/42	575,000	4.00	11,500	586,500	1,179,258
Totals	<u>\$ 15,745,000</u>		<u>\$ 6,511,744</u>	<u>\$ 22,256,744</u>	

(1) Rates are estimated and subject to change. Net Interest Cost is assumed to be 3.5110%. Coupon rate is based on AA rates as of October 15, 2020, plus 150 basis points to account for uncertainty of future market rates at time of issuance.

See Appendix A: Risks and Assumptions

Estimated Combined Debt after Issuance of the Proposed 2022 Bonds

Year	Amended 2006 Bonds	2017 Bonds	2020A Refunding Bonds	2020B Refunding Bonds	Proposed 2022 Bonds	Total
2020	\$ 381,207	\$ 299,444	\$ 1,525,611	\$ 1,177,374		\$ 3,383,636
2021	381,836	295,844	1,577,288	3,023,160		5,278,128
2022	376,721	297,244	1,569,713	3,035,140	\$ 493,512	5,772,330
2023	380,895	298,494	1,278,000	3,320,625	493,512	5,771,526
2024	374,101	299,694	1,279,251	3,324,087	1,180,407	6,457,540
2025	376,743	299,244		4,603,413	1,182,375	6,461,775
2026	378,382	303,169		4,595,355	1,183,138	6,460,044
2027		301,794		4,976,140	1,182,458	6,460,392
2028		300,344		4,976,858	1,180,404	6,457,606
2029		303,669			1,181,872	1,485,541
2030		301,769			1,181,912	1,483,681
2031		304,644			1,180,575	1,485,219
2032		306,907			1,182,371	1,489,278
2033		308,859			1,181,616	1,490,475
2034		310,500			1,183,443	1,493,943
2035		311,569			1,183,035	1,494,604
2036		312,306			1,180,339	1,492,645
2037		315,038			1,180,628	1,495,666
2038					1,183,466	1,183,466
2039					1,179,360	1,179,360
2040					1,183,063	1,183,063
2041					1,179,258	1,179,258
Totals	<u>\$ 2,649,885</u>	<u>\$ 5,470,532</u>	<u>\$ 7,229,863</u>	<u>\$ 33,032,152</u>	<u>\$ 22,256,744</u>	<u>\$ 70,639,176</u>
Estimated Two Year Average Annual Debt Service (2022 through 2023)					<u>\$ 493,512</u>	
Estimated Five Year Average Annual Debt Service (2024 through 2028)					<u>\$ 1,181,756</u>	

Statement of Revenue Requirements

	Phase I	Phase II
Adjusted Operation and Maintenance Expense	\$ 9,868,378	\$ 9,868,378
Adjusted Taxes Other Than Income Taxes	560,814	588,528
Average Annual Debt Service Outstanding Debt (2021-2025)	5,278,299	5,278,299
Estimated Average Annual Debt Service Proposed Bonds (1)	493,512	1,181,756
Average Annual Lease Payment: Equipment for Advance Meter Infrastructure	456,755	456,755
Annual Lease Payment: Solar Lease	189,646	189,646
Average Annual Extensions and Replacements	<u>2,809,000</u> (2)	<u>3,866,500</u> (3)
Total Revenue Requirements	19,656,403	21,429,861
Less: Adjusted Operating Revenues	<u>(17,704,598)</u>	<u>(19,685,608)</u>
Deficit	1,951,805	1,744,253
Divide by: Revenue Conversion Factor	<u>0.986</u>	<u>0.986</u>
Revenue Increase Required	1,979,519	1,769,019
Divide by: Adjustable Operating Revenues	<u>16,888,407</u>	<u>18,869,417</u>
Percent Rate Increase Required	<u>11.73%</u>	<u>9.38%</u>
Compounded Rate Increase		<u>22.22%</u>
Total Revenue Requirements with Additional Utility Receipts Tax	<u>\$ 19,684,117</u>	<u>\$ 21,454,627</u>

- (1) Phase I includes annual funding for interest only payments on the proposed debt service. Phase II includes funding for average annual debt service between 2024 and 2028 on the proposed debt service.
- (2) Average Annual Extensions and Replacements 2021-2023. See Capital Improvement Plan.
- (3) Average Annual Extensions and Replacements 2024-2025. See Capital Improvement Plan.

Schedule of Present Rates and Charges

	Present Rates (1)
<u>Monthly Usage Charge (Per 1,000 Gallons)</u>	
Residential	\$ 3.73
Commercial, Governmental, Interdepartmental	3.16
Industrial	2.92
Indiana University - Master Metered	2.37
Indiana University - Non-Master Metered	3.16
Irrigation	3.42
<u>Contract Sales for Resale Monthly Usage Charge (Per 1,000 Gallons)</u>	
	\$ 2.39
<u>Monthly Service Charge (in addition to Monthly Usage Charge)</u>	
5/8 inch meter	\$ 5.89
3/4 inch meter	7.86
1 inch meter	10.59
1 1/2 inch meter	18.39
2 inch meter	26.20
3 inch meter	60.55
4 inch meter	99.57
6 inch meter	197.13
8 inch meter	294.69
10 inch meter	392.24

(1) Present Rates and Charges were effective August 4, 2017.

Schedule of Present Rates and Charges (Continued)

		Present Rates (1)
<u>Monthly Public Fire Protection Charge - Inside City</u>		
<u>(excluding Indiana University - Master Metered)</u>		
5/8	inch meter	\$ 1.96
3/4	inch meter	2.93
1	inch meter	4.89
1 1/2	inch meter	9.78
2	inch meter	15.64
3	inch meter	34.23
4	inch meter	58.67
6	inch meter	122.27
8	inch meter	176.06
10	inch meter	283.63
<u>Monthly Public Fire Protection Charge - Outside City</u>		
<u>(excluding Indiana University - Master Metered)</u>		
5/8	inch meter	\$ 3.28
3/4	inch meter	4.93
1	inch meter	8.22
1 1/2	inch meter	16.41
2	inch meter	26.29
3	inch meter	57.50
4	inch meter	98.53
6	inch meter	205.29
8	inch meter	295.60
10	inch meter	476.27
<u>Monthly Fire Protection Charge -</u>		
<u>Indiana University - Master Metered</u>		\$ 1,794.45
<u>Monthly Private Fire Protection Charge (per connection)</u>		
		Present <u>Monthly</u> Present <u>Annual</u>
4	inch line or smaller	\$ 9.86 \$ 118.28
6	inch line	27.40 328.77
8	inch line	56.15 673.82
10	inch line	98.34 1,180.09
12	inch line	155.05 1,860.55

(1) Present Rates and Charges were effective August 4, 2017.

Schedule of Non-Recurring Charges

Description of Charges		Present Charges (1)
1)	5/8 to 1" Connection	
	- with tap	\$ 1,533.00
	- without tap	1,327.00
2)	Greater than 1" Connection	Cost of connection but not less than charge for 5/8 to 1" connection
3)	Service Call	
	- During hours	\$ 45.00
	- After hours	171.00
4)	Bad Check Charge	\$ 25.00
5)	Late Payment Charge	3% of unpaid balance
This charge shall be paid only once and shall be based on the unpaid over-due balance.		
6)	Deposit	
	- Residential	Not to exceed \$39.00
	- Commercial	Not to exceed 1/6 of estimated annual bill
7)	Meter Testing	
The utility shall make a free test of the accuracy of a meter upon written request by a customer and a second free test may be requested twelve months subsequent to the first test. The fee for all meter tests requested within thirty-six months after the preceding test shall be \$39.00 if the meter is found not to be at fault.		
8)	Inspection Charge	
All inspections of new mains during normal business hours shall be free of charge. All inspections of new mains during overtime hours shall be based on the amount of time required for the inspection.		
9)	Temporary Service	\$10.00/week
\$10.00 minimum plus a deposit equal to the cost of the meter and a charge for the water used.		
10)	Extension of Service	
Free if estimated 3-year revenue is greater than the construction cost. Actual cost if not.		
11)	Unauthorized Use of Hydrants	
Cost of Water billed for up to 8 hours at maximum flow rate of the hydrant for each day the hydrant is used.		

(1) Present Non-Recurring Charges were effective January 24, 2018.

Appendix A: Risks and Assumptions

Risks

Regional, national or global epidemics or pandemics, such as the present outbreak of the novel coronavirus (“COVID-19”), could have materially adverse local, regional, national or global economic and social impacts. The present outbreak of COVID-19 is adversely impacting local, state, national and global economies, as governments, businesses and citizens react to, plan for, and try to prevent or slow further transmission of COVID-19. Financial markets in the United States and across the world saw substantial declines in March and April 2020. On March 6, 2020, Indiana Governor Eric Holcomb issued Executive Order 20-02 (“EO 20-02”), which declared the COVID-19 outbreak in the State to be a public health emergency. On March 11, 2020, the World Health Organization proclaimed the COVID-19 outbreak to be a pandemic, and on March 13, 2020, the President of the United States declared a national emergency in connection with COVID-19. The declaration of a public health emergency set forth in EO 20-02 has been renewed nine times by separate Executive Orders, the most recent of which is Executive Order 20-49, which Governor Holcomb issued on December 1, 2020. Such declaration now expires on December 31, 2020.

In order to address certain economic impacts of COVID-19, the Governor issued Executive Order 20-05 on March 19, 2020, Executive Order 20-21 on April 15, 2020, and Executive Order 20-27 on May 8, 2020. Those Executive Orders provided certain taxpayer relief, including: (1) authorizing the Indiana Department of Revenue to take such action as is necessary to ensure the State conforms to the relief provided in IRS Notice 2020-17 by providing an extension of time related to State income tax liabilities; (2) ordering counties to waive penalties for 60 days on non-escrowed real property taxes and special assessments and fees that were included on the property tax bills and collected as part of the property tax payment, which were paid after the May 11, 2020 due date; (3) authorizing the Indiana Department of Revenue to waive any penalties and interest that are directly related to taxes, estimated payments or other amounts due, if the due date for the underlying tax, estimated payment or other amount due is extended in response to the COVID-19 pandemic public health emergency, which waiver shall continue for the duration of the extension; and (4) providing that: (a) individual State income tax returns and payments, along with estimated payments, originally due on April 15 or June 15, 2020, were due on or before July 15, 2020; and (b) corporate State income tax returns and payments, along with estimated payments, originally due on April 15, April 20, May 20 or June 22, 2020, were due on or before July 15, 2020, and those originally due on May 15, June 15 or July 15, 2020, were due on August 17, 2020.

In addition, in order to take certain steps to increase containment of COVID-19, the Governor issued various Executive Orders, which included stay-at-home orders and face covering requirements, directed the closing of State government buildings and restricted retail establishments and in-person dining at restaurants, among other things. In order to continue the mitigation of COVID-19 and to lower the risk of resurgence, the Governor issued several Executive Orders, which instituted a measured and staggered approach to reopening businesses and entities. Five stages were outlined, with each ensuing stage being subject to fewer restrictions and limitations than the previous stage. Those stages were initiated on March 23, 2020 and lapsed on November 14, 2020.

On November 13, 2020, the Governor issued Executive Order 20-48 (“EO 20-48”), because, in part, key data points or numbers regarding COVID-19, had, as of the date of EO 20-48, significantly and steadily increased over the past several weeks in the State. In particular, the number of positive cases had doubled every week for the past four weeks, hospitalizations were at an all-time high and the seven-day positivity rate went from 3.9% in late September to 10.6% as of the date of EO 20-48. Based on those and other factors, EO 20-48 rescinds the stage designations and provides that, going forward, the State shall use county-based assessments to determine which measures and restrictions are needed to counter the spread or impact of COVID-19 within a particular county. While EO 20-48 expired on December 13, 2020, the Governor issued Executive Order 20-50 (“EO 20-50”) which extends the measures of EO 20-48 through January 3, 2021.

EO 20-50 indicates that the State has implemented a color-coded system to inform Hoosiers about the status of COVID-19 in each county and across the State. Under EO 20-50, the Indiana State Department of Health (“ISDH”) will continue to update each county’s status under the color-coded system at least weekly. In making the weekly assessments, the ISDH will continue to consider the following: (1) the seven-day positivity rate for all tests (percentage of positive test results over the number of tests performed); (2) new weekly cases per 100,000 residents; (3) whether a county’s positivity rate has increased or decreased from the previous week; and (4) whether any increase in the percentage of positive cases is isolated to congregate living settings or is from the community at large.

The four levels of the monitoring system are as follows: (1) blue zone, in which the community spread is low; (2) yellow zone, in which the community spread is moderate; (3) orange zone, in which the community spread is approaching high levels; and (4) red zone, in which the community spread is high. As of December 21, 2020, out of the State’s 92 counties, none were blue, none were yellow, 68 counties were orange, and 24 counties were red. Generally, the size of a social gathering or an event (as both such terms are defined in EO 20-50), without any approval by the local health department, is limited to: (1) 25 individuals in counties designated as red; (2) 50 individuals in counties designated as orange; (3) 100 individuals in counties designated as yellow; and (4) 250 individuals in counties designated as blue. A larger social gathering or event requires the submission of a safety plan to, and the approval thereof by, the local health department. As of December 21, 2020, the City is located in a county that is designated as orange. The most recent color designation of the county in which the City is located can be ascertained at the following link: <https://www.coronavirus.in.gov/2393.htm>. The information at this link is hereby incorporated by reference into this Report only with respect to such designation. No other information at this link is incorporated by reference into this Report.

EO 20-50 continues to require every individual within the State to wear a face covering over the nose and mouth when, with certain exceptions: (1) inside a business, public building or other indoor place open to the public; (2) in an outdoor public space wherever it is not feasible to maintain six feet of social distancing from another person not in the same household; and (3) using public transportation or while in a taxi, private car service or ride-sharing vehicle. EO 20-50 requires all Hoosiers who have received a positive COVID-19 test to self-quarantine. EO 20-50 requires each business and entity continuing operations or resuming full operations to develop a COVID-19 response plan as described in EO 20-50, to provide it to each employee or staff and to post it publicly. EO 20-50 authorizes: (1) the enforcement of its workplace safety provisions by the Indiana Occupational Safety and Health Administration; and (2) the ISDH, the Indiana Department of Homeland Security, the Indiana Alcohol and Tobacco Commission, local boards of health and other State and local officials or law enforcement officers to take all available administrative and enforcement actions against businesses or entities failing to comply with the restrictions set forth therein. Unless prohibited by an Executive Order issued by the Governor, EO 20-50 permits local ordinances, directives and orders to be more restrictive than those set forth therein. EO 20-50 expires on January 3, 2021, at which time the Governor may issue one or more directives, which rescind, modify or extend EO 20-50.

The Utility has observed decreases in billed revenue and collections since approximately April 1, 2020, likely a result of COVID-19; however, the decreased revenue has not materially altered the financial position of the Utility as of the date of this Report. If COVID-19 persists as a public health emergency, it may adversely impact the Utility’s customers ability to pay bills in the future. The extent of the impact on the finances of the Utility into the future due to COVID-19 is unknown at this time.

Assumptions

The following assumptions, provided by and approved by the Utility, were used in preparation of the Report.

#	Report Area	Assumption
1	All	Operating Revenues, Operation and Maintenance Expenses, and Taxes Other Than Income Taxes of the

#	Report Area	Assumption
		Utility for the year ending March 31, 2020, are representative of expected pro forma operating results, except where otherwise noted.
2	All	Assumes no provision for new debt or leases beyond those summarized in the Estimated Combined Debt After Issuance of the Proposed 2022 Bonds.
3	Adjusted Statement of Income	Consumption patterns and number of customers are assumed to be stable and not materially fluctuate from the Test Year.
4	Adjusted Statement of Income	Adjustment 1: Pro Forma Salaries and Wages based on the 2021 Budget for each department prepared by the City Controller.
5	Adjusted Statement of Income	Adjustment 2: Pro Forma Employee Pension and Benefits based on the 2021 Budget for each department prepared by the Controller. The Test Year excluded the Utility's annual payment of health insurance trust expense paid to the City.
6	Adjusted Statement of Income	Adjustment 3: Assumes listed expenses are capital, non-recurring, or above and beyond a typical operating year of the Utility, or would be paid in future years from ongoing Extensions and Replacements.
7	Adjusted Statement of Income	Adjustment 4: Assumes the average of Bad Debt expense between 2018 and 2019 is representative of a typical year.
8	Adjusted Statement of Income	Adjustment 5: Assumes ESG Solar Lease Payments removed from Operation and Maintenance Expenses will be funded through a separate revenue requirement rather than through Operation and Maintenance Expenses.
9	Adjusted Statement of Income	Adjustment 6: Pro Forma Shared Services expense based on the 2019 Interdepartmental Agreement provided by the Utility.
10	Adjusted Statement of Income	Adjustment 7: Pro Forma FICA Expense based on budgeted salaries and wages for each department from Adjustment 1 plus actual overtime expenses by department for the Test Year multiplied by 7.65%.
11	Adjusted Statement of Income	Adjustment 8: Pro Forma Payment in Lieu of Taxes calculated based on the sum of Net Utility Plant in Service located within the City's corporate boundaries plus Construction Work in Progress from the Utility's records of the most recently completed year (December 31, 2019), multiplied by the City of Bloomington's corporate property tax rate for 2020 per \$100 of assessed valuation.
12	Capital Improvement Plan	Select projects will be funded through the 2022 Bonds as indicated within the Capital Improvement Plan.
13	Estimated Sources and Uses of Funds	Project Costs based on sum of projects to be financed as indicated on the Capital Improvement Plan. Assumes the Utility funds a debt service reserve at the maximum annual debt service on the proposed bonds through bond proceeds. Insurance Expense is based on 50 basis points of debt service and is subject to change. Costs of Issuance are estimates based on similar transactions and include Indiana Utility Regulatory Fee of \$2.50 per \$1,000 of par.
14	Estimated Amortization Schedule	Assumes Coupon Rates based on rates as of October 15, 2020, plus 150 basis points. Rates are estimated and subject to change. Assumes level debt service, closing date of January 1, 2022, and eighteen-year repayment of

#	Report Area	Assumption
15	Statement of Revenue Requirements	principal beginning July 1, 2024.
		Assumes a two-phase increase of revenues with phase I occurring prior to or concurrent with issuance of the Proposed 2022 Bonds, and a phase II increase effective in 2024 to provide funding for principal repayment on the 2022 Bonds and Extensions and Replacements identified on the Capital Improvement Plan between 2024 and 2025.



2021 Water Works Rate Case Fact Sheet

Council Office note: dates listed below for Common Council action have changed as introduction and consideration by the Council of Ordinance 21-09 was postponed until March 2021.

In 2016, City of Bloomington Utilities conducted a rate review and a rate case that enabled a number of significant initiatives for the modernization and improvement of the Water Works. Notably, the 2016 rate case facilitated CBU's move to an Advanced Metering Infrastructure (smart meters) and regular \$1.7 million annual investments in water-main replacement.

At that time, the Common Council requested that CBU bring rate cases on a regular schedule. CBU now plans for Water rate reviews every four years during leap years. CBU intended to initiate a rate case in early 2020, but delayed the process into 2021 in response to the COVID-19 pandemic.

CBU plans to bring a rate case to the Utilities Service Board in January 2021, and then to the Bloomington Common Council in February 2021. We expect to file the case before the Indiana Utilities Regulatory Commission (IURC) in March 2021. We are providing this fact sheet as background information for our interested stakeholders and the public.

In addition to the overall financial analysis, CBU has conducted a cost-of-service study. CBU will be requesting that the amount charged to each customer category be changed to reflect the cost of providing service for the category. Cost-based ratemaking is favored by the IURC. Historically, CBU's Residential customers have paid rates that are larger than their cost of service while all other customers have paid less than their cost of service. Cost-of-service based ratemaking ensures that certain customer categories do not subsidize the cost of service for other customer categories. CBU plans to make significant progress in moving to a cost-based rate structure.

Below, we provide answers to frequently asked questions related to the rate case proposal. Please contact CBU Director Vic Kelson at kelsonv@bloomington.in.gov or 812-349-3650 with any questions.

What is the timing of the rate changes?

CBU expects to file the rate case with the IURC in March 2021. We anticipate that the case will take 9 months or more to be completed, and it is likely that any rate increases would be implemented in 2022 at the earliest. We wish to implement the changes in two phases, Phase 1 in 2022 and Phase 2 in 2024.

What is the needed revenue increase that is requested?

For Phase 1 (2022), the revenue increase is \$1.98 million per year, or 11.73%

For Phase 2 (2024), the revenue increase is \$1.77 million per year, or 9.38%

What costs are driving the needed revenue increase?

Most of the rate increase is to cover inflationary increases in Operation and Maintenance costs. In addition, we wish to increase our annual investments for water-main replacement to \$2 million in 2022-2023, escalating to \$2.5 million in 2024 and \$3 million per year in 2025. In the first three years of the replacement program we have replaced about 6 miles of water mains at a cost of \$1.7 million per year. This amounts to a 215-year replacement schedule for our 430 miles of distribution mains. CBU’s goal is to ultimately achieve a 100-year replacement schedule for water mains. We expect to achieve this in future rate cycles.

How would cost-based rates change for the various customer categories?

Cost-based metered rates (per 1000-gallon unit) for all customer categories are shown below, based on a two-phase implementation in 2022 and 2024. We do not anticipate achieving cost-based rates for all categories in this rate case (see below).

Category	Current Rate \$/1000 gal	Phase 1 Rate \$/1000 gal	Phase 1 % Increase	Phase 2 Rate \$/1000 gal	Phase 1 & 2 % Increase (total)
Residential and Multi-family	\$3.73	\$3.95	5.9%	\$4.33	16.1%
Commercial, Governmental, Interdepartmental	\$3.83	\$4.20	21.2%	\$4.20	32.9%
Industrial	\$2.92	\$4.00	37.0%	\$4.40	50.7%
Wholesale	\$2.39	\$2.94	23.0%	\$3.18	33.1%
Indiana University	\$2.37	\$3.06	29.1%	\$3.32	40.1%
Irrigation Usage	\$3.42	\$8.11	137%	\$9.06	165%

What rates will CBU be requesting for metered sales?

As some of the increases will create significant rate impacts for some customer classes, CBU has structured its rate request based on the objective that no customer class will receive an increase larger than 20% in either Phase 1 or Phase 2. We are requesting the following rates for metered sales.

In addition, CBU is proposing to merge the categories for “Commercial, Governmental, and Interdepartmental” and “Industrial” customers. This is based on the fact that Bloomington’s economy has changed greatly, and the Industrial category is very small. This can lead to large rate changes for our relatively few Industrial customers. This would occur over the two phases, with the two categories being merged into one in Phase 2.

Category	Current Rate \$/1000 gal	Phase 1 Rate \$/1000 gal	Phase 1 % Increase	Phase 2 Rate \$/1000 gal	Phase 1 & 2 % Increase (total)
Residential and Multi-family	\$3.73	\$4.09	9.7%	\$4.54	21.7%
Commercial, Governmental, Interdepartmental	\$3.83	\$3.79	20%	\$4.20	32.9%
Industrial	\$2.92	\$3.50	19.9%	\$4.20	43.8%
Wholesale	\$2.39	\$2.81	17.6%	\$3.18	33.1%
Indiana University	\$2.37	\$2.78	17.3%	\$3.31	39.7%
Irrigation Usage	\$3.42	\$4.10	19.9%	\$4.92	43.9%

How much will residential customers' bills increase?

The tables provided below summarize the changes in customer bills, based on the monthly number of 1000-gallon units charged and the size of the meter at the customer's home. The columns listed under Phase 2 represent the total increase over the two phases.

Monthly Bill Usage, 5/8" Meter Inside City							
		Phase 1			Phase 2 (total of both phases)		
Usage	Current	COS	Change (\$)	Change (%)	COS	Change (\$)	Change (%)
1.0	\$11.58	\$12.71	\$1.13	9.8%	\$13.29	\$1.71	14.8%
1.5	\$13.45	\$14.76	\$1.31	9.7%	\$15.56	\$2.12	15.7%
2.0	\$15.31	\$16.80	\$1.49	9.7%	\$17.83	\$2.52	16.5%
2.5	\$17.18	\$18.85	\$1.67	9.7%	\$20.10	\$2.93	17.0%
3.0	\$19.04	\$20.89	\$1.85	9.7%	\$22.37	\$3.33	17.5%
3.5	\$20.91	\$22.94	\$2.03	9.7%	\$24.64	\$3.74	17.9%
4.0	\$22.77	\$24.98	\$2.21	9.7%	\$26.91	\$4.14	18.2%
4.5	\$24.64	\$27.03	\$2.39	9.7%	\$29.18	\$4.55	18.4%
5.0	\$26.50	\$29.07	\$2.57	9.7%	\$31.45	\$4.95	18.7%
5.5	\$28.37	\$31.12	\$2.75	9.7%	\$33.72	\$5.36	18.9%

Monthly Bill Usage, 3/4" Meter Inside City							
		Phase 1			Phase 2 (total of both phases)		
Usage	Current	COS	Change (\$)	Change (%)	COS	Change (\$)	Change (%)
1.0	\$7.86	\$7.86	\$0.00	0.0%	\$7.86	\$0.00	0.0%
1.5	\$2.93	\$3.25	\$0.32	10.9%	\$3.25	\$0.32	10.9%
2.0	\$3.73	\$4.09	\$0.36	9.7%	\$4.54	\$0.81	21.7%
2.5	\$11.58	\$12.71	\$1.13	9.8%	\$13.29	\$1.71	14.8%
3.0	\$13.45	\$14.76	\$1.31	9.7%	\$15.56	\$2.12	15.7%
3.5	\$15.31	\$16.80	\$1.49	9.7%	\$17.83	\$2.52	16.5%
4.0	\$17.18	\$18.85	\$1.67	9.7%	\$20.10	\$2.93	17.0%
4.5	\$19.04	\$20.89	\$1.85	9.7%	\$22.37	\$3.33	17.5%
5.0	\$20.91	\$22.94	\$2.03	9.7%	\$24.64	\$3.74	17.9%
5.5	\$22.77	\$24.98	\$2.21	9.7%	\$26.91	\$4.14	18.2%

How can my organization participate in the process?

Please feel free to reach out to CBU Director Vic Kelson via email kelsonv@bloomington.in.gov, or phone 812-349-3650 with any questions you may have. The current planned schedule for public events is provided below.

Utility Service Board: All of the USB meetings will be held on Zoom and on Facebook Live. The USB Finance Subcommittee will hear the proposal on January 4 at 4:00PM and on January 11 at 4:00PM. The whole USB will consider the proposal on January 18 at 5:00PM.

Common Council: We anticipate First Reading before Council on February 3, with committee review and public comment in the following weeks, leading up to a final vote on March 3. Council meetings are held at 6:30PM.

Indiana Utilities Regulatory Commission: IURC will be announcing Public Hearings during the rate case review process (dates and times TBA).



MEMO FROM COUNCIL OFFICE ON:

Ordinance 21-10 – An Ordinance Authorizing the Acquisition, Construction and Installation by the City of Bloomington, Indiana, of Certain Extensions and Improvements to the City’s Waterworks Utility, the Issuance and Sale of Revenue Bonds to Provide Funds for the Payment of the Costs Thereof, and the Collection, Segregation and Distribution of the Revenues of Such Waterworks Utility and Other Related Matters

Synopsis

This ordinance authorizes the City of Bloomington to issue one or more series of its Waterworks Revenue Bonds of 2022, in the aggregate principal amount not to exceed \$17,200,000. The 2022 bonds will be issued to finance the costs of design, engineering, acquisition, construction, equipping, and improvement of capital projects related to the Monroe Water Treatment Plant and distribution system of the Waterworks utility, and pay costs of issuance of the bonds.

Relevant Materials

- Ordinance 21-10
 - Exhibit A – Description of Projects
 - Exhibit B – Form of Registered Bond
- Memo from Vic Kelson, Utilities Director

Summary

Ordinance 21-10 authorizes the acquisition, construction, or installation of several utilities projects and authorizes the issuance of revenue bonds to fund the costs of the projects. Please note that Ordinance 21-09 (adjusting water rates) is scheduled for Council consideration alongside this ordinance, as the bond issuance will depend the Council’s approval (and subsequent approval by the Indiana Utility Regulatory Commission) of the proposed rate increase via Ordinance 21-09

Overview of Proposed Capital Improvements

Multiple capital improvement projects are proposed to be funded by the issuance of the revenue bonds. The projects are listed and briefly described in Exhibit A to Ord 21-10. Additional information about the estimated costs associated with each project can be found in the memo provided by Vic Kelson.



General Overview of Bond Ordinances

Bond ordinances are long and very technical documents that set forth the procedures and the assurances necessary for the relevant financial interests to engage in these transactions involving as much as \$17.2 million. The following paragraphs categorize and highlight the provisions of the ordinance. In brief, the ordinance:

Amount and Purpose of the Bonds (with Accompanying Documents)

- Authorizes the City to sell a maximum of \$17.2 million in waterworks revenue bonds;
- Attaches Exhibit A, which provides a brief description of the Monroe Water Treatment Plant projects, the distribution system projects, and other planned projects to be funded through the issuance of the bonds;
- Indicates that the *Cost Estimates and Preliminary Design Plans* for these improvements will be made available for public inspection in the Clerk's Office.

Kinds of Bonds, Limits on Interest and Maturity, Relationship with Outstanding Bonds, and Life Cycle of Bonds

- Authorizes bonds with a maximum interest rate of 6% per year and maximum maturity period of no more than 20 years;
- Authorizes the issuance of Bond Anticipation Notes (BANs provide money prior to sale of bonds) at an interest rate of no more than 6% and a maturity date, with extensions, of no more than 3 years after initial date of delivery of these financial instruments;
- Acknowledges outstanding bonds (See the table below) and provides for the new bonds to be issued in parity with the outstanding ones;
- Authorizes Municipal Bond Insurance (which may help lower rates);
- Sets forth procedures for issuing, holding, transferring, and redeeming the BANs and bonds.

Outstanding Waterworks Parity Bonds

Name	Original Date	Amended	Current aggregate principal amount outstanding (Feb 2021)
Amended Waterworks Revenue Bonds of 2006, Series A	May 4, 2006	March 26, 2015	\$1,950,000
Waterworks Revenue Bonds of 2017	July 25, 2017	N/A	\$3,990,000



Waterworks Revenue Refunding Bonds of 2020, Series A	May 28, 2020	N/A	\$5,525,000
Taxable Waterworks Revenue Refunding Bonds of 2020, Series B	May 28, 2020	N/A	\$29,285,000

Safeguarding Bondholders

- Requires the separation of funds into various accounts and prescribes the uses and minimum balances of these accounts;
- Requires the utility to set reasonable, just, and equitable rates and charges sufficient to cover its operations as well as reserve amounts slightly in excess of annual debt service and related obligations;
 - o Note: Ordinance 21-09 proposes a water rate increase that will be needed to finance the issuance of these bonds. That rate increase is subject to both Council and Indiana Utility Regulatory Commission approval.
- Allows the bond holders to appoint a receiver in the event of default or other adverse actions on the part of the City;
- Allows for the issuance of further bonds and BANs on certain conditions;
- Prohibits the City from amending the ordinance in a manner that adversely affects bond holders without obtaining consent of owners of at least 66 2/3% of the principle;
- States that any series of the bonds may be issued on a tax-exempt or taxable basis, based upon the advice of bond counsel and the Municipal Advisor;
- Repeals portions of any previous ordinances that are inconsistent with these provisions.

Contact

Vic Kelson, Utilities Director, kelsonv@bloomington.in.gov, 812-349-3650

Chris Wheeler, Assistant City Attorney, wheelech@bloomington.in.gov, 812-349-3426

ORDINANCE 21-10

AN ORDINANCE AUTHORIZING THE ACQUISITION, CONSTRUCTION AND INSTALLATION BY THE CITY OF BLOOMINGTON, INDIANA, OF CERTAIN EXTENSIONS AND IMPROVEMENTS TO THE CITY'S WATERWORKS UTILITY, THE ISSUANCE AND SALE OF REVENUE BONDS TO PROVIDE FUNDS FOR THE PAYMENT OF THE COSTS THEREOF, AND THE COLLECTION, SEGREGATION AND DISTRIBUTION OF THE REVENUES OF SUCH WATERWORKS UTILITY AND OTHER RELATED MATTERS

WHEREAS, the City of Bloomington, Indiana (the "City"), has previously established and constructed and now owns and operates through its Utility Service Board (the "Board") a waterworks system for the public water supply to the City and its inhabitants (the "Waterworks"), in accordance with the provisions of Indiana Code 8-1.5, as amended and in effect on the date of delivery of the Bonds authorized herein (the "Act"), through the City of Bloomington Utilities Department; and

WHEREAS, the Common Council of the City (the "Common Council") hereby finds that certain improvements, additions and extensions to the Waterworks are necessary; and that preliminary design plans, specifications, detailed descriptions and cost estimates have been prepared and filed by the engineers employed by the City for the construction of said improvements, additions and extensions, which plans, specifications, descriptions and estimates have been or will be approved by the Board and by all governmental authorities having jurisdiction thereover; and

WHEREAS, the Common Council further finds that the City has obtained estimates prepared and delivered by the engineers employed by the City for the construction of said improvements, additions and extensions and will advertise for and receive construction bids therefor; that on the basis of said estimates, the maximum estimated cost of constructing, acquiring, or extending such improvements, additions and extensions to the Waterworks, including all authorized expenses relating thereto, including the costs of issuance of bonds on account of the financing of all or a portion thereof, is in the amount of Seventeen Million Two Hundred Thousand Dollars (\$17,200,000); and

WHEREAS, the Common Council further finds that there are not sufficient funds on hand from the Waterworks to pay the costs of the improvements, additions and extensions thereto, and that the financing of the costs of the improvements, additions and extensions to the Waterworks should be accomplished by the issuance of revenue bonds of the Waterworks, in one or more series, in an aggregate principal amount not to exceed Seventeen Million Two Hundred Thousand Dollars (\$17,200,000), and, if necessary, one or more series of bond anticipation notes ("BANs"), all on the terms and conditions set forth herein; and

WHEREAS, the Common Council finds that there are now outstanding bonds of the Waterworks consisting of its (a) Amended Waterworks Revenue Bonds of 2006, Series A, originally dated May 4, 2006 and amended on March 26, 2015, currently outstanding in the aggregate principal amount of \$1,950,000 (the "2006 Bonds"), pursuant to Ordinance No. 05-12, as amended by Ordinance No. 06-04, and further amended by Ordinance No. 15-03 (collectively, the "2006 Ordinance"), (b) Waterworks Revenue Bonds of 2017, dated July 25, 2017, currently outstanding in the aggregate principal amount of \$3,990,000 (the "2017 Bonds"), pursuant to Ordinance No. 16-09 (the "2017 Ordinance"), (c) Waterworks Revenue Bonds of 2020, Series A, dated May 28, 2020, currently outstanding in the aggregate principal amount of \$5,525,000 (the "2020A Bonds"), pursuant to Ordinance No. 20-05 (the "2020 Ordinance"), and (d) Taxable Waterworks Revenue Bonds of 2020, Series B, dated May 28, 2020, currently outstanding in the aggregate principal amount of \$29,285,000 (the "2020B Bonds"), pursuant to the 2020 Ordinance clauses (a) through (d), collectively, the "Outstanding Parity Bonds"), which Outstanding Parity Bonds constitute a first charge upon the Net Revenues (as hereinafter defined) of the Waterworks; and

WHEREAS, each of the 2006 Ordinance, the 2017 Ordinance and the 2020 Ordinance (collectively, the “Prior Ordinances”) allow for the issuance of additional bonds payable from the Net Revenues of the Waterworks ranking on parity with the pledge thereof to the Outstanding Parity Bonds provided certain financial conditions can be met (such financial conditions, the “Parity Tests”); and

WHEREAS, the Common Council finds that the Parity Tests can be met with respect to the bonds to be issued pursuant to this ordinance, and, accordingly, such bonds will constitute a first charge against the Net Revenues of the Waterworks on a parity with the pledge thereof to the Outstanding Parity Bonds and are to be issued subject to the provisions of the Act and the terms and restrictions of this Ordinance; and

WHEREAS, the City desires to authorize the issuance of BANs hereunder, in one or more series, if necessary, payable solely from the proceeds of waterworks revenue bonds issued hereunder and to authorize the refunding of said BANs, if issued; and

WHEREAS, prior to the issuance of the bonds authorized by this ordinance, the City shall first obtain the approval of the Indiana Utility Regulatory Commission (“IURC”) for the issuance of said bonds; and

WHEREAS, this Common Council now finds that all conditions precedent to the adoption of an ordinance authorizing the issuance of revenue bonds and, if necessary, bond anticipation notes, have been complied with in accordance with the provisions of the Act; now, therefore,

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

SECTION 1. Description of Projects. The City, being the owner of and engaged in operating an unencumbered Waterworks supplying the City, its inhabitants, and the residents adjacent thereto, with drinking water services, now finds it necessary to proceed with the construction of improvements, additions and extensions to its Waterworks in accordance with the cost estimates and the preliminary design plans heretofore prepared and filed by the consulting engineers employed by the City, which cost estimates and preliminary design plans are by reference made a part of this ordinance as fully as if the same were attached hereto and incorporated herein and two copies of which are now on file in the Office of the City Clerk and are open for public inspection pursuant to IC 36-1-5-4, that the cost of construction of said improvements, additions and extensions to be financed by the issuance of Waterworks revenue bonds shall not exceed the sum of \$17,200,000, plus investment earnings on the bond and BAN proceeds, without further authorization from this Common Council.

Where used in this Ordinance, the term “City” shall be construed also to include any department, board, commission or officer or officers of the City or of any City department, board or commission. The terms “Waterworks”, “waterworks”, “works”, “system” and similar terms used in this Ordinance shall be construed to mean the City’s existing waterworks system together with all the real estate, equipment and appurtenances thereto used in connection therewith, and all improvements, extensions and additions thereto, and replacements thereof, now or subsequently constructed or acquired.

A description of the proposed improvements, additions and extensions is set forth on Exhibit A attached hereto (collectively, the “Projects”), and the Projects shall be constructed in accordance with the plans heretofore mentioned, which plans are hereby approved. Said Projects shall be constructed and the bonds herein authorized shall be issued pursuant to and in accordance with the Act.

SECTION 2. Issuance of Bonds and BANs.

(a) The City may issue, if necessary, bond anticipation notes (“the BANs”) for the purpose of procuring interim financing to pay the costs of the Projects, and, if deemed appropriate, the costs of issuance of the BANs. The City may issue the BANs in one or more series, in an aggregate principal amount not to exceed Seventeen Million Two Hundred Thousand Dollars (\$17,200,000), to be designated “Waterworks Bond Anticipation Notes, Series 20__” (to be completed with the year in which the BANs are issued, together with such further or different

series designation as may be necessary or appropriate). The BANs shall be lettered and numbered consecutively from R-1 and upward, and shall be in authorized denominations of \$1,000 or more (or such higher denominations as the Controller of the City (the "Controller") shall determine prior to the sale of the BANs). The BANs shall be dated as of the date of delivery thereof and shall bear interest at a rate not to exceed six percent (6.0%) per annum (the exact rate or rates to be determined by bidding or through negotiations with the purchasers of the BANs) payable upon maturity. Each series of BANs will mature no later than three (3) years after their date of delivery, unless determined otherwise by the Controller with the advice of the City's Municipal Advisor (as defined below). The BANs are subject to renewal or extension at an interest rate or rates not to exceed six percent (6.0%) per annum (the exact rate or rates to be determined by bidding or negotiation). The term of any renewal BANs may not exceed five (5) years from the date of delivery of the initial BANs. The BANs shall be registered in the name of the purchasers thereof.

The BANs shall be issued pursuant to IC 5-1-14-5, as amended, and may be sold to a financial institution or any other purchaser. The BANs shall be sold at a price not less than ninety-nine percent (99.0%) of the principal amount thereof. The principal of the BANs shall be refunded and retired out of the proceeds from the issuance and sale of the Bonds authorized hereunder. The interest on the BANs shall be payable from proceeds from the issuance and sale hereunder of the Bonds, and, at the discretion of the Controller, may be payable from the Net Revenues of the Waterworks. The Mayor of the City (the "Mayor") and the Controller are hereby authorized and directed to execute a BAN Purchase Agreement in such form or substance as they shall approve acting upon the advice of counsel. The BANs may be made prepayable at the option of the City, in whole or in part, on dates and with premiums, if any, and subject to any other terms as determined by the Controller with the advice of the Municipal Advisor, prior to the sale of the BANs. In the case of prepayment, the principal and accrued interest due on the BANs shall be paid only from proceeds of the Bonds, except that such principal and interest due on the BANs may also be paid from other revenues and funds legally available therefor; provided, however, that such other funds are not pledged to the payment of the BANs. The Mayor and the Controller may also take such other actions or deliver such other certificates as are necessary or desirable in connection with the issuance of the BANs or the Bonds and the other documents needed for the financing as they deem necessary or desirable in connection therewith. Unless otherwise indicated by the context, references herein to the Bonds shall also apply to the BANs.

Notwithstanding any other provision of this Ordinance, if the BANs are sold to a purchaser that so agrees, the City may receive payment for the BANs in installments, and principal shall not be payable and interest shall not accrue on the BANs until such principal amount has been advanced pursuant to requests made by the City to such purchaser. In the event that the total principal amount of the BANs sold to such purchaser is not advanced to the City, the principal amount of the BANs shall be reduced accordingly.

(b) In accordance with the Act, the City shall issue, in one or more series, its waterworks revenue bonds designated "City of Bloomington, Indiana Waterworks Revenue Bonds of 2022", with any such further or different series designation as determined by the Controller (as defined herein) to be necessary or appropriate, in the aggregate principal amount not to exceed Seventeen Million Two Hundred Thousand Dollars (\$17,200,000) (the "Bonds"), for the purpose of providing funds to (i) pay costs of the Projects, (ii) fund a debt service reserve fund or pay the premium for a debt service reserve surety policy, and (iii) pay the costs incurred on account of the issuance and sale of the Bonds, including any premiums for any municipal bond insurance policies. The principal of, redemption premium, if any, and interest on the Bonds shall be payable solely out of the Net Revenues deposited into the Sinking Fund, as defined and described herein. The Bonds shall rank on parity with the Outstanding Parity Bonds. Notwithstanding anything herein to the contrary, any series of the Bonds may be issued on a tax-exempt or taxable basis for purposes of federal income taxation, based upon the advice of bond counsel and the recommendation of the Municipal Advisor.

The Bonds shall be issued in one or more series as fully registered bonds in denominations of: (i) Five Thousand Dollars (\$5,000) or any integral multiple thereof, or (ii) if sold through a private placement, in denominations of One Hundred Thousand Dollars (\$100,000), plus any integral multiple of One Thousand Dollars (\$1,000) in excess thereof, or the aggregate principal amount of such Bonds maturing in any year if less than \$100,000; in either case not exceeding the aggregate principal amount of the Bonds maturing in any one year. Each series of the Bonds shall be numbered consecutively from R-1 upward, and shall bear interest at a rate not to exceed six percent (6.0%) per annum (the exact rate or rates to be determined by bidding or through

negotiations). Interest on the Bonds shall be calculated according to a 360-day calendar year containing twelve (12) thirty (30)-day months, and shall be payable semiannually on January 1 and July 1 of each year (each an “Interest Payment Date”), commencing not earlier than July 1, 2022. The principal of each series of the Bonds shall mature semiannually on January 1 and July 1 of each year, commencing not earlier than July 1, 2022, and ending no later than January 1, 2042, until the principal is fully paid. Subject to the terms and conditions herein, the Bonds shall mature on such dates and in such amounts, as determined by the Controller prior to the sale of the Bonds with the advice of the Municipal Advisor, in order to produce, on an aggregate basis, as level annual debt service as practicable for all obligations payable from the Net Revenues of the Waterworks.

The Bonds shall bear an original issue date which shall be the date of delivery and each Bond shall also bear the date of its authentication. Any Bond authenticated on or before the fifteenth (15th) day of the month immediately preceding the first Interest Payment Date, shall pay interest from its original date. Any Bond authenticated thereafter shall pay interest from the Interest Payment Date next preceding the date of authentication of such Bond to which interest thereon has been paid or duly provided for, unless such Bond is authenticated after the fifteenth (15th) day of the month immediately preceding an Interest Payment Date and on or before such Interest Payment Date, in which case interest thereon shall be paid from such Interest Payment Date.

The Controller is authorized to serve as, or the Mayor and the Controller are authorized to appoint a qualified financial institution to serve as, the Registrar and Paying Agent for the Bonds (the “Registrar and Paying Agent”) as will enable and facilitate the performance of its duties and responsibilities, and are authorized and directed to pay such fees as the Registrar and Paying Agent may reasonably charge for its services in such capacity, with such fees to be paid from the Sinking Fund as described in this Ordinance. The Registrar and Paying Agent is hereby charged with the performance of all of the duties and responsibilities customarily associated with each such position, including without limitation the authentication of the Bonds.

The Registrar and Paying Agent, if not the Controller, may at any time resign as Registrar and Paying Agent upon giving thirty (30) days' notice in writing to the City and by first-class mail to each registered owner of the Bonds then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the City. Any such notice to the City may be served personally or sent by certified mail. The Registrar and, Paying Agent may also be removed at any time as Registrar and Paying Agent by the City, in which event the City may appoint a successor Registrar and Paying Agent. The City shall notify each registered owner of the Bonds then outstanding by first-class mail of the removal of the Registrar and Paying Agent. Notices to registered owners of the Bonds shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear on the registration books kept by the Registrar. Any predecessor Registrar and Paying Agent shall deliver all of the Bonds and cash in its possession with respect thereto, together with the registration books to the successor Registrar and Paying Agent. The Controller is hereby authorized to act on behalf of the City with regard to any of the aforementioned actions of the City relating to the resignation or removal of the Registrar and Paying Agent and appointment of a successor Registrar and Paying Agent.

If wire transfer payment for the Bonds is not required, the principal of and any redemption premium on the Bonds shall be payable at the designated corporate trust operations office of the Paying Agent. Interest on the Bonds shall be paid by check or draft mailed or delivered by the Paying Agent to the registered owner thereof at the address as it appears on the registration books kept by the Registrar as of the fifteenth (15th) day of the calendar month immediately preceding an Interest Payment Date or at such other address as may be provided to the Paying Agent in writing by such registered owner. Notwithstanding anything in this Ordinance to the contrary, so long as The Depository Trust Company, New York, New York (“DTC”), or its nominee, or any successor thereto, is the registered owner of any series of the Bonds, the principal of and premium, if any, and interest on such series of the Bonds will be paid directly to DTC or successor depository by wire transfer on the payment date in same-day funds by the Paying Agent. All payments on the Bonds shall be made in any coin or currency of the United States of America which, on the dates of such payments, shall be legal tender for the payment of public or private debt.

Each Bond shall be transferable or exchangeable only on the books of the City maintained for such purpose at the designated corporate trust operations office of the Registrar, by the registered owner thereof in person, or by his or her attorney duly authorized in writing, upon

surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his or her attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. Each Bond may be transferred or exchanged without cost to the registered owner or his or her attorney duly authorized in writing, except for any tax or other governmental charge which may be required to be paid with respect to such transfer or exchange. The Registrar shall not be obligated to make any transfer or exchange of any Bond (i) during the fifteen (15) days immediately preceding an Interest Payment Date or (ii) after the mailing of notice calling such Bond for redemption. The City, the Registrar and the Paying Agent may treat and consider the person in whose name any Bond is registered as the absolute owner thereof for all purposes including the purpose of receiving payment of, or on account of, the principal thereof and redemption premium, if any, and interest thereon.

In the event any Bond is mutilated, lost, stolen or destroyed, the City may cause to be executed and the Registrar may authenticate a new Bond of like date, maturity and denomination as the mutilated, lost, stolen or destroyed Bond, which new Bond shall be marked in a manner to distinguish it from the Bond for which it was issued; provided, that in the case of any mutilated Bond, such mutilated Bond shall first be surrendered to the Registrar, and in the case of any lost, stolen or destroyed Bond there shall be first furnished to the Registrar evidence of such loss, theft or destruction satisfactory to the City and the Registrar, together with indemnity satisfactory to them. In the event that any such mutilated, lost, stolen or destroyed Bond shall have matured or been called for redemption, instead of causing to be issued a duplicate Bond, the Registrar and Paying Agent may pay the same upon surrender of the mutilated Bond or satisfactory indemnity and proof of loss, theft or destruction in the case of a lost, stolen or destroyed Bond. The City and the Registrar and Paying Agent may charge the owner of any such Bond with their reasonable fees and expenses in connection with the above. Every substitute Bond issued by reason of any Bond being lost, stolen or destroyed shall, with respect to such Bond, constitute a substitute contractual obligation of the City pursuant to this Ordinance, whether or not the lost, stolen or destroyed Bond shall be found at any time, and shall be entitled to all the benefits of this Ordinance, equally and proportionately with any and all other Bonds duly issued hereunder.

In the event that any Bond is not presented for payment or redemption on the date established therefor, the City may deposit in trust with the Paying Agent an amount sufficient to pay such Bond or the redemption price thereof, as appropriate, and thereafter the owner of such Bond shall look only to the funds so deposited in trust with the Paying Agent for payment and the City shall have no further obligation or liability with respect thereto.

SECTION 3. Redemption of Bonds. The Mayor and the Controller, upon consultation with the Municipal Advisor, may designate each series or maturities of Bonds (or portion thereof in integral multiples of \$5,000 principal amount each) that shall be subject to optional redemption and/or maturity sinking fund redemption, and the corresponding redemption dates, amounts and prices (including premium, if any). Except as otherwise set forth in this Ordinance, the Mayor and the Controller, upon consultation with the Municipal Advisor, are hereby authorized and directed to determine the terms governing any such redemption, as evidenced by the delivery of the Bonds.

If any Bond is issued as a term bond, the Paying Agent shall credit against the mandatory sinking fund requirement for the Bonds maturing as term bonds, and corresponding mandatory redemption obligation, in the order determined by the City, any Bonds maturing as term bonds which have previously been redeemed (otherwise than as a result of a previous mandatory redemption requirement) or delivered to the Registrar for cancellation or purchased for cancellation by the Paying Agent and not theretofore applied as a credit against any redemption obligation. Each Bond maturing as a term bond so delivered or cancelled shall be credited by the Paying Agent at 100% of the principal amount thereof against the mandatory sinking fund obligation on such mandatory sinking fund date, and any excess of such amount shall be credited on future redemption obligations, and the principal amount of the Bonds to be redeemed by operation of the mandatory sinking fund requirement shall be accordingly reduced; provided, however, the Paying Agent shall credit only such Bonds maturing as term bonds to the extent received on or before forty-five (45) days preceding the applicable mandatory redemption date.

Each Five Thousand Dollars (\$5,000) principal amount shall be considered a separate bond for purposes of optional and mandatory redemption. If less than an entire maturity is called for redemption, the Bonds to be called shall be selected by lot by the Registrar.

Notice of such redemption shall be mailed by certified or registered mail at least thirty (30) days and not more than sixty (60) days prior to the scheduled redemption date to each of the registered owners of the Bonds called for redemption (unless waived by such registered owner), at the address shown on the books of the Registrar. The notice shall specify date and place of redemption, and the registration numbers of the Bonds called for redemption. The place of redemption may be at the designated corporate trust operations office of the Paying Agent or as otherwise determined by the City. Interest on the Bonds so called for redemption shall cease to accrue on the redemption date fixed in such notice, if sufficient funds are available at the place of redemption to pay the redemption price on the redemption date and when such Bonds are presented for payment.

In addition to the foregoing notice, the City may also direct that further notice of redemption of the Bonds be given, including without limitation and at the option of the City, notice described in paragraph (a) below given by the Registrar to the parties described in paragraph (b) below. No defect in any such further notice and no failure to give all or any portion of any such further notice shall in any manner defeat the effectiveness of any call for redemption of Bonds so long as notice thereof is mailed as prescribed above.

(a) If so directed by the City, each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (i) the CUSIP numbers of all Bonds being redeemed; (ii) the date of issue of the Bonds as originally issued; (iii) the rate of interest borne by each Bond being redeemed; (iv) the maturity date of each Bond being redeemed; and (v) any other descriptive information needed to identify accurately the Bond being redeemed.

(b) If so directed by the City, each further notice of redemption shall be sent at least thirty (30) days before the redemption date by registered or certified mail or overnight delivery service to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Bonds (such depositories as the Depository Trust Company of New York, New York) and to one or more national information services that disseminate notices of redemption of obligations such as the Bonds.

Upon the payment of the redemption price of the Bonds being redeemed and if so directed by the City, each check or other transfer of funds issued for such purpose shall bear the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer.

SECTION 4. Authorization for Book-Entry System. The Bonds may, in compliance with all applicable laws and as determined by the Controller based upon the advice of the Municipal Advisor, initially be issued and held in book-entry form on the books of the central depository system, The Depository Trust Company, its successors, or any successor central depository system appointed by the City from time to time (the "Clearing Agency"), without physical distribution of bonds to the purchasers. The following provisions of this Section apply in such event.

One definitive Bond of each maturity shall be delivered to the Clearing Agency (or its agent) and held in its custody. The City and Registrar may, in connection herewith, do or perform or cause to be done or performed any acts or things not adverse to the rights of the holders of the Bonds as are necessary or appropriate to accomplish or recognize such book-entry form Bonds.

During any time that the Bonds are held in book-entry form on the books of a Clearing Agency, (1) any such Bond may be registered upon Registration Record in the name of such Clearing Agency, or any nominee thereof, including Cede & Co.; (2) the Clearing Agency in whose name such Bond is so registered shall be, and the City and the Registrar and Paying Agent may deem and treat such Clearing Agency as, the absolute owner and holder of such Bond for all purposes of this Ordinance, including, without limitation, the receiving of payment of the principal of and interest and premium, if any, on such Bond, the receiving of notice and the giving of consent; (3) neither the City nor the Registrar or Paying Agent shall have any responsibility or obligation hereunder to any direct or indirect participant, within the meaning of Section 17A of the Securities Exchange Act of 1934, as amended, of such Clearing Agency, or any person on behalf of which, or otherwise in respect of which, any such participant holds any interest in any Bond, including, without limitation, any responsibility or obligation hereunder to maintain accurate records of any interest in any Bond or any responsibility or obligation hereunder with respect to the receiving of payment of principal of or interest or premium, if any, on any Bond, the

receiving of notice or the giving of consent; and (4) the Clearing Agency is not required to present any Bond called for partial redemption, if any, prior to receiving payment so long as the Registrar and Paying Agent and the Clearing Agency have agreed to the method for noting such partial redemption.

If either the City receives notice from the Clearing Agency which is currently the registered owner of the Bonds to the effect that such Clearing Agency is unable or unwilling to discharge its responsibility as a Clearing Agency for the Bonds, or the City elects to discontinue its use of such Clearing Agency as a Clearing Agency for the Bonds, then the City and the Registrar and Paying Agent each shall do or perform or cause to be done or performed all acts or things, not adverse to the rights of the holders of the Bonds, as are necessary or appropriate to discontinue use of such Clearing Agency as a Clearing Agency for the Bonds and to transfer the ownership of each of the Bonds to such person or persons, including any other Clearing Agency, as the holder of the Bonds may direct in accordance with this Ordinance. Any expenses of such discontinuance and transfer, including expenses of printing new certificates to evidence the Bonds, shall be paid by the City.

During any time that the Bonds are held in book-entry form on the books of a Clearing Agency, the Registrar shall be entitled to request and rely upon a certificate or other written representation from the Clearing Agency or any participant or indirect participant with respect to the identity of any beneficial owner of the Bonds as of a record date selected by the Registrar. For purposes of determining whether the consent, advice, direction or demand of a registered owner of a Bond has been obtained, the Registrar shall be entitled to treat the beneficial owners of the Bonds as the bondholders and any consent, request, direction, approval, objection or other instrument of such beneficial owner may be obtained in the fashion described in this Ordinance.

During any time that the Bonds are held in book-entry form on the books of a Clearing Agency, the Mayor, the Controller and/or the Registrar are authorized to execute and deliver a Letter of Representations agreement with the Clearing Agency, or a Blanket Issuer Letter of Representations, and the provisions of any such Letter of Representations or any successor agreement shall control on the matters set forth therein. The Registrar, by accepting the duties of Registrar under this Ordinance, agrees that it will (i) undertake the duties of agent required thereby and that those duties to be undertaken by either the agent or the issuer shall be the responsibility of the Registrar, and (ii) comply with all requirements of the Clearing Agency, including without limitation same day funds settlement payment procedures. Further, during any time that the Bonds are held in book-entry form, the provisions of this Section 4 of this Ordinance shall control over conflicting provisions in any other section of this Ordinance.

SECTION 5. Execution and Authentication of the Bonds. The Bonds shall be executed in the name of the City by the manual or facsimile signature of the Mayor, countersigned by the manual or facsimile signature of the Controller, and attested by the manual or facsimile signature of the Clerk who shall affix the seal of the City manually or by facsimile to each of the Bonds. The Bonds shall be authenticated by the manual signature of the Registrar, and no Bond shall be valid or become obligatory for any purpose until the certificate of authentication thereon has been so executed. In case any official whose signature appears on any Bond shall cease to be such official before the delivery of such Bond, the signature of such official shall nevertheless be valid and sufficient for all purposes, the same as if such official had been in office at the time of such delivery. Subject to the provisions of this Ordinance regarding the registration of the Bonds, the Bonds shall be fully negotiable instruments under the laws of the State of Indiana.

SECTION 6. Security and Sources of Payment; Pledge of Net Revenues. The Bonds, when fully paid for and delivered to the purchaser or purchasers thereof, together with the Outstanding Parity Bonds and any bonds hereafter issued on a parity therewith, as to both principal and interest, shall be valid and binding, special and limited obligations of the City, payable from and secured by, and shall constitute a first charge upon, all of the "Net Revenues" (herein defined as gross revenues of the Waterworks after deduction only for the payment of the reasonable expenses of operation and maintenance) derived from the Waterworks, including all such Net Revenues from the existing works and all additions and improvements thereto and replacements thereof subsequently constructed or acquired, to be set aside in the Sinking Fund (as defined herein), which are hereby irrevocably pledged to the payment of the Bonds on a parity basis with the Outstanding Parity Bonds and any bonds hereafter issued on a parity therewith, to the extent necessary for that purpose. The City shall not be obligated to pay the Bonds or the interest thereon except from the Net Revenues of the Waterworks, and the Bonds shall not constitute an indebtedness of the City within the meaning of the provisions and limitations of the constitution

of the State of Indiana. The Bonds shall have all of the qualities and incidents of negotiable instruments under the laws of the State of Indiana, subject to the provisions for registration herein.

SECTION 7. Form of the Bonds. The form and tenor of the Bonds shall be substantially as set forth in Exhibit B, attached hereto and incorporated herein as if set forth at this place (with all blanks to be filled in properly and all necessary additions and deletions to be made prior to delivery thereof).

SECTION 8. Issuance, Sale and Delivery of the Bonds. The Controller is hereby authorized and directed to have the Bonds prepared, and the Mayor, the Controller and the Clerk are hereby authorized and directed to execute and attest, respectively, the Bonds in the form and manner herein provided. The Controller is hereby authorized and directed to deliver the Bonds to the purchaser or purchasers thereof upon compliance with the requirements established hereunder and under the Act for the sale thereof, and to collect the full amount which the purchaser or respective purchasers have agreed to pay therefor, which shall not be less than 99.0% of the par amount of the Bonds (or such higher percentage of the par value of the Bonds as may be determined by the Controller with the advice of the Municipal Advisor and set forth in the Controller's Certificate), plus accrued interest thereon to the date of delivery. The Bonds, when fully paid for and delivered to the purchaser or purchasers shall be the binding special revenue obligations of the City, payable out of the revenues of the Waterworks to be set aside and paid into the Sinking Fund as herein provided, and the proceeds derived from the sale of the Bonds shall be and are hereby set aside for the application to the costs of the Projects and the expenses necessarily incurred in connection therewith including the expenses incurred in the issuance of the Bonds on account of the financing thereof. The authorized officers of the City are hereby authorized and directed to draw all proper and necessary warrants and to do whatever other acts and things that may be necessary or appropriate to carry out the provisions of this Ordinance.

Any series of the Bonds may, in the discretion of the Controller based upon the advice of the Municipal Advisor, be sold by public sale. If the Bonds are sold by public sale, the Controller shall cause to be published either (i) a notice of such sale two (2) times, at least one (1) week apart, with the first publication made at least fifteen (15) days before the date of such sale and the second publication at least three (3) days before the date of the sale in accordance with Indiana Code 5-3-1-2 in one (1) newspaper, as defined in and in accordance with Indiana Code 5-3-1-4, or (ii) a notice of intent to sell bonds once each week for two (2) weeks in accordance with Indiana Code 5-1-11-2 and Indiana Code 5-3-1-4 and in a newspaper of general circulation published in the State capital, in which case bids may not be received more than ninety (90) days after the first publication. Such notice, or a summary thereof, may also be published in any other publications deemed appropriate in the discretion of the Controller. The bond sale notice shall state the time and place of sale, the purpose for which the Bonds are being issued, the total amount and maturities thereof, the maximum rate of interest thereon and any limitations as to the number of interest rates and the setting of such rates, the terms and conditions upon which bids will be received and the sale made, and such other information as the Controller and the attorneys employed by the City shall deem necessary or advisable. Such notice shall provide, among other things, that each bid shall be accompanied by a certified or cashier's check or wire transfer in the amount of one percent of the par amount of the Bonds to guarantee performance on the part of the bidder, and that in the event the successful bidder shall fail or refuse to accept delivery of and pay for the Bonds as soon as the Bonds are ready for delivery, or at the time fixed in the notice of sale, then such check and the proceeds thereof shall become the property of the City and shall be considered as the City's liquidated damages on account of such default.

All bids for the Bonds shall be sealed and shall be presented to the Controller or his or designee at the physical or electronic address identified in the notice. Bidders for the Bonds shall be required to name the rate or rates of interest which the Bonds are to bear, not exceeding six percent (6.0%) per annum. Such interest rate or rates shall be in multiples of one-eighth (1/8) or one-hundredth (1/100) of one percent. Bids specifying more than one interest rate shall also specify the amount and maturities of the Bonds bearing each rate, and all Bonds maturing on the same date shall bear the same rate. The rate on any maturity shall be equal to or greater than the rate on the immediately preceding maturity. The Bonds shall be awarded by the Controller to the best bidder who has submitted a bid in accordance with the terms of this Ordinance and the notice of sale. The best bidder will be the bidder who offers the lowest net interest cost to the City, to be determined by computing the total interest on all of the Bonds from the date thereof to their respective maturities and deducting therefrom the premium bid, if any. No bid for less than all of the Bonds, plus accrued interest to the date of delivery, shall be considered. The City shall have

the right to reject any and all bids. In the event an acceptable bid is not received on the date fixed in the notice, the Controller shall be authorized to continue the sale from day to day for a period of not to exceed thirty (30) days without re-advertising. During the continuation of the sale, no bid shall be accepted which offers an interest cost which is equal to or higher than the best bid received at the time originally fixed for the sale of the Bonds in the bond sale notice.

As an alternative to a public sale, any series of the Bonds may, in the discretion of the Controller based upon the advice of the Municipal Advisor, be sold by negotiated sale with one or more purchasers selected by the Controller, consistent with the terms and conditions set forth in this Ordinance. The Mayor and the Controller are hereby authorized to (i) execute one or more purchase agreements with the purchaser or purchasers of the Bonds, and (ii) sell such Bonds upon such terms as are acceptable to the Mayor and the Controller consistent with the terms of this Ordinance. The final form of any such purchase agreement shall be approved by the Mayor and Controller, upon the advice of the City's bond counsel and Municipal Advisor, and the Mayor and Controller are hereby authorized and directed to complete, execute and attest the same on behalf of the City so long as its provisions are consistent with the Ordinance.

Prior to the delivery of the Bonds, the Controller (i) shall be authorized, but not required, to investigate and to obtain insurance, surety bonds and/or credit ratings on the Bonds and (ii) shall obtain a legal opinion as to the validity of the Bonds from Barnes & Thornburg LLP, Indianapolis, Indiana, bond counsel for the City, and such opinion shall be furnished to the purchasers of the Bonds at the expense of the City. The costs of obtaining any such insurance, surety bonds and/or credit ratings, together with bond counsel's fee in preparing and delivering such opinion and in the performance of related services in connection with the issuance, sale and delivery of the Bonds, shall be considered as a part of the cost of issuance of the Bonds and shall be paid out of the proceeds of the sale of the Bonds.

SECTION 9. Official Statement. Any series of the BANs or the Bonds may be offered and sold pursuant to an Official Statement (preliminary and final) or other offering document with respect to such BANs or Bonds (collectively, the "Official Statement"), to be made available and distributed in such manner, at such times, for such periods and in such number of copies as may be required pursuant to Rule 15c2-12, as amended, promulgated by the United States Securities and Exchange Commission (the "Rule") and any and all applicable rules and regulations of the Municipal Securities Rulemaking Board, to the extent applicable to the Bonds. The City hereby authorizes the Mayor or Controller (a) to authorize and approve a Preliminary Official Statement, as the same may be appropriately confirmed, modified and amended for distribution as the Preliminary Official Statement of the City with respect to the BANs or Bonds, (b) on behalf of the City, to designate the Preliminary Official Statement a "final" Official Statement of the City with respect to the Bonds, and (c) to authorize and approve the Preliminary Official Statement to be placed into final form and enter into such agreements or arrangements as may be necessary or advisable in order to provide for the distribution of a sufficient number of copies of the Official Statement under the Rule.

SECTION 10. Continuing Disclosure. If required under the Rule, the Common Council hereby approves, and authorizes and directs the Mayor and the Controller, for and on behalf of the City, to execute and deliver, and to perform the obligations of the City under, a Continuing Disclosure Contract from the City to each registered owner or holder of any Bond (the "Continuing Disclosure Contract"). The Mayor and the Controller are authorized to approve the form of the Continuing Disclosure Contract, upon the advice of the City's bond counsel, with such determination to be conclusively evidenced by such Mayor's and such Controller's execution thereof.

SECTION 11. Construction Account; Use of Proceeds of Bonds. All of the proceeds from the sale of the Bonds, to the extent not used to refund BANs, and all proceeds of any BANs (if issued) shall be deposited in a bank or banks which are legally designated depositories for the funds of the City, in a special account or accounts to be designated as "City of Bloomington, 2021 Waterworks Construction Account", or such different or further designation as determined by the Controller to be necessary or appropriate (the "Construction Account"). All funds deposited to the credit of the Sinking Fund (as defined herein) or the Construction Account shall be deposited, held, secured or invested in accordance with the laws of the State of Indiana relating to the depositing, holding, securing or investing of public funds, including particularly Indiana Code 5-13, as amended. The funds in the Construction Account shall be expended only for the purpose of paying

the cost of the Projects, refunding the BANs (if any), or as otherwise required by the Act or for the expenses of issuance of the Bonds.

All costs of issuance of the Bonds or the BANs, including, without limitation, any rating agency fees, fiscal agency charges, fees and expenses of legal counsel and municipal advisors, printing costs, DTC and CUSIP fees and charges, and/or premiums for credit facilities or reserve fund surety policies, shall be considered as a part of the cost of the Projects on account of which the BANs and Bonds are issued, and the Controller is hereby authority to pay such costs of issuance from the proceeds of the BANs or Bonds.

If any proceeds of the Bonds will be used to fund all or a portion of the Reserve Account (as defined herein), the Controller shall transfer such proceeds of the Bonds to the Reserve Account of the Sinking Fund, as hereinafter described.

Any balance or balances remaining unexpended in such special account or accounts after completion of the Projects, which are not required to meet unpaid obligations incurred in connection with such Projects, shall be either (i) paid into the Sinking Fund and used solely for the purposes of said Sinking Fund or (ii) used for the same purpose or type of project for which the Bonds were originally issued, all in accordance with Indiana Code 5-1-13, as amended.

SECTION 12. Waterworks Revenue Fund; Segregation and Application of Waterworks Revenues. There has previously been created under the Prior Ordinances and is hereby continued, a special fund which is segregated and kept apart from all other funds and bank accounts of the City, designated as the "Waterworks Revenue Fund" (the "Revenue Fund"). All revenues derived from the operation of the Waterworks and from the collection of water rates and charges shall be deposited in the Revenue Fund and segregated and deposited as set forth in this Ordinance. Out of these revenues, the proper and reasonable expenses of operation and maintenance of the Waterworks shall be paid, the requirements of the Sinking fund shall be met and fiscal agency charges of bank registrars and paying agents shall be paid, and the costs of replacements, extensions, additions and improvements shall be paid, all as hereinafter provided.

SECTION 13. Operation and Maintenance Fund. (a) There has previously been created under the Prior Ordinances and is hereby continued an Operation and Maintenance Fund consisting of a General Account (the "General Account").

(b) On the last day of each calendar month, there shall be set aside, transferred and deposited into the General Account from the Revenue Fund a sufficient amount of the revenues of the Waterworks so that the balance maintained in the General Account shall be sufficient to pay the expenses of operation and maintenance of the Waterworks for the then next succeeding two (2) calendar months. The moneys credited to the General Account shall be used for the payment of the reasonable and proper operation and maintenance expenses of the Waterworks on a day-to-day basis, but none of the moneys in such account shall be used for depreciation, payments in lieu of taxes, replacements, improvements, extensions or additions with respect to the Waterworks. Any moneys in the General Account may be transferred to the Sinking Fund if necessary to prevent a default in the payment of principal of or interest on any outstanding bonds of the Waterworks.

(c) All remaining revenues of the Waterworks shall be transferred from time to time to meet the requirements of the Sinking Fund. Moneys in excess of those transferred to the Sinking Fund may be transferred to the Improvement Fund (as defined herein) or may be retained in the General Account, in the discretion of the Board, and in a manner consistent with the requirements of this Ordinance. Moneys in excess of those required to be in the General Account and the Sinking Fund may also be used, in the discretion of the Board, for any other lawful purpose related to the Waterworks. Notwithstanding the foregoing, in the event that any amounts are due to any providers (including their successors and assigns) of any municipal bond insurance policies or debt service reserve surety policies acquired by the City in connection with the Bonds or any of the Outstanding Parity Bonds, any excess moneys in the General Account after making all required transfers to the Sinking Fund shall be first used to pay any amounts owed under such policies.

SECTION 14. Waterworks Sinking Fund. (a) There is hereby continued from the Prior Ordinances a fund for the payment of the principal of and interest on revenue bonds which by their terms are payable from the Net Revenues of the Waterworks and the payment of any fiscal agency charges in connection with the payment of the bonds and interest, which fund has been previously designated as the Waterworks Sinking Fund ("Sinking Fund"), within which there has been created

and is hereby continued a Bond and Interest Account (the “Bond and Interest Account”) and a Debt Service Reserve Account (the “Reserve Account”). There shall be set aside, transferred and deposited into the Sinking Fund, as available and as hereinafter provided, a sufficient amount of the Net Revenues of the Waterworks to meet the requirements of the Bond and Interest Account and the Reserve Account. Such payments shall continue until the balances in the Bond and Interest Account and the Reserve Account equal the principal of and interest on all of the then outstanding bonds of the Waterworks to their final maturity and provide for payment of all fiscal agency charges.

(b) Bond and Interest Account. The Bond and Interest Account is hereby continued within the Sinking Fund. There shall be credited, on the last day of each calendar month, to the Bond and Interest Account an amount of the Net Revenues equal to at least one-sixth (1/6) of the interest on all then outstanding bonds of the Waterworks payable on the then next succeeding Interest Payment Date, and at least one-sixth (1/6) of the principal on all then outstanding bonds of the Waterworks payable on the then next succeeding principal payment date, until the amount of interest and principal payable on the then next succeeding interest and principal payment dates shall have been so credited; provided, that such fractional amounts shall be appropriately increased, if necessary, to provide for the first interest and first principal payments on the Bonds. There shall similarly be credited to the account any amount necessary to pay the bank fiscal agency charges, if any, for paying principal and interest on the bonds of the Waterworks as the same become payable. The City shall, from the sums deposited in the Sinking Fund and credited to the Bond and Interest Account, remit promptly to the registered owner or to the bank fiscal agency sufficient moneys to pay the interest and principal on the due dates thereof together with the amount of any bank fiscal agency charges.

(c) Reserve Account. The Reserve Account is hereby continued within the Sinking Fund. The City has funded with cash on hand, bond proceeds or purchased Surety Bonds (the “Outstanding Surety Bonds”) to satisfy the reserve requirements for the Outstanding Parity Bonds, which moneys and Outstanding Surety Bonds are held in the Reserve Account as a separate reserve for each of the Outstanding Parity Bonds.

On the date of delivery of the Bonds, the City shall cause funds on hand of the Waterworks, proceeds of the Bonds, or a combination thereof, to be deposited and/or maintained in the Reserve Account so that the balance therein allocable to the Bonds shall equal the least of (i) the maximum annual debt service on the Bonds, (ii) one hundred twenty-five percent (125%) of the average annual debt service on the Bonds, or (iii) ten percent (10%) of the proceeds of the Bonds; provided, however, the Controller is hereby authorized to adjust the reserve requirement for the Bonds (taking into account the Outstanding Surety Bonds, any other Surety Bonds, and any cash held therein) in order to meet any requirements of the Purchaser of the Bonds, if applicable on the date of issuance of the Bonds (the “Reserve Requirement”).

The Reserve Account shall constitute the margin for safety as a protection against default in the payment of principal of and interest on the Outstanding Parity Bonds, the Bonds, and any other parity bonds of the City payable from the Net Revenues of its Waterworks hereafter issued so long as the Reserve Requirement has been increased proportionately, and the moneys in the Reserve Account shall only be used to pay current principal and interest on such bonds to the extent that moneys in the Bond and Interest Account are insufficient for that purpose. If it becomes necessary to draw upon the Reserve Account to pay the Outstanding Parity Bonds or the Bonds, the City shall first draw down the cash in the Reserve Account, if any, and next initiate draws on any Qualified Surety Bonds held therein, including the Outstanding Surety Bonds, on a pro rata basis, to meet such payments when due. Notwithstanding the foregoing sentence, if the Reserve Requirement for the Bonds is funded in whole or in part with cash rather than in whole with a Qualified Surety Bond, the City shall, if necessary to pay principal of or interest on the Bonds, use the cash in the Reserve Account to first pay such principal of or interest on the Bonds before such cash is used on the Outstanding Parity Bonds. Any deficiency in the balance maintained in the Reserve Account shall be promptly made up from the next available Net Revenues remaining after credits into the Bond and Interest Account. In the event moneys in the Reserve Account are transferred to the Bond and Interest Account to pay principal and interest on outstanding bonds, then such depletion of the balance in the Reserve Account shall be made up from the next available Net Revenues after the credits into the Bond and Interest Account. Any moneys in the Reserve Account in excess of the Reserve Requirement shall be transferred to the Waterworks Improvement Fund, and in no event shall such excess moneys be held in the Reserve Account.

Notwithstanding anything herein to the contrary, but subject to the terms of the Prior Ordinances, the City reserves the right to satisfy the Reserve Account at any time with funds on hand of the Waterworks, bond proceeds, a Qualified Surety Bond, or a combination thereof. A "Qualified Surety Bond" means a surety bond or policy issued by an insurance company rated solely at the time of issuance of such instrument in one of the two highest full rating categories by Standard & Poor's Global Ratings Services and Moody's Investors Service. If any such surety bond is purchased, the Mayor and the Controller are hereby authorized to execute and deliver all agreements with the provider of Qualified Surety Bonds to the extent necessary to comply with the terms thereof and the commitment to issue such Qualified Surety Bond. Such agreement shall be deemed a part of this Ordinance for all purposes and is hereby incorporated herein by reference.

SECTION 15. Waterworks Improvement Fund. As set forth in Section 13 hereof, revenues may be transferred or credited from the General Account to the Waterworks Improvement Fund previously created by the Prior Ordinances and hereby continued (the "Improvement Fund"). Subject to the provisions of the Prior Ordinances, the Improvement Fund shall be used for (a) improvements, replacements, additions and extensions of the Waterworks, (b) for payments in lieu of taxes, and (c) for any other lawful purpose related to the Waterworks. Moneys in the Improvement Fund shall be transferred to the Sinking Fund if necessary to prevent a default in the payment of principal and interest on the then outstanding bonds payable from the Sinking Fund or if necessary to eliminate any deficiencies in credits to or minimum balances, if any, in the Reserve Account. Moneys in the Improvement Fund also may be transferred to the General Account to meet unforeseen contingencies in the operation and maintenance of the Waterworks.

SECTION 16. Priority of Payments. All revenues of the Waterworks shall be paid in the following order, with the priority as indicated:

(a) First, to pay all reasonable and proper expenses of the operation and maintenance of the Waterworks;

(b) Second, on a pari passu (parity) basis, to pay all principal of and interest on the Outstanding Parity Bonds, the Bonds and any bonds hereafter issued which rank on a parity with the Bonds;

(c) Third, on a pari passu (parity) basis, to replenish any cash drawn from the Reserve Account if the Reserve Requirement for the Bonds or the Outstanding Parity Bonds is satisfied, in whole or in part, with cash and to replenish any surety bonds in place for either the Outstanding Parity Bonds or the Bonds;

(d) Fourth, to replenish any other cash drawn, if any, from the Reserve Account;

(e) Fifth, to pay the costs of improvements, replacements, additions and extensions of the Waterworks and for payments in lieu of taxes; and

(f) All other lawful uses related to the Waterworks, including debt service payments on any junior and subordinate bonds.

SECTION 17. Separation of Funds; Investments. The proceeds from the sale of the Bonds shall be deposited in a bank or banks which are legally designated depositories for the funds of the City, in a special account or accounts. The Sinking Fund shall be deposited in and maintained as a separate account or accounts from all other accounts of the City. The General Account and the Improvement Fund may be maintained in a single account, or accounts, but such account, or accounts, shall likewise be maintained separate and apart from all other accounts of the City and apart from the Sinking Fund account or accounts. All of the funds and accounts of the Waterworks created or continued by this Ordinance, and all moneys deposited therein, shall be continuously maintained, deposited, held, secured and invested as public funds in accordance with the laws of the State of Indiana relating to the depositing, holding, securing or investing of public funds, including, particularly, applicable provisions of Indiana Code 5-13 and the acts amendatory thereof and supplemental thereto. Any interest or income derived from any such investments shall become a part of the moneys in the fund or account so invested and shall be used only as provided in this Ordinance and the Prior Ordinances. In no event shall any of the Net Revenues of the Waterworks be transferred or used for any purpose not authorized by this Ordinance or the Prior Ordinances, so long as any of the bonds secured by and payable from the Net Revenues shall be outstanding.

Upon issuance of the Bonds, moneys held and on deposit in the existing funds and accounts established under the Prior Ordinances shall remain on deposit therein.

SECTION 18. Books of Records and Accounts. The City shall keep proper record books of account, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all revenues collected on account of the operation of the Waterworks and all disbursements made therefrom and all transactions relating to the Waterworks. Copies of all such statements and reports shall be kept on file in the office of the Controller. There shall be prepared and furnished, upon the written request, to any owner of the Bonds then outstanding, not more than ninety (90) days after the close of each fiscal year, complete financial statements of the Waterworks, covering the preceding fiscal year. Copies of all such statements and reports shall be kept on file in the office of the Director of the City of Bloomington Utilities. Any owner of the Bonds then outstanding shall have the right at all reasonable times to inspect the Waterworks and all records, accounts and data of the City relating thereto. Such inspections may be made by representatives duly authorized by written instrument.

SECTION 19. Rate Covenant. The City covenants and agrees that it will establish, maintain and collect just and equitable rates and charges for facilities and services afforded and rendered by the Waterworks, which shall to the extent permitted by law produce sufficient revenues at all times to pay all the legal and other necessary expense incident to the operation of the Waterworks, to include maintenance costs, operating charges, upkeep, repairs, interest charges on bonds or other obligations, to provide for the proper operation, repair and maintenance of the Waterworks, to provide the Sinking Fund and debt service reserve for the liquidation of bonds or other evidences of indebtedness, to provide adequate funds to be used as working capital, as well as funds for making extensions, additions and replacements, and also, for the payment of any taxes that may be assessed against the Waterworks, it being the intent and purpose hereof that such charges shall produce an income sufficient to maintain such utility property in a sound physical and financial condition to render adequate and efficient service. The rates and charges shall be established to the extent permitted by law, to produce Net Revenues sufficient to pay 1.20 times the annual debt service on the Outstanding Parity Bonds, the Bonds and bonds hereafter issued on a parity with the Bonds. So long as any of the Bonds are outstanding, none of the facilities or services afforded or rendered by the Waterworks shall be furnished without a reasonable and just charge being made therefor. The City shall pay like charges for any and all services rendered by the Waterworks to the City, and all such payments shall be deemed to be revenues of the Waterworks. Such rates and charges shall, if necessary, be changed and adjusted from time to time so that the revenues therefrom shall always be sufficient to meet the expenses of operation and maintenance, and the requirements of the Sinking Fund.

SECTION 20. Defeasance. If, when any of the Bonds issued hereunder shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds or any portion thereof for redemption shall have been given, and the whole amount of the principal and the interest and the premium, if any, so due and payable upon all of the Bonds or any portion thereof and coupons then outstanding shall be paid; or (i) sufficient moneys, (ii) direct obligations of, or obligations the principal and interest on which are unconditionally guaranteed by, the United States of America, the principal of and the interest on which when due will provide sufficient moneys, or (iii) any combination thereof, shall be held in trust for such purpose, and provision shall also be made for paying all fees and expenses for the redemption, then and in that case the Bonds issued hereunder or any designated portion thereof shall no longer be deemed outstanding or entitled to the pledge of the Net Revenues of the City's waterworks.

SECTION 21. Additional Bond Provisions. The City reserves the right to authorize and issue additional parity bonds, payable out of the Net Revenues of its Waterworks, ranking on a parity with the pledge thereof to the Bonds and the Outstanding Parity Bonds (such bonds, the "Additional Parity Bonds"), for the purpose of financing the cost of future extensions, betterments or improvements to the Waterworks, or to refund obligations, subject to the following conditions:

(a) All required payments into the Sinking Fund and the accounts thereof shall have been made in accordance with the provisions of this Ordinance, and the interest on and principal of all bonds payable from the Net Revenues of the Waterworks shall have been paid to date in accordance with their terms.

(b) The balance in the Reserve Account with respect to all outstanding bonds and the proposed additional bonds shall be equal to the aggregate amount required to be on deposit therein by the Prior Ordinances and herein; provided, however, this condition shall be satisfied if any required amount is to be provided from the proceeds of such additional bonds or other funds either (i) at the time of their issuance of the proposed additional bonds or (ii) by monthly deposits in an amount sufficient to build the balance in the Reserve Amount to an amount equal to the Reserve Requirement with respect to the proposed additional bonds within five (5) years after the additional bonds are issued, on a level monthly basis (after accounting for earnings thereon).

(c) The Net Revenues of the Waterworks in the calendar year immediately preceding the issuance of any such additional bonds ranking on a parity with the Bonds authorized by this Ordinance shall be not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued; or, prior to the issuance of said parity bonds, the water rates and charges shall be increased sufficiently so that said increased rates and charges applied to the previous calendar year's operations would have produced Net Revenues for said year equal to not less than one hundred twenty-five percent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued. For purposes of this subsection, the records of the Waterworks shall be analyzed and all showings shall be prepared by a certified public accountant or nationally recognized financial consultant or consulting engineer employed by the City for that purpose. For purposes of this subsection, Net Revenues shall not include non-recurring revenues of the Waterworks as certified by the Board or any outstanding fund balances from prior years.

(d) The principal of said additional parity bonds shall be payable semiannually on January 1 and July 1 and the interest on said additional parity bonds shall be payable semiannually on January 1 and July 1 in the years in which such principal and interest are payable.

(e) To the extent required by law, the issuance of additional bonds and any necessary increase in water rates and charges shall be approved by the Indiana Utility Regulatory Commission.

SECTION 22. Additional Covenants of the City. For the purpose of further safeguarding the interests of the owners of the Bonds, it is hereby specifically provided as follows:

(a) So long as any of the Bonds are outstanding, the City shall at all times maintain its Waterworks system in good condition and operate the same in an efficient manner and at a reasonable cost.

(b) So long as any of the Bonds are outstanding, the City shall acquire and maintain insurance coverage, including fidelity bonds, to protect the Waterworks and its operations of a kind and in an amount such as is automatically carried by private companies engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business under the laws of the State of Indiana. All insurance proceeds and condemnation awards shall be used to replace or repair the property destroyed or damaged.

(c) So long as any of the Bonds are outstanding, the City shall not mortgage, pledge or otherwise encumber the property and plant of its Waterworks system, or any part thereof, and shall not sell, lease or otherwise dispose of any part of the same, except to replace equipment which may become worn out or obsolete.

(d) Except as hereinbefore provided in Section 21 hereof, so long as any of the Bonds are outstanding, no additional bonds or other obligations pledging any portion of the revenues of said Waterworks shall be authorized, executed, or issued by the City except such as shall be made subordinate and junior in all respects to the Bonds, unless all of the Bonds are redeemed, retired or defeased coincidentally with the delivery of such additional bonds or other obligations or, as provided in Section 20 hereof, funds sufficient to effect such redemption are available and set aside for such purpose at the time of issuance of such additional bonds or obligations.

(e) The provisions of this Ordinance shall constitute a contract by and between the City and the owners of the Bonds herein authorized, all the terms of which shall be enforceable by any bondholder by any and all appropriate proceedings in law or in equity. After the issuance of the Bonds, this Ordinance shall not be repealed or amended in any respect which will adversely affect

the rights of the owners of the Bonds, nor shall the Common Council or any other body of the City adopt any law, ordinance or resolution which in any way adversely affects the rights of such owners so long as any of the Bonds, the interest thereon remain outstanding or unpaid. Except for the changes set forth in Section 27(a)-(g), this Ordinance may be amended, however, without the consent of Bond owners, if the Common Council determines, in its sole discretion, that such amendment would not adversely affect the owners of the Bonds.

(f) The provisions of this Ordinance shall be construed to create a trust in the proceeds of the sale of the Bonds herein authorized for the uses and purposes herein set forth, and the owners of the Bonds shall retain a lien on such proceeds until the same are applied in accordance with the provisions of this Ordinance and of the governing Act. The provisions of this Ordinance shall also be construed to create a trust in the Net Revenues herein directed to be set apart and paid into the Sinking Fund for the uses and purposes of said fund as in this Ordinance set forth. The owners of the Bonds shall have all the rights, remedies and privileges set forth in the provisions of the governing Act, including the right to have a receiver appointed to administer the Waterworks in the event the City shall fail or refuse to fix and collect sufficient rates and charges for those purposes, or shall fail or refuse to operate and maintain said system and to apply properly the revenues derived from the operation thereof, or if there be a default in the payment of the interest on or principal of the Bonds.

SECTION 23. Investment of Funds. (a) The Controller is hereby authorized pursuant to IC 5-1-14-3 and the provisions of this Ordinance to invest moneys (subject to applicable requirements of federal law to insure such yield is the then current market rate) to the extent necessary or advisable to preserve the exclusion from gross income of interest on the Bonds under federal law.

(b) The Controller shall keep full and accurate records of investment earnings and income from moneys held in the funds and accounts referenced herein. In order to comply with the provisions of the ordinance, the Controller is hereby authorized and directed to employ consultants or attorneys from time to time to advise the City as to requirements of federal law to preserve the tax exclusion. The Controller may pay any fees as operation expenses of the waterworks.

SECTION 24. Tax Covenants. In order to preserve the excludability of interest on any series of the Bonds from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as existing on the date of issuance of the Bonds, as the case may be (“Code”) and as an inducement to purchasers of such series of the Bonds, the City represents, covenants and agrees that:

(a) The Waterworks will be available for use by members of the general public. Use by a member of the general public means use by natural persons not engaged in a trade or business. No person or entity other than the City or another state or local governmental unit will use more than 10% of the proceeds of the Bonds or property financed or refinanced by the proceeds of the Bonds other than as a member of the general public. No person or entity other than the City or another state or local governmental unit will own property financed or refinanced by proceeds of the Bonds or will have any actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, arrangements such as take-or-pay or output contracts or any other type of arrangement that conveys other special legal entitlements and differentiates that person’s or entity’s use of such property from use by the general public, unless such uses in the aggregate relate to no more than 10% of the proceeds of the Bonds. If the City enters into a management contract for the Waterworks, the terms of the contract will comply with IRS Revenue Procedure 2017-13, as it may be amended, supplemented or superseded for time to time, so that the contract will not give rise to private business use under the Code and the Regulations, unless such use in aggregate relates to no more than 10% of the proceeds of the Bonds, as the case may be.

(b) No more than 10% of the principal of or interest on the Bonds is (under the terms of the Bonds, this Ordinance or any underlying arrangement), directly or indirectly, secured by an interest in property used or to be used for any private business use or payments in respect of any private business use or payments in respect of such property or to be derived from payments (whether or not to the City) in respect of such property or borrowed money used or to be used for a private business use.

(c) No more than 5% of the Bond proceeds will be loaned to any person or entity other than another state or local governmental unit. No more than 5% of the Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Bond proceeds.

(d) The City reasonably expects, as of the date hereof, that the Bonds will not meet either the private business use test described in paragraph (a) and (b) above or the private loan test described in paragraph (c) above during the entire term of the Bonds.

(e) No more than 5% of the proceeds of the Bonds will be attributable to private business use as described in (a) and private security or payments described in (b) attributable to unrelated or disproportionate private business use. For this purpose, the private business use test is applied by taking into account only use that is not related to any government use of proceeds of the issue (Unrelated Use) and use that is related but disproportionate to any governmental use of those proceeds (Disproportionate Use).

(f) The City will not take any action nor fail to take any action with respect to the Bonds that would result in the loss of the exclusion from gross income for federal tax purposes on the Bonds pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion. The City covenants and agrees not to enter into any contracts or arrangements which would cause the Bonds to be treated as private activity bonds under Section 141 of the Code.

(g) It shall be not an event of default under this Ordinance if the interest on any Bond is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Bonds.

(h) These covenants are based solely on current law in effect and in existence on the date of delivery of such Bonds.

(i) The City represents that it will rebate any arbitrage profits to the United States in accordance with the Code.

(j) The Common Council hereby authorizes the Mayor and the Controller to determine whether any series of Bonds qualify for the exception in the Code from the disallowance of 100% of the deduction by financial institutions of interest expense allocable to newly acquired tax-exempt obligations. Such designation, if made, will be set forth in the arbitrage certificate delivered by the City in connection with the Bonds.

Notwithstanding any provision of this Ordinance to the contrary, the City may elect to issue a series of the Bonds, the interest on which is not excludable from gross income for federal tax purposes, so long as such election does not adversely affect the exclusion from gross income of interest for federal tax purposes on any other series of the Bonds, by making such election on the date of delivery of such series of the Bonds. In such case, the covenants in this section of the Ordinance shall not apply to such series of the Bonds.

SECTION 25. Waiver of Tax Covenants. Notwithstanding any other provision of this Ordinance, any of the covenants and authorizations contained in Section 24 of this Ordinance (the "Tax Covenants"), which are designed to preserve the exclusion of interest on the Bonds from gross income for purposes of federal income taxation, need not be complied with if the City receives an opinion of nationally recognized bond counsel to the effect that compliance with such Tax Covenant is unnecessary to preserve such exclusion of interest.

SECTION 26. Supplemental Ordinances Without Consent. Without notice to or consent of the owners of the Bonds herein authorized, the City may, from time to time and at any time, adopt an ordinance or ordinances supplemental hereto (which supplemental ordinance or ordinances shall thereafter form a part hereof) for any of the following purposes:

(a) To cure any ambiguity or formal defect or omission in this Ordinance or in any supplemental ordinance or to make any other change authorized herein;

(b) To grant to or confer upon the owners of the Bonds any additional benefits, rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the

owners of the Bonds or to make any change which, in the judgment of the City, is not to the prejudice of the owners of the Bonds;

(c) To modify, amend or supplement this Ordinance to permit the qualification of the Bonds for sale under the securities laws of the United States of America or of any of the states of the United States of America or to obtain or maintain bond insurance or other credit enhancement with respect to payments of principal of and interest on Bonds;

(d) To provide for the refunding or advance refunding of the Bonds;

(e) To procure a rating on the Bonds from a nationally recognized securities rating agency or agencies designated in such supplemental ordinance if such supplemental ordinance will not adversely affect the owners of the Bonds or any other bonds ranking on a parity with such Bonds; or

(f) To accomplish any other purpose which, in the judgment of the City, does not adversely affect the interests of the owners of the Bonds.

SECTION 27. Amendments with Consent of Bondholders. Subject to the terms and provisions contained in Section 22(f), Section 25 and this Section 26, and not otherwise, the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Bonds issued pursuant to this Ordinance and then outstanding shall have the right, from time to time, anything contained in this Ordinance to the contrary notwithstanding, to consent to and approve the adoption by the City of such ordinance or ordinances supplemental hereto as shall be deemed necessary or desirable by the City for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this Ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

(a) An extension of the maturity of the principal of or interest on any Bond issued pursuant to this Ordinance; or

(b) A reduction in the principal amount of any Bond or the redemption premium or the rate of interest thereon; or

(c) The creation of a lien upon or a pledge of the revenues of the Waterworks ranking prior to the pledge thereof created by this Ordinance; or

(d) A preference or priority of any Bond or Bonds issued pursuant to this Ordinance over any other Bond or Bonds issued pursuant to the provisions of this Ordinance; or

(e) A reduction in the aggregate principal amount of the Bonds required for consent to such supplemental ordinance; or

(f) A reduction in the required balance to be held as a reserve for the Bonds; or

(g) The extension of mandatory sinking fund redemption dates, if any.

If the owners of not less than sixty-six and two-thirds percent (66 2/3%) in aggregate principal amount of the Bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the Controller of the City, no owner of any Bond issued pursuant to this Ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the City or its officers from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this Ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance of the City and all owners of Bonds issued pursuant to the provisions of this Ordinance then outstanding, shall thereafter be determined exercised and enforced in accordance with this Ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this Ordinance, the rights and obligations of the City and of the owners of the Bonds authorized by this Ordinance, and the terms and provisions of the Bonds and this Ordinance, or any

supplemental ordinance, may be modified or altered in any respect with the consent of the City and the consent of the owners of all the Bonds issued pursuant to this Ordinance then outstanding.

SECTION 28. Non-Business Days. If the date for making any payment or the last date for performance of any act or the exercising of any right, as provided in this Ordinance, is a legal holiday or a day on which banking institutions in the area are typically closed, such payment may be made or act performed or right exercised on the next succeeding day not a legal holiday or a day on which such banking institutions are typically closed, with the same force and effect as if done on the nominal date provided in this Ordinance, and no interest shall accrue for the period after such nominal day.

SECTION 29. IURC. The Waterworks is subject to the jurisdiction of the IURC for the approval of the issuance of bonds and rates and charges. Prior to the issuance of the Bonds or any BAN with a maturity of more than twelve (12) months, the City shall obtain the approval of the IURC for the issuance of said Bonds or BANs. The City hereby authorizes the Mayor to retain legal counsel and other professional services as may be necessary to obtain said approval from the IURC and to initiate the proceedings necessary for obtaining said approval.

SECTION 31. Other Actions. Each of the Mayor and the Controller is hereby authorized and directed, for an on behalf of the City, to execute and deliver any agreement, certificate or other instrument or take any other action which such officer determines to be necessary or desirable to carry out the transactions contemplated by this Ordinance, which determination shall be conclusively evidenced by such officer's having executed such agreement, certificate or other instrument or having taken such other action, and any such agreement, certificate or other instrument heretofore executed and delivered and any such other action heretofore taken are hereby ratified and approved.

SECTION 32. Repeal; Construction with Other Ordinances. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, hereby repealed; provided, however, that this Ordinance shall not be deemed in any way to repeal, amend, alter or modify any of the Prior Ordinances, nor be construed as adversely affecting the rights of any of the owners of the outstanding Prior Bonds.

SECTION 33. Severability. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 34. Captions. The captions in this Ordinance are inserted only as a matter of convenience and reference, and such captions are not intended and shall not be construed to define, limit, establish, interpret or describe the scope, intent or effect of any provision of this Ordinance.

SECTION 35. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

[Signature Page Follows]

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Indiana, this ____ day of _____, 2021.

JIM SIMS, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Indiana, this ____ day of _____, 2021.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED this ____ day of _____, 2021.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance authorizes the City of Bloomington to issue one or more series of its Waterworks Revenue Bonds of 2022, in the aggregate principal amount not to exceed \$17,200,000. The 2022 bonds will be issued to finance the costs of design, engineering, acquisition, construction, equipping, and improvement of capital projects related to the Monroe Water Treatment Plant and distribution system of the Waterworks utility, and pay costs of issuance of the bonds.

EXHIBIT A

DESCRIPTION OF PROJECTS

Monroe Water Treatment Plant Projects:

Dewatering System Improvements
Residual Holding Basin Improvements
Main Building Roof Replacement
Filter Media and Underdrain Replacement
Water Quality Process Improvements- Algaecide
Chemical tank repair
Intake HVAC
Addition of Second Washwater Pump
LS Outdoor Switchgear Enclosure Coating
Substation Transformer Upgrade
Standby Power Improvements
High Service Pump VFD Replacement (Two)
Chemical Feed Line Replacements
Transfer Pump VFD Replacement (Two)
SCADA Filter Terminal and Other Sensors
SCADA System Improvements
Finished Water Reservoir Repairs
Facilities Plan and Demand Study Update
Miscellaneous Repair and Replacement

Distribution System Projects:

Gentry Booster Improvements
Bulk Water Station #2
West Booster Rehabilitation
South Central Booster Rehabilitation
Dogwood Booster Rehabilitation
Storage Tank Inspections
East Tank Coating Replacement and Improvements
System SCADA updates and WQ monitoring
Auto flushing equipment
Water Main Replacement Program
Fire Hydrant Maint and Capacity testing
Valve Testing (20% System Annually)
Transportation Project Relocations
Lead and Copper rule

Other Projects:

Service Center Relocation
Vehicle and Equipment Replacement

EXHIBIT B

R-__

[FORM OF REGISTERED BOND]

UNITED STATES OF AMERICA

STATE OF INDIANA

COUNTY OF MONROE

CITY OF BLOOMINGTON, INDIANA
WATERWORKS REVENUE BOND OF 2022, SERIES __

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Original Date</u>	<u>Date of Authentication</u>	<u>[CUSIP]</u>
__%	_____ 1, 20__	_____ , 20__	_____ , 20__	[_____]

REGISTERED
OWNER: _____

PRINCIPAL AMOUNT: _____ Dollars (\$_____)

The City of Bloomington, in Monroe County, State of Indiana, (the “City”) for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, upon surrender hereof, solely out of the special revenue fund hereinafter referred to, the Principal Amount stated above as evidenced by the records of the registered owner making payments for this bond, or its assigns, on the Maturity Date specified above (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest thereon until the Principal Amount is paid upon redemption or at maturity, at the Interest Rate per annum specified above and from the interest payment date to which interest has been paid or duly provided for next preceding the Date of Authentication of this bond as shown above (unless this bond is authenticated after the fifteenth day of the month immediately preceding an interest payment date (the “Record Date”) and on or before the next such interest payment date, in which case it shall bear interest from such interest payment date or unless this bond is authenticated on or before [December/June] 15, 20__, in which case it shall bear interest from the Original Date specified above), with such interest payable semiannually on January 1 and July 1 of each year, commencing [January/July] 1, 20__. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

The principal of and premium, if any, on this Bond are payable upon the surrender thereof at the principal office of _____ (the “Registrar” or the “Paying Agent”) in the

#DMS 19157701.2

_____, _____. All payments of interest on this Bond shall be paid by check mailed one business day prior to the interest payment date to the Registered Owner as of the Record Date at the address as it appears on the registrations books kept by the Registrar. Each Registered Owner of \$1,000,000 or more in principal amount of the Bonds shall be entitled to receive interest payments by wire transfer by providing written wire instructions to the Paying Agent before the Record Date for any payment. All payments of principal of, and premium, if any, on the Bonds (as hereinafter defined) shall be made in any coin or currency of the United States of America, which on the dates of such payment, shall be legal tender for the payment of public and private debts.

THE CITY SHALL NOT BE OBLIGATED TO PAY THIS BOND OR THE INTEREST HEREON EXCEPT FROM THE HEREINAFTER DESCRIBED SPECIAL FUND, AND NEITHER THIS BOND NOR THE ISSUE OF WHICH IT IS A PART SHALL IN ANY RESPECT CONSTITUTE A CORPORATE INDEBTEDNESS OF THE CITY WITHIN THE PROVISIONS AND LIMITATIONS OF THE CONSTITUTION OF THE STATE OF INDIANA.

This bond is one of an authorized series of bonds of like date, tenor and effect, except as to denomination, numbering, rates of interest, redemption terms and dates of maturity, aggregating _____ Dollars (\$_____), numbered and lettered consecutively from __R-1 upward (the “Bonds”), issued for the purpose of providing funds to pay the cost of certain additions, improvements and extensions to the waterworks of the City, [fund a debt service reserve fund/pay the premium on a debt service reserve surety policy] and pay the costs of issuance of the Bonds. This Bond is issued pursuant to an ordinance adopted by the Common Council of the City on the ____ day of _____, 2021, entitled “An Ordinance Authorizing the Acquisition, Construction and Installation by the City of Bloomington, Indiana, of Certain Extensions and Improvements to the City’s Waterworks Utility, the Issuance and Sale of Revenue Bonds to Provide Funds for the Payment of the Costs Thereof, and the Collection, Segregation and Distribution of the Revenues of Such Waterworks and Other Related Matters” (the “Ordinance”), and in accordance with the provisions of Indiana law, including, without limitation, Indiana Code 8-1.5 and Indiana Code 5-1-5, as amended (the “Act”).

Pursuant to the provisions of the Act and the Ordinance, the principal of and interest on this Bond, the Outstanding Parity Bonds (as defined in the Ordinance), and any bonds hereafter issued on a parity therewith are payable solely from the Waterworks Sinking Fund (the “Sinking Fund”) maintained under the Ordinance to be funded from the Net Revenues (herein defined as the gross revenues of the Waterworks (defined as the City’s Waterworks system, including all real estate, equipment and appurtenances thereto used in connection therewith, and all extensions, additions and improvements thereto and replacements thereof, now or at anytime hereafter constructed or acquired, after deduction only for the payment of the reasonable expenses of operation and maintenance of the System).

The City irrevocably pledges the entire Net Revenues of the Waterworks deposited into the Sinking Fund to the prompt payment of the principal of and interest on the Bonds, the Outstanding Parity Bonds and any bonds ranking on a parity therewith to the extent necessary for such purposes, and covenants that it will cause to be fixed, maintained and collected such rates and charges for

services rendered by the Waterworks as are sufficient in each year for the payment of the proper and reasonable expenses of operation and maintenance of the Waterworks and for the payment of the sums required to be paid into the Sinking Fund under the provisions of the Act and the Ordinance. If the City or the proper officers thereof shall fail or refuse to so fix, maintain and collect such rates or charges, or if there shall be a default in the payment of the interest on or principal of this bond, the owner of this bond shall have all of the rights and remedies provided for in the Act, including the right to have a receiver appointed to administer the Waterworks and to charge and collect rates sufficient to provide for the payment of this bond and the interest hereon.

The City further covenants that for so long as the Bonds, the Outstanding Parity Bonds and any bonds hereafter issued on a parity therewith (the "Additional Parity Bonds") remain outstanding, it will set aside and pay into the Sinking Fund a sufficient amount of the Net Revenues of the Waterworks for the payment of (a) the interest on all bonds payable from the revenues of the Waterworks, as such interest shall fall due, (b) the necessary fiscal agency charges for paying such bonds and interest, (c) the principal of all bonds payable from the revenues of the Waterworks, and (d) an additional amount as a margin of safety to create the reserve required by the Ordinance. Such required payments shall constitute a first charge upon all the Net Revenues of the Waterworks. Reference is made to the Ordinance for a more complete statement of the revenues from which and conditions under which this bond is payable, a statement of the conditions on which obligations may hereafter be issued on a parity with this bond, the manner in which the Ordinance may be amended and the general covenants and provisions pursuant to which this bond has been issued.

[Insert optional redemption terms, if applicable].

[The bonds maturing on _____ 1, ___ are subject to mandatory sinking fund redemption prior to maturity, at a redemption price equal to the principal amount thereof plus accrued interest, on the dates and in the amounts set forth below:

<u>Date</u>	<u>Amount</u>
-------------	---------------

*

*Final Maturity]

[Each Five Thousand Dollars (\$5,000) principal amount shall be considered a separate bond for purposes of mandatory redemption. If less than an entire maturity is called for redemption, the bonds to be redeemed shall be selected by lot by the Registrar.]

Notice of such redemption shall be mailed to the address of the registered owners of the Bonds to be redeemed as shown on the registration records of the City not less than thirty (30) and not more than sixty (60) days prior to the date fixed for redemption, unless the notice is waived by the registered owner of the Bonds to be redeemed. The notice shall specify the date and place of redemption and sufficient identification of the Bonds called for redemption. The place of redemption may be determined by the City. Interest on the Bonds called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of

redemption to pay the redemption price on the date so named, and thereafter, such bonds shall no longer be protected by the Ordinance and shall not be deemed to be outstanding thereunder.

If this bond shall not be presented for payment or redemption on the date fixed therefor, the City may deposit in trust with the Paying Agent, an amount sufficient to pay such Bond or the redemption price, as the case may be, and thereafter the Registered Owner shall look only to the funds so deposited in trust for payment and the City shall have no further obligation or liability with respect thereto.

This bond is transferable or exchangeable only upon the books of the City kept for that purpose at the designated corporate trust operations office of the Registrar by the Registered Owner in person, or by his attorney duly authorized in writing, upon surrender of this Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the Registered Owner, or his attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount and of the same maturity shall be executed and delivered in the name of the transferee or to the Registered Owner, as the case may be, in exchange therefor. This bond may be transferred without cost to the Registered Owner except for any tax or governmental charge required to be paid with respect to the transfer. The City, the Registrar and the Paying Agent may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes, including for the purpose of receiving payment of, or on account of, the principal hereof and interest and premium, if any, due hereon.

This bond is subject to defeasance prior to redemption or payment as provided in the Ordinance referred to herein. THE OWNER OF THIS BOND, BY THE ACCEPTANCE HEREOF, HEREBY AGREES TO ALL THE TERMS AND PROVISIONS CONTAINED IN THE ORDINANCE. The Ordinance may be amended without the consent of the owners of the Bonds as provided in the Ordinance if the Common Council determines, in its sole discretion, that the amendment shall not adversely affect the rights of any of the owners of the Bonds.

The Bonds are issuable only in fully registered form in the denomination of [\$5,000] or any integral multiple thereof.

[A Continuing Disclosure Contract from the City to each registered owner or holder of any Bond, dated as of the date of initial issuance of the Bonds (the "Contract"), has been executed by the City, a copy of which is available from the City and the terms of which are incorporated herein by this reference. The Contract contains certain promises of the City to each registered owner or holder of any Bond, including a promise to provide certain continuing disclosure. By its payment for and acceptance of this bond, the registered owner or holder of this bond assents to the Contract and to the exchange of such payment and acceptance for such promises.]

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, the City of Bloomington, in Monroe County, Indiana, has caused this bond to be executed in its corporate name by the manual or facsimile signature of the Mayor of the City, its corporate seal to be hereunto affixed, imprinted or impressed by any means and attested manually or by facsimile by its Controller.

CITY OF BLOOMINGTON

Mayor

(Seal)

ATTEST:

Controller

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds issued and delivered pursuant to the provisions of the within-mentioned Ordinance.

_____]

By _____
Authorized Representative

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ (insert name and address) the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints attorney to transfer the within bond on the books kept for the registration thereof with full power of substitution in the premises.
Dated: _____

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guarantee:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.



Utilities Department 2021 Water Bond Proposal

Memorandum

To: Members of the City of Bloomington Common Council

From: Vic Kelson, Director, City of Bloomington Utilities and Laura Pettit, Assistant Director of Finance, City of Bloomington Utilities

Date: **02/23/2021**

The City of Bloomington Utilities is bringing a Cost of Service Study and Rate Case for the Waterworks system to the City of Bloomington Common Council in March 2021. Included in the Revenue Requirement portion of the study is CBU's Capital Investment Plan which outlines certain improvements, additions, and extensions to the waterworks system. In order to complete these projects, CBU is seeking the issuance of revenue bonds of the Waterworks in one or more series in the aggregate principal amount not to exceed Seventeen Million Two Hundred Thousand Dollars (\$17,200,000). Attached to this memorandum are the Bond Parameters with details of the financing and current outstanding debt.

CBU has outlined several larger projects to be funded from said bond including Dewatering System Improvements (Monroe Water Treatment Plant), Filter Media and Underdrain Replacement (Monroe Water Treatment Plant), South Central Booster Rehabilitation (Distribution System), East Tank Coating and Replacement and Improvements (Distribution System) and the continuation of the Water Main Replacement Program throughout the Waterworks system. Please see the attached Capital Investment Plan with a full list of all projects anticipated at this time and anticipated expenditure amounts.

City of Bloomington Waterworks Revenue Bonds, Series 2022 Bond Parameters

- Open market financing.
- Max par amount should be set at \$17,200,000. We expect the loan to be closer to ~\$15,800,000, however, we've allowed for a 10% construction contingency.
- Project costs of \$15,500,000 (Expected at \$14,105,000 but max amount includes contingency)
- Currently outstanding Parity Debt:
 - Amended Waterworks Revenue Bonds of 2006, Series A
 - Originally dated May 4, 2006 and amended on March 26, 2015.
 - \$1,950,000 outstanding
 - Final Maturity: 1/1/27
 - Waterworks Revenue Bonds of 2017
 - \$3,990,000 outstanding
 - Final Maturity: 7/1/2037
 - Waterworks Revenue Refunding Bonds of 2020, Series A
 - \$5,525,000 outstanding
 - Final Maturity: 1/1/2025
 - Taxable Waterworks Revenue Refunding Bonds of 2020, Series B
 - \$29,285,000 outstanding
 - Final Maturity: 1/1/2029
- Max Discount of 1%
- Max interest rate: 6%
- Principal payments on January 1 and July 1 of each year starting with the year recommended by the municipal advisor. (Expected first maturity on 7/1/24 and last on 1/1/42)
- Interest payments on January 1 and July 1. First interest upon advice of the municipal advisor (Expected 7/1/22)
- Optional redemption at par and upon the advice of the municipal advisor.
- Term bonds are allowed subject to mandatory sinking fund redemption.
- Net Revenues defined as gross revenues of the Waterworks after deduction only for payment of the reasonable expenses of operation and maintenance.
- Good faith deposit: 1% of par of the bonds to be provided within one day of the sale if sold competitively
- Reserve Account for the Prior Bonds will be continued through the 2022 Bonds. New bonds will contribute to the reserve account funds on hand or a surety policy based on the lesser of the three tests for the new bonds (max annual debt service, 125% of average annual debt service, or 10% of proceeds).
- Allow for purchase of municipal bond insurance policy

City of Bloomington Utilities Project	2021	2022	2023	2024	2025	Total
Monroe Water Treatment Plant						
Dewatering System Improvements		\$ 3,100,000				\$ 3,100,000
Residual Holding Basin Improvements	\$ 570,000					\$ 570,000
Main Building Roof Replacement	\$ 213,000					\$ 213,000
Filter Media and Underdrain Replacement	\$ 115,000	\$ 700,000				\$ 815,000
Water Quality Process Improvements- Algaecide	\$ 300,000					\$ 300,000
Chemical tank repair	\$ 150,000					\$ 150,000
Intake HVAC	\$ 60,000					\$ 60,000
Addition of Second Washwater Pump		\$ 110,000				\$ 110,000
LS Outdoor Switchgear Enclosure Coating			\$ 110,000			\$ 110,000
Substation Transformer Upgrade		\$ 45,000	\$ 415,000			\$ 460,000
Standby Power Improvements		\$ 250,000	\$ 2,750,000			\$ 3,000,000
High Service Pump VFD Replacement (Two)			\$ 100,000	\$ 680,000		\$ 780,000
Chemical Feed Line Replacements		\$ 75,000				\$ 75,000
Transfer Pump VFD Replacement (Two)			\$ 90,000	\$ 580,000		\$ 670,000
SCADA Filter Terminal and Other Sensors	\$ 25,000					\$ 25,000
SCADA System Improvements		\$ 100,000				\$ 100,000
Finished Water Reservoir Repairs				\$ 225,000		\$ 225,000
Facilities Plan and Demand Study Update				\$ 200,000		\$ 200,000
Miscellaneous Repair and Replacement	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 750,000
Monroe plant	\$ 1,583,000	\$ 4,530,000	\$ 3,615,000	\$ 1,835,000	\$ 150,000	\$ 11,713,000
Distribution						
Gentry Booster Improvements				\$ 45,000		\$ 45,000
Bulk Water Station #2	\$ 120,000					\$ 120,000
West Booster Rehabilitation		\$ 70,000	\$ 770,000			\$ 840,000
South Central Booster Rehabilitation			\$ 100,000	\$ 1,400,000		\$ 1,500,000
Dogwood Booster Rehabilitation		\$ 50,000				\$ 50,000
Storage Tank Inspections	\$ 10,500	\$ 10,500			\$ 11,000	\$ 32,000
East Tank Coating Replacement and Improvements		\$ 700,000	\$ 250,000			\$ 950,000
System SCADA updates and WQ monitoring		\$ 120,000	\$ 120,000			\$ 240,000
Auto flushing equipment	\$ 50,000					\$ 50,000
Water Main Replacement Program	\$ 1,200,000	\$ 2,000,000	\$ 2,000,000	\$ 2,500,000	\$ 3,000,000	\$ 10,700,000
Fire Hydrant Maint and Capacity testing	\$ 156,000	\$ 156,000	\$ 156,000	\$ 156,000	\$ 156,000	\$ 780,000
Valve Testing (20% System Annually)	\$ 70,000	\$ 70,000	\$ 70,000	\$ 70,000	\$ 70,000	\$ 350,000
Transportation Project Relocations	\$ 100,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 700,000
Lead and Copper rule		\$ 100,000				\$ 100,000
Distribution total	\$ 1,706,500	\$ 3,426,500	\$ 3,616,000	\$ 4,321,000	\$ 3,387,000	\$ 16,457,000
Other						
Service Center Relocation	\$ 150,000	\$ 394,000				\$ 544,000
Vehicle and Equipment Replacement	\$ 150,000	\$ 350,000	\$ 350,000	\$ 350,000	\$ 350,000	\$ 1,550,000
Other total	\$ 300,000	\$ 744,000	\$ 350,000	\$ 350,000	\$ 350,000	\$ 2,094,000
Total Capital Improvement Plan	\$ 3,589,500	\$ 8,700,500	\$ 7,581,000	\$ 6,506,000	\$ 3,887,000	\$ 30,264,000
<i>Less Projects Funded by Proposed 2022 Bonds</i>	1,200,000	5,494,000	4,750,000	2,660,000		14,104,000
Extensions and Replacements	2,389,500	3,206,500	2,831,000	3,846,000	3,887,000	16,160,000



MEMO FROM COUNCIL OFFICE ON:

Ordinance 21-08 – To Amend the City of Bloomington Zoning Maps by Rezoning 87 Acres from Planned Unit Development to Mixed-Use Corridor (MC) – Re: 3100 W. Fullerton Pike (Bill C Brown Revocable Trust, Petitioner)

Synopsis

Ordinance 21-08 rezones 87 acres from Planned Unit Development to Mixed-Use Corridor (MC).

Relevant Materials

- Ordinance 21-08
- Certification of Ord 21-08 by Plan Commission
- Staff Memo from Eric Greulich
- Use for MC District
- Memo from Bloomington Environmental Commission to Bloomington Plan Commission
- Maps
- Commitment Concerning the Use and Development of Real Estate
- Petitioner’s Rezoning Statement
- Conservancy and Karst Easements
- Illustrative Site Plan Context
- Permitted Uses MP Zone
- Petition of Bill C. Brown
- 1999 Interdepartmental Memo from Tom Micuda, Planning Department
- Fiscal Impact Statement
- Land Use Committee Report - forthcoming

Certified by Plan Commission

Ord 21-08 was certified by the Plan Commission to the Council on January 20, 2021 and was given no recommendation by a vote of 6-2-1.

Summary

The Council’s review of a proposal to change the city’s zone maps is guided by state statute.¹ Within ninety (90) days after such a proposal is certified to the Council by the Plan Commission, the Council may adopt or reject the proposal.² If the Council fails to act on the proposal within 90 days after certification, the ordinance would take effect as if it had been adopted as certified by the Plan Commission.³ As a condition to the adoption of a rezoning proposal, the owner of a parcel of real property may be required or allowed to make a commitment concerning the use or development of that parcel, subject to certain requirements contained in state law.⁴

¹ IC 36-7-4 et. seq.

² IC 36-7-4-608(f)

³ IC 36-7-4-608(f)(4)

⁴ IC 36-7-4-1015



In preparing and considering zoning proposals, Council shall pay reasonable regard to the following⁵:

- the [comprehensive plan](#);
- current conditions and the character of current structures and uses in each district;
- the most desirable use for which the land in each district is adapted;
- the conservation of property values throughout the jurisdiction; and
- responsible development and growth.

Zoning Commitments

As a condition to the adoption of a rezoning proposal, the owner of a parcel of real property may be required or allowed to make a commitment concerning the use of development of that parcel.⁶ Commitments are subject to a number of statutory provisions as to form, binding effect, modification, or termination, and effectiveness. Indiana Code provides that commitments shall be recorded and that after recording, commitments are binding on subsequent owners or any other person who acquires an interest in the property.

Commitments may contain terms providing for their expiration or terms that provide that the commitment automatically terminates. During the time a rezoning proposal is being considered by the Council, it is possible for an owner to make a new commitment or modify the terms of a commitment that was made when the proposal was being considered by the Plan Commission. In this case, the Petitioner has proposed a Commitment concerning the use and development of the subject property, which would prohibit a number of otherwise permitted uses in the MC Zone. A copy of the proposed Commitment is included in the Exhibits.

What Happens Next

Council's role ends with the adoption or rejection of the zoning ordinance. There is no obligation to develop a property after the adoption of a zoning ordinance but if a developer chooses to do so, the zoning ordinance provides the framework for how the property can be developed. In the event Council adopts [Ordinance 21-08](#), the next step would be for a developer to present a site plan to the Plan Commission for approval. Once a site plan is submitted, the Plan Commission reviews the plan to ensure that it meets with the provisions of the zoning ordinance including any commitments. There is no time constraint for the submission of a site plan; but once approved, a site plan is valid for a defined period of time.

Contact

Eric Greulich, Senior Zoning Planner, greulice@bloomington.in.gov, (812) 349-3526

⁵ IC 36-7-4-603

⁶ IC 36-7-4-1015

ORDINANCE 21-08

**TO AMEND THE CITY OF BLOOMINGTON ZONING MAPS BY REZONING 87 ACRES FROM PLANNED UNIT DEVELOPMENT TO MIXED-USE CORRIDOR (MC)
- Re: 3100 W. Fullerton Pike
(Bill C. Brown Revocable Trust, Petitioner)**

WHEREAS, Ordinance 20-06, repealed and replaced the official zoning map within Title 20 of the Bloomington Municipal Code Entitled, “Unified Development Ordinance”; and

WHEREAS, the Plan Commission has considered this case, ZO-23-20, and forwarded with no recommendation the petition from Bill C. Brown Revocable Trust to rezone 87 acres from Planned Unit Development to Mixed-Use Corridor (MC).

WHEREAS, the Plan Commission therefore requests that the Common Council consider this petition;

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

SECTION 1. Through the authority of IC 36-7-4 and pursuant to Chapter 20.06 of the Bloomington Municipal Code, the zoning for the property at 3100 W. Fullerton Pike shall be amended to be zoned to Mixed-Use Corridor (MC). The property is further described as follows:

A part of the Southwest Quarter of Section 18, Township 8 North, Range 1 West, Monroe County, Indiana, described as follows: Beginning at a point 884.99 feet West of the Southeast corner of said Southwest Quarter, said point being on the South line of said Southwest Quarter, thence North 00 degrees 00 minutes 00 seconds East for a distance of 2628.76 feet to the North line of said Southwest Quarter, thence South 89 degrees 57 minutes 30 seconds West over and along said North line for a distance of 1682.50 feet to the East right-of-way of State Road 37, thence over and along the East right-of-way by the following courses and distances: South 01 degrees 11 minutes 19 seconds East 310.82 feet Southeasterly 703.88 feet on an arc to the left having a radius of 5564.58 feet and being subtended by a long chord bearing South 04 degrees 47 minutes 19 seconds East 703.41 feet; South 05 degrees 59 minutes 03 seconds East, 293.42 feet; Southeasterly 1266.37 feet on an arc to the left having a radius of 5584.58 feet and being subtended by a long chord bearing South 17 degrees 55 minutes 30 seconds East, 1263.66 feet; South 69 degrees 50 minutes 09 seconds East 215.25 feet; North 89 degrees 16 minutes 53 seconds East 488.72 feet; South 01 degrees 41 minutes 45 seconds East 57.64 feet to the South line of said Southwest Quarter, thence North 89 degrees 32 minutes 51 seconds East over and along said South line for a distance of 505.39 feet to the point of beginning. Containing 90.89 acres, more or less.

EXCEPTING THEREFROM a part of the Southwest Quarter of Section 18, Township 8 North, Range 1 West, Monroe County, Indiana and being that part lying within the right-of-way lines depicted on the Right-of-Way Parcel Plat, marked as EXHIBIT B, in that certain Agreed Finding and Judgment recorded September 1, 2016, at Instrument No. 2016012211, in the office of the Recorder of Monroe County, Indiana and described as follows: Beginning at a point on the South Line of said Section, North 88 degrees 49 minutes 50 seconds West 921.00 feet, (884.99 feet by Instrument Number 2008006074), from the Southeast corner of said quarter Section, said Southeast corner being designated as point “81825” on said Plat; thence North 88 degrees 49 minutes 50 seconds West 505.39 feet along said South Line to the Southwest corner of the above described Parcel ; thence North 0 degrees 14 minutes 08 seconds West 73.33 feet, (57.64 feet by said Instrument Number 2008006074), along a West line of the above described Parcel to a South line of the above described Parcel; thence North 89 degrees 39 minutes 34 seconds West 495.34 feet, (488.72 feet by said Instrument Number 2008006074), along said South Line to the Northeastern boundary of the intersection of State Road 37 and said Fullerton Pike as described in Deed Record 205, page 157; thence North 68 degrees 46 minutes 36 seconds West 215.25 feet along the boundary of the intersection of said State Road 37 and Fullerton Pike to the Northeastern boundary of said State Road 37; thence along the boundary of said State Road 37, Northwesterly 17.17 feet along an arc to the right having a radius of 5,584.58 feet and subtended

by a long chord having a bearing of North 23 degrees 16 minutes 26 seconds West and a length of 17.17 feet to point "4183" designated on said Plat; thence North 87 degrees 49 minutes 24 seconds East 633.67 feet to point "4182" designated on said Plat; thence North 77 degrees 21 minutes 33 seconds East 230.49 feet to point "4181" designated on said Plat, thence South 52 degrees 57 minutes 06 seconds East 157.61 feet to point "4180" designated on said Plat; thence South 89 degrees 25 minutes 55 seconds East 227.35 feet to the East Line of the above described Parcel; thence South 1 degree 03 minutes 00 seconds West 157.61 feet along said East Line to the point of beginning and containing 3.770 acres, more or less, inclusive of the presently existing right-of-way which contains 0.239 acres, more or less, leaving after said exception 87.12 acres, more or less.

SECTION 2. This rezoning shall be approved and the zoning maps amended.

SECTION 3. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications 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 and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2021.

JIM SIMS, 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 _____, 2021.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2021.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

Ordinance 21-08 would rezone 87 acres from Planned Unit Development to Mixed-Use Corridor (MC).

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 21-08 is a true and complete copy of Plan Commission Case Number ZO-23-20 which was given no recommendation by a vote of 6 Ayes, 2 Nays, and 1 Abstentions by the Bloomington City Plan Commission at a public hearing held on January 11, 2021.

Date: January 19, 2021



 Scott Robinson, Secretary
 Plan Commission

Received by the Common Council Office this 20th day of January, 2021.



 Nicole Bolden, City Clerk

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

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

Cause of Request:

Planned Expenditure _____	Emergency _____
Unforeseen Need _____	Other _____

Funds Affected by Request:

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

Signature of Controller

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

Yes _____ No X 

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

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

Interdepartmental Memo

To: Members of the Common Council
From: Eric Greulich, Senior Zoning Planner
Subject: ZO-23-20
Date: January 19, 2021

Attached are the staff report, petitioner's statement, maps, and exhibits which pertain to Plan Commission case ZO-23-20. The Plan Commission heard this petition at the January 11, 2021 hearing and voted 6-2-1 to send this petition to the Common Council with no recommendation. The Plan Commission report is attached.

REQUEST: The petitioner is requesting to rezone 87 acres from Planned Unit Development (PUD) to Mixed Use Corridor (MC).

BACKGROUND:

Area:	87 acres
Current Zoning:	Planned Unit Development
Comp Plan Designation:	Employment
Existing Land Use:	Undeveloped
Proposed Land Use:	None
Surrounding Uses:	North – Southern Indiana Medical Park South – Undeveloped (County Jurisdiction) East – Quarry (County Jurisdiction) West – Interstate 69 (County Jurisdiction)

REPORT: This 87 acre property is located at the northeast corner of State Road 37 and W. Fullerton Pike. The site is currently undeveloped. This property was zoned Planned Unit Development (PUD) in 1988 (PCD-36-88) largely for industrial uses. The property received a final plan approval for an assisted care living facility in 1997 (PUD-6-97) and a PUD amendment in 1999 (PUD-15-99) to include a nine-hole, Par 3 golf course to the list of approved uses. This site was also evaluated in 2003 and 2004 in association with rezoning requests for the large vacant property to the north (Southern Indiana Medical Park II). No formal approvals for this parcel were sought at that time. A site plan approval (PUD-10-15) was approved in 2015 to allow for some of the topsoil from this site to be removed for the construction of I-69. The portions of the site that contain tree canopy coverage and riparian buffers were set aside in the required easements with the 2015 site plan approval.

The petitioner is requesting to rezone this property from a Planned Unit Development to Mixed-Use Corridor (MC). No development plan is being requested at this time and no conceptual site plan has been submitted. For reference, on the draft zoning map that has been proposed, this area is proposed to be rezoned to Mixed-Use Employment. While there are some uses within the Mixed-Use Corridor District (MC) that are also allowed in the Mixed-Use Employment (ME) district, there are some specific uses that may not be appropriate for this area including big box retail, car washes, vehicle sales, bar/tavern, and vehicle repair. Through the map update and text amendment process, the Department is evaluating possible changes to the use list for the Mixed-Use Employment district.

The petitioner has submitted a list of proposed uses that would be restricted on the property through a zoning commitment. The following uses are proposed to be prohibited on the property-

- ◆ Student housing or dormitory
- ◆ Sexually oriented business
- ◆ Bed & Breakfast
- ◆ Tattoo or piercing parlor
- ◆ Pawn shop
- ◆ Retail sales (big box)
- ◆ Transportation terminal
- ◆ Vehicle fleet operations, small
- Vehicle fleet operations, large

While this list does restrict certain uses that would be low employee generating uses and not appropriate for this location, there are still many uses that would be allowed that don't match the intent of the Comprehensive Plan. For reference, the Department has included in the packet a comparison chart of the list of uses between the Mixed Use Corridor (MC) zoning district and the Mixed Use Employment (ME) zoning district. As the Department has discussed in previous reports and presentations, the rezoning of this property to Mixed Use Corridor (MC) would not fit the intent and goals of the Comprehensive Plan. While we understand the petitioner's desire to increase the list of uses on the property to improve marketability, the rezoning would substantially decrease the likelihood of the property to be developed in a manner consistent with the recently approved Comprehensive Plan for predominantly employment generating uses. In addition, the Department is concerned that rezoning this property would lead to requests to rezone other ME zoned properties.

20.06.070(b)(3)(E)(i)(1) ZONING MAP AMENDMENT PLAN COMMISSION REVIEW AND RECOMMENDATION:

The following criteria are those that the Plan Commission must consider when reviewing a zoning map amendment request.

[a] The recommendations of the Comprehensive Plan;

PROPOSED FINDING: The Comprehensive Plan designates this site as 'Employment Center'. The Employment Center district includes professional and business offices, light assembly plants, flex-tenant facilities, and research and development centers. The Plan also states that the Employment Center district should contain a mix of office and light/high-tech manufacturing uses that provide quality employment opportunities for the Bloomington community. The proposed district, MC, would not align as well with the Employment Center category as the Employment or Mixed-Use Employment zoning districts would.

[b] Current conditions and character of structures and uses in each zoning district;

PROPOSED FINDING: The site is undeveloped and is in a prime location for employment uses with direct access from Interstate 69. This ease of access to a regional interstate makes this an ideal location for employment uses that would employ people from a wide area surrounding this site.

[c] The most desirable use for which the land in each zoning district is adapted;

PROPOSED FINDING: The most desirable use for this land is to follow the recommendations of the recently adopted Comprehensive Plan that call out for employment uses. The Comprehensive Plan recommendation for this site is in keeping with the Employment Center designation for this entire area along Interstate 69 and continues the employment uses to the north of this site. In addition, the amount of undeveloped property within the community that is zoned for Mixed Use Employment is much less than the amount of land zoned for Mixed Use Corridor, which places a great importance on preserving land for Employment uses.

[d] The conservation of sensitive environmental features;

PROPOSED FINDING: The environmental features on this site were set aside in the 2015 approval and placed in the required easements.

[e] The conservation of property values throughout the jurisdiction; and

PROPOSED FINDING: The rezoning of this PUD to either the Mixed Use Employment district or the Mixed Use Corridor are not anticipated to have any negative impacts on adjacent property values throughout the jurisdiction.

[f] Responsible development and growth

PROPOSED FINDING: The rezoning of this property to Mixed Use Corridor (MC) would result in the loss of a large area of property that is appropriately located adjacent to a regional interstate system that would best be served for Employment Uses. This location is not easily accessed from within the City and therefore not ideal for uses with high daily vehicular traffic as are typically found with uses in the MC zoning district such as restaurants, bars/taverns, retail shops, etc. It is also essential to protect property that is best served for Employment uses to maintain responsible development and growth for the community by providing areas for office parks and other employment uses to locate. Furthermore, the Comprehensive Plan designates Employment Center for many similar locations and this request, if approved, may introduce numerous inconsistencies with the pending zoning map updates.

CONCLUSION: Although the Department recommended denial of the petition, the Plan Commission struggled with a consensus on a recommendation for this petition. Some members of the Plan Commission believed that some flexibility was needed to allow for this property to redevelop, however were concerned about implications for other properties within the Community that were zoned as Mixed-Use Employment and a precedent for other properties to follow suit with rezoning petitions. Additional problems revolved around possible changes to the use list for the Mixed-Use Employment district that might accommodate some of the proposed uses that the petitioner is seeking. The Plan Commission was concerned that forwarding this to the Council with a negative recommendation might result in the petition not being heard and the Plan Commission felt that additional conversations were warranted for this petition at the Council.

The Department believes that the rezoning of this site to Mixed Use Corridor would not match the Comprehensive Plan designation of the site as Employment Center. While some of the uses in MC are conducive to employment, many more uses are not and the EM or ME zoning districts are more

appropriate for this prominent intersection, and in line with the Comprehensive Plan. In addition, the Department has proposed to rezone this Planned Unit Development to Mixed Use Employment in the proposed draft zoning map and approving this rezoning to a Mixed Use Corridor District could create problems for other properties with the Employment designation within the City.

RECOMMENDATION: The Plan Commission voted 6-2-1 to forward this petition to the Common Council with no recommendation.

Use	MC	ME
RESIDENTIAL USES		
Household Living		
Dwelling, single-family (detached)	P*	P*
Dwelling, duplex	C*	
Dwelling, triplex	C*	
Dwelling, fourplex	P*	
Dwelling, multifamily	P	P*
Dwelling, live/work	P*	
Group Living		
Assisted living facility	P	
Continuing care retirement facility	P	
Group care home, FHAA small	P*	
Group care facility, FHAA large	P*	P*
Nursing or convalescent home	P	P
Opioid rehabilitation home, small	P*	
Opioid rehabilitation home, large	P*	P*
Residential rooming house	P	C*
Student housing or dormitory	P*	
Supportive housing, small	C	
Supportive housing, large	C	
PUBLIC, INSTITUTIONAL, AND CIVIC USES		
Community and Cultural Facilities		
Art gallery, museum, or library	P	
Club or lodge	P	
Community center	P	
Conference or convention center	P	P

Crematory	C	
Day-care center, adult or child	P*	C*
Government service facility	P	P
Meeting, banquet, or event facility	P	P
Mortuary	P	
Park	P	P
Place of worship	P	C
Police, fire, or rescue station	P	P
Urban agriculture, noncommercial	P*	P*
Educational Facilities		
School, college or university	C	C
School, public or private	P*	C*
School, trade or business	P	P
Healthcare Facilities		
Medical clinic	P	P
Methadone treatment facility	P*	
Opioid rehabilitation facility	C*	C*
COMMERCIAL USES		
Agricultural and Animal Uses		
Crops and pasturage	A*	A*
Kennel	C*	
Orchard or tree farm, commercial	A*	A*
Pet grooming	P*	
Plant nursery or greenhouse, commercial	P	P
Veterinarian clinic	P*	

Entertainment and Recreation		
Amenity center	P	P
Country club	P	
Recreation, indoor	P	
Recreation, outdoor	C	P
Sexually oriented business	P*	
Food, Beverage, and Lodging		
Bar or dance club	P	
Bed and breakfast	P	
Brewpub, distillery, or winery	P*	P*
Hotel or motel	P	C
Restaurant	P	P*
Office, Business, and Professional Services		
Artist studio or workshop	P	C
Check cashing	C	
Financial institution	P	C
Fitness center, small	P	A
Fitness center, large	P	
Office	P	P
Personal service, small	P	P
Personal service, large	P	P
Tattoo or piercing parlor	P	
Retail Sales		
Building supply store	P	
Grocery or supermarket	P	P
Liquor or tobacco sales	P	
Pawn shop	P	

Retail sales, small	P	P
Retail sales, medium	P	
Retail sales, large	P	
Retail sales, big box	P	
Vehicles and Equipment		
Equipment sales or rental	P*	
Transportation terminal	P	
Vehicle fleet operations, small	P	
Vehicle fleet operations, large	P	
Vehicle fuel station	P*	P*
Vehicle impound storage		
Vehicle parking garage	P	P
Vehicle repair, major	P*	
Vehicle repair, minor	P*	
Vehicle sales or rental	P	P
Vehicle wash	P*	
EMPLOYMENT USES		
Manufacturing and Processing		
Commercial laundry	P	
Food production or processing	C	C
Manufacturing, artisan	P	C
Manufacturing, light		P
Storage, Distribution, or Warehousing		
Contractor's yard	P	C
Distribution, warehouse, or wholesale facility	C	C
Storage, self-service	P*	P*
UTILITIES AND COMMUNICATION		
Communication facility	C*	C*

Solar collector, ground- or building-mounted	A*	A*
Utility substation and transmission facility	P*	P*
Wind energy system, large		P*
Wind energy system, small	A*	A*
ACCESSORY USES		
Chicken flock	A*	A*
Drive-through	A	
Dwelling, accessory unit	A*	A*
Electric vehicle charging facility	A	A
Greenhouse, noncommercial	A	A
Home occupation	A*	A*
Outdoor retail and display	T*	
Outdoor trash and recyclables receptacles	A*	A*
Recycling drop-off, self-serve	A	A
Swimming pool	A*	A*
TEMPORARY USES		
Book buyback	T*	
Construction support activities	T*	T*
Farm produce sales	T*	T*
Real estate sales or model home	T*	T*

Seasonal sales	T*	T*
Special event	T	T



City of Bloomington
Bloomington Environmental Commission

MEMORANDUM

Date: November 9, 2020
To: Bloomington Plan Commission
From: Bloomington Environmental Commission
Subject: ZO-23-20: Bill C. Brown Revocable Trust Rezone
3100 W. Fullerton Pike

The purpose of this memo is to convey the environmental concerns and recommendations for conditions of approval from the Environmental Commission (EC) with the hope that action will follow to enhance its environment-enriching attributes. The request is to rezone the property from PUD to Mixed-Use Corridor (MC).

The EC has no objection to the rezoning of this property with the following conditions of approval.

COMMENTS

1. Conservation Easement signs

All easements shall be identified with public signs located along the boundary of the easement. Public signs shall be placed at intervals of no more than two hundred feet, and each sign shall be a maximum of one and one-half square feet in area. A minimum of one public sign is required, regardless of easement size. The property owner shall be responsible for installing and maintaining required signage.

2. Additional information regarding the karst geology

At the time of the previous petitioner's request, the EC recommended a through geologic investigation. The reason is that the soil is very thin and there are sinkholes and springs on the site and the surrounding area. Excavation of the soil and bedrock will likely expose more sensitive features. Because karst features that are not now obvious should also be protected if exposed, the EC believes the geologic investigation should be conducted. The staff report from 2015 states that staff thinks this investigation should be completed at the time of rezone, which is now.

Below you find the part of the staff report referred to. Additionally, you will find the 2015 EC memo requesting further investigations. The part that is struck out, does not relate to this petition.

BLOOMINGTON PLAN COMMISSION CASE NO: PUD-10-15

STAFF REPORT DATE: April 13, 2015

LOCATION: 3100 W. Fullerton Pike

PETITIONER: Bill C. Brown

300 S. SR 446, Bloomington

ENVIRONMENTAL COMMISSION: The Environmental Commission has reviewed this petition and offered the following recommendations:

1.) The Petitioner should get a geological evaluation to describe what karst features are hidden beneath the ground surface and describe how the surface and subsurface water regime will be impacted with soil excavation.

2.) The Petitioner should get an evaluation from a Soil Scientist that describes the health and vitality of the subsurface soil that will eventually be on the surface.

Staff's Response (1 & 2): Staff finds that the proposed testing would only be appropriately required if it were attached through a rezoning process and not at a final plan stage. The proposed grading meets the environmental standards and will be protected in a manner consistent with the UDO and the PUD.

3.) The Petitioner should reconsider the location of the road bed to avoid the high quality woods to the north.

Staff's Response: Staff finds that the proposed location is both appropriate and consistent with the past approvals for this property and the property to the north. Furthermore, no construction of the road is proposed and future construction will be reviewed by the Plan Commission.

CONCLUSION: As previously stated, this proposal does not include any buildings or use of the property and only proposes grading activities. The proposal must receive Plan Commission approval only because no grading can occur without a PUD final plan approval. The proposed grading will not excessively denude the site of usable soil and will not encroach into environmentally sensitive portions of the site as regulated by the Unified Development Ordinance. Therefore, staff is supportive of this request.

RECOMMENDATION: Staff recommends approval of PUD-10-15 with the following conditions:

1. The petitioner must retain 50 percent of the topsoil for use on-site to promote stabilization of the soil after grading.

2. No grading is permitted without an approved grading permit.

3. Required easements for slopes over 18 percent, riparian buffers, and karst features must be identified and recorded prior to the release of a grading permit



City of Bloomington
Bloomington Environmental Commission

MEMORANDUM

Date: April 6, 2015
To: Bloomington Plan Commission
From: Bloomington Environmental Commission
Through: Linda Thompson, Senior Environmental Planner
Subject: PUD-10-2015, Bill Brown Trust, Fullerton Pike
South SR 37 and West Fullerton Pike

This memorandum contains the Environmental Commission's (EC) input and recommendations regarding a request for a PUD Final Plan for grading work. The request includes removal of several feet of topsoil and road bed preparation. The EC believes this project will have negative environmental effects that may not be apparent at first glance, thus does not support the proposal.

ISSUES OF SOUND ENVIRONMENTAL DESIGN:

1.) KARST PROTECTION:

There are two sinkholes on the western edge of the site where it is nearly the highest point on the property. The sinkholes will be protected during excavation, and afterwards the outer edge of the sinkholes will be higher than the surrounding surface. To help envision this after grading is complete, imagine a volcano that extends upward from the ground surface, or perhaps a sump drain that is elevated above the floor. What this means is that no water will be able to flow into the sinkholes, thus cutting off the existing water supply to the subsurface karst system. The UDO (20.05.042 (a) (6)) states "Stormwater discharge into a karst feature shall not be increased over its pre-development rate. In addition, such discharge into a karst feature shall not be substantially reduced from pre-development conditions." The EC fears that depleting the sinkholes of their current water infiltration will diminish the water reaching the spring just downslope and change the entire water regime leading to the wetlands near the bottom of the watershed.

Because of the probable negative impact to this entire ecosystem, the EC believes that the Petitioner should do more research regarding the effects of changing the hydrologic behavior in the entire watershed. Some information to be gleaned before approval include the following.

A geotechnical audit that identifies karst features that may be uncovered with excavation, thus revealing the limitations such features impose on site development, and predict changes in hydrologic behavior.

This will require a geologic investigation conducted by a Professional Geologist. The investigation results need to include, depict, illustrate, and/or portray at least the following to the satisfaction of the EC and the Senior Environmental Planner.

- a. A karst inventory for the whole sub watershed. The site is an integral part of a regional karst system and does not stand alone; therefore, it cannot be evaluated without considering the whole surface and subsurface drainage system. This includes all karst features (sinkholes, springs, grikes, underground water conduits, fracture liniments, voids, caves, etc.) expressed on the surface and in the subsurface.*
- b. Due to the intensity of karst features in the vicinity, any soil borings used to portray the bedrock surface should be drilled on a grid spaced more densely than typically used to identify a bedrock surface.*
- c. After identifying any newly-found karst features, which will contribute to the control and form the drainage regime, the stormwater and groundwater flow patterns must be identified and mapped.*
- d. Map the bedrock topography (this means the top of the subsurface rock and not the surface soil topography) and locate bedrock voids.*
- e. The results of the research and methods used to reach the conclusions of the above suggestions should be included within the environmental review plan. Examples of research methods that could be employed are:*

*Natural Potential (NP)
Electrical Resistivity Tomography (ERT)
Seismic
Electromagnetic (EM)
Microgravity
Infrared Thermal Scanning
Dye Tracing
Exploratory Soil Boring
Exploratory Rock Coring
Ground-Penetrating Radar*

2.) DENUDED SOIL BIOLOGY:

Because there are so many living organisms in soil, the EC recommends that a Soil Scientist be employed to describe what the remaining surface will contain and whether or not it will be able to support life. If terra Rosa is all that is left on the surface, amendments may need to be applied in order for plant life to regenerate. The soil ecosystem is teaming with biodiverse organisms that enable plants to take up nutrients necessary for survival. A chart from Colorado State University Extension <http://www.ext.colostate.edu/mg/gardennotes/212.html> exemplifies this.



City of Bloomington
Bloomington Environmental Commission

Table 1.
Organisms typically found in one cup of undisturbed native soil

<i>Organism</i>	<i>Number</i>
<i>Bacteria</i>	<i>200 billion</i>
<i>Protozoa</i>	<i>20 million</i>
<i>Fungi</i>	<i>100,000 meters</i>
<i>Nematodes</i>	<i>100,000</i>
<i>Arthropods</i>	<i>50,000</i>

3.) ROAD CONNECTION:

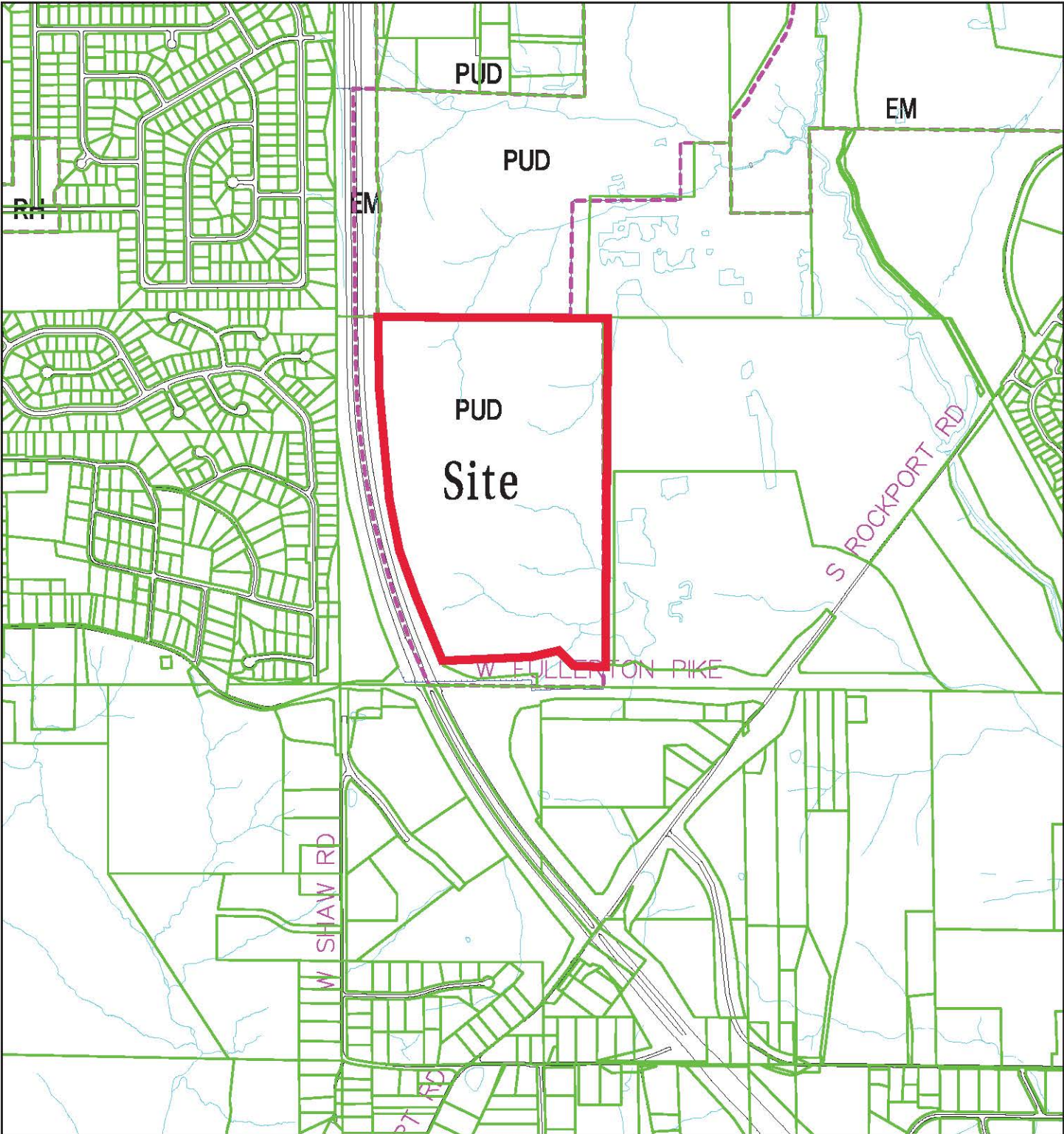
The EC is not in favor of the future road stubbing into the adjoining woods at the location shown on the plans. In the past, there was much discussion regarding saving the mature woodland to the north of this property. The EC would still recommend protecting that woods.

EC RECOMMENDATIONS:

- 1.) *The Petitioner should get a geological evaluation to describe what karst features are hidden beneath the ground surface and describe how the surface and subsurface water regime will be impacted with soil excavation.*
- 2.) *The Petitioner should get an evaluation from a Soil Scientist that describes the health and vitality of the subsurface soil that will eventually be on the surface.*
- 3.) *The Petitioner should reconsider the location of the road bed to avoid the high quality woods to the north.*

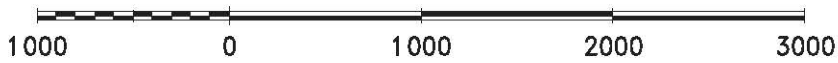
RECOMMENDED CONDITIONS OF APPROVAL for November 9, 2020

1. All signs that were required to be installed at the edges of the Conservancy Easements shall be installed now. This requirement is found in both the previous and current UDOs.
2. A geologic evaluation of the hydrology, soil health, and karst features will be conducted by a Licensed Professional Geologist (LPG) per the request in the April 6, 2015 EC memo to the Plan Commission before the issuance of any permits.



Bill Brown Fullerton Pike

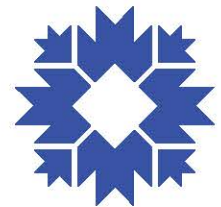
By: greulice
9 Oct 20



For reference only; map information NOT warranted.

City of Bloomington
Planning & Transportation

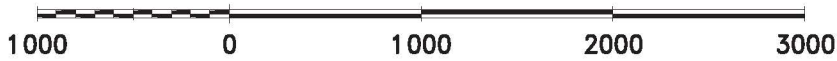
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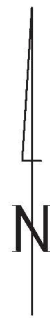
Scale: 1" = 1000'



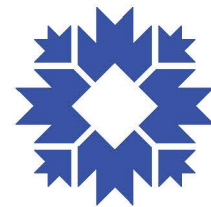
By: greulice
9 Oct 20



For reference only; map information NOT warranted.



City of Bloomington
Planning & Transportation



Scale: 1" = 1000'

**COMMITMENT CONCERNING THE
USE AND DEVELOPMENT OF REAL ESTATE**

Bill C. Brown Revocable Trust (“Owner”) makes the following commitment to the City of Bloomington Plan Commission (the “Commission”) regarding the use and development of the following described real estate in Monroe County, Indiana:

Section 1: Real Estate.

A part of the Southwest Quarter of Section 18, Township 8 North, Range 1 West, Monroe County, Indiana, described as follows: Beginning at a point 884.99 feet West of the Southeast corner of said Southwest Quarter, said point being on the South line of said Southwest Quarter, thence North 00 degrees 00 minutes 00 seconds East for a distance of 2628.76 feet to the North line of said Southwest Quarter, thence South 89 degrees 57 minutes 30 seconds West over and along said North line for a distance of 1682.50 feet to the East right-of-way of State Road 37, thence over and along the East right-of-way by the following courses and distances: South 01 degrees 11 minutes 19 seconds East 310.82 feet Southeasterly 703.88 feet on an arc to the left having a radius of 5564.58 feet and being subtended by a long chord bearing South 04 degrees 47 minutes 19 seconds East 703.41 feet; South 05 degrees 59 minutes 03 seconds East, 293.42 feet; Southeasterly 1266.37 feet on an arc to the left having a radius of 5584.58 feet and being subtended by a long chord bearing South 17 degrees 55 minutes 30 seconds East, 1263.66 feet; South 69 degrees 50 minutes 09 seconds East 215.25 feet; North 89 degrees 16 minutes 53 seconds East 488.72 feet; South 01 degrees 41 minutes 45 seconds East 57.64 feet to the South line of said Southwest Quarter, thence North 89 degrees 32 minutes 51 seconds East over and along said South line for a distance of 505.39 feet to the point of beginning. Containing 90.89 acres, more or less.

EXCEPTING THEREFROM a part of the Southwest Quarter of Section 18, Township 8 North, Range 1 West, Monroe County, Indiana and being that part lying within the right-of-way lines depicted on the Right-of-Way Parcel Plat, marked as EXHIBIT B, in that certain Agreed Finding and Judgment recorded September 1, 2016, at Instrument No. 2016012211, in the office of the Recorder of Monroe County, Indiana and described as follows: Beginning at a point on the South Line of said Section, North 88 degrees 49 minutes 50 seconds West 921.00 feet, (884.99 feet by Instrument Number 2008006074), from the Southeast corner of said quarter Section, said Southeast corner being designated as point “81825” on said Plat; thence North 88 degrees 49 minutes 50 seconds West 505.39 feet along said South Line to the Southwest corner of the above described Parcel ; thence North 0 degrees 14 minutes 08 seconds West 73.33 feet, (57.64 feet by said Instrument Number 2008006074), along a West line of the above described Parcel to a South line of the above described Parcel; thence North 89 degrees 39 minutes 34 seconds

West 495.34 feet, (488.72 feet by said Instrument Number 2008006074), along said South Line to the Northeastern boundary of the intersection of State Road 37 and said Fullerton Pike as described in Deed Record 205, page 157; thence North 68 degrees 46 minutes 36 seconds West 215.25 feet along the boundary of the intersection of said State Road 37 and Fullerton Pike to the Northeastern boundary of said State Road 37; thence along the boundary of said State Road 37, Northwesterly 17.17 feet along an arc to the right having a radius of 5,584.58 feet and subtended by a long chord having a bearing of North 23 degrees 16 minutes 26 seconds West and a length of 17.17 feet to point "4183" designated on said Plat; thence North 87 degrees 49 minutes 24 seconds East 633.67 feet to point "4182" designated on said Plat; thence North 77 degrees 21 minutes 33 seconds East 230.49 feet to point "4181" designated on said Plat, thence South 52 degrees 57 minutes 06 seconds East 157.61 feet to point "4180" designated on said Plat; thence South 89 degrees 25 minutes 55 seconds East 227.35 feet to the East Line of the above described Parcel; thence South 1 degree 03 minutes 00 seconds West 157.61 feet along said East Line to the point of beginning and containing 3.770 acres, more or less, inclusive of the presently existing right-of-way which contains 0.239 acres, more or less, leaving after said exception 87.12 acres, more or less.

Section 2: Excluded Uses.

- a. Owner has applied for rezoning of the Real Estate from PUD to Mixed Use – Corridor (MC).
- b. The City of Bloomington Unified Development Ordinance at Section 20.03.020 Allowed Use Table identifies permitted and conditional uses of the property in the MC zone.
- c. In consideration for Owner’s Petition to Rezone the real estate from PUD to MC, Owner makes this Commitment Concerning the Use and Development of Real Estate.

Section 3: Statement of Commitment.

- a. Bill C. Brown, Trustee, Bill C. Brown Revocable Trust is the owner of the Real Estate.

Deed Reference: Instrument No. 2008006074

- b. Owner commits that the Real Estate will not be allowed for use for the following uses otherwise permitted in the MC zone, Unified Development Ordinance:
 - ◆ Student housing or dormitory

- ◆ Sexually oriented business
- ◆ Bed & Breakfast
- ◆ Tattoo or piercing parlor
- ◆ Pawn shop
- ◆ Retail sales (big box)
- ◆ Transportation terminal
- ◆ Vehicle fleet operations, small
 - Vehicle fleet operations, large

Section 4: Binding Effect.

- a. Failure to honor these commitments shall constitute a violation of the zoning ordinance and shall be subject to the penalties for the violation in addition to all other enforcement remedies.
- b. These commitments are binding on the owners of the Real Estate, including any part thereof and any lot comprising part of the Real Estate derived from a subdivision of the Real Estate.
- c. These commitments may be modified or terminated only upon approval the City of Bloomington Plan Commission.

Section 5: Recording. This Commitment shall be recorded by or on behalf Owner and upon failure to do so the Director of the City of Bloomington Planning Department is authorized to record this Commitment in the Office of the Recorder of Monroe County, Indiana at the expense of Owner. A copy of the recorded Commitment bearing the recording stamp of the Recorder of Monroe County, Indiana shall be submitted to the City of Bloomington Planning Department within thirty (30) days of approval of the Petition to Rezone the Real Estate from PUD to MC.

Section 6: Enforcement. This Commitment is perpetual and is binding on the Owner and all successors in interest to the Real Estate. This Commitment may be enforced by the City of Bloomington Plan Commission.

IN WITNESS WHEREOF, Owner has caused this Commitment to be executed as of the _____ day of January 2021.

Bill C. Brown Revocable Trust

By: _____
Bill C. Brown, Trustee

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

Before me, a Notary Public in and for said county and state, this ____ day of January, 2021, at which time Bill C. Brown personally appeared and acknowledged the execution of the above and foregoing Commitment Concerning the Use and Development of Real Estate to be a voluntary act and deed.

My Commission Expires: _____

Notary Public

(Name Printed)

A resident of _____ County, Indiana

CERTIFICATE OF PROOF

WITNESS to the signature(s) on the foregoing instrument to which this Proof is attached:

Witness Signature

Witness Name (must be typed/printed)

PROOF:

STATE OF INDIANA
COUNTY OF MONROE

Before me, a Notary Public in and for said County and State, on January ____, 2021, personally appeared the above named WITNESS to the foregoing instrument, who, being by me duly sworn, did depose and say that he/she knows Bill C. Brown to be the individual described in and who executed the foregoing instrument; that said WITNESS was present and saw said Bill C. Brown execute the same; and that said WITNESS at the same time subscribed his/her name as a witness thereto.

My Commission Expires: _____

Notary Public

(name printed)

A resident of _____ County

Commission No.: _____

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Michael L. Carmin.

This Instrument Prepared By
Michael L. Carmin, Attorney at Law
CARMINPARKER, P.C.
116 W. 6th St., Suite 200, P.O. Box 2639
Bloomington, Indiana 47402-2639
Telephone: (812) 332-6556

425381 / 2761-5

PETITIONER'S REZONING STATEMENT

Bill C. Brown Revocable Trust, Petitioner, requests rezoning of the PUD land located at Fullerton Pike and I-69 (northeast corner) consisting of 87.12 acres to mixed use-corridor (MC).

Unified Development Ordinance states the purpose for the MC zone as “intended to accommodate medium scaled developments with a mix of store front retail, professional office, and/or residential dwelling units along arterial and collector corners at a scale larger than the neighborhood-scale uses accommodated by the MN zoning district.”

Current Planned Unit Development zone. The existing PUD contains a variety of permitted uses, including:

- ◆ Commercial, retail
- ◆ Commercial, trade
- ◆ Commercial, wholesale
- ◆ Industrial – manufacturing and processing uses
- ◆ Industrial – non-processing use (warehouse)
- ◆ Professional, corporate and commercial offices
- ◆ Healthcare (extended care)
- ◆ Mail order sales offices and storage with limited retail

PUD Development. The Fullerton Pike PUD remains undeveloped. Approximately three acres of the PUD land along the south property line adjacent to Fullerton Pike was acquired by State of Indiana in connection with the I-69 development project. West Fullerton Pike adjacent to the PUD was widened and a roundabout constructed.

Proposed/Anticipated future development of the property includes:

- ◆ Hotel/motel
- ◆ Trade offices
- ◆ Governmental uses, including a training center
- ◆ Other employment uses
- ◆ Multi-family apartments

Adjacent and surrounding uses. The property is bordered on the east by a limestone quarry operation, on the north by vacant, undeveloped land, on the west by I-69 and west of I-69 are single family home developments, southwest is the Monroe Hospital development and the remaining land bordering on the south side of Fullerton Pike is one single family lot and undeveloped ground.

Environmental Issues. In August, 2015, Petitioner granted to the City of Bloomington conservancy and karst easements encumbering the PUD to identify, protect and preserve natural areas, slope areas, drainage ways and karst features.

Petitioner's Intent. The MC zone closely matches the PUD permitted uses. The property is bordered by I-69, an established corridor through the Monroe County community. Fullerton Pike is under development and is projected with land improvements and further development east to become a corridor from I-69 to South Walnut Street/Old State Road 37. The permitted uses in the MC zone are closely aligned with the breadth and scope of permitted uses in the existing PUD. Development standards for the MC zone are suitable for future development at this location. A specific development of the property is not planned at this time. Petitioner has been approached for possible development of a hotel in the southwest corner of the property, adjacent to I-69. Petitioner has also been approached to develop a large part of the property as a training center for fire and emergency services. It is expected that the City of Bloomington will seek to rezone the PUD at a future date. In order to promote development of the property, Petitioner seeks to clarify the zoning classification consistent with the recently adopted new Unified Development Ordinance with permitted uses appropriate to the zone without undue delay.

Petitioners request waiver of second hearing before the Plan Commission.


Michael L. Carmin
Attorney for Petitioners

423648

2015011604 EASE \$36.00
08/18/2015 12:26:50P 12 PGS
Eric Schmitz
Monroe County Recorder IN
Recorded as Presented



CONSERVANCY AND KARST EASEMENTS

THIS INDENTURE WITNESSETH, that Bill C. Brown Revocable Trust, hereinafter called GRANTOR, of Monroe County, State of Indiana grants to The City of Bloomington, the Grantee, for and in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, Conservancy Easements and Karst Easements as defined below and as described on the attached exhibit "A"

Conservancy Easement – This easement is to protect natural areas and includes wooded areas, sloped areas, drainage ways and karst features. The following restrictions apply within the easement area;

- Any land disturbing activity including the placement of a fence, or alteration of any vegetative cover, including mowing, is prohibited in the easement area.
- Removal of dead or diseased trees that pose a safety risk or impede drainage as well as allowing the removal of exotic species is allowed only after first obtaining written approval from the City of Bloomington Planning & Transportation Department.
- In cases where removal of exotic invasive species is proposed, the restoration of disturbed areas with native plant material is allowed with written approval from the City of Bloomington Planning & Transportation Department prior to any proposed removal and restoration.
- Karst areas within this Conservancy Easement are also subject to any additional restrictions provided by the Karst Conservancy Easement.

Karst Easement – This easement is to protect the Karst features. The following restrictions apply within the easement area;

- No land disturbing activity, including the placement of a fence or the placement of any fill material is allowed within the easement area.
- No structures shall be located within 10 of the easement.
- Storm water discharge into the easement area shall not be substantially changed. The easement are shall not be used for storm water detention.
- Spring or cave entrances shall not be modified except for the placement of a gate to prevent human access.
- Mowing is allowed in the easement area. Removal of dead or diseased trees that pose a safety risk or impede draining as well as removal of exotic invasive species is allowed only after first obtaining written approval from the City of Bloomington Planning & Transportation Department.
- Right is granted to the City of Bloomington to enter the property to inspect the easement and alter or repair the karst feature.
- Any use of pesticides, herbicides, or fertilizers is prohibited within the easement area.

- Where removal of exotic invasive species is proposed, the restoration of the disturbed area with native plant material is allowed. Written approval of the City of Bloomington Planning & Transportation Department is required prior to any proposed removal and restoration.

IN WITNESS WHEREOF, the said Grantor has executed this instrument this _____ day of August, 2015.

Bill C. Brown Revocable Trust

By: [Signature]

Bill C. Brown, Trustee

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

SUBSCRIBED AND SWORN TO before me this 17th day of August, 2015.

My Commission Expires:

August 10, 2016

Larry J. Beckman / Larry J. Beckman
Notary Public

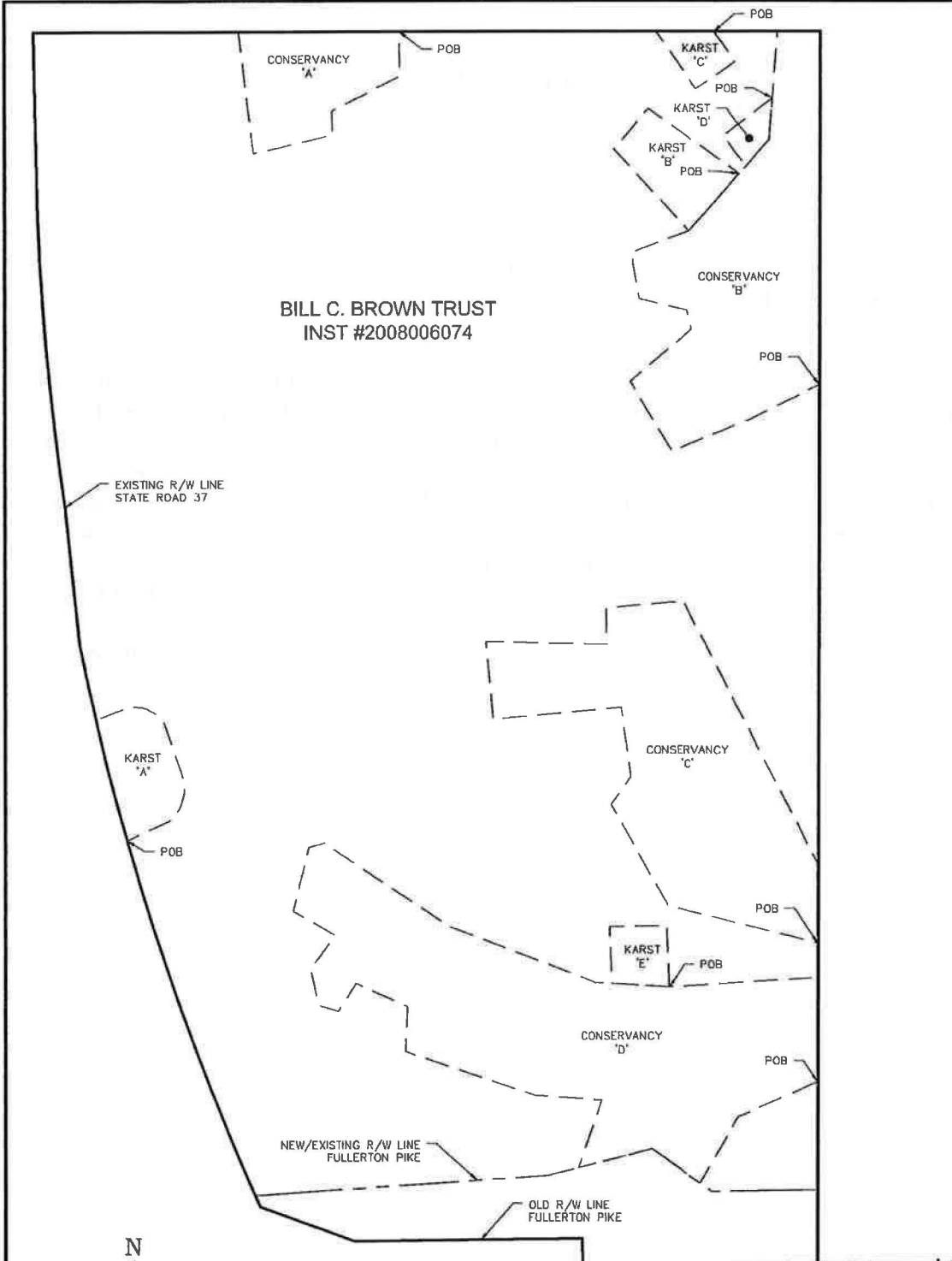
Resident of Monroe County

I affirm, under penalties of perjury that I have taken reasonable care to redact each social security number from this document unless required by law.

[Signature]
Stephen L. Smith



This instrument prepared by Smith Brehob & Associates, Inc.
453 South Clarizz Boulevard, Bloomington, IN 47401



BILL C. BROWN TRUST
INST #2008006074

EXISTING R/W LINE
STATE ROAD 37

KARST
'A'
POB

CONSERVANCY
'C'
POB

KARST
'E'
POB

CONSERVANCY
'D'
POB

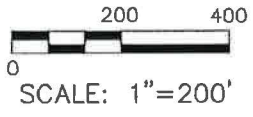
NEW/EXISTING R/W LINE
FULLERTON PIKE

OLD R/W LINE
FULLERTON PIKE

POC
SE COR SW/4
SEC 18-T18N-R1W
(PER COBB SURVEY)



NOTE:
THIS EXHIBIT WAS PREPARED BASED UPON
DOCUMENTS OBTAINED FROM THE OFFICE OF
THE RECORDER OF MONROE COUNTY, AND
OTHER SOURCES AND IS NOT INTENDED TO BE
REPRESENTED AS A RETRACEMENT OR
ORIGINAL BOUNDARY SURVEY, A ROUTE
SURVEY OR A SURVEYOR LOCATION REPORT.



**EXHIBIT A
KARST AND CONSERVANCY
EASEMENTS**

Smith Brehob & Associates, Inc.
SB 453 S. Clarizz Boulevard
Bloomington, Indiana, 47401
Telephone: (812) 336-6536
Fax: (812) 336-0513
Web: <http://smithbrehob.com>
Job: 4900

Exhibit "A"
"Conservancy Easement A"

Project Number: 4900

LEGAL DESCRIPTION:

A part of the Southwest Quarter of Section 18, Township 9 North, Range 1 West, in Monroe County, Indiana, more particularly described as follows:

COMMENCING at the southeast corner of said quarter section; thence South 89 degrees 30 minutes 53 seconds West 885.32 feet on the south line of said quarter section to the southeast corner of Bill C. Brown Trust Fullerton Pike (Instrument #2008006074, in the Office of the Recorder, Monroe County, Indiana), thence leaving said south line and following east line of said property North 00 degrees 01 minutes 11 seconds East 2628.76 feet, thence leaving said east line and following north line of said property South 89 degrees 56 minutes 28 seconds West 901.21 feet to the POINT OF BEGINNING; thence continuing along said north line South 89 degrees 56 minutes 28 seconds West 341.42 feet; thence South 06 degrees 53 minutes 17 seconds East 261.41 feet; thence North 76 degrees 41 minutes 22 seconds East 171.94 feet; thence North 01 degrees 40 minutes 08 seconds West 50.99 feet; thence North 62 degrees 58 minutes 56 seconds East 164.48 feet; thence North 01 degrees 23 minutes 27 seconds West 94.63 to the POINT OF BEGINNING, containing 1.45 acres more or less.

Exhibit "A"
"Conservancy Easement B"

Project Number: 4900

LEGAL DESCRIPTION:

A part of the Southwest Quarter of Section 18, Township 9 North, Range 1 West, in Monroe County, Indiana, more particularly described as follows:

COMMENCING at the southeast corner of said quarter section; thence South 89 degrees 30 minutes 53 seconds West 885.32 feet on the south line of said quarter section to the southeast corner of Bill C. Brown Trust Fullerton Pike (Instrument #2008006074, in the Office of the Recorder, Monroe County, Indiana), thence leaving said south line and following east line of said property North 00 degrees 01 minutes 11 seconds East 1875.23 feet to the POINT OF BEGINNING; thence continuing on said east line of said property North 00 degrees 01 minutes 11 seconds East 753.53; thence leaving said east line and following the north line of said property South 89 degrees 56 minutes 28 seconds West 90.98 feet; thence leaving the north line of said property South 04 degrees 21 minutes 56 seconds West 231.89 feet; thence South 41 degrees 22 minutes 46 seconds West 259.24 feet; thence South 69 degrees 32 minutes 56 seconds West 131.82 feet; thence South 10 degrees 29 minutes 21 seconds East 100.61 feet; thence South 76 degrees 26 minutes 07 seconds East 105.45 feet; thence South 14 degrees 04 minutes 29 seconds East 40.30 feet; thence South 49 degrees 51 minutes 40 seconds West 173.60 feet; thence South 31 degrees 06 minutes 21 seconds East 173.72 feet; thence North 67 degrees 57 minutes 31 seconds East 184.23 feet; thence North 63 degrees 22 minutes 02 seconds East 162.02 feet to the POINT OF BEGINNING, containing 4.71 acres more or less.

Exhibit "A"
"Conservancy Easement C"

Project Number: 4900

LEGAL DESCRIPTION:

A part of the Southwest Quarter of Section 18, Township 9 North, Range 1 West, in Monroe County, Indiana, more particularly described as follows:

COMMENCING at the southeast corner of said quarter section; thence South 89 degrees 30 minutes 53 seconds West 885.32 feet on the south line of said quarter section to the southeast corner of Bill C. Brown Trust Fullerton Pike (Instrument #2008006074, in the Office of the Recorder, Monroe County, Indiana), thence leaving said south line and following east line of said property North 00 degrees 01 minutes 11 seconds East 683.70 feet to the POINT OF BEGINNING; thence leaving east line of said property North 76 degrees 08 minutes 59 seconds West 331.31 feet; thence North 29 degrees 35 minutes 48 seconds West 249.48 feet; thence North 35 degrees 30 minutes 41 seconds East 73.49 feet; thence North 08 degrees 02 minutes 01 seconds West 148.13 feet; thence South 84 degrees 43 minutes 31 seconds West 277.39 feet; thence North 05 degrees 21 minutes 35 seconds West 166.77 feet; thence South 88 degrees 38 minutes 10 seconds East 261.19 feet; thence North 01 degrees 24 minutes 29 seconds West 77.69 feet; thence North 84 degrees 51 minutes 42 seconds East 166.16 feet; thence South 27 degrees 17 minutes 23 seconds East 632.66 feet to said east line; thence South 00 degrees 01 minutes 11 seconds West along said east line 167.37 feet to the POINT OF BEGINNING, containing 5.52 acres more or less.

Exhibit "A"
"Conservancy Easement D"

Project Number: 4900

LEGAL DESCRIPTION:

A part of the Southwest Quarter of Section 18, Township 9 North, Range 1 West, in Monroe County, Indiana, more particularly described as follows:

COMMENCING at the southeast corner of said quarter section; thence South 89 degrees 30 minutes 53 seconds West 885.32 feet on the south line of said quarter section to the southeast corner of Bill C. Brown Trust Fullerton Pike (Instrument #2008006074, in the Office of the Recorder, Monroe County, Indiana), thence leaving said south line and following the east line of said property North 00 degrees 01 minutes 11 seconds East 388.00 feet to the POINT OF BEGINNING; thence continuing on the east line of said property North 00 degrees 01 minutes 11 seconds East 222.40 feet; thence leaving the east line of said property South 86 degrees 18 minutes 32 seconds East 320.63 feet; thence North 86 degrees 24 minutes 33 seconds West 159.11 feet; thence North 69 degrees 14 minutes 20 seconds West 333.42 feet; thence North 56 degrees 32 minutes 29 seconds West 325.46 feet; thence South 73 degrees 43 minutes 37 seconds West 33.43 feet; thence South 13 degrees 51 minutes 44 seconds West 139.77 feet; thence South 59 degrees 58 minutes 16 seconds East 103.04 feet; thence South 36 degrees 17 minutes 33 seconds West 87.83 feet; thence South 12 degrees 13 minutes 16 seconds East 80.84 feet; thence South 73 degrees 34 minutes 39 seconds East 44.21 feet; thence North 32 degrees 16 minutes 02 seconds East 70.27 feet; thence South 65 degrees 49 minutes 55 seconds East 120.47 feet; thence South 02 degrees 24 minutes 30 seconds West 96.59 feet; thence South 71 degrees 25 minutes 46 seconds East 293.77 feet; thence South 86 degrees 04 minutes 49 seconds East 145.63 feet; thence South 19 degrees 22 minutes 08 seconds West 152.98 feet to existing right-of-way line of Fullerton Pike, the next (2) calls are along said right-of-way; thence (1) North 75 degrees 42 minutes 16 seconds East 163.63 feet; thence (2) South 54 degrees 36 minutes 23 seconds East 125.98 feet; thence North 30 degrees 20 minutes 41 seconds East 163.31 feet; thence North 66 degrees 09 minutes 05 seconds East 163.63 feet to the POINT OF BEGINNING, containing 7.68 acres more or less.

Exhibit "A"
"Karst Easement A"

Project Number: 4900

LEGAL DESCRIPTION:

A part of the Southwest Quarter of Section 18, Township 9 North, Range 1 West, in Monroe County, Indiana, more particularly described as follows:

COMMENCING at the southeast corner of said quarter section; thence South 89 degrees 30 minutes 53 seconds West 885.32 feet on the south line of said quarter section to the southeast corner of Bill C. Brown Trust Fullerton Pike (Instrument #2008006074, in the Office of the Recorder, Monroe County, Indiana), thence continuing on said south line South 89 degrees 30 minutes 53 seconds West 505.39 feet; thence leaving said south line and following on the old right-of-way of Fullerton Pike the following three (3) courses: (1) North 01 degrees 09 minutes 42 seconds West 57.41 feet; thence (2) South 89 degrees 16 minutes 53 seconds West 488.72 feet; thence (3) North 69 degrees 50 minutes 09 seconds West 215.25 feet to the east right-of-way line of State Road 37; thence following said east right of way 834.38 feet along a 5584.58 foot radius curve to the right whose chord bears North 20 degrees 08 minutes 28 seconds West 833.61 feet to the POINT OF BEGINNING; thence continuing on said east right of way 266.36 feet along a 5584.58 foot radius curve to the right whose chord bears North 14 degrees 29 minutes 40 seconds West 266.33 feet; thence leaving said east right-of-way, North 69 degrees 14 minutes 58 seconds East 65.38 feet; thence 99.33 feet along a 75.00 foot radius curve to the right whose chord bears South 69 degrees 47 minutes 12 seconds East 92.23 feet; thence South 19 degrees 19 minutes 25 seconds East 128.66 feet; thence 90.65 feet along a 100.00 foot radius curve to the right whose chord bears South 19 degrees 43 minutes 29 seconds West 90.65 feet; thence South 65 degrees 29 minutes 03 seconds West 102.22 feet to the POINT OF BEGINNING, containing 0.83 acres more or less.

Exhibit "A"
"Karst Easement B"

Project Number: 4900

LEGAL DESCRIPTION:

A part of the Southwest Quarter of Section 18, Township 9 North, Range 1 West, in Monroe County, Indiana, more particularly described as follows:

COMMENCING at the southeast corner of said quarter section; thence South 89 degrees 30 minutes 53 seconds West 885.32 feet on the south line of said quarter section to the southeast corner of Bill C. Brown Trust Fullerton Pike (Instrument #2008006074, in the Office of the Recorder, Monroe County, Indiana), thence leaving said south line and following east line of said property North 00 degrees 01 minutes 11 seconds East 2628.76, thence leaving said east line and following north line of said property South 89 degrees 56 minutes 28 seconds West 90.98 feet, thence leaving said north line, South 04 degrees 21 minutes 56 seconds West 231.89 feet, thence South 41 degrees 22 minutes 46 seconds West 96.09 feet to the POINT OF BEGINNING; thence North 54 degrees 42 minutes 31 seconds west 239.53 feet; thence South 40 degrees 17 minutes 55 seconds West 113.89 feet; thence South 42 degrees 50 minutes 38 seconds East 237.24 feet; thence North 41 degrees 22 minutes 46 seconds East 163.15 feet to the POINT OF BEGINNING, containing 0.75 acres more or less.

Exhibit "A"
"Karst Easement C"

Project Number: 4900

LEGAL DESCRIPTION:

A part of the Southwest Quarter of Section 18, Township 9 North, Range 1 West, in Monroe County, Indiana, more particularly described as follows:

COMMENCING at the southeast corner of said quarter section; thence South 89 degrees 30 minutes 53 seconds West 885.32 feet on the south line of said quarter section to the southeast corner of Bill C. Brown Trust Fullerton Pike (Instrument #2008006074, in the Office of the Recorder, Monroe County, Indiana), thence leaving said south line and following east line of said property North 00 degrees 01 minutes 11 seconds East 2628.76, thence leaving said east line and following north line of said property South 89 degrees 56 minutes 28 seconds West 227.30 feet to the POINT OF BEGINNING; thence continuing along said north line South 89 degrees 56 minutes 28 seconds West 123.29 feet; thence South 34 degrees 53 minutes 29 seconds East 148.62 feet; thence North 55 degrees 47 minutes 03 seconds East 102.05 feet; thence North 35 degrees 30 minutes 02 seconds West 79.41 feet to the POINT OF BEGINNING, containing 0.27 acres more or less.

Exhibit "A"
"Karst Easement D"

Project Number: 4900

LEGAL DESCRIPTION:

A part of the Southwest Quarter of Section 18, Township 9 North, Range 1 West, in Monroe County, Indiana, more particularly described as follows:

COMMENCING at the southeast corner of said quarter section; thence South 89 degrees 30 minutes 53 seconds West 885.32 feet on the south line of said quarter section to the southeast corner of Bill C. Brown Trust Fullerton Pike (Instrument #2008006074, in the Office of the Recorder, Monroe County, Indiana), thence leaving said south line and following east line of said property North 00 degrees 01 minutes 11 seconds East 2628.76, thence leaving said east line and following north line of said property South 89 degrees 56 minutes 28 seconds West 90.98 feet, thence leaving said north line, South 04 degrees 21 minutes 56 seconds West 143.21 feet to the POINT OF BEGINNING; thence South 52 degrees 42 minutes 22 seconds West 131.34 feet; thence South 37 degrees 12 minutes 37 seconds East 80.78 feet; thence North 41 degrees 22 minutes 46 seconds East 73.95 feet; thence North 04 degrees 21 minutes 56 seconds East 88.69 feet to the POINT OF BEGINNING, containing 0.17 acres more or less.

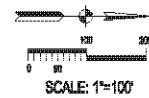
Exhibit "A"
"Karst Easement E"

Project Number: 4900

LEGAL DESCRIPTION:

A part of the Southwest Quarter of Section 18, Township 9 North, Range 1 West, in Monroe County, Indiana, more particularly described as follows:

COMMENCING at the southeast corner of said quarter section; thence South 89 degrees 30 minutes 53 seconds West 885.32 feet on the south line of said quarter section to the southeast corner of Bill C. Brown Trust Fullerton Pike (Instrument #2008006074, in the Office of the Recorder, Monroe County, Indiana), thence leaving said south line and following east line of said property North 00 degrees 01 minutes 11 seconds West 610.40 feet, thence leaving said east line South 86 degrees 18 minutes 32 seconds West 320.63 feet to the POINT OF BEGINNING; thence North 02 degrees 01 minutes 59 seconds West 131.01 feet; thence South 88 degrees 52 minutes 18 seconds West 123.52 feet; thence South 02 degrees 30 minutes 11 seconds East 120.91 feet; thence South 86 degrees 24 minutes 33 seconds East 123.11 feet to the POINT OF BEGINNING, containing 0.36 acres more or less.



North Branch & Associates, Inc.
 645 S. Clinton Building
 Indianapolis, IN 46202-4045
 Phone: (317) 394-3312
 Fax: (317) 394-3312
 www.nbaa.com

TOPOGRAPHIC LEGEND

1" CENTER INTERVAL 3" CENTER INTERVAL	--- ---
FLOW LINE	— — — —
EDGE OF WATER	- - - - -
SPOT ELEVATION	•
EDGE BOUNDARY	- . - . - .
CONCRETE CURBWAY	— — — —
4" X 8" BOARD	— — — —
12" X 12" SIGNPOST	⊗
6" X 8" SIGNPOST	⊗
RAILROAD SPITE	— — — —
ROCK OR PLASTIC CUP	○
STONE MARKERS	⊙
STONE MARKERS BY "L"	⊙
EDGE	— — — —
UTILITY MARK POLE	⊗
CORNERSTONE	⊗
DESIGNATED TREE	⊗
SOIL BERING	⊗

JOB TITLE
BILL C. BROWN TRUST
FULLERTON PIKE
BLOOMINGTON, INDIANA

NO.	REVISIONS	BY	DATE

DATE JUL 13 2015	BY W/D/V	CHECKED W/D/V	SCALE AS SHOWN
---------------------	-------------	------------------	-------------------

SHEET NO
4900

TOTAL SHEETS
2 OF 7

DATE
03/13/15

TOPOGRAPHY
EXISTING TOPOGRAPHY

South Ditch & Associates, Inc.
 427 S. Clinton Street
 Bloomington, Indiana 47404
 Phone (317) 846-1818
 Fax (317) 846-1818
 www.southditch.com



BILL C. BROWN TRUST
FULLERTON PIKE
BLOOMINGTON, INDIANA

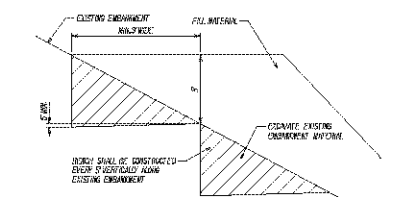
NO.	DATE	BY	REVISIONS

DATE PLOTTED: 03/13/15
 DWG NO: 4900
 SHEET NO: 3 OF 7

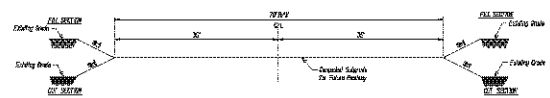
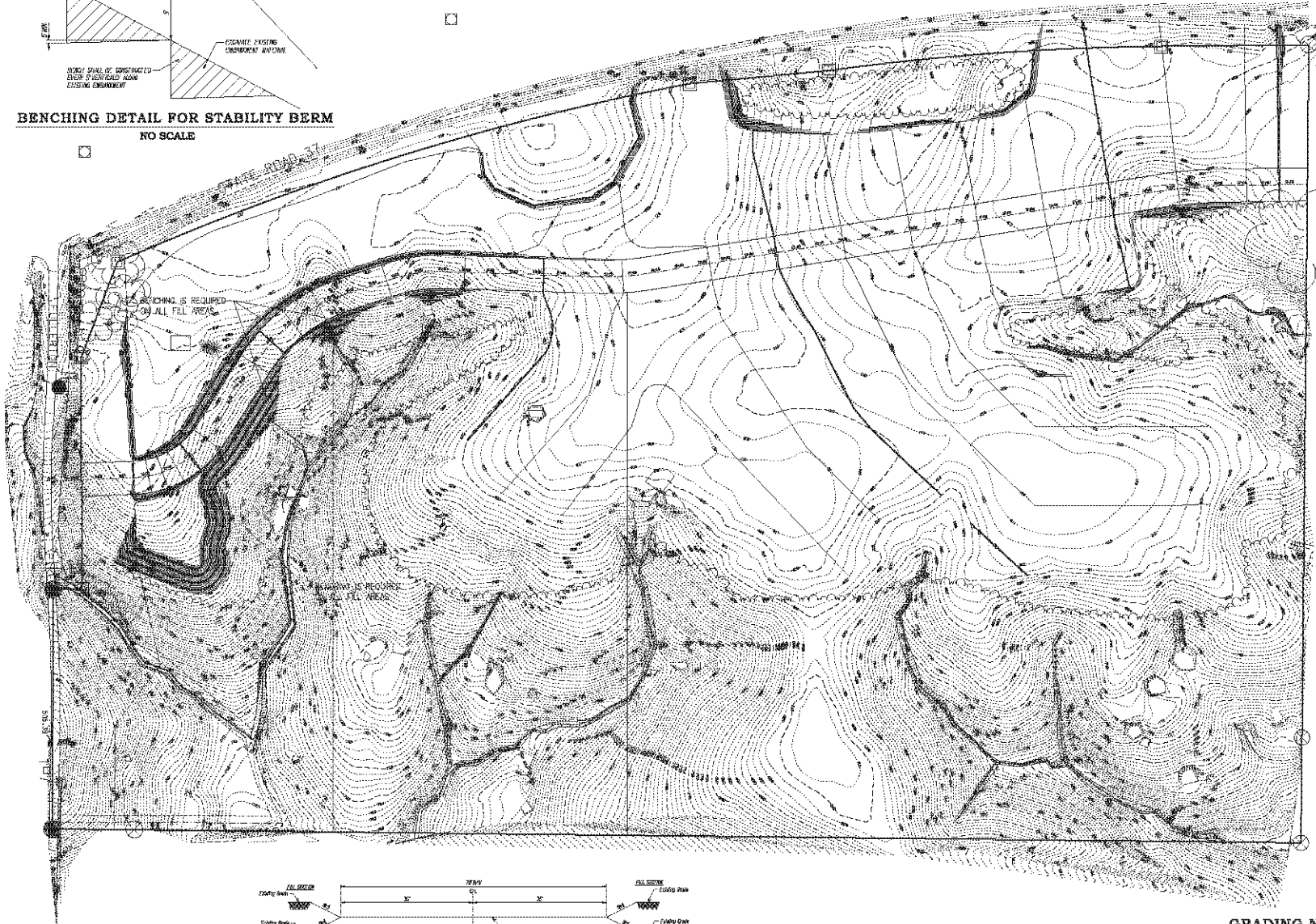
DATE: 03/13/15
 SHEET: 3 OF 7
 GRADING PLAN

GRADING & EROS. CTRL LEGENDS

- PROPOSED 1" CONTOUR
- PROPOSED 5' CONTOUR
- PROPOSED SPOT ELEVATION
- EXIST. SPOT
- EXIST. 100'
- EXIST. 200'
- EXIST. PROTECTION
- DETENTION BASIN
- SEWER DRAIN
- POD. CHECK BANK
- ROAD SIDE DITCH
- SEVERSION DITCH
- TREE PROTECTION FENCE
- FLOW LINE
- SEWER CHUTE
- SEDIMENT BASIN
- SELT FENCE



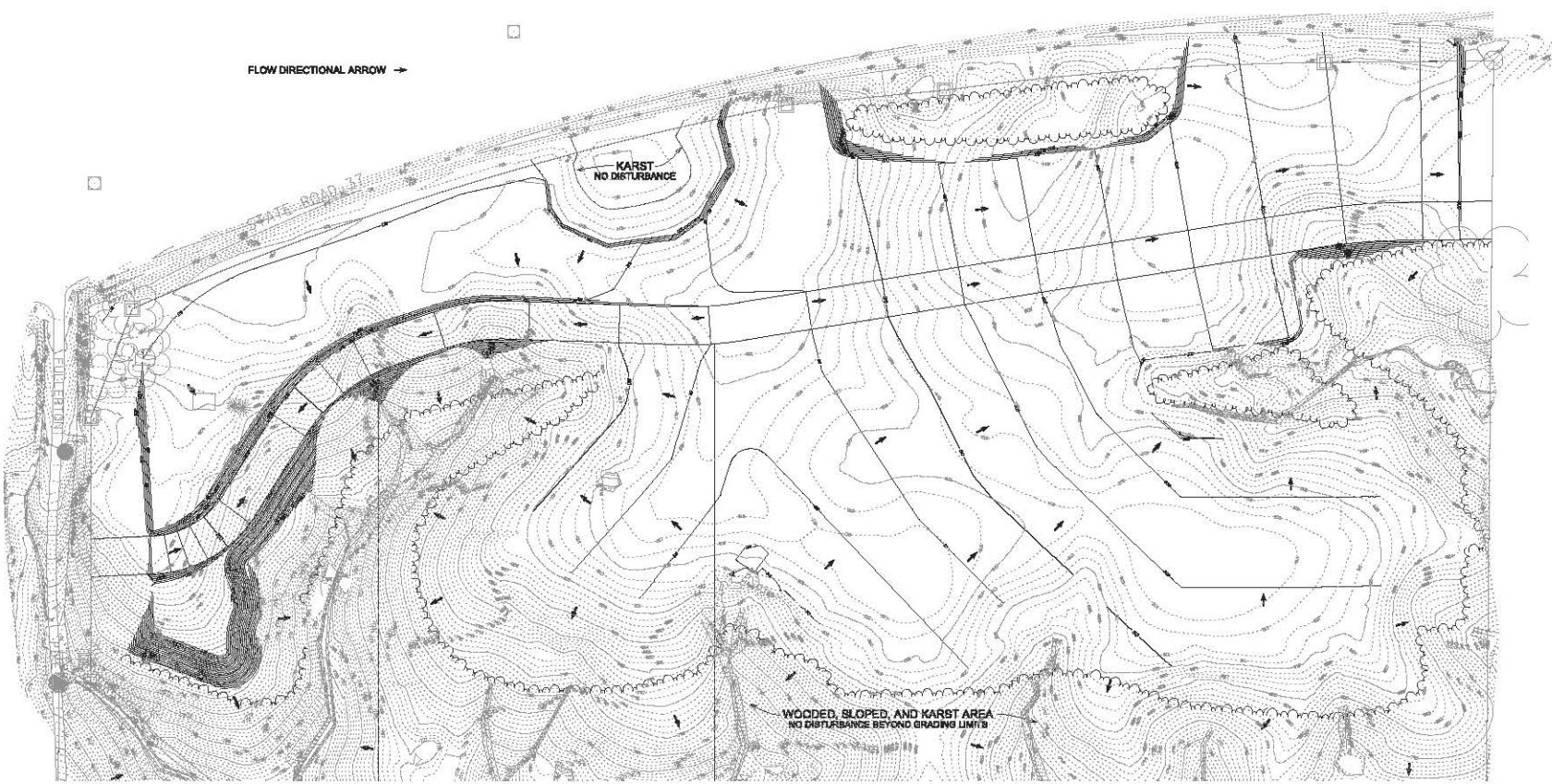
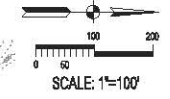
BENCHING DETAIL FOR STABILITY BERM
 NO SCALE



TYPICAL CROSS SECTIONS FOR FUTURE ROADWAY
 NO SCALE

- GRADING NOTES**
- 1) 100% FILL IS SHOWN ON THE PLAN. 1 FOOT FLOOD ELEV.
 - 2) GRADING LIMITS OF SHOW OF THE PLAN. INDICATE THE LINE AT WHICH THE PROPOSED GRADING MEETS THE EXISTING GRADE AND THE SIDE OF THE AREA THAT SHOULD BE OBTAINED DURING THE CONSTRUCTION PROCESS.
 - 3) FINISHED SPOT ELEVATIONS, IF SHOWN, ARE AT 5' HORIZ. SPACING UNLESS NOTED OTHERWISE ON THE PLAN.

FLOW DIRECTIONAL ARROW →



South Branch & Associates, Inc.
155 S. Clark Boulevard
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Fax: (317) 344-3413
Web: http://southbranch.com

PROJECT NO. 111

JOB TITLE
BILL C. BROWN TRUST
FULLERTON PIKE
BLOOMINGTON, INDIANA

DATE	BY	REVISION
03/13/15	SD	1

DATE	BY	REVISION
03/13/15	SD	1

JOB NUMBER
4900
SHEET
4 OF 7
DATE
03/13/15
DRAWING
DRAINAGE MAP

SEC. A CONSTRUCTION PLAN ELEMENTS

- A2 - Recorded Final Plat Not applicable. No legal subdivision of land is occurring as part of this project.
- A3 - Narrative describing nature and purpose of project. The parcel of land described in this application is anticipated to be future commercial and industrial development. The property lies on the northeast corner of East Fullerton Pike and the future I69 where an interchange will be constructed over the next several years. The work proposed with this application is for mass grading and erosion control measures only. The site will be cut down several feet where possible and the excavation utilized as embankment for the existing I69 project.
- A4 - Utility Map A vicinity map is shown on Sheet 1.
- A5 - Legal description Please see title sheet.
- A6 - Location of lots and proposed improvements No lots are being created. The location of the project can be seen on the location map shown on Sheet 1.
- A7 - Hydrologic Units Code (HUC14) 051202030200
- A8 - Notation of any State or Federal water quality permits. No State or Federal water quality permits are required for this project other than the IDCA Storm Water NPDES NOI.
- A9 - Specific points where storm water discharge leaves the site. Noted on the drainage map.
- A10 - Location & name of all wetlands, lakes & water courses on and adjacent to the site - (if they exist). No wetlands were noted on the National Wetlands Inventory map within the project area. Water courses are noted on the drainage map.
- A11 - Identification of all receiving waters. Noted on the drainage map. Discharge leaves the site via sheet flow to limestone quarry areas within the Clear Creek watershed.

- A12 - Identification of potential discharges to ground water. There is one known strikehole on the property. (If it is noted on the drainage map.)
- A13 - 100 yr floodplains, floodways, and flood fringes - if they exist. There are no mapped floodways within the project area, based on the FEMA FIRN for the area.
- A14 - Pre & Post construction estimates of peak discharge (10 yr) using the SCS Runoff Method and 1938. The pre-development discharge is approximately 28 cfs and the post-development is approximately 18 cfs due to the reduction in land slope.
- A15 - Adjacent land use, including upstream watershed. The use of adjacent land is visible on Sheet 1. Adjacent land to the project is either undeveloped land that is composed of open fields or wooded area or is used for the RWIC purpose that is undeveloped.
- A16 - Location & approximate boundary of all disturbed areas. All disturbed areas are shown on Sheet 3 as a stippled pattern to denote areas requiring re-vegetation after construction or through a hard surfaced area such as pavement.
- A17 - Identification of existing vegetative cover. Noted on Sheet 1. The existing vegetation consists of farm and pasture land with trees along the north, west and south perimeter of the property.
- A18 - Soils map including soil descriptions and limitation. Soils map is shown on Sheet 1. Soil types indicated below:
B6 Bedford Silt Loam, 2 to 6 percent slopes
C60 Careyville Silt Loam, 12 to 18 percent slopes
C6 Careyville-Hogertown Silt Loam, Karst
C7C Crider Silt Loam, 6 to 12 percent slopes
H60 Hogertown Silt Loam, 12 to 18 percent slopes
- A19 - Proposed storm water system location, size & dimension. No new permanent storm water collection systems or control systems are being proposed or are required. Culvert will be placed within the diversion ditch to convey runoff underneath the access road. Their locations and sizes are shown on Sheet 5.
- A20 - Plans for off-site contr. Activities other w/required. Not applicable. No offsite work is proposed or required.

- A21 - Proposed stockpile and/or borrow/discard area locations. A stockpile location is shown in Sheet 6.
 - A22 - Existing topography. The existing topography is shown on Sheet 3.
 - A23 - Proposed final topography. The proposed final topography is shown on Sheet 3.
- SECTION B STORMWATER POLLUTION PREVENTION PLAN - CONSTRUCTION COMPONENT**
- B1 - Description of potential pollutant sources assoc. w/contr. Pollutants associated with this project will be minimal due to the scope of the project. Possible pollutants associated with construction include trucks used for delivery of fuel and maintenance of vehicles. Some pollutants associated with construction include soil and sediment due to grading and clearing, dust and brake dust from the construction vehicles and various fluids that may be used to lubricate or maintain construction equipment. Other pollutants may be possible, but are not foreseeable at this time. The SW 2015 Specifications cover recommendations used for spill and other groundwater contaminants due to construction.
 - B2 - Sequence describing storm water quality measures implementation relative to land disturbing activity. Indicated in the Erosion Control Notes on Sheet 5.
 - B3 - Stable construction entrance location and specifications. The location is shown on Sheet 5. Specifications are shown on Sheet 6 and details are located on Sheet 7.
 - B4 - Sediment control measures for sheet flow. Silt fences will be utilized. Diversion ditches, temporary sediment basins and traps will be utilized throughout the site. Locations are shown on Sheet 5. Specifications are shown on Sheet 5 and details are located on Sheet 7.
 - B5 - Sediment control measures for concentrated flow areas. Diversion ditches will be used throughout the site to direct runoff to the appropriate sediment basin or trap. Locations are shown on Sheet 5. Specifications are shown on Sheet 6 and details are located on Sheet 7.

- B6 - Storm sewer inlet protection measure location & spec. Not applicable. There are no storm sewer inlets on or adjacent to the project location.
- B7 - Runoff control measures. Diversion ditches will be used throughout the site and will direct runoff to the appropriate sediment basin or trap within the site. The locations of such measures are shown on Sheet 5. Specifications are shown on Sheet 6 and details are located on Sheet 7.
- B8 - Storm water outlet protection specifications. Not applicable. No new storm water culverts or storm sewer systems will be installed for this project.
- B9 - Grade stabilization structure locations and specifications. Not applicable. Retaining walls or other grade stabilization features are not included for this project.
- B10 - Location, dimensions, specifications, & constr. Details of each storm water quality measure. Storm water quality measures and erosion control measures are shown on Sheet 5. Specifications are shown on Sheet 6 and details are located on Sheet 7.
- B11 - Temporary surface stabilization methods appropriate for each season. Locations requiring seeding will be the disturbed areas shown on Sheet 5. Specifications for such are shown on Sheet 6.
- B12 - Permanent surface stabilization specifications. All disturbed areas other than hard surface pavement areas will be finished top seeded. The specifications for which are noted by reference on Sheet 6.
- B13 - Material handling and spill prevention plan. Specifications for material handling and spill prevention are noted on Sheet 6.
- B14 - Handling and maintenance guidelines for each proposed storm water quality measure. Specifications for temporary erosion control devices are noted on Sheet 6.
- B15 - Erosion & sediment control specifications for individual building lots. Not applicable. No single-family building lots are being created.

SEC. C STORMWATER POLLUTION PREVENTION PLAN - POST CONSTRUCTION

- C1 - Description of pollutants & their sources associated with the proposed land use. Possible pollutants associated with a project such as this will be minimal and may include grit, dust or fluids from the vehicles accessing the project area for testing or maintenance of the facility.
- C2 - Sequence describing storm water quality measures implementation. Storm water quality implementation will consist of re-establishment of vegetative cover. Seeding sequence is described in the Erosion Control Notes on Sheet 3.
- C3 - Description of proposed post-construction storm water quality measures. Post construction storm water quality will consist of re-establishment of vegetative cover.
- C4 - Location, dimensions, specifications, & construction details of each storm water quality measure. Post construction storm water quality will consist of re-establishment of vegetative cover. All disturbed areas within the site not including the road will require permanent seeding as shown on sheets 5. Specifications are noted by reference on Sheet 6.
- C5 - Description of maintenance guidelines for post construction storm water quality measures. Not applicable. Areas may require mowing or re-seeding as no post-construction water quality measures other than re-establishment of vegetative cover are proposed or required. Future maintenance of lawn areas will be at the discretion of the Owner and subject to any maintenance program currently in place or implemented in the future.

PCL-36-8688

Permitted Uses

MP Zone

MP Manufacturing--Park

20.07.05.00 BUSINESS

A. Commercial, Retail

NA

B. Commercial Trade

1. Business Service
2. Business & Prof. *23
3. Schools (Trade & Bus.)
4. Building Trades Shop
5. Warehouses

C. Commercial, Wholesale

1. Building Material *24
2. Farm Products *24
3. Farm Supplies *24
4. Food Products
5. Household Goods

20.07.06.00 INDUSTRIAL

A. Manufacturing, Processing

1. Apparel
2. Bakery, Dairy Products, Confectionary
3. Beverage, Bottling
4. Chemicals & Chemical Products
5. Clock, Scientific Instruments
6. Drugs & Pharmaceuticals
7. Electronic Equipment
8. Furniture
9. Machinery, tool & die *25
10. Meat, Poultry, Seafood *18
11. Medical Equipment
12. Metal Fabrication *25
13. Musical Instruments
14. Paper Products
15. Printing/Newspapers
16. Research Laboratories
17. Misc. Small Products
18. Sporting Goods, Toys, Novelties

B. Industrial Non-processing

1. Warehouse, Storage

*18 Processing or freezing of dressed meat and poultry permitted in all M zones. Slaughter or dressing must receive special permission of the Plan Commission and is permitted only in the MG zone.

*23 Corporate only; consumer-oriented offices prohibited.

*24 All activities and storage must be conducted within a fully enclosed building.

*25 Proposed facility shall be reviewed by Plan Commission and may be permitted only if its impacts are found to be consistent with those of other uses permitted in the MP district.

PETITION OF BILL C. BROWN

Fullerton Pike and State Road 37 By-Pass

The Petitioner submits the following additional statement in support of his Petition.

ADDITIONAL USES.

Professional corporate and commercial offices
Health care (extended care)
Motel with sit down restaurant (limited to 100 lodging units and 125 seating capacity for restaurant. Restaurant will have no drive-up or carry-out)
Mail order sales offices and storage with limited retail (retail will be a secondary or ancillary use only and will be limited to 3,000 square feet of sales and display)

COVENANTS. (to be part of the approval and made a covenant on the plat)

1. No tract shall be smaller than two (2) acres.
2. Buildings shall cover no more than thirty-five percent (35%) of the site.
3. All open space will be landscaped.
4. Existing vegetation/topography will be maintained to the maximum extent reasonably possible.
5. Loading docks and outside storage shall be screened by landscaping or decorative fence (if fence, the appearance and design shall be subject to the Architectural Committee approval)
6. All buildings and their maintenance will be subject to architectural approval by a committee selected by the developer. The following minimum standards shall be required:
 - a. No smooth surface concrete block will be used more than eighteen inches (18") above grade.
 - b. No pole barn construction will be permitted. No exterior walls giving the appearance of pole barn construction will be permitted.
 - c. One Hundred percent (100%) of exterior walls visible from State Road 37 By-Pass and Fullerton Pike shall be of masonry or glass construction. Use of metal for exterior walls will be permitted only if the metal has architectural style and is approved by the developer's architectural committee.
7. No structure or building shall be erected within fifty feet (50') of the right-of-way of State Road 37 By-Pass or Fullerton Pike.

OTHER AGREEMENT: Developer agrees to phase in the improvement of the Fullerton Pike entrance as the traffic generation of the development requires to meet accepted standards.

CONDITIONS OF APPROVAL FOR BROWN INDUSTRIAL PARK - FULLERTON PIKE

1. Eliminate hotel/restaurant
2. Limit mail order/retail to
 - one only
 - maximum retail 3,000 sq. ft.
 - minimum mail order 12,000 sq. ft.
 - retail limited to products distributed by mail order component of business
3. Road access north and east - location to be determined at development plan
4. Fullerton access to be 390' east of east edge of northbound 37 pavement
5. Upgrade Fullerton from east end of entrance improvements to 3 lanes and improved pavement specifications
6. The design standards in the packet will govern development plan approval by Plan Commission. MP landscape requirements apply.

Motion for approval carried 6-4 (no's were: Behnke, Bonnell, Cooksey, Kiesling)

Interdepartmental Memo

To: Members of the Common Council

From: TM Tom Micuda, Planning Department

Subject: Case # PUD-15-99

Date: May 25, 1999

Attached are the staff reports, petitioner's statements, location maps, and site plan exhibits which pertain to Plan Commission Case # PUD-15-99. The Plan Commission voted 9-0 to send the petition to the Council with a favorable recommendation.

BACKGROUND

The petitioners are requesting a preliminary plan amendment to the permitted land use list for this 90 acre Planned Unit Development (PUD). This amendment would allow a nine-hole, Par 3 golf course to be constructed on the central 30 acres of this tract.

The property in question is located at the northeast corner of Fullerton Pike and State Road 37. This parcel was originally granted PUD approval in 1988. The focus of the 1998 PUD was to create pre-zoned land for both light and heavy manufacturing land uses. In addition to these uses, the petitioner was granted the right to develop health care facilities at this location.

For nine years, no final plan approvals were ever granted by the Plan Commission and the property remained vacant. However, on April 28, 1997, a final plan was approved which would have allowed the construction of a large assisted care facility. More specifically, the final plan authorized construction of a 96 unit assisted care facility on five acres, 32 condominium units on an additional 10 acre tract, future business park/office uses along SR 37 and Fullerton Pike, and future elderly housing on approximately 37 acres of sensitive wooded area to the east.

The owner of the PUD has since informed staff that the 1997 final plan approval will not be acted upon by the petitioner. This is due to a lack of sewer service. The nearest sewer line with adequate capacity is located at Tapp Road and cannot be realistically extended until adjacent property is developed. With this limitation in mind, the petitioner is seeking a PUD amendment to allow a nine hole, Par 3 golf



**BLOOMINGTON COMMON COUNCIL
FISCAL IMPACT STATEMENT**

Per BMC §2.04.290, any legislation that makes an appropriation or has a major impact on existing city appropriations, fiscal liability, or revenues shall be accompanied by a fiscal impact statement.

LEGISLATION NUMBER AND TITLE Ord 21-08 - To Amend the City of Bloomington Zoning Maps by Rezoing 87 Acres from PUD to MC - Re: W. Fullerton Pike Bill C. Brown Revocable Trust, Petitioner

PROPOSED EFFECTIVE DATE TBD

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

YES NO. If the legislation will not have a major fiscal impact, briefly explain below.

This legislation seeks to rezone 87 acres from PUD to MC.
There is no major fiscal impact associated with this ordinance.
Fiscal impact will be re-evaluated at the time the property is developed.

FISCAL IMPACT FOUND. If the legislation appropriates funds and/or will have a major fiscal impact, please complete the following:

	FY -- CURRENT	FY -- SUCCEEDING	ANNUAL CONTINUING COSTS THEREAFTER
REVENUES			
EXPENDITURES			
NET			

IMPACT ON REVENUE (DESCRIBE)

IMPACT ON EXPENDITURES (DESCRIBE)

FUTURE IMPACT. Describe factors which could lead to significant additional expenditures in the future.

FUNDS AFFECTED: TO BE COMPLETED BY CITY CONTROLLER
If the proposal affects City funds, please describe the funds affected and the effects of the legislation on these funds.

Signature of Controller



Signature of City Official
responsible for submitting legislation

2/19/2021



MEMO FROM COUNCIL OFFICE ON:

Ordinance 21-11 - To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration And Personnel” – Re: Updating and Harmonizing Portions of Title 2 of the Municipal Code

Synopsis

Ordinance 21-11 makes several changes to Title 2 of the Bloomington Municipal Code to bring the Title into line with changed statutes, to clarify references, and to harmonize current practices and the City Code.

Relevant Materials

- Ordinance 21-11
- Memo from Mike Rouker, City Attorney
- Proposed amendments to BMC Title 2 shown in context

Summary

Ordinance 21-11 proposes amendments to various provisions in Bloomington Municipal Code Title 2, which is entitled “Administration and Personnel.” Title 2 can be accessed online here:

https://library.municode.com/in/bloomington/codes/code_of_ordinances?nodeId=TIT2ADPE

There are 16 sections of the ordinance that make text changes to Title 2. Included herein is a document that shows the additions and deletions by including each of the affected code sections with changes tracked. The memo provided by Mike Rouker describes the reasons for the proposed changes.

Contact

Mike Rouker, City Attorney, 812-349-3426, roukerm@bloomington.in.gov

ORDINANCE 21-11

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

Re: Updating and Harmonizing Portions of Title 2 of the Municipal Code

WHEREAS, a review of Title 2 of the Bloomington Municipal Code (“BMC”) indicates that there are several sections that require maintenance, and a review of such has determined that multiple chapters should be updated and amended; and

WHEREAS, several changes to state law and local practice warrant an update to Title 2 to reflect current and best practices; and

WHEREAS, the Council wishes to amend portions of Title 2 to these ends;

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

SECTION I. Section 2.09.030 of the BMC, entitled “Duties” under the Chapter establishing the Board of Public Works, shall be amended to replace the words “transportation and traffic engineering services division of the planning and transportation department” with the words “engineering department”.

SECTION II. Section 2.12.060 of the BMC, entitled “Bloomington telecommunications council” shall be deleted in its entirety, without replacement.

SECTION III. Section 2.12.070 of the BMC, entitled “Traffic commission,” shall be amended so that the words “transportation and traffic engineer” in subsection (2) are replaced with the words “director of engineering”.

SECTION IV. Section 2.12.110, entitled “Parking commission”, shall be amended as follows:

Subsection (b) shall be amended by adding the following sentences to the end of the subsection: “Each appointing authority may also appoint a standing alternate for each of its appointees and such alternate may participate with the commission at any meeting where the regular member is disqualified or is otherwise unable to participate. All alternate members appointed hereunder shall meet all qualification requirements of the regular member for whom they serve as alternate.”

Subsection (c)(5) shall be amended by deleting the words “transportation and traffic services division of the planning and transportation department” and replacing them with the words “planning and transportation department, engineering department, or department of public works.”

Subsection (f) shall be amended to delete the words “the transportation and traffic services division of” without replacement.

SECTION V. Section 2.13.010, entitled “Appointment and qualifications”, shall be amended by replacing the words “parks and recreation board” with the words “board of park commissioners” and by deleting subsection (6). Subsequent subsections shall be renumbered accordingly.

SECTION VI. Section 2.13.020, entitled “Terms”, shall be amended to replace the words “parks and recreation board” with the words “board of park commissioners” and to delete the sentence reading: “The initial terms of the Monroe County commissioners' appointments shall be for one year and four years, terminating on the first Monday in January of the second and fifth year.”.

SECTION VII. Section 2.19.010, entitled “Appointment of Director”, shall be amended to add the word “department” after the words “neighborhood development” and to replace the words “director of redevelopment” with the words “director of the housing and neighborhood development department” so that the section reads as follows:

“The housing and neighborhood development department shall be administered by the director of the housing and neighborhood development department who is appointed by the mayor, with the approval of the redevelopment commission, and who shall serve at the pleasure of the mayor.”

SECTION VIII. Section 2.19.030 of the BMC, entitled “Neighborhood development division,” shall be amended to delete the words “be administered by the neighborhood development manager who reports to the director of the housing and neighborhood development. The division shall” so that the section reads as follows:

“The neighborhood development division shall enforce property maintenance codes applicable within the city. The division also shall assist other city departments with enforcement of city code complaints. All money received by the city for the payment of fines, penalties and reimbursement of services related to and resulting from neighborhood development division activity shall be placed in the unsafe building fund, as established by Indiana Code Section 36-7-9-1 to-28 and Bloomington Municipal Code Chapter 17.16.”

SECTION IX. Section 2.19.040 of the BMC, entitled “Board of Housing Quality Appeals,” shall be amended as follows:

Subsection (1), entitled “Purpose”, shall be amended to delete the words “owner or” in the first sentence, to replace the word “aggrieved” with the words “the subject of, or directly impacted” in the first sentence, to add the words “Title 16 of the Bloomington Municipal Code, hereinafter referred to as” after the words “the provisions of” in the first sentence, to place quotation marks around the words “property maintenance code” in the first sentence, to replace the word “complaint” with the word “appeal” in the second sentence, and to replace the word “manager” with the word “division” in the second sentence. As amended, subsection (1) shall read as follows:

(1) Purpose. The purpose of this board is to hear the appeal of any person who is the subject of, or directly impacted by, a ruling or decision of the enforcing officer or any administration official, in any matter relative to the interpretation or enforcement of any of the provisions of Title 16 of the Bloomington Municipal Code, hereinafter referred to as the “property maintenance code” of the city. The board is authorized to make investigations relative to the appeal and may overrule the decisions of any administrative officer including the neighborhood development division.

Subsection (4), entitled “Rules of Procedure”, shall be amended to replace the words “housing quality appeals board” with the words “board of housing quality appeals”, to replace the words “an exception” with the words “a variance”, to add the words “property maintenance” before the word “code”, and to replace the words “the exception” with the words “the variance.” As amended, subsection (4) shall read as follows:

(4) Rules of Procedure. The board of housing quality appeals shall establish its own rules of operating procedure which may be amended from time to time by a majority of the membership; provided, however, that a petitioner seeking a variance from the property maintenance code shall always be required to make a showing that the variance requested shall not harm the safety, health, or welfare of the occupants as well as provide a reasonable explanation of why the variance is needed.

Subsection (5), entitled “Powers and Duties”, shall be amended to delete the words “and review” from subpart (a), to delete the words “or board” from subpart (a), to replace the word “exceptions” with the word “variances” in subpart (b), to replace the words “decide special exceptions” with the words “authorize variances” in subpart (c), to replace the words “housing quality appeals board” with the words “board of housing quality appeals” in subpart (d), and to delete the words “or board” in subpart (d). As amended, subsection (5) shall read as follows:

(5) Powers and Duties. The powers and duties of the board of housing quality appeals shall be to:

- (a) Hear and determine appeals from any order, requirement, decision or determination made by an administrative official charged with the enforcement of any regulation or restrictions set forth in the property maintenance code;
- (b) Permit and authorize variances in particular situations specified in the property maintenance code;
- (c) Hear and authorize variances to the terms of the property maintenance code upon which the board is required to act under this section;
- (d) In exercising its powers, the board of housing quality appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from as in its opinion ought to be done in the premises, and to that end shall have all the powers of the officer from which the appeal is taken.

Subsection (6), entitled “Jurisdiction”, shall be deleted in its entirety and replaced with the following:

(6) Jurisdiction. The board of housing quality appeals shall have jurisdiction to hear the appeal of any person directly affected by a decision, notice, or order of the director or an administrative officer of the housing and neighborhood development department related to the property maintenance code.

Subsection (7), entitled “Jurisdiction Granting Exceptions—Requirements”, shall be deleted in its entirety and replaced with the following:

(7) Granting Variances—Requirements. The board of housing quality appeals shall not grant any variance unless it first finds in each individual case that the following conditions are present:

(a) That the value of the property to which the variance is to apply will not be adversely affected;

(b) That the variance is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.

Subsection (8), entitled “Petitions,” shall be deleted in its entirety and replaced with the following:

(8) Appeals. A person may file an appeal with the board of housing quality appeals by submitting a written appeal to the board of housing quality appeals, accompanied by a filing fee of twenty dollars (\$20.00). The Appellant shall list the names of the occupants of the premises in the appeal.

Subsection (9), entitled “Board Action on Petition”, shall be amended to replace the word “Petition” to the word “Appeal” in the title, to replace the words “set a date for” with the word “schedule,” to delete the words “to be held within thirty days thereof. Notice of the public hearing shall be advertised at least ten days beforehand according to provisions in IC 5-3-1. The cost of advertising shall be borne by the petitioner”, and to replace the word “petitioner” with the word “appellant.” As amended subsection (9) shall read as follows:

(9) Board Action on Appeal. Within thirty days after the filing, the board shall investigate the petition and schedule a public hearing. Notice of the hearing shall be served at least ten days before the hearing date on the appellant, the person having possession of the premises and the owner of the premises, if the owner is not in possession. The occupants of the premises shall be allowed to participate in the public hearing.

Subsection (11), entitled “Notice of Decision” shall be amended to replace the word “board’s” with the words “board of housing quality appeals”, to replace the words “, determination, reasons for the decision, and recommendation” with the words “and decision”, to replace the word “petitioner” with the word “appellant”, to add the words “of housing quality appeals” after the words “the board”, and to replace the words “board and the neighborhood development manager” with the words “housing and neighborhood development department”. As amended, subsection (11) shall read as follows:

(11) Notice of Decision. A copy of the board of housing quality appeals’ written findings and decision shall be mailed to the person having possession of the premises, the owner of the premises, if the owner is not in possession, and the appellant, if a different party. In addition, the board of housing quality appeals shall make a detailed report of all its proceedings, setting forth its reasons, the vote of each member participating and the absence or abstention from voting of a member. Such record shall be open to public inspection in the offices of the housing and neighborhood development department

Subsection (12), entitled “Appeal from Board Decision”, shall be deleted in its entirety and replaced as follows:

(12) Appeal from Board Decision. The written decision of the board of housing quality appeals constitutes a final administrative decision, and may be appealed to any court of competent jurisdiction.

SECTION X. Section 2.21.140 of the BMC, entitled “Hate crime statistics,” shall be renumbered so that it is now Section 2.21.098 and the renumbered section shall be reflected in the table of contents for this chapter.

SECTION XI. Section 2.21.150 of the BMC, entitled “Complaints of housing status discrimination,” shall be renumbered so that it is now Section 2.21.099 and the renumbered section shall be reflected in the table of contents for this chapter.

SECTION XII. Section 2.22.030 of the BMC, entitled “Employee policies,” shall be amended as follows:

Subsections (2) through (6) shall be deleted and replaced by a new subsection (2) that shall read as follows:

“(2) Vacations, sick leave and sick bank, paid time off, and other paid benefit time.

(a) For union-eligible employees, vacation leave, sick leave and sick bank, paid time off, and all other paid benefit time shall be governed by the rules contained in each employee’s applicable collective bargaining agreement, as supplemented by the rules contained in the City of Bloomington Personnel Manual.

(b) For non-union-eligible employees, vacation leave, sick leave and sick bank, paid time off, and all other paid benefit time shall be governed by the rules contained in the City of Bloomington Personnel Manual.”

Subsection (7) shall be renumbered so that it is now subsection (3).

SECTION XIII. Section 2.24.040 of the BMC, entitled “Qualifications” shall be amended to delete the final sentence, which reads “No more than two thirds of the Board shall be of the same political party.”

SECTION XIV. Section 2.28.080 of the BMC, entitled “Annual reporting,” shall be deleted in its entirety without replacement.

SECTION XV. Section 2.34.020 of the BMC, entitled “Bargaining unit,” shall be amended to replace the word “sergeant” with the word “chauffeur” and to replace the words “fireman first class” with “firefighter first class”.

SECTION XVI. Chapter 2.52 of the BMC, entitled “Property Sales”, shall be deleted in its entirety without replacement.

SECTION XVII. If any section, sentence, provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications 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 XVIII. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this _____ day of _____, 2021.

JIM SIMS, 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 _____, 2021.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2021.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

Ordinance 21-11 makes several changes to Title 2 of the Bloomington Municipal Code to bring the Title into line with changed statutes, to clarify references, and to harmonize current practices and the City Code.



MEMORANDUM

CITY OF BLOOMINGTON LEGAL DEPARTMENT

TO: Common Council
FROM: Michael Rouker, City Attorney
RE: Ordinance 21-11 – Updating and Harmonizing Portions of Title 2
DATE: March 12, 2021

As time passes, every legislative document requires maintenance. This includes the City’s municipal code. A variety of causes necessitate routine legislative upkeep, including changes to statutes, court decisions, alterations to the city’s contractual obligations, and innovations in best practices. Ordinance 21-11 is just this sort of maintenance legislation. Ordinance 21-11 contains a number of clean-up provisions, which are enumerated and briefly described herein.

First, in a number of places, Ordinance 21-11 updates Title 2 to reflect changes in the structure of the Planning & Transportation Department and to take into account the creation of a new Engineering Department. Thus, in a number of places, references to the transportation and traffic engineering services division of the Planning and Transportation Department have been updated to instead reference the Engineering Division. Similarly, references to the transportation and traffic engineer have been updated to the director of engineering.

Second, there are a number of changes to the enabling ordinances related to City Boards and Commissions. For example, the requirement that two members to the Plan Commission be appointed from within the Area Intended for Annexation has been removed, as the interlocal agreement that created the Area Intended for Annexation was terminated several years ago. Also, the section establishing the Bloomington Telecommunications Council has been eliminated as state law has stripped local telecommunications councils of all authority several years ago. Similarly, the political affiliation requirement for members of the Utility Service Board was removed from the state code, and Title 2 is being updated to reflect this change as well.

Third, Ordinance 21-11 cleans up HAND provisions and the section setting forth the Board of Housing Quality Appeals. In several places, Chapter 2.19 references HAND positions that are no longer staffed. Ordinance 21-11 corrects these references. Also, Section 2.19.040, which establishes and creates rules for the Board of Housing Quality Appeals, has long been difficult to administer. Ordinance 21-11 cleans up the language and the references in Section 2.19.040 to make it easier for staff to administer the Board and for the public to understand how the Board functions.

Several other miscellaneous changes are included in Ordinance 21-11. The Ordinance allows for the optional appointment of alternate members to the City’s Parking Commission. It also simplifies Section 2.22.030, which contained an unnecessarily detailed and outdated policy on employee leave for both union-eligible and non-union-eligible employees. In place of this inaccurate leave policy, Section 2.22.030 now simply references the relevant collective bargaining

agreements or personnel manual for purposes of determining the rules governing employee benefit time.

Furthermore, Ordinance 21-11 eliminates the reference to “firemen” in Title 2 and replaces it with the non-gendered word “firefighter.” The ordinance also updates the rank structure of the Fire Department to eliminate the reference to the rank of “sergeant” which has now been replaced by “chauffeur.” Ordinance 21-11 removes a redundant reporting requirement contained in Section 2.28.080, Bloomington’s living wage ordinance. The annual report referenced by that section has never been prepared or requested, and the information required for the annual report in Section 2.28.080 is already publicly available. Finally, Ordinance 21-11 eliminates Chapter 2.52, which governs property sales by the City. Chapter 2.52 has long since been preempted by state code provisions which dictate, in detail, precisely the steps the City must follow in order to sell property.

Please note that Title 2 is the title of the city code discussing the majority of the City’s boards and commissions. At present, Novak Consulting is preparing a report regarding the City’s boards and commissions, which means that it is possible that the Council will be discussing Title 2 again in the near future. That discussion may be more substantive. In contrast, Ordinance 21-11 is designed simply to clean up and harmonize Title 2 of the code. There are no expected fiscal impacts of the ordinance. Staff respectfully requests that the Common Council adopt Ordinance 21-11.

Amendments to Bloomington Municipal Code Title 2 proposed by Ordinance 21-11 in context
(additions are shown in **Bold**, deletions are show in ~~strikeout~~)

Section 1 of Ordinance 21-11

2.09.030 Duties.

The Board shall be the chief administrative body of the City and shall have control of the day to day operation of the Department of Public Works and shall have the authority to allow and approve claims for the department of public works and the ~~transportation and traffic engineering services division of the planning and transportation department~~ **engineering department**.

Section 2 of Ordinance 21-11

~~2.12.060 Bloomington telecommunications council.~~

- ~~(1) Purpose. The telecommunications council shall be responsible to the board of public works in reviewing and evaluating the performance of city franchise agreements.~~
- ~~(2) Appointments. The council shall consist of five members, two of whom shall be appointed by the mayor and three by the common council.~~
- ~~(3) Powers and Responsibilities. The powers and responsibilities of this council shall be as follows:
 - ~~(a) To evaluate the quality of subscriber service by cable television companies;~~
 - ~~(b) To evaluate whether the company is operating in satisfaction of the terms of the cable television franchise and the applicable of state and federal rules and regulations;~~
 - ~~(c) To study the communication needs of the Bloomington community and explore ways of using cable television to meet those needs;~~
 - ~~(d) To assist members of the public and nonprofit organizations in the use of cable television, including, to the extent of the council's ability, programming advice, production advice and assistance, and cable casting arrangements;~~
 - ~~(e) To seek out and retain the services of other persons, organizations and companies for purposes of satisfying the responsibilities laid upon the council by this section;~~
 - ~~(f) To report at least once a year to the mayor, the common council, and the board of public works, in writing on the council's activities and expenditures, such report to include the evaluations provided for in subsections (b) and (c) of this section, and such report further being made available to the public upon request; and~~
 - ~~(g) To pursue the preceding responsibilities in the best public interest of the citizens of Bloomington.~~~~
- ~~(4) Procedure. The board of public works shall furnish the telecommunications council with rules and regulations for the administration of the telecommunications council.~~

It is the object of this section that the telecommunications council will be supported from the receipt of cable television franchise fees, subject to the approval of the mayor and common council.

Section 3 of Ordinance 21-11

2.12.070 Traffic commission.

- (1) **Purpose—Duties.** It shall be the duty of the commission, and to this end it shall have the authority within the limits of the funds at its disposal, to coordinate traffic activities, to carry on educational activities in traffic matters, to supervise the preparation and publication of traffic reports, to receive complaints having to do with traffic matters, and to recommend to the common council and to appropriate city officials ways and means for improving traffic conditions and the administration and enforcement of traffic regulations.
- (2) **Appointments.** The commission shall consist of the following nine members: a designee of the ~~transportation and traffic engineer~~ **director of engineering**, a designee of the director of public works, a designee of the chief of police and six additional members who shall be appointed by the common council. All terms shall be for two years.
- (3) **Qualifications.** Each common council appointee shall be a resident of the city with preference being given so that each councilmanic district is represented.
- (4) **Meetings.** Meetings will be held monthly.
- (5) **Procedure.** The commission shall establish its own rules of operating procedure which may be amended from time to time by a majority vote.

Section 4 of Ordinance 21-11

2.12.110 Parking commission.

- (a) **Purpose.** It shall be the primary purpose of the parking commission (commission), in coordination with decision-makers and other entities as is necessary or prudent:
 - (1) To develop, implement, maintain, and promote a comprehensive policy on parking that takes into account the entirety of, and furthers the objectives of, the city's comprehensive plan; and
 - (2) To coordinate parking activities, to carry on educational activities in parking matters, to supervise the preparation and publication of parking reports, to receive comments and concerns having to do with parking matters, and to recommend to the common council and to appropriate city officials ways and means for achieving the city's comprehensive plan objectives through the administration of parking policies and the enforcement of parking regulations.
- (b) **Composition—Appointments.** The parking commission shall be composed of nine voting members. These voting members shall be composed of five members appointed by the mayor and four members appointed by the common council. **Each appointing authority may also appoint a standing alternate for each of its appointees and such alternate may participate with the commission at any meeting where the regular member is disqualified or is otherwise unable to participate. All alternate members appointed hereunder shall meet all qualification requirements of the regular member for whom they serve as alternate.**
- (c) **Qualifications of Voting Membership.**
 - (1) One member appointed by the mayor and one member appointed by the common council shall be a merchant owning and operating a business located at an address within the city limits;
 - (2) One member appointed by the mayor shall be a board member or an employee of a non-profit organization which operates at property that is owned or leased by the non-profit organization within the city limits;
 - (3) Four members, two appointed by the mayor and two appointed by the council, shall be residents living within the city limits;

- (4) One member appointed by the common council shall be from among its membership; and
 - (5) One member appointed by the mayor shall be from within the ~~transportation and traffic services division of the planning and transportation department~~ **planning and transportation department, engineering department, or department of public works.**
- (d) *Terms.* The initial terms of three mayoral and two council citizen appointments shall expire on January 31, 2018. The terms of the remaining initial citizen appointments shall expire on January 31, 2019. Thereafter, all terms of citizen appointments shall be for two years and expire on January 31. The terms for the one mayoral appointment made from within the planning and transportation department and the one council appointment made from within the members of the council shall be for one year and expire on January 31.
- (e) *Powers and Duties.* The commission shall meet at least one time each month, unless it votes to cancel the meeting. Its powers and duties shall include, but are not limited to:
- (1) Accessing all data regarding the city's parking inventory, including usage, capital and operating costs, so long as the data is released in a manner consistent with exemptions from disclosure of public records set forth in Indiana Code § 5-14-3-4;
 - (2) Reviewing the performance of all meters, lots, garages, and neighborhood zones in the city's parking inventory, and reviewing the performance of all divisions of city departments devoted specifically to parking management;
 - (3) Making recommendations on parking policy, including but not limited to: pricing, hours of operation, addition or removal of parking spaces, and changes when necessary to city code, enforcement procedures, or any other aspect of parking management policy;
 - (4) Submitting an annual report of its activities and programs to the mayor and council by October of each year;
 - (5) Adopting rules and regulations for the conduct of its business; and
 - (6) Applying for appropriations through the mayor, or researching and applying for grants, gifts, or other funds from public or private agencies, for the purpose of carrying out any of the provisions of this section.
- (f) *Staff.* The commission shall be staffed by ~~the transportation and traffic services division of the planning and transportation department.~~

Section 5 of Ordinance 21-11

2.13.010 Appointment and qualifications.

The commission shall consist of twelve members who by statute shall be appointed in the following manner:

- (1) One member appointed by and from the membership of the common council.
- (2) One member appointed by and from the membership of the ~~parks and recreation board~~ **board of park commissioners.**
- (3) One member appointed by the board of public works from its membership or as its designated representative.
- (4) The city civil engineer or a qualified assistant appointed by the city civil engineer.
- (5) Five citizens, no more than three of whom may be of the same political party, appointed by the mayor.
- ~~(6) Two Monroe County citizens who reside in the area intended for annexation (AIFA) and who are from opposite political parties, appointed by the Monroe County commissioners.~~
- ~~(7)~~ **(6)** One nonvoting member appointed by and representing the Monroe County plan commission.

Section 6 of Ordinance 21-11

2.13.020 Terms.

The Monroe County commissioners and mayoral appointees shall serve four-year terms. Those terms of the mayoral appointees shall initially be staggered with one citizen appointed for two years ending the first Monday in January of 1985, two for three years, ending the first Monday in January of 1986, and two for four years, ending the first Monday in January of 1987. ~~The initial terms of the Monroe County commissioners' appointments shall be for one year and four years, terminating on the first Monday in January of the second and fifth year.~~

Members appointed from the membership of the ~~parks and recreation board~~ **board of park commissioners**, board of public works, county plan commission and the common council shall serve a term co-extensive with their terms on the appointing body or until that body appoints another at its first regular meeting of the year. An appointee not serving on a body, but appointed as its representative shall serve a four-year term.

Section 7 of Ordinance 21-11

2.19.010 Appointment of Director.

The housing and neighborhood development **department** shall be administered by the ~~director of redevelopment~~ **director of the housing and neighborhood development department** who is appointed by the mayor, with the approval of the redevelopment commission, and who shall serve at the pleasure of the mayor.

Section 8 of Ordinance 21-11

2.19.030 Neighborhood development division.

The neighborhood development division shall ~~be administered by the neighborhood development manager who reports to the director of the housing and neighborhood development.~~ The division shall enforce property maintenance codes applicable within the city. The division also shall assist other city departments with enforcement of city code complaints. All money received by the city for the payment of fines, penalties and reimbursement of services related to and resulting from neighborhood development division activity shall be placed in the unsafe building fund, as established by Indiana Code Section 36-7-9-1 to-28 and Bloomington Municipal Code Chapter 17.16.

Section 9 of Ordinance 21-11

2.19.040 Board of housing quality appeals.

- (1) Purpose. The purpose of this board is to hear the appeal of any ~~owner or person who is aggrieved~~ **the subject of, or directly impacted** by a ruling or decision of the enforcing officer or any administration official, in any matter relative to the interpretation or enforcement of any of the provisions of **Title 16 of the Bloomington Municipal Code, hereinafter referred to as** the "property maintenance code" of the city. The board is authorized to make investigations relative to the ~~complaint~~ **appeal** and may overrule the decisions of any administrative officer including the neighborhood development ~~manager~~ **division**.
- (2) Appointments. The board shall be composed of seven members, four appointed by the mayor and three appointed by the council.
- (3) Qualifications. Members shall be residents of the city. Members may be, but are not required to be, persons who are elected, appointed, or otherwise employed by the city, but such members shall not constitute a

majority of the board. Consideration shall be given for appointment to the board to tenants, owners, and persons with experience in the area of building, managing, and leasing housing.

- (4) Rules of Procedure. ~~The housing quality appeals board~~ **board of housing quality appeals** shall establish its own rules of operating procedure which may be amended from time to time by a majority of the membership; provided, however, that a petitioner seeking ~~an exception~~ **a variance** from the **property maintenance** code shall always be required to make a showing that ~~the exception~~ **the variance** requested shall not harm the safety, health, or welfare of the occupants as well as provide a reasonable explanation of why the variance is needed.
- (5) Powers and Duties. The powers and duties of the board of housing quality appeals shall be to:
- (a) Hear and determine appeals from ~~and review~~ any order, requirement, decision or determination made by an administrative official ~~or board~~ charged with the enforcement of any regulation or restrictions set forth in the property maintenance code;
 - (b) Permit and authorize ~~exceptions~~ **variances** in particular situations specified in the property maintenance code;
 - (c) Hear and ~~decide special exceptions~~ **authorize variances** to the terms of the property maintenance code upon which the board is required to act under this section;
 - (d) In exercising its powers, the ~~housing quality appeals board~~ **board of housing quality appeals** may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from as in its opinion ought to be done in the premises, and to that end shall have all the powers of the officer ~~or board~~ from which the appeal is taken.
- (6) ~~Jurisdiction. The jurisdiction of the board shall extend to appeals from the decisions of any administrative officer charged with the enforcement of the property maintenance code within the city.~~

Jurisdiction. The board of housing quality appeals shall have jurisdiction to hear the appeal of any person directly affected by a decision, notice, or order of the director or an administrative officer of the housing and neighborhood development department related to the property maintenance code.

- (7) ~~Jurisdiction Granting Exceptions—Requirements. In the matter of granting exceptions, the board shall not assume jurisdiction unless it first finds in each individual case that the following conditions are present:~~
- ~~(a) That the value of the area about the property to which the exception is to apply will not be adversely affected;~~
 - ~~(b) That the exception is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.~~

Granting Variances—Requirements. The board of housing quality appeals shall not grant any variance unless it first finds in each individual case that the following conditions are present:

- (a) That the value of the property to which the variance is to apply will not be adversely affected;**
 - (b) That the variance is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.**
- (8) ~~Petitions. A person may petition the board to appeal any decision of any administrative official or enforcing officer by submitting a written petition to the board, accompanied by a filing fee of twenty dollars. Petitioner must list the names of the occupants of the premises in the petition.~~

Appeals. A person may file an appeal with the board of housing quality appeals by submitting a written appeal to the board of housing quality appeals, accompanied by a filing fee of twenty dollars (\$20.00). The Appellant shall list the names of the occupants of the premises in the appeal.

- (9) Board Action on **Petition Appeal**. Within thirty days after the filing, the board shall investigate the petition and ~~set a date for schedule~~ a public hearing ~~to be held within thirty days thereof. Notice of the public hearing shall be advertised at least ten days beforehand according to provisions in IC 5-3-1. The cost of advertising shall be borne by the petitioner.~~ Notice of the hearing shall be served at least ten days before the hearing date on the **petitioner appellant**, the person having possession of the premises and the owner of the premises, if the owner is not in possession. The occupants of the premises shall be allowed to participate in the public hearing.
- (10) Board Decision. Four concurring votes are required for a board determination. No member shall vote on any question in which result the member is immediately and particularly interested. When the board has decided any question, any member voting on the prevailing side may move a reconsideration of the vote thereon before adjournment of the session of the board at which the vote is taken. Concurrence of a majority shall be sufficient to order reconsideration of a vote, but if a motion to reconsider is lost, it shall not again be entertained. Except in those matters irrevocable by nature or circumstance and except inasmuch as contractual or vested rights may have been established pursuant thereto, a decision of the board once made may be rescinded only by a subsequent decision.

Not more than ten days after such hearing the board shall make its findings, reasons for the decision, decision and recommendations in writing to the neighborhood development manager.

- (11) Notice of Decision. A copy of the ~~board's~~ **board of housing quality appeals'** written findings, ~~determination, reasons for the decision, and recommendation and decision~~ shall be mailed to the person having possession of the premises, the owner of the premises, if the owner is not in possession, and the ~~petitioner appellant~~, if a different party. In addition, the board **of housing quality appeals** shall make a detailed report of all its proceedings, setting forth its reasons, the vote of each member participating and the absence or abstention from voting of a member. Such record shall be open to public inspection in the offices of the ~~board and the neighborhood development manager~~ **housing and neighborhood development department**.
- (12) ~~Appeal from Board Decision. Any person jointly or severally aggrieved by a decision of the board may proceed in any court of competent jurisdiction.~~

Appeal from Board Decision. The written decision of the board of housing quality appeals constitutes a final administrative decision, and may be appealed to any court of competent jurisdiction.

Section 10 of Ordinance 21-11

2.21.140 Hate crime statistics.

The Bloomington Human Rights Commission may collect data and issue reports on the incidence of hate crimes in the city. Hate crimes include verbal or physical abuse directed at individuals or groups because of their religion, race, color, sex, national origin, ancestry, disability, sexual orientation, gender identity, housing status, or status as a veteran.

Section 11 of Ordinance 21-11

~~2.21.150~~ **2.21.099** Complaints of housing status discrimination.

In complaints of discrimination on the basis of housing status discrimination, the commission's authority shall typically be limited to voluntary investigations and voluntary mediation.

Section 12 of Ordinance 21-11

2.22.030 Employee policies.

The administration of certain human resources matters shall be governed by the following policies:

- (1) Mileage and Travel Allowance. In all instances where city employees use their own vehicles in city affairs and work, other than traveling from their home to their place of work and from their place of work to their home, such employee shall be entitled to an allowance in such amount as authorized and approved by the State Board of Accounts.

City employees who travel on official city business may be reimbursed for the reasonable costs of such travel. The human resources director with approval of the mayor shall promulgate policies and procedures acceptable to the State Board of Accounts governing such travel and reimbursement.

~~(2) Vacations—Union-Eligible Employees.~~

~~(a) Union-eligible employees who are not on probationary status and who have worked for the city for more than six continuous months but less than twelve continuous months, shall be entitled to one work week vacation during their first calendar year of employment. Union-eligible employees who are not on probationary status and have worked for the city for more than twelve continuous months, but less than five continuous years, shall be entitled to two work weeks vacation per year, with full pay, subject to proration after the first twelve continuous months to adjust to the calendar year. Union-eligible employees who have worked for the city for more than five continuous years shall be entitled to one extra work day with full pay for each year worked over five continuous years, and those who have worked for the city for more than nine continuous years shall be entitled to two extra work days with full pay for each year over nine continuous years, but under no circumstances shall the employee be entitled to more than four work weeks of vacation. It is understood that eligibility for extra vacation days shall begin at the conclusion of the fifth and ninth year of work, respectively.~~

~~(b) Vacation must be taken within the calendar year and will not accumulate from year to year except in extenuating circumstances. If an employee who has worked for the city for more than twelve continuous months should resign and leave in good standing after giving proper notice, he/she shall be paid in full for unused vacation leave carried over from the prior year. He/she shall also be paid for unused vacation leave accumulated in the year of resignation, subject to proration based on the amount of time worked during the first six months of the calendar year. Provided, however, when an employee retires in good standing, only the first two weeks of unused vacation time earned in the year of retirement shall be subject to proration. An employee who leaves city employment before the end of the twelfth month of employment shall repay any vacation time taken in excess of one workweek prorated over the amount of time worked after the first six months of employment. An employee who leaves city employment after twelve continuous months of employment shall repay any vacation time taken in excess of the amount of vacation accumulated as of January 1st prorated over the first six months of the calendar year.~~

~~(c) The human resources director, with approval of the mayor, shall promulgate policies and procedures for the administration and enforcement of this vacation policy.~~

~~(3) Sick Leave and Sick Bank. The following rules shall apply to union eligible employees' sick leave and/or to non-union eligible employee's PTO Sick Bank, as indicated in each specific provision.~~

~~(a) Sick Leave. This provision shall apply only to union-eligible employees. Each employee shall be entitled to accumulate sick leave indefinitely. Regular full-time employees shall receive one paid sick day for each calendar month worked, beginning on the most recent date of hire. Such sick leave shall not become effective, however, until the employee leaves probationary status. Sick days shall accumulate only while the employee is on active paid status, which includes paid benefit time.~~

~~(b) Rules Governing Sick Leave and Sick Bank. This provision shall apply both to union-eligible employees' sick leave and to non-union eligible employees' sick bank. Sick days are intended for use only when the employee is medically ill or injured; provided, however, the human resources director, with the approval of the mayor, is authorized to implement and administer reasonable policies allowing use of accumulated sick leave due to family emergency or illness of a family member, or for major life events such as birth or adoption of a child by the employee. In order to be paid for more than two sick days in any given work week, or for more than three consecutively scheduled work days, the employee may be required to present a physician's statement that he/she was unable to work. Unused sick leave shall not be paid upon separation from employment. The human resources department, with approval of the mayor, shall establish and administer policies governing use and abuse of sick leave.~~

~~(4) Paid Time Off—Non Union-eligible Employees. This policy shall apply to all regular full-time (RFT) and regular part-time with benefits (RPB) employees other than those who are union-eligible (as defined herein) or are sworn police or firefighter personnel. This policy replaces the former paid benefit time categories of vacation, personal business days, and birthday with a single category of paid benefit time called paid time off (PTO).~~

~~(a) Credited Paid Time Off. Paid time off shall be credited upon hire and thereafter on January 1st of each year in the following maximum amounts:~~

~~(i) Regular full-time employees, other than department heads, who are scheduled to work forty hours per week shall be credited with PTO in accordance with the following chart:~~

Chart 1	Month of hire	Hours credited
For Full Time Employees in Their 1st Calendar Year of Employment	January	56
	February	51
	March	46
	April	41
	May	36
	June	31
	July	26
	August	21
	September	16
	October	16
	November	16
	December	16

Chart 2	Calendar year of employment	Hours credited
	2	96
	3	96

For Full Time Employees in at Least Their 2nd Year of Employment	4	96
	5	96
	6	104
	7	112
	8	120
	9	128
	10	144
	11	160
12 and greater	176	

(ii) Regular full-time employees, other than department heads, who are scheduled to work between thirty five and thirty nine hours per week inclusive, shall be credited with PTO in accordance with the following chart:

First Year Month of Hire	Hours Worked Per Week				
	39	38	37	36	35
January	55	53	52	50	49
February	50	48	47	46	45
March	45	44	43	41	40
April	40	39	38	37	36
May	35	34	33	32	32
June	30	29	29	28	27
July	25	25	24	23	23
August	20	20	19	19	18
September	16	16	15	14	14
October	16	16	15	14	14
November	16	16	15	14	14
December	16	16	15	14	14

Years	Hours Worked Per Week				
	39	38	37	36	35
2	94	91	89	86	84
3	94	91	89	86	84
4	94	91	89	86	84
5	94	91	89	86	84
6	101	99	96	94	91
7	109	106	104	101	98
8	117	114	111	108	105
9	125	122	118	115	112
10	140	137	133	130	126
11	156	152	148	144	140
12 and greater	172	167	163	158	154

(iii) Regular part-time with benefits employees shall be credited with PTO in accordance with the following chart:

First Year Month of Hire	Hours Worked Per Week														
	34	33	32	31	30	29	28	27	26	25	24	23	22	21	20
January	48	46	45	43	42	41	39	38	36	35	34	32	31	29	28

February	43	42	41	40	38	37	36	34	33	32	31	29	28	27	26
March	39	38	37	36	35	33	32	31	30	29	28	26	25	24	23
April	35	34	33	32	31	30	29	28	27	26	25	24	23	22	21
May	31	30	29	28	27	26	25	24	23	23	22	21	20	19	18
June	26	26	25	24	23	22	22	21	20	19	19	18	17	16	16
July	22	21	21	20	20	19	18	18	17	16	16	15	14	14	13
August	18	17	17	16	16	15	15	14	14	13	13	12	12	11	11
September	14	13	13	12	12	12	11	11	10	10	10	9	9	8	8
October	14	13	13	12	12	12	11	11	10	10	10	9	9	8	8
November	14	13	13	12	12	12	11	11	10	10	10	9	9	8	8
December	14	13	13	12	12	12	11	11	10	10	10	9	9	8	8

Years	Hours Worked Per Week														
	34	33	32	31	30	29	28	27	26	25	24	23	22	21	20
2	82	79	77	74	72	70	67	65	62	60	58	55	53	50	48
3	82	79	77	74	72	70	67	65	62	60	58	55	53	50	48
4	82	79	77	74	72	70	67	65	62	60	58	55	53	50	48
5	82	79	77	74	72	70	67	65	62	60	58	55	53	50	48
6	88	86	83	81	78	75	73	70	68	65	62	60	57	55	52
7	95	92	90	87	84	81	78	76	73	70	67	64	62	59	56
8	102	99	96	93	90	87	84	81	78	75	72	69	66	63	60
9	109	106	102	99	96	93	90	86	83	80	77	74	70	67	64
10	122	119	115	112	108	104	101	97	94	90	86	83	79	76	72
11	136	132	128	124	120	116	112	108	104	100	96	92	88	84	80
12 and greater	150	145	141	136	132	128	123	119	114	110	106	101	97	92	88

(iv) Department Heads. PTO will be credited in the amount of one hundred seventy-six hours per year each January 1st, subject to proration in the year of hire in the discretion of the mayor.

(b) Earned Paid Time Off. Additional paid time off will be earned at the following rates:

(i) Regular full-time employees who are regularly scheduled to work between thirty-seven and forty hours per week inclusive and department heads: four hours of PTO will be earned for each biweekly pay period worked.

(ii) Regular full-time employees who are regularly scheduled to work thirty-five or thirty-six hours per week: three and one-half hours of PTO will be earned for each bi-weekly pay period worked.

(iii) Regular Part-Time Employees: Three and one-half hours will be earned for each bi-weekly pay period worked for employees regularly scheduled to work between thirty-three and thirty-six hours per week, inclusive. Three hours will be earned for each bi-weekly pay period worked by employees regularly scheduled to work between twenty-eight and thirty-two hours per week, inclusive. Two and one-half hours will be earned for each bi-weekly pay period worked by employees regularly scheduled to work between twenty-four and twenty-seven hours per week, inclusive. Two hours will be earned for each bi-weekly pay period worked by employees regularly scheduled to work between twenty and twenty-three hours per week, inclusive.

(iv) Eligibility for earned paid time off is dependent upon the employee working his or her full regular schedule during the biweekly pay period. Paid benefit time will be counted as hours

~~worked but unpaid leave will not be counted as hours worked and earned time will be reduced proportionately based upon the amount of unpaid leave taken during any pay period.~~

~~(v) Earned paid time off will be credited at the beginning of the payroll period subsequent to the payroll period in which it is earned and may not be used until credited.~~

~~(vi) During their probationary period under city policies, employees may use only earned paid time off.~~

~~(c) Carry Over, Banking, and Pay upon Separation. Both credited and earned paid time off remaining at the end of the calendar year in which it was earned/credited may be carried over into the next year, with department head approval, or may be placed into the sick bank. All time in the sick bank may be carried over indefinitely, may be used only in accordance with subsection (3)(b) above (2.22.030 (3)(b)), and will not be paid at separation from employment. Any paid time off which is carried over into the next year and not used during that year will be placed into the sick bank. An employee who resigns and leaves in good standing after giving proper notice shall be paid for unused PTO up to a maximum of forty (40) days for regular full-time employees (the maximum will be pro-rated for regular part-time employees based on their regularly scheduled hours) calculated as follows: the employee will be paid in full for any PTO carried over from the previous year and for any PTO earned in the current year; and the employee will be paid for any unused credited PTO from the current year pro-rated over the first six months of the calendar year.~~

~~(d) Use of PTO. PTO (other than time placed in the sick bank) may be used for any purpose, subject to applicable rules and procedures governing such use, which shall be promulgated by the human resources department with approval of the mayor, and administered by the human resources department.~~

~~(5) Other Paid Benefit Time. The human resources department with the approval of the mayor may prescribe uniform rules and procedures, which may permit employees to use the following kinds of paid benefit time subject to the conditions contained in such rules and procedures:~~

~~(a) Personal business days for union-eligible employees;~~

~~(b) Compensatory time for overtime work;~~

~~(c) Bereavement leave;~~

~~(d) Breaks;~~

~~(e) The first five days of normally scheduled work during which the employee is unable to work due to on-the-job injury, subject to reimbursement by the employee in the event he/she later receives Worker's Compensation Benefits for such time;~~

~~(f) A paid day off on the employee's birthday, for union-eligible employees;~~

~~(g) Paid holidays, which shall be designated annually by the mayor;~~

~~(h) Civic leave for attendance as a juror or witness, but only to the extent the employee does not receive juror or witness fees;~~

~~(i) Paid leave for employees who are scheduled to work but directed not to report on days when city operations are closed due to a weather emergency.~~

~~(6) Modifications and Additions. Modifications and additions to subsections 2.22.020(1) through 2.22.020(4) may be adopted by the several city boards, namely the board of public works, the board of public safety, board of parks and recreation, and the utilities service board concerning employees under their jurisdiction and with the approval of the mayor.~~

(2) Vacations, sick leave and sick bank, paid time off, and other paid benefit time.

(a) For union-eligible employees, vacation leave, sick leave and sick bank, paid time off, and all other paid benefit time shall be governed by the rules contained in each employee's applicable collective bargaining agreement, as supplemented by the rules contained in the City of Bloomington Personnel Manual.

(b) For non-union-eligible employees, vacation leave, sick leave and sick bank, paid time off, and all other paid benefit time shall be governed by the rules contained in the City of Bloomington Personnel Manual."

~~(7)~~ **(3)** Residency. Residency requirements for employees are those mandated by Indiana law, including but not limited to Article 6, Section 6 of the Indiana Constitution (if and to the extent it may be applicable to certain city officers) and, for members of the police and fire departments, Indiana Code Section 36-8-4-2.

Section 13 of Ordinance 21-11

2.24.040 Qualifications.

All members of the Utilities Service Board, whether or not City residents, shall be residents of the area served by the Board and users of one or more services provided by the municipal utilities under the control of the Utilities Service Board. ~~No more than two thirds of the Board shall be of the same political party.~~

Section 14 of Ordinance 21-11

~~2.28.080 Annual reporting.~~

~~Each year the city legal department shall forward a city assistance report to the city council, indicating for each contract for assistance during the previous year:~~

~~(a) The contract's purpose when awarded;~~

~~(b) Its cost to the city in terms of expenditures; and~~

~~(c) The number of jobs associated with the contract broken down by job title, and the wage rate for each or an indication for each that the covered employee earns at least the living wage.~~

Section 15 of Ordinance 21-11

2.34.020 Bargaining unit.

The committee shall speak for and the bargaining shall pertain to the following employees only:

Included Classifications: Captain, ~~sergeant~~ **chauffeur**, and ~~fireman first class~~ **firefighter first class**

Excluded Classifications: Chief, deputy chief, chief inspector, deputy chief inspector, inspector, battalion chief, probationary officers, confidential employees, and all other employees.

A confidential employee for purposes of this chapter is any individual whose unrestricted access to confidential personnel files or whose functional responsibilities or knowledge in connection with the issues involved in dealings between the city and its employees would make his membership in an employee organization incompatible with his official duties.

Section 16 of Ordinance 21-11

~~Chapter 2.52 PROPERTY SALES~~

Sections:

~~2.52.010 Appraisement not required.~~

~~Any and all sales of surplus or obsolete personal property to be held by the city when the sale thereof does not exceed in value the sum of one hundred dollars such property shall be sold without an appraisement.~~

~~(Prior code § 2-10)~~

~~2.52.020 Disposition of proceeds.~~

~~The proceeds from all such sales provided for by Section 2.52.010 shall be deposited to the department from which such personal property shall be sold.~~



MEMO FROM COUNCIL OFFICE ON:

Ordinance 21-12 - To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles And Traffic” - Re: Restricted Turns on Red at Signalized Intersections

Synopsis

This ordinance amends Title 15 of the Bloomington Municipal Code. The changes include adding several new signalized intersections to and correcting a number of existing signalized intersections on the table of locations with restricted turns on red.

Relevant Materials

- Ordinance 21-12
- Map of current and proposed no turn on red points
- Table of current and proposed no turn on red points
- Staff report prepared for Traffic Commission

Summary

Ordinance 21-12 proposes to amend Section 15.20.020, Schedule H (“Restricted Turns on Red at Signalized Intersections”) within Title 15 (“Vehicles and Traffic”) of the Bloomington Municipal Code, accessible online here:

https://library.municode.com/in/bloomington/codes/code_of_ordinances?nodeId=TIT15_VETR_CH15.20TURE_15.20.020RETURESIIIN.

The ordinance proposes to add approximately 78 new locations to the list of intersections where turns on red are restricted. Local code provides that when appropriate signs are erected that no turn on red may be made at signalized intersections, no driver of a vehicle shall disobey the direction of any sign. The ordinance also makes corrections to four intersections currently listed in code.

Councilmember Rosenbarger, as a sponsor of this ordinance, inquired with Adam Wason, Public Works Director, about the cost of signage and installation. He provided a rough estimate of approximately \$50 per sign, along with \$50 for installation. At a total estimated cost of roughly \$100 per installed sign, the total cost associated with new signage would be in the range of \$8,000.



City of Bloomington Indiana

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Both the Bicycle and Pedestrian Safety Commission and the Traffic Commission reviewed this proposal, with each commission voting in favor of the ordinance. A staff report prepared in advance of the Traffic Commission’s meeting on the proposal is included herein. That staff report discusses the policy and safety considerations that councilmembers may want to consider when reviewing this proposal. It also discusses guidance provided by the Transportation Plan, by the Comprehensive Plan, and by the Manual on Uniform Traffic Control Devices (national guidance). Finally, it provides information on crash history, specific location considerations, traffic impacts, and budget impacts.

Contact

Councilmember Kate Rosenbarger, 812-349-3409, kate.rosenbarger@bloomington.in.gov

ORDINANCE 21-12

**TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE
ENTITLED “VEHICLES AND TRAFFIC”**

- Re: Restricted Turns on Red at Signalized Intersections

WHEREAS, the Traffic Commission and Bicycle and Pedestrian Safety Commission have recommended certain changes be made in Title 15 of Bloomington Municipal Code entitled “Vehicles and Traffic”;

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

SECTION 1. Section 15.20.020 Schedule H shall be amended to add the following:

RESTRICTED TURNS ON RED AT SIGNALIZED INTERSECTIONS

Intersection	From	To
Atwater Avenue & Jordan Avenue	West	South
Atwater Avenue & Woodlawn Avenue	West	South
College Avenue & Eleventh Street	North	West
College Avenue & First Street	North	West
College Avenue & Fourth Street	North	West
College Avenue & Kirkwood Avenue	North	West
College Avenue & Second Street	North	West
College Avenue & Seventh Street	North	West
College Avenue & Sixth Street	North	West
College Avenue & Tenth Street	North	West
College Avenue & Third Street	North	West
Dunn Street & Third Street	North	West
Eleventh Street & College Avenue	West	South
First Street & College Avenue	West	South
First Street & Walnut Street	East	North
Fourth Street & College Avenue	West	South
Fourth Street & Walnut Street	East	North
Hawthorne Drive & Third Street	North	West
Henderson Street & Atwater Avenue	South	East
Indiana Avenue & Tenth Street	North	West
Indiana Avenue & Tenth Street	South	East
Indiana Avenue & Third Street	South	West
Jordan Avenue & Atwater Avenue	South	East
Jordan Avenue & Law Lane	North	West
Jordan Avenue & Law Lane	South	East
Jordan Avenue & Tenth Street	North	West
Jordan Avenue & Tenth Street	South	East
Kirkwood Avenue & College Avenue	West	South
Kirkwood Avenue & Rogers Street	West	South
Kirkwood Avenue & Rogers Street	East	North
Law Lane & Jordan Avenue	West	South
Law Lane & Jordan Avenue	East	North
Lincoln Street & Third Street	South	East
Madison Street & Third Street	North	West
Madison Street & Third Street	South	East
Rogers Street & Kirkwood Avenue	North	West
Rogers Street & Kirkwood Avenue	South	East
Rogers Street & Third Street	North	West
Rogers Street & Third Street	South	East
Second Street & College Avenue	West	South
Second Street & Walnut Street	East	North
Seventh Street & Walnut Street	East	North
Sixth Street & Walnut Street	East	North
Smith Avenue & Walnut Street	East	North

Sunrise Drive & Tenth Street	South	East
Tenth Street & College Avenue	West	South
Tenth Street & Fee Lane	East	North
Tenth Street & Indiana Avenue	East	North
Tenth Street & Jordan Avenue	West	South
Tenth Street & Jordan Avenue	East	North
Tenth Street & Sunrise Drive	West	South
Tenth Street & Union Street	West	South
Tenth Street & Union Street	East	North
Tenth Street & Walnut Street	East	North
Tenth Street & Woodlawn Avenue	West	South
Tenth Street & Woodlawn Avenue	East	North
Third Street & Bryan Avenue	East	North
Third Street & College Avenue	West	South
Third Street & Atwater Avenue	West	South
Third Street & High Street	West	South
Third Street & Hawthorne Drive	East	North
Third Street & Lincoln Street	East	North
Third Street & Madison Street	West	South
Third Street & Madison Street	East	North
Third Street & Rogers Street	West	South
Third Street & Rogers Street	East	North
Third Street & Walnut Street	East	North
Third Street & Washington Street	West	South
Union Street & Tenth Street	North	West
Union Street & Tenth Street	South	East
Walnut Street & First Street	South	East
Walnut Street & Fourth Street	South	East
Walnut Street & Kirkwood Avenue	South	East
Walnut Street & Second Street	South	East
Walnut Street & Seventh Street	South	East
Walnut Street & Sixth Street	South	East
Walnut Street & Tenth Street	South	East
Walnut Street & Third Street	South	East
Washington Street & Third Street	North	West
Woodlawn Avenue & Atwater Avenue	South	East
Woodlawn Avenue & Tenth Street	North	West
Woodlawn Avenue & Tenth Street	South	East

SECTION 2. Section 15.20.020 Schedule H shall be amended to delete the following:

RESTRICTED TURNS ON RED AT SIGNALIZED INTERSECTIONS

Intersection	From	To
Fee Lane & Tenth Street	East	North
Third Street & Dunn Street	West	South
Third Street & Dunn Street	North	West
Third Street & Hawthorne Avenue	North	West

SECTION 3. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications 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 and the approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2021.

JIM SIMS, 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 _____, 2021.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2021.

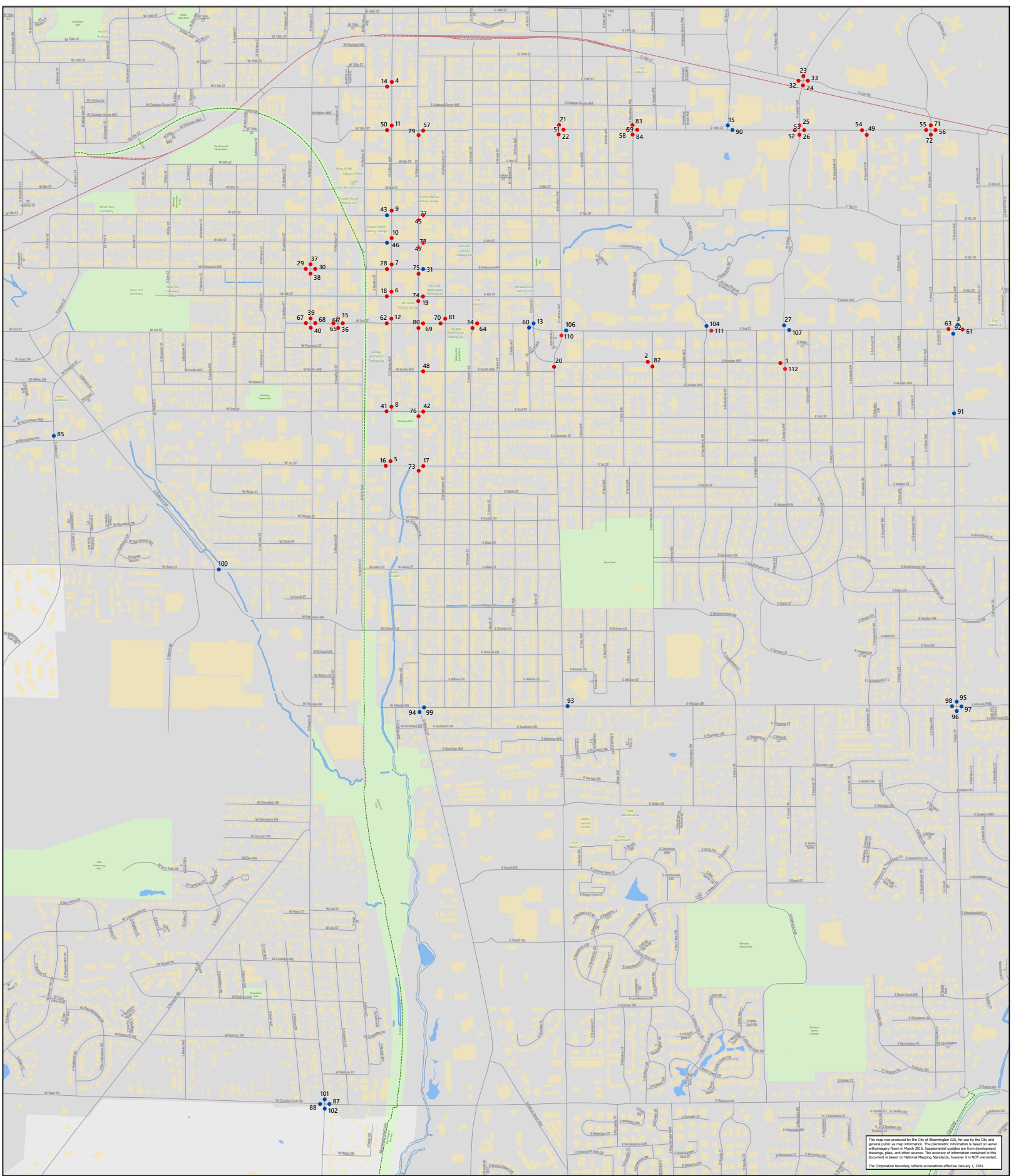
JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Title 15 of the Bloomington Municipal Code. The changes include adding several new signalized intersections to and correcting a number of existing signalized intersections on the table of locations with restricted turns on red.



No Turn on Red Points



This map was produced by the City of Bloomington GIS, for use by the City and general public as map information. The geographic information is based on aerial photography, plans, and other sources. The accuracy of information contained in this document is based on National Mapping Standards, however it is NOT warranted. The Corporation boundary reflects amendments effective January 1, 2021.

- Map Legend**
- NTO Candidate
 - Already in Code



Produced: 1/28/2021



Project: NTOMapSeriesLocal
 Layout: NTO_EP

NTOR_ID	Intersection_Name	From	To	Status	Notes
1	Atwater Avenue & Jordan Avenue	West	South	Proposed	
2	Atwater Avenue & Woodlawn Avenue	West	South	Proposed	
3	Bryan Avenue & Third Street	North	West	In Code	
4	College Avenue & Eleventh Street	North	West	Proposed	
5	College Avenue & First Street	North	West	Proposed	
6	College Avenue & Fourth Street	North	West	Proposed	
7	College Avenue & Kirkwood Avenue	North	West	Proposed	
8	College Avenue & Second Street	North	West	Proposed	
9	College Avenue & Seventh Street	North	West	Proposed	
10	College Avenue & Sixth Street	North	West	Proposed	
11	College Avenue & Tenth Street	North	West	Proposed	
12	College Avenue & Third Street	North	West	Proposed	
13	Dunn Street & Third Street	North	West	In Code	To be corrected
14	Eleventh Street & College Avenue	West	South	Proposed	
15	Fee Lane & Tenth Street	North	West	In Code	
16	First Street & College Avenue	West	South	Proposed	
17	First Street & Walnut Street	East	North	Proposed	
18	Fourth Street & College Avenue	West	South	Proposed	
19	Fourth Street & Walnut Street	East	North	Proposed	
20	Henderson Street & Atwater Avenue	South	East	Proposed	
21	Indiana Avenue & Tenth Street	North	West	Proposed	
22	Indiana Avenue & Tenth Street	South	East	Proposed	
23	Jordan Avenue & Law Lane	North	West	Proposed	
24	Jordan Avenue & Law Lane	South	East	Proposed	
25	Jordan Avenue & Tenth Street	North	West	Proposed	
26	Jordan Avenue & Tenth Street	South	East	Proposed	
27	Jordan Avenue & Third Street	North	West	In Code	
28	Kirkwood Avenue & College Avenue	West	South	Proposed	
29	Kirkwood Avenue & Rogers Street	West	South	Proposed	
30	Kirkwood Avenue & Rogers Street	East	North	Proposed	
31	Kirkwood Avenue & Walnut Street	East	North	In Code	
32	Law Lane & Jordan Avenue	West	South	Proposed	
33	Law Lane & Jordan Avenue	East	North	Proposed	
34	Lincoln Street & Third Street	South	East	Proposed	
35	Madison Street & Third Street	North	West	Proposed	
36	Madison Street & Third Street	South	East	Proposed	
37	Rogers Street & Kirkwood Avenue	North	West	Proposed	
38	Rogers Street & Kirkwood Avenue	South	East	Proposed	
39	Rogers Street & Third Street	North	West	Proposed	
40	Rogers Street & Third Street	South	East	Proposed	
41	Second Street & College Avenue	West	South	Proposed	
42	Second Street & Walnut Street	East	North	Proposed	
43	Seventh Street & College Avenue	West	South	In Code	

45	Seventh Street & Walnut Street	East	North	Proposed
46	Sixth Street & College Avenue	West	South	In Code
47	Sixth Street & Walnut Avenue	East	North	Proposed
48	Smith Avenue & Walnut Street	East	North	Proposed
49	Sunrise Drive & Tenth Street	South	East	Proposed
50	Tenth Street & College Avenue	West	South	Proposed
51	Tenth Street & Indiana Avenue	East	North	Proposed
52	Tenth Street & Jordan Avenue	West	South	Proposed
53	Tenth Street & Jordan Avenue	East	North	Proposed
54	Tenth Street & Sunrise Drive	West	South	Proposed
55	Tenth Street & Union Street	West	South	Proposed
56	Tenth Street & Union Street	East	North	Proposed
57	Tenth Street & Walnut Street	East	North	Proposed
58	Tenth Street & Woodlawn Avenue	West	South	Proposed
59	Tenth Street & Woodlawn Avenue	East	North	Proposed
60	Third Street & Atwater Avenue	West	South	In Code
61	Third Street & Bryan Avenue	East	North	Proposed
62	Third Street & College Avenue	West	South	Proposed
63	Third Street & High Street	West	South	Proposed
64	Third Street & Lincoln Street	East	North	Proposed
65	Third Street & Madison Street	West	South	Proposed
66	Third Street & Madison Street	East	North	Proposed
67	Third Street & Rogers Street	West	South	Proposed
68	Third Street & Rogers Street	East	North	Proposed
69	Third Street & Walnut Street	East	North	Proposed
70	Third Street & Washington Street	West	South	Proposed
71	Union Street & Tenth Street	North	West	Proposed
72	Union Street & Tenth Street	South	East	Proposed
73	Walnut Street & First Street	South	East	Proposed
74	Walnut Street & Fourth Street	South	East	Proposed
75	Walnut Street & Kirkwood Avenue	South	East	Proposed
76	Walnut Street & Second Street	South	East	Proposed
77	Walnut Street & Seventh Street	South	East	Proposed
78	Walnut Street & Sixth Street	South	East	Proposed
79	Walnut Street & Tenth Street	South	East	Proposed
80	Walnut Street & Third Street	South	East	Proposed
81	Washington Street & Third Street	North	West	Proposed
82	Woodlawn Avenue & Atwater Avenue	South	East	Proposed
83	Woodlawn Avenue & Tenth Street	North	West	Proposed
84	Woodlawn Avenue & Tenth Street	South	East	Proposed
85	Adams Street & Second Street	North	West	In Code
86	College Mall Road & Moores Pike	South	West	In Code
87	Country Club Drive & Rogers Street	East	North	In Code
88	Country Club Drive & Rogers Street	West	South	In Code

To be corrected

89	Covenanter Drive & College Mall Road	East	North	In Code	
90	Fee Lane & Tenth Street	East	North	In Code	To be corrected
91	High Street & Second Street	North	East	In Code	
92	High Street & Third Street	South	East	In Code	
93	Hillside Drive & Henderson Street	East	North	In Code	
94	Hillside Drive & Walnut Street	South	East	In Code	
95	High Street & Hillside Drive/Moores Pike	North	West	In Code	
96	High Street & Hillside Drive/Moores Pike	South	East	In Code	
97	High Street & Hillside Drive/Moores Pike	East	North	In Code	
98	High Street & Hillside Drive/Moores Pike	West	South	In Code	
99	Hillside & Walnut Street	East	North	In Code	
100	Patterson Drive & Allen Street	East	South	In Code	
101	Rogers Street & Country Club Drive	North	West	In Code	
102	Rogers Street & Country Club Drive	South	East	In Code	
103	Seventeenth Street & Madison Street	East	South	In Code	
104	Third Street & Hawthorne Avenue	North	West	In Code	To be corrected
105	Third Street & Hillsdale	East	North	In Code	
106	Third Street & Indiana Avenue	East	North	In Code	
107	Third Street & Jordan Avenue	East	North	In Code	
108	Third Street & Woodscrest	West	South	In Code	
109	Third Street & Wynnedale Drive	East	South	In Code	
110	Indiana Avenue & Third Street	South	West	Proposed	
111	Third Street & Hawthorne Drive	East	North	Proposed	
112	Jordan Avenue & Atwater Avenue	South	East	Proposed	

PETITIONER: Councilmembers Kate Rosenbarger and Ron Smith

REQUEST: The petitioner is requesting to prohibit turns on red at all traffic signals within the downtown overlay and adjacent to IU campus. The intent of the request is to reduce crash risk for vulnerable road users.

BACKGROUND:

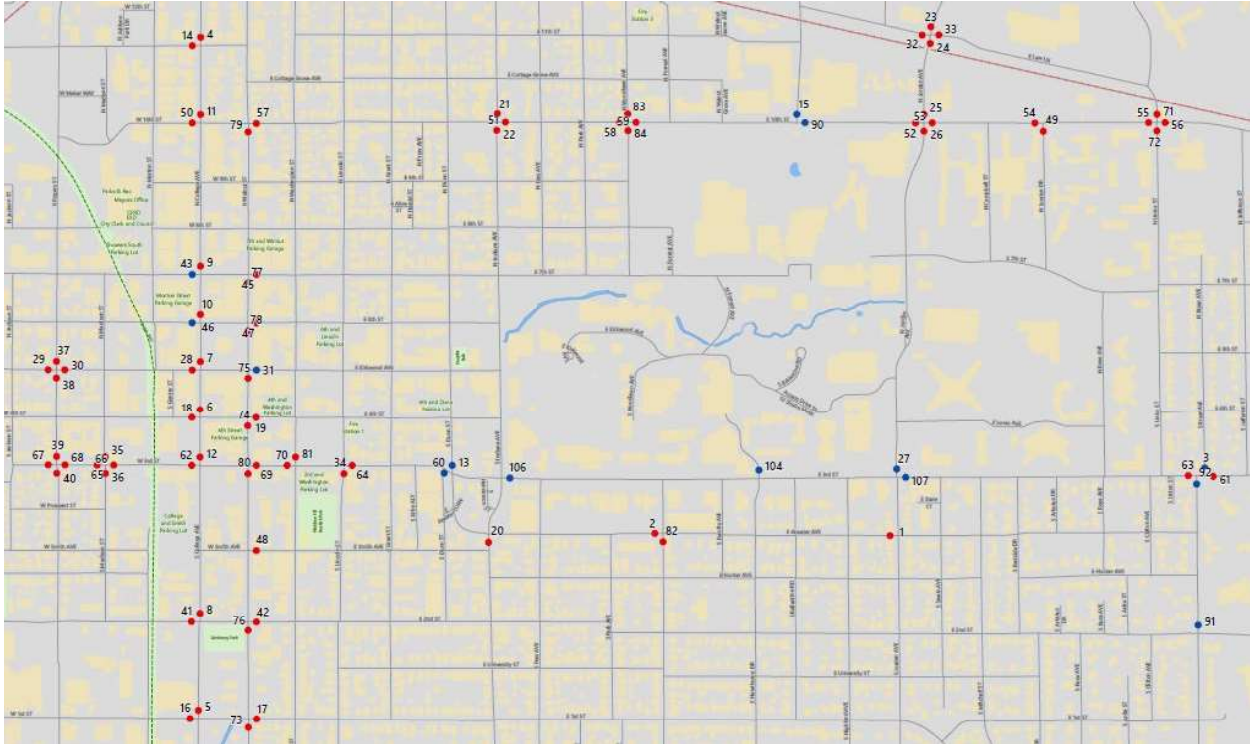
Transportation Plan: *Improve Pedestrian Access to Transit ...* Permissive turn phases at signalized intersections with high pedestrian volumes create conflict points that increase crash risk at the intersection. While pedestrians in the crosswalk legally have the right of way, motorists often aren't looking for pedestrians and sometimes complete the turns at high speeds to avoid collisions with oncoming vehicles. Higher numbers of motorists and pedestrians can be expected along transit corridors. Reducing curb radii to manage turning speeds, installing signage to restrict right turns on red or require yielding to pedestrians, and adjusting traffic signal timings can improve safety for motorists, transit users, and pedestrians at intersections.

Comprehensive Plan: *Policy 6.1.7:* Prioritize safety and accessibility over capacity in transportation planning, design, construction, and maintenance decisions.
Policy 6.3.4: Require pedestrian-friendly design features
Policy 6.5.2: Balance vehicular circulation needs with the goal of creating walkable and bike-friendly neighborhoods.

REPORT:

The following information outlines the evaluation and information considered by staff in response to this request.

Location: The draft map below shows both existing (blue) and proposed (red) turn on red restrictions.



National Guidance: The Manual on Uniform Traffic Control Devices (MUTCD), which is adopted by state law, provides the following guidance regarding restricting turns on red:

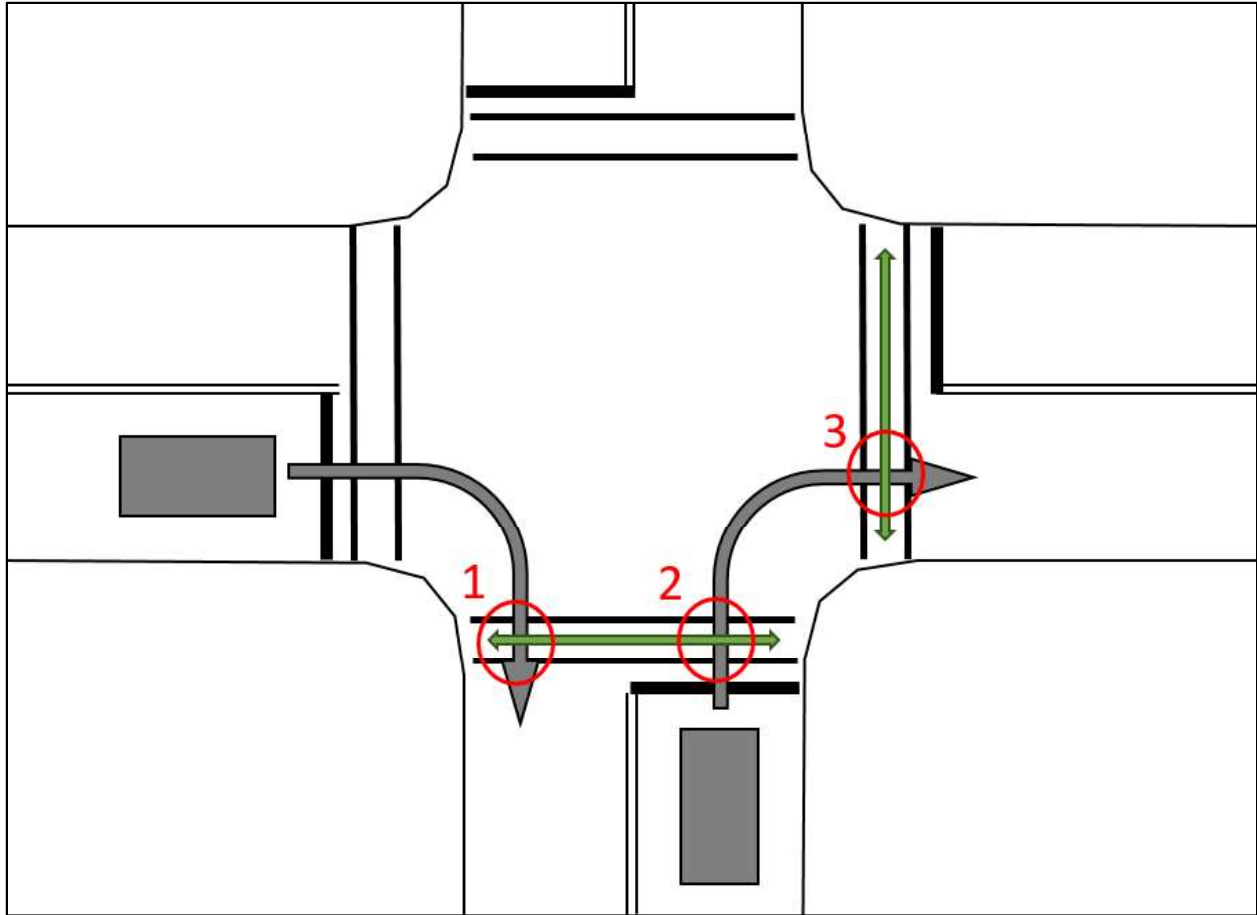
- A No Turn on Red sign should be considered when an engineering study finds that one or more of the following conditions exists:
 - A. Inadequate sight distance to vehicles approaching from the left (or right, if applicable);
 - B. Geometrics or operational characteristics of the intersection that might result in unexpected conflicts;
 - C. An exclusive pedestrian phase;
 - D. An unacceptable number of pedestrian conflicts with right-turn-on-red maneuvers, especially involving children, older pedestrians, or persons with disabilities;
 - E. More than three right-turn-on-red accidents reported in a 12-month period for the particular approach; or
 - F. The skew angle of the intersecting roadways creates difficulty for drivers to see traffic approaching from their left.

National Crash History: All available and verified crash modification factors (CMFs) indicate that crashes increase when turns on red are allowed. The studies creating these CMFs examined all crashes as well as specific analysis of vehicle-pedestrian and vehicle-bicycle crashes. Crash increases are shown to be highest among crashes involving people walking or bicycling. These CMFs indicate expected trends, but it is still possible that the characteristics of a particular intersection could be different.

Local Crash Data: Staff analyzed crash data involving bicyclists and pedestrians at signalized intersections within this area from 2015 to 2020. Specific attention was paid to crashes that were caused by a vehicular right-on-red or right-on-green turning movements. Overall, there were 5 reported crashes involving right turns on red (1 fatality and 4 injuries) and 8 reported crashes involving right turns on green (6 injuries). Additional details of this analysis are attached at the end of this report.

This data indicates slightly more crashes associated with right turn on green than with right turn on red. However, an accurate comparison cannot be made without considering the prevalence of these two types of turns. Frequency of turns on red will vary based on many factors, but it is generally expected that turns on green are more common than turns on red. One significant factor affecting frequency of turns on red is the presence of a dedicated right turn. If there is no dedicated right turn lane, then a single vehicle waiting to go straight or left at a traffic signal will preclude any vehicles behind it from turning on red. Within this area, the vast majority of traffic signals do not have dedicated right turn lanes.

Specific Location Evaluations: The image below helps illustrate potential conflict trade-offs between vehicles and pedestrians. When turns on red are allowed, a pedestrian could potentially be struck by a vehicle turning right on red (circle 2) or a vehicle turning right on green (circle 1). Prohibiting turns on red reduces conflicts between pedestrians and drivers turning on red (reduces potential for circle 2). However, it may increase conflicts in a different crosswalk (circle 3) between pedestrians and drivers turning on green because restricting turns on red means that more turns will occur on green. Conflicts with turns on red are typically higher risk because a driver's attention is focused to only one direction which may be away from the conflicting pedestrian while the conflict in a turn on green occurs with the driver focused in the direction of the crosswalk. In some contexts, such as offset intersections with high pedestrian volumes, turns on green (circle 3) may actually be higher risk than turns on red (circle 2). Staff reviewed the proposed locations and did not identify any intersections where turns on green are expected to be higher risk than turns on red.



Staff identified one additional turn restriction to add to the draft ordinance’s list: Third Street & Hawthorne Street from East to North.

Compliance and Enforcement: In general, staff prefers to avoid unnecessary traffic regulations and believes that road users can and should make decisions to avoid crashes. However, there are many examples where transportation users do not appropriately judge the risk to themselves or others and regulations must be implemented. These situations are evident in turn restrictions, traffic calming implementations, and traffic signal phasing requirements.

All traffic regulations (stop signs, speed limits, etc.) require direct observation by a police officer in order to be enforced. Bloomington Police Department does not anticipate prioritizing resources to specifically enforce these proposed turn on red restrictions. However, it is assumed that a majority of drivers do not intentionally violate laws. Thus, even if some drivers continue to turn on red, the total number of turns on red would decrease.

The downtown and IU areas are included in this proposal to focus on areas with higher pedestrian volumes and a higher number of pedestrian conflicts with turns on red. This geographic approach is likely to be easier for drivers to become accustomed to. There

would be signs posted at each intersection, but drivers can also learn to expect that all turns on red are prohibited within the area. It is also expected, however, that the turn prohibitions will be less likely to be obeyed at night when traffic volumes are low and drivers may not perceive a need for the restriction. If issues with nighttime compliance arise, then it is possible that signal timing updates and detection improvements could be implemented to mitigate the issue.

Traffic Operation Impacts: The original rationale behind allowing turns on red was to reduce fuel consumption. Any increase in motor vehicle delays caused by this prohibition are expected to be small and more likely to be noticed in off-peak periods when traffic volumes are very low. It is difficult to quantify the potential fuel savings allowed by turns on red. Also, any fuel savings would need to be compared to a potential fuel consumption increase caused by bigger picture mode choices (e.g. if people do not feel comfortable walking, then they may drive instead).

Bloomington Transit has an existing rule that their bus drivers are not allowed to turn on red. This proposal is not expected to have any negative impacts to transit and could reduce crash risk for the pedestrians using transit.

Another pedestrian safety tool with documented crash reductions is the Leading Pedestrian Interval (LPI). A LPI gives pedestrians a walk indication a few seconds before motor vehicles are given a green light. This minor timing change allows pedestrians to enter the crosswalk and become more visible to turning drivers. LPIs specifically reduce crash risk from turns on green. Turns on red must be restricted to achieve the full benefits of an LPI because allowing a turn on red would effectively negate the lead given to a pedestrian. Much of the City's existing signal infrastructure does not support LPIs, but all of the newer signal installations and replacements include equipment that is capable of LPI. Staff anticipates increased LPI utilization in the future.

Budget Impacts: Implementation of this proposal would require a relatively minor cost for signs and maintenance. As noted previously, there is currently no budget for specific enforcement of this proposal despite potential requests and/or expectations for it.

Next Steps: This request requires City Council approval to update Title 15 before implementation.

RECOMMENDATION: The Engineering Department and the Planning and Transportation Department recommend that the Traffic Commission support this proposal.

APPENDIX - CRASH DATA: Staff analyzed crash data involving bicyclists and pedestrians at signalized intersections in the Downtown and University areas (see attached map for extent) from a period of 1/1/2015-12/31/2020. Specific attention was paid to crashes that were caused by vehicular right-on-red and right-on-green turning movements.

In total, there are 42 intersections in this area that are controlled by traffic signals. Staff found a total of 67 vehicular to pedestrian/bicyclist crashes to have occurred in this time period. Of these, 5 were due to the vehicle making a right-on-red turning movement, 8 were due to the vehicle making a right-on-green turning movement, 34 were due to the vehicle making a left turning movement, 13 were due to straight movements, and 7 were due to other¹ movements.

4 of the 5 right-on-red crashes resulted in injury to the bicyclist/pedestrian, 1 resulted in a fatality. 6 of the 8 right-on-green crashes resulted in injury to the bicyclist/pedestrian, none resulted in a fatality.

Downtown/University Data 1/1/2015-12/31/2020	
Total Number of Signalized Intersection	42
Total Number of Vehicle-Bike/Ped Crashes	67
Total Number of Vehicle-Bike Crashes	22
Total Number of Vehicle-Ped Crashes	44
Total Number of Vehicle-Scooter Crashes	1
Total Number Caused by Other Circumstances	7

Right Turning Movement Stats	
Total Number of Crashes Caused by Right on Red	5
Total Number caused by Right on Green	8
Crashes Causing Fatalities Right on Red	1
Crashes Causing Injuries Right on Red	4
Crashes Causing Injuries Right on Green	6

Left Turning Movements Stats	
Total Number Caused by Left Turning Movements	34
Crashes Causing Injuries Left Turning Movements	30

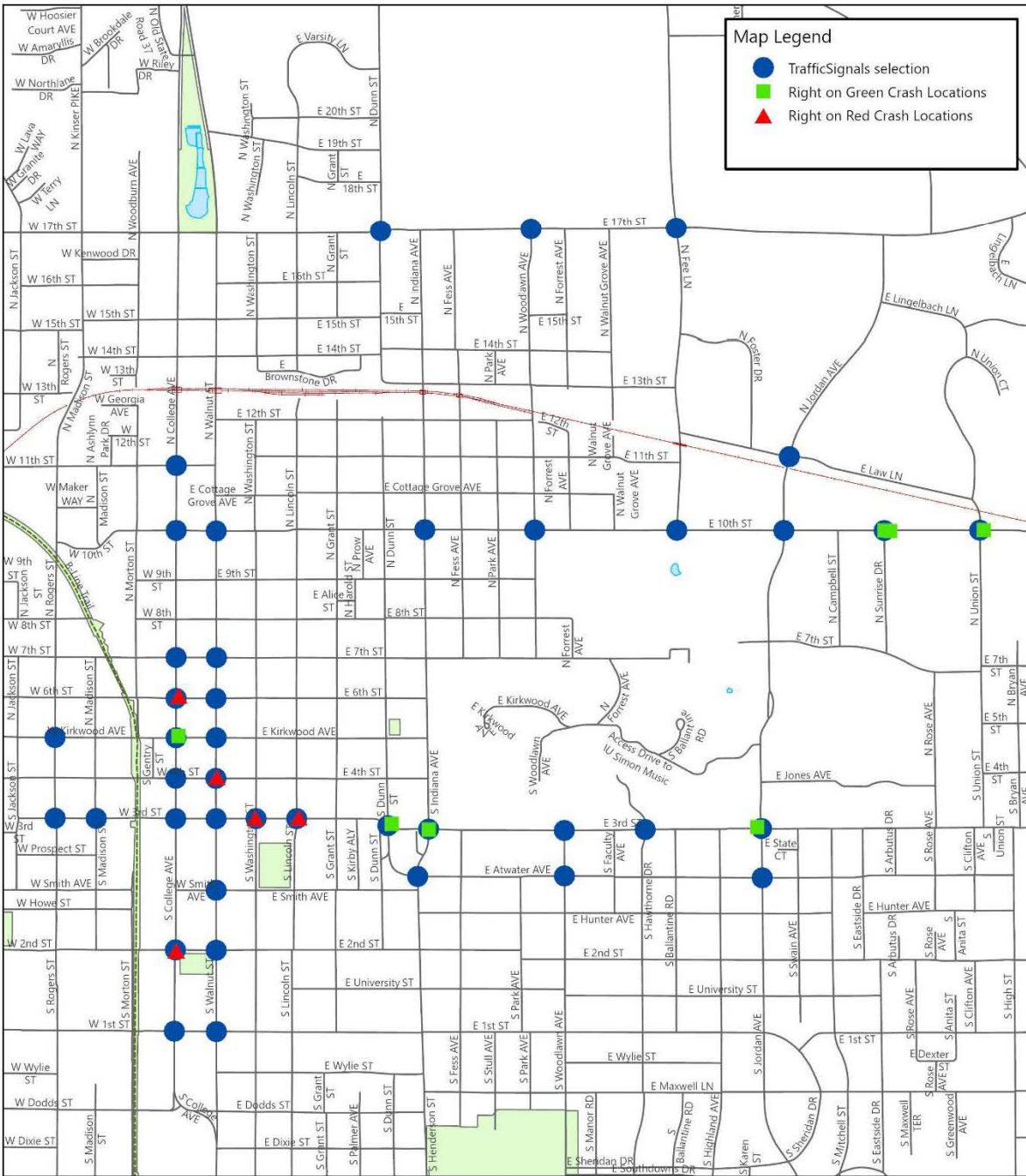
Straight Turning Movement Stats	
Total Number Caused by Straight Turning Movements	13
Crashes Causing Fatalities Straight Turning Movements	1
Crashes Causing Injuries Straight Turning Movements	12

Other Turning Movements Stats¹	
Total Number Caused by Other Turning Movements	7
Crashes Causing Injuries Other Turning Movements	7

¹ "Other" was used conservatively when it was decided that the traffic signal played no part in the crash

Right on Red Crash Locations	Injury/Fatality	Light Condition	Travel Mode
East 4th St to South Walnut St	Injury	DAYLIGHT	Bicycle
South Washington St to East 3rd St	Fatality	DARK (LIGHTED)	Pedestrian
South Lincoln to East 3rd St	Injury	DAYLIGHT	Bicycle
E 2nd St to South College Ave	Injury	DARK (LIGHTED)	Bicycle
West 6th St to North College Ave	Injury	DARK (LIGHTED)	Pedestrian

Right on Green Crash Locations	Injury/Fatality	Light Condition	Travel Mode
East Atwater Ave to East 3rd St	Injury	DARK (LIGHTED)	Pedestrian
West Kirkwood Ave to South College Ave	-	DAYLIGHT	Pedestrian
East 3rd St to South Jordan Ave	Injury	DAYLIGHT	Bicycle
East 10th St to North Union St	Injury	DAYLIGHT	Pedestrian
East 10th St to North Sunrise Ave	-	DAYLIGHT	Bicycle
East 10th St to North Sunrise Ave	Injury	DAYLIGHT	Bicycle
East 3rd St to South Indiana	Injury	DAYLIGHT	Bicycle
East 10th St to North Sunrise Ave	Injury	DAYLIGHT	Bicycle

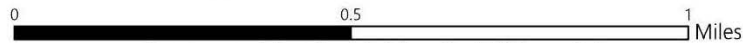


City of Bloomington



Engineering Department

Downtown/University Area Right Turning Movement Bike/Ped Crashes



For use as map information only, information is NOT warranted.

Produced: 2/18/2021





MEMO FROM COUNCIL OFFICE ON:

Ordinance 21-13 - To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles And Traffic" Re: Amending Chapters 12.32.080, Schedule M, "No Parking Zones," to remove three no parking zones and add ten no parking zones; and to amend Chapter 15.32.100, Schedule O, "Loading Zones," to add two loading zones

Synopsis

This Ordinance amends Title 15, "Vehicles and Traffic," of the Bloomington Municipal Code and comes forth at the request of City staff and the Parking and Traffic Commissions. The ordinance makes the following changes:

- It deletes three "no parking" zones on Sixth Street.
- It adds ten "no parking" zones in the Renwick area.
- It adds two loading zones.

Relevant Materials

- [Ordinance 21-13](#)
- Memo from staff
- Maps of affected locations

Summary

[Ordinance 21-13](#) proposes to amend two sections of Title 15 ("Vehicles and Traffic") of the Bloomington Municipal Code ("BMC"), accessible online here:

https://library.municode.com/in/bloomington/codes/code_of_ordinances?nodeId=TIT15_VETR

Section 1 of the ordinance removes three locations from and adds ten locations to Schedule M ("No Parking Zones") within [BMC 15.32.080](#).

Section 2 of the ordinance adds two locations to Schedule O ("Loading Zones") within [BMC 15.32.100](#).

Contact

Amir Farshchi, Long Range Planner, 812-349-3423, farshchs@bloomington.in.gov
(questions sent to Amir may be directed to other staff members as needed)

ORDINANCE 21-13

TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "VEHICLES AND TRAFFIC" Re: Amending Chapters 12.32.080, Schedule M, "No Parking Zones," to remove three no parking zones and add ten no parking zones; and to amend Chapter 15.32.100, Schedule O, "Loading Zones," to add two loading zones

WHEREAS, the Traffic Commission, Parking Commission, and city staff from the Planning and Transportation, Engineering, Parking Services division of Public Works, and Legal departments recommend certain changes be made in Title 15 of the Bloomington Municipal Code entitled "Vehicles and Traffic,"

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

SECTION 1. Chapter 15.32.080, Schedule M, entitled "No Parking Zones," shall be amended by removing the following language and adding the following language:

**SCHEDULE M
NO PARKING ZONES**

Remove:

Street	From	To	Side of Street	Time of Restriction
Sixth Street	2 nd Alley East of Pine Street	Oak Street	South	Any Time
Sixth Street	2 nd Alley East of Oak Street	Elm Street	South	Any Time
Sixth Street	Oak Street	2 nd Alley East of Oak Street	North	Any Time

Add:

Street	From	To	Side of Street	Time of Restriction
Eva Hill Drive	Seminary Drive	End of cul-de-sac	North/East/West	Any Time
Eva Hill Drive	Seminary Drive	Nora Hill Drive	West	Any Time
Hawksmoore Drive	Renwick Boulevard	Nora Hill Drive	East	Any Time
Hawksmoore Drive	Nora Hill Drive	Melville Circle	East	Any Time
Melville Circle	Hawksmoore Drive	End of cul-de-sac	North/East/West	Any Time
Ramsey Drive	Renwick Boulevard	Queens Way	East	Any Time
Ramsey Drive	Queens Way	Nora Hill Drive	East	Any Time
Renwick Boulevard	Moores Pike	Ramsey Drive	West	Any Time
Renwick Boulevard	265' North of Ramsey Drive	Queens Way	East	Any Time
Seminary Drive	Renwick Boulevard	Eva Hill Drive	North	Any Time

SECTION 2. Chapter 15.32.100, Schedule O, "Loading Zones," shall be amended by adding the following:

LOADING ZONES	
400	Block of South Washington Street, first space north of the first alley south of East Smith Avenue on the west side at 416 South Washington Street, from the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday.
1000	Block of North College Avenue, first space south of West Fifteenth Street on the east side at 1022 North College Avenue

SECTION 3. If any section, sentence or provision of this ordinance, or application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions 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 effect after its passage by the Common Council and approval of the Mayor, any required publication, and, as necessary, other promulgation in accordance with the law.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2021.

JIM SIMS, 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 _____, 2021.

NICOLE BOLDEN, Clerk,
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2021.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This Ordinance amends Title 15, "Vehicles and Traffic," of the Bloomington Municipal Code and comes forth at the request of City staff and the Parking and Traffic Commissions. The ordinance makes the following changes:

- It deletes three "no parking" zones on Sixth Street.
- It adds ten "no parking" zones in the Renwick area.
- It adds two loading zones.

To: Common Council
MEMO

Ordinance #: 21-13
Date: March 08, 2021

From: Raye Ann Cox, Parking Enforcement Manager; Amir Farshchi, Long Range Planner; Neil Kopper, Senior Project Engineer; Barbara E. McKinney, Assistant City Attorney; Beth Rosenbarger, Planning Services Manager; Michelle Wahl, Parking Services Director

Request: Title 15 Amendments -- Changes to Schedules

REPORT

The City staff from the Planning and Transportation, Engineering, Parking Services division of Public Works, and Legal departments have compiled a number of recommendations for changes to Title 15, the vehicle and traffic section of the Bloomington Municipal Code. Link to the current Title 15 of the Bloomington Municipal Code:

https://library.municode.com/in/bloomington/codes/code_of_ordinances?nodeId=TIT15VETR

The purpose of these recommendations is to address issues that have come to staff's attention through public requests, commissions' recommendations, or 180-day orders. The ordinance amending Title 15 and respective maps are included in the meeting packet. This request for changes to Title 15 was presented to the Traffic Commission on February 24, 2021 and Parking Commission on February 25, 2021. The Traffic and Parking Commissions voted to forward with a positive recommendation to the Common Council.

The ordinance includes the following changes:

- Section 1 deletes three "no parking" zones on Sixth Street between Adams Street and Elm Street. *Amir Farshchi, Neil Kopper, and Beth Rosenbarger*
 - The Traffic Case 21-04 about Sixth Street was presented to the Traffic Commission on February 24, 2021 by Amir Farshchi, the resolution was passed 7-0-0.
 - After Traffic and Parking Commissions reviewed these updates, one modification was made. Based on line-of-sight analysis, the north side of the street from Adams Street to the second alley east of Pine Street will remain "no parking", as is currently described in code.
- Section 1 also adds ten "no parking" zones. *Neil Kopper*
 - A developer constructed the streets within Renwick, and the Board of Public Works accepted the streets into the City inventory.

- The Traffic Case 21-02 about the Renwick area case was presented to the Traffic Commission on February 24, 2021 by Karina Pazos, Engineering Technician, and the resolution was passed 7-0-0.
- Section 2 adds two loading zones to accommodate demands not addressed by the current parking regulations. *Michelle Wahl and Raye Ann Cox*
 - Loading zone near 1022 North College Avenue: Parking Resolution 20-07 was presented to the Parking Commission on 12/1/2020 by Raye Ann Cox and Michelle Wahl, the resolution was passed 5-0. The 180-Day Order 20-05 was issued for this case.
 - Loading zone near 416 South Washington Street: effective for the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday; the loading zone changes to a parking space for the hours outside of the time restrictions. The area where the loading zone is located is in a limited parking zone area, meaning a 2-hour free parking area. The 2-hour free parking is Monday through Saturday, 8:00 a.m. to 5:00 p.m. The loading zone will be a free parking space Monday through Friday from 5:00 p.m. to 7:00 a.m. The loading zone will be a 2-hour free parking space from 8:00 a.m. to 9:00 p.m. on Saturdays. The loading zone will be a free parking space on Sundays. The Project School requested a loading zone to facilitate pickup and dropoff at this building, which they are using for classes. The 180-Day Order 20-06 was issued for this case.

Recommendation: Staff recommends that the Common Council adopts the changes to Title 15.

Removing No Parking Zones:

- On Sixth Street from 2nd Alley East of Oak Street to Elm Street on South Side of Street
- On Sixth Street from Oak Street to 2nd Alley East of Oak Street on North Side of Street
- On Sixth Street from 2nd Alley East of Pine Street to Oak Street on South Side of Street



The above photo shows 6th St. between 1st alley east of Pine St. to Pine St. from east to west



The above photo shows 6th St. between 1st alley east of Pine St. to Pine St. from west to east



The above photo shows 6th St. between 1st alley east of Oak St. and Oak St. from west to east

Adding No Parking Zones:

On Eva Hill Drive, Hawksmoore Drive, Melville Circle, Ramsey Drive, Renwick Boulevard, Seminary Drive

EXISTING NO PARKING SIGNS TO CODIFY

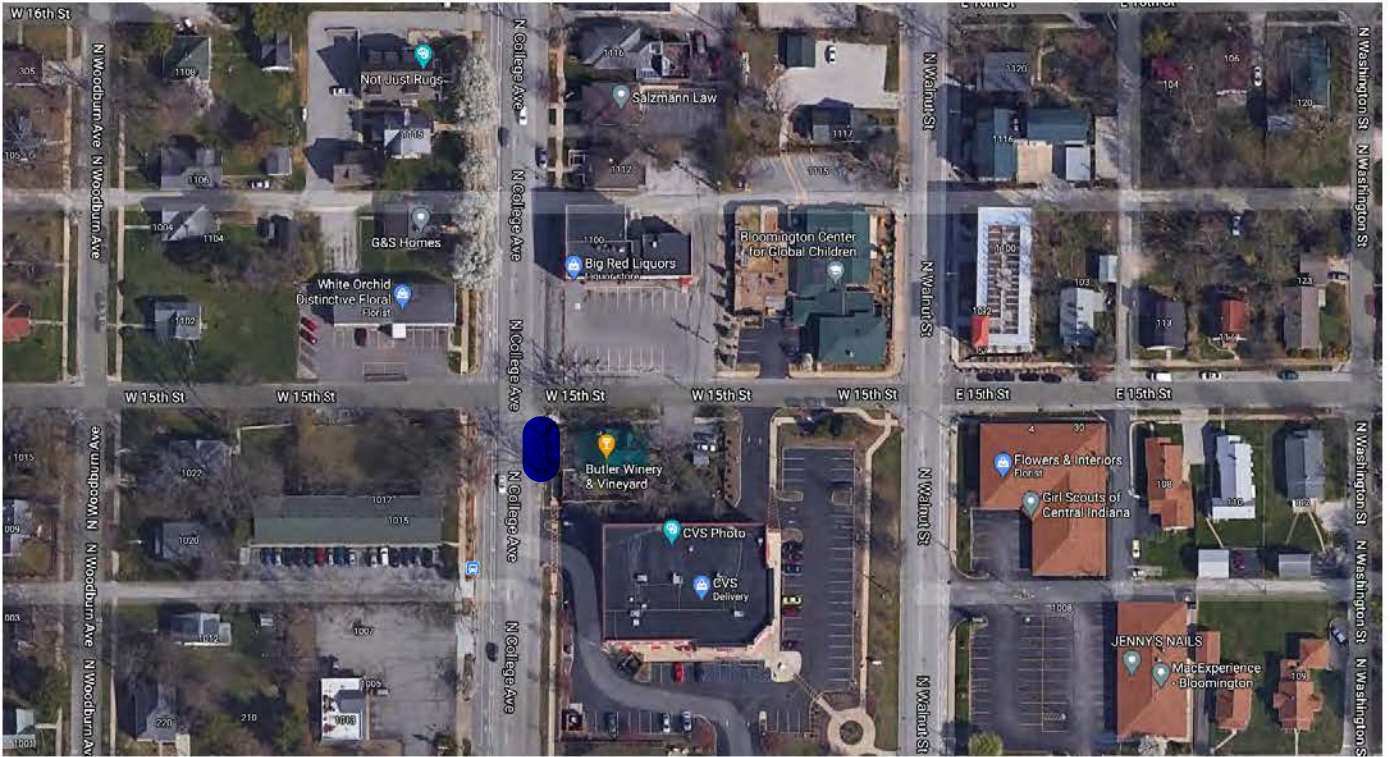


LEGEND

 CODIFY SIGNS

Adding Loading Zone:

On 1022 North College Avenue, first space south of West Fifteenth Street on the east side.



Adding Loading Zone:

416 South Washington Street, the first space north of the first alley south of East Smith Avenue on the west side from the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday.

