

City of Bloomington Common Council

Legislative Packet

29 February 2012

Please consult the [legislative packet](#) issued in interest of the 15 February 2012 Common Council meeting for one piece of legislation and background material and the [legislative packet](#) issued in interest of 22 February 2012 for the other piece of legislation and background material.

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Packet Related Material

Memo
Agenda
Calendar

Notices and Agendas:

- **Notice of Jack Hopkins Social Services Funding Program Committee Meeting** on Tuesday, February 28th at 3:00 p.m. in the McCloskey Room

Legislation for Second Reading:

- **Res 12-01** To Approve Recommendations of the Mayor for Distribution of Community Development Block Grant (CDBG) Funds for 2012
Contact: Lisa Abbott at 349-3401 or abbottl@bloomington.in.gov

Please see the [Council Legislative Packet](#) prepared for the 22 February 2012 Regular Session to find the legislation, summary and related materials.

- **Ord 12-05** To Amend Title 8 of the Bloomington Municipal Code, Entitled “Historic Preservation and Protection” to Establish a Historic District - Re: 700 North Walnut Street (Bloomington Historic Preservation Commission, Petitioner)
Contact: Nancy Hiestand at 349-3507 or hiestann@bloomington.in.gov

Please see the [Council Legislative Packet](#) prepared for the 15 February 2012 Regular Session to find the legislation, summary and related materials.

Legislation and Background Material for First Reading:

- **App Ord 12-01** To Specially Appropriate from the Parks Land Acquisition Fund Expenditures Not Otherwise Appropriated (Appropriating Funds for the purchase of the Black Lumber Rail Spur)
 - Memo from Mick Renneisen, Director of Parks and Recreation Department; Map of Rail Spur

Contact: Mick Renneisen at 349-3700, renneism@bloomington.in.gov

Minutes from Regular Session:

None

Reminders:

- **Internal Work Session** **Monday at Noon**
- **Jack Hopkins Social Services Funding Committee** **Tuesday at 3:00 p.m.**
- **Special Session on Budget** **Wednesday at 5:30 p.m.**

Memo

Two Items Ready for Final Action and One Item Ready for Introduction at the Regular Session on Wednesday, February 29th

There are two items ready for final action and one item ready for introduction at the Regular Session next Wednesday. The two items ready for final action can be found online at the links noted above, and the one item ready for introduction can be found in this packet and is summarized herein.

Special Session on March 7th

You may remember that next Wednesday begins the Spring Break Legislative Cycle of the Council. That starts with a Regular Session on February 29th, continues with a Committee of the Whole on March 7th, skips a meeting during Spring Break, and concludes with a Regular Session on March 21st. As you've read about in the paper

and heard about otherwise, there is a package of incentives being offered to a software company (Citigal), which is scheduled to come to the Council as resolution for discussion at the Committee of the Whole on March 7th. At the request of the petitioner and staff, Deputy Mayor Maria Heslin is asking that the Council consider this matter at one hearing on that date. This could be arranged with a vote next Wednesday to hold a Special Session on March 7th, prior to the Committee of the Whole.

First Readings:

Item One – App Ord 12-01 (Appropriating Funds to Purchase the Black Lumber Rail Spur)

App Ord 12-01 appropriates \$10,000 from the Parks Land Acquisition Fund¹ to purchase the 1/3 mile long Black Lumber Rail Spur between Henderson and Walnut Street. According to the Memo from Mick Renneisen, Director of the Parks and Recreation Department, the City has been evaluating this acquisition since 2005 when it was contacted by Black Lumber about its purchase.

Proposed Multi-Use Trail. The spur appears on the *2008 Bicycle and Pedestrian Transportation and Greenways System Plan* as a medium-priority project and “create(s) a strategic bicycle and pedestrian multi-use trail connection from Henderson to Walnut (with proximity to Bloomington South High School) ...and connectivity to the B-Line Trail and future Switchyard Park property.”

Environmental Assessment. As you know, the City has experience acquiring rail corridors and took the step of commissioning a Phase 1 (in 2005) and Phase 2 (in 2007) Environmental Assessment. Those studies revealed “some remnant railroad and vehicle waste (tires, coal ash and cinder, vehicle fluid spills)” which the City’s environmental consultants assure can be “remediated and made safe for a public trail use.”

Steps Toward Purchase. The City has negotiated with Black Lumber which announced its intent to convey the property via a quit claim several years ago. While the property was appraised at \$145,000 in 2005, the seller began by offering to sell it for \$25,000 and then agreed upon \$10,000.

¹ The Parks Land Acquisition Fund has a balance of \$997,580 (but this amount may be lower due to prior obligations that have not yet been drawn from this fund).

Improvement, Management, and Maintenance. At some point in the future, if all goes well, the City intends to construct a multi-use path along the spur and a crossing at Walnut Street. The improvements would cost over \$500,000 and appear on the 2014/2015 Transportation Improvement Plan (TIP) (yet to be adopted). Prior to construction of the trail, the memo indicates the costs for maintenance should be “incidental and on an as-needed only basis.”

Conclusion. Given its cost, proximity to trails, parks and schools, ease of conveyance, and the City’s familiarity with the associated environmental remediation, the Parks and Recreation Department “feels this is a high priority and very strategic acquisition.”

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL REGULAR SESSION
7:30 P.M., WEDNESDAY, FEBRUARY 29, 2012
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.**

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: *None*

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

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

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS

1. Resolution 12-01 To Approve Recommendations of the Mayor for Distribution of Community Development Block Grant (CDBG) Funds for 2012.

Committee Recommendation: Do Pass 9 - 0 - 0

2. Ordinance 12-05 To Amend Title 8 of the Bloomington Municipal Code, Entitled "Historic Preservation and Protection" to Establish a Historic District - Re: 700 North Walnut Street (Bloomington Historic Preservation Commission, Petitioner)

Committee Recommendation: Do Pass 4 - 1 - 4

VII. LEGISLATION FOR FIRST READING

1. Appropriation Ordinance 12-01 To Specially Appropriate from the Parks Land Acquisition Fund Expenditures Not Otherwise Appropriated (Appropriating Funds for the Purchase of Black Lumber Rail Spur)

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



City of Bloomington
Office of the Common Council

To Council Members
From Council Office
Re Calendar for the Week of 27 February - 2 March 2012

Monday, 27 February

12:00 pm Common Council – Staff Internal Work Session, McCloskey
4:00 pm Council for Community Accessibility, McCloskey
5:00 pm Utilities Services Board, Utilities, 600 E. Miller Dr.
5:30 pm Bicycle & Pedestrian Safety Commission, Hooker Room
5:30 pm Bloomington Human Rights Commission, McCloskey

Tuesday, 28 February

3:00 pm Jack Hopkins Social Services Funding Committee, McCloskey
4:00 pm Board of Park Commissioners, Council Chambers
5:30 pm Board of Public Works, Council Chambers
5:30 pm Bloomington Public Transit Corporation, Transit, 130 W. Grimes Lane
5:30 pm Artwork Indiana, McCloskey
5:30 pm Joint City of Bloomington – Monroe County Deer Task Force, Council Library

Wednesday, 29 February

5:30 pm Common Council Special Session to Discuss Balancing City Expenses with Revenue, McCloskey
7:30 pm Common Council Regular Session, Council Chambers

Thursday, 1 March

4:00 pm Bloomington Digital Underground Advisory Council, McCloskey
5:30 pm Commission on the Status of Women, McCloskey
7:00 pm *Imagine*Bloomington Visioning Workshop, Bloomington H.S. North, Large Group Room

Friday, 2 March

4:00 pm Board of Housing Quality Appeals, McCloskey

Posted and Distributed: Friday, 24 February 2012



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

NOTICE

**The Common Council
Jack Hopkins Social Services Funding Committee
will meet**

**Tuesday, 28 February 2012
3:00 p.m.
McCloskey Room (#135)
(City Hall, 401 N. Morton Street)**

Because a quorum of the Common Council may be present, this meeting may constitute a meeting of the Council as well as of the Jack Hopkins Social Services Funding Committee under Indiana Open Door Law. Therefore, this provides notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.

Posted and Distributed: Thursday, 23 February 2012

APPROPRIATION ORDINANCE 12-01

**TO SPECIALLY APPROPRIATE FROM THE PARKS LAND ACQUISITION FUND
EXPENDITURES NOT OTHERWISE APPROPRIATED
(Appropriating Funds for the purchase of the Black Lumber Rail Spur)**

WHEREAS, the Parks and Recreation department wishes to expend \$10,000 from the Parks Land Acquisition Fund for the purchase of the Black Lumber Rail Spur;

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

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

	AMOUNT REQUESTED
Parks Land Acquisition Fund	
Line 3990 – Other Services and Charges	\$ <u>10,000.00</u>
Total Parks Land Acquisition Fund	<u>10,000.00</u>
 Grand Total All Funds	 \$ <u>10,000.00</u>

SECTION II. 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 by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2012.

TIM MAYER, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2012.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2012.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance appropriates \$10,000 from the Parks Land Acquisition Fund for the purchase of the Black Lumber Rail Spur.

Proposed Land Acquisition: *Black Lumber Abandoned Rail Corridor – E. Walnut to W. Henderson – approx. .32 mile.*

The land acquisition evaluation of the aforementioned property, also known as the *Black Lumber Rail Spur*, has been ongoing since 2005 when the City was first contacted re: possible interest in purchase of the corridor from the Black Lumber Company.

Environmental Assessment

The Parks and Recreation department commissioned Phase I (2005) and Phase II (2007) Environmental Site Assessments of the property as a customary due diligence step in our land acquisition evaluation process. The corridor has some remnant railroad and vehicle waste (tires, coal ash and cinder, vehicle fluid spills) but we have been assured by our environmental consultants that the site can be remediated and made safe for public trail use.

Acquisition Considerations

Acquisition would create a strategic bicycle and pedestrian multi-use trail connection from Henderson St. to Walnut and connectivity to the B-Line Trail and future Switchyard Park property. The Black Lumber abandoned railroad spur is listed as a medium priority on the 2008 *Bicycle and Pedestrian Transportation and Greenways System Plan*. The Black Lumber Co. legally noticed their intent to Quit Claim the property several years ago. There are no claims of ownership by adjoining property owners, allowing the City to deal with one property owner for the entire 1/3 mile length of the abandoned rail corridor.

Cost

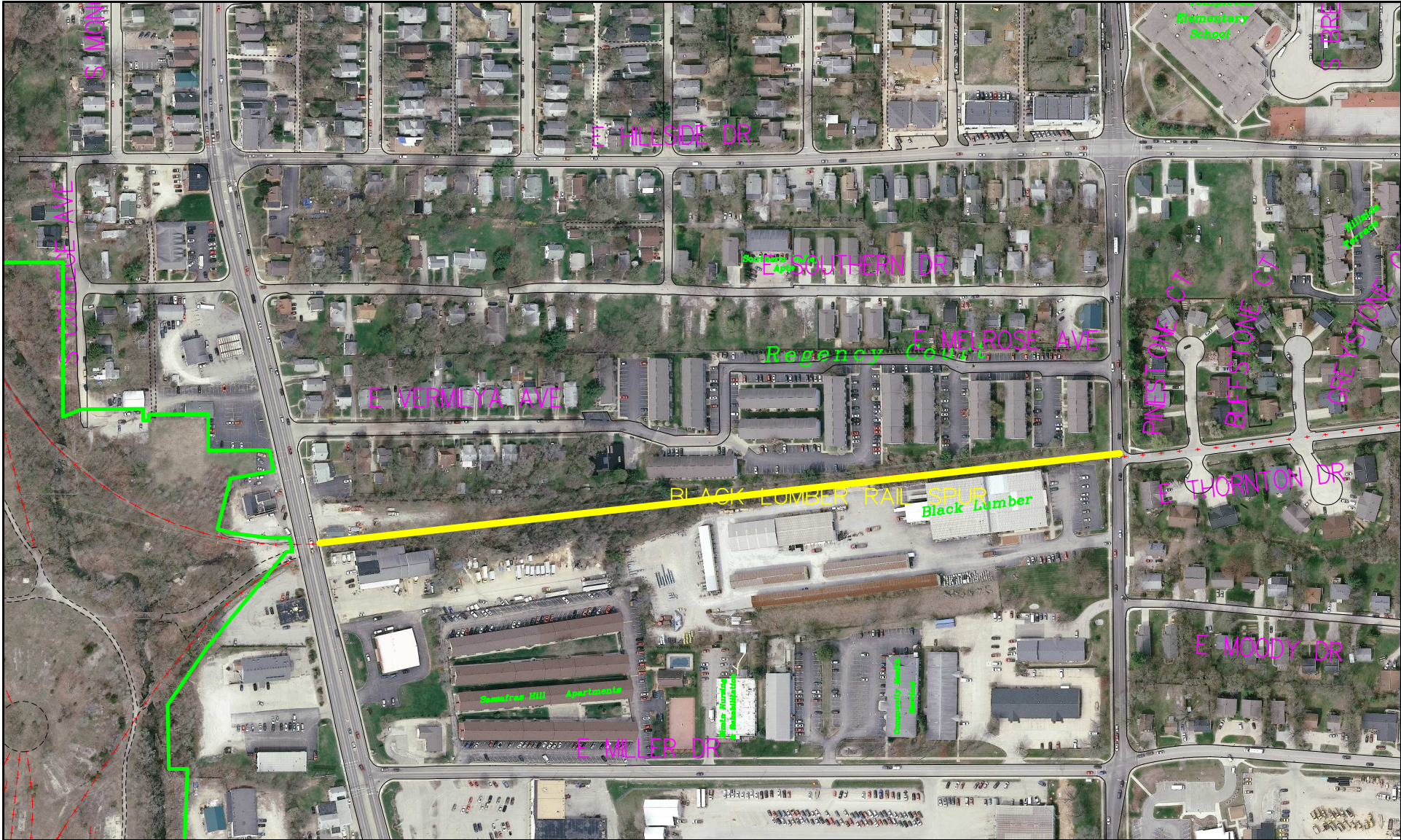
Through ongoing negotiations with Black Lumber, the purchase price has been lowered from a starting point of \$25,000 to the current purchase offer of \$10,000. The property was appraised in January 2005 with an estimated fair market value of \$145,000.

Priority

The department feels this is a high priority and very strategic acquisition due to its cost, location in proximity to Bloomington High School South, B-Line Trail, and future Switchyard Park, one deed ownership of the entire 1/3 mile corridor, and because environmental remediation can be accomplished using the same methods employed for cleanup of the B-Line Trail corridor.

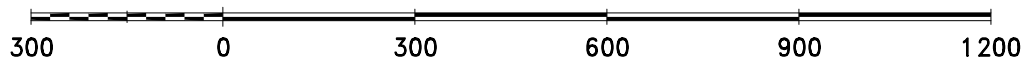
Management/ and Maintenance

If the corridor is acquired it is unknown when construction of a multi-use trail with Walnut St. crossing would occur. The project is currently listed in the 2014/2015 State *Transportation Improvement Program* (not adopted) with estimated funding allocations totaling over \$500,000. Until trail construction is completed, maintenance responsibilities for the property are assumed to be incidental and on an as-needed only basis.



BLACK LUMBER ABANDONED RAILSPUR –PROPOSED ACQUISITION – .32 MILE

By: williamd
20 Feb 12



For reference only; map information NOT warranted.



City of Bloomington
Parks & Recreation



Scale: 1" = 300'