



# City of Bloomington Common Council

## Legislative Packet

Special Session

*immediately followed by*

Committee of the Whole Discussion

08 December 2010

*Please consult the [Legislative Packet](#) issued in interest of the  
1 December 2010 Regular Session and Committee of the Whole  
for legislation and background material.*

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## **Packet Related Material**

### **Memo**

### **Agenda**

### **Calendar**

### **Notices and Agendas:**

- **Council Sidewalk Committee** on Tuesday, December 7, 2010 at 12:00 p.m. in the McCloskey Room

### **Legislation for Final Action at Special Session:**

- **App Ord 10-05** To Specially Appropriate from the General Fund, Parking Enforcement Fund, Sanitation Fund, Telecom Fund, Fire Pension Fund, Risk Management Fund, and Bond Funds Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Parking Enforcement Fund, Sanitation Fund, and Telecom Fund for Animal Care & Control, Engineering, Police, Housing & Neighborhood Development, Community & Family Resources, City Council, Parking Enforcement, Sanitation, Street, Information & Technology Services; Appropriating Additional Funds from the Fire Pension Fund, Risk Management Fund, and Bond Funds)  
*Contact: Mike Trexler at 349-3412 or [trexlerm@bloomington.in.gov](mailto:trexlerm@bloomington.in.gov)*

### **Annual Schedule**

- **Schedule**
  - Memo to Council from Dan Sherman, Council Administrator/Attorney

## **Legislation for Discussion at Committee of the Whole:**

- **Ord 10-20** To Amend Title 20 of the Bloomington Municipal Code Entitled “Unified Development Ordinance” (Amendments to the Floodplain Standards [20.05.048] and Definitions [20.11.020] Sections to be Consistent with Federal Requirements)

*Contact: Tom Micuda 349-3423 or micudat@bloomington.in.gov*

Please see the Council Legislative Packet prepared for the [1 December 2010](#) meetings for the legislation, memos, materials and packet summaries.

### **Memo**

**Reminder: Council Sidewalk Committee on Tuesday, December 7<sup>th</sup> at Noon in the McCloskey Room**

**The Annual Schedule and One Item Ready for Final Action at a Special Session and One Item Ready for Discussion at a Committee of the Whole  
On Wednesday, December 8<sup>th</sup>**

There is an Annual Schedule and an appropriation ordinance ready for final action at the Special Session next Wednesday. That meeting will be followed by a Committee of the Whole where an ordinance is ready for discussion. The information relating to the legislation can be found in the Council Legislative Packet prepared for the 1 December 2010 meetings (see online link above); the information relating to the Annual Schedule can be found in this packet and is summarized herein.

### **Annual Schedule**

This packet contains the proposed Council Schedule for 2011 and a memo explaining it. Please review the material and offer your comments and be ready to vote on it on December 8<sup>th</sup>.

Here are some of the meetings or deadlines that do not follow the usual first-four-Wednesdays-a-month schedule:

- **January** – This schedule proposes holding an Organizational and Committee of the Whole on Wednesday, January 5<sup>th</sup> (rather than the first Monday of the month - January 3<sup>rd</sup>);

- **March** – This schedule takes advantage of a five-Wednesday month by proposing skipping the third Wednesday because of Spring Break and shifting the last two meetings of the month from the third and fourth to the fourth and fifth Wednesdays of the month.
- **Budget Meetings (May, July, and September)** This schedule proposes holding the:
  - Budget Advance on Wednesday, May 11<sup>th</sup> at 5:30 p.m.;
  - Four evenings of Departmental Budget Hearings at 6:00 p.m. commencing on the third Monday of July (and running from July 18<sup>th</sup> to 21<sup>st</sup>), and
  - Final Budget hearings on the first and second Wednesdays in September
    - *Please note that these dates have been approved by the Office of the Mayor.*
- **Other Meetings in July** – This schedule follows what the Council did in 2010 in order to avoid doubling up meetings in this busy month. It takes advantage of the five Wednesdays in June by proposing to hold a:
  - Regular Session on the June 29<sup>th</sup> (*fifth Wednesday of June*);
  - Committee of the Whole on July 6<sup>th</sup> (*first Wednesday*);
  - Regular Session on July 13<sup>th</sup> (*second Wednesday*); and
  - Committee of the Whole on July 27<sup>th</sup> (*fourth Wednesday*).
- **September** – This schedule returns to the traditional pattern for final consideration of the next year’s budget and, at the suggestion of Council President Piedmont-Smith, avoids meeting on Rosh Hashanah (the Jewish New Year)<sup>1</sup> by meeting on the fourth Tuesday of the month. With that in mind, it proposes holding a:
  - Regular Session and Committee of the Whole (for Budget Legislation) on September 7<sup>th</sup>;
  - Special Session (for Budget Legislation) and Committee of the Whole (for non-budget legislation) on September 14<sup>th</sup>; and
  - Committee of the Whole on September 27<sup>th</sup> (*a Tuesday*).

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<sup>1</sup> Please see the online link to the IU Calendar of Religious Observances in the attached memo in order to determine whether the schedule should be altered to respect other religious holidays.

- **November** – This schedule acknowledges that the Council does not meet the night before Thanksgiving (November 23<sup>rd</sup>) and takes advantage of the five Wednesdays in November by proposing that the Council hold its second Committee of the Whole on the fifth Wednesday of that month.
- **Fifth Wednesdays** - note that there are five Wednesdays in March, June, August, and November (*which affect deadlines for filing legislation and provide opportunities to shift your meetings.*)

**NOTICE AND AGENDA  
BLOOMINGTON COMMON COUNCIL  
SPECIAL SESSION & COMMITTEE OF THE WHOLE  
7:30 P.M., WEDNESDAY, DECEMBER 8, 2010  
COUNCIL CHAMBERS  
SHOWERS BUILDING, 401 N. MORTON ST.**

**I. ROLL CALL**

**II. AGENDA SUMMATION**

**III. LEGISLATION FOR SECOND READING AND RESOLUTIONS**

1. Appropriation Ordinance 10-05 To Specially Appropriate from the General Fund, Parking Enforcement Fund, Sanitation Fund, Telecom Fund, Fire Pension Fund, Risk Management Fund, and Bond Funds Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Parking Enforcement Fund, Sanitation Fund, and Telecom Fund for Animal Care & Control, Engineering, Police, Housing & Neighborhood Development, Community & Family Resources, City Council, Parking Enforcement, Sanitation, Street, Information & Technology Services; Appropriating Additional Funds from the Fire Pension Fund, Risk Management Fund, and Bond Funds)

Committee Recommendation: Do Pass 8 – 0 – 1

**IV. COUNCIL SCHEDULE**

1. Annual Schedule for 2011

**V. ADJOURNMENT**

*(And immediately reconvene for)*

**COMMITTEE OF THE WHOLE**

**Chair: Brad Wisler**

1. Ordinance 10-20 To Amend Title 20 of the Bloomington Municipal Code Entitled “Unified Development Ordinance” (Amendments to the Floodplain Standards [20.05.048] and Definitions [20.11.020] Sections to be Consistent with Federal Requirements)

Asked to Attend: Tom Micuda, Director, Planning



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

To: Council Members  
From: Council Office  
Re: Calendar for the Week of 6-10 December 2010

**Monday, 6 December 2010**

5:00 pm Farmers' Market Advisory Council, Parks Room 250  
5:00 pm Redevelopment Commission, McCloskey  
5:30 pm Bicycle and Pedestrian Safety Commission Work Session, Hooker Room  
5:30 pm Plan Commission, Council Chambers

**Tuesday, 7 December 2010**

9:00 am Emergency Management Advisory Committee, Council Chambers  
5:00 pm Utilities Service Board, Board Room, 600 E Miller Dr  
12:00 pm Council Sidewalk Committee, McCloskey Room  
5:30 pm City of Bloomington-Monroe County Deer Task Force, McCloskey  
5:30 pm Board of Public Works, Council Chambers  
5:30 pm Neighborhood Development Grant Meeting, Hooker Room  
7:30 pm Telecommunications Council, Council Chambers

**Wednesday, 8 December 2010**

4:00 pm Board of Housing Quality Appeals, McCloskey  
4:15 pm Commission on the Status of Black Males, Hooker Room  
4:30 pm Environmental Resources Advisory Council, Parks Room 250  
7:30 pm Common Council Special Session immediately followed by a Committee of the Whole, Council Chambers

**Thursday, 9 December 2010**

12:00 noon Housing Network, McCloskey  
12:00 noon Bloomington Platinum Biking Task Force, Hooker  
4:00 pm Bloomington Historic Preservation Commission, McCloskey  
4:00 pm Solid Waste Management District, Monroe County Courthouse, Judge Nat U. Hill, III Room

**Friday, 10 December 2010**

*No meetings are scheduled for this date.*

*Posted and Distributed: Friday, 3 December 2010*



City of Bloomington  
Office of the Common Council

# MEETING NOTICE

## Common Council Sidewalk Committee Meeting

12:00 p.m.

Tuesday, December 7, 2010  
McCloskey Conference Room  
Suite 135 of 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 this committee under Indiana Open Door Law. Therefore, this statement provides notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.

Posted: December 3, 2010



**COMMON COUNCIL  
MEETING SCHEDULE AND LEGISLATION DEADLINES FOR THE YEAR 2011  
(Subject to Revision by Common Council)**

LEGIS CYCLE	DEADLINE FOR ORDINANCES; E-MAILED TO CCL BY NOON	DEADLINE FOR RESOLUTIONS; E-MAILED TO CCL BY NOON	REGULAR SESSION 1st READING FOR ORDS.	COMMITTEE DISCUSSION	REGULAR SESSION FINAL ACTION
1	Mon. Dec. 20 (2010)	Mon. Dec. 20 (2010)	<sup>1</sup> Jan. 5	<sup>1</sup> Jan. 5	Jan. 19
2	Mon. Jan. 10	Fri. Jan. 14	Jan. 19	Jan. 26	Feb. 2
3	Mon. Jan. 24	Mon. Jan. 31	Feb. 2	Feb. 9	Feb. 16
4	Mon. Feb. 7	Mon. Feb. 14	Feb. 16	Feb. 23	Mar. 2
5	Mon. Feb. 21	Mon. Feb. 28	Mar. 2	Mar. 9	<sup>2</sup> Mar. 23
6	Wed. Mar. 9	Mon. Mar. 21	<sup>2</sup> Mar. 23	<sup>2</sup> Mar. 30	Apr. 6
7	Mon. Mar. 28	Mon. Apr. 4	Apr. 6	Apr. 13	Apr. 20
8	Mon. Apr. 11	Fri. Apr. 15	Apr. 20	Apr. 27	May 4
9	Mon. Apr. 25	Fri. Apr. 29	May 4	<sup>3</sup> May 11	May 18
10	Mon. May 9	Mon. May 16	May 18	May 25	June 1
11	Mon. May 23	Fri. May 27	June 1	June 8	June 15
12	Mon. June 6	Mon. June 13	June 15	June 22	<sup>4</sup> June 29
13	Mon. June 20	Mon. June 27	<sup>4</sup> June 29	<sup>4</sup> July 6	<sup>4</sup> July 13
14	Wed. June 29	Wed. July 13	<sup>3&amp;4</sup> July 13	<sup>3&amp;4</sup> July 27	<sup>5</sup> Aug. 3
AUGUST RECESS					
15	Wed. Aug. 24	Wed. Aug. 24	<sup>6</sup> Sep. 7	<sup>6</sup> Sep. 14	Sep. 21
16	Mon. Sep. 12	Mon. Sep. 19	Sep. 21	<sup>7</sup> Sep. 27	Oct. 5
17	Mon. Sep. 26	Mon. Oct. 3	Oct. 5	Oct. 12	Oct. 19
18	Mon. Oct. 10	Mon. Oct. 17	Oct. 19	Oct. 26	Nov. 2
19	Mon. Oct. 24	Fri. Oct. 28	Nov. 2	Nov. 9	Nov. 16
20	Wed. Nov. 2	Wed. Nov. 2	Nov. 16	<sup>8</sup> Nov. 30	Dec. 7
21	Mon. Nov. 21	Wed. Nov. 30	Dec. 7	Dec. 14	<sup>5</sup> Dec. 21
YEAR END RECESS					

First Legislative Cycle for 2011:

Mon. Dec. 19 (2011)	Mon. Dec. 19 (2011)	<sup>1</sup> Wed. Jan. 4 (2012)	<sup>1</sup> Wed. Jan. 4 (2012)	Wed. Jan. 18 (2012)
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Deadlines for Legislation: The deadline for submitting legislation and all accompanying materials, including a summary memo, is noon on the date listed. For information on the manner of submitting these materials, please inquire with the Council Office.

Unless otherwise indicated, the Council meets on the first four Wednesdays of the month in the Council Chambers in Room 115 of the Showers Center, 401 North Morton, at 7:30 p.m. The following footnotes list and explain the exceptions to this general rule:

- The Council will hold an annual Organizational Meeting on this date, when it elects officers and gives legislation first reading. The meeting is generally held on the first Monday in January, except when it is a legal holiday, in which case the meeting is held on the first Tuesday. (BMC 2.04.050[c & d]). However, by the adoption of this schedule, the Council has set this meeting for the first Wednesday after the first Monday in January. This meeting will be immediately followed by a Committee of the Whole.
- The Council will not meet during Spring Break and will move its second Regular Session and Committee of the Whole in March to the fourth Wednesday and fifth Wednesdays in March.
- The Council will hold a Council Budget Advance in the McCloskey Room of City Hall at 5:30 p.m. on Wednesday, May 11<sup>th</sup> and Departmental Budget Hearings in the Council Chambers at 6:00 p.m. on Monday, July 18<sup>th</sup>, Tuesday, July 19<sup>th</sup>, Wednesday, July 20<sup>th</sup>, and Thursday, July 21<sup>st</sup>, 2011.
- In order to schedule three evenings of meetings for the first legislative cycle in July and hold a week of departmental budget hearings starting on the third Monday of that month, the Council will hold what would ordinarily be the first three meetings in July on the fifth Wednesday in June and the first two Wednesdays in July.
- Since it will take a brief recess after first meeting in August and the second Regular Session in December, the Council will not introduce legislation for first reading at these meetings. (BMC 2.04.060 [e] & [g])
- The Council will consider the City Budget for 2012 along with routine legislation during the first legislative cycle in September. The City Budget will be considered at a public hearing during the Committee of the Whole to be held immediately after the Regular Session on the first Wednesday in September and be ready for final adoption at a Special Session on the Second Wednesday in September. Typically, non-budget related legislation for that legislative cycle will be discussed at a Committee of the Whole to be held immediately after the Special Session on the second Wednesday in September and will be given final action at the Regular Session on the third Wednesday in September.
- The Council will move its Committee of the Whole from the fourth Wednesday of September to the fourth Tuesday to avoid meeting on Rosh Hashanah (the Jewish New Year).
- The Council will not meet on the fourth Wednesday of November because it is the night before the Thanksgiving Holiday (BMC 2.04.050(f)). Since there are five Wednesdays that month, the Council will hold the second Committee of the Whole on the fifth Wednesday of November.



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

**To: Council Members**  
**From: Council Office**  
**Re: Approving the Annual Schedule for Year 2011 on December 8<sup>th</sup>**  
**Date: December 3, 2010**

**Contents**

Memo with Highlights of Meeting and Scheduling Issues  
Proposed Annual Schedule for 2011

**Memo**

The Council should set its schedule for next year by *no later than December 8<sup>th</sup>* so that the City Calendar can be finished before our Intern, Stephen Lucas, leaves for winter vacation. The Council typically meets on the first four Wednesdays of the month, with Regular Sessions being held on the first and third Wednesday and Committees of the Whole being held on the second and fourth Wednesday.

**Explanation of the Schedule Sheet.** The Annual Schedule presents these meetings in legislative cycles which appear as 21 rows with 6 columns. The rows indicate the 21 legislative cycles next year. Legislative cycles begin with a Regular Session, are followed by a Committee of the Whole, and end with another Regular Session. The 5 columns indicate:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>	<u>Column 5</u>	<u>Column 6</u>
Legislative Cycle	Deadline for Filing Ordinances	Deadline for Filing Resolutions	Regular Session <i>When Ordinances are Introduced</i>	Committee Discussion <i>When Ordinances and Resolutions are Newly Introduced</i>	Regular Session <i>When Ordinances and Resolutions are Ready for Final Action</i>

**Deadlines.** The deadline for legislation generally falls 10 days before the meeting at which the legislation is scheduled to be introduced (whether at a Regular Session or a Committee of the Whole) and provides time for staff to review the legislation and prepare the weekly legislative packet for distribution on Friday. The deadline is typically on the Monday of the week before that meeting (or, in other words, the Monday of the week the Council Legislative packet for that meeting goes out). However, the deadline is moved back a day when there is a City holiday during that week and is moved back further when there are 5<sup>th</sup> Wednesdays in the month. This latter change allows staff to take time-off other than during the August Recess. Please note that the Municipal Code requires legislation and background material be filed at least two weeks before the item is to be introduced at the Council.

**Explanation of the Footnotes.** The footnotes in the Annual Schedule indicate those occasions when the Council does not meet on a Wednesday or does not follow the usual four-Wednesdays-a-month routine.

**Religious Holidays.** Please note that, at the suggestion of Council President Piedmont-Smith, this calendar would shift the second Committee of the Whole in September from the fourth Wednesday to the fourth Tuesday in order to avoid meeting on Rosh Hashanah (the Jewish New Year).

There may be other religious holidays you want to observe and for that reason a copy of the IU "Religious Observances" is available in the Council Office or can be found on the web at [http://www.iub.edu/~vpfaa/policylocker/religious\\_observances/Comprehensive%20calendar%20update%202010-2015.pdf](http://www.iub.edu/~vpfaa/policylocker/religious_observances/Comprehensive%20calendar%20update%202010-2015.pdf)

Please review the following highlights and the accompanying schedule and be prepared to vote on the schedule at the December 8<sup>th</sup> Special Session.

### **Proposed Annual Schedule - Highlights and Issues**

#### **January**

Wednesday, January 5<sup>th</sup> Organizational Meeting and Committee of the Whole. *Please note that while statute no longer requires the Council to hold an Organizational Meeting on the first Monday of the new year (unless it was a legal holiday, in which case the meeting was to be held on Tuesday), our local code still does. However, under local code you may reschedule that meeting by a majority vote of the Council (e.g. by approving a different date in the Annual Schedule).*  
*Please note that you could also decide to hold these meetings on the second Wednesday of the month (January 12<sup>th</sup>).*

#### **March**

*There are five Wednesdays in March this year and Spring Break occurs during the week of March 12<sup>th</sup> – 20<sup>th</sup>. This schedule avoids meeting during Spring Break by moving the second Regular Session and Committee of the Whole from the third and fourth Wednesday to the fourth and fifth Wednesday.*

Wednesday, March 16<sup>th</sup> No Regular Session (*Spring Break*)

Wednesday, March 23<sup>rd</sup> Regular Session (*on the fourth Wednesday*).

Wednesday, March 30<sup>th</sup> Committee of the Whole (*on the fifth Wednesday*).

#### **May**

Wednesday, May 11<sup>th</sup> "Budget Advance" in the McCloskey Room at 5:30 p.m.  
*Please note that the budget-related meetings have been confirmed with the Office of the Mayor.*

## **June and July**

*In 2011, like 2010, there are five Wednesdays in June and the usual four consecutive evenings departmental budget hearings starting on the third Monday in July. In order to avoid doubling-up meetings on the same evening, this schedule follows this year's schedule by holding a Regular Session on the fifth Wednesday of June, holding the first Committee of the Whole in July on the first Wednesday, and holding the second Regular Session on the second Wednesday of the month (both a week earlier than usual.)*

Wednesday, June 29 <sup>th</sup>	Regular Session ( <i>shifted from July 6<sup>th</sup></i> )
Wednesday, July 6 <sup>th</sup>	Committee of the Whole ( <i>shifted from July 13<sup>th</sup></i> )
Wednesday, July 13 <sup>th</sup>	Regular Session ( <i>shifted from July 20<sup>th</sup></i> )
Monday, July 18 <sup>th</sup>	Start of Departmental Budget Hearings which will begin at 6:00 p.m.
(Through) Thursday, July 21 <sup>st</sup>	End of Departmental Budget Hearings
Wednesday, July 27 <sup>th</sup>	Committee of the Whole

## **August**

Wednesday, August 3 <sup>rd</sup>	August Recess begins after Regular Session
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## **September**

*September is different from other months because the Council holds extra meetings during the first legislative cycle in order to take final action on the budget. In 2010, the Council took advantage of a five-Wednesday month to skip one week because of Rosh Hashanah and allow for two weeks between budget meetings. In 2011, this schedule proposes that the Council return to the usual approach toward the first legislative cycle: a Regular Session and Committee of the Whole on the first Wednesday and a Special Session and Committee of the Whole on the second Wednesday of the month. Please note that the last Wednesday falls on Rosh Hashanah. At the suggestion of Council President Piedmont-Smith, in order to avoid skipping a meeting or doubling-up meetings, this schedule shifts the second Committee of the Whole from the fourth Wednesday to the fourth Tuesday of that month.*

Wednesday, September 7 <sup>th</sup>	August Recess ends with Regular Session immediately followed by Committee of the Whole to discuss the 2012 Budget
Wednesday, September 14 <sup>th</sup>	Council will hold Special Session to take action on 2012 budget immediately followed by a Committee of the Whole to discuss non-budget related legislation for the first legislative cycle in August.

Tuesday, September 27<sup>th</sup>

Committee of the Whole *(Note: The fourth Wednesday of September (the 28<sup>th</sup>) falls on Rosh Hashanah – The Jewish New Year. In order to avoid skipping a meeting or doubling-up meetings, Council President Piedmont-Smith suggested that the Council meet on the fourth Tuesday of the month.*

## **November**

*November is always unusual in that Thanksgiving falls after the fourth Wednesday of the month when, by local code, the Council does not meet. This year a fifth Wednesday will allow the Council to meet four evenings in November by scheduling a Committee of the Whole on the last Wednesday.*

Wednesday, November 23<sup>rd</sup> 4<sup>th</sup> Wednesday – No Meeting - Night Before Thanksgiving

Wednesday, November 30<sup>th</sup> 5<sup>th</sup> Wednesday – Committee of the Whole in order to avoid doubling-up meetings on November 16<sup>th</sup>.

## **December**

Wednesday, December 21<sup>st</sup> Last meeting of the year