



# City of Bloomington Common Council

## Legislative Packet

Committee of the Whole

10 March 2010

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

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**City of  
Bloomington  
Indiana**



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**To: Council Members**  
**From: Council Office**  
**Re: Weekly Packet Memo**  
**Date: March 5, 2010**

## **Packet Related Material**

**Memo**  
**Agenda**  
**Calendar**  
**Notices and Agendas:**

*None*

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

- **Res 10-02** Resolution of the City of Bloomington, Indiana Regarding the Use of Surplus Bond Proceeds
  - Memo to Council from Vickie Renfrow, Assistant City Attorney  
*Contact: Vickie Renfrow at 349-3426 or [renfrowv@bloomington.in.gov](mailto:renfrowv@bloomington.in.gov)*
- **Ord 10-05** To Amend Ordinance 09-14 Which Fixed the Salaries of Appointed Officers, Non-Union and A.F.S.C.M.E. Employees for all the Departments of the City of Bloomington, Monroe County, Indiana, for the Year 2010 - Re: Positions in the Legal, Parks and Recreation, and Public Works (Administration, Fleet, Street, and Parking Enforcement) Departments and the Council Office
  - *Revised Version*  
*Contact: Daniel Grundmann at 349-3578 or [grundmad@bloomington.in.gov](mailto:grundmad@bloomington.in.gov)*

*Please see this packet for the revised Ord 10-05 and the [March 3<sup>rd</sup> Council Legislative Packet](#) for the memo, materials and summary.*

## Memo

### **Reminder – Spring Break Council Schedule – Last Two Meeting are on the 4<sup>th</sup> and 5<sup>th</sup> Wednesdays of the Month**

Please remember that the Council will not meet on March 17<sup>th</sup> because it is Spring Break when some Council members and many citizens leave town for at least part of the week. Since there are five Wednesdays this month, the Council has scheduled the second Regular Session for the fourth Wednesday of March (the 24<sup>th</sup>) and the second Committee of the Whole for the fifth Wednesdays of March (the 31<sup>st</sup>).

### **Two Items Ready for Discussion at the Committee of the Whole on Wednesday, March 10<sup>th</sup>**

There are two items for discussion at the Committee of the Whole next Wednesday. The first is a resolution which is enclosed in this packet and summarized herein. The second is an ordinance which can be found online at the link given above.

#### **First Readings:**

#### **Res 10-02 (Authorizing Use of \$669,000 in Surplus Sewage Bond Proceeds for Additional Similar Project**

**Res 10-02** authorizes use of \$669,037 in surplus sewage bond proceeds for a new project pursuant to statute. As indicated in the legislation and memo from Vickie Renfrow, Assistant City Attorney, the City issued \$10.84 million worth of sewage works bonds in 2006 (via Ord 05-35 as amended by Ord 06-05) for improvements to Dillman Road Wastewater Treatment Plant and the Central East Sewer Basin Collection System. The latter improvements involved relining sewer mains to eliminate leaks. Due to changes in the market, these improvements cost significantly less than estimated, which resulted in this surplus.

Under I.C. 5-1-13, after taking certain steps, the City may apply surplus bond proceeds toward the underlying bond obligations, other outstanding bond obligations, or in the case of bonds not payable out of certain taxes (as is true here), projects which are similar in type or purpose as the other projects funded by the bonds.

The memo notes that two effluent filters at the Dillman Road Wastewater Treatment Plant, which are essential for the treatment of wastewater, need major repairs and

could be paid for with this surplus. These improvements are referred to as the “New Project.”

This resolution takes the steps necessary to authorize the use of the bond surplus for the New Project. These steps include:

- finding that the New Project is of the same type and serves the same purpose as the projects initially funded by the bonds;
- authorizing the surplus to be used to finance the preliminary planning, designing and construction of the New Project;
- authorizing and directing the Controller to certify the amount and intended purpose of the surplus and to take any other steps necessary to use it for the New Project; and
- repealing resolutions or portions of resolutions that conflict with this action.

The memo also states that this action will not result in additional debt nor a change in the rates and charges of the wastewater utility.

**NOTICE AND AGENDA**  
**BLOOMINGTON COMMON COUNCIL COMMITTEE OF THE WHOLE**  
**7:30 P.M., WEDNESDAY, MARCH 10, 2010**  
**COUNCIL CHAMBERS**  
**SHOWERS CENTER, 401 N. MORTON ST.**

**Chair: Chris Sturbaum**

1. Resolution 10-02 Resolution of the City of Bloomington, Indiana Regarding the Use of Surplus Bond Proceeds

Asked to attend: Vickie Renfrow, Assistant City Attorney

2. Ordinance 10-05 To Amend Ordinance 09-14 Which Fixed the Salaries of Appointed Officers, Non-Union and A.F.S.C.M.E Employees for All the Departments of the City of Bloomington, Monroe County, Indiana, for the Year 2010 - Re: Positions in the Legal, Parks and Recreation, and Public Works (Administration, Fleet, Street, and Parking Enforcement) Departments and the Council Office (Revised)

Asked to attend: Daniel Grundmann, Director, Employee Services



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

To: Council Members  
From: Council Office  
Re: Calendar for the Week of March 8-12, 2010

**Monday, March 8, 2010**

4:30 pm Plat Committee, Hooker Room  
5:30 pm Plan Commission, Council Chambers

**Tuesday, March 9, 2010**

6:00 pm Bloomington Commission on Sustainability, McCloskey  
6:30 pm Sister Cities International, Dunlap

**Wednesday, March 10, 2010**

2:00 pm Hearing Officer, Kelly  
4:00 pm Board of Housing Quality Appeals, McCloskey  
4:00 pm Commission on the Status of Black Males, Council Chambers  
7:30 pm Common Council Committee of the Whole, Council Chambers

**Thursday, March 11, 2010**

12:00 noon Housing Network, McCloskey  
2:30 pm Bid Opening for Patterson Improvements Phase II, McCloskey  
4:00 pm Bloomington Historic Preservation Commission, McCloskey  
4:00 pm Solid Waste Management District, Monroe County Courthouse, Judge Nat U. Hill, III Room  
4:00 pm Jack Hopkins Social Services Funding Technical Assistance Meeting, Council Chambers

**Friday, March 12, 2010**

12:00 noon Common Council Internal Work Session, McCloskey  
1:30 pm Metropolitan Planning Organization Policy Committee, McCloskey

*Posted and Distributed: Friday, March 5, 2010*

**RESOLUTION 10-02**

**RESOLUTION OF THE CITY OF BLOOMINGTON, INDIANA  
REGARDING THE USE OF  
SURPLUS BOND PROCEEDS**

WHEREAS, on June 29, 2006, the City of Bloomington, Indiana (the "City") issued its Sewage Works Revenue Bonds of 2006, Series B and Series C (the "Bonds") pursuant to Ordinance 05-35 as amended by Ordinance 06-05 in the aggregate principal amount of \$10,840,000 for the purpose of financing additions and improvements to the sewage works of the City consisting of the following:

Dillman Road Wastewater Treatment Plant headworks improvements and disinfection and dechlorination improvements, and Central East Sewer Basin Collection System improvements (the "Project"); and

WHEREAS, the Common Council of the City (the "Common Council") finds that the Project has been completed and there remains a surplus of Bond proceeds in the amount of \$669,037 (the "Surplus") which Surplus was not anticipated at the time of issuance of the Bonds; and

WHEREAS, pursuant to IC 5-1-13 *et. seq.* (the "Act"), the City may apply the Surplus for a project similar to the Project upon the adoption of a resolution authorizing the use of the Surplus for such purposes and a certification of the Controller of the City as to such Surplus and the use of the proceeds thereof; and

WHEREAS, pursuant to the Act, the Common Council finds that the Surplus should be used to finance the preliminary planning, designing and construction costs related to the construction of the following:

Replacement of the underdrain system and media in Filters No. 1 and 2 at the Dillman Road Wastewater Treatment Plant (the "New Project"); and

WHEREAS, the Common Council finds that the New Project is of the same type as the Project and the use of the Surplus for the New Project is consistent with the purpose for which the Bonds were originally issued, that being to finance additions and improvements to the sewage works system of the City;

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

SECTION 1. The Surplus be used for the purpose of financing the preliminary planning, designing and construction costs related to the New Project.

SECTION 2. The Controller of the City is hereby authorized and directed to certify as to the amount of the Surplus and the intended use thereof for the New Project, and to take any such other actions as may be necessary to use the Surplus for the New Project pursuant to the provisions of the Act.

SECTION 3. All resolutions and parts of resolutions in conflict herewith are hereby repealed.

SECTION 4. This resolution shall be in full force and effect upon its adoption by the Common Council and execution by the Mayor of the City.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
ISABEL PIEDMONT-SMITH, 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 \_\_\_\_\_, 2010.

\_\_\_\_\_  
REGINA MOORE, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
MARK KRUZAN, Mayor  
City of Bloomington

SYNOPSIS

This resolution approves use of surplus Sewage Works Revenue Bond proceeds for a New Project, namely replacement of the underdrain system and media in Filters No. 1 and 2 at the Dillman Road Wastewater Treatment Plant, pursuant to the authority of IC 5-1-13 *et. seq.*, and authorizes the Controller to take any such other actions as may be necessary to use the Surplus for the New Project.





**CITY OF BLOOMINGTON  
LEGAL DEPARTMENT  
MEMORANDUM**

**TO: Common Council**

**FROM: Vickie Renfrow, Assistant City Attorney**

**RE: Resolution 10-06 Authorizing Use of Surplus Sewage Works Bond Proceeds for Dillman Plant Effluent Filter Repairs**

**DATE: March 4, 2010**

On June 29, 2006, the City of Bloomington, Indiana (the “City”) issued its Sewage Works Revenue Bonds of 2006, Series B and Series C (the “Bonds”) in the aggregate principal amount of \$10,840,000 for the purpose of financing additions and improvements to the sewage works of the City including Dillman Road Wastewater Treatment Plant headworks improvements and disinfection and dechlorination improvements, and Central East Sewer Basin Collection System improvements. The improvements to the Central East Sewer Basin Collection System involved relining sewer mains to eliminate leaks in the mains. The cost of those improvements was estimated based on past experience on such projects, however, due to changes in the market of vendors to provide such work, the actual cost was significantly less than was estimated. As a result, after all planned projects were completed, and even after completing an additional lining project, there remains approximately \$669,000 in surplus bond proceeds from this bond issuance.

In the meantime, it has become necessary to make major repairs to two of the effluent filters at the Dillman Road Wastewater Treatment Plant. The effluent filter system is a major component necessary for treatment of wastewater at Dillman. The cost of these repairs could be covered by using the surplus bond proceeds described above. To do so requires that the Common Council approve Resolution 10-06 authorizing use of these surplus bond proceeds for this project. There will be no additional debt issued and no impact on the rates and charges of the sewage works. Upon approval of the Resolution, the Utilities will submit its plans for the repairs along with the Resolution to the State Revolving Fund (“SRF” which issued the bonds) so that SRF can approve both the plans and the use of the funds for this project.

Please feel free to contact me if you have any questions regarding this Resolution.

**ORDINANCE 10-05**

**TO AMEND ORDINANCE 09-14 WHICH FIXED THE SALARIES OF APPOINTED OFFICERS, NON-UNION AND A.F.S.C.M.E. EMPLOYEES FOR ALL THE DEPARTMENTS OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, FOR THE YEAR 2010 -  
Re: Positions in the Legal, Parks and Recreation, and Public Works (Administration, Fleet, Street, and Parking Enforcement) Departments and the Council Office**

- WHEREAS, the Common Council office would like to change the grade and title of the Assistant Administrator/Researcher position to reflect recommendations of the Job Evaluation Committee; and
- WHEREAS, the Legal Department would like to change the grade of the Secretary and the grade and title of the Secretary – Human Rights to reflect recommendations of the Job Evaluation Committee; and
- WHEREAS, the Legal Department’s Risk Division would like to change the grade and title of the Claims Administrator to reflect recommendations of the Job Evaluation Committee; and
- WHEREAS, Parks and Recreation would like to change the grade and title of the Sports Facility Supervisor position to reflect recommendations of the Job Evaluation Committee; and
- WHEREAS, the Public Works Department Administration would like to change the grade and title of the Communications Operator to reflect changes in the position description; and
- WHEREAS, the Public Works Department Fleet Division would like to add the Inventory Coordinator position; and
- WHEREAS, the Public Works Department Parking Enforcement Division would like to add two Parking Enforcement Officers to cover expanded enforcement practices; and
- WHEREAS, the Public Works Department Street Division would like to change the grade and title of the Clerk and Accounts Clerk positions to reflect recommendations of the Job Evaluation Committee;

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

SECTION 1. Section 1 of Ordinance 09-14 shall be amended by deleting the following lines regarding job title and grade as indicated below:

<b>Department</b>	<b>Job Title</b>	<b>Grade</b>
Common Council	Assistant Administrator/Researcher	7
Legal	Secretary	4
Legal	Secretary – Human Rights	2
Legal: Risk	Claims Administrator	4
Parks	Sports Facility Supervisor	6
PWD: Admin	Communications Operator	1
PWD: Parking Enforcement	Parking Enforcement Officer (9)	3
PWD: Street	Clerk	1
PWD: Street	Account Clerk	3

SECTION 2. Section 1 of Ordinance 09-14 shall be amended by adding the following lines regarding job titles and grade as indicated below:

<b>Department</b>	<b>Job Title</b>	<b>Grade</b>
Common Council	Deputy Administrator/Researcher	8
Legal	Secretary	3
Legal	Secretary – Human Rights and Legal	4
Legal: Risk	Secretary – Risk and Legal	3

Parks	Sports Facility Manager	7
PWD: Admin.	Receptionist/Communications Specialist	2
PWD: Fleet	Inventory Coordinator	3
PWD: Parking Enforcement	Parking Enforcement Officer (11)	3
PWD: Street	Administrative Assistant	2
PWD: Street	Account Clerk/Emergency Grants Coordinator	4

SECTION 3. If any sections, 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 approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
ISABEL PIEDMONT-SMITH, 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 \_\_\_\_\_, 2010.

\_\_\_\_\_  
REGINA MOORE, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
MARK KRUZAN, Mayor  
City of Bloomington

**SYNOPSIS**

This ordinance amends the City of Bloomington Salary Ordinance for the year 2010 (Ordinance 09-14). The amendments change the grade and title of the Assistant Administrator/Researcher position (Common Council); the grade and title of the Secretary – Human Rights (Legal); the grade of the Secretary (Legal); and the grade and title of the Claims Administrator (Risk). The amendments also add an Inventory Coordinator (Fleet) and two Parking Enforcement Officers (Parking Enforcement); and change the grade and title of the Communications Operator (Public Works Administration), Clerk and Account Clerk (Street) and the Sports Facility Supervisor (Parks).

*Note: This ordinance was revised after it was distributed in the Council Legislative Packet, but before it was introduced at the Regular Session, to make two corrections. The first affected the fourth whereas clause and changed the title for the current Parks and Recreation position to Sports Facility Supervisor. The second affected Section 2 by lowering the grade for proposed Inventory Coordinator in Fleet from 4 to 3.*