City of Bloomington
Common Council

Legislative Packet

Regular Session

17 February 2010

Office of the Common Council
P.O. Box 100
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Bloomington, Indiana 47402

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City of Bloomington Indiana

City Hall
401 N. Morton St.
Post Office Box 100
Bloomington, Indiana 47402

Office of the Common Council
(812) 349-3409
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To: **Council Members**
From: **Council Office**
Re: **Weekly Packet Memo**
Date: **February 12, 2010**

Packet Related Material

Memo
Agenda
Calendar
Notices and Agendas:
None

Legislation for Final Action:

- **Res 10-01** To Approve Recommendations of the Mayor for Distribution of Community Development Block Grant (CDBG) Funds for 2010 *(revised)*
  Contact: Lisa Abbott at 349-3576 or abbottl@bloomington.in.gov

  Please see this packet for the revised legislation and the February 10th Council Legislative Packet for the memo, materials and summary.

Legislation and Background Material for First Reading:

- **App Ord 10-01** To Specially Appropriate from the Cumulative Capital Development (CCD) Fund Expenditures Not Otherwise Appropriated (Appropriating Funds for the Local Match and Inspection Portions of the Atwater and Henderson Intersection Improvement Project)
  - Memo to the Council from Justin Wykoff, Manager of Engineering Services; Design for the Intersection Improvements
  Contact: Justin Wykoff at 349-3417 or wykoffj@bloomington.in.gov

Minutes from Regular Session:
None

Memo

Reminder: Staff/Council Internal Work Session on Friday, February 19th at Noon in the Hooker Room

One Item Ready for Final Action and One Item Ready for Introduction at the Regular Session on Friday, February 17th

One resolution will be ready for final action and one appropriation ordinance will be ready for introduction at next Wednesday's Regular Session. A copy of the revised resolution can be found in this packet and the memo, background material, and summary for that legislation can be found in last week's packet (*See link above*). The appropriation ordinance, memo, and background material can be found in this packet and are summarized herein.

First Readings:

App Ord 10-01 appropriates $149,512.38 from the Cumulative Capital Development (CCD) Fund to pay for the City's portion of the costs of improvements to the Atwater/ Henderson Intersection. These improvements are intended to address safety issues and will have a total cost of approximately $903,037. The bulk of the costs will be paid with a federal Highway Safety Improvement Program (HSIP) grant sought by the Bloomington/Monroe County Metropolitan Planning Organization. Here is a break-down of the costs, matches, and reimbursements:

Project Component		Total Cost	Local Match or Obligation	App Ord	HSIP - Funded
Design		$115,500	$115,500	$0 [1]	$0
Right of Way		$40,025	$40,025	$0	$0
Construction [2]	All but Inspection	$664,449	$66,450 *(10% up front)*	$66,450	$598,050
	Inspection	$83,062.38 *(12.5% of construction costs.)*	$8,306 *(Pay as you go)*	$83,062.38	$74,756 *(90% reimbursed)*
Total		$903,036.38	$230,281	$149,512.38	$672,806

[1] An additional $12,500 was appropriated in 2009 (App Ord 09-02) for expenses related to a new stone wall and its compliance with state historic preservation standards.
[2] The estimate for construction costs includes a 10% contingency.

Project

The Memo to the Council from Justin Wykoff, Manager of Engineering Services, indicates that the project should slow traffic, reduce accidents, and improve conditions for all users in general and for pedestrians in particular. *(See attached site design.)* To that end, the project will:

- Provide a traffic signal with pedestrian crosswalks and signal heads at the intersection of Atwater and Henderson;
- Correct deficiencies in sight distances;
- Reduce pavement areas; and
- Reconfigure the right-turn exit from Atwater onto Dunn and the left-turn exit from Atwater onto Indiana.

In addition the project will improve the collection of stormwater at the intersection.

Project Status

The design work, which "involved extensive public input along the way," has been completed and the acquisition of right-of-way "should be secured" by mid-February. The Indiana Department of Transportation (INDOT) will conduct the bidding and oversee the expenditures. The construction should start this summer and extend into the fall. Please note that, because of the 4-5 month schedule, the construction could not be done without interfering with traffic at the end of one school year or the beginning of the next.

NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL REGULAR SESSION
7:30 P.M., WEDNESDAY, FEBRUARY 17, 2010
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: None

IV. REPORTS FROM:
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 10-01 To Approve Recommendations of the Mayor for Distribution of Community Development Block Grant (CDBG) Funds for 2010

Committee Recommendation: Do Pass 9 – 0 – 0

VII. LEGISLATION FOR FIRST READING

1. Appropriation Ordinance 10-01 To Specially Appropriate from the Cumulative Capital Development (CCD) Fund Expenditures Not Otherwise Appropriated (Appropriating Funds for the Local Match and Inspection Portions of the Atwater and Henderson Intersection Improvement Project)

VIII. PRIVILEGE OF THE FLOOR (This section of the agenda will be limited to 25 minutes maximum, with each speaker limited to 5 minutes)

IX. ADJOURNMENT

Posted & Distributed: Friday, February 12, 2010

City of Bloomington
Office of the Common Council

To: Council Members
From: Council Office
Re: Calendar for the Week of February 15-19, 2010

Monday, February 15, 2010

10:00 am Pre-Bid Kirkwood Phase III, McCloskey
12:00 noon Bloomington Entertainment and Arts District Advisory Committee, McCloskey
5:00 pm Farmers' Market Advisory Council, Parks Room 250
5:30 pm Bicycle and Pedestrian Safety Commission, Hooker Room

Tuesday, February 16, 2010

4:00 pm Board of Public Safety, Police Department, 220 E 3rd Street
4:30 pm Community and Family Resources Commission, Hooker Room
5:00 pm Utilities Service Board, Board Room, 600 E Miller Dr
5:30 pm Animal Control Commission, Kelly
5:30 pm Bloomington Public Transportation Corporation, Public Transportation Center, 130 W Grimes Lane
5:30 pm Board of Public Works, Council Chambers

Wednesday, February 17, 2010

9:30 am Tree Commission, Rose Hill Cemetery Office, 930 W 4th Street
5:30 pm Bloomington Community Arts Commission, McCloskey
7:00 pm Council of Neighborhood Associations, Hooker Room
7:30 pm Common Council Regular Session, Council Chambers

Thursday, February 18, 2010

8:00 am Bloomington Housing Authority, Housing Authority, 1007 N. Summit, Community Room
12:00 noon Waldron Study Group, McCloskey
1:00 pm Telecommunications Council, Dunlap
5:30 pm Board of Zoning Appeals, Council Chambers
7:00 pm Environmental Commission, McCloskey

Friday, February 19, 2010

12:00 noon Domestic Violence Taskforce, McCloskey
12:00 noon Common Council Internal Work Session, Hooker Room

Posted and Distributed: Friday, February 12, 2010

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RESOLUTION 10-01

TO APPROVE RECOMMENDATIONS OF THE MAYOR FOR DISTRIBUTION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR 2010

WHEREAS, the City of Bloomington, Indiana, is eligible for Community Development Block Grant (CDBG) funds in the approximate amount of $886,670.00 for Fiscal Year 2010 pursuant to the Housing and Community Development Act of 1974 as amended; and

WHEREAS, the national objectives of the Community Development Program are:

1. first and foremost, the development of viable urban communities, including decent housing and a suitable living environment and expanding economic opportunities principally for person of low and moderate income; and

2. the elimination of slums and blight, and the prevention of blighting influences and the deterioration of property and neighborhood and community facilities of importance to the welfare of the community, principally for persons of low and moderate income; and

3. the elimination of conditions which are detrimental to health, safety, and public welfare, through code enforcement, demolition, interim rehabilitation assistance, and related activities; and

4. the conversion and expansion of the nation's housing stock in order to provide a decent home and suitable living environment for all persons, but principally those of low and moderate income; and

5. the expansion and improvement of the quantity and quality of community services, principally for persons of low and moderate income, which are essential for sound community development and for development of viable urban communities; and

6. the integration of income groups throughout the community by spreading persons of lower income into more prosperous neighborhoods and drawing persons of higher income to declining or deteriorated neighborhoods; and

7. the alleviation of physical and economic distress through the stimulation of private investment and community revitalization; and

WHEREAS, federal guidelines set forth a formula for funding where no more than 15% of the total grant may be allocated for social services programs, no more than 20% of the total grant may be allocated for administering these funds, and at least 65% of the total grant must be allocated for physical improvements; and

WHEREAS, the allocation for administering the grant may be used for a broad range of direct and indirect costs which includes but is not limited to salaries, rent, and fuel; and

WHEREAS, a proposed statement of community development objectives and projected use of the funds has been advertised; and

WHEREAS, said statement and projected use of funds reflects programs recommended by the Mayor with input from the Citizen's Advisory Committees and the Redevelopment Commission and are consistent with local and national objectives of the Housing and Community Development Act of 1974, as amended;

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

SECTION I: The following programs be approved as follows:

COMMUNITY DEVELOPMENT PROGRAMS FISCAL YEAR 2010 SOCIAL SERVICE PROGRAMS FUNDING		**ALLOCATION**
Community Kitchen	Free Meals Program	$17,750
Hoosier Hills Food Bank	Food Bank	$15,000
Mother Hubbard's Cupboard	Food Cupboard	$15,000
Stepping Stones	Supportive Housing Program	$14,750
MCUM	Childcare Program	$14,500
Big Brothers Big Sisters	One-to-One	$14,500
Boys & Girls Club	Crestmont Club	$14,500
Martha's House	Emergency Shelter	$14,000
Middle Way House	Domestic Violence Shelter	$13,000
Shalom	Hunger Relief Project	0
Total		**$133,000**

COMMUNITY DEVELOPMENT PROGRAMS FISCAL YEAR 2010 PHYSICAL IMPROVEMENT PROGRAMS FUNDING		
Abilities Unlimited/HAND	Home Modification for Accessible Living	$100,000
Bloomington Housing Authority	Crestmont Exterior Renovations	$100,000
HAND	Emergency Home Repair	$85,000
HAND	Rental Rehab	$15,000
HAND	Owner-Occupied Rehab	$38,500
HAND	Down Payment & Closing Cost	$20,000
SCCAP	Facility Improvement – Parking Lot	0
Community Kitchen	Facility Improvement – New Facility Renovations	$187,836
Parks & Recreation	Building & Trades B-Ball Court	0
HAND	Curb & Sidewalks	$30,000
Total		**$576,336**

ADMINISTRATION	
Administration of Housing and Neighborhood Development Department	$177,334
Total	**$177,334**

TOTAL CDBG ALLOCATION	**$886,670**

SECTION II. In the event the City of Bloomington receives more or less of the anticipated funding that amount shall be distributed in the following manner:

Physical Improvements: If HAND receives more than expected, the additional funding will be first given to Community Kitchen until they receive their requested amount, then distributed evenly among the other projects. If HAND receives less than expected, the reduction will be evenly deducted from all projects.

Social Services: If HAND receives more than expected, the top three scoring applications will receive an increase proportionally to their allocation. The remaining applications will get an equal share of the remainder of the funds. If HAND receives less than expected, the reduction will made proportionately over all allocations.

SECTION III. This resolution 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 _____, 2010.

_____
ISABEL PIEDMONT-SMITH, President
Bloomington Common Council

ATTEST:

_____
SUSAN P. WANZER, Deputy Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2010.

_____
SUSAN P. WANZER, Deputy Clerk
City of Bloomington

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

_____
MARK KRUZAN, Mayor
City of Bloomington

SYNOPIS

The City of Bloomington is eligible for a Community Development Block Grant of approximately $886,670 from the Department of Housing and Urban Development for fiscal year 2010. This resolution allocates that funding. It outlines program recommendations by the Mayor with input from the Citizen's Advisory Committee and the Redevelopment Commission. General program areas include: Social Service Programs, Physical Improvements, and Administrative Services.

Note on Revisions: This resolution was revised after it was distributed in the Council Legislative Packet, but before it was introduced at the Committee of the Whole. The revisions were suggested by Council President Piedmont-Smith and inserted two new whereas clauses (#3 and #4) which describe the federal allocation formula and elaborate upon what constitutes administrative costs.

APPROPRIATION ORDINANCE 10-01

TO SPECIALLY APPROPRIATE FROM THE CUMULATIVE CAPITAL DEVELOPMENT (CCD) FUND EXPENDITURES NOT OTHERWISE APPROPRIATED
(Appropriating Funds for the Local Match and Inspection Portions of the Atwater and Henderson Intersection Improvement Project)

WHEREAS, the Department of Public Works wishes to expend $149,512.38 from the CCD Fund for the 10% local match and construction inspection portions of the Atwater & Henderson Intersection Improvement Project;

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
Cumulative Capital Development	
Line 4310 – Improvements Other Than Bldg.	$ 149,512.38
Total Cumulative Capital Development	149,512.38
Grand Total Cumulative Capital Development	149,512.38
Grand Total All Funds	$ 149,512.38

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 _____, 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 appropriates $149,512.38 from the CCD Fund for the 10% local match and construction inspection portions of the Atwater & Henderson Intersection Improvement Project.

INTEROFFICE MEMORANDUM

TO: BLOOMINGTON CITY COUNCIL

FROM: JUSTIN WYKOFF, MANAGER OF ENGINEERING

SUBJECT: ATWATER/HENDERSON INTERSECTION IMPROVEMENT FUNDING

DATE: 2/12/2010

CC: SUSIE JOHNSON, DIRECTOR OF PUBLIC WORKS

JOYCE WILLIAMS, PROJECT ENGINEER

Dear Council Members,

The Atwater Avenue/Henderson Street Intersection Improvement project has been developed to address safety issues at the intersection.

Federal funding for the project has been secured through the Highway Safety Improvement Program (HSIP) which is administered through INDOT and the local Metropolitan Planning Organization (MPO). This funding is eligible for only the Construction and Construction Inspection portions of the project at a rate of 90% (INDOT) / 10% (City). This Appropriation Ordinance is requesting $149,512.38 to provide the needed funding to complete this project, and a detailed funding breakdown of the costs are attached to this document, and with the understanding that of this appropriation amount; $74,756.14 will be reimbursed to the City by INDOT.

Project Purpose

The project will provide a traffic signal at the intersection of Atwater Avenue and Henderson Street with pedestrian crosswalks and signal heads. Sight distance deficiencies at the intersection will be corrected. Total pavement areas will be reduced, and the exit to Dunn Street and left turn from Atwater Avenue onto Indiana Avenue will be reconfigured. The addition of a stormwater collection system is another major feature of the project. All of these improvements will serve to slow traffic, improve walkability, and generally improve conditions for all users. It is anticipated that accident rates will decrease following improvements, justifying use of safety funds.

Project Status

Design has been completed with extensive public input along the way. The acquisition of right-of-way is being finalized and is expected be secured by the time Council meets. Bids will be received by the Indiana Department of Transportation, and the award and start of construction will take place this summer. Construction will extend into fall semester, but is estimated to be complete in 4-5 months.

FUNDING BREAKDOWN

Design:

$103,000.00	2008 Budget Year	Eagle Ridge Engineering	
$12,500.00	App. Ord. 09-02	Additional Historic Review Per INDOT	
$115,500.00	Total Design Cost		

Right of Way:

$2,450.00	Titlework	MoCoTiCo Title Insurance	
$7,000.00	Appraisal	Monroe / Owen Appraisal	
$3,150.00	Review Appraisal	First Appraisal Group	
$23,275.00	Property Acquisition	Burnham Parcel	
$4,150.00	Property Acquisition	DB Crossing LLC. Parcel	$2,075.00
		Cassis Enterprises LLC	$1,296.87
		Dumax Properties LLC	$518.75
		Edward Herrmann	$129.69
		Hannah Buxbaum	$129.69
$265,740.00	Property Acquisition	Trustee's Of Indiana University	Property Donation
$40,025.00	Total Right of Way Cost		

Construction:

$664,499.00	Construction Estimate	September 2009	Includes 10% Contingency
$66,450.00	City Payment to INDOT	10% of Construction Amount due prior to construction beginning and payable to INDOT	
$66,450.00	Total Appropriation for Construction Needed in App. Ord. 10-02		

Construction Inspection:

$664,499.00	Construction Estimate	September 2009	Includes 10% Contingency
$83,062.38	Construction Inspection	12.5% of Construction Amount (set by INDOT) and must be paid by City during project, but is reimbursable by INDOT at 90% which means the City would receive $74,756.14 back after submitting claims for payment of Inspection Services.	
$83,062.38	Total Appropriation for Construction Inspection Needed in App. Ord. 10-02		

SIGN AND PAVEMENT MARKING ITEMS

33 SNOWPLOWABLE RAISED PAVEMENT MARKER (WHITE) ON 30' SPACING	46 4" SOLID, THERMOPLASTIC, WHITE, LINE	48 4" BROKEN, THERMOPLASTIC, WHITE, LINE (10' SEGMENT, 20' GAP - 30' CYCLE)	65 EXISTING SIGN TO BE REMOVED THEN RESET BY CONTRACTOR
36 THERMOPLASTIC TRANSVERSE MESSAGE MARKING, ARROW	47 4" DOTTED, THERMOPLASTIC, WHITE, LINE (2' SEGMENT, 8' GAP - 10' CYCLE)	56 REMOVE EXISTING SHEET SIGN AND SUPPORTS	66 EXISTING SIGN TO BE REMOVED AND RESET BY OWNER
37 THERMOPLASTIC PAVEMENT MESSAGE MARKING, WORD "ONLY"	49 4" DOUBLE, THERMOPLASTIC, YELLOW, LINE	62 NEW SHEET SIGN AND SUPPORTS REQUIRED	
38 24" STOP LINE, THERMOPLASTIC, WHITE, TRANSVERSE MARKING	50 NO CHANGE REQUIRED TO EXISTING SIGN AND SUPPORTS	64 NEW LOCAL ROAD NAME SIGN AND SUPPORT REQUIRED	
39 8" SOLID, THERMOPLASTIC, WHITE, LINE			

RECOMMENDED FOR APPROVAL _____ DESIGN ENGINEER DATE

DESIGNED: BR DRAWN: SI

CHECKED: JAW (DPW) CHECKED: BR

INDIANA
DEPARTMENT OF TRANSPORTATION

SIGN AND PAVEMENT
MARKINGS PLAN

HORIZONAL SCALE	BRIDGE FILE
1" = 20'-0"	N/A
VERTICAL SCALE	DESIGNATION
N/A	0800443
SURVEY BOOK	SHEETS
N/A	15 of 36
CONTRACT	PROJECT
	0800443

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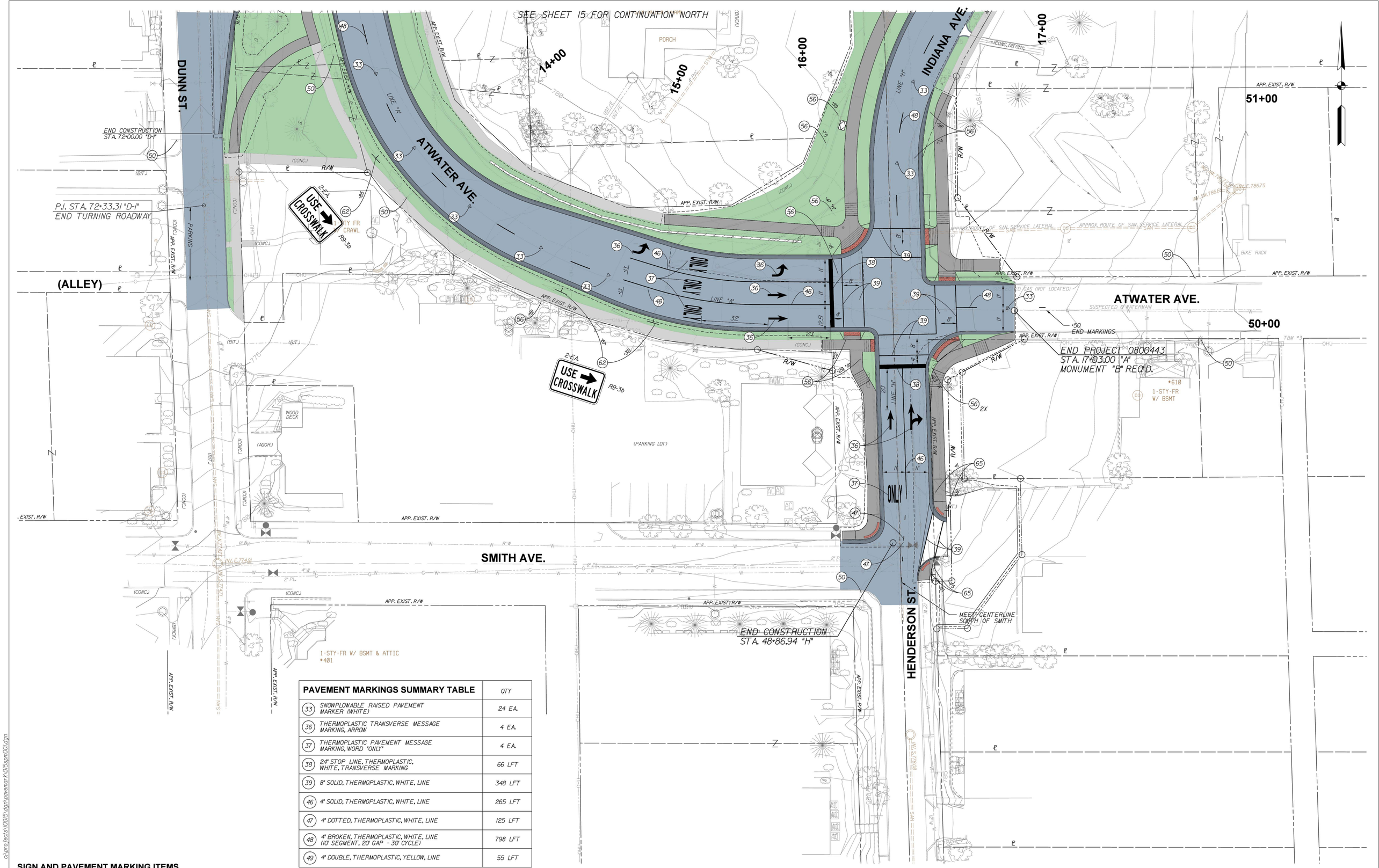

PAVEMENT MARKINGS SUMMARY TABLE		QTY
33	SNOWPLOWABLE RAISED PAVEMENT MARKER (WHITE)	24 EA.
36	THERMOPLASTIC TRANSVERSE MESSAGE MARKING, ARROW	4 EA.
37	THERMOPLASTIC PAVEMENT MESSAGE MARKING, WORD "ONLY"	4 EA.
38	24" STOP LINE, THERMOPLASTIC, WHITE, TRANSVERSE MARKING	66 LFT
39	8" SOLID, THERMOPLASTIC, WHITE, LINE	348 LFT
46	4" SOLID, THERMOPLASTIC, WHITE, LINE	265 LFT
47	4" DOTTED, THERMOPLASTIC, WHITE, LINE	125 LFT
48	4" BROKEN, THERMOPLASTIC, WHITE, LINE (10' SEGMENT, 20' GAP - 30' CYCLE)	798 LFT
49	4" DOUBLE, THERMOPLASTIC, YELLOW, LINE	55 LFT

SIGN AND PAVEMENT MARKING ITEMS

- (33) SNOWPLOWABLE RAISED PAVEMENT MARKER (WHITE) ON 30' SPACING
- (36) THERMOPLASTIC TRANSVERSE MESSAGE MARKING, ARROW
- (37) THERMOPLASTIC PAVEMENT MESSAGE MARKING, WORD "ONLY"
- (38) 24" STOP LINE, THERMOPLASTIC, WHITE, TRANSVERSE MARKING
- (39) 8" SOLID, THERMOPLASTIC, WHITE, LINE
- (46) 4" SOLID, THERMOPLASTIC, WHITE, LINE
- (47) 4" DOTTED, THERMOPLASTIC, WHITE, LINE (2' SEGMENT, 8' GAP - 10' CYCLE)
- (49) 4" DOUBLE, THERMOPLASTIC, YELLOW, LINE
- (50) NO CHANGE REQUIRED TO EXISTING SIGN AND SUPPORTS
- (48) 4" BROKEN, THERMOPLASTIC, WHITE, LINE (10' SEGMENT, 20' GAP - 30' CYCLE)
- (56) REMOVE EXISTING SHEET SIGN AND SUPPORTS
- (62) NEW SHEET SIGN AND SUPPORTS REQUIRED
- (64) NEW LOCAL ROAD NAME SIGN AND SUPPORT REQUIRED
- (65) EXISTING SIGN TO BE REMOVED THEN RESET BY CONTRACTOR
- (66) EXISTING SIGN TO BE REMOVED AND RESET BY OWNER

RECOMMENDED FOR APPROVAL _____ DESIGN ENGINEER DATE

DESIGNED: BR DRAWN: SI

CHECKED: JAW (DPW) CHECKED: BR

INDIANA DEPARTMENT OF TRANSPORTATION

SIGN AND PAVEMENT MARKINGS PLAN

HORIZONAL SCALE	BRIDGE FILE
1" = 20'-0"	N/A
VERTICAL SCALE	DESIGNATION
N/A	0800443
SURVEY BOOK	SHEETS
N/A	16 of 36
CONTRACT	PROJECT
	0800443

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