



# City of Bloomington Common Council

## Legislative Packet

Committee of the Whole

29 October 2008

Office of the Common Council  
P.O. Box 100  
401 North Morton Street  
Bloomington, Indiana 47402

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<http://www.bloomington.in.gov/council>



## Packet Related Material

**Memo  
Agenda  
Calendar**

**Notices and Agendas:**

- **Council Sidewalk Committee Meeting** at 4:30 p.m. on Monday, October 27<sup>th</sup> in the Hooker Room

**Legislation for Discussion (Listed in Order of Consideration at the Committee of the Whole:**

- **App Ord 08-06** To Specially Appropriate from the Risk Management Fund Expenditures Not Otherwise Appropriated (Appropriating Funds for Workers Compensation Expenses)  
*Contact: Mike Trexler at 349-3416 or [trexlerm@bloomington.in.gov](mailto:trexlerm@bloomington.in.gov) or Daniel Grundmann at 340-9-3578 or [grundmad@bloomington.in.gov](mailto:grundmad@bloomington.in.gov)*
- **Ord 08-21** To Vacate A Public Parcel - Re: A segment of the Fairview Street Right-of-Way Running North/South Between 515 West Patterson Drive and 1300 South Patterson Drive (Cook Pharmica, LLC, Petitioner)  
*Contact: Lynne Darland at 349-3529 or [darlandl@bloomington.in.gov](mailto:darlandl@bloomington.in.gov)*
- **Ord 08-20** To Amend the Preliminary Plan for the Clarizz Planned Unit Development (PUD) to Allow an Additional 1350 Square Feet of Medical Office Space - Re: 583 S. Clarizz Blvd. (Orthopedics of Southern Indiana)  
*Contact: Pat Shay at 349-3524 or [shayp@bloomington.in.gov](mailto:shayp@bloomington.in.gov)*
- **Ord 08-19** To Amend Title 15 Of The Bloomington Municipal Code Entitled "Vehicles And Traffic"
  - **Am 01** (Piedmont-Smith) - would insert a 4-way stop at the intersection of Allen and South Henderson Street (*in the October 15<sup>th</sup> packet*);

- **Am 03** (Sturbaum) – would convert some of the proposed 2-hour parking on the north side of 4<sup>th</sup> Street between Madison and Rogers Street to 1-hour parking (2 spaces on the east and 1 space on the west of the alley) and unrestricted parking (the remaining spaces west of the alley) (*in the October 15<sup>th</sup> packet*);
- **Am 04** (Volan) – calls for a quarterly audit of downtown parking usage (*not yet prepared*);
- **Am 05** (Ruff) – would lower the escalating fine for a Class D Violation from \$25/\$40 to \$20/\$40 (*in this packet*);
- **Am 06** (Volan) – would introduce one of the two changes proposed by Bloomington - Transportation Options for People (B-TOP). In particular, it would increase the:
  - 12/5 non-reserved monthly parking pass from \$38 to \$46 (*in this packet*).
- *Contact: Susie Johnson at 349-3411 or johnsons@bloomington.in.gov (for fees and fines)*  
*Justin Wykoff at 349-3593 or wykoffj@bloomington.in.gov (for traffic controls)*  
*Jacqueline Moore at 349-3426 or moorej@bloomington.in.gov (for legal questions)*

Please see the [October 15<sup>th</sup> Council Legislative Packet](#) for the legislation, summary and materials (except for two amendments to [Ord 08-19](#) which are in this packet).

### **Memo**

**Reminder:** Council Sidewalk Committee on Monday at 4:30 p.m.  
in the Hooker Room

**Four Items Ready for Discussion at the Committee of the Whole  
on Wednesday, October 29<sup>th</sup>**

You may recall that the Council decided to move the second Committee of the Whole in October from the fourth to the fifth Wednesday. The four ordinances that are a ready for discussion at this meeting can be found, along with a summary and background material, in the [October 15<sup>th</sup> Council Legislative Packet](#).

## **Amendments to Ord 08-19 (Omnibus Traffic Ordinance)**

The Council Office has been asked to prepare five amendments to the reintroduced **Ord 08-19** (Omnibus Traffic Ordinance). Two of those have already been distributed (see above), two are going out with this packet, and one has yet to be prepared. Those amendments not previously distributed are described below:

Am 04 – This amendment will be sponsored by Councilmember Volan and will be prepared before Wednesday night. It calls for a comprehensive public parking usage report of downtown parking facilities to be submitted to the Council on a quarterly basis.

Am 05 – This amendment is sponsored by Councilmember Ruff on behalf of the Administration and lowers the escalating fine for a Class D Violation. Currently, the fine rises from \$15 to \$30 if not paid within seven calendar days. The ordinance proposes that the fine rise from \$25 to \$40 when not paid within that time frame. This amendment would change the fine so it escalates from \$20 to \$40 and is consistent with the current doubling of the fine when not paid within seven calendar days.

Am 06 - This amendment is sponsored by Councilmember Volan and brings forward one of the two changes proposed by Bloomington Transportation Options for People (BTOP). The change would increase the price for a 12 hours per day/ 5 days per week (12/5) non-reserved monthly pass from \$38 to \$46 so that it would match the former price for the 12/5 reserved monthly pass.

**Happy Birthday (Oct 28<sup>th</sup>) City Clerk Regina Moore!**

**NOTICE AND AGENDA  
BLOOMINGTON COMMON COUNCIL COMMITTEE OF THE WHOLE  
7:30 P.M., WEDNESDAY, OCTOBER 29, 2008  
COUNCIL CHAMBERS  
SHOWERS CENTER, 401 N. MORTON ST.**

**Chair:** Dave Rollo

1. Appropriation Ordinance 08-06 To Specially Appropriate from the Risk Management Fund Expenditures Not Otherwise Appropriated (Appropriating Funds for Worker's Compensation Expenses)

Asked to Attend:     Mike Trexler, Controller  
                              Daniel Grundmann, Director, Employee Services

2. Ordinance 08-21 To Vacate a Public Parcel – Re: A Segment of the Fairview Street Right-of-Way Running North/South Between 515 West Patterson Drive and 1300 South Patterson Drive (Cook Pharmica, LLC, Petitioner)

Asked to Attend:     Lynne Darland, Zoning and Enforcement Manager, Planning  
                              Representative of Petitioner

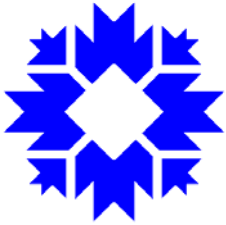
3. Ordinance 08-20 To Amend the Preliminary Plan for the Clarizz Planned Unit Development (PUD) to Allow an Additional 1350 Square Feet of Medical Office Space – Re: 583 S. Clarizz Blvd. (Orthopedics of Southern Indiana)

Asked to Attend:     Pat Shay, Development Review Manager, Planning  
                              Representative of Petitioner

4. Ordinance 08-19 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic"

Asked to Attend:     Susie Johnson, Director, Public Works  
                              Justin Wykoff, Manager of Engineering Services, Public Works  
                              Jacqueline Moore, Assistant City Attorney, Legal

*\*\* Several amendments are expected for Ordinance 08-19*



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

To: Council Members  
From: Council Office  
Re: Calendar for the Week of October 27-November 1, 2008

*October is Adopt a Shelter Dog Month!*

**Monday, October 27, 2008**

4:30 pm Common Council Sidewalk Committee, Hooker Room  
5:00 pm Utilities Service Board, Board Room, 600 E. Miller Dr.  
5:30 pm Bloomington Human Rights Commission, McCloskey

**Tuesday, October 28, 2008**

9:00 am *Buildings for a Green Community* – Presentation on green communities by Johnson County, Kansas  
Facility Management Deputy Director Neal Angrisano, Council Chambers  
1:30 pm Development Review Committee, McCloskey  
4:00 pm Board of Park Commissioners, Council Chambers  
5:30 pm Bloomington Public Transportation Commission, Public Transportation Center, 130 W. Grimes Lane  
5:30 pm Board of Public Works, Council Chambers

*Happy Birthday, Regina Moore, City Clerk!*

**Wednesday, October 29, 2008**

2:30 pm Peak Oil Task Force Activity Nodes Working Group, McCloskey  
7:30 pm Common Council Committee of the Whole, Council Chambers

**Thursday, October 30, 2008**

9:00 am B-Line Weekly Progress Meeting, Council Chambers  
10:30 am County Address Coordination, McCloskey

**Friday, October 31, 2008**

11:00 am Common Council Internal Work Session, Council Chambers

**Saturday, November 1, 2008**

9:00 am Bloomington Community Farmers' Market, Showers Common, Showers Building, 401 N. Morton  
10:30 am *Soup Tasting* at the Farmers' Market – Local restaurants utilize seasonal market produce to make soups  
from their own special recipes, Showers Common, Showers Building, 401 N. Morton  
12:00 pm *Great Bloomington Pumpkin Launch* – Create your own launching device and launch pumpkins for  
distance and accuracy, Pre-Register with Parks & Recreation by October 31, Thomson Park, 1400 W.  
Thomson Park Dr.

*Posted and Distributed: Friday, October 24, 2008*



City of Bloomington  
Office of the Common Council

# **MEETING NOTICE**

**Common Council**

**2009 Sidewalk Committee**

**Monday, October 27, 2008**

**Thursday, November 13, 2008**

**at 4:30 p.m.**

**Hooker Room (Room 245)**

**of City Hall**

**(401 North Morton)**

The purpose of these meetings is to discuss Committee procedures and sidewalk projects.

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

Posted: Friday, October 17, 2008

**ORDINANCE 08-19**  
**TO AMEND TITLE 15 OF THE BLOOMINGTON**  
**MUNICIPAL CODE ENTITLED “VEHICLES AND**  
**TRAFFIC”**

**Amendments**

**Am 01** (Piedmont-Smith) - would insert a 4-way stop at the intersection of Allen and South Henderson Street  
*(in the October 15<sup>th</sup> packet)*

**Am 03** (Sturbaum) – would convert some of the proposed 2-hour parking on the north side of 4<sup>th</sup> Street between Madison and Rogers Street to 1-hour parking (2 spaces on the east and 1 space on the west of the alley) and unrestricted parking (the remaining spaces west of the alley)  
*(in the October 15<sup>th</sup> packet)*

**Am 04** (Volan) – calls for a quarterly audit of downtown parking usage  
*(not yet prepared)*

**Am 05** (Ruff) – would lower the escalating fine for a Class D Violation from \$25/\$40 to \$20/\$40  
*(in this packet)*

**Am 06** (Volan) – would introduce one of the two changes proposed by Bloomington - Transportation Options for People (B-TOP). In particular, it would increase the 12/5 non-reserved monthly parking pass from \$38 to \$46  
*(in this packet).*



**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 08-19  
**Amendment #:** Am 05  
**Submitted By:** Councilmember Ruff, At-Large on behalf of the Administration  
**Date:** October 23, 2008

**Proposed Amendment:**

1. Section 56 of Ord 08-19 shall be amended by replacing the figure "\$25.00" with the figure "\$20.00" wherever it appears in the provision so that it shall now read:

SECTION 56. Subsection (d) of Section 15.64.010 Violations and penalties of the Bloomington Municipal Code Chapter 15.64 "Traffic Violation Schedule" shall be amended by deleting "\$15.00" after "Fine:" and replacing it with "\$20.00" and by deleting "\$30.00" in the same line and replacing it with "\$40.00" so that the phrase regarding "Fine" shall read as follows:

Fine: \$20, \$40 (depending upon when paid)

2. Section 57 of Ord 08-19 shall be amended by replacing the word "twenty-five" with the word "twenty" wherever it appears in the first sentence of the provision so that it shall now read:

SECTION 57. Subsection (d)(1) of Section 15.64.010 Violations and penalties of the Bloomington Municipal Code Chapter 15.64 "Traffic Violation Schedule" shall be amended by deleting the word "fifteen" as it appears in the first sentence and replacing it with "twenty" and by deleting the word "thirty" as it appears in the second sentence and replacing it with "forty" so that the provision now reads:

(d)(1) The fine for Class D Traffic Violations shall be twenty dollars, if paid within seven calendar days. The fine shall automatically increase to forty dollars if not paid within seven calendar days.

**Synopsis**

This amendment is sponsored by Councilmember Ruff on behalf of the Administration and would lower the increase in the escalating fine for a Class D Violation. Currently the fine rises from \$15 to \$30 if not paid within seven calendar days. The ordinance proposes that the fine rise from \$25 to \$40 when not paid in that time frame. This amendment would have that fine rise from \$20 to \$40 and be consistent with the doubling of the fine when not paid within seven calendar days.

**10/29/08 Committee Action:** Pending  
**11/5/08 Regular Session Action:** Pending

October 23, 2008

**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 08-19  
**Amendment #:** Am 06  
**Submitted By:** Councilmember Volan, District 6  
**Date:** October 23, 2008

**Proposed Amendment:**

1. Section 32 of Ord 08-19 shall be amended by deleting Schedule V (Permit) and replacing it with the following:

	<b>SCHEDULE V – PERMITS</b>			
	<b>Nonreserved permit per month</b>	<b>Nonreserved permit per month</b>	<b>Reserved space lease per month</b>	<b>Reserved space lease per month</b>
<b>Municipal Lot</b>	<b>Admission Monday - Friday 6:00 am - 6:00 pm, Sat. &amp; Sun 6:00 am - Noon</b>	<b>Admission 7 days per week 24 hours per day</b>	<b>Monday through Friday 6:00 a.m. -6:00 p.m.</b>	<b>7 days per week 24 hours per day</b>
Lot 2 Walnut Center Garage (7th & Walnut)	\$ 46.00	\$ 64.00	\$ 52.00	\$ 69.00
Lot 5 (6th and Lincoln)	\$ 46.00		\$ 52.00	\$ 69.00
Lot 7 Regester Parking Garage (7 <sup>th</sup> and Morton)	\$ 46.00	\$ 64.00	\$ 52.00	\$ 69.00
Lot 9 4th & Walnut Parking Garage	\$ 46.00	\$ 64.00	\$ 52.00	\$ 69.00

## Synopsis

This amendment is sponsored by Councilmember Volan and brings forward one of the two changes proposed by Bloomington Transportation Options for People (BTOP). The change would increase the price for a 12 hours per day/ 5 days per week (12/5) non-reserved monthly pass from \$38 to \$46 so that it would match the former price for the 12/5 reserved monthly pass.

**10/29/08 Committee Action:** Pending

**11/5/08 Regular Session Action:** Pending

October 23, 2008