



# City of Bloomington Common Council

## Legislative Packet

Committee of the Whole

24 September 2008

*Please consult the [Legislative Packet](#) issued in interest of last week's Regular Session  
for legislation and background material.*

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**NOTICE AND AGENDA**  
**BLOOMINGTON COMMON COUNCIL COMMITTEE OF THE WHOLE**  
**7:30 P.M., WEDNESDAY, SEPTEMBER 24, 2008**  
**COUNCIL CHAMBERS**  
**SHOWERS CENTER, 401 N. MORTON ST.**

**Chair:** Isabel Piedmont-Smith

1. Resolution 08-13 Approving the Purchase of Cascades Trailer Park and Stone Mill Properties

Asked to Attend: Mick Renneisen, Director, Parks and Recreation

2. Appropriation Ordinance 08-05 To Specially Appropriate from the Parks Land Acquisition Fund Expenditures Not Otherwise Appropriated (Appropriating Funds for the Purchase of the Cascades Trailer Park and Stone Mill Properties Adjacent to Cascades Park)

Asked to Attend: Mike Trexler, Controller

3. 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  
Jacquelyn Moore, Assistant City Attorney



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

To: Council Members  
From: Council Office  
Re: Calendar for the Week of September 22-27, 2008

**Monday, September 22, 2008**

5:30 pm Bloomington Human Rights Commission, McCloskey

**Tuesday, September 23, 2008**

4:00 pm Bloomington Community Farmers' Market, Madison St., Between 6<sup>th</sup> & 7<sup>th</sup> Streets  
4:00 pm Board of Park Commissioners, Council Chambers  
5:30 pm NAACP Freedom Fund Banquet Committee, Dunlap

**Wednesday, September 24, 2008**

4:00 pm Martin Luther King, Jr., Birthday Commission, McCloskey  
6:30 pm Metropolitan Planning Organization Citizens Advisory Committee, McCloskey  
7:30 pm Common Council Committee of the Whole, Council Chambers

**Thursday, September 25, 2008**

10:00 am Atwater/Henderson Planning Session, Kelly  
10:30 am County Address Coordination Meeting, McCloskey  
7:00 pm Peak Oil Task Force, McCloskey

**Friday, September 26, 2008**

12:00 pm Economic Development Commission, Hooker Room  
1:30 pm Metropolitan Planning Organization Technical Advisory Committee, McCloskey

**Saturday, September 27, 2008**

8:00 am Bloomington Community Farmers' Market, Showers Common, Showers Building, 401 N. Morton  
10:00 am *Latin Cooking and Dance Demo*, Showers Common, Showers Building, 401 N. Morton

*Posted and Distributed: Friday, September 19, 2008*

**Ord 08-19**  
**To Amend Title 15 of the**  
**Bloomington Municipal Code**  
**Entitled**  
**“Vehicles And Traffic”**

**Supplemental Information**  
**in this Packet**

**Revised Memo to Council**  
**(with Cites to Maps)**

**Maps Locating Changes in Parking**  
**and Traffic Controls**

*Please see the [17 September 2008](#) Council Legislative Packet for the Legislation, Summary and an Amendment*

MEMORANDUM

TO: BLOOMINGTON CITY COUNCIL  
FROM: DEPARTMENT OF PUBLIC WORKS  
RE: ORDINANCE 08-19  
CC: DAN SHERMAN, CITY COUNCIL ATTORNEY

This ordinance makes several changes to the Bloomington Municipal Code which includes stop intersections, yield intersections, no parking zones, limited parking zones, loading zones, bus zones, accessible parking for persons with physical disabilities, parking prohibited facing traffic, special exceptions, residential neighborhood permit parking, restrictions violations and penalty, applicable times and charges, parking leases, city hall visitor parking, general provisions, violations and penalties.

Each section is described below following its respective order as depicted in the legal ordinance;

Section One

This section adds definitions for improved clarification of terminology used throughout Title 15. The usage of these terms will be discussed and added under future sections of this ordinance.

Section Two

This section changes wording to include a police officer to tow a vehicle and to modify the timeframe a vehicle needs to be claimed to 20 days instead of 15 to match current Indiana Code.

Section Three

This section changes wording that defines an "abandoned vehicle" to match current Indiana Code. Specifically to change the age of a vehicle from 6 years to 3 years; and the length of time a vehicle is left on the property from 30 days to 20 days.

Section Four

This section changes and clarifies the wording that defines the term "Parked".

Section Five

This section makes changes to Stop Intersections which includes changing an existing yield sign for Hawthorne Drive at Wylie Street to a stop sign; adding a stop sign for the newly accepted Susie Street at Thompson Park Drive.

See maps 1 & 2

Section Six

This section officially deletes the yield sign from the Bloomington Municipal Code for Hawthorne Drive at Wylie Street.

See map 1

## Section Seven

This section deletes parts of the Bloomington Municipal Code where no parking was permitted, and will be changed/added in later sections.

See maps 3 & 4

## Section Eight

This section makes changes to Schedule M 'No Parking Zones' to allow for parking to be added/changed on Cottage Grove from Monroe Street to Diamond Street (For Area Neighbors); Eleventh Street adjacent to the Bloomington Housing Authority (For Housing Authority); Lincoln Street between 17<sup>th</sup> Street and 19<sup>th</sup> Street (Property Owner Request); Nineteenth Street between Walnut Street and Washington Street (Dental Office Addition); Twentieth Street from Washington Street to Lincoln Street (Private Development – Planning); Madison Street between 6<sup>th</sup> Street and 1<sup>st</sup> Alley to the North (Farmers Market); Roosevelt Street between 4<sup>th</sup> Street to 5<sup>th</sup> Street (Neighbor Request/Sidewalk Project); Thirteenth Street between Fess Avenue and driveway to the East (Indiana University Request)

See maps 3, 4, 5, 6, 7 & 8

## Section Nine

This section was developed to allow for bus and other vehicle parking related to events occurring in the BEAD or for bus parking bringing tourists to the BEAD. This permit allows the venue representative purchase a permit for \$10 per day per space. The permit is only valid in 2 hour parking zones.

## Section Ten

This section deletes various sections of the 'Limited Parking' schedule, some of which will be added/changed in the next section.

See maps 8, 9 & 10

## Section Eleven

This section makes changes to the 'Limited Parking Zones' which includes changes on College Avenue just North of 8<sup>th</sup> Street (Copper Cup, and ADA needs); Dunn Street between 3<sup>rd</sup> Street to 4<sup>th</sup> Street (Addition to Downtown Parking); Fourth Street between College Avenue and Rogers Street (Addition to Downtown Parking and Business Requests); Grant Street between 3<sup>rd</sup> Street to 4<sup>th</sup> Street (Addition to Downtown Parking); Madison Street between 3<sup>rd</sup> Street and Kirkwood Avenue (Addition to Downtown Parking); Morton Street between 7<sup>th</sup> Street and 8<sup>th</sup> Street (addition of two hour parking limitation to metered parking); Seventh Street between Morton Street to Rogers Street (allows evening parking for business, and codifies existing angle parking adjacent to B-Line)

See maps 8, 9, 11, 12 & 13

## Section Twelve

This section deletes existing code references regarding the location of a loading zone on Madison Street so it can be changed to help with two businesses adjacent to it, and deletes a loading zone on Kirkwood Avenue with regard to times so parking can be made available after hours to other users (see next section)

See maps 9 & 12

## Section Thirteen

This section adds/changes loading zones on Madison Street to assist area businesses; on Kirkwood Avenue to make additional parking available during evening hours; and adds a loading zone in the 200 block of East 6<sup>th</sup> Street with time limitations to allow for evening parking.

See maps 9 & 12

## Section Fourteen

This section creates a bus zone on 7<sup>th</sup> Street to address pedestrian safety for users exiting the bus by allowing them to exit at the intersection of 7<sup>th</sup> Street and Walnut Streets and providing safe crossing at the traffic signal.

See map 9

## Section Fifteen

This section deletes the existing code references to area municipal parking lots which will be changed to reflect current ADA requirements in the next section as well as providing descriptions along with lot numbers for improved reference.

See maps 9 & 12

## Section Sixteen

This section includes the necessary changes to meet the required number of parking spaces required by ADA, and also provides for lots to be described in the Bloomington Municipal Code.

See maps 9, 12, 14, 15 & 16

## Section Seventeen

This section makes changes to prevent vehicles from crossing the flow of traffic to park.

## Section Eighteen

This section was developed to increase the fee for parking permits and visitor permits in the ten Neighborhood Residential Zones from \$15 to \$25. These permits are used by residents whose address is within the boundaries of a specific zone. This permit is good for one year, and the last change in price for this permit was in 2003.

#### Section Nineteen

This section increases the price of a replacement permit from \$5 to \$10 to cover administrative and permit placard/card costs.

#### Section Twenty

This section prevents a parker from abusing the special exception provision of the code (when someone calls in to request a by-pass), and requires them to actually purchase a service permit for repetitive users.

#### Section Twenty-one

This section clarifies that violations in this chapter 'always' constitute a class D traffic violation. Currently the code says "generally".

#### Section Twenty-two

This section deletes the \$20.00 fine for displaying a neighborhood permit on a non-eligible motor vehicle. In another section of this ordinance we are making this offence a class D traffic violation like most all other violations which is \$15 at issuance.

#### Section Twenty-three

This section renames this ordinance section as Zone 1 provisions.

#### Section Twenty-four

This section renumbers the provisions for Zone 1 provisions (formerly Fraternities and Sororities) and includes the ability for permit sales to occur to Harmony School.

#### Section Twenty-five

This section was developed to increase the fee for an all zone permit. These permits are typically used by service providers that do business in the zone. The permit allows them to park any place in any of the neighborhood zones. The permit is good for one year, and the last change in price for this permit was in 1995.

#### Section Twenty-six

This section was developed to allow teachers of Fairview School to purchase neighborhood zone parking permits and designates a certain portion of W. 7<sup>th</sup> St. for that purpose.

#### Section Twenty-seven

This section limits parking in Lot 11 (City Employee Lot) to employees with a full time employee permit.

#### Section Twenty-eight



This section restricts usage of Lot 11 (City Employee Lot) to registered farmers' market vendors during the hours of operation of the Bloomington Farmer's Market.

#### Section Twenty-nine

This section allows for usage of Municipal Parking Lots for events approved by the Board of Public Works and under the direction of the Department of Public Works.

#### Section Thirty

This section deletes subsection (f), which was just revised in (c) and re-alphabetizes accordingly.

#### Section Thirty-one

This section changes the violation and penalty for parking in Lot 11 from a Class H infraction to a Class D infraction, which translates to a reduction from fifty dollars to fifteen dollars to be consistent with the violations and penalties used for similar offences.

#### Section Thirty-two

This section was developed to increase the permit fees for parking in our municipal garages and to add a new parking permit type.

permit type	24/7 reserved	12/5 reserved	24/7 nonreserved	12/5 nonreserved
current cost	56.25	45.83		33.33
proposed cost	69	52	64	38
increase	22.67%	13.46%	new	14.01%

The last rate adjustment was in 2004. Since then the Consumer Price Index indicates a 12.2% price increase between January 2004 and December 2007 for small Midwestern cities. The CPI along with our garage expenses, which were \$862,870 in 2007, more than justify the proposed increase. Garage revenue for 2007 was \$178,481. Our per space subsidy for 2007 was \$45.92 per space per month.

#### Section Thirty-three

This section creates a new Schedule 'W' for 'Hourly Parking' detailing parking charges and applicable time for parking charges.

#### Section Thirty-four

Adds the words "and Schedule 'W'" after Schedule V in the current Bloomington Municipal Code.

#### Section Thirty-five

This section increases the cost for cancellations, replacement permits, hangtags, access cards from \$5 to \$10 to cover material and administrative costs.

#### Section Thirty-six

This section clarifies the difference between reserved and non-reserved parking permit privileges.

#### Section Thirty-seven

This section clarifies the wording for Parking Leases in the Bloomington Municipal Code.

#### Section Thirty-eight

This section deletes subsection (i) regarding the restrictions of permit holders which will be added with changes in subsequent sections of this ordinance.

#### Section Thirty-nine

This section adds subsection (j) regarding the ability of the City to sell monthly permits, as well as not refund permit fees paid in advance for periods of less than one month.

#### Section Forty

This section makes changes to the wording for permitting with regard to changing the word 'replacement' for the word 'duplicate' and renumbering Section 15.40.030 Parking Leases.

#### Section Forty-one

This section clarifies the chapter to reflect that towing is authorized for reasons other than emergency and cleans up some language.

#### Section Forty-two

This section revises the current code to remove the word 'emergency' from the paragraph authorizing the towing of vehicles and cleans up some language.

#### Section Forty-three

This section revises the current code to allow for towing vehicles that pose a hazard to vehicular and pedestrian traffic.

#### Section Forty-four

This section makes clarifications for parking violations within a municipal parking facility (rather than "the municipal garage").

#### Section Forty-five

This section removes an inaccurate reference to Indiana Code.

#### Section Forty-six

This section makes changes to delete a reference that is redundant in the code.

#### Section Forty-seven

This section deletes a reference to when the Farmer's Market was located in Lot 5 (6<sup>th</sup> and Lincoln)

#### Section Forty-eight

This section makes a change to the BMC to authorize the removal of a vehicle parked where parking is prohibited by a no parking sign.

#### Section Forty-nine

This section makes a change to the Bloomington Municipal Code to reference a current Indiana Code that had changed in the past and no longer applicable.

#### Section Fifty

This section clarifies existing Bloomington Municipal Code language to that of current Indiana Code with reference to right of possession of a vehicle.

#### Section Fifty-one

This section deletes the wording in the current municipal code that allows for the suspension of registration privileges which is not allowable under current Indiana Code.

#### Section Fifty-two

This section makes changes to the existing code to provide clarification and compliance with current Indiana Code.

#### Fifty-three

This section makes changes to the current municipal code section 15.52.040(c) Removal of Abandoned Vehicles to comply with current Indiana Code which changes the market value below which an officer may dispose of an abandoned vehicle or parts from one-hundred dollars to seven-hundred and fifty dollars, and to replace the word "an automobile scrap yard" with "a storage yard".

#### Section Fifty-four

This section makes changes to the current municipal code section 15.52.040(d) Removal of Abandoned Vehicles to comply with current Indiana Code for regarding the market value at or above which an officer must make a reasonable effort to ascertain the owner or person who may be in control of the vehicle or parts.

#### Section Fifty-five

This section deletes a reference to the disposal of abandoned vehicles as it is already covered in Section 15.04.020(5).

#### Section Fifty-six

This section makes changes to the fine amount for Class D traffic violations. The fine at the time the ticket is issued is increased from fifteen dollars to twenty-five dollars, and the fine increases to forty dollars for any fine not paid within seven calendar days of ticket issuance.

#### Section Fifty-seven

This section makes changes to correspond with the change in fine amounts for tickets issued for Class D violations at the time of issuance and at the time of escalation seven calendar days later if payment has not been made.

#### Section Fifty-eight

This section simply moves a violation to the appropriate subsection referring to a permit not matching the vehicle plate it was issued to. This move changes the fine at issuance from \$20 to \$15.

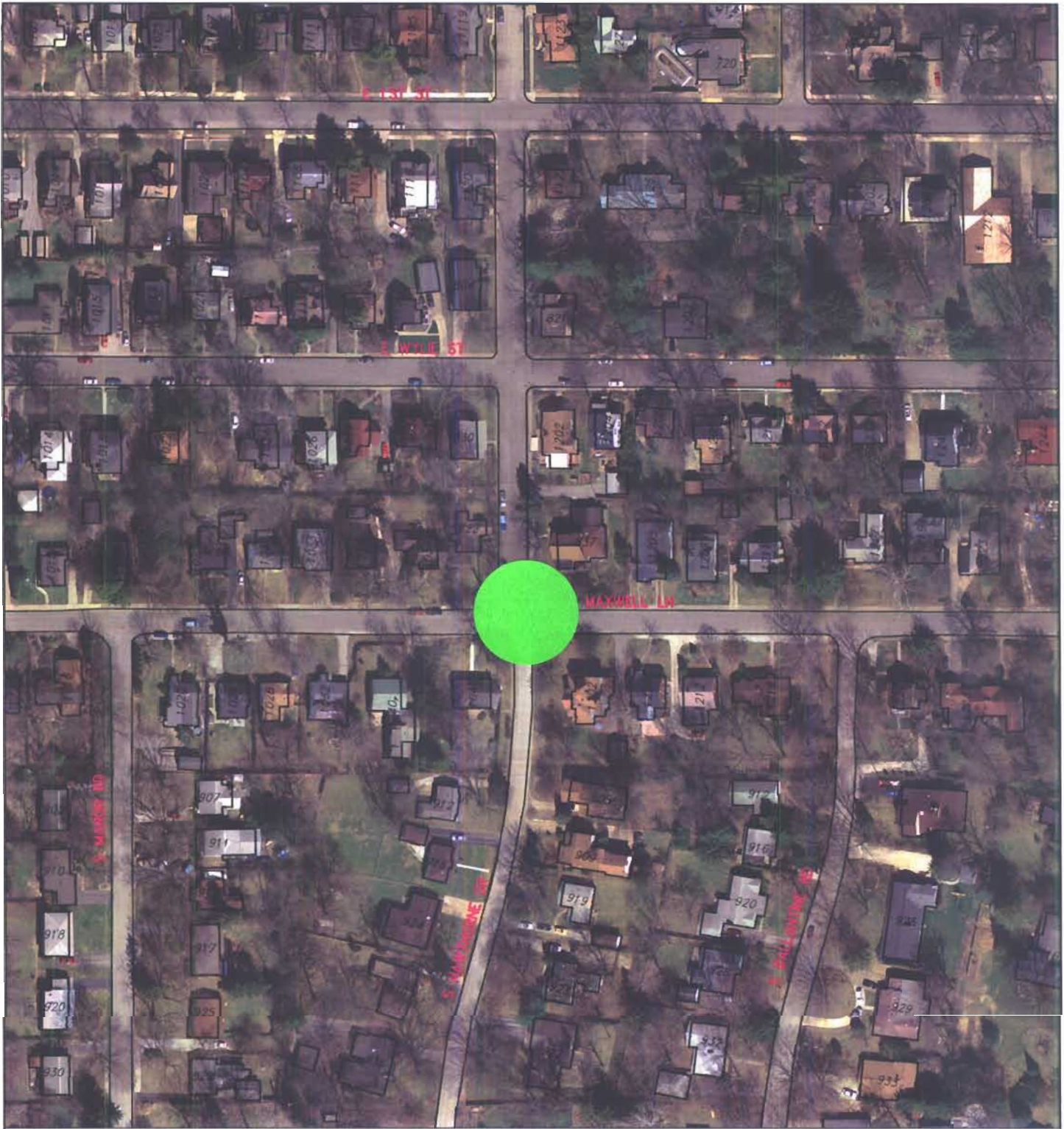
#### Section Fifty-nine

This section simply moves a violation to the appropriate subsection referring to a violation for parking in the City Employee Parking lots. This move changes the fine at issuance from \$50 to \$15.

#### Section Sixty

This section makes changes to the violation fee for parking in City Employee Parking Lots to be the same as other violation fees assessed for illegal parking in the downtown area.

If you have any questions regarding this ordinance and its proposed changes please let me know at your earliest convenience and I will be happy to provide you with additional information regarding your questions or concerns.



By: ecclese  
12 Sep 08



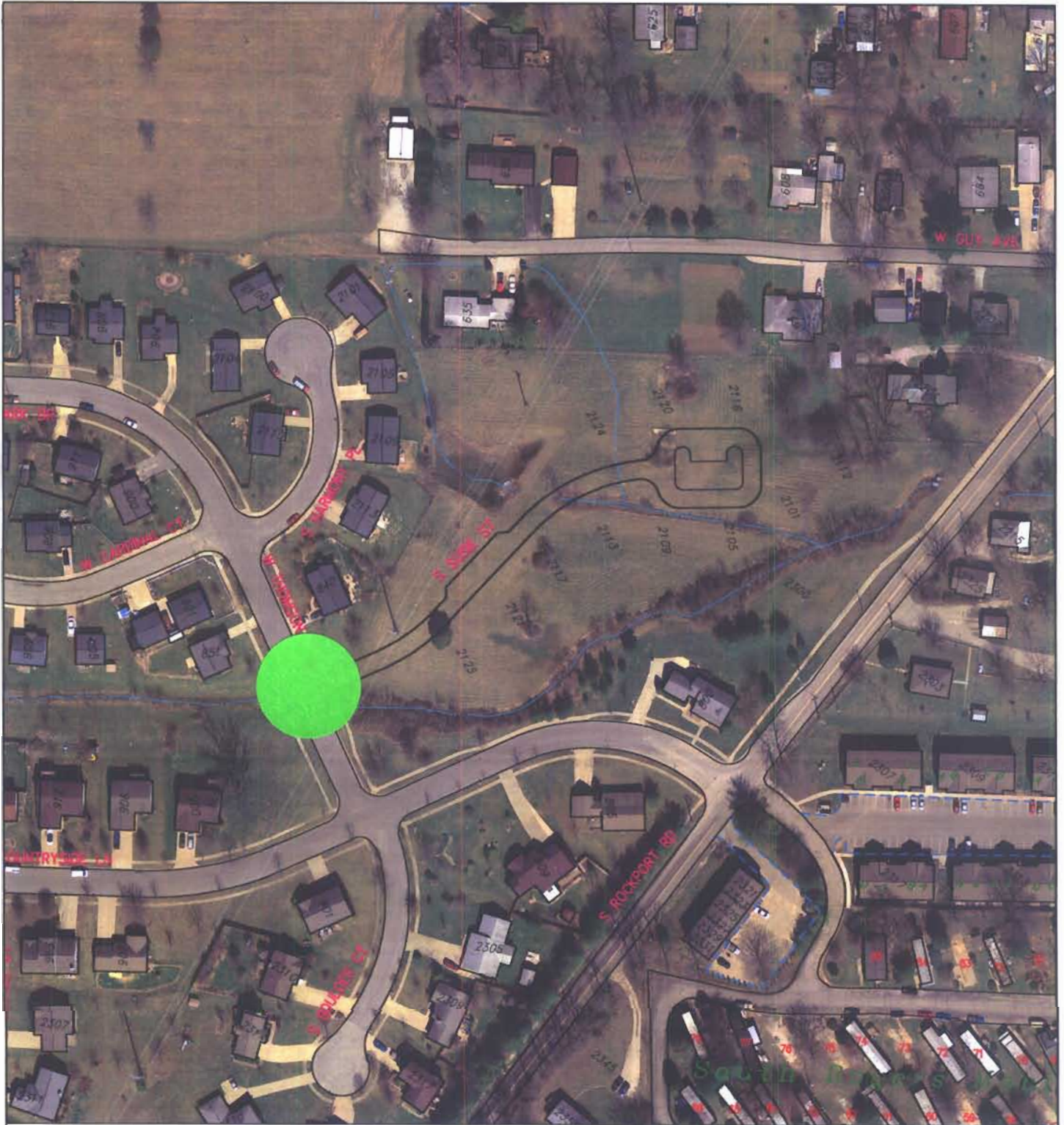
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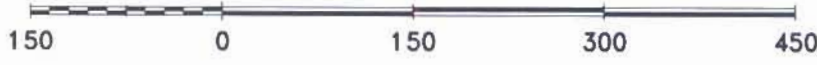
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By: eccles  
12 Sep 08



For reference only; map information NOT warranted.



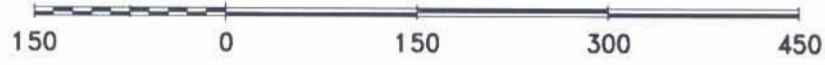
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By: ecclese  
12 Sep 08



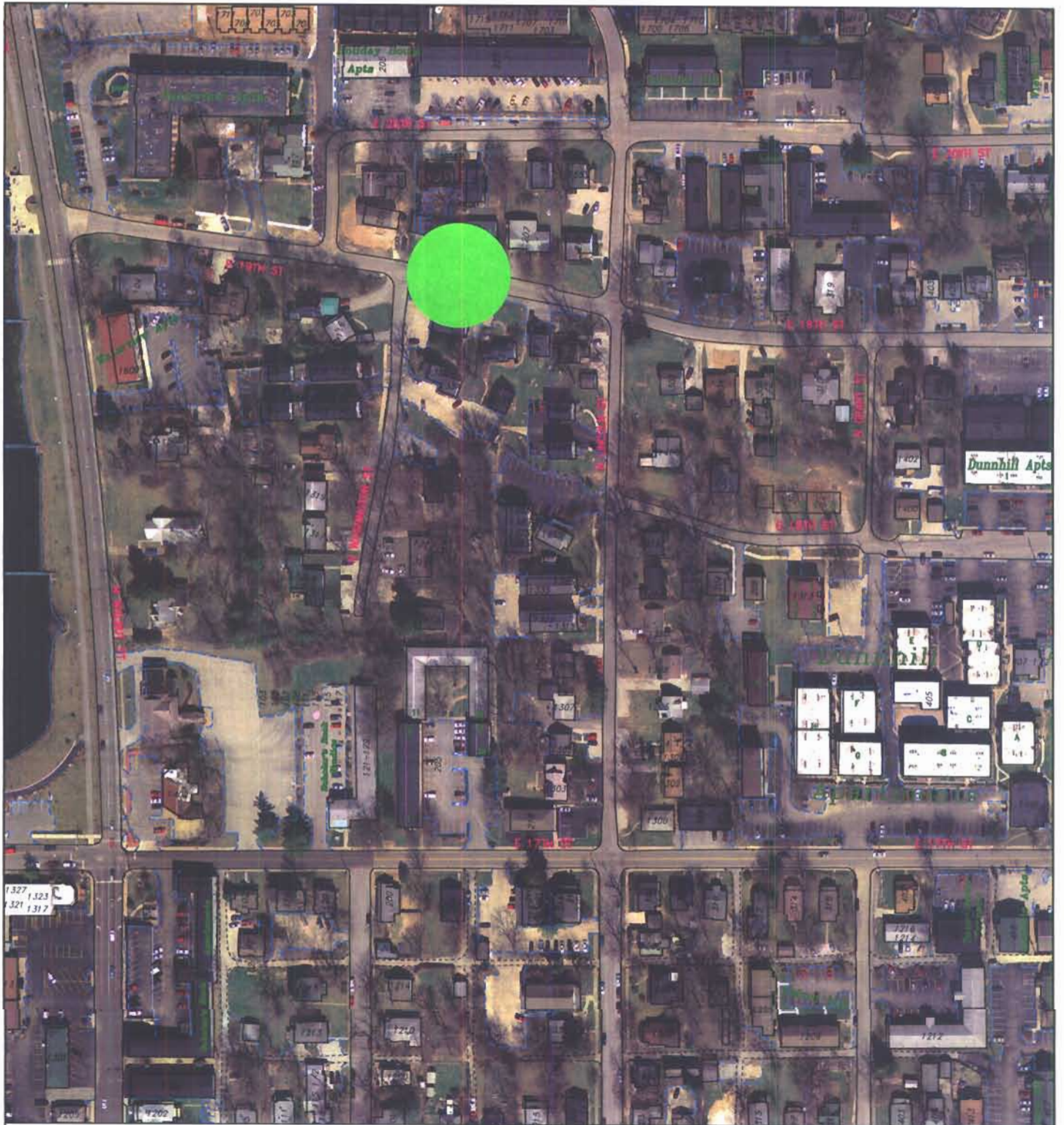
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By: ecclese  
12 Sep 08

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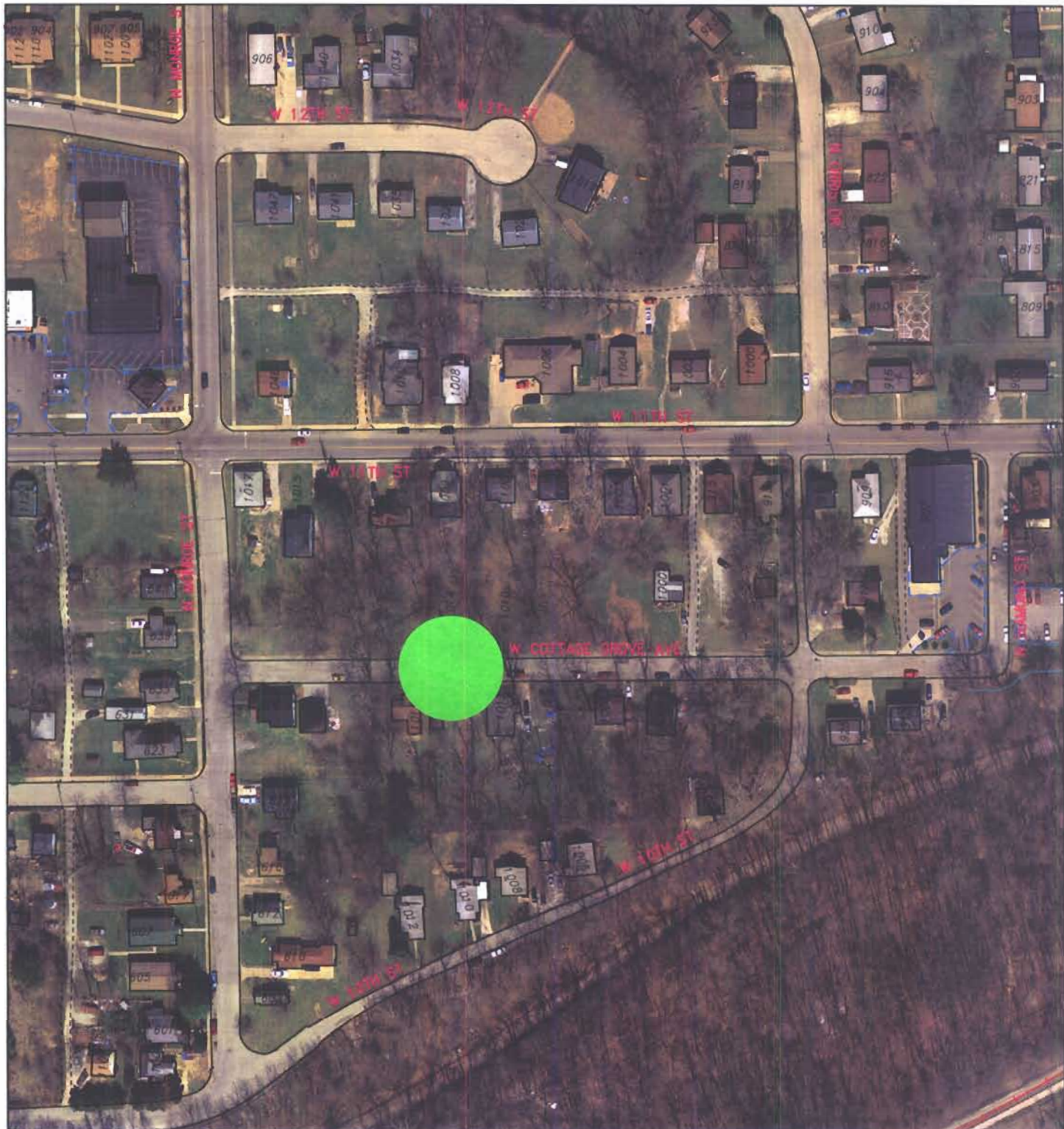
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By: ecclese  
12 Sep 08

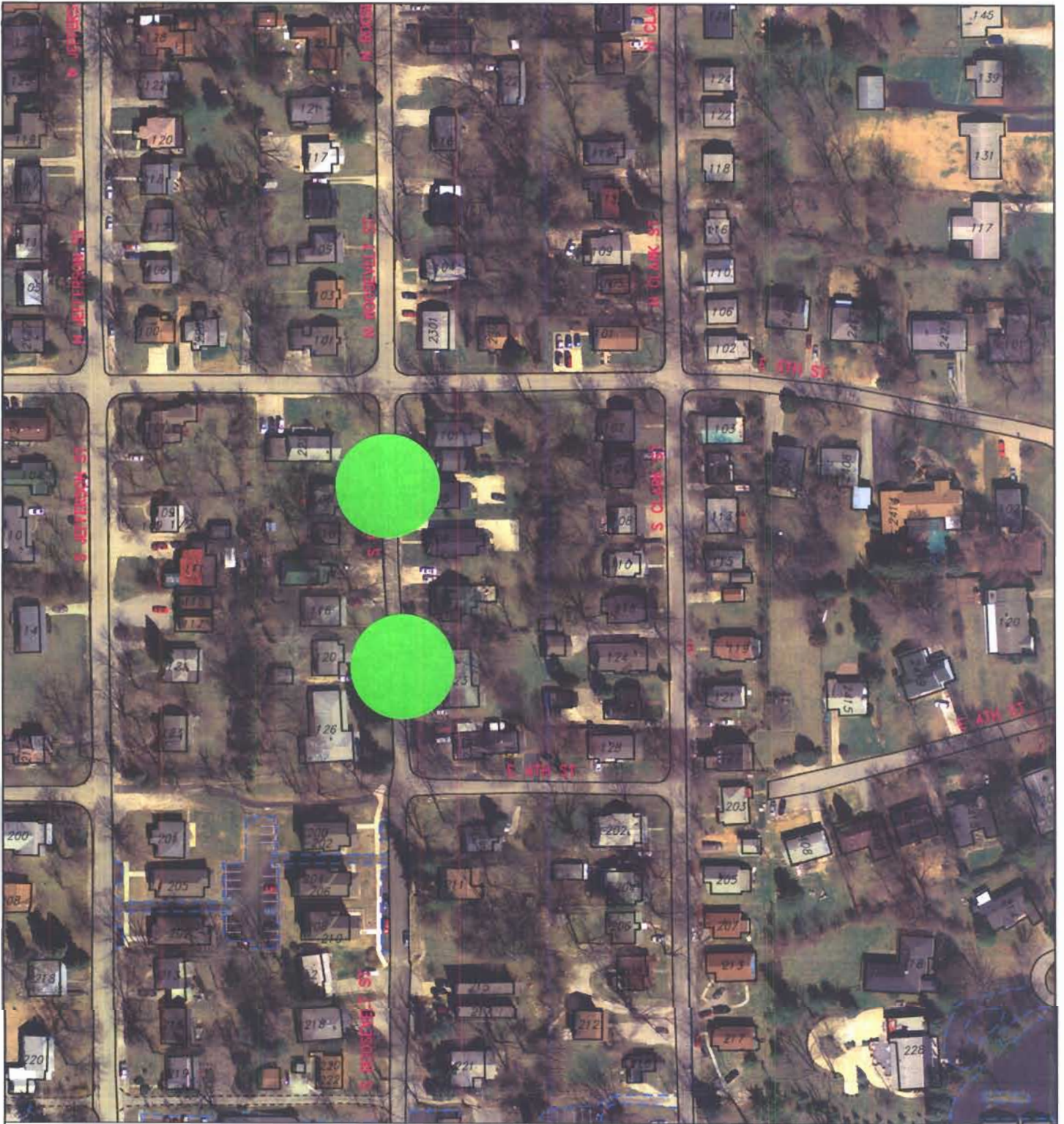


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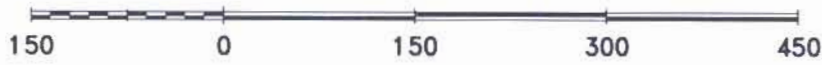


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By: ecclese  
12 Sep 08



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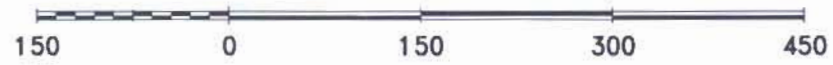
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12 Sep 08



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By: ecclese  
16 Sep 08

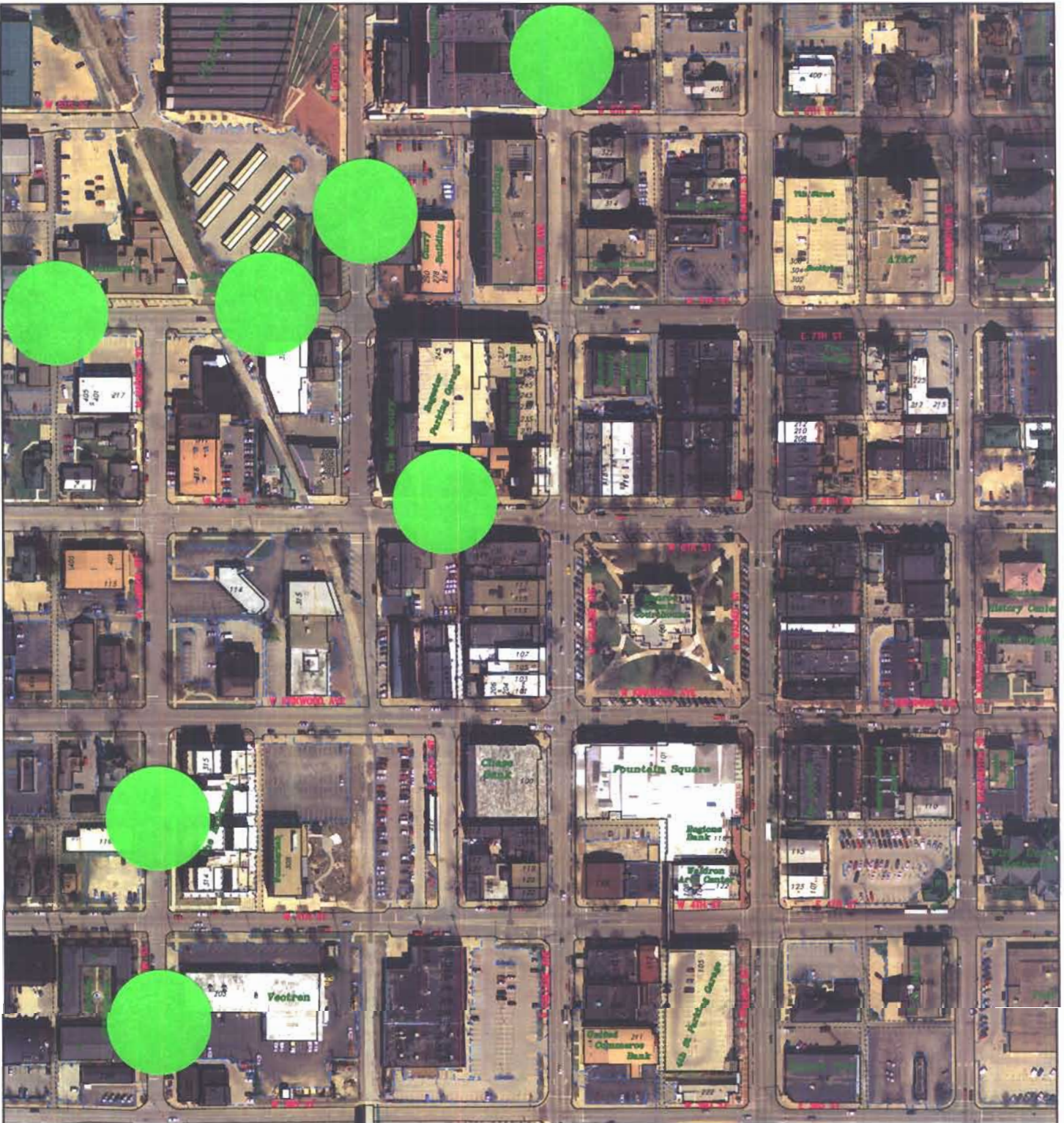


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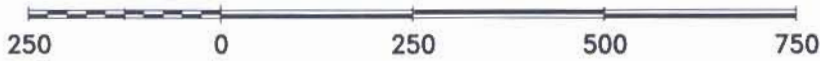


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12 Sep 08



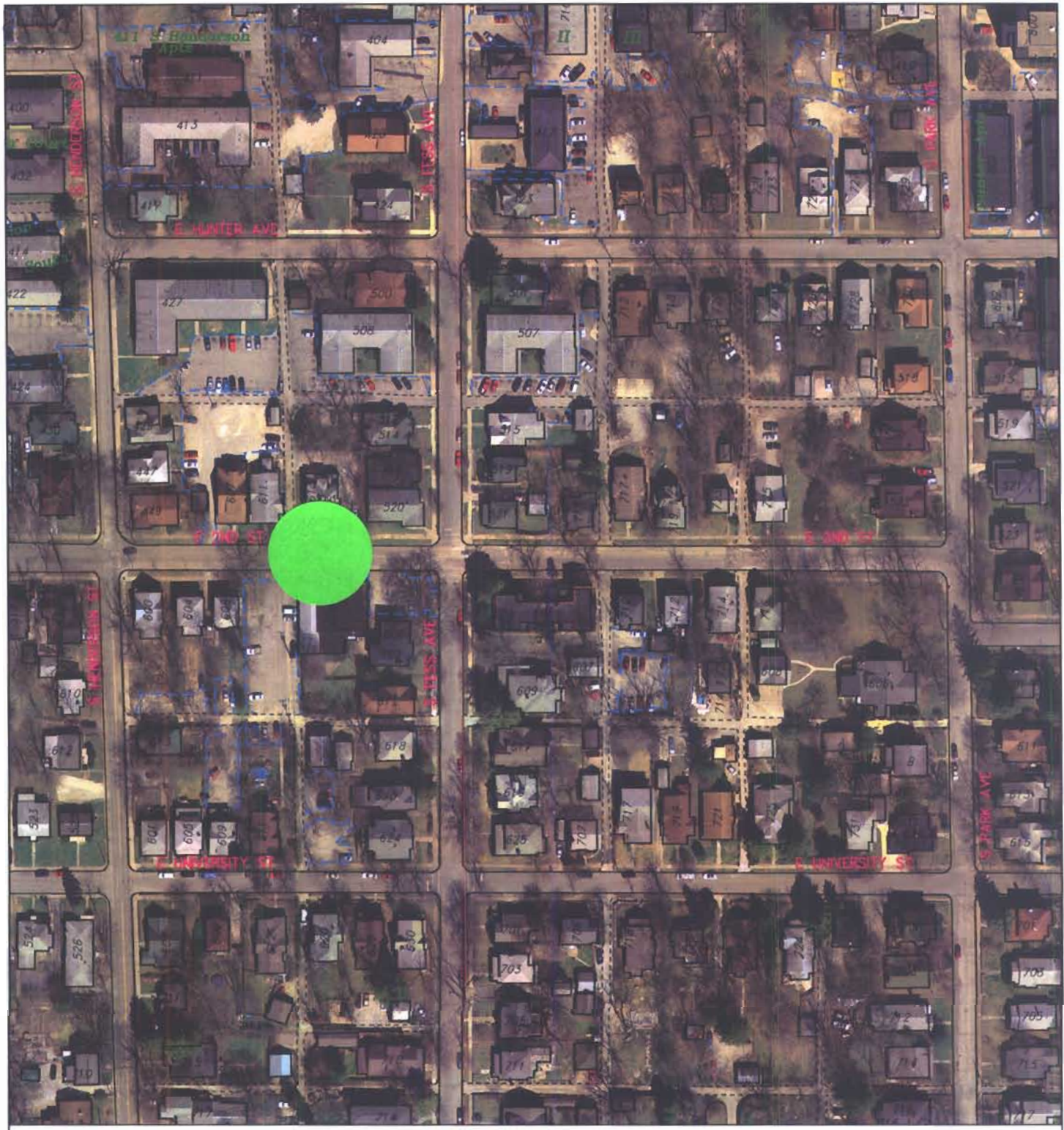
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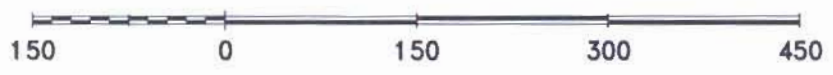
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By: ecclese  
12 Sep 08



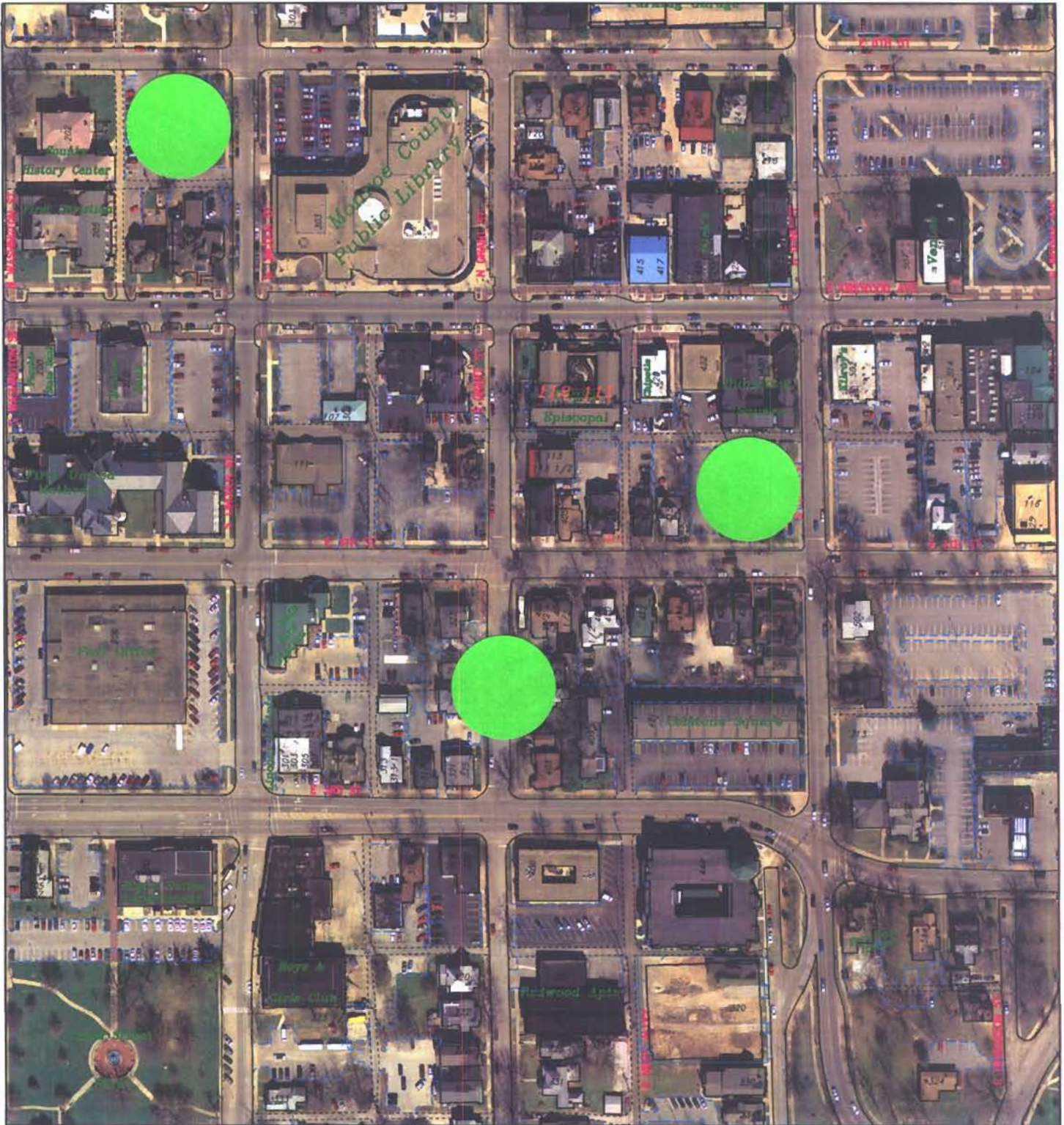
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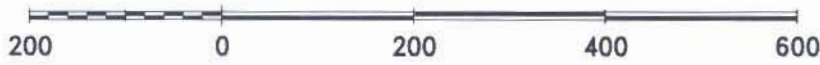
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12 Sep 08



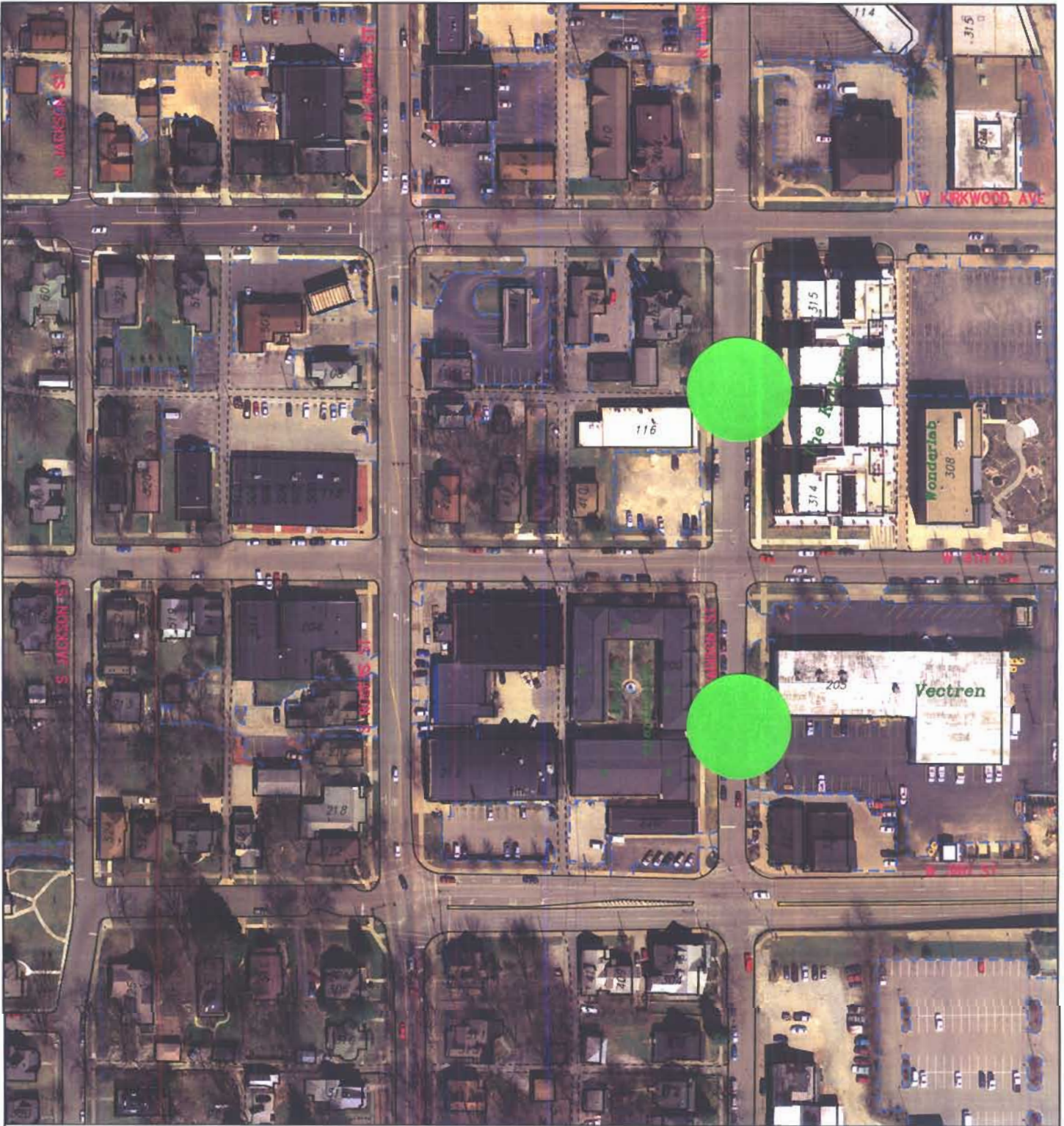
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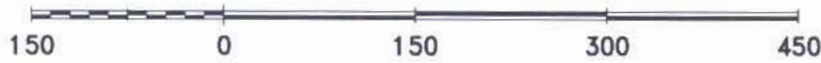
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12 Sep 08

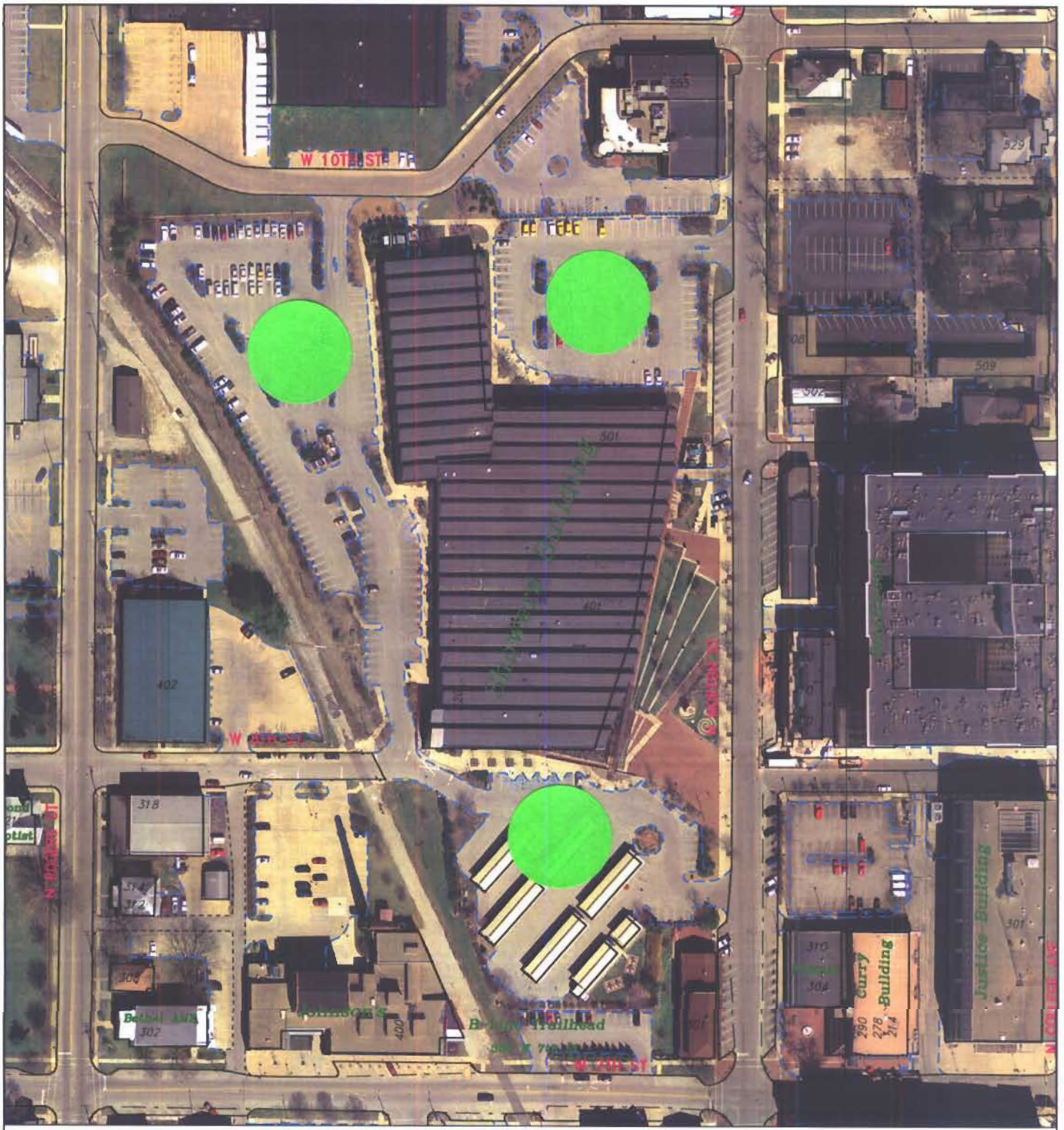


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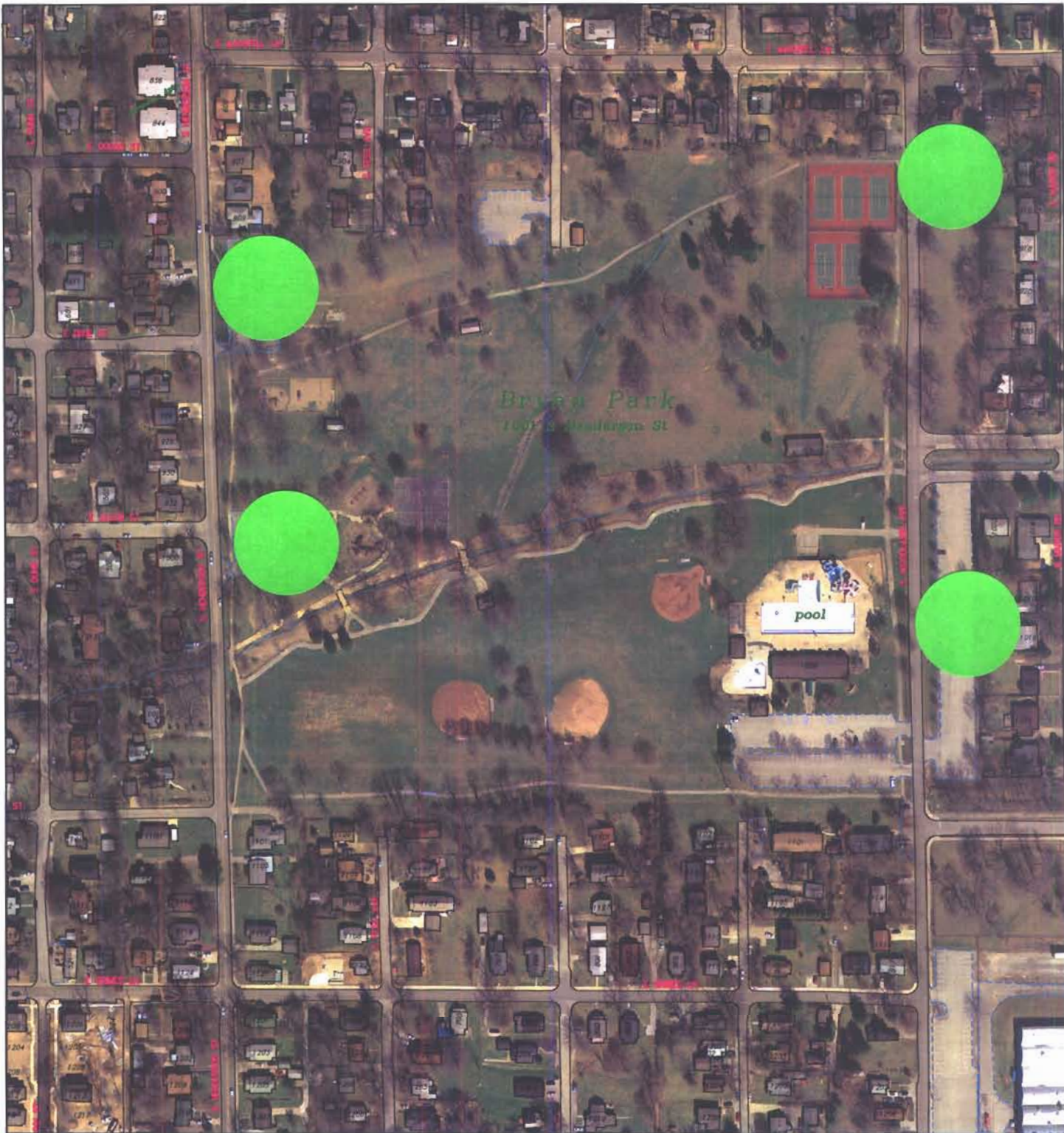
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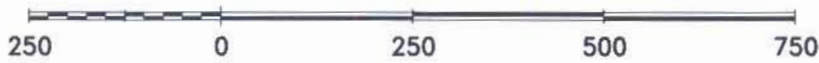
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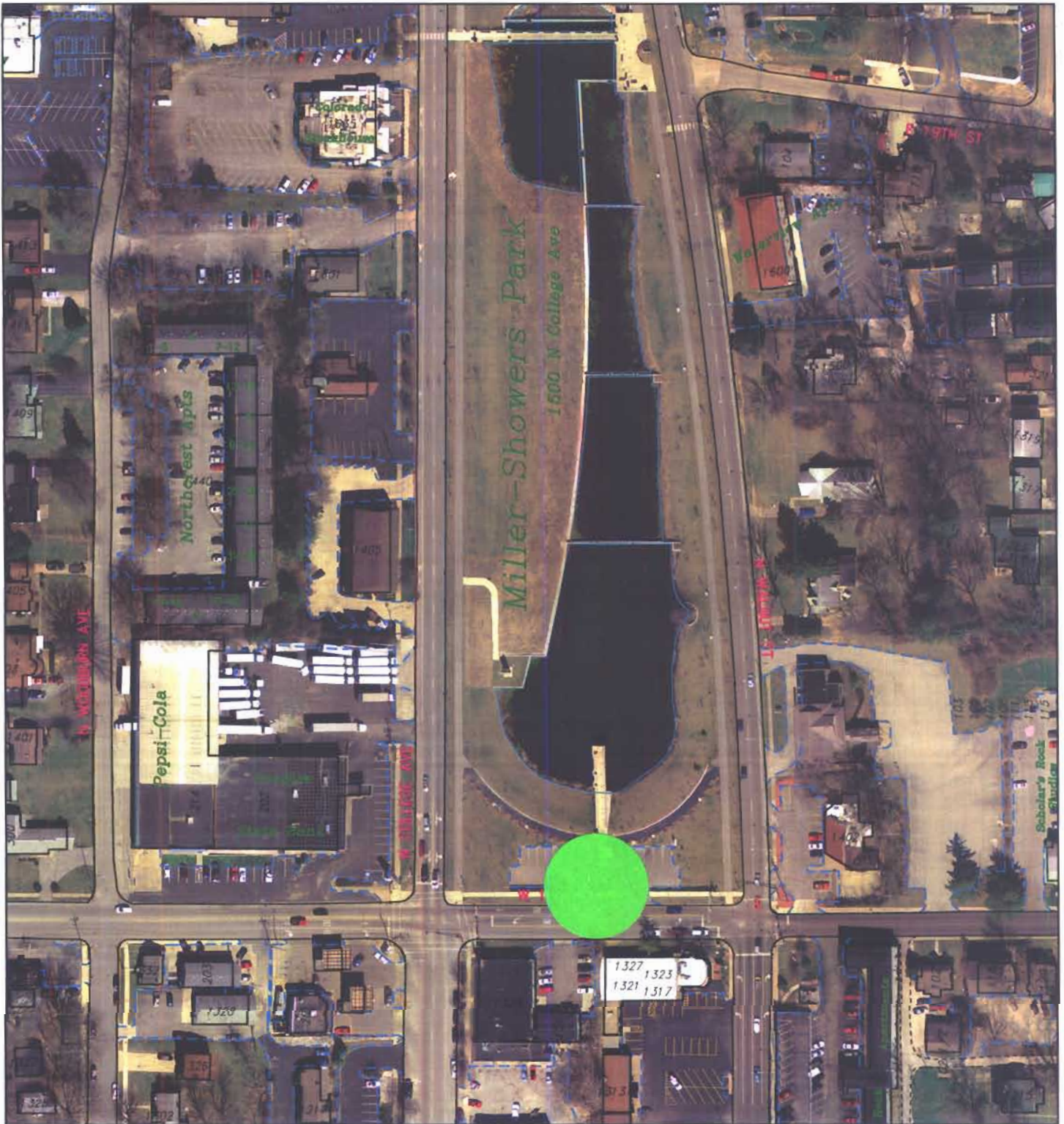


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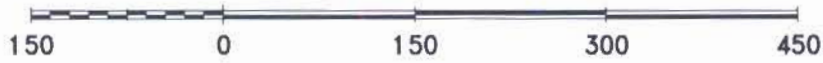


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By: ecclese  
12 Sep 08



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