



# City of Bloomington Common Council

## Legislative Packet

Regular Session

*followed by*

Committee of the Whole Discussion

16 May 2007

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

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## Packet Related Material

Memo

Agenda

Calendar

Notices and Agendas:

**Budget Advance** on Wednesday, May 16, 2007 at 5:30 p.m. in the McCloskey Room

Legislation for Final Action:

*None*

Legislation and Background Material Related to the Annexation of 2501 S Leonard Springs Road for Final Action at Special Session on May 23<sup>rd</sup> or Regular Session on June 6<sup>th</sup>:

- **Memo on the Annexation** prepared by Tricia Bernens, City Attorney
- **Ord 07-10** An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory (2501 South Leonard Springs Road)
  - Map of Annexation

*Contact: Susan Clark at 349-3416 or [clarks@bloomington.in.gov](mailto:clarks@bloomington.in.gov)  
Tricia Bernens at 349-3556 or [bernenst@bloomington.in.gov](mailto:bernenst@bloomington.in.gov)*
- **Res 07-05** To Adopt a Written Fiscal Plan and to Establish a Policy for the Provision of City Services To an Annexed Area (2501 South Leonard Springs Road)
  - Fiscal Plan with Exhibits 1 - 4

*Contact: Susan Clark at 349-3416 or [clarks@bloomington.in.gov](mailto:clarks@bloomington.in.gov)*

Other Legislation and Background Material Proposed for Final Action at Special Session on May 23<sup>rd</sup>:

- **Ord 07-11** To Amend Title 15 Entitled "Vehicles and Traffic" – Re: Parking Near Sixth and Madison Streets
  - Memo from Justin Wykoff, Manager of Engineering Services; Aerial Photo, Photos of Sixth and Madison Streetscapes

*Contact: Justin Wykoff at 349-3593 or [wykoffj@bloomington.in.gov](mailto:wykoffj@bloomington.in.gov)*

Minutes from Regular Session:

March 21, 2007

April 18, 2007

**Memo**

**Reminder: Jack Hopkins Pre-allocation Meeting  
at 4:30 p.m. on Tuesday, May 15<sup>th</sup> in the Council Library and  
Budget Advance on Wednesday, May 16<sup>th</sup> at 5:30 p.m. in the McCloskey Room**

**Special Meetings Proposed for the Second Legislative Cycle in May**

Our previously-scheduled Budget Advance, quick action on a parking ordinance for the area near Bloomingfoods Market and Deli, and statutory procedures for a voluntary annexation are driving my recommendation that the Council move the Committee of the Whole up a week and hold a Special Session on the following Wednesday. Please note that moving of the Committee of the Whole should not make for an onerous evening, since there are no items ready for final action at the Regular Session immediately preceding it. The Committee of the Whole and Special Session will require a motion on your part next week and would look like the following:

**Wednesday, May 16th**

Budget Advance	5:30 p.m.
Regular Session	7:30 p.m.
Committee of the Whole	Immediately after the Regular Session

**Wednesday, May 23rd**

Special Session	7:30 p.m.
Committee of the Whole (canceled)	

**Voluntary Annexation of 2501 South Leonard Springs Road  
Ord 07-10 Annexing and Res 07-05 Approving Fiscal Plan for This Land**

The Council will be considering its first voluntary annexation in many years during the next legislative cycle and will hold a Special Session on May 23<sup>rd</sup> in order to conclude Council action by June 6<sup>th</sup>. Small Town Properties, LLC, has requested the annexation of a parcel at the southeast corner of Bloomfield Road and South Leonard Springs Road (2501 South Leonard Springs Road). It wants to redevelop the vacant structure as a package liquor store and needs to be located within the

corporate boundaries of a municipality in order to comply with State regulations. It has the consent of the only other property owner (the State of Indiana which owns parts of the roadway) and is pursuing annexation under I.C. 36-4-3-5.1, which sets forth the procedure for annexation when all the owners of land within the territory to be annexed petition for annexation. The following borrows, in part, from the memo to the Council from Tricia Bernens, City Attorney.

### Procedure and Schedule

Annexations are enabled under Indiana Statute and involve a lengthy set of procedures which are somewhat relaxed in regard to voluntary annexations, especially those where all the property owners sign the petition. Even so, the following bullet points highlight the long order of events for this annexation:

<u>Date</u>	<u>Action</u>
April 30, 2007	The property owners filed a petition with the City Council. The City published notice of a public hearing.
May 23, 2007 (at a Special Session)	The Council holds a public hearing on the annexation.  The Council takes final action on the adoption of <u>Res 07-05</u> approving the Fiscal Plan which must occur after the public hearing. The Council introduces, discusses, and forwards <u>Ord 07-08</u> which designates the zoning for this parcel.
June 6, 2007 (at a Regular Session)	The Council takes final action on <u>Ord 07-10</u> annexing the property. Council also takes final action on <u>Ord 07-08</u> which designates the zoning for this parcel.
June 10, 2007	City Clerk publishes the ordinance at least 30 days after adoption.
July 10, 2007	Assuming no appeal, the City Clerk files ordinance with various officials.

## Contiguity

Almost all annexed territory must be contiguous with the boundaries of the annexing authority. To be contiguous, at least 1/8<sup>th</sup> of the boundary of the annexed territory must coincide with the boundary of the City. In this case, the City is using roadways that were annexed and used to annex other parcels well over 30 years ago.

## Annexation Legislation

The package of legislation for this annexation include an ordinance which formally annexes the property, and a resolution which approves the fiscal plan for providing services to this area, both of which can be found in this packet.

**Ordinance.** The ordinance annexing this property will be introduced next week, discussed at the Special Session on May 23<sup>rd</sup> and forwarded for final action at the Regular Session on June 6<sup>th</sup>. It:

- Describes the boundaries of the area to be annexed, including the approximate number of acres (*0.86 acres*);
- Assigns the area to a council district (*District 1*); and
- Establishes the effective date (*which is set at least 30 days after publication of the ordinance and upon filing of ordinance with various officials by the City Clerk*).

**Resolution.** The resolution approving the fiscal plan is scheduled for final action at the Special Session on May 23<sup>rd</sup>, after the Council has held a statutorily-required public hearing on the annexation. This fiscal plan is about 25 pages long and, by statute, must:

- List the specific services the City will provide and the date they'll be provided;
- Demonstrate that services will be equivalent to what is already available elsewhere in the City and will be provided within one year for non-capital services and within three years for capital services;
- Itemize the cost estimates for each municipal department to provide those services;
- Indicate our plans for funding the provision of these services; and
- Indicate whether any employee of a governmental entity will lose their job as a result of this annexation and direct our Director of Employee Services Department to assist them in the event that were the case.

**Summary of the Fiscal Plan (Plan) prepared by Susan Clark, Controller.** The City usually determines the cost of providing services based upon the population in the annexed land as proportion of the population of the City as a whole. However, since this parcel contains no residents, the cost of providing services is based upon the proportional acreage of the annexed territory (0.86 / 15,000). Using this method of measuring costs, the Plan foresees no additional costs for capital services, largely because the City is already providing them (e.g. water and sewer), and only about \$302 for non-capital services which accounts for police, fire, and animal control, but not the other services either because they are not provided by the City to commercial properties or only incur a nominal cost. The \$302 in costs, Susan has informed me, will be more than offset by an estimated annual income of about \$504.

#### Zoning for this Parcel Forthcoming

This property lies outside of our planning jurisdiction and, as such, will need a zoning designation in the event it is annexed. On Monday, May 14<sup>th</sup>, the Plan Commission will be considering a proposal to designate this parcel Commercial General (CG) which is comparable to its County designation of Arterial Commercial (CA). This zoning ordinance will be in next week's packet for consideration at the same time as the other annexation legislation on May 23<sup>rd</sup>.

#### **Ord 07-11 – Amending Title 15 to Change Parking Near the New Bloomingfoods Market and Deli**

**Ord 07-11** would amend Title 15 (Vehicles and Traffic) by changing parking near the nascent Bloomingfoods Market and Deli at Sixth and Madison Street in order to make it more suitable for a grocery store and to improve pedestrian access along North Madison. As you recall from the Council discussion related to Res 07-03, which authorized a loan for the new downtown grocery and deli, this project will include an awning along the south and west side of the building and a new sidewalk along much Madison on the east side of the street. This stretch of Madison is now being used by cars which are parked illegally next to the building and block pedestrians from walking outside of the roadway. Please note that changes increase the allowable parking on both these streets.

The changes in the ordinance are briefly noted below:

## Street Face

## Change in Parking Regulation

### Sixth Street

from Morton to Madison –  
North Side

Angle parking will replace parallel parking and result in a net increase of four or five spaces.

### Madison

from Sixth to Seventh Street –  
West Side

Angle parking will replace parallel parking and result in a net increase of four to six spaces of *permitted* parking for *both* sides of the street. *Please note that I use the term permitted parking to differentiate between the legal as opposed to the parking that currently occurs along the east side of the Bloomingfoods building.*

An accessible parking space will be added just north of the east/west alley.

From Sixth to Seventh Street –  
East Side

The unlimited parking along this side of the street will be replaced by a No Parking zone except for a 40' Loading Zone next to Bloomington Glass and Doggy Doo. *As noted above, the current practice of parking the cars facing the building does not comply with code. Please also note that the Loading Zone will go in directly across from an alley and should not interfere with the angle parking on the west side of the street.*

**Happy Birthday Tim Mayer!!**

**NOTICE AND AGENDAS  
BLOOMINGTON COMMON COUNCIL REGULAR SESSION  
AND COMMITTEE OF THE WHOLE  
7:30 P.M., WEDNESDAY, MAY 16, 2007  
COUNCIL CHAMBERS  
SHOWERS BUILDING, 401 N. MORTON ST.**

**REGULAR SESSION**

**I. ROLL CALL**

**II. AGENDA SUMMATION**

**III. APPROVAL OF MINUTES FOR:**     March 21, 2007 (Regular Session)  
   April 18, 2007 (Regular Session)

**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**

None

**VII. LEGISLATION FOR FIRST READING**

1. Ordinance 07-10 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory (2501 South Leonard Springs Road)
  
2. Ordinance 07-11 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" - Re: Parking Near Sixth and Madison Streets

**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**

*(immediately followed by a)*

**COMMITTEE OF THE WHOLE**

**Chair: Timothy Mayer**

1. Ordinance 07-11 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" – Re: Parking Near Sixth and Madison Streets

Asked to Attend:     Justin Wykoff, Manager of Engineering Services



City of  
Bloomington  
Indiana

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To: Council Members

From: Council Office

Re: Calendar for the Week of May 14-19, 2007

**Monday, May 14, 2007**

1:00 pm Coordinated Human Services Committee- Public Transportation Planning, Hooker Room  
1:30 pm Family Emergency Shelter, McCloskey  
5:00 pm Utilities Service Board, IU Research-North Showers, 501 N. Morton Street 100B  
5:30 pm Plan Commission Special Meeting, Council Chambers  
6:30 pm Bloomington-Posoltega Sister Cities Committee, Hooker Room  
7:30 pm Bloomington Sister Cities Inc. Committee, Hooker Room

*Happy Birthday Tim Mayer, Councilmember, At-Large!*

**Tuesday, May 15, 2007**

12:00 pm Fallen Officers Memorial Services, Showers Atrium  
4:00 pm Board of Public Safety, McCloskey  
4:00 pm Community & Family Resources Commission, Hooker Room  
4:00 pm *Bike Rodeo* - a free, family event to entertain and education children ages 4 - 12 yrs. on cycling safety and the importance of wearing bike helmets, Summit Elementary School, 1450 W. Countryside Lane  
5:30 pm Animal Control Commission, McCloskey  
5:30 pm Bloomington Public Transportation Corporation, Transportation Center, 130 W. Grimes Lane  
5:30 pm Board of Public Works, Council Chambers

**Wednesday, May 16, 2007**

9:30 am Tree Commission, Rose Hill Cemetery Office, 930 W. Fourth Street  
1:00 pm Safe Routes to School Task Force, McCloskey  
4:00 pm Martin Luther King Jr., Birthday Commission, Hooker Room  
5:30 pm Common Council Budget Advance, McCloskey  
7:00 pm Council of Neighborhood Associations, Hooker Room  
7:30 pm Common Council Regular Session *immediately* followed by Committee of the Whole Meeting, Council Chambers

**Thursday, May 17, 2007**

8:00 am Bloomington Housing Authority, Housing Authority, 1007 N. Summit, Community Room  
11:30 am *Strawberry Shortcake Festival Concert*, Monroe County Courthouse Lawn, 100 W. 5th Street  
5:30 pm Board of Zoning Appeals, Council Chambers  
6:00 pm Homebuyer's Club, Hooker Room  
7:00 pm Environmental Commission, McCloskey

**Friday, May 18, 2007**

12:00 pm Domestic Violence Taskforce, Hooker Room

*National Bike to Work Day!*

**Saturday, May 19, 2007**

8:00 am Bloomington Community Farmers' Market, Showers Common  
1:00 pm *League of American Bicyclists Road 1 Course Part 1 Workshop*, Council Chambers



City of Bloomington  
Office of the Common Council

# MEETING NOTICE

## Common Council

### Budget Advance

Wednesday, May 16, 2007

5:30 pm

McCloskey Room

The Common Council will hold a *Budget Advance* Wednesday, May 16, 2007 at 5:30 pm in the McCloskey Room (#135), City Hall. Because a quorum of the Council will be present, this meeting constitutes a meeting of the Council under the Indiana Open Door Law.

This statement is provides notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.

Dated & Posted: Friday, May 4, 2007

# **Legislation**



INTERDEPARTMENTAL MEMO  
CITY OF BLOOMINGTON LEGAL DEPARTMENT

TO: Common Council

FROM: Patricia Stanton Bernens, City Attorney

RE: Annexation Ordinance 07-10 and Resolution 07-05 to Adopt a Fiscal Plan for Voluntary Annexation of 2501 South Leonard Springs Road

DATE: May 4, 2007

Small Town Properties has petitioned the City of Bloomington for voluntary annexation of its real estate at 2501 South Leonard Springs Road. This parcel is located immediately southeast of the intersection of State Rd. 45 West (W. 2d St.) and Leonard Springs Road. Both adjacent roadways were annexed many years ago and are thus already within the corporate boundaries and receiving City services.

The parcel has been occupied by an auto sales business, which is now closed, and the site is significantly substandard relative to City development and site plan requirements. Small Town Properties is seeking annexation in order to permit redevelopment of this parcel as a package liquor store, a use for which state requirements demand location within the corporate boundaries of the City. One benefit of annexation will be substantial upgrade to this site as a result of its redevelopment under City standards. The owner further advises that a billboard will be removed in connection with redevelopment of this parcel.

As you've recently had occasion to discuss, annexation decisions often require complex analysis of the costs and benefits to both current City taxpayers and the property owners in the area to be annexed. In this case, however, the analysis is comparatively straightforward: we are recommending approval because additions to the tax base (the total assessed value) are generally beneficial to the taxpayers, if not offset by costs or other factors; and in this case, all City services are already in place and there will be no resulting net costs to the City, as detailed in the Fiscal Plan proposed for adoption by Resolution 07-05. In addition, as mentioned above, the site will be upgraded to City standards upon redevelopment.

This area is not currently in the City's zoning jurisdiction under the City-County Interlocal Agreement, so the zoning classification for the parcel must also be established to take effect upon the effective date of annexation. You will be considering that matter separately but on the same meeting schedule as the annexation legislation.

If approved, the annexation will take effect (in the absence of any legal challenge or unforeseen delays in publication and recording) on or about July 10, 2007.

Please feel free to contact me if you have any questions or need further information.

**ORDINANCE 07-10**  
**AN ORDINANCE CONCERNING THE ANNEXATION OF**  
**ADJACENT AND CONTIGUOUS TERRITORY**  
**(2501 South Leonard Springs Road)**

WHEREAS, the City of Bloomington has received a *Petition for Voluntary Annexation into the City of Bloomington, Indiana*, pursuant to Indiana Code § 36-4-3-5.1, which governs annexation procedure where one hundred percent (100%) of owners of land located outside but contiguous to the City have signed a petition; and

WHEREAS, said *Petition* requests annexation into the City of Bloomington of a parcel of real estate at 2501 South Leonard Springs Road, Bloomington, Indiana, including adjacent public roads and rights of way, which is located at the Southeast corner of Leonard Springs Road and West State Road 45; and

WHEREAS, the boundary of the City of Bloomington, Indiana, is contiguous and adjacent to the real estate described in this Ordinance and in said *Petition*, which is attached hereto and incorporated herein; and

WHEREAS, the City of Bloomington has established a definite policy and plan to provide capital and non-capital services and improvements to said real estate that are equivalent to the services and improvements currently received by the residents and property owners of the City of Bloomington, as specified in the “Fiscal Plan, Annexation of 2501 South Leonard Springs Road”; and

WHEREAS, this annexation is in the best interests of the citizens of Bloomington and the property owners in the area to be annexed;

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

SECTION 1. That the following described land, 2501 South Leonard Springs Road, Bloomington, Indiana, including contiguous public roads and rights of way, be annexed to and declared a part of the City of Bloomington, Indiana, to-wit:

A part of the Southeast quarter of Section 12, Township 8 North, Range 2 West, Monroe County Indiana, described as follows: Beginning at the point of intersection of the centerline of State Road 45 and the North-South centerline of said Section 12, said point of intersection being 1877.19 feet North of the Southwest corner of the Southeast quarter of said Section 12, thence South 0 degrees 0 minutes East over and along the said section North-South centerline along the east line of Annexation Ordinance 72-22 for a distance of 187.00 feet; thence South 88 degrees 48 minutes 11 seconds East for a distance of 169.00 feet, thence North 0 degrees 0 minutes East parallel to the North-South centerline of said section 12 for a distance of 147.57 feet, thence South 90 degrees 0 minutes West for a distance of 16.39 feet; then North 14 degrees 23 minutes 48 seconds West for a distance of 140.57 feet overlapping the south line of Annexation Ordinance 69-43 located at the south right-of-way of State Highway 45 to the centerline of said State Highway 45; thence South 49 degrees 06 minutes 45 seconds West over and along the said centerline overlapping Annexation Ordinance 69-43 for a distance of 15.50 feet; thence south 51 degrees 53 minutes 10 seconds West continuing over and along said centerline for a distance of 134.59 feet to the point of beginning, and containing 0.86 acres more or less.

SECTION 2. Be it further ordained, that the boundaries of the City of Bloomington, shall be, and the same are, hereby declared to be extended so as to include all the real estate hereinabove described as part of the City of Bloomington, Indiana.

SECTION 3. The above-described territory, which is hereby annexed to and declared a part of the City of Bloomington, Indiana, shall be assigned to Bloomington Common Council District 1.

SECTION 4. Services will be provided to the annexed area in accordance with the “Fiscal Plan, Annexation of 2501 South Leonard Springs Road” adopted by Resolution 07-05 by the Bloomington Common Council.

SECTION 5. Pursuant to IC § 36-4-3-7 this ordinance shall take effect following its passage and adoption by the Common Council of the City of Bloomington and approval of the Mayor, and at least thirty (30) days after its publication and upon the filing required by IC § 36-4-3-22(a); and the City herein acknowledges its obligations at the time of annexation.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
DAVE ROLLO, 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 \_\_\_\_\_, 2007.

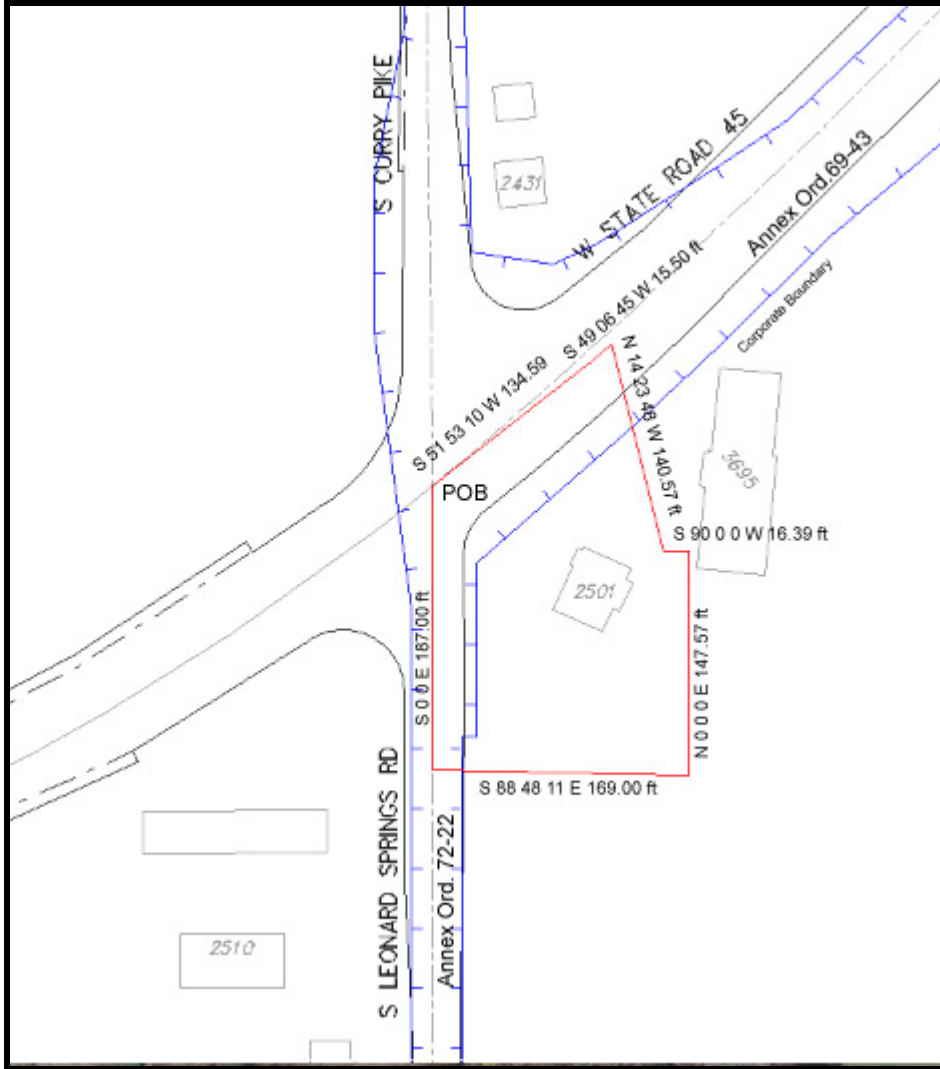
\_\_\_\_\_  
REGINA MOORE, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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

#### SYNOPSIS

This ordinance annexes the real estate at 2501 South Leonard Springs Road, including contiguous public roads and rights of way, located at the Southeast Corner of Leonard Springs Road and West State Road 45, to take effect upon the filing required by IC § 36-4-3-22(a), and assigns the area to Council District 1.



**RESOLUTION 07-05**

**TO ADOPT A WRITTEN FISCAL PLAN AND TO ESTABLISH A POLICY FOR THE PROVISION OF CITY SERVICES TO AN ANNEXED AREA (2501 South Leonard Springs Road)**

WHEREAS, the City of Bloomington desires to annex a parcel of real estate at 2501 South Leonard Springs Road, Bloomington, Indiana, including adjacent public roads and rights of way, which is located at the Southeast corner of Leonard Springs Road and West State Road 45 and which is more specifically described in Ordinance 07-10; and

WHEREAS, responsible planning and state law require adoption of a fiscal plan and a definite policy for the provision of City services to the annexed area; and

WHEREAS, such a plan has been developed and presented to the Common Council, entitled, "Fiscal Plan, Annexation of 2501 South Leonard Springs Road";

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

SECTION 1. The Common Council of the City of Bloomington, Monroe County, Indiana, hereby approves and adopts the Fiscal Plan, Annexation of 2501 South Leonard Springs Road, which plan is attached hereto and made a part hereof, and hereby approves and adopts the specific policies for implementation of the plan as set out therein, and establishes a definite policy to provide services in accordance with said plan.

SECTION 2. Any monies necessary for the provision of services as described and itemized in the attached plan shall be budgeted and appropriated from the applicable fund, pursuant to state law and the City's budget procedure.

SECTION 3. It is anticipated that this annexation will not result in the elimination of jobs for employees of other governmental entities, but in the event it does, then the Director of Employee Services of the City of Bloomington is hereby directed to assist such employees in obtaining new employment but nothing herein shall require the City to hire such employees.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
DAVE ROLLO, 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 \_\_\_\_\_, 2007.

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

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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



## SYNOPSIS

This resolution approves and adopts the Fiscal Plan, Annexation of 2501 South Leonard Springs Road, and establishes a definite plan for provision of services to the annexed area pursuant to said Plan, in compliance with state law.

Fiscal Plan

Annexation of

**The 2501 South Leonard Springs Road  
Area**

Resolution 07-05

**CITY OF BLOOMINGTON**  
**FISCAL PLAN**  
**ANNEXATION OF THE 2501 SOUTH LEONARD SPRINGS ROAD AREA**  
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CITY OF BLOOMINGTON  
FISCAL PLAN  
ANNEXATION OF  
THE 2501 SOUTH LEONARD SPRINGS ROAD AREA

**List of Exhibits**

Exhibit 1 Map of Annexation Area

Exhibit 2 Map of Existing Sewer Lines in the Annexation Area

Exhibit 3 Map of Existing Water Lines in the Annexation Area

Exhibit 4 Map of Existing Fire Hydrants in the Annexation Area

**List of Reference Materials Cited:**

References are available for public inspection in the Controller's Office in City Hall

Certified Copies of City Ordinances Documenting City Boundaries, Clerk's Office, City of Bloomington.

Bloomington Municipal Code, Clerk's Office, City of Bloomington.

Utilities Service Board Rules, Regulations and Standards of Service for the City of Bloomington Utilities. City of Bloomington Utilities.

Census Data for Monroe County, Indiana. Indiana University Center for Population Research and the U.S. Census Bureau. 2000.

Indiana Manual on Uniform Traffic Control Devices, Engineering Department, City of Bloomington.

Map Showing Parks & Recreation Site Locations and Facilities. Parks & Recreation Department, City of Bloomington.

Map Showing Municipal Boundary and Areas Intended for Annexation. Controller's Office, City of Bloomington.

## **ANNEXATION OF THE 2501 SOUTH LEONARD SPRINGS ROAD AREA**

### **INTRODUCTION**

The following Fiscal Plan, developed through the cooperative efforts of the City of Bloomington Controller's Office, Planning Department, Engineering Department, Legal Department, Fire Department, Police Department, Street Department, Sanitation Department, Department of Public Works, Housing and Neighborhood Development Department, Utilities Department, Animal Shelter, Parks and Recreation Department, Community and Family Resources Department, Traffic Department and Employee Services Department represents the City's policy and procedure for the annexation of the following property: The 2501 South Leonard Springs Road Area .

The cost estimates of the planned services to be furnished, methods of financing, and plan for the organization and extension of services to the Annexation Area are fully discussed. In addition, information is provided to compare the services proposed for the Annexation Area with other areas within the City's corporate boundaries regardless of similar topography, patterns of land use and population density.

### **Effective Date**

Indiana Code 36-4-3-5.1 provides that whenever a municipality annexes territory after receiving a petition requesting an ordinance annexing the area described in the petition and signed by 100% of the landowners, the annexation ordinance takes effect at least thirty (30) days after its publication and upon the filing required by Indiana Code 36-4-3-22(a). Ordinance 07-10 is scheduled to be published on June 10, 2007. Accordingly, subsequent sections of this Fiscal Plan refer to the projected effective date, July 10, 2007.

Indiana Code 36-4-3-13 provides that planned services of a non-capital nature, including police protection, fire protection, street and road maintenance, and other non-capital service normally provided within the corporate boundaries, will be provided to the annexed territory within one (1) year after the effective date of annexation and that they will be provided in a manner equivalent in standard and scope to those non-capital services provided to areas within the corporate boundaries regardless of similar topography, patterns of land use and population density.

Planned services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years after the effective date of the annexation in the same manner as those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria.

### **1.00 DESCRIPTION OF THE ANNEXATION AREA**

**LOCATION:** The Annexation Area is shown in Exhibit 1. This area is located in the southwest part of the city in Van Buren Township Section 12. There are approximately .86 acres of land within the boundaries of the Annexation Area.

**ZONING:** The annexation area is currently within the zoning jurisdiction of Monroe County and is zoned Arterial Commercial (CA) under the Monroe County Zoning Ordinance; the permissible uses of the area are subject to further restrictions pursuant to a recorded

“Declaration of Restrictive Covenants Regarding Use of Real Estate.” The City has initiated the process of establishing zoning for the annexation area under the City’s Unified Development Ordinance. The proposed City zoning is Commercial General (CG). The proposal to zone the annexation area CG is scheduled for public hearing before the City of Bloomington Plan Commission on May 14, 2007. At that meeting or a future meeting, the Plan Commission will forward the proposal to the Common Council for final action. Final Action of the Common Council will establish City zoning for the annexation area to become effective upon the effective date of annexation.

PROPERTY OWNERS: There are currently 2 owners of 2 properties in the Annexation Area according to County tax records.

## **2.00 ANNEXATION CRITERIA**

Indiana Code § 36-4-3-1.5 provides that a proposed annexation area must have at least one-eighth (1/8) of its external boundary coincident with the boundary of the annexing municipality.

The Annexation Area is contiguous to the existing City boundary along 337 feet of its total 811 foot perimeter which equals 42% contiguity. This Annexation Area clearly meets the contiguity requirement. These measurements were derived from the legal description of the Annexation Area and certified copies of City Ordinances documenting the City corporate boundaries.

## **2.01 ZONING**

The Annexation Area is currently zoned Arterial Commercial (CA) under the Monroe County Zoning Ordinance. Pending approval by the City of Bloomington Plan Commission and subsequently the Common Council, the Annexation Area will be zoned Commercial General.

## **3.00 GENERAL RELATIONSHIP TO CITY SERVICES**

The relationship between the Annexation Area and existing incorporated city territory is shown on the map previously incorporated as Exhibit 1. City services are currently being provided to the City areas that border the Annexation Area.

The Annexation Area currently receives fire protection from Van Buren Township. Upon annexation, the City will provide this service. City parks are already easily accessible to the Annexation Area. The Annexation Area already has access to the City’s recreational and social service programs. For the reasons stated above and the reasons elaborated upon below, annexation of this area is a logical extension of the City’s corporate boundaries.

## **4.00 COST OF SERVICES METHODOLOGY**

The capital services within the Annexation Area were evaluated to determine what, if any, new infrastructure is needed to provide services to the area in the same manner as those services are provided to other areas within the City’s corporate boundaries. Each capital service was assessed and, where required, specific improvements have been programmed. The findings and proposed improvements for each capital service are detailed in the following sections.

Non-capital services, which are delivered to the area without requiring installation of capital infrastructure in the area, were assessed in consultation with the administrator in charge of the service. Some services are already available to the Annexation Area, while other services will have to be initiated. Such findings are detailed below. The requirements and cost of these new services



were determined by the Controller’s Office in consultation with the administrator in charge of each service based upon factors explained below. In each case, it is shown below that service is being or will be provided to the area to be annexed in a manner equivalent in standard and scope to the services being provided to other areas within the City's corporate boundaries.

Since the effective date for this annexation is late in the City’s current budget period, estimates for capital services and non-capital services are shown for the first full year of service provision and have been increased for inflation. The base year is the current budget period – 2007. Estimates have been increased as shown below for the first three full years (2008, 2009 and 2010) after the annexation has become effective.

**Determination and Use of Inflation Adjustment Factor in Provision of Future Government Services**

The City of Bloomington Controller’s office has researched the best method for estimating future increases in the price of government provided goods and services. Because future outcomes of management decisions made today are largely unknown, often times for several years, and because the provision of goods and services rely on many external factors, including political climate, tax collections, economic conditions, etc., it can be reasonably assumed that the best predictor of changes in future prices is what has occurred historically. Because there are many good sources of historical price information, we believe that estimates of changes in future prices should be based on independently derived, objective information, combined with the assumption that recent trends in price changes will continue into the future.

Based on our research we believe that the best source of price data is from the U.S. Department of Commerce’s Bureau of Economic Analysis. The BEA has created many different measures of domestic product output, including an analysis of prices indices that affect state and local government consumption expenditures. The BEA’s table “Price Indexes for Government Consumption Expenditures and Gross Investment” includes a State and Local price index that measures changes in prices for state and local government.

The following table indicates changes in prices for the years 2003 to the most recent data for 2006.

	2003	2004	2005	2006	AVG.
State and Local- All	109.71	114.42	121.46	127.43	
% Change		4.29%	6.16%	4.92%	5.12%
Consumption Exp.	110.73	115.39	122.18	128.06	
% Change		4.21%	5.88%	4.82%	4.97%

**AVG.** is the mean of all averages for the years 2003 through 2006.

Because consumption expenditures do not include gross investment in structures and other enterprise fixed assets, we believe the best measure is all state and local prices, which includes investment, consumption and compensation. Based on the above data we have chosen 5.12% to be the best estimate of future inflation for purposes of determining the cost of the provision of government goods and services after 2007.

**5.00 PROVISION OF SERVICES**

**5.01 STREET AND ROAD CONSTRUCTION AND CAPITAL MAINTENANCE**

The City Street Department provides capital improvements (road building and resurfacing) and ongoing infrastructure maintenance (patching) to public streets in the City in order to provide a sound transportation infrastructure to the community.

The Annexation area does not include any public streets that are not currently maintained by the City of Bloomington. Since there are no public streets in the Annexation Area, no capital improvements are required as a result of this annexation.

#### SUMMARY OF STREET AND ROAD CONSTRUCTION AND MAINTENANCE

COST ESTIMATE OF MAINTENANCE: \$ 0

METHOD OF FINANCING: Not Applicable.

PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES: No capital infrastructure improvements are required as a result of this annexation. There are no public rights-of way, existing or proposed, in the Annexation Area, therefore, no new service is necessary.

#### **5.02 NON-INFRASTRUCTURE STREET AND ROAD SERVICES**

Within the corporate boundary, public streets are maintained at a level to ensure multi-modal transportation safety. Streets are swept four times per year. Leaves are collected two times per year and snow removal is performed on an as needed basis.

Upon Annexation, roads in dedicated public rights-of-way within the Annexation Area that have met all conditions of plan approval and City street construction standards and have been inspected by the Engineering Department and approved by the Board of Public Works shall be known as "public streets" as will any roads already approved and accepted into the public trust by the County Highway Engineer. Any other roads in the Annexation Area will remain private and will be privately maintained after annexation.

The Annexation area does not include any public streets that are not currently maintained by the City of Bloomington. Providing non-infrastructure street and road services will not be necessary in the Annexation Area, and therefore will not result in the need for increased operational expenses for materials, services and labor.

#### SUMMARY OF NON-INFRASTRUCTURE STREET AND ROAD SERVICES

COST ESTIMATE OF SERVICE: \$ 0

METHOD OF FINANCING: Not Applicable.

PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES: No non-infrastructure street and road services will be necessary. There are no public rights-of way, existing or proposed, in the Annexation Area that are not currently maintained by the City of Bloomington, therefore, no new service is necessary.

#### **5.03 STREET SIGNS, PAVEMENT MARKINGS AND TRAFFIC SIGNALS**

Street signs, pavement markings and traffic signals in the City, are installed on public streets according to City policy regarding the location and installation of traffic control and street signs. The City policy on street signs fulfills the requirements contained in the "Indiana Manual on Uniform

Traffic Control Devices" and in the Bloomington Municipal Code. Both of these volumes describe conditions under which each type of sign is to be installed and Traffic and Engineering Department staff recommend sign placement to the Traffic Commission whenever codification is required.

The Annexation area does not include any public streets that are not currently maintained by the City of Bloomington. No traffic signals are required as a result of this annexation.

#### SUMMARY OF STREET SIGNS, PAVEMENT MARKINGS AND TRAFFIC SIGNALS

ONE-TIME COST OF INSTALLING SIGNS/MARKINGS/SIGNALS: \$ 0

COST ESTIMATE OF PLANNED MAINTENANCE/REPLACEMENT SERVICES: \$ 0

METHOD OF FINANCING: Not Applicable.

PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES: Street sign and pavement marking services will not be necessary since there are no public streets in the annexation area, and none are planned.

#### **5.04 STREETLIGHTS**

Within the corporate boundary, Streetlights are installed by petition, consistent with the requirements set forth in IC § 36-9-9-1, et seq. Petitions are evaluated in relation to traffic, crime statistics, illumination levels, and availability of funds. The Board of Public Works of the City of Bloomington is responsible for the installation of public streetlights.

There are no existing streetlights in the annexation area.

#### SUMMARY OF STREET LIGHTS

COST ESTIMATE FOR PLANNED SERVICE: \$0

METHOD OF FINANCING: Not Applicable.

PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES: No additional streetlights will be installed as a result of this annexation. There are no public streets in the Annexation Area.

#### **5.05 SIDEWALKS**

Within the corporate boundary, plans for new development require the inclusion of sidewalks and curbs. In many Bloomington neighborhoods, sidewalks were not required and do not exist. They may be added later either at the expense of the property owner or occasionally at the City's expense when pedestrian traffic warrants.

In general, the construction and maintenance of sidewalks is not the responsibility of the City, but that of the property owner. Curbs are generally constructed for a life of 20 or more years, and require little if any maintenance.

#### SUMMARY OF SIDEWALKS

COST ESTIMATE OF SERVICE: \$0

METHOD OF FINANCING: Not Applicable.

**PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES:** Construction and maintenance of sidewalks is not the responsibility of the City, although occasionally the City will install sidewalks in areas of high pedestrian use. Sidewalks are already provided in the Annexation Area on a level equivalent to areas within the corporate boundary. The Annexation Area will be monitored for pedestrian traffic and evaluated for publicly funded sidewalk construction in the same manner as the rest of the City.

#### **5.06 RESIDENTIAL RENTAL INSPECTION**

Owners and agents of rental properties within the City's corporate limits are required to register their properties with the City's Housing and Neighborhood Development Department. These properties are then scheduled for housing code inspections on a three, four or five year cycle.

The Annexation Area currently contains no residential rental units.

#### **SUMMARY OF RESIDENTIAL RENTAL INSPECTION**

**COST ESTIMATE OF SERVICE:** \$0

**METHOD OF FINANCING:** Not Applicable.

**PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES:** Beginning upon the effective date of the annexation, any rental units in the Annexation Area will be registered and incorporated into the existing rental inspection cycles. Rental properties will be inspected to the same standard and scope as those inspections performed in the rest of the city.

#### **5.07 HOUSING DEVELOPMENT SERVICES**

The Housing and Neighborhood Development Department administers programs which benefit low to moderate income persons utilizing Community Development Block Grant and HOME funds available to the City through the Federal Department of Housing and Urban Development. The annual grant amount is determined by the Federal Government and may be disbursed at the City's discretion among various eligible activities.

During fiscal year 2007 (June 1, 2007 through May 31, 2008) the City will receive Community Development Block Grant and HOME funds totaling \$1,523,283. These funds will be allocated to various projects including housing programs for low to moderate income families, small scale drainage projects and site improvements in targeted low income areas, economic development activities, various public service programs, and a utility service program for low to moderate income families.

The amount of funds allocated to each Community Development Block Grant and HOME program is fixed and is disbursed as eligible applicants and projects utilize the funds. For this reason, annexation will not result in any additional costs to these programs.

## SUMMARY OF HOUSING DEVELOPMENT SERVICES

COST ESTIMATE OF SERVICE: \$0

METHOD OF FINANCING: Not Applicable.

PLAN FOR PROVISION OF SERVICES: Upon annexation, property owners will be able to apply for any of the Community Development Block Grant and HOME Programs for which they may be eligible under program rules.

### **5.08 ORDINANCE AND NUISANCE ENFORCEMENT SERVICES**

Throughout the City, Compliance Officers from Housing and Neighborhood Development (HAND) Department on a complaint basis enforce the Bloomington Municipal Code. Nuisance enforcement will be provided for things like weeds, trash and other types of nuisances on both a regular patrol and complaint basis.

Upon annexation, the HAND department will patrol and respond to complaints in the annexation area. Salaried staff performs these services and extension of service to the Annexation Area will not result in any additional expenditures.

## SUMMARY OF ORDINANCE AND NUISANCE ENFORCEMENT SERVICES

COST ESTIMATE OF SERVICE: \$0

METHOD OF FINANCING: Not applicable.

PLAN FOR PROVISION OF SERVICES: Upon annexation, the Housing and Neighborhood Development Department will extend ordinance and nuisance enforcement in a manner consistent with all areas within the corporate limits.

### **5.09 NEIGHBORHOOD DEVELOPMENT SERVICES**

The Housing and Neighborhood Development Department offers to the city's neighborhoods services which include providing a liaison and resources to Neighborhood Associations, conducting neighborhood clean-ups, and coordinating plans for improving the neighborhood.

Upon annexation, Neighborhood Development services will be extended to the Annexation Area in a manner equivalent to other areas within the corporate boundary. Salaried staff performs these services and extension of service to the Annexation Area will not result in any additional expenditures.

## SUMMARY OF NEIGHBORHOOD DEVELOPMENT SERVICES

COST ESTIMATE OF SERVICE: \$0

METHOD OF FINANCING: Not Applicable.

PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES: Upon annexation, Neighborhood Development services will be extended to the Annexation Area in a manner equivalent to all areas within the corporate limits.

## 5.10 POLICE PROTECTION

Beginning upon the effective date of the annexation, Bloomington Police Department (BPD) services will be extended to the Annexation Area in the same standard and scope as provided to other areas in the City. The BPD has divided the city into five police beats or districts. Each has officers assigned to answer calls for service within the district.

The officers assigned to District 5 will handle calls from the Annexation Area. If officers of District 5 are unavailable in an emergency situation, then officers of District 2 or 4 will respond.

Uniformed police officers are assigned to the Patrol Unit, which operates three shifts per day. Officers work six days and then are off-duty three days. Additional days off are scheduled for holidays and vacation and are allowed for illness. Due to previous annexations by the City, as well as an increasing desire for a greater Police presence, the City hired two additional officers in 2006 and in 2007 for a total of 85 officers and plans to add two more officers per year through 2010. Currently, 67 officers are assigned to the Patrol Unit, and the average number on duty per 24 hours is 36. An average eight-hour shift for the Patrol Unit in 2007 is expended as follows:

### PATROL UNIT

Roll Call	5%	(24 minutes)
Equipment Maintenance	2%	(9 minutes)
Paperwork	15%	(1 hour 12 minutes)
Traffic Enforcement	19%	(1 hour 31 minutes)
Accident Investigation	15%	(1 hour 12 minutes)
Criminal Investigation	17%	(1 hour 22 minutes)
Pro-active Patrol	27%	(2 hours 10 minutes)

Proactive patrol serves several purposes. The primary purpose of patrol is to prevent crime. The function of detection and apprehension of offenders is closely related to the crime prevention function of patrol. Also, patrol promotes safe movement of vehicular and pedestrian traffic by enforcing traffic and parking laws. In addition, the general well-being of the community is enhanced by officers on patrol doing the following: reporting traffic control devices out of service, icy road conditions, location of water or power outages, and fires; rendering aid to the injured; and directing citizens in need to the services of other agencies such as the welfare department, ambulance, or other departments within the city.

It is a City priority not to decrease proactive patrol time. So that this annexation will not diminish time for proactive patrol by increasing the workload within the same number of work hours, additional funds for overtime are included in this Plan.

The service demands expected from the Annexation Area have been estimated by a review of calls from the City-wide statistics in the following chart:

POLICE CALL RESPONSE CHART 2006

<u>Area</u>	<u>2006 Calls</u>	<u>City Acreage</u>	<u>Calls per Acre</u>
City-Wide	57,400	15,001	3.83

Generally, estimates for service and emergency contacts are based on population. Since current plans for the Annexation Area do not include residences, we have based our estimates on acreage. There are approximately .86 acres of land within the boundaries of the Annexation Area. Using the

average number of service contacts per acre within the corporate boundaries, the number of calls anticipated for the Annexation Area is 4.

The Police Department estimates that each call uses approximately 48 minutes of an officer's time. Therefore, the total additional time needed to respond to calls from the Annexation Area is 192 minutes, or 4 hours.

According to the Fraternal Order of Police (FOP) contract in effect with the City, overtime must be paid in 1/4-hour increments when an on-duty officer works longer than his/her shift. Any officer called in to work while off-duty will be paid for a minimum of one and one-half hour of overtime. The 2005 overtime pay rate in the FOP contract is \$31 per hour. Additional funds of \$124 (for the base year) times the inflation rate will be required for the Annexation Area for overtime.

The cost of materials that are needed for the annexation is estimated by using the 2007 budgeted amount of \$333,198 for operational expenses. This is composed of the following line items: Line 224 - Fuel & Oil, Line 242 - Other Supplies and Line 362 - Motor.

That amount divided by the total number of service calls in 2006 is:

\$333,198 divided by 57,400 calls = \$5.80 cost per service call  
\$5.80 x 4 additional service calls = \$23.20 additional materials cost (for the base year)

#### SUMMARY OF POLICE PROTECTION

COST ESTIMATE OF SERVICES \$154.74 (1st year), \$162.66 (2nd year) and \$170.99 (3rd year)

METHOD OF FINANCING: General Fund.

PLAN FOR PROVISION OF SERVICES: Routine police service will be provided using personnel assigned to the primary responding district beginning upon the effective date of the annexation. Response to calls, traffic-related activities, investigation, pro-active patrol and all other services will be provided to the same standard and scope provided to other areas within the corporate boundary.

#### 5.11 FIRE PROTECTION

Beginning upon the effective date of the annexation, the City Fire Department will begin first call response to the Annexation Area, providing service to the same standard and scope as provided to other areas located within the City limits. Personnel for the responses to the Annexation Area will be provided from three fire stations. Normally, Station Number 2 will be the primary station responding and Station Number 5 and Station Number 1 will be the secondary stations responding. 72% of calls see the first arriving unit on scene in four minutes or less.

The service demands expected from the Annexation Area have been estimated by a review of calls from the City-wide statistics in the following chart:

FIRE CALL RESPONSE CHART 2006

<u>Area</u>	<u>2006 Calls</u>	<u>City Acreage</u>	<u>Calls per Acre</u>
City-wide	2,941	15,001	.2

Generally, estimates for service and emergency contacts are based on population. Since current plans for the Annexation Area do not include residences, we have based our estimates on acreage. There are approximately .86 acres of land within the boundaries of the Annexation Area. Using the

average number of service contacts per acre within the corporate boundaries, the number of calls anticipated for the Annexation Area is 1.

The cost of materials that are needed to provide Fire Protection for the Annexation Area is estimated by using the 2007 budgeted amount of \$257,192 for operational expenses. This is composed of the following line items: Line 223 - Garage & Motor Supplies, Line 224 - Fuel & Oil, Line 232 - Motor Vehicle Repair, Line 242 - Other Supplies, Line 362 - Motor: and Line 365 - Other Repairs.

That amount divided by the total number of fire runs made in 2006 is:

$\$257,192 \text{ divided by } 2,941 \text{ runs} = \$87.45 \text{ cost per run}$

$\$87.45 \times 1 \text{ additional runs} = \$87.45 \text{ additional cost for Fire Department services (for the base year)}$

There is ample time for the Fire Department staff to respond to 1 additional run per year. When added to the 2,941 runs in 2006, the average is less than two runs per day for the primary responding station:

$365 \text{ days} \times 5 \text{ stations} = 1,825 \text{ station response days}$

$2,941 \text{ runs in } 2006 + 1 \text{ run anticipated from the Annexation Area} = 2,942$

$2,942 \text{ runs divided by } 1,825 \text{ days} = 1.61 \text{ runs per day per station}$

Staff is already on payroll with time available to operate the 5 stations for 24 hours a day, 365 days per year. Service will be provided using existing staff and equipment to make the runs anticipated in the Annexation Area in order to provide the same standard and scope as other areas within the corporate boundaries.

#### SUMMARY OF FIRE PROTECTION

COST ESTIMATE OF SERVICE: \$91.93 (1st year), \$96.64 (2nd year) and \$101.59 (3rd year)

METHOD OF FINANCING: General Fund.

PLAN FOR ORGANIZATION AND EXTENSION OF SERVICE: Beginning upon the effective date of the annexation, full fire protection service on a first call basis will be provided to the Annexation Area.

#### 5.12 ANIMAL CARE AND CONTROL

The City of Bloomington provides two types of services related to animals. The Animal Shelter function involves a facility where animals are sheltered, cared for, and if necessary, humanely euthanized. The Animal Control function involves serving the community with regular patrol, investigation of complaints, education, and emergency services.

Animal Control services are provided only within the corporate City limits at the present time. Beginning upon the effective date of the annexation, the following animal control services will be provided to the Annexation Area:

- Four full time animal control officers will be available 8 AM to 8 PM Monday through Saturday. These officers provide service contacts including pickup of stray, injured or dead animals; investigation of complaints, assistance with bite cases; and issuance of citations for violations of animal control ordinances.



- Twenty-four hour emergency service will be available at all other times for such emergencies as animal bite incidents, injured animals, and police assistance calls.

The above services are the same as those provided to the City as a whole. The 2006 experience in the City is listed below:

SERVICE CONTACTS AND EMERGENCY CALL-OUTS

<u>Area</u>	<u>City Acreage</u>	<u>Service Contacts</u>	<u>Contacts Per Acre</u>	<u>Emergency Call-outs</u>	<u>Emergencies Per Acre</u>
City-wide	15,001	2,886	.19	156	.002

Generally, estimates for service and emergency contacts are based on population. Since current plans for the Annexation Area do not include residences, we have based our estimates on acreage. There are approximately .86 acres of land within the boundaries of the Annexation Area. Using the average number of service contacts per acre within the corporate boundaries, the number of calls anticipated for the Annexation Area is 1. Using the average number of emergency call-outs per acre within the corporate boundaries, the number of emergency call-outs anticipated for the Annexation Area is 1. This plan provides funds for these contacts and call-outs in the following manner:

**Service Contacts**

Operating expenses for the Animal Shelter program total \$16,299 in the 2007 budget. These expenses include Line 224-Fuel & Oil, Line 242-Other Supplies, and Line 362-Motor. Additional funds for operating expenses needed to make the additional service contacts anticipated by the Annexation Area are calculated as follows:

\$16,299 in operating expenses divided by 2,886 citywide service contacts in 2006 equals a \$5.65 operating cost per service contact. This per-call cost multiplied by 1 anticipated service contact in the Annexation Area comes to \$5.65 for the base year.

**Emergency Call-outs**

Under AFSCME union regulations, a minimum of two hours of overtime is paid for each emergency overtime call-out. The 2007 pay rate for an Animal Control Officer averages \$15.74 per hour, for an overtime rate of \$23.61. Two hours of overtime per emergency call-out equals \$47.22. This amount multiplied by 1 projected emergency call-out for the Annexation Area equals \$47.22 for the base year.

SUMMARY OF ANIMAL CONTROL

COST ESTIMATE OF SERVICE: \$55.58 (1st year), \$58.43 (2nd year) and \$61.42 (3rd year)

METHOD OF FINANCING: General Fund.

PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES: Beginning upon the effective date of the annexation, Animal Shelter services will be extended to the Annexation Area to a standard and scope equivalent to those provided to other areas within the City boundaries.

**5.13 REFUSE COLLECTION**

Sanitation services are provided to all single-family houses on public streets in the City. There are no households in this Annexation Area eligible for this service.

SUMMARY OF REFUSE COLLECTION

ONE-TIME COST ESTIMATE: \$0

COST ESTIMATE OF SERVICE: \$0

METHOD OF FINANCING: General Fund, Sanitation Fund.

ANTICIPATED REVENUE FROM TRASH STICKERS: \$0.

PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES: Based on the current plan for development, sanitation Services will not be extended to the Annexation Area. The City does not provide Sanitation services to commercial properties.

#### **5.14 SANITARY SEWER SERVICE**

Within the corporate boundaries, public mains located in easements or public rights-of-way provide sanitary sewer. Mains are installed at developer expense at the time of development or, in areas where mains were not installed at the time of development, mains may be installed later at the expense of the property owners to be served by the extensions, under the Rules, Regulations and Standards of Service for the City of Bloomington Utilities.

The above policies apply to all areas served by the City of Bloomington Utilities Dept., both within and outside the current municipal boundary.

In the annexation area, public sewer mains are available to the existing building. The map indicating the location of the sewer lines currently in place in the Annexation Area is incorporated herein as Exhibit 2. The annexation area is located within 300 feet of a main. Any future buildings may be connected by construction of a lateral and connection to a main, all at property owner expense.

#### **SUMMARY OF SANITARY SEWER SERVICES**

COST ESTIMATE FOR PROVISION OF SERVICE: \$0

METHOD OF FINANCING: Not Applicable.

PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES: The City will incur no cost for sanitary sewer facilities as a result of this annexation. Sanitary sewer service will be extended to those not currently served in a same manner as any other properties without service in the Waste Water Utility service area. Specifically, the City of Bloomington Utilities will make itself available, pursuant to Title 10 of the Bloomington Municipal Code and the Utilities Service Board Rules, Regulations and Standards of Service for the City of Bloomington Utilities, to enter into neighborhood funded projects to construct sewers. Owners or developers of properties not connected to public sanitary sewer mains will be responsible for the cost of hooking up to public sanitary sewer mains in accordance with Title 10 of the Bloomington Municipal Code and the Utilities Service Board Rules, Regulations and Standards of Service for the City of Bloomington Utilities.

#### **5.15 WATER DISTRIBUTION**

Within the corporate boundary, newer developments include water lines and service. In some Bloomington neighborhoods, water lines were not required at the time of development and do not exist. They may be added later at the expense of the property owner.

The City Water Utility is available to the existing building in the Annexation Area. The map indicating the location of the water lines currently in place in the Annexation Area is incorporated herein as Exhibit 3. Any future buildings in the area not currently receiving water service may obtain such

service at the property owner's expense for hookup and main extension (if required) in accordance with Title 10 of the Bloomington Municipal Code and the Utilities Service Board Rules, Regulations and Standards of Service for the City of Bloomington Utilities.

#### SUMMARY OF WATER FACILITIES

COST ESTIMATE OF PLANNED SERVICE: \$0

METHOD OF FINANCING: Not Applicable.

PLAN FOR ORGANIZATION AND EXTENSION OF SERVICE: Water service facilities are provided to the Annexation Area at a level that meets or exceeds the level of facilities to other areas within the City's corporate boundaries. The City will not incur any additional costs for water facilities as a result of this annexation.

#### 5.16 FIRE HYDRANTS

There are currently 3 publicly owned fire hydrants within 300 feet of the Annexation Area. Within the corporate boundary, public fire hydrants are installed according to the Utilities Service Board Rules, Regulations and Standards of Service for the City of Bloomington Utilities. Spacing varies between 350 and 600 feet, with closer spacing recommended for industrial, commercial and densely populated areas. The fire hydrant locations in the vicinity of the Annexation Area are shown on the map incorporated herein as Exhibit 4.

Any privately owned hydrants will remain privately owned and maintained after annexation. Charges for publicly owned hydrants are incorporated into the existing billing structure for water users within the City's corporate boundaries, as approved by Ordinance of the Bloomington Common Council and the Utilities Regulatory Commission.

#### SUMMARY OF FIRE HYDRANTS

COST ESTIMATE OF PLANNED SERVICE: \$0

METHOD OF FINANCING: Not Applicable

PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES: Fire hydrant coverage is provided to the Annexation Area in a manner equivalent to other areas within the corporate boundaries.

#### 5.17 STORM WATER DRAINAGE

Storm water drainage within the corporate boundaries varies by type from curb and gutter to side ditches. Design for new construction within the City of Bloomington is required to include curbs, gutters and inlets to collect storm water runoff constructed at the developer or property owner's expense. City of Bloomington Utilities handles storm water drainage complaints from customers first by assessing the problem, then determining the appropriate solution and implementing the plan according to the Utilities Service Board Rules, Regulations and Standards of Service.

Storm water drainage within the Annexation Area consists of curb and inlets along newly constructed roads and roadside ditches with natural drainage. Storm water Utility staff evaluated the storm water drainage in the area and determined that existing drainage in the Annexation Area is at least equivalent in standard and scope to the drainage in other areas within the City's corporate boundaries.

Within the city, storm water inlets and roadside ditches in public roads are cleaned out on an as-needed basis. Since the public roads in or adjacent to the Annexation Area are already inside the municipal boundary, any stormwater inlets and ditches in or adjacent to the Annexation Area are already maintained by the Utilities Department. No new costs will be incurred as a result of this annexation.

#### SUMMARY OF STORM WATER DRAINAGE

COST ESTIMATE OF MAINTENANCE: \$0

METHOD OF FINANCING: Not Applicable

PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES: No capital expenditures for drainage are required as a result of this annexation. Inlets and ditches on public streets in or adjacent to the Annexation Area are being already maintained on an as needed basis.

#### 5.18 PARKS AND RECREATION

The City's Parks and Recreation Department offers a wide variety of organized activities including, but not limited to, passive recreation, recreational sports, competitive sports, sports instruction, holiday and seasonal celebrations, special events, seasonal playground programs, community programs, fitness training, and Older American programs. Some activities are free, and some involve a fee.

The Annexation Area is located within a few miles of several City Parks and Recreation sites which together offer a wide range of recreation opportunities as described by the Parks & Recreation Department publication "Where to do Parks and Recreation in Bloomington!" A summary of City parks in relation to the Annexation Area:

Located within a one mile radius are Wapehani Park and Twin Lakes Sports Park. In addition, located within a two mile radius are the Clear Creek Trail, Leonard Springs Park, Highland Village Park and Thomson Park.

At present, all Parks and Recreation Department activities are open to residents of unincorporated areas. However, a secondary priority registration status and a higher out-of-City fee is applied to most of the recreation and facility programs. There is no City residency requirement or higher fee for utilization of park areas with the exception of fee-supported facilities, such as Winslow Sports Complex and Bryan Park pool.

#### SUMMARY OF PARKS AND RECREATION

COST ESTIMATE OF SERVICE: \$0

METHOD OF FINANCING: Not Applicable.

PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES: All services are organized and in place for the Annexation Area residents, to the same standard and scope offered to other areas within the corporate boundaries. No additional expenses for City Parks and Recreation services are anticipated as a result of this annexation.

#### 5.19 COMMUNITY AND FAMILY RESOURCES

The City's Community and Family Resources Department administers a wide variety of programs for residents of the City and surrounding areas. Current programs and scopes of citizen eligibility are as follows:

Program	Scope
Bloomington Volunteer Network	Monroe County and vicinity
Child Care Resource and Referral	Monroe County
Council for Community Accessibility	No Restrictions
Commission on the Status of Women	City of Bloomington
Commission on the Status of Black Males	Monroe County
Dr. Martin Luther King, Jr., Birthday Commission	City of Bloomington
Bloomington Teen Council, Co-sponsor	Monroe County
Short-term, topic-specific task forces	Monroe County

Most Community and Family Resources Department programs are already available to the Annexation Area on the same basis as they are available to other areas in the City. Certain programs require specific client qualifications having to do with income, age, family circumstances, etc. Access to these programs for the Annexation Area residents is determined on the same basis as access for residents of other areas of the City.

Since the Annexation Area is otherwise already served to an equivalent standard and scope as other areas of the City, no other new service is proposed.

#### SUMMARY OF COMMUNITY AND FAMILY RESOURCES SERVICES

COST ESTIMATE OF SERVICE: \$0

METHOD OF FINANCING: Not Applicable.

PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES: Services are organized and in place for the Annexation Area to the same standard and scope offered to other areas of the city.

#### **5.20 PLANNING, ZONING, PLAN REVIEW AND PLAN COMPLIANCE**

Planning, zoning, plan review, and plan compliance enforcement are performed by the Planning Department, and are currently being provided to all residents of the City of Bloomington and to the Areas Intended for Annexation. The Annexation Area is not included within the Areas Intended for Annexation.

The Planning Department reviews and approves site plans of proposed new construction to insure compliance with applicable regulations. Specific proposals such as variance requests, special exceptions, conditional use, rezoning requests, and public right-of-way vacations are reviewed and recommendations are forwarded to the Plan Commission, Board of Zoning Appeals and Common Council for their consideration. Additionally, the Planning Department conducts comprehensive planning and transportation studies.

Upon annexation, Planning Department services will be extended to the Annexation Area in a manner equivalent to other areas within the corporate boundary. Salaried staff performs these services and extension of service to the Annexation Area will not result in any additional expenditures.

## SUMMARY OF PLANNING, ZONING, PLAN REVIEW AND PLAN COMPLIANCE ENFORCEMENT SERVICES

COST ESTIMATE OF PLANNED SERVICE: \$0

METHOD OF FINANCING: Not Applicable.

PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES: Upon annexation, Planning Department services will be extended to the Annexation Area in a manner equivalent to all areas within the corporate limits.

### 5.21 ADMINISTRATIVE SERVICES

City administration and operations include departments that are not directly involved in the provision of the capital and non-capital services discussed previously. The City of Bloomington departments which provide administration services to the City at large are the Mayor's Office, City Clerk's Office, City Council Office, Controller's Office, Legal Department and Employee Services Department.

The Mayor's Office provides, in addition to its primary function as chief executive, information to residents, economic development efforts, and a referral service to other City departments, government agencies and private organizations.

The City Clerk and City Council are responsible for organizing City Council meetings and official record keeping and provide a forum for City legislation.

The Controller's Office oversees the municipal budgetary and financial systems. The office also issues bicycle licenses and itinerant merchants' licenses.

The Legal Department initiates punitive action for ordinance violations, responds to requests for legal opinions from other departments, represents the City of Bloomington in legal matters and addresses human rights and affirmative action compliance matters. In addition, the Legal Department investigates complaints filed pursuant to the Human Rights Ordinance, and represents complainants upon a finding of probable cause.

The Employee Services Department is responsible for City job listings and board and commission vacancies.

The Annexation Area, with an estimated area of .86 acres, represents less than a .01% increase in the City's total area of 15,001 acres. The Mayor's Office, Council Office, Controller's Office, Legal Department and Employee Services Department are staffed by salaried personnel, so they will not require additional staff resources to serve any increase in demand for service through the annexation of the Annexation Area. These departments will provide relevant services upon request to the same standard and scope as these are provided to other areas within the corporate boundary, with their existing resources.

## SUMMARY OF ADMINISTRATIVE SERVICES

COST ESTIMATE OF PLANNED SERVICE: \$0

METHOD OF FINANCING: Not Applicable.

PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES: Beginning upon the effective date of the annexation, the City's administrative services provided by the Mayor's Office, City Council

Office, Controller's Office, Legal Department and Employee Services Department will be provided to the Annexation Area in the same manner and scope that these services are provided to other areas within the municipal boundary. Because the Annexation Area does not represent a significant increase in the City's population, these services will be extended without hardship to these administrative offices and departments and without increased cost.

## **5.22 OTHER CITY FUNCTIONS**

This Plan outlines all City services that will be impacted by the inclusion of the Annexation Area within the City's corporate boundaries. Because the Annexation Area represents less than a 1% increase in population, the effect of inclusion of this Area within the City limits will have minimal impact upon services not previously mentioned, such as Municipal Building maintenance.

Any services not specifically addressed in this report have not been omitted for lack of consideration. Rather, their absence indicates that provision of these services to the Annexation Area will be provided in the same manner that such services are provided to other areas within the City's corporate boundaries without the expenditure of additional funds.

In conclusion, therefore, it must be noted that any non-capital services currently available to areas within the municipal boundary which were not previously discussed in this Plan, will be made available in the same manner to the Annexation Area beginning upon the effective date of the annexation.

### **OTHER CITY FUNCTIONS SUMMARY**

**COST ESTIMATE FOR PROVISION OF SERVICES:** \$0

**METHOD OF FINANCING:** Not Applicable.

**PLAN FOR ORGANIZATION AND EXTENSION OF SERVICES:** Beginning upon the effective date of the annexation, any non-capital services not previously discussed in this plan will be made available in the same manner to the Annexation Area as it is currently available to areas within the municipal boundary.

## **6.00 FUNDING**

Funding for the planned services is derived from various sources including those listed below.

Revenue in the General Fund includes:

Taxes: General property tax, financial institutions tax, auto & aircraft excise, wheel tax, surtax excise, and county option income tax (COIT).

Licenses & Permits: housing inspections, planning permits, dog licenses, as well as other licenses and permits.

Inter-Governmental revenue: State and federal grants, ABC taxes, cigarette taxes and county reimbursements.

Charges for Services: Cable TV receipts, parks & recreation receipts, payments in lieu of taxes, and parking receipts.

Fines & Forfeitures: Ordinance violations and court docket fees.

Miscellaneous revenue: Interest earned, sale of property, contributions, gifts, reimbursements, and refunds.

Revenue in the Motor Vehicle-Highway Fund includes county wheel tax, state gasoline tax, Federal Highway Administration aid and State Transportation Program reimbursements.

Revenue in the Local Road and Street Fund includes state gasoline tax, Federal Highway Administration aid and State Transportation Program reimbursements.

Revenue in the Cumulative Capital Improvement Fund includes cigarette tax.

Revenue in the Sanitation Fund includes trash and yard waste sticker collections, interest earned, and a transfer from the General Fund.

Revenue in the Storm Water Utilities includes user fees and interest earned.

## **7.00 HIRING PLAN**

It is not anticipated that this annexation will result in the elimination of jobs for employees of other governmental entities, but, in the event it does, the Director of Employee Services is directed to assist these employees in obtaining new employment. However, the City will not be required to hire any of these employees.

In the event of unforeseen elimination of jobs, the Employee Services Director will take the application of any such employee and maintain a special file of these applications. Each application will be forwarded to major employers in the area, and to any City department having a job opportunity for which the individual is qualified. Each individual will also be referred to the Indiana State Employment Security Division.



## 8.00 SUMMARY OF COSTS

The following summary of costs includes any one-time capital costs that will be incurred, as well as the annual maintenance costs beginning in the first full year after the effective date of annexation.

<b>Annual Maintenance Costs:</b>	<b><u>2008</u></b>	<b><u>2009</u></b>	<b><u>2010</u></b>
Sanitary Sewer Service	0	0	0
Water Distribution	0	0	0
Fire Hydrants	0	0	0
Storm Water Drainage Facilities	0	0	0
Street and Road Construction and Maintenance	0	0	0
Street and Road Services	0	0	0
Street Signs and Traffic Signals	0	0	0
Street Lights	0	0	0
Sidewalks	0	0	0
Residential Rental Inspection	0	0	0
Housing Development Services	0	0	0
Ordinance and Nuisance Enforcement Services	0	0	0
Neighborhood Development Services	0	0	0
Police Protection	154.74	162.66	170.99
Fire Protection	91.93	96.64	101.59
Animal Shelter/Animal Control	55.58	58.43	61.42
Refuse Collection	0	0	0
Parks and Recreation	0	0	0
Community and Family Resources	0	0	0
Planning, Zoning, Plan Review and Plan Compliance	0	0	0
Administrative Services	0	0	0
<u>Other City Functions</u>	0	0	0
<b>Total Annual Maintenance Costs:</b>	<b><u>\$302.25</u></b>	<b><u>\$317.73</u></b>	<b><u>\$334.00</u></b>

The One Time Costs are as follows:

Street Sign Replacement	0
Recycle Bins	<u>0</u>
One Time Cost Total	<u>\$ 0</u>

The Capital Infrastructure Costs are as follows:

Street Resurfacing	0
Capital Infrastructure Cost Total	<u>\$ 0</u>

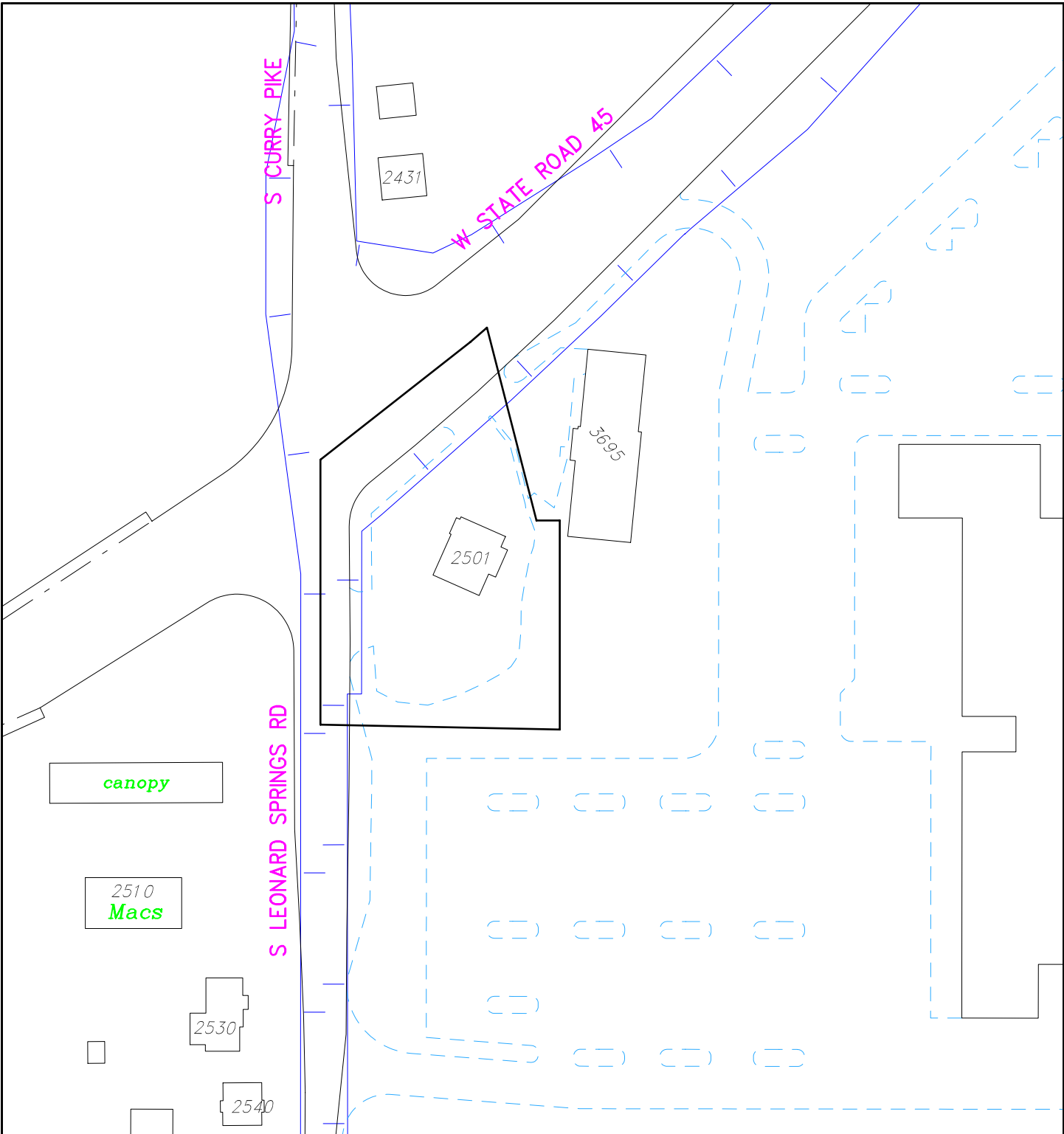
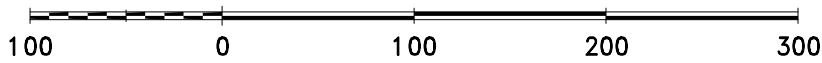
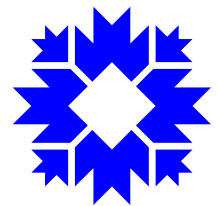


Exhibit 1. Map of the Annexation Area

By: clarks  
4 May 07



City of Bloomington



Scale: 1" = 100'

For reference only; map information NOT warranted.

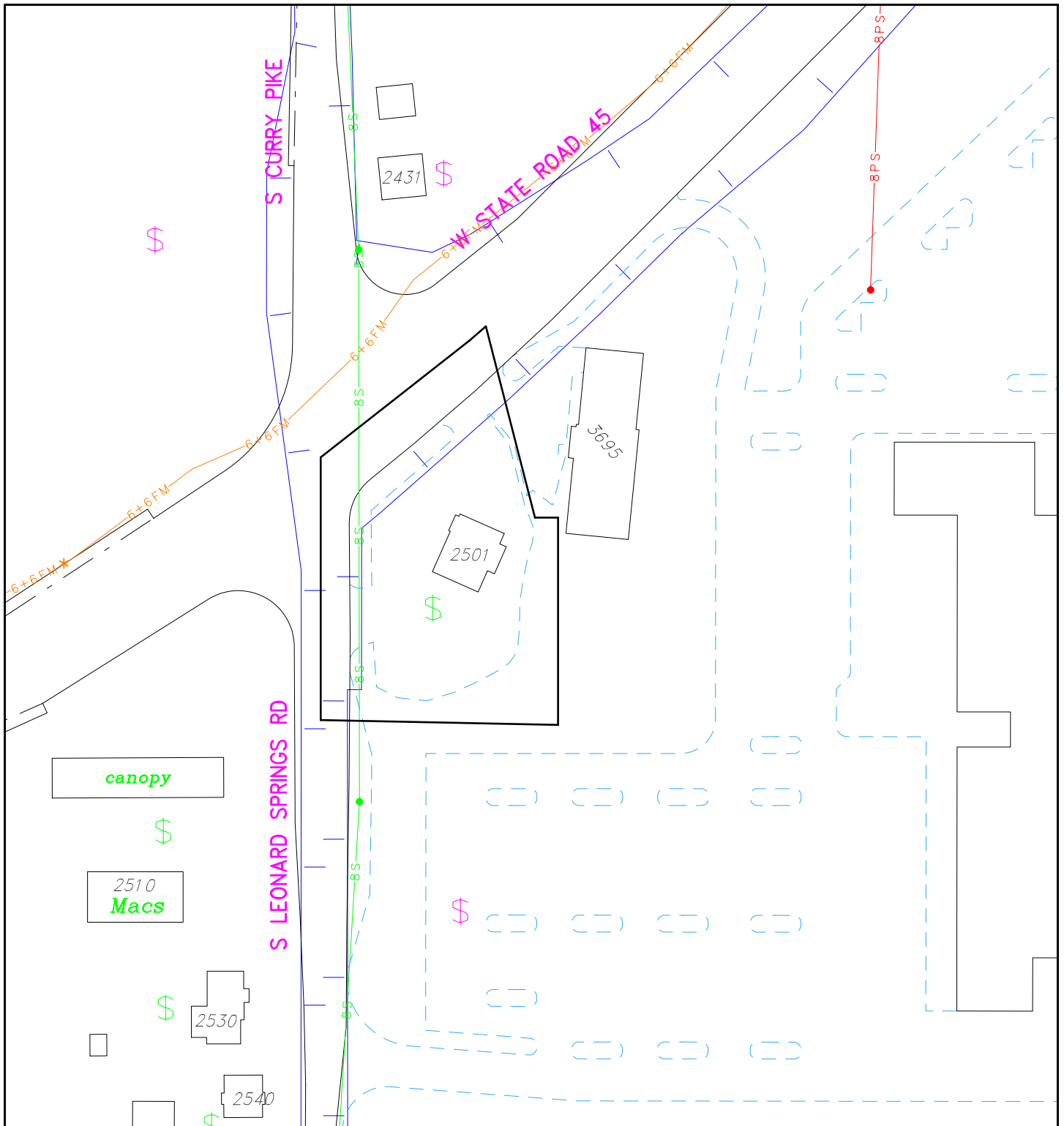
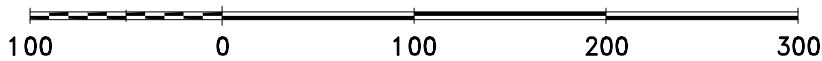
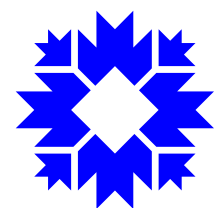


Exhibit 2. Map of Existing Sewer Lines in the Annexation Area

By: clarks  
4 May 07



City of Bloomington



Scale: 1" = 100'

For reference only; map information NOT warranted.

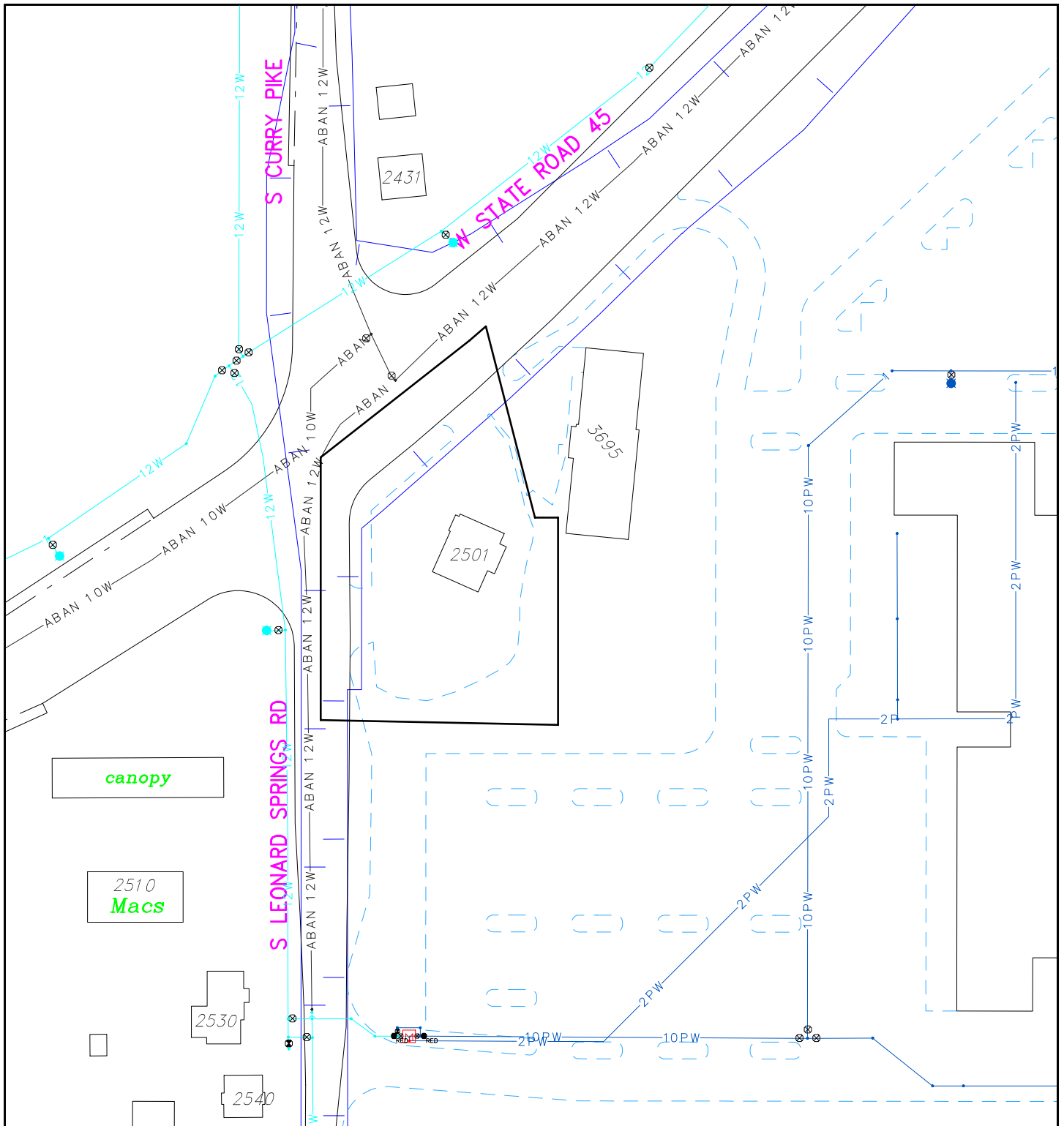
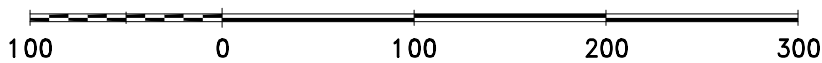
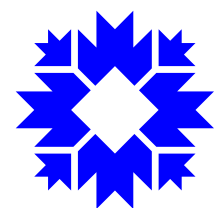


Exhibit 3. Map of Existing Water Lines in the Annexation Area

By: clarks  
4 May 07



City of Bloomington



Scale: 1" = 100'

For reference only; map information NOT warranted.

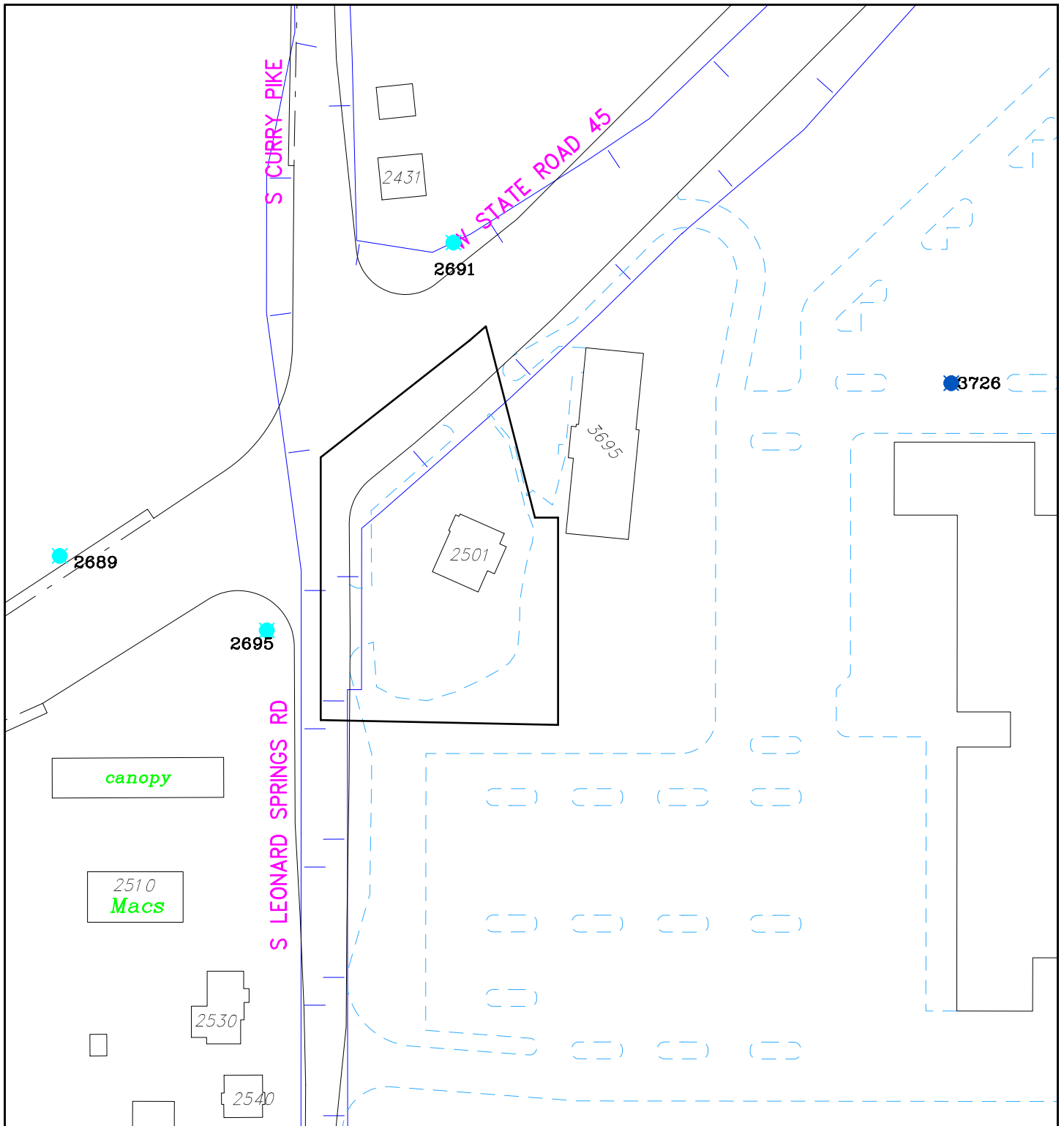
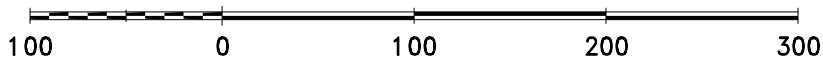
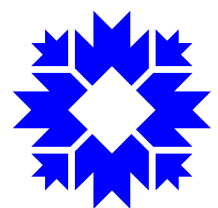


Exhibit 4. Map of Existing Fire Hydrants in the Annexation Area

By: clarks  
 4 May 07  
 File: Lhydrants



City of Bloomington



Scale: 1" = 100'

For reference only; map information NOT warranted.

**ORDINANCE 07- 11**

**TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE  
ENTITLED “VEHICLES AND TRAFFIC”  
Re: Parking Near Sixth and Madison Streets**

WHEREAS, the Traffic Commission has recommended certain changes be made in Title 15 of Bloomington Municipal Code entitled “Vehicles and Traffic”;

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

SECTION I. Section 15.32.030 Schedule L shall be amended to add the following:

**ANGLE PARKING**

<b>Street</b>	<b>From</b>	<b>To</b>	<b>Side of Street</b>
Madison Street	Sixth Street	Seventh Street	West
Sixth Street	Madison Street	Morton Street	North

SECTION II. Section 15.32.080 Schedule M shall be amended to add the following:

**NO PARKING ZONES**

<b>Street</b>	<b>From</b>	<b>To</b>	<b>Side of Street</b>	<b>Time of Restrict.</b>
Madison Street	Sixth Street	142’ North of Sixth Street	East	Any Time
Madison Street	186’ North of Sixth Street	Seventh Street	East	Any Time

SECTION III. Section 15.32.100 Schedule O shall be amended to add the following:

**LOADING ZONES**

200 Block of North Madison Street from 142’ to 186’ North of Sixth Street on the East side

SECTION IV. Section 15.32.150 Schedule S shall be amended to add the following:

**ACCESSIBLE PARKING FOR PERSONS WITH PHYSICAL DISABILITIES**

200 Block of North Madison Street – the first space North of the East/West alley on the West side of Madison Street.

SECTION V. 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 VI. 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 \_\_\_\_\_, 2007.

\_\_\_\_\_  
CHRIS STURBAUM, 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 \_\_\_\_\_, 2007.

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

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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

#### SYNOPSIS

This ordinance makes several changes to the Bloomington Municipal Code including angle parking, no parking zones, loading zones and accessible parking for persons with physical disabilities for the area near Sixth and Madison Streets.

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**ENGINEERING MEMORANDUM**

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**TO:** COMMON COUNCIL MEMBERS  
**FROM:** JUSTIN WYKOFF, MANAGER OF ENGINEERING SERVICES  
**SUBJECT:** ORDINANCE 07-11  
**DATE:** 5/9/2007  
**CC:** DAN SHERMAN, COUNCIL ADMINISTRATOR/ATTORNEY

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Ordinance 07-11 is composed of several modifications to Title 15 "Vehicles and Traffic" near the planned Bloomingfoods Market and Deli. These changes are being considered in coordination with the Bloomingfoods Market and Deli, as well as improving the accessibility and availability for pedestrians to walk along the East side of Madison between 6<sup>th</sup> Street and 7<sup>th</sup> Street (see attached pictures). Additional downtown public parking is gained by utilizing the wide streets to allow for angle parking.

**Section I**

The section allows for updating the code to include angle parking on Madison Street between 6<sup>th</sup> Street and 7<sup>th</sup> Street along the West side which is currently parallel parking. Also includes angle parking on 6<sup>th</sup> Street between Morton Street and Madison Street along the North side which is currently parallel parking.

*See Map(s) #1*

**Section II**

This section removes the existing unrestricted parking on Madison Street between 6<sup>th</sup> Street and 7<sup>th</sup> Street with the exception of an area that will serve as a loading zone for public use. Per Bloomington Ordinance loading zones allow "Passenger vehicles shall be limited to a maximum of five minutes use to load and unload passengers and trucks shall be limited to a maximum of thirty minutes use to deliver and pick up materials."

It should be noted that the current Bloomington Municipal Code does not permit the manner in which vehicular traffic has been parking for the past several years, and by default would allow for unlimited parallel parking as angle parking has never been permitted along the East side of Madison Street.

*See Map(s) #1*

**Section III**

This section adds the loading zone which will be located near the mid-block area on the East side of Madison Street. Directly across from the east/west alley there is sufficient space between the overhead doors of both Bloomington Glass and Dog Doo to allow for a loading zone that does not conflict with the angle parking that is being proposed along the West side of Madison Street.

*See Map(s) #1*

**Section IV**



This section allows for the addition of an accessible parking space to be placed on the West side of Madison Street and being the first space north of the east/west alley. This location will allow for immediate access to an accessible ramp at the alley

*See Map(s) #1*

At this time Bloomingfoods Market and Deli has petitioned and received a permit for all work requested that can be permitted prior to receiving the approval of the City Council. No infrastructure changes have been allowed that would modify the laws set forth by Title 15 of the Bloomington Municipal Code.

Should you have any questions regarding this Ordinance or need additional information please let me know.

Thank you,



Map Number: 1

- A = ANGLE PARKING
- H = ACCESSIBLE PARKING SPACE
- L = LOADING ZONE

By: wykoffj  
9 May 07



City of Bloomington  
Engineering



Scale: 1" = 60'

For reference only; map information NOT warranted.



NEW WEST MORTGAGE

BEST CHOICE

BEST RATES!

USA

NEW WEST

316

11.17.2006 15:06

BLOOMINGTON  
GLASS SERVICE

DOG DO

WE PLUMB  
LOADING  
TOOL

11.17.2006 15:09

# **Minutes for Approval**

In the Council Chambers of the Showers City Hall on Wednesday, March 21, 2007 at 7:30 pm with Council President Dave Rollo presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
March 21, 2007

Roll Call: Wisler, Diekhoff, Ruff, Sandberg, Rollo, Sturbaum, Volan, Sabbagh, Mayer

ROLL CALL

Council President Rollo gave the Agenda Summation

AGENDA SUMMATION

The minutes of January 17, 2007 and February 7, 2007 were approved by a voice vote.

APPROVAL OF MINUTES

Brad Wisler wished everyone a Happy Spring.

REPORTS:  
COUNCILMEMBERS

David Sabbagh extended condolences to the family of Wade Steffey. He noted the accident at Purdue that took this young BHS South graduate's life impacted the Bloomington and Purdue communities and his family.

Susan Sandberg announced that the Commission on the Status of Women program entitled *Women on Board* would be held March 28, 2007 at the Monroe County Public Library. She noted that the Commission wanted to encourage women to become engaged in civic life, and was providing a panel discussion by board or commission members from the community, a keynote speech by State Senator Vi Simpson, and a presentation of the Emerging Leader Award to Tiffani Cannon.

Chris Sturbaum talked about the ribbon cutting ceremony for Noodles Restaurant at the Von Lee Theater. He showed a picture of the opening of the Von Lee Theater (then named the Ritz) in 1928, reminiscing about that time of prosperity and the talking animated mouse in some of the first talking pictures and Charlie Chaplin movies that were shown to live piano music. He noted that architect John Nichols was commissioned to design the Von Lee, the last of his buildings in Bloomington. He noted that the only reason that the façade was retained on this building during its renovation was that the Historic Preservation Commission had designated this property as locally historic in nature, and that the Common Council had supported this by ordinance. He said that the theater should have been saved as a movie theater and used by the Film Studies Department, but said that the façade still afforded people a picture around which to remember stories of the Von Lee. He wondered what would be present in that location 80 years from now, but celebrated that we at least had this window to past history.

Tim Mayer welcomed folks back from spring break, noting the beauty of the weather and the calm nature of the community during this time.

Craig Brenner, Community and Family Resources Department, introduced David Hummons, Chair of the Commission on the Status of Black Males. Hummons acknowledged that the Commission had given the second Annual Recognition of Outstanding Black Male Leaders of Tomorrow Award to Cordero Rhyne. Rhyne thanked the Commission for the award. Hummons also acknowledged an award given posthumously to Alvin Henry who was tragically killed in a traffic accident.

MAYOR and CITY OFFICES

Deputy Mayor James McNamara read a proclamation from the mayor proclaiming March 2007 the National Disabilities Awareness Month in Bloomington.

Susan Rinne, Director of Options for Better Living, thanked the council and the City of Bloomington for their efforts to advocate for persons with disabilities in the city and employing persons with disabilities.

Reports from the Mayor and City Offices (cont'd)

Jim Shelton of Hire Potential Indiana spoke about and reminded the council of the Business After Hours Event the following day.

Mayor Kruzan noted that Daniel Grundmann had followed through with the hiring of folks with disabilities. He noted that two city departments, Utilities and Animal Care and Control, had been honored for hiring folks from Stonebelt. He said that the employees were reliable and talented and that the reward was to the person who did the hiring as much as anything.

Timothy Mayer thanked Rinne for her direction as Executive Director, noting that all of us might be just a step away from a disability. He thanked her for acknowledging his board membership along with thanking Jim Shelton and Iris Kiesling who are also board members. He noted, too, that the name and concept of Hire Potential was developed in Bloomington and was now serving as a model for the State of Indiana.

There were no council committee reports at this meeting.

#### COUNCIL COMMITTEES

Community Member Stephanie Kimball gave a short presentation on the National Day of Climate Acton that was to take place on April 14, 2007. She noted it was a Step it Up Bloomington event. She said that it would coincide with over 1000 other events across the nation to draw attention to global warming and encourage the reduction of carbon emissions by 80% by 2050. She invited the public to attend.

#### PUBLIC INPUT

Kimball's presentation moved Steve Volan to note that citizens were encouraged to speak or make simple presentations at this portion of the meeting.

It was moved and seconded that Eric Sandweiss be appointed as an advisory member to the Historic Preservation Commission. The nomination was approved by a voice vote.

#### BOARD AND COMMISSION APPOINTMENTS

It was moved and seconded that Resolution 07-02 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 7-0-2. It was moved and seconded that Resolution 07-02 be adopted.

#### LEGISLATION FOR SECOND READING

Assistant City Attorney Trish Bernens explained that the resolution approved two agreements that would extend the current interlocal agreements by five years. In the planning and zoning agreement, the city would retain planning and zoning jurisdiction over the areas outside the corporate boundaries. She explained that the two changes in this new agreement involved deleting the timeline for annexations, and deleting the requirements for quarterly joint meetings between the city and county plan commissions. She noted that there was a provision for having joint meetings as needed. Bernens also noted that the building code interlocal agreement centralized building code enforcement for both the city and the county and had no changes from the past agreements.

#### Resolution 07-02 TO EXTEND INTERLOCAL COOPERATION AGREEMENTS BETWEEN THE CITY OF BLOOMINGTON AND MONROE COUNTY, INDIANA IN REGARD TO PLANNING AND ZONING JURISDICTION AND BUILDING CODE AUTHORITY

Chris Sturbaum requested that the city and county Plan Commissions have a joint meeting soon. Bernens said she would relay that request to Planning Director Tom Micuda, and noted that County Commissioner Iris Kiesling was present and would relay that request to the county staff.

Resolution 07-02 (cont'd)

Kiesling said she appreciated the council's consideration and concurrence on these agreements. She said that the Areas Intended for Annexation (AIFA) plan was working well. She said that the county was continuing to develop the update of the 1996 comprehensive plan and encouraged the council members to participate in the questionnaire that the county was being offered for this process.

Kiesling said that the consolidation of the building code process was working well and that it provided some predictability for the builders.

Sabbagh noted that this was a legally binding resolution that outlined rights of both the city and county. He asked why the previous agreement on annexation was not legally binding. He asked "why have we done no annexations when we had a five year annexation agreement in the previous one?" He said that the city had not fulfilled that annexation obligation. He asked if that agreement legally bound the city to do the annexations.

Bernens said that the agreement stated that the city 'intended' to annex, and not that the city 'will' annex areas. She noted that annexation was a legislative action and that even if the city brought forth annexations, the council could still vote to not annex a property. She also noted that the agreement was specifically written without the words 'shall' or 'must' to give the legislators discretion in annexations. She noted that the deeper meaning of this question was in regard to policy and that the mayor would answer those questions.

Mayor Mark Kruzan noted that the city annexed 1200 acres or 34% of the entire annexation plan within the first year of the current agreement. He added that this was the largest amount of area that the city had annexed since 1975. He said that Sabbagh's statement of 'no annexations' was actually false.

Sabbagh said that the five year plan was agreed on by the council and that the plan was not completed. Kruzan noted that while that statement was correct, the city was not legally obligated to complete that plan.

Ruff asked Kiesling if the county had problems with the annexation progress that the city had over the past five years. Kiesling noted that planning in that area was under city planning jurisdiction and therefore the costs were on the city, but there were no additional taxes paid to the city, and there was no voter enfranchisement for those residents. She noted, however, that the city had an interest in that area for the future, thus the reason for the agreement.

Sturbaum asked if anyone had asked to be annexed into the city. Kruzan said there had been some contact by citizens who asked if they were in the 'annexation plan'. He added that a small number were opposed to annexation and a smaller number wanted to be annexed voluntarily. He said that the city was taking a cautious approach to make sure that city resources were not stretched too thin. Kruzan noted that the city had annexed more area in the past few years than it had since 1975. He said that we needed to make sure that city services to existing residents were not diluted by over committing to additional areas through annexation. He said that existing demand can outpace affordability. He added that there are tax benefits to annexation, but careful cost/benefit analysis was needed in determining the actual cost of services to new areas. He reiterated that the city's first obligation was to the existing taxpayer.

Sturbaum noted that if a citizen wanted their property to be annexed, they should contact their council representative for help.



Wisler said that if the reason for not annexing the areas was the need for more cost/benefit analysis, the equation would be fairly simple. He asked if calculations had been done at this point. Kruzan said it was a simple proposition, but not a simple task. He noted that many persons in public works, controller's office and others were carefully analyzing numbers and resources to see just what could be absorbed with current city operations, and where more resources would need to be added. He used sanitation as an example, saying that the tipping point may require the purchase of an additional truck with an additional sanitation crew to service an adjacent annexed area rather than adding several newly annexed city blocks to a particular route. He said that with police and fire protection, the worry of stretching services too thin was a concern.

Wisler said that these costs could be quantified and analyzed with tax revenues. Kruzan said they could for today, but referred to his memo on the unpredictability of the tax base and costs associated with it. He said for 2008 and 2010 a shortfall in revenue might exist, and that this would be dictated by the state general assembly's actions.

Wisler said people in these areas lived under rules passed by the council but didn't get to vote for them. He said this created an inequity and asked what would make the numbers and analysis any more certain in the future.

Kruzan noted that he had sent Wisler a lengthy message and noted that county residents had a say in who gets elected in the county, and those elected officials would also be voting on this very interlocal agreement.

Wisler asked when the decision could be made as to whether the annexations could take place. Kiesling stepped forward and noted that the city Plan Commission had two very active representatives who were appointed by county commissioners. She said one also sat on the Board of Zoning Appeals. She remembered that Mayor Allison wanted to annex the Broadview area, but that the services and infrastructure improvements were too expensive to do so at that time. She said that she suspected that that particular annexation actually cost more than the taxes paid from that area.

Kruzan noted that the agreement period was not indefinite, but was for five years, with options to renew. He added that county officials would be voting on this agreement and that there was accountability for anyone, city or county, who voted to extend this agreement as all were elected by their respective constituents. He said that without this agreement, not only could the citizens being annexed not be able to vote for the city officials who were annexing them, but also would have no say at all on the annexation plan as stipulated in the agreement. In other words, without that agreement, there would be no county review of these matters.

Kruzan said he said that the right of property owners to challenge municipalities on annexation issues by city administration and council that they couldn't vote for was something he supported in his years in the state legislature.

Wisler asked if there was a regular review of annexations, and what was that process.

Susan Clark said that the city was in the middle of an assessment of annexation plans, looking at the areas that could be annexed without causing the city to have to add to paving crews, new employees, buy new sanitation trucks or add personnel to those ranks. She said that regular assessments were often done during the budget time and were included in the next year's proposed budget.

Resolution 07-02 (cont'd)

Wisler asked what would happen if the agreement wasn't passed. Bernens said that the jurisdiction would go back to the county. If it was passed, the current agreement would be extended for the next five years. She also stated that new areas could be considered in the next review of the agreement in five years.

Sabbagh asked about the southwest portion of the map and asked if that area intended for annexation would need as much infrastructure improvement and additional resources as the previously mentioned Broadview addition to the city.

Clark said that Clear Creek Estates and Eagleview were not in that condition, and in response to Sabbagh's questioning about easily annexing those areas, pointed out that those areas had no contiguity with city property at this time, and therefore those newer, more built out areas could not be annexed at this time. She noted that the areas with contiguity, closer to the city boundaries, had issues with storm water drainage with narrow roads and some of the same issues as the Broadview annexation held for the city.

Volan asked if all the remaining areas could be annexed within five years. Mayor Kruzan said that the city was planning to begin annexing some of those areas this year, but nowhere near that amount. He said that uncertainties with a change in tax revenue, population growth within the city, and assessment of city services had to be considered. Clark noted that the process could take up to two years and had other state legal stipulations regarding timing of annexations.

Sturbaum asked if a change in the federal or state government administrations would allow more comfort in making these decisions. Kruzan said it would help, although it would take a while to undo changes that have made property tax revenue projections unstable.

Volan noted that it was a matter of which government body was representing citizens at what time. At this time Kruzan and Wisler briefly reviewed their respective views on representation of citizens, inside and outside the AIFA.

Mayer pointed out that development in the AIFA would cost more than development in the county.

Sabbagh asked if the county or city paid for new infrastructure in the AIFA. Commissioner Kiesling noted that the developer was expected to pay for roads and build them according to city standards, not county standards. She also noted that city, county, and state maintained roads cross the county.

There were no public comments on this legislation.

Final Council comments:

Wisler said he was surprised that there was no public comment on this item. He noted that his concern was not the annexation itself, but keeping people in uncertainty for an extended period of time. He said that county government would naturally hesitate to invest in those areas if they thought the city would annex it in a couple of years, adding to the secondary affect of this agreement. He said that while he didn't want to see those areas revert to the county control, there needed to be more pressure to get off the fence and annex these areas. He said that he appreciated the amount of work and research done in making these decisions and did not want to belittle the job that was being done. But, he added, as it was his philosophy that folks should not sitting in limbo

on this until the administration feels like acting, he would be voting no on this legislation.

Sabbagh said Wisler expressed his very feelings. He noted that Hyde Park was the only neighborhood that wanted to be annexed, and that areas usually do not come forward demanding annexation. He said that the AIFA should be developed to city standards, but leaving people in limbo was not fair. He said that when an area was about to be annexed, the city always used the argument that those areas have all the benefits of city residents but are not paying for these benefits. He said that he was disappointed that the 'five year plan' was not carried out. He said that he didn't like the fact that the city was controlling the planning destiny of these people and they didn't have input.

Sturbaum said that there was no public comment on this; no one who was in this situation was objecting to the agreement, and so he would support the agreement.

Sandberg said she didn't share Wisler's concerns. She said she was comfortable with the staff review of the agreement. She added that she wanted to be responsive to sentiments on this issue and asked that folks feel free to contact her or other council members.

Ruff said he respected the theory of 'taxation without representation' but noted that this was an interlocal agreement and would not exist unless the elected county officials agreed. He said this was not a trivial matter and noted that in past years, because the county didn't have a good land use plan, the city, under state law, had control over the entire 2 mile fringe. It was only after they did have a comprehensive land use plan that the interlocal agreement came into play. He maintained that there was county representation and accountability in this whole process. He also noted that the agreement dealt with zoning and planning codes, not the entire Municipal Code, and that the county residents had representation at the Plan Commission level where most of these decisions are made.

In commenting on issues that arose in the earlier discussion Ruff said one method of recourse for citizens was the next election cycle. He also noted that residents living in areas adjacent to the city limits, by that very proximity, were most likely aware that their property could be annexed, and it was through this agreement that those folks were kept informed.

As to the statement that the city was annexing at a slower pace than the old administration, Ruff noted that a new administration was entitled to address the agreement in its own way. He said that while he previously voted on this agreement, he would not accept the statement of not following through on a commitment. He said that costs of services, preference of citizens, growth projections, goals of the community, land use needs and planning philosophies change within that five year time period and that they all needed to be considered in each proposed annexation action plan. He reiterated that this was an intention and not a committed agreement, and would not accept any insinuation that he fell behind on duties or didn't fully understand the implications of the agreement.

Volan said that he hears complaints the impact of city wide 'carnivals' like Little 500 and the struggle of the city police enforcement in keeping up with the demand of their services. He noted that the principle tenet of urban writer and activist Jane Jacobs was that cities are formed by people who gather to trade goods, services, information, and ideas. He said those who locate outside cities know that they grow. He said that

Resolution 07-02 (cont'd)

unlike states, or counties, when more people enter the area, the city boundaries will grow. He noted that his council district 6 was the only city council district without a city boundary, and was actually the district that would have the most to lose by annexations as more services would be taken from that area and diverted to newly annexed areas especially those developed in a suburban, less sustainable and less efficient manner.

He said he had no problem agreeing to this resolution.

Mayer noted that, with regards to the question about not fulfilling the last agreement, the city was actually being prudent in not annexing everything in the previous agreement. He noted that during that time, there was a shift in public policy to annex land that was not fully developed rather than ones with fully developed infrastructure. Until this is new land was developed the tax base was not growing. He said the city needed to wait until that was developed before we looking to annex new areas. He noted that changes in state law are important to understand noting that previous annexations only included improvements to the center line of roads of the furthest distance annexed while now the entire road, from side to side, must be improved. He said that most importantly the developers of areas added to the city sewer system sign a waiver that passes through to the buyer of the property stating that they will not oppose annexation. He noted that these citizens clearly understand that in time they will be annexed into the city. He said that the development boom in the county overshadows the development in the city in areas west and north of the city and from the south and west from adjacent counties. He said that with development coming in from counties surrounding us what we really need is more emphasis on county wide planning and regional planning. He added that we need to realize that our community is a major employment and shopping center for the region.

Rollo thanked Clark, Bernens, Kiesling and Kruzan for answering questions regarding this resolution. He noted county representation on the Plan Commission and the Board of Zoning Appeals and that there was recourse for residents in these areas. He noted that he might have been swayed by this argument if there had been a number of citizens objecting to the resolution. He said that this plan was the prudent approach, and that Mayer was correct in that the county development had eclipsed the city in scale. He added that because of the anticipated enactment of the growth policies plan and the UDO, an extraordinary build out has stretched the city capacity to deliver services. He noted that there was no way of knowing what the circuit breaker property tax law would have on the housing market in the fall, or housing devaluation in the near future. He noted that we needed to be careful and prudent in the future.

Diekhoff thanked Clark and Bernens for their work adding that there is a lot of background work in considering annexations. He also thanked Kiesling for being present.

Resolution 07-02 received a roll call vote of Ayes: 7, Nays: 2 (Sabbagh, Wisler)

(minutes continued on next page)

It was moved and seconded that Ordinance 07-07 be withdrawn from the agenda. Parliamentarian Mayer noted that this motion was subject to limited debate, and needed a simple majority to pass.

There was no discussion on the item.

The motion to withdraw Ordinance 07-07 from consideration received a roll call vote of Ayes: 9, Nays: 0.

There was no public comment at this point in the meeting.

The meeting was adjourned at 9:17 p.m.

APPROVE:

ATTEST:

Dave Rollo, PRESIDENT  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington

LEGISLATION FOR FIRST  
READING

ORDINANCE 07-07: TO AMEND  
TITLE 15 OF THE  
BLOOMINGTON MUNICIPAL  
CODE ENTITLED "VEHICLES  
AND TRAFFIC" - Re: Amending  
Provisions Regarding Stop Signs,  
Speed Limits, Various Parking  
Restrictions, and Pedestrian  
Crossings

PUBLIC INPUT

ADJOURNMENT

for approval

In the Council Chambers of the Showers City Hall on Wednesday, April 18, 2007 at 7:30 pm with Council President Dave Rollo presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
APRIL 18, 2007

Roll Call: Wisler, Diekhoff, Ruff, Sandberg, Rollo, Sturbaum, Volan, Sabbagh, Mayer

ROLL CALL

Council President Rollo gave the Agenda Summation

AGENDA SUMMATION

The minutes of March 7, 2007 and April 4, 2007 were approved by a voice vote.

APPROVAL OF MINUTES

Brad Wisler thanked community members who came out to support the Homeward Bound Walk and was happy so much money was raised for an important cause.

REPORTS:

COUNCILMEMBERS

Mike Diekhoff encouraged folks to act responsibly on the upcoming Little 500 weekend.

David Sabbagh said he was happy the Homeward Bound Walk raised money to fight homelessness and said he was always encouraged when the community came together for the collective good. He also stated that Volunteers in Medicine would open on April 23, 2007 at 333 East Miller drive in Bloomington. He said the clinic would provide quality health care at no charge to individuals in Monroe and Owen counties who did not have health insurance.

Steve Volan talked about the tragic event that occurred at Virginia Tech where 32 students were murdered. He said everyone around the country was mourning. Volan announced his participation in a special event on May 11<sup>th</sup> at 8:00pm called 'Dancing with the Celebrities' which would take place at the Buskirk Chumley Theater and would raise funds for several charities.

Andy Ruff noted the tragedy at Virginia Tech and added that thoughts and prayers were with all people who were affected by the tragedy. He also announced the passing of Jim Jontz who was an Indiana Congressman in the 1990's, a great friend of labor, social justice, and a champion for the environment.

Susan Sandberg announced that Eben Foder, author of "Better Not Bigger: How to Take Control of Urban Growth and Improve Your Community" would be speaking at the Monroe County Library on April 19, 2007 and encouraged citizens to come.

Chris Sturbaum stated that it was important to follow the guidelines of the UDO, he was afraid that if the Plan Commission approved the petition for "The Village at 10<sup>th</sup> and College" plan they would be setting the precedent of making exceptions to the UDO. He stated the first hearing would be May 7<sup>th</sup> and the public was welcome.

Tim Mayer, noting that the Little 500 race was Saturday, encouraged everyone to have a safe and responsible weekend.

Dave Rollo read the following statement:

Statement of the City of Bloomington Common Council on the Proposed Visit by the Ku Klux Klan Endorsed by All Nine Council Members and the City Clerk and Read by the Council President at the Council's Regular Session on April 18, 2007:

Most of our community is now aware that the Ku Klux Klan has expressed its intent to march in Bloomington.

We are unanimous in our view that their group, their beliefs, and the means they use to express them are ignorant, hate-filled and reprehensible.

Comments from Council Members  
(cont'd)

They say that they'll come unannounced, and it is likely that they will appear in a busy area of our downtown. Since they have chosen not to apply for a permit, they will not be afforded a designated parade area. Their aim is to attract attention to themselves and to try to elicit a reaction from our community in an effort to attract media. We should be mindful of their objective as we decide what our course of action will be, as individuals and as a community.

We fully condemn the KKK's hate speech. It elicits many emotions, but if we react in a confrontational way, we risk falling victim to the type of manipulation and exposure that the KKK wishes to achieve. A public spectacle is what they hope to create, and what we need to avoid. The greatest threat to the Klan's immediate goal is that they are ignored. This must be our united response.

That is not to say at all that we remain silent or complacent on matters of bigotry and racism. Ultimately, the best defense against bigotry and hate is to reaffirm our dedication to equality and to celebrate our diversity. The KKK's presence should remind us to re-double our efforts to fulfill Dr. King's vision of social justice and harmony.

Let us all do what we can to promote universal respect and caring for *all* members of our community. Volunteer time or contribute to an organization that is dedicated to helping others. This is how a massive good can come from the sad and pathetic actions of a hateful few.

Rollo announced vacancies on the following Boards and Commissions: Arts Commission, BDU Advisory Committee, Community and Family Resources, Historic Preservation Commission, Housing Trust Fund Board of Directors, Traffic Commission, Commission on the Status of Black Males, and Urban Enterprise Association.

Department of Parks and Recreation Urban Forester Lee Huss invited citizens to the Arbor Day celebration on April 27, 2007. He said it would be held in front of the Banneker Community Center and would include planting a tree. He then read the Mayor's proclamation naming that day as Arbor Day in the Tree City.

MAYOR and CITY OFFICES

Director of Housing and Neighborhood Development Lisa Abbott invited the citizens to the "Be Bloomington" Downtown Cleanup Day on May 1, 2007.

Environmental Commission members Phaedra Pezzullo and Heather Reynolds came to the council meeting to inform the council on natural landscaping. Pezzullo stated the Commission's view that natural landscaping was a key component to the Mayor's climate protection agreement and would help reduce global green house gasses. Pezzullo also stated that natural landscaping would allow Bloomington to be a more sustainable community. She announced that the EC's service corps intern, Becky Barrick, who would be graduating from IU with an Environmental Science degree, would present more extensive information on natural landscaping.

COUNCIL COMMITTEES

Barrick stated there were students from Indiana University who collected data on natural landscaping and presented a brochure to the EC. She said that natural landscaping preserved biodiversity through establishing native landscaping in people's back yards. She said the goal of the project is to create a "how-to" guide along with the already developed natural landscaping literature that HAND has created. She then showed and explained the brochure they created on Natural Landscaping.

Mayer thanked the EC for the presentation. He said that some folks find animals such as raccoons disturbing and asked how to keep these them away from natural landscaping.

Barrick said animals that people consider pests come around when there is garbage left out, and so encouraged Bloomington residents to take care with that.

COUNCIL COMMITTEES (*cont'd*)

Rollo stated that people should keep compost in a closed container to prevent it from attracting animals.

Volan asked about an EC blog that would be created. Barrick said she would not be involved since she would be graduating in May, but noted other communities had sponsored blogs and it had proven to be a good resource for community members to discuss natural landscaping.

Volan stated that he believed a blog was a great idea and encouraged the EC to start one in the future.

Ruff asked about the affordability of lots with natural landscaping. Barrick said that folks would not spend money on pesticides and would be using native plants, and that would actually save money. She also said people could phase in native landscaping to cut down costs.

Rollo thanked the EC for all their hard work.

HAND Director Lisa Abbott said she was excited about the work the EC has done. She stated that the HAND department fields a lot of questions about natural landscaping and this work would help provide additional information. She stated HAND had received so many questions that they decided to create and distribute an instruction manual on natural landscaping. She was happy that HAND had information on the website about natural landscaping which actually shows people how to do natural landscaping. She also encouraged people to trade native plants which helps make natural landscaping affordable. She encouraged citizens to call HAND for questions and feedback. Abbott noted that this was not an invitation to ignore lawn maintenance and that tickets would be issued for neglect.

Citizen Gene Moncel said he was appalled that the Ku Klux Klan was going to be in Bloomington. He said that it was an unfortunate situation when people lived in fear and that our educators needed to stand up against the KKK. He believed they needed to be held accountable for their hateful actions and asked the Council to pass a mask ordinance so these people at least have to show their face.

PUBLIC INPUT

Andrea Smith from Big Brothers Big Sisters thanked the Council for their support for the Bowl for Kids Sake event and announced that the Council's team helped raise \$880. Smith then told some of the success stories that have happened in the last year at Big Brother Big Sisters.

Isabel Piedmont came to the Council meeting to wish everyone a Happy Earth Week. She then gave some examples of things community members could do to be good stewards of our planet.

There were appointments to Boards and Commissions.

BOARD AND COMMISSION APPOINTMENTS

There was no legislation for final action at this meeting.

LEGISLATION FOR SECOND READING

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Clerk Moore read the legislation by title and synopsis.

LEGISLATION FOR FIRST READING



Ordinance 07-06 To Amend Title 20 of the Bloomington Municipal Code Entitled “Unified Development Ordinance” – Re: To Correct Drafting Errors With Respect to Allowing Accessory Chicken Flocks in the Residential Core (RC) District; Establishing of Maximum Residential Density in the Business Park (BP) and Medical (MD) Districts, and Identification of Districts in Which Use of Dwelling Unit Equivalents is Permitted

Ordinance 07-06

Ordinance 07-09 To Amend Ordinance 06-14 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 2007 – Re: Positions in the Community and Family Resources Department, Office of the Mayor, and Parks and Recreation

Ordinance 07-09

There was no public comment at this portion of the meeting.

PUBLIC INPUT

The meeting was adjourned at 8:55 pm

ADJOURNMENT

APPROVE:

ATTEST:

Dave Rollo, PRESIDENT  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington

for approval