



City of Bloomington
Common Council

Legislative Packet

06 September 2006

For a complete listing of all legislation considered on this date, please also refer to the Budget Packet issued simultaneous with this packet.

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



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

Office of the Common Council
(812) 349-3409
Fax: (812) 349-3570
email: council@bloomington.in.gov

To: Council Members
From: Council Office
Re: Weekly Packet Memo
Date: September 1, 2006

Packet Related Material

Memo

Agenda

Calendar

Notices and Agendas:

None

Legislation for Final Action at September 6th Regular Session:

Res 06-10 To Approve the Use of Revenues from Municipal Building Vending Machines for City Employee Functions

Contact: Daniel Grundmann at 349-3578 or grundmad@bloomington.in.gov

2007 Budget-Related Packet of Legislation which will be Introduced at the Regular Session and Discussed at the Committee of the Whole on September 6th and be Ready for Final Action at the Special Session on September 13th:

Please see the separate 2007 Budget Packet for the two appropriation ordinances, the three salary ordinances for 2007 and one salary ordinance for 2006, and transit ordinance, and related background material

For Questions Regarding the:

Civil City Appropriation Ordinances - Please Contact:

*Susan Clark, Controller, at 349-3416 or clarks@bloomington.in.gov
(or reach the appropriate department director)*

Utility Appropriation Ordinance - Please Contact:

Patrick Murphy, Director, at 349-3650 or murphyp@bloomington.in.gov

Salary Ordinances - Please Contact:

Daniel Grundmann, Director of Employee Services at 349-3578 or grundmad@bloomington.in.gov

****Note: The Following Ordinance and Background Material Amends the Civil City Salary Ordinance for 2006 and also Introduce Changes that then Appear in the Civil City Salary Ordinance for 2007. For that Reason It is Included with the Budget Packet and Summarized Further in This Memo***

Ord 06-18 To Amend Ordinance 05-21 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 2006 - Re: Positions in the Clerk's Office, Common Council Office, Community and Family Resources, Engineering, Information and Technology Services, Public Works Administration, Sanitation, Utilities Engineering, Utilities Meter Services, and Utilities Transmission and Distribution

- Memo from Daniel Grundmann, Director of Employee Services

Contact: Daniel Grundmann at 349-3578 or grundmad@bloomington.in.gov

Two Non-Budget Related Legislation and Associated Background Material –

** Note: App Ord is Scheduled for First Reading at the Regular Session on September 6th and then Both are Scheduled for Discussion at Committee of the Whole on September 13th and Final Action on September 20th :*

App Ord 06-06 To Specially Appropriate from the Park Land Acquisition Fund Expenditures Not Otherwise Appropriated (To Purchase Land Adjacent to Cascades Park)

- Memo from Susan Clark, Controller

Contact: Mick Renneisen at 349-3711 or renneism@bloomington.in.gov

Res 06-09 Approving the Purchase of Land Near Lower Cascades Park

- Memo from Mick Renneisen, Director of Parks and Recreation Department;
Map of Site

Contact: Mick Renneisen at 349-3711 or renneism@bloomington.in.gov

Minutes from Regular and Special Sessions:

Special Session on July 25, 2006

Regular Session on August 2, 2006

Memo

Chair of Meeting: Banach

Two Legislative Rounds for the First Three Weeks of September

**One Item for Final Action at Regular Session on September 6th
Seven Items for Discussion at Committee of the Whole on September 6th and
Final Action at Special Session on September 13th and
Two Items for Discussion at Committee of the Whole on
September 13th and Final Action on September 20th**

There is one resolution authorizing use of vending machine funds for employee events at the Regular Session on Wednesday, September 6th. Then we will follow our practice of squeezing two legislative rounds in the first legislative cycle of September, which runs from September 6th to 20th. This schedule allows the Council to take action on the budget well before the September 30th deadline and also handle the other items that are ready for action by the middle of September.

The first legislative round will be set aside for seven pieces of legislation which are directly or indirectly related to the 2007 budget. This legislation will be introduced and discussed at the Regular Session and Committee of the Whole on September 6th and is scheduled for final action at a Special Session on September 13th. They can be found in the special budget packet distributed at the same time as the weekly packet. Please note that Ord 06-18 proposes changes in the Civil City Salary Ordinance for 2006 and is also reflected in the Civil City Salary Ordinance for 2007. Therefore, Ord 06-18 is included in the budget packet and also summarized further along in this memo.

The second legislative round includes two non-budget-related pieces of legislation authorizing and appropriating funds for the purchase of the motorcycle repair shop near Cascades Golf Course. This appropriation ordinance will be introduced at the Regular Session on September 6th and then the ordinance and the resolution authorizing the purchase will be discussed at a Committee of the Whole after the Special Session on September 13th and be ready for final action at the Regular Session on September 20th. These pieces of legislation are summarized below and included in this packet.

**Final Action at Regular Session on September 6th
Authorizing Use of Revenues from Municipal Building Employee's
concession Fund for Annual Holiday Party**

Res 06-10 is a routine resolution allowing monies collected from the Municipal Building vending machines to be used to fund events for employees, elected officials, and members of boards and commissions. According to the Employee Services Department, we had accumulated \$6,811.36 from money spent in those vending machines by the end of July. This resolution allows these monies to be used to pay for an upcoming employee picnic (Friday, September 15th) and for any other such events that take place before the end of the year.

2007 Budget Packet

The 2007 budget packet has been enclosed with, but is separate from, the weekly packet. It contains:

- an index of all 2007 budget-related materials you should receive in September;
- six ordinances and background material related to the 2007 budget (including Transit); and
- a salary ordinance for the Civil City which amends salaries for 2006 and include changes that appear in the salary ordinance for 2007.

There are pieces of background material for the following ordinances that are briefly highlighted below:

- **App Ord 06-04 (Civil City Budget for 2007)** - a spread sheet from Susan Clark, Controller, indicates the changes in the budget from July to September. Those changes total \$3,487 and include:
 - an increase of \$6,405 in the Clerk's Office for the cost of additional hours for the Hearing Officer (Line 1110);
 - an increase of \$631 in the Parking Enforcement Department for Unemployment Compensation (Line 1240);
 - an increase of \$27 in the Parks Department for Motor – Repairs and Maintenance (Line 3620);
 - a decrease of \$4,500 in the Police Department for Natural Gas (Line 3540) *as discussed during the budget hearings*;
 - a decrease of \$61 in the Public Works Department for Unemployment Compensation (Line 1240); and

- an increase of \$985 in the Street/Motor Vehicle Highway Fund for promotion of one MEO position from Apprentice to Master (Lines 1110, 1210 & 1220).
- **Ord 06-04 (Salary Ordinance for Civil City for 2007)** - a memo from Daniel Grundmann, Director of Employee Services, highlights the changes between the 2006 and 2007 Civil City Salary Ordinance which include:
 - Changes approved with the adoption of Ord 06-08 in June;
 - changes presented in **Ord 06-18** which amends the Civil City Salary Ordinance for 2006 (and is described later in this memo);
 - changes in the titles of three positions which are located in the Controller's Office, ITS Department, and Utilities;
 - the elimination of the Environmental Management Division in the Utilities Department and the shifting of its personnel to Administration and Transmission and Distribution; and
 - the incorporation of other forms of compensation (for on call, emergency call out, night and evening shifts, etc.) that are part of a Work Agreement and Memorandum of Understanding between the City and the local unit of the A.F.S.C.M.E. union.
- **Ord 06-15 (Salary Ordinance for Police Officers and Firefighters)** - a memo from Daniel Grundmann, Director of Employee Services, briefly summarizes the compensation package these police officers and fire fighters will receive as a result of collective bargaining agreements negotiated with the City.
- **Ord 06-16 (Reviewing the Transit Budget for 2007)** - the transit budget, which remains unchanged from July.
- **Ord 06-18 (Amending the Civil City Salary Ordinance for 2006 and Introducing Changes that Appear in the ordinance for 2007)** – a memo from Daniel Grundmann, Director of Employee Services, explains the rationale for the change in job grade and title.

Note: The Controller's Office has provided the Council Office with entirely new September Budget materials, which you will need to insert in your binders in place of the July materials.

Ord 06-18 – Amending Civil City Salary Ordinance for 2006

Note: Changes are Reflected in the Civil Salary Ordinance for 2007

Ord 06-18 makes changes to the Civil City Salary Ordinance for 2006 which are also reflected in the Civil City Salary Ordinance for 2007 (Ord 06-14). For that reason it can be found in the budget-related packet and will be taken up in the budget deliberations immediately before Ord 06-14. According to the memo from Daniel Grundmann, Director of Employee Services, the changes are the result of revised job descriptions that have been reviewed and graded by the Job Evaluation Committee (JEC). Here are a brief summary of the changes by department or division:

<u>Department</u>	<u>Position</u>	<u>Change</u>
City Clerk	Deputy Clerk (Grade - 3) Rationale: Increased job requirements.	Increase Grade to 4
	Assistant (Grade - 1) Context and Rationale: Position handles parking ticket appeals which entail more independent judgment and greater consequences for errors than previous job description. As noted in her Budget Presentation, the Clerk would like to increase the hours of this position this year. Fiscal Impact: Yet to be determined.	Convert to Hearing Officer (3)
Common Council	Assistant Administrator (Grade - 5) Rationale: Position does more policy research and recommendations which entails greater complexity and independent judgment. Fiscal Impact: None in 2006 – But request to transfer funds may be made later in the year. As mentioned in the July budget presentation this will involve an increase of approximately \$5,000 in 2007.	Change Title and Grade to Assistant Administrator/ Researcher (7)
Community and Family Resources	Health Projects Coordinator (Grade - 6) Rationale: Position has more leadership responsibility and is now in parity with other coordinator positions in the department which are at the higher grade. Fiscal Impact: Approximately \$1,438 in 2006 (covers base pay, FICA and PERF).	Increase Grade to 7

Engineering

Project Manager (Grade - 7)

Convert to Project Engineer (8)

Rationale: This change affects one of two Project Manager positions. That position does more plan preparation and certification which entail more complexity than the previous job description.

Fiscal Impact: Not yet determined.

City Engineer (Grade – 9)

Increase Grade to 10

Rationale: The JEC reviewed the City Engineer position as well as the Assistant Engineer positions in the Utilities Department and found greater complexity and job requirements in all the positions that justified the same increase in grade.

Fiscal Impact: None

Information and Technology Services

Senior Systems Analyst and Project Manager (Grade – 9)

Change Title and Grade to Systems Analyst (8)

Rationale: The position no longer performs as much project management duties which resulted in less complex responsibilities and aligns the grade with other similar positions in the department.

Fiscal Impact: None

Public Works

Citizen Services Coordinator (Grade – 7)

Change Title and Grade to Citizen Services Coordinator / Project Manager (6)

Rationale: The position does less external relations and dropped in grade due to the related reduction in consequences of error associated with change.

Fiscal Impact: None

Secretary (Grade - 2)

Transfer One of Two Secretaries to Sanitation (See Below)

Sanitation

Secretary (Grade – 2) (*in Public Works*)

Transfer One Secretary to Sanitation and Change Title and Grade to Office Manager (3)

Context: This new position consolidates clerical duties performed by a number of staff in the Public Works office and performs them at the Sanitation Department. The JEC rated them at grade 3.

Fiscal Impact: Approximately \$751 in 2006 (covers base pay, FICA and PERF).

**Utilities -
Engineering**

**Assistant Engineer (Grade – 9)
(Two Positions)**

**Change Title and Grade to
Utilities Engineer (10)**

Utilities Engineer (Grade – 9)

Increase Grade to (10)

Context and Rationale: As noted above under Public Works, this change affects two Assistant Engineers in Utilities and one Engineer position shared between Utilities and Public Works. The change in the former Assistant Engineer positions dealt with stormwater duties that entailed more complexity and greater job requirements which justified the higher grade. The change in grade for the existing Utilities Engineer brought it in parity with other engineers in the City.

Fiscal Impact: Approximately \$3,087 in 2006 (covers base pay, FICA and PERF).

**Utilities - Meter
Services**

**Assistant Superintendent
(Grade – 6)**

Increase Grade to 7

**Utilities –
Transmission and
Distribution
(T & D)**

**Assistant Superintendent
(Grade – 6) (Five Positions)**

Increase Grade to 7

Context and Rationale: This change affects one Superintendent in the Meter Services division as well as five Superintendents in the T&D division. The JEC found that the increased autonomy and complexity in the revised job descriptions justified the increase in grade.

Fiscal Impact: Approximately \$3,000 in 2006 (covers base pay, FICA and PERF).

First Readings – Unrelated to 2007 Budget

Two Items Authorizing and Appropriating Funds from the Park Land Acquisition Fund for the Purchase of the Cascades Motorcycle Shop Adjacent to Cascades Park

There are two items in the packet which authorize the purchase of the Cascades Motorcycle Shop adjacent to Cascades Park (**Res 06-09**) and appropriate \$136,600 from the Park Land Acquisition Fund related to that purpose (**App Ord 06-06**). **App Ord 06-06** will be introduced at the Regular Session on September 6th. Then both items are scheduled for discussion at the Committee of the Whole on September 13th and final action at the Regular Session on September 20th.

The resolution and memo from Mick Renneisen, Director of Parks and Recreation, indicate that for many years the department and its board have considered the acquisition of this property (2404 North Old SR 37 – See map in packet) a top priority that would significantly enhance the appearance of our oldest park (which opened in 1924). The department had discussed purchase of the property with the owner and made as many as three offers between 1990 and 2004. But it was only after the property was listed for sale in late 2005 that the property owner finally accepted the City's offer to purchase it for \$125,000 (which was significantly below the listed price but higher than prior offers).

The site has been used as an auto-related business since 1960 and previous environmental assessments have found higher levels of heavy metals than permitted under IDEM guidelines. Along with the \$125,000 for the purchase of the property, **App Ord 06-06** appropriates \$11,600 for closing costs and for environmental consultants to plan and obtain approval for remediating the site. Please note that Susan Clark reports that the Parks Acquisition Fund had approximately \$888,688 as of August 31, 2006.

The offer is contingent upon the approval of the Board of Parks and Recreation (granted on August 22nd) and Common Council as well as the City's satisfaction with the results of the environmental evaluations. Assuming those evaluations and eventual costs are acceptable, the Administration expects to seek an additional appropriation later this year for the remediation, demolition, and improvements. According to Mick Renneisen, the nature and extent of those improvements will depend upon the remediation and use approved by the Indiana Department of Environmental Management.

8. Ordinance 06-18 To Amend Ordinance 05-21 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 2006 - Re: Positions in the Clerk's Office, Common Council Office, Community and Family Resources, Engineering, Information and Technology Services, Public Works Administration, Sanitation, Utilities Engineering, Utilities Meter Services, and Utilities Transmission and Distribution

VIII. PRIVILEGE OF THE FLOOR (This section of the Agenda is limited to a maximum of 25 minutes. Each speaker is allotted 5 minutes.)

IX. ADJOURNMENT

COMMITTEE OF THE WHOLE

Chair: Jason Banach

1. Ordinance 06-15 An Ordinance Fixing the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2007

Asked to Attend: Daniel Grundmann, Director of Employee Services

2. Ordinance 06-18 To Amend Ordinance 05-21 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 2006 - Re: Positions in the Clerk's Office, Common Council Office, Community and Family Resources, Engineering, Information and Technology Services, Public Works Administration, Sanitation, Utilities Engineering, Utilities Meter Services, and Utilities Transmission and Distribution

Asked to Attend: Daniel Grundmann, Director of Employee Services

3. Ordinance 06-14 An Ordinance Fixing 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

Asked to Attend: Daniel Grundmann, Director of Employee Services

4. Ordinance 06-13 To Fix the Salaries of All Elected City Officials for the City of Bloomington for the Year 2007

Asked to Attend: Daniel Grundmann, Director of Employee Services

5. Appropriation Ordinance 06-04 An Ordinance for Appropriations and Tax Rates (2007 Civil City Budget for the City of Bloomington)

Asked to Attend: Susan Clark, Controller

6. Appropriation Ordinance 06-05 An Ordinance Adopting a Budget for the Operation, Maintenance, Debt Service and Capital Improvements for the Water and Wastewater Utility Departments of the City of Bloomington, Indiana for the Year 2007

Asked to Attend: Patrick Murphy, Director of Utilities

7. Ordinance 06-16 An Ordinance Reviewing and Modifying the Budget of the Bloomington Public Transportation Corporation for the Year 2007

Asked to Attend: Lew May, Director of the Public Transportation Corporation

City of
Bloomington
Indiana

City Hall
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To: Council Members
From: Council Office
Re: Calendar for the Week of September 4-9, 2006
Date: September 1, 2006

Monday, September 4, 2006

Labor Day-City Offices Closed

Tuesday, September 5, 2006

1:30 pm Development Review Committee, McCloskey
3:00 pm Farmers' Market, Showers Common
4:00 pm Monroe County Solid Waste Management District, Citizen Advisory Council, McCloskey
5:00 pm Utilities Service Board, IU Research Park, 501 N. Morton, Room 100B
5:30 pm Bloomington Public Transportation Corporation, Transit Center, 130 W. Grimes Lane
5:30 pm Board of Public Works, Council Chambers
6:00 pm Neighborhood Improvement Grant Meeting, McCloskey
7:30 pm Telecommunications Council, Council Chambers

Wednesday, September 6, 2006

8:00 am Community Development Block Grant Informational Meeting, McCloskey
12:00 pm Bloomington Urban Enterprise Association, McCloskey
1:00 pm Safe Routes to School, Council Chambers
7:30 pm Common Council Regular Session *immediately followed by* Committee of the Whole,
Council Chambers

Thursday, September 7, 2006

12:00 pm Committee on the Potential Family Shelter, McCloskey
5:30 pm Commission on the Status of Women, McCloskey

Friday, September 8, 2006

1:30 pm Metropolitan Planning Organization, Technical Advisory and Policy Committees, McCloskey

Saturday, September 9, 2006

7:00 am Farmers' Market, Showers Common

RESOLUTION 06-10

**TO APPROVE THE USE OF REVENUES
FROM MUNICIPAL BUILDING VENDING MACHINES
FOR CITY EMPLOYEE FUNCTIONS**

WHEREAS, approximately \$6,800.00 is available in the City's Municipal Building Employees' concession Fund for use by the City; and

WHEREAS, this money was contributed by city employees through their use of vending machines in municipal buildings; and

WHEREAS, traditionally this money has been provided for City of Bloomington employee recognition events including the employee picnic;

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

Funds received from employee use of vending machines located in City of Bloomington facilities shall be dedicated for use at functions for employees, elected officials, and board and commission members of the City.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

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 _____, 2006.

SIGNED and APPROVED by me upon this _____ day of _____, 2006.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This resolution dedicates a portion of the funds collected from vending machines located in City facilities for use at functions for employees, elected officials, and board and commission members of the City.

APPROPRIATION ORDINANCE 06-06

**TO SPECIALLY APPROPRIATE FROM THE PARK LAND ACQUISITION FUND
EXPENDITURES NOT OTHERWISE APPROPRIATED
(To Purchase Land Adjacent to Cascades Park)**

WHEREAS, the Parks Land Acquisition Fund was established in 1990 for the acquisition of land for park purposes; and

WHEREAS, the Parks and Recreation Department desires to purchase land adjacent to Cascades Park using a portion of the available funds in the Parks Land Acquisition Fund contingent upon satisfaction of the terms and provisions of the City's "Offer to Purchase Real Estate" dated June 20, 2006, and accepted the sellers on July 12th; and

WHEREAS, the Parks and Recreation Department also desires the authority to expend an amount not to exceed \$11,600 for miscellaneous closing costs and remediation consulting associated with said land purchase;

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

SECTION I. For the expenses of said Municipal Corporation, the following additional sums of money are hereby appropriated and ordered set apart from the funds herein named and for the purposes herein specified, subject to the laws governing the same:

	AMOUNT REQUESTED
Parks Land Acquisition Fund	
Line 53170 – Consultants	\$ 11,600
Line 54110 – Land Purchase	<u>125,000</u>
Total Parks Land Acquisition Fund	<u>\$ 136,600</u>

SECTION II. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

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 _____, 2006.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2006.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance appropriates \$136,500 from the Parks Land Acquisition Fund in order to purchase land adjacent to Cascades Park.



MARK KRUZAN
MAYOR

CITY OF BLOOMINGTON

401 N Morton St
Post Office Box 100
Bloomington IN 47402

SUSAN CLARK
CONTROLLER

CONTROLLER'S OFFICE

p 812.349.3412
f 812.349.3456
controller@bloomington.in.gov

Memorandum

To: Council Members
From: Susan Clark, Controller
Date: August 24, 2006
Re: Appropriation Ordinance 06-06

In Appropriation Ordinance 06-06 we are requesting authorization for an expenditure of \$136,600 from the Park Land Acquisition Fund (a.k.a. the Greenspace Fund). The Parks and Recreation Department has an accepted offer to purchase the motorcycle shop adjacent to Cascades Park. The appropriation includes the purchase price, \$125,000, and an additional \$11,600 for remediation consulting and miscellaneous closing costs. We expect to return later this year with an appropriation for remediation, demolition, and improvements. Please refer to the memo from Mick Renneisen which accompanied Resolution 06-09 "Approving the Purchase of Land near Lower Cascades Park."

The available balance in the fund today is sufficient to cover the appropriation, and there are no other obligations at this time.

Feel free to contact me by email at clarks@bloomington.in.gov or by phone at 349-3412 at any time.



RESOLUTION 06-09

APPROVING THE PURCHASE OF LAND NEAR LOWER CASCADES PARK

WHEREAS, Lower Cascades Park (the "Park"), the oldest city park in Bloomington, has been open since 1924 and has recently been renovated by improving the shelters, trails and parking areas and adding a large, accessible playground; and

WHEREAS, the Cascades Motorcycle Salvage site is a former motorcycle repair shop at 2404 N. Old State Road 37 (the "Property"), depicted on the attached map, incorporated herein by reference. The Property is immediately adjacent to and across from the Park; and

WHEREAS, acquisition of the Property has been a top priority of the Bloomington Board of Park Commissioners and Parks and Recreation Department, as its acquisition would significantly enhance the appearance of the Park; and

WHEREAS, since 1990 the Parks Department has discussed acquisition of the Property with its owner, and has made several offers to purchase the Property, which were rejected; and

WHEREAS, the Property was listed for sale in late 2005 for \$168,500.00; and

WHEREAS, in June, 2006, the City offered to buy the Property for \$125,000.00, which was accepted by the Property's owner contingent upon Parks Board and City Council approval and upon the City's satisfaction with the results of environmental evaluations; and

WHEREAS, on August 22, 2006 the Board of Park Commissioners approved the acquisition of the Property for \$125,000.00;

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

1. The acquisition of the Property serves a public purpose and furthers the public welfare by increasing recreational opportunities and enhancing the appearance and adding greenspace to the Park; and
2. The Bloomington Parks and Recreation Department is authorized to proceed with acquisition of the above-described properties, subject to applicable Indiana law, the satisfaction of contingencies in the offer to purchase, and the availability of funds for the purchase.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ____ day of _____, 2006.

CHRIS STURBAUM, President
Bloomington Common Council

SIGNED and APPROVED by me upon this ____ day of _____, 2006.

MARK KRUZAN, Mayor
City of Bloomington

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

SYNOPSIS

This resolution approves the purchase of the former Cascades Motorcycle Salvage site, 2404 N. Old SR 37, near Lower Cascades Park.



CITY OF BLOOMINGTON
parks and recreation

Memorandum

TO: Common Council
FROM: Mick Renneisen, Parks and Recreation Director
DATE: August 23, 2006
SUBJECT: RESOLUTION 06-09 APPROVING THE PURCHASE OF LAND NEAR LOWER CASCADES PARK AND APPROPRIATION ORDINANCE 06-06 REQUESTING FUNDING FROM THE PARKS LAND ACQUISITION FUND

RECOMMENDATION

Staff recommends Council approval of Resolution 06-09 to acquire land near Lower Cascades Park commonly known as the Cascades Motorcycle Shop property. Appropriation Ordinance 06-06 accompanies this request to allocate funds from the Parks and Recreation Land Acquisition Fund in the amount of \$136,600.

BACKGROUND

The City of Bloomington Parks and Recreation Department has been interested in acquiring the Cascades Motorcycle Shop property since 1990. The acquisition of the property would allow the space to be re-used for park purposes and reclaim some green space in Cascades Park.

Park's staff has been in regular communication with the property owner expressing interest in the property for the past 4 years. Two previous written offers had been sent and rejected by the owner.

In November 2005, the Cascades Motorcycle Shop property was listed for sale with FC Tucker Realtors. City staff made contact with FC Tucker realtors to express interest in the property on December 2, 2005. The asking price was \$168,500.

After several discussions with FC Tucker representatives, City staff made a third offer to the property owner on June 20, 2006. The offer of \$125,000 was accepted July 12, 2006.

Environmental History: Phase I–1990 Earth Tech - Site used as auto related business since 1960. Presence of oil contaminated soil, batteries, floor drains to unknown locations, presence of wastewater system not confirmed.

Phase I and II – 1998 Handex - Presence of VOC's and heavy metals above IDEM guidelines.

Phase I and II – 2002 Earth Tech – Presence of arsenic, barium, cadmium, and lead above IDEM guidelines.

We will need to do some updated environmental studies per IDEM's request. We have enlisted the

assistance of a local firm to assist us with the plan and approvals necessary for the legal and proper disposal of existing structures and contents. An additional \$11,600 is being requested in Appropriation Ordinance 06-06 to pay for environmental consulting and closing costs.

Acquisition History:

1990 - Acquisition of the property was first proposed in 1990. An offer of \$60,000 was presented and rejected.

2003 – Parks Board approves Resolution 03-04 authorizing purchase based upon the appraised value and, if necessary, cost of environmental remediation. Offer is made and rejected.

2004 –July – Increased offer presented to Owner. Offer also rejected.

2005 - November – Property is listed “for sale” with FC Tucker at an asking price of \$168,500.

2006 – June 20 – Current offer presented to Owner via FC Tucker.

2006 – July 12 – Current offer accepted by Owner.

2006 – August 22 – Parks Board approves Board Resolution 06-03 to acquire the Cascades Motorcycle Shop Property.

Future Action

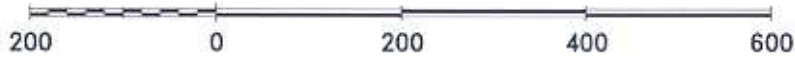
Pending approval by Council, Park’s staff will complete remediation assessments and forward to IDEM for their recommendation for remedial treatments. Park’s staff will be requesting Council’s approval for additional funding from the original \$250,000 set aside for the purchase, demolition , remediation and improvements of this site after IDEM communicates their determination.

Respectfully Submitted,

Mick Renneisen
Parks and Recreation Director



By: cotters
23 Aug 06



City of Bloomington
Parks & Recreation



Scale: 1" = 200'

For reference only; map information NOT warranted.

In the Council Chambers of the Showers City Hall on Wednesday, July 25, 2006 at 6:15 pm with Council President Chris Sturbaum presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
July 25, 2006

Roll Call: Banach, Diekhoff, Gaal, Rollo, Sturbaum, Volan, Sabbagh, Mayer
Absent: Ruff

ROLL CALL

Council President Sturbaum gave the Agenda Summation

AGENDA SUMMATION

It was moved and seconded to suspend the rules to consider an item not on the agenda.
The motion was approved by a unanimous voice vote.

SUSPENSION OF RULES

It was moved and seconded that the conflict of interest disclosure offered by Councilmember Diekhoff be accepted.

MOTION TO ACCEPT CONFLICT OF INTEREST DISCLOSURE FROM COUNCILMEMBER DIEKHOFF.

Diekhoff stated that since he is a Captain in the Police Department, but is allowed by state law to serve on the Common Council, he was offering a Uniform Conflict of Interest Disclosure statement in order to avoid any appearance of propriety and to shield him from any potential liabilities in deliberations of legislation that sets and appropriates his pay as a city employee.

There were no comments or questions from the council members or the public, although Dan Sherman, Council Attorney/Administrator noted that Diekhoff would not participate in the discussion or vote on these matters.

The motion was approved by a unanimous voice vote.

It was moved and seconded that Resolution 06-08 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation. It was moved and seconded that Resolution 06-08 be adopted.

LEGISLATION FOR SECOND READING

Resolution 06-08 To Authorize And Approve The Execution Of A Collective Bargaining Agreement Between The City Of Bloomington And The Fraternal Order Of Police.

Kevin Robling, Corporation Counsel for the City of Bloomington, reported that the contract negotiations were extremely pleasant and thanked the FOP for their professionalism and swift action on the contract. He thanked the FOP team of negotiators.

He noted that the contract included a 3% salary increase per year for each year of the contract on the base salary of police officers, added some specialties that had not been included in the past, increased funds for shift differential pay, increased the clothing allotment to a par with the firefighters, increased overtime pay slightly, increased life insurance benefits, and corrected an oddity in the schedule of accrual of vacation days.

Robling said that the FOP voted to accept the contract and the administration asked the council to accept this fair contract.

Dave Rollo asked for the FOP vote on the contract. Robling said it was 44 in favor and 12 opposed, adding that there were some officers on vacation, in the academy or in their preliminary probation period and did not vote.

Tim Mayer thanked all for bargaining in good faith.

Resolution 06-08 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 1 (Diekhoff).

The meeting was adjourned at 6:23 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Chris Sturbaum, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

In the Council Chambers of the Showers City Hall on Wednesday, August 2, 2006 at 7:30 pm with Council President Chris Sturbaum presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
August 2, 2006

Roll Call: Banach, Diekhoff, Ruff, Gaal, Sturbaum, Volan, Sabbagh
Absent: Rollo, Mayer

ROLL CALL

Council President Sturbaum gave the Agenda Summation

AGENDA SUMMATION

There were no minutes to be approved.

APPROVAL OF MINUTES

Jason Banach noted that in a recent publication from the US Mayor's Association there had been an article that reported the Senate Appropriations Subcommittee had approved the spending bill for the fiscal year 2007 Transportation, Treasury, Judiciary, HUD and related agencies with an increased funding level for the Community Development Block Grants and several other housing programs. He read that the CDBG formula grants are funded at \$3.877B which was \$813M above the administration's budget request in this bill. The Community Development Fund is funded at \$4.2B, \$1.2B over the budget request. He noted that the article should illustrate much of what one hears about the federal administration is rhetoric and cautioned citizens to seek out the facts.

REPORTS:
COUNCILMEMBERS

Chris Gaal lightheartedly noted that he was happy to hear the Republican senators were beginning to listen to their Democratic colleagues. He noted that he had attended the National Night Out activities at Crestmont the night before. He also noted other council members and city officials who were representing the city, as well as the activities that highlighted public safety. He said he was happy to speak to the neighborhood and the resident council at Crestmont about forming a Neighborhood Watch program. He said this will ultimately be the one thing that would make a difference in this neighborhood. He asked the city to help facilitate this effort.

Chris Sturbaum noted that Patty Hoard had retired from the city, and thanked her for her years of service. Sturbaum sadly noted the passing of Regina Miller, former city council member from District 5. He noted that the Mills Pool had previously closed at 6 pm, but would begin to stay open later in the evening.

There were no reports at this meeting.

MAYOR and CITY OFFICES

There were no reports at this meeting.

COUNCIL COMMITTEES

Cindy Hoffman gave a report on electronic voting machines. She noted that the federal Help America Vote Act (HAVA) provisions were to be completely in force during the general election of 2006 for the first time, and that there were concerns with the use of Direct Recording Electronic (DRE) voting machines.

PUBLIC INPUT

Hoffman said concerns were that system errors, human errors or cheating could occur without election officials or voting machine companies knowing anything about it. She cited the latest report from the Brennan Center for Justice at the NYU School of Law. She emphasized that paper ballots were the only way to preserve voting data for audits or recounts.

Hoffman showed a short video clip on election fraud that presented information on how to hack into a central tabulator, and also showed the problems with some faulty machines.

As public comment is limited in time allotted, Hoffman stopped her presentation and said she intended to return at the end of the meeting to continue the second part of her talk.

Joe Neal noted that he had worked part time at the Sanitation Department until the previous week, and at that time his employment was terminated. He asked the council to look into the matter.

There were no appointments at this meeting.

It was moved and seconded that Appropriation Ordinance 06-03 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation. Giving the Committee Do-Pass Recommendation of 7-0-1. It was moved and seconded that Appropriation Ordinance 06-03 be adopted.

Jeff Barlow, Fire Chief, noted that the Fire Department tried to fund increases in spending in their budget lines by using outside funding sources if possible. He said that this instance was an example of that. He noted that this appropriation was comprised of federal dollars from Federal Emergency Management Administration (FEMA) and the Community Foundation provided a 30% local match for these funds. He added that with this expenditure, all self contained breathing apparatus for the Fire Department would be updated.

Sturbaum asked about the sequence of receipts and expenditures for this project, to which Chief Barlow said that \$65,100 had been received from the federal government. He said that \$27,900 would be supplied by the Community Foundation, and that this appropriation ordinance would then the total bill of \$93,000 to be paid.

Diekhoff noted that the Fire Chief and his firefighters attended the National Night out with their equipment on display for citizens to see.

Appropriation Ordinance 06-03 received a roll call vote of Ayes: 7, Nays: 0.

It was moved and seconded that Ordinance 06-12 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 7-0-1. It was moved and seconded that Ordinance 06-12 be adopted.

Justin Wykoff, Manager Of Engineering Services, gave an overview of the area of the neighborhood zone in question noting that Councilmember Rollo brought this issue before the Traffic Commission on behalf of a constituent. The ordinance would add the 900 and 1000 blocks of South Highland and South Ballantine streets to Zone 1 of the Residential parking zone.

Sturbaum clarified that councilmember Rollo did not advocate or ask for the section of South Highland to be included in this ordinance. Wykoff said that was true, and that the Traffic Commission and others suggested the addition of the nearby street at this time. He added that all residents of both streets had been notified, and that the Traffic Commission supported the addition of both streets to the zone.

Wykoff outlined the permit process for residents of the neighborhood zones. He added some history of the expansion of Zone 1 over the last few years.

BOARD AND COMMISSION APPOINTMENTS

LEGISLATION FOR SECOND READING

Appropriation Ordinance 06-03 To Specially Appropriate from the General Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the General Fund for Grants Awarded to the Fire Department)

Ordinance 06-12 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" - Re: Expanding the Elm Heights Proximate Residential Neighborhood Permit Parking Zone (Zone 1)

Ordinance 06-12 (cont'd)

Volan asked for an estimate of the distance from Third Street, the northern edge of the zone, to the end of Highland where the zone is proposed to stop. Wykoff said it was probably a quarter of a mile. Volan asked how far Highland was from Bryan Park, the western edge of the zone. Wykoff said it was four blocks away.

Gene Coyle, who lives in the 1000 block of South Ballantine, said he requested this change of his council representative. He said that as streets were included in residential parking zone 1, more cars were being parked on his street. He added that as Indiana University was scaling back their sale and availability of parking permits, he feared even more cars would be parking on his street.

Andrew Hanson, of South Highland, noted he was in favor of adding his street to the neighborhood parking zone. He indicated that a line of cars routinely appeared on that street from nine to five each day. He noted that there were no curbs or sidewalks on this narrow road, and that parking cars there, especially close to the intersections, made the area unsafe for pedestrians. He also added that to include Ballantine and not Highland at this time would actually encourage parking in this area.

Volan noted that the one person who objected to Highland being included in the zone had indicated that it would be an inconvenience to get a residential permit for his street. Volan said that it was a philosophical issue that residential parking zones privatized entire streets that should belong to all of us as residents and taxpayers. He agreed with the premisis that parking in this area should be reserved for the residents of the area.

Sturbaum read part of a statement from Councilmember Rollo who was out of town on business:

My request stands that only Ballantine become part of Zone 1. I have visited the 1000 block south of Southdowns several times this past spring, and can verify that an excessive number of cars are parked there the entire day, which constitutes an access problem for the neighbors living there. I apologize for not being able to attend this meeting, but have confidence in your deliberations on this matter. Best Regards, Dave Rollo, City Council, District V.

Ordinance 06-12 received a roll call vote of Ayes: 7, Nays: 0.

There was no legislation for first reading at this meeting.

LEGISLATION FOR FIRST READING

Cindy Hoffman was called on to finish her presentation at this time, but was not present.

PUBLIC INPUT

The meeting was adjourned at 8:17 pm

ADJOURNMENT

APPROVE:

ATTEST:

Chris Sturbaum, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington