



Packet Related Material

**Memo
Agenda
Calendar**

Notices and Agendas:

None

Reports to the Council:

2004 Sidewalk Committee Report

- Report; Recommendations; Estimates and Aerials; History of Funding; Other City Sidewalk Projects

Contact: Dan Sherman at 349-3562 or shermamd@bloomington.in.gov

Legislation for Final Action:

Res 04-14 To Authorize Expenditures from the Industrial Development Fund for Physical Improvements to Support Development Projects (Cook Pharmica, LLC and Schulte Corporation) at the Indiana Enterprise Center

(Please see the packet distributed on September 1st for the September 8th Committee of the Whole for the legislation, summary, and background material)

Contact: Ron Walker at 349-3534 or walkerr@bloomington.in.gov

Res 04-13 To Approve the Interlocal Agreement Between Monroe County and the City of Bloomington for Animal Shelter Operation for the Year 2005

- Memo from Laurie Ringquist, Director of Animal Shelter; Formula and Calculations for Payments; Interlocal Agreement

Contact: Laurie Ringquist at 349-3492 Ext 20 or ringquil@bloomington.in.gov

Res 04-19 Opposing the Routing of Interstate 69 (I-69) Through the City of Bloomington

Contact: Chris Gaal at 349-3409 or gaalc@bloomington.in.gov
Andy Ruff at 349-3409 or ruffa@bloomington.in.gov

Legislation and Background Material for First Reading:

Ord 04-28 To Amend the Text of Title 20 of the Bloomington Municipal Code Entitled "Zoning" (Revising the Definitions Along with the Permitted and Conditional Use Allowances for Hospitals and Outpatient Care Facilities)

- Certification of Action (9 – 0); Memo from Tom Micuda, Director of Planning; Excerpts of Title 20 (Zoning) Highlighting Changes; I.C. 16-18-2-14 (Definition of Ambulatory Outpatient Surgery Center)

Contact: Tom Micuda at 349-3459 or micudat@bloomington.in.gov

Ord 04-29 To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” (Amending Chapter 2.23 Entitled “Community and Family Resources Department” by Removing Section 2.23.040 (Community and Family Resources Forum) and Modifying Section 2.23.050 (Community and Family Resources Commission))

- Memo from Pete Giordano, Director of Community and Family Resources; Chapter 2.23 of the BMC with Changes

Contact: Pete Giordano at 349-3559 or giordanp@bloomington.in.gov

Minutes from Regular Session:

September 1, 2004

Memo

One Report and Three Resolutions are Ready for Final Action and Two Ordinances are Ready for Introduction at the Regular Session on Wednesday, September 22nd

There are a Sidewalk Committee Report and three resolutions ready for final action and two ordinances ready for introduction at the Regular Session next Wednesday. The Sidewalk Committee Report and two of those resolutions (including one opposing the routing of I-69 through the City of Bloomington) are included in this packet along with the two ordinances. Please look at the Table of Contents for the order of these items in the packet and at the Agenda for the order these items will be considered next week.

Reports – 2004 Sidewalk Report

The Council Sidewalk Committee has submitted its 2004 Report to the full Council for approval next week. The Committee consists of four council members appointed by the President of the Council and includes council members Diekhoff, Mayer, Rollo, and Sturbaum. It is helped by personnel from the Public Works, Engineering, Planning, HAND, Parks and Recreation, Clerk and Council departments. (Please see the Report for the names of these persons – who make the work of this Committee possible.) The Committee meets and makes recommendations to the full Council regarding the allocation of Alternative Transportation Fund monies. These monies are surplus revenue from the City’s residential neighborhood parking program.

The Committee met over the Spring and Summer and recommended funding the following sidewalk projects:

- **Sidewalk along East 10th Street from Grandview to Belle Trace - \$45,000**
- **Sidewalk on Nancy Street from Ruby Lane to Marilyn Drive (west side) - \$45,000**
- **Sidewalk on Jefferson Street from 7th to 8th Street (east side) - \$64,700**
- **Renwick Related Projects**
 - **Sidewalk on Winfield Road from Fair Oaks Lane to Existing Sidewalk South of Rechter Road (east side) - \$27,000 for labor with cost of materials (approximately \$18,096) being contributed by the developer of the Renwick PUD (Wininger/Stolberg)**
 - **Sidewalk on Queens Way from Montclair Avenue to Chelsey Court (south side) - \$22,139**

The Committee also recommended that any available unspent funds from previous years be used for these projects as well.

Note: The Committee intends to meet soon after the Council has acted on the Report to continue where it left off in order to recommend projects for 2005. *Council members should, therefore, submit their proposals for sidewalk projects to the Council Office within the next week.* This schedule would help the Engineering Staff by allowing them to begin work on the design of these projects during the winter months.

Please see the Report and Appendixes for further information.

Final Actions

Item Two – Res 04-13 - Resolution Approving the Animal Control Interlocal Agreement with the County

Res 04-13 approves the execution of the interlocal agreement between the City and the County regarding the funding for the operation of the Animal Shelter in 2005. This is one of the older examples of successful cooperation between the City and County. Under the terms of the agreement, the County will pay a total of \$197,969 to the City for animal shelter operations next year. This includes the work done by the City in sheltering animals coming from the county and otherwise assisting in county operations (i.e., dispatching runs and giving information to callers), but is distinct from the City's animal control field operations, education program, and volunteer program. The amount of payment is based upon a formula that takes into account the total cost of shelter operations and the percentage of shelter operations attributable to animals coming from the county. Please note that the budget for the Shelter went up in the last two years because the Shelter has expanded, hired one new kennel worker, and collected more animals than in previous years. And, as noted below, you will see that the County's portion has also gone up because the percentage of animals collected from the County went up over the last few years as well.

The formula works as follows:

Projected Budget for Animal Control Operations for 2005	\$395,938
Percentage of Operations Due to County (Based upon percentage of animals arriving from the County)	<u>x 50%</u> (up from 46%)
Total	\$197,969

Item Three – Res 04-19 Opposing the Routing of I-69 Through the City of Bloomington

Res 04-19 takes another step in the City's opposition to the routing of Interstate 69 through the City of Bloomington. The first step was the passage of a declaration by the City Council in 1999, which was sent to the Governor, INDOT, and other state officials. The second step was the signing of a letter by seven of the nine council members in 2002, which was sent to the above officials as part of the comment period

provided for in the Tier 1 review of the Environmental Impact Statement. This third step would represent the will of the newly elected Council and Mayor regarding this highway and would be forwarded to state officials in response to a request for comments from local officials during the Tier 2 review.

Rather than attempting summarize the resolution in this memo, I have taken the liberty of reproducing the synopsis below, which provides a good overview of why it is being brought forward and what it intends to accomplish.

Synopsis

This resolution is sponsored by Councilmembers Ruff and Gall, and serves four primary purposes:

(1) to serve as a response to a solicitation from INDOT (via their consultants) for EIS Tier 2 input from local elected officials regarding I-69 impacts, concerns, and community issues;

(2) to serve as the means for the new Council and the new City Administration to put the City of Bloomington officially and formally on record as opposing I-69 through the City by the adoption of a resolution;

(3) to educate and further inform the public regarding the reasons for the City's opposition to I-69; and

(4) to provide the community with a civil forum for the discussion of this important community issue.

The resolution concludes that I-69 conflicts with our community's vision for the future, our GPP, and the quality of life expectations and priorities of our citizens, and that I-69 would result in an overall harmful rather than beneficial effect on Bloomington and its citizens.

It asks the Governor and INDOT to abandon plans for the new-terrain I-69 and instead focus scarce transportation funds on improvements to existing roadways where there are demonstrated needs, and on other more sustainable transportation modes that will reduce negative environmental impacts and reduce dependence on foreign oil.

Finally the resolution directs the City Clerk to send copies of the resolution to the Governor, INDOT, the Federal Highway Administration, and our state and federal legislative delegations.

First Readings

Item One – Ord 04-28 Amending Title 20 (Zoning) in Order to Redefine “Hospital” and “Outpatient Care Facilities” and to Modify the Terms Under Which They are Considered Permitted and Conditional Uses

Ord 04-28 follows upon the deliberations of the Plan Commission and Council regarding the rezoning petitions for the Southern Indiana Medical Park II last spring on land just south of Tapp and Weimer Roads. Part of those discussions dwelled upon the meaning of “hospitals,” “inpatient facilities,” and “outpatient care facilities” and the effect of these as for-profit facilities on the welfare of the community.

As Tom Micuda explains in his memo to the Council, the ordinance:

- amends the definition of “Hospital” so that it specifically refers to the providing of overnight (which means between the hours of 12:00 a.m. and 5:00 a.m.) beds and services; and
- inserts a definition for “Outpatient Care Facilities,” which incorporates the definition of Ambulatory Outpatient Surgical Center as found in I.C. 16-18-2-14 (enclosed) which, in part, prohibits “accommodations for patient stays of longer than twenty-four hours.”

See Section 20.02.01.00 Definitions

- deletes Hospitals as a permitted use in Business Park (BP) zones. Tom notes that hospitals are now allowed by right on large areas of BP land along SR 37. This change and the one below would require the land owner or representative to pursue the rezoning of the land from BP to Medical or propose a PUD in order to include hospitals. These processes would provide an opportunity for a public review and approval of the new use that does not currently exist.

See Section 20.07.13.00 Permitted Uses in BUSINESS PARK

- establishes that new and expanded medical facilities within Medical (M) zones will be evaluated not only upon their effect on surrounding residents but also upon their effect on “the provision of needed (health) services to all residents regardless of means.” This change will allow the decision-makers in the City to consider the effect of a new medical facility on the ability of Bloomington Hospital to provide services as long as it continues its current level of community service.

See Section 20.07.14.02 Permitted and Conditional Uses in MEDICAL (M) Zone

- * *Tom Micuda and I discovered minor error in the amendment which can be corrected by an amendment of the Council. The amendment would then be returned to the Plan Commission for its approval before the ordinance would go into effect.*

The amendment would remove the word “hospital” and make the word “uses” singular as these words appear in the following sentence:

(a) *“Acknowledging the special nature of ~~hospitals~~ the services provided by Bloomington Hospital, the M district provides for the location and regulation of this hospital uses and other medical uses appropriate to a hospital vicinity.” See the first sentence in Section 20.07.14.02 (b) as found in Section 3 of the ordinance.*

Since the Council may amend the ordinance, Tom recommends that Outpatient Care Facilities also be removed as a permitted use from the AIRPORT (AP) zone. Although there are no AP zones within our current planning jurisdiction (and this designation probably carried over from the time the airport was within the jurisdiction), Tom thought it would be best if the use was removed as a permitted use here as well.

Item Two – Ord 04-29 Amending Chapter 2.23 of the BMC Entitled “Community and Family Resources Department” in Order to Reflect Actual Practices of the Department and Commission

Ord 04-29 amends Chapter 2.23 of the Bloomington Municipal Code entitled the “Community and Family Resources Department” in order to conform the wording of the code to the actual practices of the department and its commission. As noted in the memo from Pete Giordano, Director of the Community and Family Resources Department, one of the changes would remove the requirement that the department hold community resources forums. Although the department reaches out to the community in many ways to determine community needs, it has not held a community forum for that purpose in many years. The other change limits the role of the Community and Family Resources Commission in reviewing the use of Community Development Block Grant (CDBG) funds. The current language requires the Commission, as a whole, to review and make recommendations to the Mayor and Council regarding use of CDBG funds. For many years the Commission has merely

appointed four of its members to serve on the Citizen Advisory Committee (CAC), with two serving on the Social Services Subcommittee and the other two serving on the Physical Improvements Subcommittee. The second change reflects that arrangement.

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL REGULAR SESSION
7:30 P.M., WEDNESDAY, SEPTEMBER 22, 2004
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON**

I. ROLL CALL

II. AGENDA SUMMATION

**III. APPROVAL OF MINUTES FOR: Regular Sessions for:
September 1, 2004**

IV. REPORTS FROM:

- 1. Councilmembers**
- 2. The Mayor and City Offices**
- 3. Council Committees**
 - **Report from Sidewalk Committee for 2004**
- 4. Public**

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS

1. Resolution 04-14 To Authorize Expenditures from the Industrial Development Fund for Physical Improvements to Support Development Projects (Cook Pharmica, LLC and Schulte Corporation) at the Indiana Enterprise Center

Committee Recommendation: Do Pass: 9 – 0

2. Resolution 04-13 To Approve the Interlocal Agreement Between Monroe County and the City of Bloomington for Animal Shelter Operation for the Year 2005

Committee Recommendation: None

3. Resolution 04-19 Opposing the Routing of Interstate 69 (I-69) Through the City of Bloomington

Committee Recommendation: None

VII. LEGISLATION FOR FIRST READING

1. Ordinance 04-28 To Amend the Text of Title 20 of the Bloomington Municipal Code Entitled “Zoning” (Revising the Definitions Along with the Permitted and Conditional Use Allowances for Hospitals and Outpatient Care Facilities)

2. Ordinance 04-29 To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” (Amending Chapter 2.23 Entitled “Community and Family Resources Department” by Removing Section 2.23.040 (Community and Family Resources Forum) and Modifying Section 2.23.050 (Community and Family Resources Commission))

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

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
e-mail: council@bloomington.in.gov

To: Council Members
From: Council Office
Re: Calendar for the Week of
September 20, 2004 – September 25,
2004
Date: September 17, 2004

Monday, September 20, 2004

4:00 pm Council for Community Accessibility, McCloskey
5:00 pm Farmers' Market Advisory Council, Parks
5:00 pm Utilities Service Board – 501 N. Morton, Conference Room 100B
5:30 pm Bicycle & Pedestrian Safety Commission, Hooker Room

Tuesday, September 21, 2004

10:00 am SSBG Training, McCloskey
12:00 pm ADA Teleconference, Council Chambers
3:00 pm Bloomington Community Farmers' Market, Plaza
4:00 pm Board of Public Safety – 220 E. Third Street
5:30 pm Board of Public Works, Council Chambers
6:30 pm Animal Control Commission, McCloskey

Wednesday, September 22, 2004

5:30 pm Traffic Commission, Chambers
5:30 pm SSBG Training, McCloskey
7:30 pm Common Council – Regular Session, Council Chambers

Thursday, September 23, 2004

5:30 pm Board of Zoning Appeals, Council Chambers
7:00 pm Environmental Commission, McCloskey

Friday, September 24, 2004

12:00 pm Economic Development Commission, Hooker Room

Saturday, September 25, 2004

7:00 am Bloomington Community Farmers' Market, Showers Common

Report of the Common Council Sidewalk Committee September 22, 2004

Committee Members and Staff

The members the 2004 Council Sidewalk Committee (Committee) were appointed by Mike Diekhoff, President of the Council, and included:

- Mike Diekhoff, District 3
- Tim Mayer, At-Large
- David Rollo, District 4
- Chris Sturbaum, District 1 (Chair)

The committee members were assisted by the following persons:

Council Office

Dan Sherman, Council Administrator/Attorney

Rachel Atz, Council Assistant

Clerk's Office

Regina Moore, City Clerk

Public Works

Julio Alonso, Director

Justin Wykoff, Manager of Engineering Services

Planning

Frank Nierzwicki, Long Range Transportation Manager

Tiffany Strait, Senior Transportation Planner

HAND

Bob Woolford, Housing Coordinator

Parks and Recreation

Steve Cotter, Natural Resources Manager

Schedule and Topics of Meetings

The Committee met on the following dates to discuss the following topics and take the following actions:

May 26, 2004 at noon in the McCloskey Room to:

- Elect a Chairperson (Chris Sturbaum);
- Discuss funding;

- Review past and on-going Council Sidewalk projects;
- Review other recent, on-going, and future sidewalk projects;
- Affirm criteria (linkages); and
- Establish procedures for drawing up list of potential projects.

June 9, 2004 at noon in the McCloskey Room to:

- Review projects proposed by citizens, council members, and staff; and
- Forward a list of projects to the next meeting and request that the Engineering Department prepare estimates for those projects without them.

July 14, 2004 at noon in the McCloskey Room to:

- Review projects and estimates

July 21, 2004 at noon in the McCloskey Room to:

- Continue to review projects and estimates.

August 4, 2004 at noon in the Hooker Room to:

- Make recommendations for 2004 projects; and
- Agree to meet soon after the Report is approved by the Council in order to commence review of projects for 2005.

Highlights of Committee Deliberations

Review of On-Going Committee Projects

Sidewalk along Southdowns Drive, Mitchell Street, and Ruby Lane from Jordan Avenue to Nancy Street (south side) - \$109,731 allocated in 2002 toward an estimated \$148,731 project

In 2002, the Committee considered a petition from neighbors requesting a sidewalk along an unpaved portion of the Green Way's route that runs from Jordan Avenue & Southdowns Drive to High Street & Covenanter Drive. The Council allocated funds that year for the segment running from Jordan Avenue to Nancy Street with the understanding that additional funds from the Green Ways program and the storm water utility would also be used for this project. The portion from Southdowns Drive & Mitchell Street to Ruby Lane and Nancy Street was completed this summer and the Street Department resurfaced the street soon after it was done. The segments along

Southdowns Drive, Nancy Street, and Marilyn Drive have yet to be completed.

Sidewalk along South Walnut Street from Country Club Drive (Bank One) to Pinewood Drive (west side) - \$63,427 allocated in 2003 toward an estimated \$104,354 project

In 2003, the Committee received estimates for a sidewalk on South Walnut from Country Club / Winslow Road to Rhorer Road and agreed to fund the northern most segment of the project, which would allow residents on Hoosier Street to walk up to the businesses at the above intersection without going along the street. By using sidewalk crews from the Street Department, the City was able to construct the sidewalk all the way to Pinewood Drive.

Sidewalk on East 10th Street from Grandview Drive to Belle Trace (south side) - \$43,976

In 2003 the Council approved funds for constructing a sidewalk along East 10th Street from Grandview Drive to Belle Trace. Last year, the City completed the design, began acquiring the necessary right-of-way, and sought a permit from the state to work within the 10th Street right-of-way. Approximately \$45,000 will be needed to complete the project and the Committee recommended that unencumbered funds from previous years be used for this and other projects.

Sidewalk and Storm water project along East 5th Street from east of Overhill to Union Street (south side) - \$52,597 allocated in 2003 (which was contingent upon storm water funding)

This is one of two sidewalk and storm water projects for Green Acres that received funds for integrated design work in 2002. In 2003 the Council allocated \$52,597 to complete the first, eastern-most leg of the East 5th Street project, but the project did not go forward because money for the storm water improvements were not available. Further progress on most parts of this project and the companion, Jefferson Street, project await funding from the storm water utility.

Funding for 2004

The Public Works Department reported that there would be approximately \$151,000 of Alternative Transportation Fund monies available for sidewalks in 2004 after some monies had been set aside for traffic calming initiatives. These funds represent surplus monies generated from the Residential Neighborhood Parking Program. In addition to those monies, the Committee recommended that unspent and unencumbered funds from prior years be made available for these projects as well. *Please note that staff determined after the Committee acted that some of these unspent funds had been budgeted for 2005 and, therefore, would need to be spent next year.*

Other City Sidewalk Projects

The staff from the Planning, HAND and Parks and Recreation departments submitted written reports which briefly mentioned recent, on-going and future pedestrian projects. A summary of these reports can be found in the Appendix to this report. Please note that it does not include a report from the Public Works and Engineering departments.

Criteria for Making Recommendations

The Committee reviewed and decided not to change its criteria for making recommendations. This means that the Committee allocated funds to complete missing links based upon a number of factors including public safety, usage, and cost. Since 2002, the Committee has also used an annually updated sidewalk inventory provided by the Planning Department. It also has consulted with Planning staff regarding priorities generated from locally created software program (e.g. pedshed map).

Soliciting Proposals

The Committee agreed to consider proposals from:

- Committee members,
- Other council members (who were solicited by e-mail for their suggestions), and,
- The public (as previously received by the Council Office, committee members, and other city entities).

Recommendations as a Result of Discussion at July 14th, July 21st, and August 4th meetings

The Committee Requests that the Council Approve the Report which Recommends that the Council (Please see the Appendix for an elaboration on these recommendations and the Committee deliberations):

1. Use Unspent and Unencumbered Alternative Transportation Funds from Previous Years to Help Pay for These Projects

2. Allocate Alternative Transportation Funds for the Following Sidewalk Projects

- **Sidewalk along East 10th Street from Grandview to Belle Trace - \$45,000**
- **Sidewalk on Nancy Street from Ruby Lane to Marilyn Drive (west side) - \$45,000**
- **Sidewalk on Jefferson Street from 7th to 8th Street (east side) - \$64,700**
- **Renwick Related Projects**
 - **Winfield Road from Fair Oaks Lane to Existing Sidewalk South of Rechter Road (east side) - \$27,000 for labor with cost of materials (approximately \$18,096) being contributed by the developer of the Renwick PUD (Winger/Stolberg)**
 - **Queens Way from Montclair Avenue to Chelsey Court (south side) - \$22,139**

Note:

The Committee intends to meet soon after the Council has acted on the Report to continue where it left off in order to recommend projects for 2005. *Council members should, therefore, submit their proposals for sidewalk projects to the Council Office within the next week.* This schedule would help the Engineering Staff by allowing them to begin work on the design of these projects during the winter months.

**Council Sidewalk Committee Recommendations for 2004
Regarding Use of Alternative Transportation Funds
(September 22, 2004)**

Sidewalk Linkage Projects Recommended for Funding in 2004

Sidewalk on East 10th Street from Grandview to Belle Trace

This 350-foot sidewalk on East 10th Street was awarded funds in 2003. That year the City expended money to acquire some right-of-way, but did not encumber funds for the construction of the side walk. The Committee recommends using any available unspent funds from prior years for this purpose.

Cost: \$45,000

Sidewalk on Nancy Street from Ruby Lane to Marilyn Drive (west side)

This project would continue the Near South East Sidewalk Initiative from where it stops on Ruby Lane one block south to Marilyn Drive. A further sidewalk for one block on Marilyn Drive and another sidewalk for one block on Southdowns Drive between Jordan Avenue and Mitchell Street would complete the missing links along this Green Ways route.

Cost: \$45,000

Jefferson Street from 7th to 8th Street (east side)

This project begins work on one of the two sidewalk / storm water projects the Committee has considered for Green Acres. These projects are on East 5th Street (from the deadend east of Overhill to Union Street) and on Jefferson Street (from 3rd to 10th streets). Approximately, \$56,000 has been invested in side walk and storm water design for these two projects, which can be constructed in phases, but have not received the necessary storm water funding. This project would construct one block at the northern end of Jefferson that does not require extensive storm water work.

Cost: \$64,700

Renwick Related Projects

The next two projects were proposed as a result of the recently approved Renwick PUD, which offers a plan for the development of Ramsey Farm. These projects would provide a portion of the sidewalks along:

Winfield Road from Fair Oaks Lane to the Existing Sidewalk South of Rechter Road (east side) - Winfield Road is directly north of the proposed roundabout on Moores Pike, which will serve as the single northern vehicular access point for the Renwick PUD. Wininger/Stolberg will install some sidewalks north of the PUD and has agreed to contribute the cost of materials for the sidewalk on Winfield Road between Fair Oaks Lane to the existing sidewalk south of Rechter Road. The Sidewalk Committee is recommending that the remaining costs for this project be paid through the Alternative Transportation Funds.

Cost: \$27,000 for labor (from ATF), and approximately \$18,096 for materials (provided by Wininger/Stolberg)

Queens Way from Montclair Avenue to Chelsey Court (south side) Queens Way is directly east of the single eastern vehicular access to the Renwick PUD. The developer will install a sidewalk on the south side of Queens Way from the new development to Monclair Avenue. The Committee requested estimates for installing sidewalks the rest of the way to High Street (\$83,700) and is recommending money for the first block this year.

Cost: \$22,139

Projects Partially Funded in the Past, But Not Recommended for Funding in 2004

5th Street from Overhill to Deadend

This is part of a multi-year, multi-departmental initiative proposed by Councilmember Mayer in 2002 that would provide sidewalks and storm water infrastructure from the east end of 5th Street to Union. In 2002 the Council approved \$28,832 for a comprehensive study of the area. That study estimated the sidewalk component at about \$101,887 and the storm water component of this project at about \$200,000. This segment covers the very east end of the project which, as the down slope portion of the project, must be done first in order to handle the water flow created by the other phases of the project. Further progress on this project must await funding from the storm water utility.

Walnut Street from Bank One (Country Club/Winslow) to Pinewood Drive (West Side)

This is the first leg of a project proposed by Councilmember Sabbagh that could provide sidewalks along the west side of Walnut Street from Country Club/Winslow to Gordon Pike/Rhorer Road. He promoted this project after seeing pedestrians walk along the roadside on the way to and from the businesses at the intersection with Country Club/Winslow. This stretch of road also showed up as a high priority on the Pedshed Map. The Committee recommended allocating approximately \$63,427 in 2003 for the segment ending at Hoosier Street, even though it was below the estimate of \$104,354. The Public Works Department was able to save funds by using City Street Department crews to construct it and was able to extend the project to Pinewood Drive. No request came forward to continue the sidewalk further south this year.

Projects that were Discussed But Unfunded in the Past, and Remain Unfunded in 2004

South Rogers from Rockport Road to Country Club Drive

Shirley Evans wrote a letter to the Council in 2002 requesting that a sidewalk be constructed along this segment of South Rogers. Last year the Committee concluded that the \$1.4 million being put into sidewalks and side

paths along Rogers, Rockport, and Country Club was a sufficient investment in this part of the community and deferred action on this project. This year Councilmember Sturbaum revived interest in this segment and the HAND department agreed to pay for the design of an 8-foot side path along this portion of South Rogers. The side path would have some separation from the roadway but not include curbs, which would necessitate greater storm water improvements. Please note that the already scheduled upgrade of the Rogers Street & Country Club Drive intersection will include the installation of side paths for 500 feet along the intersecting roadways.

New Projects Not Recommended for Funding in 2004

11th Street from Illinois to Vernal Pike (North side)

Nancy Brinegar, Bloomington Township Trustee, submitted this request through the Public Works Department. The project would link Crestmont housing complex with the township offices and was estimated at a cost of approximately \$151,290. The City is intending to do this project without use of Alternative Transportation Funds. In that regard, the design work will be done in-house and the Public Works Department will find the funds to construct the project in 2005.

Henderson Street from Maxwell Lane to Hillside Drive (west side)

Councilmember Sabbagh requested funding for this project. The total cost was estimated at \$273,000 and could be done in six phases. Committee members found the presence of a sidewalk on the east side of the street for the entire length of the project a good reason to look at more pressing proposals.

10th Street Sidewalk				
Grandview Drive to the West 350 Feet				
<i>Item</i>	<i>Quantity</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Total Price</i>
Mobilization and Demobilization	1	EA	\$3,000.00 / EA	\$3,000.00
B Borrow for Structural Backfill	8	CYS	\$26.00 / CYS	\$208.00
Bituminous Base		Ton	\$30.00 / Ton	
Bituminous Material for Tack		Ton	\$105.00 / Ton	
Bituminous Overlay (2" x 12')		LF	\$5.42 / LF	
Bituminous Surface		Ton	\$37.00 / Ton	
Bituminous Surface Milling		SYS	\$2.00 / SYS	
Brick Pavers		SF	\$8.50 / SF	
Casting, Adjust to Grade		EA	\$500.00 / EA	
Casting, Storm Inlet/Manhole	4	EA	\$1,800.00 / EA	\$7,200.00
Cement Concrete Pavement 7"	990	CYS	\$4.50 / SF	\$4,455.00
Comp. Agg. No. 53		Ton	\$10.00 / Ton	
Compacted Agg. for Base	13	Ton	\$16.80 / Ton	\$218.40
Compacted Agg. for Shoulder		Ton	\$13.25 / Ton	
Concrete Curb and Gutter		LF	\$18.00 / LF	
Concrete Curb, Type B		LF	\$15.00 / LF	
Construction Sign, Type A		EA	\$50.00 / EA	
Excavation, Common	100	CYS	\$18.00 / CYS	\$1,800.00
Geotextile		SYS	\$3.50 / SYS	
Guard Rail, w-beam, 6'-3" spc.		LF	\$11.85 / LF	
Perforated Pipe, Plastic 6"		LF	\$3.00 / LF	
Reinforcing Steel - Epoxy		CYS	\$0.60 / CYS	
Right of Way		SF	\$2.50 / SF	
Roadway Loop, Cable 1C/14		LF	\$0.45 / LF	
Roadway Loop, Saw and Seal		LF	\$11.00 / LF	
Roll Curb		LF	\$12.00 / LF	
Sidewalk, 4'		LF	\$15.00 / LF	
Sidewalk, 5'	350	LF	\$22.00 / LF	\$7,700.00
Stop Signs		EA	\$150.00 / EA	
Storm Sewer, 12"	350	LF	\$25.00 / LF	\$8,750.00
Storm Sewer, 18"	20	LF	\$30.00 / LF	\$600.00
Storm Sewer, 24"		LF	\$35.00 / LF	
Storm Sewer, 36"		LF	\$40.00 / LF	
Street Signs		EA	\$100.00 / EA	
Street Trees		EA	\$150.00 / EA	
			Subtotal:	\$33,931.40
			Additional 25%:	\$6,786.28
			Design:	\$3,257.41
			Total Estimate:	\$43,975.09



By: wykoffj
15 Apr 03



For reference only; map information NOT warranted.



City of Bloomington
Engineering

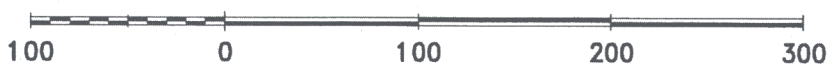


Scale: 1" = 100'

Nancy Street Sidewalk				
Ruby Lane to Marilyn Drive - West Side				
<i>Item</i>	<i>Quantity</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Total Price</i>
Mobilization and Demobilization	1	EA	\$4,000.00 / EA	\$4,000.00
B Borrow for Structural Backfill		CYS	\$26.00 / CYS	
Bituminous Base		Ton	\$30.00 / Ton	
Bituminous Material for Tack		Ton	\$105.00 / Ton	
Bituminous Overlay (2" x 12')		LF	\$5.42 / LF	
Bituminous Surface	40	Ton	\$37.00 / Ton	\$1,480.00
Bituminous Surface Milling		SYS	\$2.00 / SYS	
Brick Pavers		SF	\$8.50 / SF	
Casting, Adjust to Grade	1	EA	\$500.00 / EA	\$500.00
Casting, Storm Inlet/Manhole	3	EA	\$1,800.00 / EA	\$5,400.00
Cement Concrete Pavement 7"	660	SF	\$4.50 / SF	\$2,970.00
Comp. Agg. No. 53		Ton	\$10.00 / Ton	
Compacted Agg. for Base		Ton	\$16.80 / Ton	
Compacted Agg. for Shoulder		Ton	\$13.25 / Ton	
Concrete Curb and Gutter		LF	\$18.00 / LF	
Concrete Curb, Type B	370	LF	\$15.00 / LF	\$5,550.00
Construction Sign, Type A	6	EA	\$50.00 / EA	\$300.00
Excavation, Common	64	CYS	\$18.00 / CYS	\$1,152.00
Sodding	233	SYS	\$5.00 / SYS	\$1,165.00
Guard Rail, w-beam, 6'-3" spc.		LF	\$48.00 / LF	
Perforated Pipe, Plastic 6"		LF	\$3.00 / LF	
Reinforcing Steel - Epoxy		CYS	\$0.60 / CYS	
Right of Way		SF	\$2.50 / SF	
Roadway Loop, Cable 1C/14		LF	\$0.45 / LF	
Roadway Loop, Saw and Seal		LF	\$11.00 / LF	
Roll Curb		LF	\$16.00 / LF	
Sidewalk, 4'		LF	\$15.00 / LF	
Sidewalk, 5'	370	LF	\$22.00 / LF	\$8,140.00
Stop Signs		EA	\$150.00 / EA	
Storm Sewer, 12"	310	LF	\$25.00 / LF	\$7,750.00
Storm Sewer, 18"		LF	\$30.00 / LF	
Storm Sewer, 24"		LF	\$35.00 / LF	
Storm Sewer, 36"		LF	\$40.00 / LF	
Street Signs		EA	\$100.00 / EA	
Street Trees		EA	\$150.00 / EA	
			Subtotal:	\$38,407.00
			Additional 10%:	\$3,840.70
			Design:	\$3,379.82
			Total Estimate:	\$45,627.52



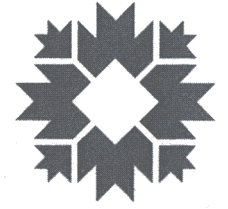
By: wykoffj
13 Jul 04



For reference only; map information NOT warranted.



City of Bloomington
Engineering



Scale: 1" = 100'

Jefferson Street Sidewalk				
Seventh Street to Eighth Street				
<i>Item</i>	<i>Quantity</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Total Price</i>
Mobilization and Demobilization	1	EA	\$4,000.00 / EA	\$4,000.00
B Borrow for Structural Backfill		CYS	\$26.00 / CYS	
Bituminous Base		Ton	\$30.00 / Ton	
Bituminous Material for Tack		Ton	\$105.00 / Ton	
Bituminous Overlay (2" x 12')		LF	\$5.42 / LF	
Bituminous Surface	160	Ton	\$37.00 / Ton	\$5,920.00
Bituminous Surface Milling		SYS	\$2.00 / SYS	
Brick Pavers		SF	\$8.50 / SF	
Casting, Adjust to Grade		EA	\$500.00 / EA	
Casting, Storm Inlet/Manhole	6	EA	\$1,800.00 / EA	\$10,800.00
Cement Concrete Pavement 7"		CYS	\$4.50 / SF	
Comp. Agg. No. 53	110	Ton	\$10.00 / Ton	\$1,100.00
Compacted Agg. for Base	140	Ton	\$16.80 / Ton	\$2,352.00
Compacted Agg. for Shoulder		Ton	\$13.25 / Ton	
Concrete Curb and Gutter		LF	\$18.00 / LF	
Concrete Curb, Type B	510	LF	\$15.00 / LF	\$7,650.00
Construction Sign, Type A		EA	\$50.00 / EA	
Excavation, Common		CYS	\$18.00 / CYS	
Geotextile		SYS	\$3.50 / SYS	
Guard Rail, w-beam, 6'-3" spc.		LF	\$11.85 / LF	
Perforated Pipe, Plastic 6"		LF	\$3.00 / LF	
Reinforcing Steel - Epoxy		CYS	\$0.60 / CYS	
Right of Way		SF	\$2.50 / SF	
Roadway Loop, Cable 1C/14		LF	\$0.45 / LF	
Roadway Loop, Saw and Seal		LF	\$11.00 / LF	
Roll Curb		LF	\$12.00 / LF	
Sidewalk, 4'		LF	\$15.00 / LF	
Sidewalk, 5'	520	LF	\$22.00 / LF	\$11,440.00
Stop Signs		EA	\$150.00 / EA	
Storm Sewer, 12"	400	LF	\$25.00 / LF	\$10,000.00
Storm Sewer, 18"	40	LF	\$30.00 / LF	\$1,200.00
Storm Sewer, 24"		LF	\$35.00 / LF	
Storm Sewer, 36"		LF	\$40.00 / LF	
Street Signs		EA	\$100.00 / EA	
Street Trees		EA	\$150.00 / EA	
			Subtotal:	\$54,462.00
			Additional 10%:	\$5,446.20
			Design:	\$4,792.66
			Total Estimate:	\$64,700.86



JEFFERSON ST

By: mccluret
17 Sep 04



City of Bloomington
Public Works



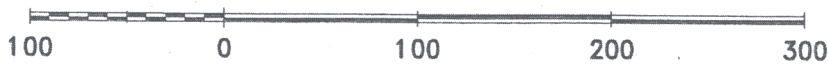
Scale: 1" = 100'

For reference only; map information NOT warranted.

Winfield Road Sidewalk				
Fairoaks Lane to Existing Sidewalk to the North along East Side of Winfield Road				
Item	Quantity	Unit	Unit Price	Total Price
Mobilization and Demobilization	1	EA	\$4,000.00 / EA	\$4,000.00
B Borrow for Structural Backfill		CYS	\$26.00 / CYS	
Bituminous Base		Ton	\$30.00 / Ton	
Bituminous Material for Tack		Ton	\$105.00 / Ton	
Bituminous Overlay (2" x 12')		LF	\$5.42 / LF	
Bituminous Surface		Ton	\$37.00 / Ton	
Bituminous Surface Milling		SYS	\$2.00 / SYS	
Brick Pavers		SF	\$8.50 / SF	
Casting, Adjust to Grade		EA	\$500.00 / EA	
Casting, Storm Inlet/Manhole	4	EA	\$1,800.00 / EA	\$7,200.00
Cement Concrete Pavement 7"		CYS	\$4.50 / SF	
Comp. Agg. No. 53	54	Ton	\$10.00 / Ton	\$540.00
Compacted Agg. for Base		Ton	\$16.80 / Ton	
Compacted Agg. for Shoulder		Ton	\$13.25 / Ton	
Concrete Curb and Gutter		LF	\$18.00 / LF	
Concrete Curb, Type B	360	LF	\$15.00 / LF	\$5,400.00
Construction Sign, Type A	6	EA	\$50.00 / EA	\$300.00
Excavation, Common	60	CYS	\$18.00 / CYS	\$1,080.00
Sodding	264	SYS	\$5.00 / SYS	\$1,320.00
Guard Rail, w-beam, 6'-3" spc.		LF	\$48.00 / LF	
Perforated Pipe, Plastic 6"		LF	\$3.00 / LF	
Reinforcing Steel - Epoxy		CYS	\$0.60 / CYS	
Right of Way		SF	\$2.50 / SF	
Roadway Loop, Cable 1C/14		LF	\$0.45 / LF	
Roadway Loop, Saw and Seal		LF	\$11.00 / LF	
Roll Curb		LF	\$16.00 / LF	
Sidewalk, 4'		LF	\$15.00 / LF	
Sidewalk, 5'	360	LF	\$22.00 / LF	\$7,920.00
Stop Signs		EA	\$150.00 / EA	
Storm Sewer, 12"		LF	\$25.00 / LF	
Storm Sewer, 18"	340	LF	\$30.00 / LF	\$10,200.00
Storm Sewer, 24"		LF	\$35.00 / LF	
Storm Sewer, 36"		LF	\$40.00 / LF	
Street Signs		EA	\$100.00 / EA	
Street Trees		EA	\$150.00 / EA	
			Subtotal:	\$37,960.00
			Additional 10%:	\$3,796.00
			Design:	\$3,340.48
			Total Estimate:	\$45,096.48



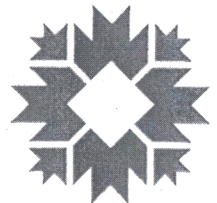
By: wykoffj
13 Jul 04



For reference only; map information NOT warranted.



City of Bloomington
Engineering

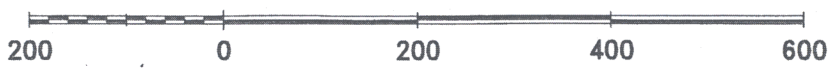


Scale: 1" = 100'

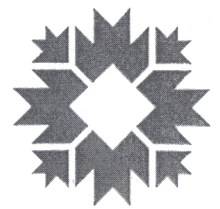
Queens Way				
Chelsey Court to Montclair Avenue				
<i>Item</i>	<i>Quantity</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Total Price</i>
Mobilization and Demobilization	1	EA	\$4,000.00 / EA	\$4,000.00
B Borrow for Structural Backfill		CYS	\$26.00 / CYS	
Bituminous Base		Ton	\$30.00 / Ton	
Bituminous Material for Tack		Ton	\$105.00 / Ton	
Bituminous Overlay (2" x 12')		LF	\$5.42 / LF	
Bituminous Surface		Ton	\$37.00 / Ton	
Bituminous Surface Milling		SYS	\$2.00 / SYS	
Pedestrian Bridge (20 feet)		EA	\$10,000.00 / EA	
Casting, Adjust to Grade		EA	\$500.00 / EA	
Casting, Storm Inlet/Manhole		EA	\$1,800.00 / EA	
Cement Concrete Pavement 7"		SF	\$4.50 / SF	
Comp. Agg. No. 53	120	Ton	\$10.00 / Ton	\$1,200.00
Compacted Agg. for Base		Ton	\$16.80 / Ton	
Compacted Agg. for Shoulder		Ton	\$13.25 / Ton	
Concrete Curb and Gutter		LF	\$18.00 / LF	
Concrete Curb, Type B	330	LF	\$15.00 / LF	\$4,950.00
Construction Sign, Type A		EA	\$50.00 / EA	
Excavation, Common		CYS	\$18.00 / CYS	
Sodding	257	SYS	\$5.00 / SYS	\$1,285.00
Guard Rail, w-beam, 6'-3" spc.		LF	\$48.00 / LF	
Perforated Pipe, Plastic 6"		LF	\$3.00 / LF	
Reinforcing Steel - Epoxy		CYS	\$0.60 / CYS	
Right of Way		SF	\$2.50 / SF	
Roadway Loop, Cable 1C/14		LF	\$0.45 / LF	
Roadway Loop, Saw and Seal		LF	\$11.00 / LF	
Roll Curb		LF	\$16.00 / LF	
Sidewalk, 4'		LF	\$15.00 / LF	
Sidewalk, 5'	300	LF	\$22.00 / LF	\$6,600.00
Stop Signs		EA	\$150.00 / EA	
Storm Sewer, 12"		LF	\$25.00 / LF	
Storm Sewer, 18"		LF	\$30.00 / LF	
Storm Sewer, 24"		LF	\$35.00 / LF	
Storm Sewer, 36"		LF	\$40.00 / LF	
Street Tree Removal		EA	\$1,000.00 / EA	
Street Trees	4	EA	\$150.00 / EA	\$600.00
			Subtotal:	\$18,635.00
			Additional 10%:	\$1,863.50
			Design:	\$1,639.88
			Total Estimate:	\$22,138.38



By: wykoffj
14 Jul 04



City of Bloomington
Engineering



Scale: 1" = 200'

For reference only; map information NOT warranted.

COUNCIL SIDEWALK COMMITTEE PROJECTS

2004

Type of Project/Site	Estimated Cost	ATP Allocation	Other Funding	Comments
Sidewalk Project - 10th Street for 350 feet West of Grandview (south side)		\$45,000.00		The Council funded this proeject in 2003 and approximately \$6,344 was spent that year on designing the sidewalk and acquiring right-of-way, but the remaining funds were not encumbered for its construction. The Committee recommends using unspent and unencumbered funds from previous years to fund this project.
Sidewalk Project - Nancy Street from Ruby Lane to Marilyn Drive (west side)	\$45,628.00	\$45,628.00		The Committee recommended funding this segment of the larger South East Neighborhood Initiative. That initiative first received funding in 2002 (see below).
Sidewalk Project - Jefferson Street between 7th and 8th (east side)	\$64,700.00	\$64,700.00		The Committee recommended funding this first segment of the larger Jefferson Street project, which has been designed as a result of previous funding in 2002 (see below). This segment, unlike the others, does not require a large complement of storm water funds.
Sidewalk Project - Winfield Road from Fair Oaks Lane to Existing Sidewalk just south of Rechter Road (east side)	\$45,096.00	\$27,000.00	\$18,096.00	The Committee recommended funding this project in concert with the developer of the Renwick PUD (Wininger / Stolberg) who has offered to pay for the cost of materials (approximately \$18,096).
Sidewalk Project - Queens Way from Montclair Avenue to Chelsey Court (south side)	\$22,139.00	\$22,139.00		The Committee recommended funding this and the previous project in order to have sidewalks in place before the Renwick PUD gets well under way.
Total:		\$204,467.00		This amount includes \$151,000 of funds appropriated for sidewalks this year and unspent monies from previous years. If there are not enough monies in the Alternative Transportation Fund in 2004, then the Committee will need to decide whether to recommend use of 2005 funds for these purposes.

2003

Type of Project/Site	Estimated Cost	ATP Allocation	Other Funding	Comments
Sidewalk Project - East 5th Street from 1 block east of Overhill (deadend) to Overhill.	\$255,596.00	\$52,597.00	Recommendation was contingent upon the availability of storm water funds.	On 6/18/03, the Council approved the Committee recommendation to allocate \$52,597 contingent upon the availability of storm water funds.
Sidewalk Project - 10th Street for 350 feet west of Grandview Drive (south side)	\$43,975.00	\$43,975.00		
Sidewalk Project - Walnut Street from Bank One (Country Club/Winslow) to Hoosier Street (west side)	\$104,354.00	\$63,427.00		On 6/2/03 the Committee recommended allocating the remaining funds (\$63,427) to this project and discussed ways to reduce its cost.
Total:		\$159,999.00		

2002

Type of Project/Site	Estimated Cost	ATP Allocation	Other Funding	Comments
Sidewalk Project - Southdowns from Jordan and along the north side of Circle and Ruby lane to Nancy Street.	\$148,000.00	\$108,731.00	\$39,000.00	The original estimate was for a sidewalk on the north side of the street, but the Engineering staff and neighborhood preferred south side at estimated cost of \$129,000 (and an additional \$19,000 for the leg from Jordan to Mitchel). On 6/19/02 the Council allocated \$59,547 for this project and, as noted below, on 12/18/02, the Council voted to shift \$49,184 from the East 2nd Street project to this one as well. On May 8, 2003 the Greenways group agreed to fund the remaining \$39,000.
Design for sidewalk and storm water project - Jefferson Street from East 3rd to East 10th Street.	\$27,840.00	\$27,840.00		
Design for sidewalk and stormwater project - East 5th Street from 1 block east of Overhill to Union.	\$28,832.00	\$28,832.00		
Streetscape Plan - East 2nd from High Street to College Mall Road.	\$49,184.00	\$0.00		On 12/18/02 the Common Council voted to shift these funds (\$49,184) to the Ruby Lane project (above)
Sidewalk design - East Allen from Lincoln to Henderson Street	\$4,000 - \$8,000	\$7,400.00		
Total:	about \$160,000	\$172,803.00		

1996 - 2001

2001

Site	Cost
Maxwell Ln - Henderson to Manor Rd	\$2,607.85
N. Kinser - BHSN to Ridgefield	\$395.00
Winslow Road	\$27,000.00
Hillsdale Drive	\$34,752.70
Parkridge Road	\$22,990.00
N Dunn - 45/46 to Tammarack	\$74,746.70
Maxwell Ln - Sheridan to Clifton	\$10,700.00
Sare Road	\$275.00
Clifton MUP - Maxwell to 1st	\$1,532.75
Grimes - Henderson to Woodlawn	
Total 2001	\$175,000.00

2000

Site	Cost
Maxwell Ln - Henderson to Manor Rd	\$29,516.54
Hillsdale - 3rd to 5th	\$21,000.00
Hillsdale - 5th to 7th	\$24,885.00
Parkridge - Cambridge to Sheffield	\$29,800.00
N Kinser - BHSN to Ridgefield	\$46,960.53
Clifton MUP	
Sare Road	\$14,860.00
Total 2000	\$167,022.07

1999

Site	Cost
Maxwell Ln - Henderson to Manor	\$145,105.57
3rd & Union	\$4,186.43
Atwater - Mitchell to High	\$708.00
Clifton MUP	
Total 1999	\$150,000.00

1998

Site	Cost
Kinser - Marsh to Skyline	\$19,456.88
Covenantor - High to Nota	\$14,548.08
Atwater - Mitchell to High	\$430.04
Kirkwood I - Walnut to Grant	\$115,565.00
Parkridge	
Total 1998	\$150,000.00

1997

Site	Cost
7th - Bryan to Hillsdale	\$18,052.65
2nd - Walnut to Basswood	\$1,900.00
Willow Manor	\$5,408.00
Atwater	\$9,281.25
S Walnut Sanitation and Animal	\$2,658.75
6th St	\$3,363.40
17th & Kinser	\$3,600.00
Ramps	\$24,000.00
Parkridge east Park	\$10,000.00
downtown lights	\$10,000.00
RR xings (sidewalks on 7th & 8th)	\$10,000.00
signals 10th & Fee - 2nd & rogers	\$10,000.00
Road Markings	\$20,514.50
Total 1997	\$128,778.55

1996

Site	Cost
7th - Bryan to Hillsdale	\$81,264.97
Ramps	\$28,800.03
Traffic Calming	\$38,035.00
Total 1996	\$148,100.00

Other City Sidewalk Projects in 2004 and the Near Future

The staff from the Planning, HAND and Parks and Recreation departments submitted written reports to the Committee which briefly mentioned recent, on-going and future pedestrian projects. A summary of these reports appears below:

Greenways

- **McDoel Swithyard and CSX Rail Corridor.** The City is continuing its negotiations with CSX for the acquisition of this property.
- **Country Club Drive.** There is a 3-phase side path project planned for Country Club Drive from Walnut Street to Rockport Road. The first phase is from Walnut to the CSX property. The second phase is from the CSX property to Rogers Street and the third phase is from Rogers Street to Rockport Road. The City is the process of acquiring right-of-way for this project. Please note that the intersection of Rogers Street and Country Club is being improved independently of these phases and, as part of that project, side paths can be constructed up to 500 feet along each of the streets touching this intersection.
- **Other Projects.**
 - **Pete Ellis Drive and East 3rd Street from Bloomingfoods to Kinston Avenue** – The City has completed a side path at these locations (but, please note that the State is still working on the portions near the intersection of Clarizz Boulevard & East 3rd Street);
 - **North Monroe Street from 14th to 17th and Clarizz Boulevard from 3rd Street to Buick Cadillac Boulevard** – The City is either working or overseeing work on side paths at these locations.

Parks and Recreation Department

Recent and Current Projects.

- **Clear Creek Trail (Phase II)** – The department has constructed a 12-foot wide asphalt from That Road to just north of Church Lane; and

- **Miller Showers Park** – The department has finished paths around the park with a pair of pedestrian access points on both the east and west sides of the park
- **Winslow Park** – The developer of the Regent’s Park Subdivision is constructing a sidewalk that will link South High Street to the park.

Future Pedestrian Projects

- **McDoel Switchyard/CSX corridor,**
- **Jackson Creek Trail** (with the help of a \$500,000 grant),
- **Ramsey Farm improvements** (by the developer), and
- a connection between **Broadview School and Thomson Park.**

HAND Department

This department is working on the following projects (many in concert with the Public Works Department):

- **Monroe Street Sidepath from 14th Street to 17th Street.** Construction is expected to be completed this fall.
- **South Rogers Street Side Path on the west side of Rogers Street from the IEC property to Rockport Road.** The designs are complete, the legal descriptions were being reviewed, and the right-of-way is being acquired.
- **Country Club Sidepath on the north side from Walnut Street eventually to Rockport Road.** The project is awaiting acquisition of the CSX parcel or a right for workers to enter it in order to commence Phase 1 and II. However, work on the intersection of Rogers Street and Country Club Drive and the adjacent side paths may start earlier because there is no need to obtain permission to work in the right-of-way.
- **Rockport Road (Phase II) from Countryside Lane to Graham Drive (north side).** This project continues the construction of a sidewalk on Rockport Road from Rogers Street to Country Club Drive (which includes two areas with challenging slopes). Designs have been completed, but money has not been funded for this segment of the sidewalk.

- **Other Projects** which include sites on North and South Fairview, Oolitic, South Dunn, and a curb and sidewalk project on West Kirkwood Avenue.

Public Works Department

The Committee did not receive a written report from the Engineering and Public Works departments on the other sidewalk projects they either oversee or construct (e.g. East 3rd Street).

RESOLUTION 04-13

**TO APPROVE THE INTERLOCAL AGREEMENT
BETWEEN MONROE COUNTY AND THE CITY OF BLOOMINGTON
FOR ANIMAL SHELTER OPERATION FOR THE YEAR 2005**

WHEREAS, the Common Council of the City of Bloomington desires to contract with Monroe County, through the authority of I.C. 36-1-7-2, to provide services and facilities to the County in animal care and control in consideration of payment therefor; and,

WHEREAS, an agreement has been reached between the Director of the Animal Shelter and the County Commissioners to provide said services and facilities for 2005;

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

SECTION 1. The Common Council hereby approves the Animal Shelter Agreement for Fiscal Year 2005 and authorizes the Mayor, the Director of the Animal Shelter and the Clerk of the City of Bloomington to execute the agreement.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2004.

MICHAEL DIEKHOFF, 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 _____, 2004.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2004.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This resolution authorizes execution by the Mayor and Director of the Animal Shelter of the Animal Shelter Agreement of the between the City and County for 2005. The agreement provides that Monroe County shall pay the City the sum of \$197,969.00 for 2005 for the space it provides to the County and services it renders on the County's behalf.

MEMORANDUM

To: Common Council

From: Laurie Ringquist

Date: July 29, 2004

Re: Resolution 04-13

Indiana Code § 36-1-7 empowers the City of Bloomington to contract with Monroe County to provide services and facilities to the County in animal care and control in return for payment.

This resolution is to authorize the Mayor and Director of the Animal Shelter to execute an interlocal agreement with Monroe County regarding Animal Shelter operations. The City provides services and use of the Animal Shelter facilities to the County. In return, the County pays to the City a portion of the Animal Shelter operating costs each year. The County does not pay any costs associated with the volunteer program or the education program. The amount to be paid is calculated based on the percentage of animals from Monroe County sources the previous year times the projected Animal Shelter operations budget. The attached sheet shows the calculation for FY 2005 with a Monroe County share of \$197,969.00.

CITY OF BLOOMINGTON / MONROE COUNTY
INTERLOCAL AGREEMENT FOR ANIMAL CONTROL
FY 2005 PROJECTED COSTS

- There are four program components to the Animal Control Department budget:
 - Animal Shelter Operations
 - Animal Control Field Operations
 - Education Program
 - Volunteer Program

 - Monroe County pays the City of Bloomington a percentage of the *Animal Shelter Operations* program. The percentage translates into the percentage of animals Monroe County generated of the total number of animals handled the previous year.
-

ANIMAL SHELTER OPERATIONS PROGRAM PROJECTED 2005 BUDGET = \$395,938
(This includes requested budget increases and projected salary increases)

2003 PERCENTAGE OF ANIMALS FROM MONROE COUNTY SOURCES

• Picked up by AMO's	824
• Strays brought in by Monroe County residents	659
• Animals relinquished by Monroe County residents	955
• Other sources **	<u>168</u>
Total number of Monroe County animals	2,606
 Total number of animals handled by Shelter in 2003	 5,207
 Percentage of animals from Monroe County sources:	 50%

**This figure represents 50% of the animals in the following sources: animals brought in by citizens and veterinarians DOA, animals born at the Shelter, animals found outside the Shelter, animals brought in for bite case quarantine, owner requests for euthanasia, and returned adoptions. Since these animals are not customarily coded by City/County sources, calculations were tabulated using the 50% figure, attained above.

ANIMAL SHELTER OPERATIONS PROGRAM BUDGET x 50% = 2004 INTERLOCAL AMT.

$$\$395,938 \times 50\% = \$197,969$$

2005 PROJECTED MONROE COUNTY ANIMAL SHELTER COSTS \$197,969

ANIMAL SHELTER INTERLOCAL AGREEMENT
FOR FISCAL YEAR 2005

WHEREAS, the City of Bloomington Animal Control Department operates the Animal Shelter for the care and control of animals; and,

WHEREAS, the City Animal Control Department enforces licensing, animal care and animal control ordinances within the corporate boundaries of the municipality, including impoundment, adoptions and euthanizing of animals of the Animal Shelter; and,

WHEREAS, the County Animal Management Officers exercise similar functions within the County, but utilize the Shelter premises and staff for impoundment, adoptions and euthanasia; and,

WHEREAS, the City of Bloomington and Monroe County are empowered pursuant to Indiana Code § 36-1-7 to contract together on the basis of mutual advantage to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local government;

NOW, THEREFORE, in consideration of the mutual terms, covenants, and conditions herein agreed, the parties agree as follows:

- 1) The duration of the Agreement shall be for the year 2005.
- 2) The City agrees to provide the County the following:
 - (a) the impoundment, general animal care, adoption and euthanasia for County animals;
 - (b) use of supplies and equipment in the City Animal Shelter by the County Animal Management personnel;
 - (c) assistance to County personnel in answering phone calls, dispatching service calls and explaining County animal management laws to callers; and
 - (d) accept and record payments for County license fees, and to remit these funds to the County monthly.
- 3) The County agrees to pay the City the sum of \$197,969.00.
- 4) Payment shall be made semi-annually to the Controller of the City of Bloomington, upon the timely submission by the City of a claim. Such claims should be submitted to the Board of Commissioners, Room 322, Courthouse, Bloomington, Indiana 47404.

THE PARTIES, intending to be bound, have executed this *ANIMAL SHELTER INTERLOCAL AGREEMENT FOR FISCAL YEAR 2005* on this _____ day of _____, 2004.

CITY OF BLOOMINGTON

MONROE COUNTY COMMISSIONERS

MARK KRUZAN, MAYOR

JOYCE POLING, PRESIDENT

DATE: _____

DATE: _____

LAURIE RINGQUIST, ANIMAL CONTROL DIRECTOR

HERB KILMER, VICE PRESIDENT

DATE: _____

DATE: _____

IRIS KIESLING, MEMBER

DATE: _____

ATTEST:

ATTEST:

REGINA MOORE, CLERK

BARBARA CLARK, COUNTY AUDITOR

DATE: _____

DATE: _____

RESOLUTION 4-19

OPPOSING THE ROUTING OF INTERSTATE 69 (I-69) THROUGH THE CITY OF BLOOMINGTON

- WHEREAS, the Indiana Department of Transportation (INDOT) chose to do a “tiered” Environmental Impact Statement (EIS) for the proposed Interstate 69, and at Tier 1 INDOT selected Alternative 3C which will pass through the City of Bloomington; and
- WHEREAS, in Tier 1 seven of nine members of the Bloomington City Council submitted a letter to INDOT and the Governor as part of the public input process, opposing the routing of I-69 through Bloomington and further recommending the existing US-41/I-70 corridor as the most fiscally responsible and least environmentally destructive I-69 alternative; and
- WHEREAS, a Council resolution is the appropriate, sanctioned legislative tool available to cities to express their position on items of great importance to the community; and
- WHEREAS, the EIS is moving into Tier 2 and INDOT is currently soliciting comments from public officials regarding I-69 issues in their communities, and so it is appropriate and timely for the Council to re-state its position in the form of a resolution opposing route 3C for I-69; and
- WHEREAS, Bloomington’s comparative economic advantage is the beauty of its natural surroundings and its unique quality of life as enhanced by the cultural opportunities and attractive amenities available in this community; and
- WHEREAS, an interstate highway through Bloomington and Monroe County would undermine our existing economic strengths and threaten the assets and characteristics that are key to our future economic vitality and high quality of life for our citizens; and
- WHEREAS, Bloomington will continue to thrive if we maintain and enhance our unique and attractive environment, our outstanding natural and cultural amenities, and our distinct community character, all of which stand to be diminished by the pollution, noise, traffic, and generic sprawl that will result from a superhighway bisecting the City; and
- WHEREAS, an international trucking corridor through the City will adversely affect the air and water quality of Bloomington and the surrounding areas, and which could lead to Bloomington becoming a non-attainment area for air-quality under EPA regulations which would have a significant negative effect on the business environment; and
- WHEREAS, the development of such a corridor will promote a growth pattern of “urban sprawl” by encouraging the dispersal of development, and necessitating reliance on automobiles for transportation while increasing barriers to alternative transportation, all in opposition to the stated goals of Bloomington’s Growth Policies Plan (GPP); and
- WHEREAS, this corridor, as shown in profile in the EIS, is massive with 12 lanes, including an elevated 8-lane “urban freeway” in the center, with a “wall” of unspecified height at the edges and frontage roads on either side; and
- Whereas, the City of Bloomington’s Growth Policies Plan recognizes that sustainability and environmental protection are key components of the guiding principle of nurture environmental integrity, and the proposed new terrain I-69 interstate undermines both sustainability and environmental integrity; and

- WHEREAS, the existing road network provides Bloomington with the competitive transportation costs and reliability of service that we need in order to prosper, and we are in close proximity to Indianapolis, the most interstate connected city in the country, and the Indianapolis airport, and we are linked directly to the Indianapolis metro area by a divided 4-lane highway, State Road 37; and
- WHEREAS, appropriate improvements to SR 37 and other area highways will help our region more than huge, costly investment in one limited-access superhighway; and
- WHEREAS, Indiana currently is one of the most interstate-dense of all states yet is also a leading state in terms of job loss and slow income growth, and we do not believe that additional interstate highway mileage will help Indiana position itself to succeed in the 21st century economy; and
- WHEREAS, I-69 is being planned and designated as a NAFTA superhighway, with part of its stated purpose being the furthering of NAFTA, and under NAFTA the corporate trend has been to move manufacturing and assembly jobs to low wage countries with less enforcement of health, safety, labor and environmental standards; and
- WHEREAS, the economic development benefits in the form of new local manufacturing jobs often touted by proponents of I-69 are highly speculative and should be evaluated critically based upon actual evidence; and
- WHEREAS, the EIS states, among other relevant findings, “When (population change) is taken into account, we find that the real disposable income per capita for the build alternatives does not differ significantly from the 2025 forecast for the no build alternative.” (INDOT Draft EIS for I-69, technical report 5.3.2, page 37), indicating that I-69 will not improve economic conditions for residents of Southwest Indiana; and
- WHEREAS, the original \$800 million price tag estimate for the project has grown to \$2 billion, with construction still years away, and the true cost to Indiana taxpayers is unknown and very likely much higher; and
- WHEREAS, a recent cost and funding analysis by the State Senate Finance Chair concluded that in order to build I-69 route 3C either virtually all of the State’s highway construction money for many years to come would need to be dedicated to this single project or a significant State gas tax increase would be required; and
- WHEREAS, Senator Richard Lugar stated in a letter to a Bloomington City Council member, “The bulk of the federal highway funds required to construct the Southwest Indiana Highway (I-69) will likely come from Indiana’s annual allocation transportation funds distributed by the U.S. Department of Transportation according to the formulas specified in the TEA 21 law.”; and
- WHEREAS, in the absence of unlikely, significant new and additional funding sources, the high cost of I-69 will translate into a reduction in the state’s ability to complete other needed, important local and state transportation projects; and
- WHEREAS, Senator Lugar described the financial implications of I-69’s cost to Indiana when he stated in another recent letter, “All Hoosiers may wish to discuss the priority of such expenditures and the probability of potential public and private economic gains at a time of extraordinary national

security, health care, social security, and education needs in Indiana and throughout the Country”; and

WHEREAS, Terre Haute and other Hoosier cities along US 41 and I-70 have current economies that are more transportation-based and whose economies stand to be harmed significantly by the diversion of existing traffic and associated economic activity to any new-terrain I-69 route; and

WHEREAS, predicted safety increases will likely be offset by decreases resulting from greatly increased volumes of traffic, increased speeds, and increased time of exposure due to road closures that would necessitate additional driving time for local traffic; and

WHEREAS, the Council recognizes the importance of Naval Surface Warfare Center at Crane (Crane) to Bloomington, the region, and the State, and the Council has expressed its support for Crane in a resolution, passed unanimously, and the City of Bloomington has contributed funding to the Southern Indiana Business Alliance to assist in lobbying for Crane in the face of threat from the base realignment and closure (BRAC) process; and

WHEREAS, Crane is served on the west by US Highway 231, which is currently undergoing major upgrades, including recent completion of a new bridge over the Ohio River and a new roadway from Rockport, Indiana, to I-64, and a planned bypass around Jasper, and it is served by 4- lane SR 37 approximately 13 miles east of Crane’s north gate, both part of Indiana’s National Highway System as submitted to the FHWA; and

WHEREAS, a major international trucking highway passing by Crane would promote traveler service and other development encroachments associated with interstates that could reduce the facility’s military value and security, making the base more susceptible to closure, and these development pressures and patterns would be particularly difficult to control in counties with no planning and zoning like those where Crane is located; and

WHEREAS, it is questionable that the proposed I-69, lacking identified funding and at least 15 years from completion, is a significant factor in current BRAC deliberations; and

WHEREAS, elected members of local government have a duty to express the best interests of the community in a civil manner for the sake of informing the public debate and encouraging outcomes consistent with the community’s vision and the quality of life expectations and hopes of its citizens; and

WHEREAS, it is the Council’s responsibility to provide the community with a civil forum for the discussion of important community issues;

NOW THEREFORE BE IT HEREBY RESOLVED THAT:

SECTION I. The Council concludes that I-69 route 3C is inconsistent with and conflicts with our community’s vision, our Growth Policies Plan, and the quality of life expectations and priorities of our citizens.

SECTION II. The Council concludes that I-69 will have an overall harmful rather than beneficial economic effect on Bloomington and Monroe County and that it is not in the interest of our citizens to have I-69 routed through our community.

SECTION III. The Council further concludes that I-69 route 3C is not in the best interest of the citizens of the State of Indiana, and the Council beseeches the Governor and INDOT to focus our scarce transportation funds on appropriate improvements to existing roadways where there are demonstrated needs, and on rail and other more sustainable transportation modes that will reduce negative environmental impacts and reduce our dependence on foreign oil.

SECTION IV. The Council asks the state to abandon plans for route 3C, and if it does not, the Council asks the FHWA to not approve the project.

SECTION V. The Council urges INDOT to focus on the management of the State Road 37 corridor, continuing with intersection improvements, prohibiting additional direct road cuts throughout the corridor, and constructing frontage roads where needed.

SECTION VI. Be it further resolved that, we direct the City Clerk to send a copy of this resolution to the Governor of Indiana, the Commissioner of INDOT, the Federal Highway Administration, and our state and federal legislative delegations.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2004.

MICHAEL DIEKHOFF, 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 _____, 2004.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2004.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This resolution is sponsored by Councilmembers Ruff and Gall, and serves four primary purposes: (1) to serve as a response to a solicitation from INDOT (via their consultants) for EIS Tier 2 input from local elected officials regarding I-69 impacts, concerns, and community issues; (2) to serve as the means for the new Council and the new City Administration to put the City of Bloomington officially and formally on record as opposing I-69 through the City by the adoption of a resolution; (3) to educate and further inform the public regarding the reasons for the City's opposition to I-69; and (4) to provide the community with a civil forum for the discussion of this important community issue. The resolution concludes that I-69 conflicts with our community's vision for the future, our GPP, and the quality of life expectations and priorities of our citizens, and that I-69 would result in an overall harmful rather than beneficial effect on Bloomington and its citizens. It asks the Governor and INDOT to abandon plans for the new-terrain I-69 and instead focus scarce transportation funds on improvements to existing roadways where there are demonstrated needs, and on other more sustainable transportation modes that will reduce negative environmental impacts and reduce dependence on foreign oil. Finally the resolution directs the City Clerk to send copies of the resolution to the Governor, INDOT, the Federal Highway Administration, and our state and federal legislative delegations.

ORDINANCE 04-28

**TO AMEND THE TEXT OF TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE
ENTITLED “ZONING”**

**(Revising the Definitions Along with the Permitted and Conditional Use Allowances for
Hospitals and Outpatient Care Facilities)**

WHEREAS, on May 1, 1995 the Common Council adopted Ordinance 95-21, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled “Zoning”, including the incorporated zoning maps, and Title 21, entitled “Land Use and Development;” and

WHEREAS, the Plan Commission has considered ZO-19-04, which would amend the text of Title 20 in order change the definitions and use allowances concerning hospitals and outpatient care facilities. The Plan Commission thereby requests that the Common Council consider this petition;

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

SECTION 1. Section 20.02.01.00 of the Bloomington Municipal Code entitled “General Definitions” shall be amended such that the references to “Hospital” and “Outpatient Care Facility” read as follows:

Hospital. “Hospital” means an acute care healthcare establishment providing accommodations, facilities and services on a continuous twenty-four hour basis with overnight (meaning between 12:00am and 5:00am) beds and services for persons suffering from illness, injury or conditions requiring medical services. Hospitals shall not include convalescent, nursing or rest homes.

Outpatient Care Facility. “Outpatient Care Facility” means a facility licensed as an ambulatory outpatient surgery center by the State of Indiana, as defined by Indiana Code 16-18-2-14, that does not provide for patient stays of longer than 24 hours.

SECTION 2. Section 20.07.13.00 of the Bloomington Municipal Code regarding “Permitted Uses” in the BUSINESS PARK (BP) District shall be amended to delete “Hospitals” as a permitted use.

SECTION 3. Section 20.07.14.02 of the Bloomington Municipal Code regarding the Purpose, Permitted Uses, and Conditional Uses in the MEDICAL (M) District shall be amended as follows:

A. Part (a) entitled “Purpose.” shall be amended to read as follows:

(a) Acknowledging the special nature of hospitals the services provided by Bloomington Hospital, the M district provides for the location and regulation of this hospital uses and other medical uses appropriate to a hospital vicinity.

Bloomington Hospital is and historically has been a non-profit entity providing medical care and related services to the entire community regardless of ability to pay. Because of the importance of such care and services to the well-being of the community, the M District is intended to encourage the continuation of such services by permitting Bloomington Hospital to meet its long-term space utilization needs while ensuring protection of surrounding residents from any negative impacts to public health, safety or welfare. Proposals for new or expanded medical facilities in this District should be scrutinized in recognition of the community interest in ensuring the continued provision of needed services to all residents regardless of means. Such scrutiny should include examination of the impact on public health needs, which should include consideration of any impact on Bloomington Hospital so long as Bloomington Hospital continues to provide its current level of community service.

B. Part (b) entitled "Permitted Uses" shall be amended by striking both "Hospitals" and "Outpatient Care Facilities" as permitted uses in the district.

C. Part (c) entitled "Conditional Uses" shall be amended to add "Hospitals" and "Outpatient Care Facilities" as conditional uses in the district.

SECTION 4. Section 20.07.16.01 entitled "Summary of District Uses (Table 7-1)" shall be amended to reflect the above changes to permitted and conditional uses within the Business Park and Medical Zoning Districts.

SECTION 5. Severability. If any section, 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 6. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor and promulgation by law.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2004.

MIKE DIEKHOF, 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 _____, 2004.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2004.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Title 20 of the Bloomington Municipal Code to clarify definitions concerning hospitals and outpatient care facilities. In addition, the ordinance changes the permitted and conditional use allowances for these facilities within both the Business Park and Medical Zoning Districts.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 04-13 is a true and complete copy of Plan Commission Case Number ZO-19-04 which was given a recommendation of approval by a vote of 9 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on August 9, 2004.

Date: September 3, 2004



 Thomas B. Micuda, Secretary
 Plan Commission

Received by the Common Council Office this 3rd day of September, 2004.



 Regina Moore, City Clerk

Appropriation Ordinance # _____	Fiscal Impact Statement Ordinance # _____	Resolution # _____
---------------------------------	---	--------------------

Type of Legislation:

Appropriation Budget Transfer Salary Change Zoning Change New Fees	End of Program New Program Bonding Investments Annexation	Penal Ordinance Grant Approval Administrative Change Short-Term Borrowing Other
--	---	---

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure _____	Emergency _____
Unforeseen Need _____	Other _____

Funds Affected by Request:

Fund(s) Affected	_____	_____
Fund Balance as of January 1	\$ _____	\$ _____
Revenue to Date	\$ _____	\$ _____
Revenue Expected for Rest of year	\$ _____	\$ _____
Appropriations to Date	\$ _____	\$ _____
Unappropriated Balance	\$ _____	\$ _____
Effect of Proposed Legislation (+/-)	\$ _____	\$ _____
Projected Balance	\$ _____	\$ _____

Signature of Controller

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

Yes _____ No _____

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary.)

Common Council Memo

To: Members of the Common Council

From: Tom Micuda, Planning Director

Date: September 3, 2004

Subj: Zoning Ordinance Amendment Concerning Hospitals and Outpatient Care Facilities – Ordinance 04-28

Attached please find a proposed Zoning Ordinance amendment submitted by the Planning Department concerning hospitals and outpatient care facilities. During the review process associated with the Southern Indiana Medical Park II rezoning petition at the southwest corner of Tapp and Weimer Roads, it became clear that there was a lack of clarity in the ordinance concerning the potential location of for-profit outpatient or inpatient facilities. In addition, there was a general feeling that the review of any large-scale outpatient or inpatient proposal should involve public discussion and scrutiny.

The attached ordinance amendment attempts to address these issues through the following methods:

- **New and amended Definitions** – The proposed definitions for “Hospitals” and “Outpatient Care Facilities” provide a clear distinction between the two uses. Currently, outpatient facilities are not defined. To this end, the State of Indiana definition for this type of facility has been incorporated into the text of the ordinance.
- **Prohibition of Hospitals from the Business Park (BP) zoning district** – Currently, hospitals are allowed to be constructed within this district with no public hearing approval process. Given the amount of vacant land that exists in the BP zoning district along State Road 37, this permissiveness seems unnecessary. Staff recommends that a decision to construct a hospital along the State Road 37 highway corridor be incorporated into a rezoning or Planned Unit Development proposal. As a result, this use is being proposed for prohibition.
- **Creation of Conditional Use review process for hospitals and outpatient care facilities** – This amendment would require a conditional use review process for either the location of new facilities or the expansion of existing facilities. The purpose of this change is to allow for public notice and discussion associated with any decision to locate and expand such facilities. Such a review process would naturally involve Bloomington Hospital and center upon how any proposed new facilities would impact the hospital’s long-term service needs. As a result of the Plan Commission discussion regarding this amendment at the July 12th hearing, staff modified the text of the Medical Zoning District purpose statement to clarify

that a goal of this district is to facilitate continued success of the hospital as a non-profit medical provider.

Plan Commission Decision: The Plan Commission held public hearings on July 12 and August 9 concerning this zoning ordinance text amendment. There was no public remonstrance at these hearings, and the ordinance was ultimately approved by a unanimous vote of 9-0. Bloomington Hospital has participated in the development of this amendment and has leant its full support.

SECTION 20.02.01.00 GENERAL DEFINITIONS

Habitable space	Any space in a structure suitable for living, sleeping, eating or cooking purposes, excluding such enclosed places as closets, pantries, bath or toilet rooms, hallways, laundries, storage spaces, utility rooms and similar spaces.
Hedge	A row of trees and/or shrubs planted to create a visual screen.
Height, building	The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the roof of the top story, in the case of a flat roof; to the deck line of a mansard roof; and, to the mean height level between the eaves and ridge of a gable, hip or gambrel roof. See Table 7-4, subsection (B), found in Section 20.07.16.03 for building features which are exempt from height limitations.
Height, structure	The vertical distance to the highest point of the structure measured from the finished grade at the base of the structure, except buildings, for which height is defined above. See also, "Height, Building."
Home occupation	A business activity conducted completely within a dwelling unit, carried on by any lawful resident of the property, clearly incidental and secondary to the use of the dwelling for residential purposes, and which conforms to the specifications of Sections 20.05.04.00 and 20.05.11.00 of this Zoning Ordinance.
Hospital	An acute care healthcare establishment providing accommodations, facilities and services on a continuous twenty-four hour basis with overnight (meaning between 12:00am and 5:00am) beds and services for persons suffering from illness, injury or conditions requiring medical services. Hospitals shall not include convalescent, nursing or rest homes.
Hotel or motel	An establishment which is open to transient guests for remuneration and for periods of time not exceeding thirty days, as opposed to a boarding, rooming or lodging house, and which is commonly known as a hotel or motel in the community in which it is located; and which provides customary hotel services such as maid service, the furnishing and laundering of linen, telephone and secretarial or desk service, and the use and upkeep of furniture, excluding bed and breakfast establishments.
Mobile home park	A tract of land under single, joint or common ownership designed in such a manner as to provide sites for one or more mobile homes in a residential environment.
Mobile home Subdivision	A tract of land divided into individual lots for the purpose of setting mobile homes on lots generally owned by the occupant of the

	mobile home and arranged in such a manner as to provide a residential community environment.
Mortuary or Crematorium	Establishments where the deceased are physically prepared for final internment.
Motel	See "Hotel."
Nonconforming use, lawful	See "Use or Structure, Lawful Nonconforming."
Nonconforming structure, lawful	See "Use or Structure, Lawful Nonconforming."
Nonresidential district	See "District, Nonresidential."
Nursing home	An establishment for the long term, residential care of the aged or infirm, or a place of rest for those suffering bodily disorders. Such home does not contain equipment for surgical care or for the treatment of injury. This term includes "convalescent homes" and "rest homes."
Office	A place in which business, professional, and/or clerical activities are conducted. Offices shall include medical offices, government offices and office functions which serve other off-site land uses.
Open area	That area of a zoning lot that is not covered by a building.
Open space, usable	That portion of a zoning lot which is not covered by buildings or paved areas. For the purposes of this title, outdoor roof gardens, patios and decks may be counted, providing a maximum of one hundred square feet per dwelling unit may be included as usable open space. Pools and other recreational facilities may be included in the usable open space provided that a minimum of thirty percent of the usable open space must be devoted to landscaping.
Open sales lot	A principal or accessory use involving the selling of merchandise not contained within an enclosed building or structure.
Ordinance, zoning	This title of the Bloomington Municipal Code and its accompanying zoning map, including any amendments thereto.
Outpatient Care Facility	A facility licensed as an ambulatory outpatient surgery center by the State of Indiana, as defined by Indiana Code 16-18-2-14, that does not provide for patient stays of longer than 24 hours.
Owner	Any person having legal or equitable title to real estate.

20.07.13.00 BUSINESS PARK.

20.07.13.01 Purpose and Intent.

This district permits industrial parks for uses such as technology businesses and related office uses, including research and development. This district provides locations for commerce, service and employment activities having locations and site improvements that project a desirable appearance and that maintain compatibility with adjacent land uses. Aesthetic goals of the district include a park-like appearance, good architecture, clean uses, and avoiding large areas of parked trucks and equipment. It is the intent of this district to:

- (A) Provide a planned business park environment;
- (B) Assure control over the physical and visual design of the city's employment areas;
- (C) Provide flexibility to respond to the needs of local business without adversely impacting adjacent development or neighborhoods;
- (D) Provide for major development opportunity for economic development prospects.

20.07.13.02 Permitted Uses.

The following uses are permitted in the BP district subject to site plan requirements, all necessary permits and approvals, the performance controls of Section 20.06.05.00, and other applicable requirements. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in parentheses. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this Zoning Ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Commercial print shop, limited to maximum size of fifteen thousand square feet
Conference center
Convalescent, nursing and rest homes
Day care centers
Government institutions
Hospitals
Offices
Research laboratories
Utility substations and transmission facilities (5)

20.07.13.03 Conditional Uses.

The following uses may be permitted in the BP district subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this Zoning Ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of Section 20.05.04.06 where those standards are set forth.

20.07.14.02 Medical District.

- (A) Purpose. Acknowledging the special nature of ~~**hospitals**~~ **the services provided by Bloomington Hospital**, the M district provides for the location and regulation of **this** hospital uses and other medical uses appropriate to a hospital vicinity.

Bloomington Hospital is and historically has been a non-profit entity providing medical care and related services to the entire community regardless of ability to pay. Because of the importance of such care and services to the well-being of the community, the M District is intended to encourage the continuation of such services by permitting Bloomington Hospital to meet its long-term space utilization needs while ensuring protection of surrounding residents from any negative impacts to public health, safety or welfare. Proposals for new or expanded medical facilities in this District should be scrutinized in recognition of the community interest in ensuring the continued provision of needed services to all residents regardless of means. Such scrutiny should include examination of the impact on public health needs, which should include consideration of any impact on Bloomington Hospital so long as Bloomington Hospital continues to provide its current level of community service.

*** Note: The word "hospitals" should be removed from the first line and the word "uses" in the third line should be in the singular form. Although quite a formal step for such minor errors, after talking with Tricia Bernens, City Attorney, and Tom Micuda, Director of Planning, I recommend that the Council consider amending the ordinance and sending it back to the Plan Commission for final approval.*

- (B) Permitted Uses: The following uses are permitted in the M District subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in parentheses. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this Zoning Ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Convalescent, nursing and rest homes
Day care centers
~~Hospitals~~
Mental health facilities
Offices and clinics of physicians, dentists and other health care practitioners
~~Outpatient care facilities~~
Residential care homes for developmentally disabled individuals (2)
Residential care homes for mentally ill individuals (3)
Residential care homes for up to five individuals other than those described above (4)
Single-family detached dwellings

(C) Conditional Uses: The following uses may be permitted in the M District subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this Zoning Ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of Section 20.05.04.06 where those standards are set forth.

Churches (e)

Commercial use as principal use (v)

Downtown development opportunity (x)

Emergency shelter facilities

Fire stations (j)

Historic adaptive reuse (d)

Hospitals

Off-site parking (s)

Outpatient care facilities

Parking garages as principal use

Police stations (j)

Rehabilitative facilities (f)

Shared parking (r)

**TABLE 7-1
SUMMARY OF DISTRICT USES**

Type of Use	RE2.5	RE1	RS	RT7	RM	CL	CG	CA	CD	IL	IG	BP	I	M	AP	Q
Hospitals												P		C		
Hotels and motels							P	P	P			C			P	
Industrial uses with potentially adverse effects											C					
Kennels								P		C						
Light manufacturing										P	P	C				
Limited commercial										C	C	C				
Lodge halls							P	P	P							
Machinery and equipment repair										P	P					
Mental health facilities														P		
Mini-warehouses								P		P						
Mortuaries							P	P								
Multiple family dwellings					P		P	P	P							
Newspaper printing								P								
Nurseries/greenhouses								P								
Off-site parking						C	C	C		C	C	C	C	C	C	
Offices						P	P	P	P	P	P	P	P	P	P	
Outdoor retail and wholesale uses								P								
Outdoor storage as an accessory use to a permitted use in enclosed building										C					C	
Outpatient care facilities														C	*P*	
Parking garages							15	15	P							
Parking garages as principal use														C		
Parking lots							15	15								
Parks and playgrounds	P	P	C	P	P	P							P		P	C
Personal services						P	P	P	P							
Police stations	C	C	C	C	C	C	P	P	P	P	P		P	C	P	
Print shops										P	P					

*** Note: The Planning Staff intended to request that the Plan Commission remove Outpatient Care Facilities as a Permitted Use in Airport Zones and given the need to amend the ordinance (see Section 20.07.14.02), Tom Micuda would like the Council to make this change as well.*

IC 16-18-2-14

Ambulatory outpatient surgical center

Sec. 14. "Ambulatory outpatient surgical center", for purposes of IC 16-21 and IC 16-38-2, means a public or private institution that meets the following conditions:

(1) Is established, equipped, and operated primarily for the purpose of performing surgical procedures and services.

(2) Is operated under the supervision of at least one (1) licensed physician or under the supervision of the governing board of the hospital if the center is affiliated with a hospital.

(3) Permits a surgical procedure to be performed only by a physician, dentist, or podiatrist who meets the following conditions:

(A) Is qualified by education and training to perform the surgical procedure.

(B) Is legally authorized to perform the procedure.

(C) Is privileged to perform surgical procedures in at least one (1) hospital within the county or an Indiana county adjacent to the county in which the ambulatory outpatient surgical center is located.

(D) Is admitted to the open staff of the ambulatory outpatient surgical center.

(4) Requires that a licensed physician with specialized training or experience in the administration of an anesthetic supervise the administration of the anesthetic to a patient and remain present in the facility during the surgical procedure, except when only a local infiltration anesthetic is administered.

(5) Provides at least one (1) operating room and, if anesthetics other than local infiltration anesthetics are administered, at least one (1) postanesthesia recovery room.

(6) Is equipped to perform diagnostic x-ray and laboratory examinations required in connection with any surgery performed.

(7) Does not provide accommodations for patient stays of longer than twenty-four (24) hours.

(8) Provides full-time services of registered and licensed nurses for the professional care of the patients in the postanesthesia recovery room.

(9) Has available the necessary equipment and trained personnel to handle foreseeable emergencies such as a defibrillator for cardiac arrest, a tracheotomy set for airway obstructions, and a blood bank or other blood supply.

(10) Maintains a written agreement with at least one (1) hospital for immediate acceptance of patients who develop complications or require postoperative confinement.

(11) Provides for the periodic review of the center and the center's operations by a committee of at least three (3) licensed physicians having no financial connections with the center.

(12) Maintains adequate medical records for each patient.

(13) Meets all additional minimum requirements as established by the state department for building and equipment requirements.

(14) Meets the rules and other requirements established by the state department for the health, safety, and welfare of the patients.

As added by P.L.2-1993, SEC.1. Amended by P.L.17-2004, SEC.1.

ORDINANCE 04-29

**TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED
“ADMINISTRATION AND PERSONNEL”
(Amending Chapter 2.23 Entitled “Community and Family Resources Department” by
Removing Section 2.23.040 (Community and Family Resources Forum) and Modifying
Section 2.23.050 (Community and Family Resources Commission))**

WHEREAS, Bloomington Municipal Code Chapter 2.23 contains provisions regarding the Community and Family Resources Department; and

WHEREAS, Bloomington Municipal Code Section 2.23.050 creates the Community and Family Resources Commission (“Commission”) and assigns it duties regarding distribution of federal Community Development Block Grant (CDBG) funds received by the City to recipients of social service and physical improvement CDBG funding; and

WHEREAS, the Housing and Neighborhood Development Department receives the City’s CDBG funds from the U.S. Department of Housing and Urban Development (HUD) and has taken on the principal role of awarding the funds to recipients;

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

SECTION I. Section 2.23.040 of the Bloomington Municipal Code entitled “Community and family resources forum” shall be deleted and reference to Section 2.23.040 shall also be removed from the Table of Contents for Chapter 2.23 (Community and Family Resources Department).

SECTION II. Section 2.23.050 of the Bloomington Municipal Code shall be deleted and replaced with the following:

2.23.050 Community and family resources commission--Establishment.

There is created a community and family resources commission. The commission may make advisory and planning input into all activities of the Department.

(1) Appointments. The commission shall consist of nine members, five members to be appointed by the mayor and four members to be appointed by the common council.

(2) Qualifications. It is recommended that the members include representatives of the following groups: low income community and social service providers.

(3) Procedure. The commission may adopt operating rules and regulations, to effectuate the purposes of this section and to make more specific the procedures deemed necessary for orderly and equitable compliance with this section. New rules, regulations, and guidelines may be adopted by the commission after a public hearing by a majority vote of the commissioners present. The rules, regulations, and guidelines of the commission shall be available to the public at the office of the commission.

(4) Powers and Duties. The commission shall be charged with putting into effect its program and proposals. The commission shall make four appointments to the Citizen Advisory Committee (CAC) for the Community Development Block Grants. Two of the commission’s appointees shall serve on the social service subcommittee and two shall serve on the physical improvement subcommittee.

The commission may review requests for financial support from the city for social services programs and activities. The commission may also seek grant monies and other funds to support social services programs and activities.

SECTION III. 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 IV. 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 _____, 2004.

MICHAEL DIEKHOF, 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 _____, 2004.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2004

MARK KRUZAN, Mayor

SYNOPSIS

This ordinance amends Chapter 2.23 of the Bloomington Municipal Code entitled “Community and Family Resources Department” to eliminate Section 2.23.040 regarding the community and family resources forum and to revise Section 2.23.050 regarding duties of the community and family resources commission related to community development block grants.

MEMORANDUM

Date: September 16, 2004

To: Bloomington Common Council Members
Dan Sherman, Council Attorney

From: Pete Giordano, Director, Community and Family Resources Department

Re: Ordinance Amending Chapter 2.23 of Bloomington Municipal Code

This memo accompanies the ordinance submitted to the Common Council to delete Section 2.23.040 of the Bloomington Municipal Code (BMC) regarding the Community and Family Resources Forum and to revise Section 2.23.050 regarding duties of the Community and Family Resources Commission (CFRC) related to Community Development Block Grants (CDBG). The goal of this ordinance is consistency between the BMC and actual practice relative to the Community and Family Resources Forum and the role of the CFRC in the CDBG social service allocation process.

During the CDBG funding process last year, the administration noted a discrepancy between the practices of the CDBG Citizens Advisory Committees (CACs) relative to the CDBG Social Services funding program, the role of the CFRC in that process, and the provisions of the BMC. The City's current CDBG practice is in full compliance with its CDBG plan approved by the U.S. Department of Housing and Urban Development as well as the Citizens Advisory Committee by-laws. However, the role of the CFRC in this process differs from the language in the BMC.

Specifically, while somewhat vague, the language in the BMC would suggest that the CRFC must exercise a separate and independent review function of the CDBG Social Service funding, beyond that already provided by the CAC. This has not been the practice since just about anyone can remember. As practices evolve over time it is sometimes appropriate to bring the language of the Code into congruence with actual practice as it has developed. That is what is being done with this ordinance.

With regard to the Community and Family Resources *Forum*, in the process of a subsequent review of this entire section of the BMC for accuracy and consistency, it was additionally noted that this forum *per se* was not occurring. While the City across many departments holds events which serve the intended function of this forum, most people cannot remember the last time this particular event was held. For the same reasons of consistency and accuracy of the Code relative to actual practice, this section of the BMC is being deleted with this ordinance.

To recap, this ordinance will bring the language of the BMC into congruence with current and at least recent practice. While not to minimize the importance of having actual practice be consistent with the language of the law, this ordinance is in essence a housekeeping effort. Nothing with respect to either the CDBG funding and allocation process, or the activities of the CFRC are changing as a result of this legislation.

Chapter 2.23

COMMUNITY AND FAMILY RESOURCES DEPARTMENT

Section 1 of Ord 04-29 deletes reference to Section 2.23.040 (Community and Family Resources Forum) from the Table of Contents for this chapter.

Sections:

- 2.23.000 Establishment--Appointment of director.
- 2.23.010 Scope and duties.
- 2.23.020 Community and family resources defined.
- 2.23.030 Other community and family resources activities.
- ~~2.23.040 Community and family resources forum.~~
- 2.23.050 Community and family resources commission-- Establishment.
- 2.23.060 Commission on the status of women--Establishment.
- 2.23.070 Bloomington Commission on the Status of Black Males-- Establishment.

2.23.000 Establishment--Appointment of director.

There is created and established a community and family resources department within the administration of the corporate city of Bloomington. The department shall be administered by the director of community and family resources. (Ord. 97-05 § 2, 1997; Ord. 83-6 § 2 (part), 1983).

2.23.010 Scope and duties.

The scope and duties of the community and family resources department may include, but shall not be limited to, the following:

- (1) Assessing the social service delivery and support functions available in the city and the county;
- (2) Assessing methods of improving coordination and delivery of social service delivery support services in the community;
- (3) Developing a plan for coordinating social services and support functions of the city;
- (4) Developing grant application expertise and grant review capacity to be available for local agencies in the area of social services, including information and technical assistance for federal, state and local monies which might be available and relevant; receiving and reviewing grants for federal, state and local technical and financial assistance; and recommending, where appropriate, that such grants be sought; such duties to be carried out in conjunction with the controller's office;

- (5) Creating a communication and information center for social service programs in the community, including the implementation and operation of an information and referral system;
- (6) Coordinating citizens' recommendations for the use of governmental funds for social service programs;
- (7) Planning and developing contractual arrangements with the advice of the city attorney, for the use of governmental funds by noncity agencies to insure the efficient delivery of social services;
- (8) Provide direct supervision and staff assistance for the programs of the commission on the status of women;
- (9) The development, implementation and operation of needed programs which help Bloomington citizens attain their maximum individual capacities for living and which improve the quality of life for citizens. (Ord. 97-05 § 3, 1997; Ord. 83-6 § 2 (part), 1983).

2.23.020 Community and family resources defined.

The subject matter of community and family resources shall be construed to include any topic of social concern, including but not limited to, the following:

- (1) Citizen participation in the decision making process;
- (2) Consumer affairs;
- (3) Child care;
- (4) Drug abuse and mental health issues;
- (5) Veteran's affairs;
- (6) The status of women;
- (7) Community employment and manpower;
- (8) Issues affecting persons living with disabilities;
- (9) Criminal justice planning;
- (10) Youth issues;
- (11) Senior citizen issues;
- (12) Minority issues;
- (13) Advocacy;
- (14) Energy and utility issues;
- (15) Information and referral;
- (16) Provision of any social services or programs for the citizens of Bloomington for which there exists a demonstrable need and for which there is no other local source of adequate provision;
- (17) Equal employment opportunity. (Ord. 97-05 § 4, 1997; Ord. 83-6 § 2 (part), 1983).

2.23.030 Other community and family resources activities.

It shall be the responsibility of the director of community and family resources to provide services to other city departments, boards and commissions formed to address the social concerns listed in the definition of community and family resources contained in this chapter. Those city departments, boards and commissions shall include, but not be

limited to: Bloomington human rights commission and the commission on the status of women.

The director of community and family resources shall exercise direct supervision over all staff working for the program of the commission on the status of women. (Ord. 97-05 § 5, 1997; Ord. 83-6 § 2 (part), 1983).

Section 1 of Ord 04-29 Deletes the following provision:

~~2.23.040 — Community and family resources forum.~~

~~———— There is created a community and family resources forum to be a public meeting of the citizenry of the city and other interested groups and individuals. The forum shall consist of an agenda of discussion consisting of items concerning the community's need for social services and the ability of community agencies, both public and private, to meet those needs and items concerning the means through which social services may most effectively meet the needs of the community. The general citizenry of the community will be invited to discuss with public officials the needs for social services and the various public service agencies of the community shall be invited to participate in the discussion as to the services presently being provided, future programming and the most effective means of financing and developing future programming, both public and private, to meet community needs through the utilization of both funded and voluntary efforts.~~

~~———— The director of the community and family resources department shall arrange to have the minutes of the community and family resources forum prepared and to provide the copies of said minutes to the common council, mayor, and any other private funding agencies or to any community service agency as shall request same and to provide copies of said minutes for public inspection during regular office hours of the department. (Ord. 97-05 § 6, 1997; Ord. 83-6 § 2 (part), 1983).~~

Section 2 of Ord 04-29 makes the following changes in this provision:

2.23.050 Community and family resources commission--Establishment.

There is created a community and family resources commission. The commission may make advisory and planning input into all activities of the Department.

(1) Appointments. The commission shall consist of nine members, five members to be appointed by the mayor and four members to be appointed by the common council.

(2) Qualifications. It is recommended that the members include representatives of the following groups: low income community and social service providers.

(3) Procedure. The commission may adopt operating rules and regulations, to effectuate the purposes of this section and to make more specific the procedures deemed necessary for orderly and equitable compliance with this section. New rules, regulations, and guidelines may be adopted by the commission after a public hearing by a majority vote of the commissioners present.

The rules, regulations, and guidelines of the commission shall be available to the public at the office of the commission.

(4) Powers and Duties. The commission shall be charged with putting into effect its program and proposals. **The commission shall make four appointments to the Citizen Advisory Committee (CAC) for the Community Block Grants. Two of the commission's appointees shall serve on the social services subcommittee and two shall serve on the physical improvements subcommittee.**

The commission may review requests for financial support from the city for social services programs and activities. ~~While the commission is not required to review all such requests for funding, it must review those requests related to community development block grant funds. Upon completion of its review, the commission will prepare a statement of recommendation for use by the mayor and city council in which may be included a recommendation that the program or activity be or not be financially supported by the city; the amount of financial support, if any, the program or activity should receive; alternative and future sources of financial support for the program or activity; and the basis of its recommendation. The commission may review and comment on public service program elements of local community development plans and applications for block grant funding and may make recommendations to the mayor and common council. It will communicate with the redevelopment commission when appropriate.~~ The commission may **also** seek grant monies and other funds to support social services programs and activities.

The commission may also designate subcommittees consisting of its members and other interested citizens to serve as advisory bodies to department programs. (Ord. 97-05 § 7, 1997; Ord. 83-6 § 2 (part), 1983).

2.23.060 Commission on the status of women--Establishment.

Contents of this provision are set forth in the BMC.

2.23.070 Bloomington Commission on the Status of Black Males--Establishment.

Contents of this provision are set forth in the BMC.

In the Council Chambers of the Showers City Hall on Wednesday, September 1, 2004 at 7:30 pm with Council President Diekhoff presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
September 1, 2004

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

ROLL CALL

Council President Diekhoff gave the Agenda Summation.

AGENDA SUMMATION

The minutes of March 3, 2004 and April 7, 2004 were approved by a voice vote.

APPROVAL OF MINUTES

Jason Banach noted a picture of California Governor Arnold Schwarzenegger posted in the council office.

MESSAGES FROM
COUNCILMEMBERS

Chris Sturbaum reported his son was married in Fountain Square Mall over the weekend and noted how special it was to have a festivity in downtown Bloomington.

David Sabbagh noted that Joe Tully, a 5th district resident, passed away on August 4th. He characterized Joe as a wonderful man who made everyone feel good, offered condolences to his wife and said his presence in our community would be sadly missed. In addition, Sabbagh congratulated Dax Norton and his wife, Kelly, on the birth of their new daughter.

Mick Renneisen, Director of Parks and Recreation, gave a report on the recent threatening invasion of Brazilian Elodea at Lake Griffy. He reported on the cause of the infestation, its destructive nature and actions taken for remediation of the problem.

MESSAGE FROM THE MAYOR

Banach asked if the plant would die over the winter, Renneisen said it would survive.

Councilmembers Rollo and Gaal and Steve Cotter, Natural Resources Manager for the Parks Department, discussed the impact of the plant on the habitat of Griffy along with the need and plans to work with the Department of Natural Resources in an educational campaign to help make citizens aware of the inadvertent introduction of this plant into the lake by dumping their aquariums.

In response to an inquiry from Volan, Cotter noted that it may be possible for elodea to reach waterways if flushed down a toilet, but that it was very unlikely to occur in Bloomington. In addition, Cotter indicated that there is not a history citing or arresting individuals who dump aquarium contents into waterways in Bloomington.

Rollo reiterated that using herbicide in Lake Griffy is an extreme, but necessary measure to take in this case. In addition, he noted that he is encouraged by the development of a management plan for Lake Griffy.

Gaal thanked city staff for their approach to treating the lake and for consulting with the environmental commission and environmental resources advisory council.

There were no committee reports.

COMMITTEE REPORTS

There were no citizens who wished to speak.

PUBLIC INPUT

There were no appointments at this meeting.

BOARD AND COMMISSION APPOINTMENTS

There was no legislation for final action as this was the first meeting after the August recess.

LEGISLATION FOR SECOND READING

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

LEGISLATION FOR FIRST READING

Appropriation Ordinance 04-05 An Ordinance for Appropriations and Tax Rates (2005 Civil City Budget for the City of Bloomington)
Appropriation Ordinance 04-06 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 2005

Appropriation Ordinance 04-05

Appropriation Ordinance 04-06

Ordinance 04-18 To Fix the Salaries of All Elected City Officials for the City of Bloomington for the Year 2005

Ordinance 04-18

Ordinance 04-19 An Ordinance Fixing the Salaries of Appointed Officers and Employees of the City of Bloomington, Monroe County, Indiana, for the Year 2005

Ordinance 04-19

Ordinance 04-20 An Ordinance Fixing the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2005

Ordinance 04-20

Ordinance 04-21 An Ordinance Fixing the Salaries of Appointed Officers and Employees of the Utilities Department for the City of Bloomington, Monroe County, Indiana, for the Year 2005

Ordinance 04-21

Ordinance 04-22 An Ordinance Reviewing and Modifying the Budget of the Bloomington Public Transportation Corporation for the Year 2005

Ordinance 04-22

Ordinance 04-23 To Amend Title 6 of the Bloomington Municipal Code Regarding "Health And Sanitation" (Changing User Fees, Establishing Uniform Fines for Certain Violations, Affording Non-Resident Owners an Opportunity to Cure Violations, and Making Other Minor Amendments)

Ordinance 04-23

Ordinance 04-24 To Codify the Provisions of Ordinance 79-74, and Ordinance 87-31, Each as Amended, Establishing and Authorizing Expenditures from the Special Non-Reverting Improvement Fund, To Codify the Provisions of Ordinance 96-31 as Amended Establishing and Authorizing Expenditures from the Telecommunications Fund, and To Authorize Expenditures from the Mayor's Promotion of Business Line in the Mayor's Office Budget

Ordinance 04-24

There was no public input at this time.

PUBLIC INPUT

The meeting was adjourned at 8:15 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Michael Diekhoff, President
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington