



## Packet Related Material

**Memo  
Agenda  
Calendar**

**Notices and Agendas:**

**Council Sidewalk Committee** on Wednesday, July 14<sup>th</sup> at noon in the McCloskey Room

**Legislation for Discussion First Reading and Discussion at Regular Session and Committee of the Whole on Wednesday, July 14<sup>th</sup>, 2004 (Listed in the Order of Discussion at the Committee of the Whole):**

**Ord 04-17** To Authorize Reestablishment of the Cumulative Capital Development Fund

- Memo from Susan Clark, Interim Controller

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

**Ord 04-14** To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles And Traffic" - Re: Changes to Chapter 15.32 (Parking Controls), Chapter 15.37 (Residential Neighborhood Permit Parking), Chapter 15.38 (Public Employee Parking Permits), Chapter 15.40 (Municipal Parking Lots, Garages, and On-Street Metered Parking), Chapter 15.48 (Emergency Removal and Impoundment of Vehicles), and Chapter 15.64 (Traffic Violation Schedule)

- Memo from Deputy Mayor James McNamara (forthcoming); Map of Current Downtown Parking Restrictions; Map of Proposed Downtown Parking Restrictions; Map of New South Downtown Neighborhood Permit Parking Zone (8)

*Contact: James McNamara at 349-3406 or [mcnamarj@bloomington.in.gov](mailto:mcnamarj@bloomington.in.gov)*

**Ord 04-15** To Amend the Ordinance which Fixed the Salaries of Appointed Officers and Employees of the Civil City (Ordinance 03-20) for the Year 2004 - Re: Adding a Parking Enforcement Officer and Two Security Guards in the Parking Enforcement Division

- Memo from Deputy Mayor James McNamara (forthcoming)

*Contact: James McNamara at 349-3406 or [Mcnamarj@bloomington.in.gov](mailto:Mcnamarj@bloomington.in.gov)*

**App Ord 04-04** To Specially Appropriate from the Parking Enforcement Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the Parking Enforcement Fund for New Positions in the Parking Enforcement Division and the Purchase of Equipment)

- Memo from Deputy Mayor James McNamara (forthcoming)

*Contact: James McNamara at 349-3406 or mcnamarj@bloomington.in.gov*

**Ord 04-16** To Amend the Ordinance which Fixed the Salaries of Appointed Officers and Employees of the Civil City (Ordinance 03-20) for the Year 2004 - Re: Positions in the Clerk's Office and the Council Office

- Memo from Daniel Grundmann, Director of Employee Services; Memo from Daniel Sherman, Council Administrator/Attorney; Comparison of Council Assistant and Assistant Administrator Positions

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

*Daniel Sherman at 349-3562 or shermand@bloomington.in.gov*

*Regina Moore at 349-3408 or moorer@bloomington.in.gov*

**Minutes from Regular Sessions:**

February 18, 2004

April 28, 2004

May 5, 2004

**Memo**

**Reminder: Council Sidewalk Meeting on Wednesday at Noon  
in the McCloskey Room**

**Chair of Meeting: Volan**

**Five Ordinances are Ready for Introduction at the Regular Session and  
Discussion at the Committee of the Whole on Wednesday, July 14<sup>th</sup>**

The Council will hold a Regular Session immediately followed by a Committee of the Whole next Wednesday. Five ordinances are ready to be introduced at the first meeting and discussed at the second. They all can be found in this packet, are briefly noted below, and are summarized further in this memo.

On other pending matters, please note that the South Dunn PUD is scheduled to be introduced on July 21<sup>st</sup>, discussed on July 28<sup>th</sup>, and given final action on August 4<sup>th</sup>.

Items for Introduction at Regular Session and Discussion at Committee of the Whole on Wednesday, July 14<sup>th</sup> (Listed in Order of Discussion and Appearance in this Packet)

**Ord 04-17** Reestablishing the Cumulative Capital Development Fund (with a Tax Levy of .05 per \$100 of Assessed Valuation)

Package of Three Ordinances Regarding Downtown Parking

**Ord 04-14** Amending Title 15 (Vehicles and Traffic) - Re: Changes to Chapter 15.32 (Parking Controls), Chapter 15.37 (Residential Neighborhood Permit Parking), Chapter 15.38 (Public Employee Parking Permits), Chapter 15.40 (Municipal Parking Lots, Garages, and On-Street Metered Parking), Chapter 15.48 (Emergency Removal and Impoundment of Vehicles), and Chapter 15.64 (Traffic Violation Schedule)

**Ord 04-15** Amending the Civil City Salary Ordinance (Ord 03-20) to Add Parking Enforcement Officer and Two Security Guards in the Parking Enforcement Division

**App Ord 04-04** Appropriating \$108,341 from the Parking Enforcement Fund for New Positions in the Parking Enforcement Division and the Purchase of Equipment

Reclassification Committee Recommendations for Changes in the Salary Ordinance

**Ord 04-16** Amending the Civil City Salary Ordinance (Ord 03-20) to Reclassify Positions in the Clerk and Council Office

**First Readings and Discussion on July 14<sup>th</sup>**

**Ord 04-17 Reestablishing the Cumulative Capital Development Fund**

**Ord 04-17** reestablishes the Cumulative Capital Development Fund (CCDF) in order to raise the tax rate of this fund from \$0.0284 to \$0.05 per \$100 of assessed valuation. According to the memo from Susan Clark, Interim Controller, the City first created the fund in 1984 and subsequently renewed it in 1987, 1990, and 1993. The tax rate for the fund hit the statutory maximum of \$0.15 per \$100 of assessed valuation in

1987, but has lost ground in the last 10 years due to the decision of the Department of Local Government Finance (DGLF) to lower the rate with each reassessment and with the conversion of the property tax rate to a “true tax” rate in 2002. The DGLF will review and undoubtedly lower the rate being proposed here. However, if left untouched, this rate would cost the typical homeowner about \$21 for \$100,000 of net assessed valuation each year.

The CCDF can be used for a wide range of capital expenditures including, by way of example, the acquisition of land, construction and maintenance of buildings and public roads, purchase of fire and safety vehicles, and retiring of general obligation bonds used to fund eligible projects.

In 1990, the City dedicated 1/15 of the revenues for “the acquisition of land for park purposes, including greenspace, passive recreation, and/or conservation.” This ordinance increases the dedication to 1/10 of the revenues and broadens the purpose by removing the reference to “park purposes.” (See Section IV)

The Interim Controller has provided notice of the ordinance and public hearing (on July 21<sup>st</sup>) and, if adopted, is prepared to submit the ordinance to County Auditor and DLGF before the August 1<sup>st</sup> deadline. The DLGF, in turn, will determine whether there is any remonstrance, and eventually approve, disapprove, or modify the proposed tax rate.

### **Package of Three Ordinances Related to Downtown Parking**

The following are three pieces of legislation related to downtown parking.

#### **Ord 04-14 Amending Title 15 (Vehicles and Traffic) to Address Expected Increase in the Use of Downtown Parking**

The first piece of legislation, **Ord 04-14**, sets the regulatory framework for the package of legislation. It amends Title 15 of the BMC (Vehicles and Traffic) in order to address the expected increase in the use downtown parking spaces this fall due the opening of new apartment buildings, the turnover parking on or near the Courthouse Square, and other routine adjustments to the traffic code.

There will be a memo from Deputy Mayor James McNamara coming early next week that will be distributed to council members and placed online as a supplement to this packet as soon as it is received. James has mentioned that he will be meeting to explain and discuss the proposals with interested parties on:

Monday, July 12<sup>th</sup> at 3:00 p.m. in the Council Chambers.

#### On-Street Parking in the Downtown Area and on the Courthouse Square (Sections 1 – 6)

In order to prevent undue storage parking on city streets, the ordinance converts all the unrestricted parking areas between Rogers, 11<sup>th</sup>, Walnut and Kirkwood into 2-hour zones and applies these restrictions Monday through Saturday from 5:00 a.m. to 5:00 p.m. Please note that current hours of applicability vary, but typically run Monday through Friday from 8:00 a.m. to 5:00 p.m.

And, in order to provide quicker, turnover parking around the Courthouse Square, the ordinance also adds small clusters of 1-hour parking.

*Please see the enclosed maps of current and proposed on-street parking for a more complete view of the changes.*

#### City Hall Visitor Parking and Metered Parking on Morton Street (Sections 4, 6, 14, 15, 23)

Along with some City employee parking and City Hall visitor parking, Morton Street currently has metered parking spaces between 7<sup>th</sup> and 9<sup>th</sup> (on the east side) and between 9<sup>th</sup> and 10<sup>th</sup> (on the west side). In order to encourage turnover, provide visitor parking for City Hall, and raise revenue, this ordinance:

- Provides 1- and 2-hour City Hall visitor parking by the Depot (5 spaces) and for a half block just south of 8<sup>th</sup> Street (east side), *which requires the visitor to be within city buildings or moving between the buildings and their vehicles while the buildings are open to the public (see Schedule W and surrounding text)*. Please note that some spaces have been added to make up for those being lost with the closing of Lot 11 (*see below*).
- Continues to provide employee parking south of the entrance to 501 North Morton; and
- Places meters at the remaining spaces between 7<sup>th</sup> and 11<sup>th</sup> Street, which will need to be fed from 5:00 a.m. to 5:00 p.m. on Monday through Saturday at intervals of either 30 minutes, an hour, or two hours

*(currently meters must be fed from 8:00 a.m. to 5:00 p.m. on work days - See Schedule U).*

### Showers Center and City Employee Parking (Sections 7, 9-13, 23-25, and 27)

In order to draw a clear distinction between the city employee parking areas and the visitor parking areas, this ordinance sets aside all of Lot 11 (the main City Hall parking area) for employee parking, except those accessible parking spaces by the building. As noted above, additional parking has been set aside on Morton to accommodate those visiting city offices.

It also prohibits the general public from parking in city employee parking areas after-hours. Currently the city employee parking areas around the Showers Center are available for the general public after-hours except the south lot during the Farmers' Market season or when the Board of Public Works closes them off for special events. This ordinance would prohibit non-city employee vehicles from parking in these areas after-hours (5:00 p.m. to 5:00 a.m. weekdays and the entire weekend) except for:

Lot 11 (the main City lot south of City Hall) when used:

- By persons who are \*visiting City Hall while the building is open to the public;
- By Farmers' Market vendors during the hours set aside by the Board of Public Works for the Farmers' Market; or
- For events authorized by the Board of Public Works.

Lot 12 (the north east lot by the IU Research Center) when used:

- By persons who are \*visiting 501 North Morton Street and are parked in a visitor parking space between 8:00 a.m. and 5:00 p.m. and when the building is open to the public; or
- By persons attending the Farmers' Market when it is open for business.

\* *“Visiting” means persons who are within the building or moving between the building and their vehicle.*

Penalties: The current fine of \$15/\$30 would go up to \$50 and the vehicle would be subject to removal and impoundment (Sections 13, 23 -25, and 27)

## Metered and Leased Parking in City Lots and Garages (Sections 16 through 22)

**Meters.** Currently, the meters in the City lots and garages must be fed from 8:00 a.m. to 5:00 p.m. on all days except weekends and holidays. In order to prevent undue storage of vehicles and raise revenues to monitor those facilities, the ordinance extends the hours of enforcement:

- From 5:00 a.m. to 5:00 p.m. for all the lots and the 4<sup>th</sup> and Walnut garage; and
- 24-hours a day and 7 days a week for the Walnut Center Garage (7<sup>th</sup> and Walnut) and Register Garage (7<sup>th</sup> between College and Morton).

**Leases.** The code offers two forms of reserved parking leases and one form of non-reserved leases. The reserve leases are known as the 12/5 lease (12 hours per day – 6:00 a.m. to 6:00 p.m. – Monday through Friday) and the 24/7 lease (all hours of day, every day). This ordinance makes some changes to reserved parking leases which:

- allow leaseholders to purchase the 24/7 lease semi-annually (rather than annually) for a service charge of 2.5%;
- require the leaseholders to provide information on the license plates for the cars that will regularly park in the space and give the leaseholder more options in providing drivers' licenses of those who will regularly use the space;
- prohibit the issuing of a parking lease refund or rebate until all the outstanding obligations to the City of the leaseholder and permitted vehicles have been paid; and
- impose a \$10 charge for duplicate access cards on terms approved by the Board of Public Works.

## Additional Fines and Impoundment when Vehicles Accumulate at Least 4 Unpaid Parking Tickets (Sections 26 and 28)

The ordinance also takes two new steps to discourage scofflaws from ignoring parking tickets.

First, it creates a new offense for vehicles that accumulate numerous unpaid violations for our \*typical parking regulations. In particular, the ordinance imposes a \$50 fine for vehicles which:

- accumulate four or more parking violations;
- at a time when:
  - at least 3 of the violations have not been paid; and
  - at least 1 of the violations has remained unpaid for more than 30 days after the issuance of the first ticket.

This \$50 fine would apply to each citation that met the foregoing conditions and be in addition to the underlying fine (e.g. \$30).

- \* *Typical parking regulations refer to parking at meters, in lots and garages, city employee areas, residential and neighborhood zones, in accessible parking spaces, and beyond the allowed time restrictions.*

*Please note that this provision does not appear to account for parking ticket appeals.*

Second, it authorizes the City to tow and impound vehicles which have accumulated at least four parking tickets that remain unpaid for more than 30 days after the issuance of the first ticket.

#### Creating South Downtown Residential Neighborhood Zone (Zone 8) Effective November 1<sup>st</sup> (Section 8)

The ordinance also creates a new residential neighborhood parking zone just south and west of campus and immediately west of the first such zone (Elm Heights – Zone 1). John Burnham, local landlord, approached the City in the last few years about extending the neighborhood parking zone west due to the excess of commuter parking. This zone would go into effect on November 1<sup>st</sup> and would be bounded by 3<sup>rd</sup>, Henderson, 1<sup>st</sup> and Lincoln (south of Smith Avenue).

#### **Ord 04-15 - Amending the Civil City Salary Ordinance for 2004 (Ord 03-20) to Add Two Security Guards and a Parking Enforcement Officer in the Parking Enforcement Division**

This ordinance is the second of three pieces of legislation related to downtown parking. It amends the Civil City Salary Ordinance for 2004 by adding two security guards for our parking facilities and an additional parking enforcement officer. The security guards will work at night out of the 7<sup>th</sup> and Walnut Garage, and both monitor the parking facilities and write citations during those hours. The new parking enforcement officer will help enforce the extended hours of operation along the city streets.



**App Ord 04-04 - Appropriating \$108,341 from the Parking Enforcement Fund for New Personnel and Equipment in the Parking Enforcement Division**

**App Ord 04-04** is the third piece of legislation related to downtown parking. It appropriates \$108,341 to expand the hours of operation at the City's garages (particularly the two new ones) and expand the hours for enforcement of parking regulations along the streets in the downtown area. Based upon conversations with various city staff, here is an approximate breakdown of how these funds will be used:

\$56,600	Personnel, Uniforms, Tools, and Mobile Phones
\$ 9,500	Maintenance and cleaning of the new garages
\$ 7,000	Converting a room in the 7 <sup>th</sup> and Walnut Garage into an office space for the Security Guards
\$13,800	Install a gate and card reader at the 7 <sup>th</sup> and Walnut Garage as part of implementing the first phase of a "pay-on-foot" system similar to the one used at the new Register Garage
\$21,500	Upgrade the security cameras in the garages

It is my understanding that these expenditures will improve the appearance and safety in the garages and more than pay for themselves in the future.

**Ord 04-16 Amending the Civil City Salary Ordinance for 2004 (Ord 03-20) to Implement the Recommendations of the Reclassification Committee – Re: Positions in the City Clerk and Council Offices**

**Ord 04-16** amends the Civil City Salary Ordinance for 2004 (Ord 03-20) to implement the most recent recommendations of the City's Reclassification Committee. According to the memo from Daniel Grundmann, Director of Employee Services, the Committee reviewed 14 revised job descriptions and recommended changes in grade for two positions. These positions were in the City Clerk and City Council Offices and are briefly noted below:

**Office of City Clerk – Deputy Clerk - Upgrade 2 to 3**

The City Clerk has been consulting with Jean Jocque, Manager of Training and Organizational Development, about the operation of her office and, as a partial result

of that process, has revised the description of duties for the Deputy City Clerk. The greater knowledge required (Associated Degree), direction of others, and external relations led the Reclassification Committee to recommend the higher grade.

#### Fiscal Impact

The position of Deputy City Clerk is currently unfilled and the City Clerk anticipates that she will be able to fund the increase this year and next without additional funds.

#### Office of Common Council – Council Assistant - Change in Title to Assistant Administrator and Upgrade from 3 to 5

The change in duties, title and grade for the Council Assistant follow the decision of the Council two years ago to make this a full-time position. As I mention in the memo to Daniel Grundmann (enclosed), the Council made this change in order to:

- Shift work from the Council Administrator/Attorney so that he could devote more time to the Council's own initiatives;
- Continue to expand the electronic packet and enhance the Council's webpage;
- Do basic services quicker and better; and
- Attract and retain qualified persons to this position.

In the course of carrying out this directive and through the initiative of the incumbent in meeting the needs of the council members, the position has taken on greater responsibilities. The change in title and recommended increase in grade move this position from a clerical to an entry level professional position. (For better sense of the changes in the job, please see a comparison of the two job descriptions enclosed with this ordinance.)

#### Fiscal Impact

The increase in grade should result in an increase of about \$1,700 in 2004 and \$4,000 in the base salary next year. The increase this year can be covered by transfers in the budget (probably at the time of the end-of-the-year appropriation ordinance), but the increase in future years will require additional funds for this budget.

**Happy Birthday Mike Diekhoff!**

**NOTICE AND AGENDA  
BLOOMINGTON COMMON COUNCIL REGULAR SESSION  
7:30 P.M., WEDNESDAY, JULY 14, 2004  
COUNCIL CHAMBERS  
SHOWERS BUILDING, 401 N. MORTON**

**I. ROLL CALL**

**II. AGENDA SUMMATION**

- III. APPROVAL OF MINUTES FOR:** Regular Session, February 18, 2004  
Regular Session, April 28, 2004  
Regular Session, May 5, 2004

**IV. REPORTS FROM:**

- 1. Councilmembers**
- 2. The Mayor and City Offices**
- 3. Council Committees**
- 4. Public**

**V. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS**

None

**VII. LEGISLATION FOR FIRST READING**

1. Appropriation Ordinance 04-04 To Specially Appropriate from the Parking Enforcement Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the Parking Enforcement Fund for New Positions in the Parking Enforcement Division and the Purchase of Equipment)
2. Ordinance 04-14 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" – Re: Changes to Chapter 15.32 (Parking Controls), Chapter 15.37 (Residential Neighborhood Permit Parking), Chapter 15.38 (Public Employee Parking Permits), Chapter 15.40 (Municipal Parking Lots, Garages, and On-Street Metered Parking), Chapter 15.48 (Emergency Removal and Impoundment of Vehicles), and Chapter 15.64 (Traffic Violation Schedule)
3. Ordinance 04-15 To Amend the Ordinance Which Fixed the Salaries of Appointed Officers and Employees of the Civil City (Ordinance 03-20) For the Year 2004 – Re: Adding a Parking Enforcement Officer and Two Security Guards in the Parking Enforcement Division
4. Ordinance 04-16 To Amend the Ordinance Which Fixed the Salaries of Appointed Officers and Employees of the Civil City (Ordinance 03-20) For the Year 2004 – Re: Positions in the Clerk's Office and the Council Office
5. Ordinance 04-17 To Authorize Reestablishment of the Cumulative Capital Development Fund

**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. ADJOURN** (*and immediately reconvene for the following meeting*)

*(over)*

**COMMITTEE OF THE WHOLE**

**CHAIR: Steve Volan**

1. Ordinance 04-17 To Authorize Reestablishment of the Cumulative Capital Development Fund

Asked to Attend: Susan Clark, Interim Controller

2. Ordinance 04-14 To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” – Re: Changes to Chapter 15.32 (Parking Controls), Chapter 15.37 (Residential Neighborhood Permit Parking), Chapter 15.38 (Public Employee Parking Permits), Chapter 15.40 (Municipal Parking Lots, Garages, and On-Street Metered Parking), Chapter 15.48 (Emergency Removal and Impoundment of Vehicles), and Chapter 15.64 (Traffic Violation Schedule)

Asked to Attend: James McNamara, Deputy Mayor  
Jack Davis, Manager of Parking Enforcement

3. Ordinance 04-15 To Amend the Ordinance Which Fixed the Salaries of Appointed Officers and Employees of the Civil City (Ordinance 03-20) For the Year 2004 – Re: Adding a Parking Enforcement Officer and Two Security Guards in the Parking Enforcement Division

Asked to Attend: James McNamara, Deputy Mayor  
Daniel Grundmann, Director of Employee Services

4. Appropriation Ordinance 04-04 To Specially Appropriate from the Parking Enforcement Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the Parking Enforcement Fund for New Positions in the Parking Enforcement Division and the Purchase of Equipment)

Asked to Attend: James McNamara, Deputy Mayor

5. Ordinance 04-16 To Amend the Ordinance Which Fixed the Salaries of Appointed Officers and Employees of the Civil City (Ordinance 03-20) For the Year 2004 – Re: Positions in the Clerk’s Office and the Council Office

Asked to Attend: Daniel Grundmann, Director of Employee Services  
Regina Moore, City Clerk  
Dan Sherman, Council Administrator/Attorney

City of  
Bloomington  
Indiana

City Hall  
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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**  
**July 12, 2004 – July 17, 2004**  
**Date: July 9, 2004**

Monday, July 12, 2004

4:00 pm Commission on the Status of Black Males, McCloskey  
4:30 pm Plat Committee, Planning Department, Kelly  
5:00 pm Utilities Service Board – 501 N. Morton, Conference Room 100B  
5:00 pm Redevelopment Commission, Hooker Room  
5:30 pm Plan Commission, Council Chambers

Tuesday, July 13 2004

3:00 pm Bloomington Community Farmers' Market, Plaza  
5:30 pm Bloomington Community Arts Commission, Kelly  
5:30 pm Board of Public Works, Council Chambers

Wednesday, July 14, 2004

12:00 pm Common Council Sidewalk Committee, McCloskey  
4:00 pm Bloomington Housing Quality Appeals, McCloskey  
7:30 pm Common Council – Regular Session  
*immediately followed by*  
Committee of the Whole, Council Chambers

Thursday, July 15, 2004

7:30 am Domestic Violence Taskforce, Hooker Room  
8:00 am Housing Authority, HA Office – 1007 N. Summit Dr.  
3:30 pm Bloomington Municipal Facilities Corporation, Hooker Room  
5:45 pm Martin Luther King, Jr., Birthday Commission, McCloskey

Friday, July 16, 2004

10:00 am Bloomington Urban Enterprise Association, McCloskey

Saturday, July 17, 2004

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

*Happy Birthday, Mike Diekhoff!*



City of Bloomington  
Office of the Common Council

# MEETING NOTICE

## Common Council Sidewalk Committee

The Common Council Sidewalk Committee will meet at 12:00 p.m. on this Wednesday, July 14, 2004. The meeting will be held in the McCloskey Room, at City Hall (401 N. Morton Street). The purpose of the meeting is to discuss sidewalk projects and procedures for 2004. Because a quorum of the Council may be present, this meeting would also constitute a meeting of the Council as well as of this committee under the Indiana Open Door Law. For that reason, this statement is providing notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.

Dated and Posted: Friday, July 9, 2004

**ORDINANCE 04-17**

**TO AUTHORIZE REESTABLISHMENT OF THE CUMULATIVE CAPITAL DEVELOPMENT FUND**

- WHEREAS, Indiana Code §36-9-15.5 provides for the establishment of a Municipal Cumulative Capital Development Fund; and
- WHEREAS, The City established a Cumulative Capital Development Fund in 1984 by Ordinance 84-28 as reauthorized by, Ordinance 87-24, Ordinance 90-33 and Ordinance 93-38; and
- WHEREAS, The Capital Development Fund tax rate for the year 1983 pay 1984 was \$0.15 per \$100 of assessed valuation; and
- WHEREAS, As a result of various general reassessments throughout the years, the Capital Development Fund tax rate for the year 2003 pay 2004 was .0284 per \$100 of assessed valuation; and
- WHEREAS, The City desires to increase the Capital Development Fund tax rate as allowed by Indiana Code §36-9-15.5;

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

SECTION I. Ordinance 93-38 is hereby rescinded.

SECTION II. The Cumulative Capital Development Fund (Fund) is hereby reestablished with a tax rate not to exceed \$0.05 per \$100 of assessed valuation beginning with taxes payable in 2005, continuing until reduced or rescinded.

SECTION III. The Fund shall be used in accordance with the applicable Indiana Code provisions which include but are not limited to the following: to purchase, construct, equip, and maintain buildings for public purposes; to acquire the land, and any improvements on it, that are necessary for the construction of public buildings; to demolish any improvements on land acquired under this section, and to level, grade, and prepare the land for the construction of a public building; to acquire land or rights-of-way to be used as a public way or other means of ingress or egress to land acquired for the construction of a public building; to improve or construct any public way or other means of ingress or egress to land acquired for the construction of a public building; to acquire land or rights-of-way to be used for public ways or sidewalks; to construct and maintain public ways or sidewalks; to acquire land or rights-of-way for the construction of sanitary or storm sewers, or both; to construct and maintain sanitary or storm sewers, or both; to acquire, by purchase or lease, or to pay all or part of the purchase price of a utility; to purchase or lease land, buildings, or rights-of-way for the use of any utility that is acquired or operated by the unit; to purchase or acquire land, with or without buildings, for park or recreation purposes; to purchase, lease, or pay all or part of the purchase price of motor vehicles for the use of the police or fire department, or both, including ambulances and firefighting vehicles with the necessary equipment, ladders, and hoses; to retire in whole or in part any general obligation bonds of the unit that were issued for the purpose of acquiring or constructing improvements or properties that would qualify for the use of cumulative capital improvement funds; to purchase or lease equipment and other nonconsumable personal property needed by the unit for any public transportation use; to purchase or lease equipment to be used to illuminate a public way or sidewalk; to purchase, lease, upgrade, maintain, or repair computer hardware, computer software, wiring and computer networks, communication access systems used to connect with computer networks or electronic gateways; or to pay for the services of full-time or part-time computer maintenance employees.

SECTION IV. In each of the years during which the Fund is authorized, ten percent (10%) of the property tax levy shall be used specifically for the acquisition of land for purposes including but not limited to greenspace, passive recreation, and/or conservation.

SECTION V. All expenditures from the Fund shall be subject to appropriation by the city's fiscal body.

SECTION VI. 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 VII. 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.

\_\_\_\_\_  
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 reestablishes the Cumulative Capital Development Fund with a property tax rate of \$0.05 per \$100 of assessed valuation. It also authorizes an annual transfer of ten percent (10%) of the property tax levy to the Parks Land Acquisition Fund to be used specifically for the acquisition of land for park purposes.





**City of Bloomington  
Office of the Controller**

**Memorandum**

**To:** Council Members  
**From:** Susan Clark, Interim Controller  
**Date:** July 7, 2004  
**Re:** Ordinance 04-17: To Authorize Reestablishment of the Cumulative Capital Development Fund

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The City's Cumulative Capital Development (CCD) Fund was established in 1984 by Ordinance 84-28, as allowed by Indiana Code § 36-9-15.5. Until 1995, Indiana Code required that municipalities reauthorize a CCD Fund every three years, which the city did in 1987, 1990 and 1993. The purpose of a CCD Fund is to allow municipalities to create a separate property tax levy to finance a broad range of capital expenditures such as land acquisition, building construction and maintenance. I have provided a list of some of the allowable uses in Section III of Ordinance 04-17.

The City's CCD tax rates have been set as follows:

<b>Year Payable</b>	<b>Rate per \$100 of Assessed Value</b>	<b>Notes</b>
1985	0.0500	
1986	0.1000	
1987 through 1995	0.1500	
1996	0.1357	General Reassessment
1997 through 2001	0.1357	
2002	0.0452	Conversion to True Tax
2003	0.0284	General Reassessment
2004	0.0284	

In 1987, the CCD rate reached the maximum allowable rate at that time. As you can see, the rate has been impacted through the years by various reassessments. In 2001 Payable 2002, assessed values were converted to "true tax" value (multiplied by three), thus causing the 2000 Pay 2001 CCD tax rate to be divided by three. When the 2002 Pay 2003 conversion to market value occurred, the CCD tax rate dropped significantly.

Municipalities that choose to recover from this drop in the CCD tax rate are required to reestablish their CCD funds. Guidelines have been provided to all municipalities and include the following requirements:

1. Notice of the proposed ordinance and of the public hearing to adopt the ordinance must be published two times at least one week apart, with the last notice being at least three days before the public hearing. (Our notices appear in the Herald Times on Sunday, July 11<sup>th</sup> and Sunday, July 18<sup>th</sup>.)
2. A public hearing must be conducted to adopt the ordinance. (July 21<sup>st</sup>)
3. If adopted, the ordinance must be submitted to the county auditor and to the Department of Local Government Finance (DLGF) before August 1<sup>st</sup>.
4. The DLGF will send a “notice of submission” to be published one time.
5. Fifty or more taxpayers have 30 days to file petition objecting to the tax levy with the county auditor.
6. If a petition is filed, it is certified by the county auditor and submitted to the DLGF, which schedules a hearing. If no petition is filed the City must obtain a “Certificate of No Objection” from the County Auditor and forward it to the DLGF when the 30 day remonstrance period has expired.
7. The DLGF will approve, disapprove or modify the CCD tax rate.

In Ordinance 04-17, we are requesting a CCD tax rate of \$0.05. The DLGF will modify (reduce) the rate according to a formula applied after reassessments. We may not know the exact amount of the CCD tax rate until we receive our budget order next year. The maximum possible increase, \$0.05 minus the existing rate of \$0.0284, is \$0.0216. When that rate increase is applied to a house with a net assessed value (after deductions) of \$100,000, the maximum possible annual increase to the taxpayer is \$21.60.

Ordinance 04-17 is structured to comply with the guidelines provided by the state. In addition, we are continuing the practice established in 1990, whereby a portion of the CCD property tax levy is set aside for the “acquisition of land for purposes including but not limited to greenspace, passive recreation, and/or conservation.” The amount has been increased from one fifteenth (1/15) or 6.667% to ten percent (10%). This provision is found in Section IV of the Ordinance. The CCD fund will continue to be subject to appropriation by the Common Council, and will appear in the City’s annual budget.

Please feel free to call me at 349-3416 if you have any questions or concerns.

**ORDINANCE 04-14**

**TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED  
"VEHICLES AND TRAFFIC"**

**Re: Changes to Chapter 15.32 (Parking Controls), Chapter 15.37 (Residential  
Neighborhood Permit Parking), Chapter 15.38 (Public Employee Parking Permits),  
Chapter 15.40 (Municipal Parking Lots, Garages, and On-Street Metered Parking),  
Chapter 15.48 (Emergency Removal and Impoundment of Vehicles), and  
Chapter 15.64 (Traffic Violation Schedule)**

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

SECTION 1. Section 15.32.080 Schedule M shall be amended to delete the following:

No Parking Zones

Street	From	To	Side of Street	Time of Restriction
Eighth Street	1 <sup>st</sup> Alley West of Walnut Street	Walnut Street	South	Any Time
Kirkwood Avenue	Madison Street	1 <sup>st</sup> Alley East of Madison Street	South	Any Time
Kirkwood Avenue	Walnut Street	Washington Street	North	Any Time
Morton Street	Tenth Street	1 <sup>st</sup> Alley North of Tenth Street	West	Any Time
Ninth Street	Morton Street	1 <sup>st</sup> Alley East of Walnut Street	South	Any Time
Rogers Street	Fourth Street	½ Block North of Kirkwood Avenue	East	Any Time
Seventh Street	Walnut Street	1 <sup>st</sup> alley east of Walnut Street	South	Any Time
Seventh Street	Morton Street	55' E. of Morton Street	North	Any Time
Seventh Street	205' E of Rogers Street	Morton Street	North	Any Time

SECTION 2. Section 15.32.080 Schedule M shall be amended to add the following:

No Parking Zones

Street	From	To	Side of Street	Time of Restriction
Eighth Street	Morton Street	College Avenue	North	Any Time
Kirkwood Avenue	Madison Street	1 <sup>st</sup> Alley east of Madison Street	South	Any Time
Morton Street	1 <sup>st</sup> bumpout north of Tenth Street	Tenth Street	West	Any Time
Ninth Street	Morton Street	College Avenue	South	Any Time
Rogers Street	Fourth Street	Kirkwood Avenue	East	Any Time
Rogers Street	Kirkwood Avenue	Sixth Street	East	Any Time
Seventh Street	Walnut Street	Washington Street	South	Any Time
Seventh Street	Morton Street	College Avenue	South	Any Time

SECTION 3. Section 15.32.090 Schedule N shall be amended to delete the following:

Limited Parking Zones

Street	From	To	Side of Street	Limit
College Avenue	67' North of Fourth Street	Eighth Street	West	2 Hr. (3)
College Avenue	68' North of Sixth Street	90' North of Sixth Street	West	30 Min. (3)
College Avenue	2 <sup>nd</sup> space North of Seventh St.	2 <sup>nd</sup> space south of Eighth Street.	West	2 Hr. (3)
College Avenue	Third Street	Seventh Street	East	2 Hr. (3)
College Avenue	68' North of Sixth Street	90' North of Sixth Street	West	30 Min. (3)
Eleventh Street	Rogers Street	College Avenue	North	2 Hr. (2)
Fourth Street	2 <sup>nd</sup> alley east of Grant Street	Dunn Street	South	30 Min. (2)
Fourth Street	Grant Street	2 <sup>nd</sup> alley east of Grant Street	South	2 Hr. (5)
Kirkwood Avenue	Washington Street	1 <sup>st</sup> Alley East of Madison Street	South	2 Hr. (3)
Kirkwood Avenue	1 space 150' W. of Walnut		South	15 Min. (2)
Kirkwood Avenue	Morton Street	1 <sup>st</sup> Alley East of Madison Street	South	2 Hr. (3)
Kirkwood Avenue	Madison Street	Rogers Street	North/South	2 Hr. (2)
Kirkwood Avenue	50' East of Lincoln Street	Morton Street	North	2 Hr. (3)
Kirkwood Avenue	Morton Street	Madison Street	North	2 Hr. (3)
Lot 11	5 spaces beginning 60 West of Morton Street Entrance	105 West of Morton Street Entrance	East	1 Hr. (3)
Madison Street	Kirkwood Ave	1 <sup>st</sup> Alley South of Sixth St	West	2 Hr. (2)*
Madison Street	1 <sup>st</sup> Alley South of Sixth St	100 ft. South of Sixth St	West	15 min.
Madison Street	100 ft. South of Sixth St	Sixth St	West	2 Hr. (2)*
Madison Street	63' N. of Sixth St	Seventh St	West	2 Hr. (2)
Madison Street	Kirkwood Ave	Sixth St	East	2 Hr. (2)*
Morton Street	Kirkwood Ave	Seventh St	West	2 Hr. (3)
Morton Street	Seventh Street	170' North of Seventh St	West	2 Hr. (3)
Morton Street	1 <sup>st</sup> Alley N. of Kirkwood Avenue	1 <sup>st</sup> Alley N. of Seventh Street	East	2 Hr. (3)
Morton Street	Eighth Street	55 N. of Eight Street	East	1 Hr. (3)
Ninth Street	College Avenue	Walnut Street	North	2 Hr. (3)
Rogers Street	1 space 120 S. of 6 <sup>th</sup> St		East	2 Hr. (4)
Rogers Street	3 spaces 140 S. of 7 <sup>th</sup> St		East	1 Hr. (2)
Seventh Street	Washington Street	Rogers Street	South	2 Hr. (3)
Seventh Street	Second space east of College	1 <sup>st</sup> Alley East of College	South	30 Min. (3)

Seventh Street	1 <sup>st</sup> Alley W. of College Avenue	College Avenue	North	30 Min. (6)
Seventh Street	1 <sup>st</sup> Alley W. of College	Rogers	North	2 Hr. (3)
Sixth Street	Lincoln Street	Morton Street	South	2 Hr. (3)
Sixth Street	Rogers Street	184 E. of Rogers Street	South	2 Hr. (2)
Sixth Street	Rogers Street	184 E. of Rogers Street	South	2 Hr. (2)
Sixth Street	206 E. of Rogers Street	Madison	South	2 Hr. (2)
Sixth Street	Lincoln Street	Madison Street	North	2 Hr. (3)
Sixth Street	30 E. of Rogers Street	30 W. of Madison Street	North	2 Hr. (2)
Walnut Street	150' N. of Fourth Street	54' S. of Seventh Street	West	2 Hr. (3)
Walnut Street	54' S. of Seventh Street	Seventh Street	West	30 Min. (3)
Walnut Street	Seventh Street	50' South of Ninth Street	West	2 Hr. (3)
Walnut Street	Ninth Street	50' South of Ninth Street	West	30 Min. (3)
Walnut Street	Fourth Street	1 <sup>st</sup> Alley S. of Sixth Street	East	2 Hr. (3)
Walnut Street	1 <sup>st</sup> Alley S. of Sixth Street	113' South of Sixth Street	East	30 Min. (3)
Walnut Street	113' South of Sixth Street	Seventh Street	East	2 Hr. (3)

SECTION 4. Section 15.32.090 Schedule N shall be amended to add the following:

Limited Parking Zones

Street	From	To	Side of Street	Limit
College Avenue	Kirkwood Avenue	67' north of Fourth Street	West	2 Hr. (3)
College Avenue	Sixth Street	Kirkwood Avenue	West	2 Hr. (8)
College Avenue	Seventh Street	Sixth Street	West	2 Hr. (8)
College Avenue	Eighth Street	Seventh Street	West	30 min.
College Avenue	Ninth Street	70' north of Eighth Street	West	2 hr. (8)
College Avenue	Tenth Street	Ninth Street	West	2 Hr. (8)
College Avenue	Eleventh Street	2 <sup>nd</sup> alley north of Tenth Street	West	2 Hr. (9)
College Avenue	Kirkwood Avenue	Third Street	East	2 Hr. (3)
College Avenue	Up to 2 spaces south of Sixth Street	Kirkwood Avenue	East	2 Hr. (8)
College Avenue	Sixth Street	Second space south of Sixth Street	East	1 Hr. (8)
College Avenue	Seventh Street	Sixth Street	East	2 Hr. (8)
College Avenue	Eleventh Street	2 <sup>nd</sup> alley north of 10 <sup>th</sup> Street	East	2 Hr. (8)
Eighth Street	College Avenue	Walnut Street	South	2 Hr. (8)
Eighth Street	Morton Street	College Avenue	South	2 Hr. (8)
Eighth Street	College Avenue	Walnut Street	North	2 Hr. (8)
Eleventh Street	College Avenue	Rogers Street	North	2 Hr. (8)

Kirkwood Avenue	Walnut Street	Washington Street	South	2 Hr. (8)
Kirkwood Avenue	Walnut Street	Up to the parking space reserved for persons with physical disabilities	South	2 Hr. (8)
Kirkwood Avenue	From but not including the parking space reserved for persons with physical disabilities	To and including one parking space west	South	15 Min. (8)
Kirkwood Avenue	Second space west of the parking space reserved for persons with physical disabilities	College Avenue	South	2 Hr. (8)
Kirkwood Avenue	Gentry Street	College Avenue	South	2 Hr. (8)
Kirkwood Avenue	Up to 1 <sup>st</sup> Alley East of Madison	Gentry Street	South	2 Hr. (8)
Kirkwood Avenue	Rogers Street	Madison Street	South	2 Hr. (8)
Kirkwood Avenue	50' East of Lincoln Street	Walnut Street	North	2 Hr. (8)
Kirkwood Avenue	Walnut Street	Through the first two spaces west of Walnut Street	North	1 Hr. (8)
Kirkwood Avenue	The first two spaces west of Walnut Street	College Avenue	North	2 Hr. (8)
Kirkwood Avenue	College Avenue	Morton Street	North	2 Hr. (8)
Kirkwood Avenue	Morton Street	Madison Street	North	2 Hr. (8)
Kirkwood Avenue	Madison Street	Rogers Street	North	2 Hr. (8)
Madison Street	1 <sup>st</sup> Alley south of Sixth Street	Kirkwood Avenue	West	2 Hr. (8)
Madison Street	100 ft. south of Sixth Street	1 <sup>st</sup> Alley south of Sixth Street	West	15 min. (8)
Madison Street	Sixth Street	100 ft. south of Sixth Street	West	2 Hr. (8)
Madison Street	Seventh Street	Sixth Street	West	2 Hr. (8)
Madison Street	Kirkwood Avenue	Sixth Street	East	2 Hr. (8)
Morton Street	Sixth Street	Kirkwood Avenue	West	2 Hr. (8)
Morton Street	Seventh Street	Sixth Street	West	2 Hr. (8)
Morton Street	Up to but not including fifth space south of entrance to Lot 11 (South of City Hall)	Seventh Street	West	2 Hr. (8)

Morton Street	Entrance to Lot 11 (South of City Hall)	fifth space south of entrance to Lot 11 (South of City Hall)	West	1 hour (8)
Morton Street	Tenth Street	Entrance to Lot 12 (northeast side of Showers Complex)	West	2 Hr. (8)
Morton Street	Eleventh Street	First bumpout north of Tenth Street	West	2 Hr. (8)
Morton Street	1 <sup>st</sup> Alley north of Kirkwood Avenue	Sixth Street	East	2 Hr. (8)
Morton Street	Sixth Street	Up to but not including second space south of Seventh Street	East	2 Hr. (8)
Morton Street	Second space south of Seventh Street	Seventh Street	East	30 min. (8)
Morton Street	Seventh Street	1 <sup>st</sup> Alley north of Seventh Street	East	2 Hr. (8)
Morton Street	1 <sup>st</sup> Alley north of Seventh Street.	Through the first five spaces north of 1 <sup>st</sup> Alley north of Seventh Street	East	1 hour (8)
Morton Street	From but not including the fifth space north of 1 <sup>st</sup> Alley north of Seventh Street	Eighth Street	East	2 Hr. (8)
Morton Street	Eighth Street	Ninth Street	East	2 Hr. (8)
Morton Street	Ninth Street	1 <sup>st</sup> alley south of Tenth Street	East	2 Hr. (8)
Morton Street	Tenth Street	Eleventh Street	East	2 Hr. (8)
Ninth Street	Walnut Street	College Avenue	North	2 Hr. (8)
Ninth Street	College Avenue	Morton Street	North	2 Hr. (8)
Rogers Street	Sixth Street	Seventh Street	East	2 Hr (8)
Rogers Street	Seventh Street	Eighth Street	East	2 Hr (8)
Rogers Street	Eighth Street	Tenth Street	East	2 Hr (8)
Rogers Street	Tenth Street	Eleventh St	East	2 Hr (8)
Seventh Street	College Avenue	Walnut Street	South	2 Hr (8)
Seventh Street	Madison Street	Morton Street	South	2 Hr (8)
Seventh Street	Rogers Street	Madison Street	South	2 Hr (8)
Seventh Street	Walnut Street	College Avenue	North	2 Hr (8)
Seventh Street	College Avenue	1 <sup>st</sup> alley west of College Avenue	North	30 min. (6)
Seventh Street	1 <sup>st</sup> alley west of College Avenue	Morton Street	North	2 Hr (8)
Seventh Street	Morton Street	Rogers Street	North	2 Hr (8)
Sixth Street	Walnut Street	Lincoln Street	South	2 Hr (8)
Sixth Street	Up to 2 <sup>nd</sup> Space east of College Avenue	Walnut Street	South	2 Hr (8)
Sixth Street	College Avenue	2 <sup>nd</sup> space east of College Avenue	South	1 hour (8)
Sixth Street	College Avenue	Morton Street	South	2 Hr (8)
Sixth Street	Morton Street	Madison Street	South	2 Hr (8)
Sixth Street	Madison Street	Rogers Street	South	2 Hr (8)
Sixth Street	Lincoln Street	Walnut Street	North	2 Hr (8)

Sixth Street	Walnut Street	College Avenue	North	2 Hr (8)
Sixth Street	College Avenue	Morton Street	North	2 Hr (8)
Sixth Street	Morton Street	Madison Street	North	2 Hr (8)
Sixth Street	Madison Street	Rogers Street	North	2 Hr (8)
Walnut Street	150' north of Fourth Street	Kirkwood Avenue	West	2 Hr. (3)
Walnut Street	1 <sup>st</sup> space north of Kirkwood Avenue	Up to third space north of Kirkwood Avenue	West	1 hour (8)
Walnut Street	Third space north of Kirkwood Avenue	Sixth Street	West	2 Hr (8)
Walnut Street	Sixth Street	54' south of Seventh Street	West	2 Hr (8)
Walnut Street	54' south of Seventh Street	Seventh Street	West	30 min. (8)
Walnut Street	Seventh Street	Eighth Street	West	2 Hr (8)
Walnut Street	Eighth Street	50' South of Ninth Street	West	2 Hr (8)
Walnut Street	50' south of Ninth Street	Ninth Street	West	30 min. (8)
Walnut Street	Ninth Street	Tenth Street	West	2 Hr (8)
Walnut Street	Tenth Street	11 <sup>th</sup> Street	West	2 Hr (9)
Walnut Street	Fourth Street	Kirkwood Avenue	East	2 Hr (8)
Walnut Street	Kirkwood Avenue	1 <sup>st</sup> alley south of Sixth Street	East	2 Hr (8)
Walnut Street	1 <sup>st</sup> alley South of Sixth Street	113' south of Sixth Street	East	30 min. (8)
Walnut Street	113' south of Sixth Street	Sixth Street	East	2 Hr (8)
Walnut Street	Sixth Street	Seventh Street	East	2 Hr (8)

SECTION 5. Section 15.32.090 Limited parking zones. shall be amended to add the following:

(d) The boundaries and the parking restrictions listed in Schedule N shall be superceded by any provision of this Code which prohibits parking in a given area and by any other restrictions of this Code that may apply. This includes, but is not limited to, yellow curbs, loading zones, bus zones, official vehicle zones, parking near intersections as prohibited in Bloomington Municipal Code 15.32.130 and parking spaces designated as accessible parking for persons with physical disabilities. The boundaries and the parking restrictions listed in Schedule N shall also be superceded by clear and visible signage to the contrary if such signage was installed under the authority of the City of Bloomington.

(e) Should the boundaries of any parking areas listed in Schedule N overlap then the restriction of the shorter duration shall apply.

SECTION 6. Section 15.32.090 Limited parking zones. shall be amended to append the following to the Legend following Schedule N:

- (8) 5:00 a.m. to 5:00 p.m. Monday through Saturday
- (9) 5:00 a.m. to 5:00 p.m. Monday through Saturday except with a Zone 5 Residential Permit
- (10) 5:00 a.m. to 5:00 p.m. 7 days a week

SECTION 7. Section 15.32.170 Municipal Parking Lot 11 – Parking during market season and civic events and Section 15.32.185 Public employee parking, and the accompanying Schedule T (Public Employee Parking) shall be deleted, and Section 15.32.180 Parking prohibited facing traffic shall be renumbered as 15.32.170



SECTION 8. Chapter 15.37 entitled “Residential Neighborhood Permit Parking” shall be amended in the following manner:

(a) Section 15.37.020 of the Bloomington Municipal Code shall be amended to add the following:

South Downtown Residential Neighborhood Zone (Zone 8) shall apply to the following streets:

Street	From	To	Side of Street
First Street	Lincoln	Henderson Street	South
University Street	Lincoln	Henderson Street	North
Second Street	Grant	Henderson Street	South
Second Street	Lincoln	Grant	North
Smith Avenue	Lincoln Street	Henderson Street	North
Lincoln Street	Second Street	Smith Avenue	West
Lincoln Street	First Street	1 <sup>st</sup> alley north of University Street	East
Lincoln Street	Second Street	Smith Avenue	East
Grant Street	First Street	Third Street	West
Grant Street	First Street	University Street	East
Dunn Street	Smith Avenue	Third Street	West
Dunn Street	Second Street	Smith Avenue	East

(b) This section of the ordinance shall not become effective until November 1, 2004.

SECTION 9. Chapter 15.38 entitled “Public Employee Parking Permits” shall be retitled as “City Employee Parking.”

SECTION 10. Section 15.38.010 Eligibility shall be deleted and replaced with the following:

15.38.010 City employee parking.

With the exception of the parking spaces that are designated for persons with physical disabilities according to Section 15.32.150 Schedule S, the lots and streets or parts of streets described in Schedule T, attached hereto and made a part hereof, are designated as City employee parking zones

Processes and procedures for the application for, distribution of, and display of City employee parking permits for parking in City employee parking zones shall be at the direction of the Department of Public Works, which is authorized to allocate permits, assign permitted areas to City employees and apply whatever terms and conditions on such permits and their utilization as it deems appropriate.

Schedule T			
Lot 11	South side of City Hall, 401 North Morton		
Lot 12	Signed and designated spaces, northeast side of the Showers Complex, 401 N Morton		
Lot 14	North portion of the west side of the Showers Complex, 401 North Morton		
Lot 16	West portion of the south side of the Bloomington Police Headquarters, 220 East Third Street		
Street	From	To	Side of Street
Morton Street	55’ north of 9 <sup>th</sup> Street	150’ north of 9 <sup>th</sup> Street	West

SECTION 11. Section 15.38.020 Application and issuance of permit. shall be deleted and replaced with the following:

Section 15.38.020 Restrictions

- (a) No person shall park between 5:00 a.m. and 5:00 p.m. Monday through Friday in any of the spaces described in Schedule T without a properly authorized and displayed City employee permit.
- (b) No person shall park in Lot 11 without a properly authorized and displayed City employee permit on Monday through Friday between 5:00 p.m. and 5:00 a.m. the following morning, or from 5:00 a.m. Saturday through 5:00 a.m. Monday, with the following exceptions:
  - (1) Vehicles parked by persons who are currently within City Hall or who are moving directly between their vehicle and City Hall, when the building is open to the public.
  - (2) Registered Farmers’ Market vendors with proper authorization from the Department of Public Works and the Parks and Recreation Department, under the direction of those Departments, and at the times and locations within the Lot specified by those Departments.
  - (3) For purposes of other events only with proper authorization and under the direction of the Department of Public Works.
- (c) No person shall park in Lot 12 at anytime, either in the spaces designated for City employees or in any other spaces in that Lot, without a properly authorized and displayed permit for that Lot, with the following exceptions:
  - (1) Persons parking between 8:00 a.m. and 5:00 p.m. in designated Visitor Parking who are currently within 501 North Morton Street in the Showers Complex while that building is open to the public, or moving directly between their vehicle and that building.
  - (2) Persons attending the Farmers’ Market in Lot 11 between 7:00 a.m. and 12:15 p.m. Saturdays when it is open for business.
- (d) No person shall park at any time in Lot 14 without a properly authorized and displayed City employee permit.
- (e) No person shall park at any time in Lot 16 without a properly authorized and displayed City employee permit.
- (f) No person other than a registered market vendor shall park a vehicle in a parking space in Lot 11 from the hours of four a.m. through one p.m. on Saturdays during the market season. This prohibition applies to City employees with an otherwise properly authorized and displayed City employee permit.
- (g) The Department of Public Works is authorized to adopt, with proper and adequate notice, further restrictions on the ability of City employees to utilize the spaces described in Schedule T as events and circumstances may warrant.

SECTION 12. Section 15.38.030 Display of permit and Section 15.38.040 Expiration of permits. shall be deleted.

SECTION 13. Sections 15.38.050 Violation and penalty. shall be renumbered as 15.38.030. The phrase “Class D” shall be deleted and replaced by the phrase “Class H” and the cite of “15.64.010(d)” shall be deleted and replaced with the cite of “15.64.010(i) as they appear in this section.

SECTION 14. Schedule U of Section 15.40.010 entitled “On Street Metered Parking” shall be amended to delete the following:

Street	From	To	Side of Street
Morton Street	8 <sup>th</sup> Street	The alley 135’ S of 8 <sup>th</sup> Street	East
Morton Street	9 <sup>th</sup> Street	55’ N. of 8 <sup>th</sup> Street	East

SECTION 15. Schedule U of Section 15.40.010 entitled “On Street Metered Parking” shall be amended to add the following:

Street	From	To	Side of Street
Morton Street	7 <sup>th</sup> Street	Up to 5 <sup>th</sup> space south of entrance to Lot 11 (south of City Hall)	West
Morton Street	Entrance to Lot 12 (northeast side of Showers Complex)	Tenth Street	West
Morton Street	Tenth Street	Eleventh Street	West
Morton Street	Seventh Street	1 <sup>st</sup> alley north of Seventh Street	East
Morton Street	Eighth Street	Ninth Street	East
Morton Street	Ninth Street	10 <sup>th</sup> Street	East
Morton Street	10 <sup>th</sup> Street	Eleventh Street	East

SECTION 16. Schedule V of Chapter 15.40, regarding municipal lots and garages, shall be deleted and replaced with the following:

SCHEDULE V					
Municipal Lot	Meter rate/ time charge per 30 minutes	Applicable times for meter rate/ time charges	Nonreserved space lease per year	Reserved space lease per year	Reserved space lease per year
				Monday through Friday	7 days per week
				6:00 a.m. – 7:00 p.m.	24 hours per day
Lot 1 4 <sup>th</sup> and Dunn	\$0.50	5:00 a.m. – 5:00 p.m. Monday through Saturday	\$800	\$1125	\$2250
Lot 2 Walnut Center Garage 7 <sup>th</sup> & Walnut	\$0.25	24 hours per day 7 days per week	\$400	\$550	\$675
Lot 3 4 <sup>th</sup> & Washington	\$0.25	5:00 a.m. – 5:00 p.m. Monday through Saturday	\$400	\$1125	\$2250
Lot 5 6 <sup>th</sup> and Lincoln	\$0.25	5:00 a.m. – 5:00 p.m. Monday through Saturday	\$400	\$550	\$675
Lot 6 3 <sup>rd</sup> St./BPD lot	\$0.25	5:00 a.m. – 5:00 p.m. Monday through Saturday	\$400	\$550	\$675
Lot 7 Regester Parking Garage	\$0.25	24 hours per day 7 days per week	\$400	\$550	\$675

Lot 9 4th & Walnut Parking Garage	\$0.25	5:00 a.m. – 5:00 p.m. Monday through Saturday	\$400	\$550	\$675
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SECTION 17. Part (a) of Section 15.40.020 Applicable times and charges shall be deleted and replaced with the following:

- (a) The charges for the use of all municipal lots and garages, and the times those charges apply, shall be as set forth in Schedule V of this chapter.

SECTION 18. Part (b) of Section 15.40.020 Applicable times and charges shall be amended by replacing “eight a.m.” with “five a.m.” and deleting the word “Saturdays,” as they appear in this sentence.

SECTION 19. Parts (a) through (d) of Section 15.40.030 Parking leases shall be amended in the following manner:

- (a) Part (a) shall be amended so that the first paragraph becomes the new Part (a) in its entirety.
- (b) Part (d) shall be deleted and Part (c) shall be renumbered as the new Part (d).
- (c) Part (b) shall be renumbered as a new Part (c).
- (d) A new Part (b) shall be inserted which incorporates the second and third paragraphs of Part (a) into Subpart (5) and shall read in its entirety as follows:

15.40.030(b)

(1) The full charge for an annual 12/5 reserved parking lease shall be paid in advance and shall be the full annual charge shown in Schedule V if purchased at any time in January or in the year preceding the lease term. After January 31 the charge for annual 12/5 reserved parking leases shall be prorated to be proportional to time remaining in the calendar year.

(2) Leases that reserve a parking space in a municipal lot or garage seven days a week, 24 hours per day (24/7) may be purchased for the entire year and if purchased at any time in January or in the year preceding the lease term the full annual charge shall be paid in advance at the price shown in Schedule V. After January 31 of lease year a 24/7 lease may be purchased for the entire remainder of the year a charge equal to the annual charge shown in Schedule V but prorated to be proportional to time remaining in the calendar year.

(3) Leases that reserve a parking space in a municipal lot or garage seven days a week, 24 hours per day (24/7) may be also purchased for a term that expires at midnight June 30 of the lease year with an option to renew for another six months. If purchased at any time in January or the year preceding the lease term the charge for the term expiring June 30 shall be the price of the annual 24/7 lease given in Schedule V divided by two, plus a service charge equal to two and one half percent (2.5%), and shall be due at the time of lease signing. The price of the second lease for second six months of the year shall also be the price of the annual 24/7 lease given in Schedule V divided by two, plus a service charge equal to two and one half percent (2.5%). Payment for the second lease for the second six months of the year must be made before June 15 of the lease year and failure to make this payment by the deadline may result in the cancellation of the option to renew and the sale of the lease for the reserved parking space to another party.

(4) After January 31 of a lease year a 24/7 lease may be purchased for a term that will expire at midnight June 30 of that year with an option to renew for another six months. The charge for the term that expires June 30 will be equal to one-half

the annual charge shown in Schedule V but prorated to be proportional to time remaining between the purchase date and June 30, plus a service charge equal to two and one half percent (2.5%) times that prorated price. The price of the second lease for second six months of the year shall also be the price of the annual 24/7 lease given in Schedule V divided by two, plus a service charge equal to two and one half percent (2.5%). Payment for the second lease for the second six months of the year must be made before June 15 of the lease year and failure to make this payment by the deadline may result in the cancellation of the option to renew and the sale of the lease for the reserved parking space to another party.

(5) Unlimited duplicate lease permits shall be available to lease holders at a charge of five dollars (\$5.00) per lease; each duplicate permit shall allow the lease holder to park an additional designated vehicle in the original lease holder's designated space only. No original or duplicate permit-bearing vehicle may park in any other space or in any other lot, without proper permit or payment of the applicable fee for such space and/or lot. Only vehicles displaying a lease permit or duplicate lease permit for that parking space may park in a leased space. Violators shall be ticketed and may be towed.

The board of public works shall determine the location of annual leased parking spaces.

SECTION 20. Part (h) of Section 15.40.030 Parking leases shall be amended by deleting the phrase "Beginning with leases for the year 2004," at the beginning of the first sentence.

SECTION 21. Part (i) of Section 15.40.030 Parking leases shall be amended by deleting and replacing it with the following:

(i) Leaseholders must provide a photocopy of the valid driver's license of the user, or regular users, of each space, or present a valid driver's license or licenses to the Parking Enforcement Division for photocopying. Leaseholders must also provide the Parking Enforcement Division with the license plate number, including state or nation, for all vehicles which may park in the leased parking space.

SECTION 22. Section 15.40.030 Parking leases shall be further amended by appending the following subsections:

(m) No refund or rebate on any portion of a parking lease or permit shall be given until all outstanding debts, related to the vehicle associated with the lease or permit or the vehicle's owner, owed to the City of Bloomington or any of its agencies, have been paid. This includes, but is not limited to, all outstanding penalties for parking violations.

(n) The charge for duplicate parking garage access cards shall be ten dollars (\$10.00) per card and shall be available under conditions determined by the Department of Public Works.

SECTION 23. Section 15.40.050 Violations and Section 15.40.060 Violations and penalty shall be renumbered as 15.40.060 and 15.40.070 respectively and a new Section 15.40.050 shall be inserted to read as follows:

#### 15.40.050 City Hall visitor parking

(a) The streets or parts of streets described in Schedule W, attached hereto and made a part hereof, shall be designated and reserved for City Hall visitor parking only during the hours specified in Schedule W. No person shall park a vehicle upon the streets or parts of streets designated in the schedule during the times designated in the schedule unless the driver of the vehicle is within City Hall at 401 North Morton Street or space utilized by the City at 501 North Morton Street or moving directly between the parked vehicle and those locations.

SCHEDULE W				
Street	From	To	Side of Street	Applicable Hours
Morton Street	Fifth space south of the entrance to Lot 11 (south side of City Hall, 401 N Morton St)	The entrance to Lot 11 (south side of City Hall, 401 N Morton St)	West	5:00 am. – 5:00 p.m. Monday through Saturday
Morton Street	1 <sup>st</sup> alley north of Seventh Street	Eighth Street	East	5:00 am. – 5:00 p.m. Monday through Saturday

(b) Lot 11 may be used for parking after 5:00 p.m. Monday through Friday when City Hall or space utilized by the City at 501 North Morton Street is open to the public by persons inside those locations or moving directly between the parked vehicle and those locations, and only by such persons or City employees with the properly authorized and displayed permits.

(c) Spaces in Lot 11 designated as accessible parking for people with physical disabilities may be used by persons inside City Hall or space utilized by the City at 501 North Morton Street, or when moving directly between their parked vehicle and those locations, any time those buildings are open to the public provided they meet the requirements for using such designated spaces as described in Chapter 15.34 of this Code.

SECTION 24. Section 15.40.060 Violations as renumbered by Section 23 of this ordinance shall be further amended to add the following:

(i) No person shall park a vehicle upon the streets or parts of streets designated in Schedule W during the times designated in the schedule unless the driver of the vehicle is within City Hall at 401 North Morton Street or space utilized by the City at 501 North Morton Street or moving directly between the parked vehicle and those locations.

SECTION 25. Section 15.40.070 Violation and Penalty as renumbered by Section 23 of this ordinance shall be further amended by replacing the words “Section 15.40.050(b)” with the words “Section 15.40.060(b) and inserting “15.40.050” in each subsection so that the section now reads as follows

Section 15.40.70 Violation and Penalty

(a) Any violation of this chapter, with the exceptions of a violation of Section 15.40.025(b), Section 15.40.060(b) and Section 15.40.050, is a Class D Traffic Violation and subject to the penalty listed in Section 15.64.010(d).

(b) Any violation of Section 15.40.025(b), Section 15.40.060(b) or Section 15.40.050 is a Class H Traffic Violation and subject to the penalty listed in Section 15.64.010(i).

SECTION 26. Part (a) (8) of Section 15.48.010 General provisions, relating to the “Emergency Removal and Impoundment of Vehicles,” shall be amended by deleting and replacing it with the following:

(a) (8) Any vehicle which has accumulated four or more parking tickets which remain unpaid after 30 calendar days of the issuance of the earliest issued of the four tickets.

SECTION 27. Part (a) of Section 15.48.010 General provisions, relating to the “Emergency Removal and Impoundment of Vehicles,” shall be further amended by adding Part (14) and (15) which shall read as follows:

(14) Any vehicle parked in a City Employee parking area in violation of any of the provisions of Bloomington Municipal Code Chapter 15.38.

(15) Any vehicle parked in violation of any of the provisions of Bloomington Municipal Code Section 15.40.050 regarding City Hall Visitor parking.

SECTION 28. Chapter 15.64 Traffic Violation Schedule shall be amended by inserting the following section:

15.64.005 Multiple Unpaid Parking Citations

a) This section shall apply to parking tickets received for violation of any of the provisions of any of the following Chapters of this Title:

Chapter 15.32 PARKING CONTROLS

Chapter 15.34 ACCESSIBLE PARKING FOR PEOPLE WITH PHYSICAL DISABILITIES

Chapter 15.36 RESIDENT-ONLY PARKING PERMITS

Chapter 15.37 RESIDENTIAL NEIGHBORHOOD PERMIT PARKING

Chapter 15.38 CITY EMPLOYEE PARKING

Chapter 15.40 MUNICIPAL PARKING LOTS, GARAGES AND ON-STREET METERED PARKING

b) No vehicle shall accumulate more than three parking tickets in violation of any of the provisions of any of the Chapters listed in 15.64.005(a) if:

1) the penalty for three or more of those parking tickets accumulated by the vehicle remain unpaid; and

2) the penalty for one or more these three unpaid tickets has remained unpaid for a period of more than thirty calendars days from the date the ticket was issued.

c) Violation of 15.64.005(b) shall constitute an additional and separate violation.

d) Each individual and additional parking ticket received by the same vehicle in violation of any of the provisions of any of the Chapters listed in 15.64.005(a) shall constitute an additional and separate violation of 15.64.005(b) if the conditions of 15.64.005(b) hold.

e) Violations of this section constitute a Class H Traffic Violation and are subject to the fines listed in Section 15.64.010.

SECTION 29. Section 15.64.010 Violations and Penalties shall be amended by adding the following to subsection (i):

15.38.020 Unauthorized parking in City employee parking lots

15.40.50 Parking in space designated for City Hall visitors when not in City Hall or moving between vehicle and City Hall

15.64.005 Multiple Unpaid Parking Citations

SECTION 30. 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 31. 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, with the exception of Section 8 of this ordinance which shall be in full force and effect on November 1, 2004.

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 ordinance amends six chapters in Title 15 of the Bloomington Municipal Code entitled “Vehicles and Traffic” in a manner that is briefly highlighting below. Changes in Chapter 15.32 (Parking Controls) extend the 2-hour time restrictions to the areas near the downtown and the Showers Center, introduce 1-hour parking to the Courthouse Square, and make other minor adjustments to parking regulations. Changes in Chapter 15.37 (Residential Neighborhood Permit Parking) create a new South Downtown Residential Neighborhood Zone (Zone 8). Changes in Chapter 15.38 (Public Employee Parking Permits) redefine City employee parking and relocate and further regulate City Hall visitor parking. Changes in Chapter 15.40 (Municipal Parking Lots, Garages, and On-Street Metered Parking) extend the hours of applicability for metered parking, modify the parking lease regulations and procedures, and make other alterations to those provisions. Changes to Chapter 15.48 (Emergency Removal and Impoundment of Vehicles) authorize towing for violations of City Hall visitor parking and for the accumulation of multiple unpaid parking violations. And, changes to Chapter 15.64 (Traffic Violation Schedule) create a new offense for vehicles with numerous outstanding and unpaid parking tickets.





**City of Bloomington**  
**Office of the Mayor**  
Mark Kruzan

Date: July 10, 2004  
To: Councilmembers  
From: James McNamara  
Subj: Parking Legislation

The parking legislation on your agenda comes to you as a package of three ordinances:

- Ordinance 04-14: Amends Title 15 of the Bloomington Municipal Code and constitutes the bulk of the proposed changes
- Ordinance 04-15: An Amendment to the 2004 Salary Ordinance that allows the hiring of two security guards and an additional parking enforcement officer
- Appropriation Ordinance 04-04: Which appropriates money from the Parking Enforcement Fund to pay for security personnel, enforcement officer, security equipment and signage.

Each ordinance is described in greater detail below. It is worth noting at the beginning that the Parking Enforcement Fund is funded entirely with revenues from parking fees and fines. No tax dollars are allocated to this Fund.

The legislation comes to you with the overarching goal of getting specific, concrete proposals on the table for your consideration. Other primary and interrelated goals include preparing for the occupancy of more than 1300 new bedrooms in the downtown area in the next two months (with a heavy concentration in the downtown's westside,) and doing the best we can to ensure turnover of the on-street parking spaces in this area in order to increase the availability of that parking. We also want to use this opportunity to take measures to enhance the security at the parking garages in this area.

These ordinances represent an incremental approach to downtown parking issues. We do not presume that this legislation addresses all downtown parking issues. We anticipate that additional measures may need to be taken, but we want to first learn from our experience of the next several months, both with the new downtown residents and with this legislation. The focus of this legislation is on an area bounded by Kirkwood Avenue on the south, Rogers Street on the west, 11<sup>th</sup> Street on the north and Walnut Street on the east. It also includes the establishment of a new neighborhood parking zone in an area bounded roughly by First, Lincoln, 3<sup>rd</sup> and Dunn Streets.

The legislation addresses the following topics that this memo will address in turn.

- On-street parking restrictions
- City Hall Parking
- Parking Garage Security
- Neighborhood Parking Zone
- Enforcement & Collections
- Revenue Enhancement
- Housekeeping

### On-street Parking Restrictions

Ordinance 04 –14 Sections: 1-6, 18

The legislation makes several changes to the Municipal Code regarding on-street parking. First it extends the boundaries of the area where the 2-hour parking limits, found throughout most of the downtown area, apply. It extends the covered area to Rogers Street on the west and 11<sup>th</sup> street on the north, including those streets.

Another change is an attempt to deal with what is sometimes called “storage parking”. We’ve heard from many downtown stakeholders about on-street parking spaces being occupied on nights and weekends and thus unavailable to those who might visit downtown during those hours. Currently the 2 hour downtown parking limit applies Monday through Friday from 8:00 a.m. to 5:00. Ordinance 04-14 would change those hours so that the two hour limit would apply Monday through Saturday between 5:00 a.m. and 5:00 p.m. This means that a vehicle parked in a regulated space at 5:00 a.m. would be violating the two hour limit, and eligible for a parking ticket, if it was still parked there at 7:01 a.m. It is our belief/hope that the necessity of moving one’s vehicle before 7:00 a.m. will discourage a significant percentage of those who might otherwise park their vehicles there overnight. Obviously, the City would need to change its staffing schedule to enforce these changes.

We’ve also had requests to increase the number of short-term parking spaces available in the courthouse square area. We believe an incremental approach is most prudent here and, accordingly, we propose to convert eight spaces on the inside of the courthouse square from 2 hour to 1 hour limits. Four spaces would be clustered around the northwest and southeast corners of the inside of the square. We also propose to add two 30 minute spaces on the northeastern end of Morton Street just south of Seventh Street.

### City Hall Parking

Ordinance 04-14 Sections: 7, 9, 10, 11, 12, 13, 23, 24, 25, 27, 29

Appropriation Ordinance: 04-04

With so much of the new residential development going up very near City Hall, we want to do what we can to ensure that parking remains accessible to those visiting City Hall (on business, for meetings, etc.) and to our employees. We are proposing to designate 15 spaces on Morton

Street just south of Eighth Street as being exclusively for those visiting City Hall between 5:00 a.m. and 5:00 p.m. Those hours were chosen to discourage overnight parking and the possibility the spaces would then still be occupied after 8:00 a.m. We hope to make parking in a space designated for City Hall visitors by those not actually in City Hall a \$50 fine and a towable expense.

We also want to protect the employee parking spaces on the south and north ends of City Hall in a similar fashion by prohibiting parking there without an employee permit between 5:00 am and 5:00pm, and prohibiting parking there by anyone other than those inside City Hall at all other times. The spaces would remain available after 5:00 for those attending a meeting, for example. But parking by anyone else on nights and weekends would be prohibited. We hope to make this a \$50 fine for violations and a towable offense. Exceptions are made in the ordinance to the above provisions for Farmers' Market.

It will take extensive signage to make the new rules clear to those searching for parking spaces. The appropriation ordinance that is part of this legislative package includes \$13,800 for such signage and the accompanying necessary poles and fixtures. The money comes from the Parking Enforcement Fund.

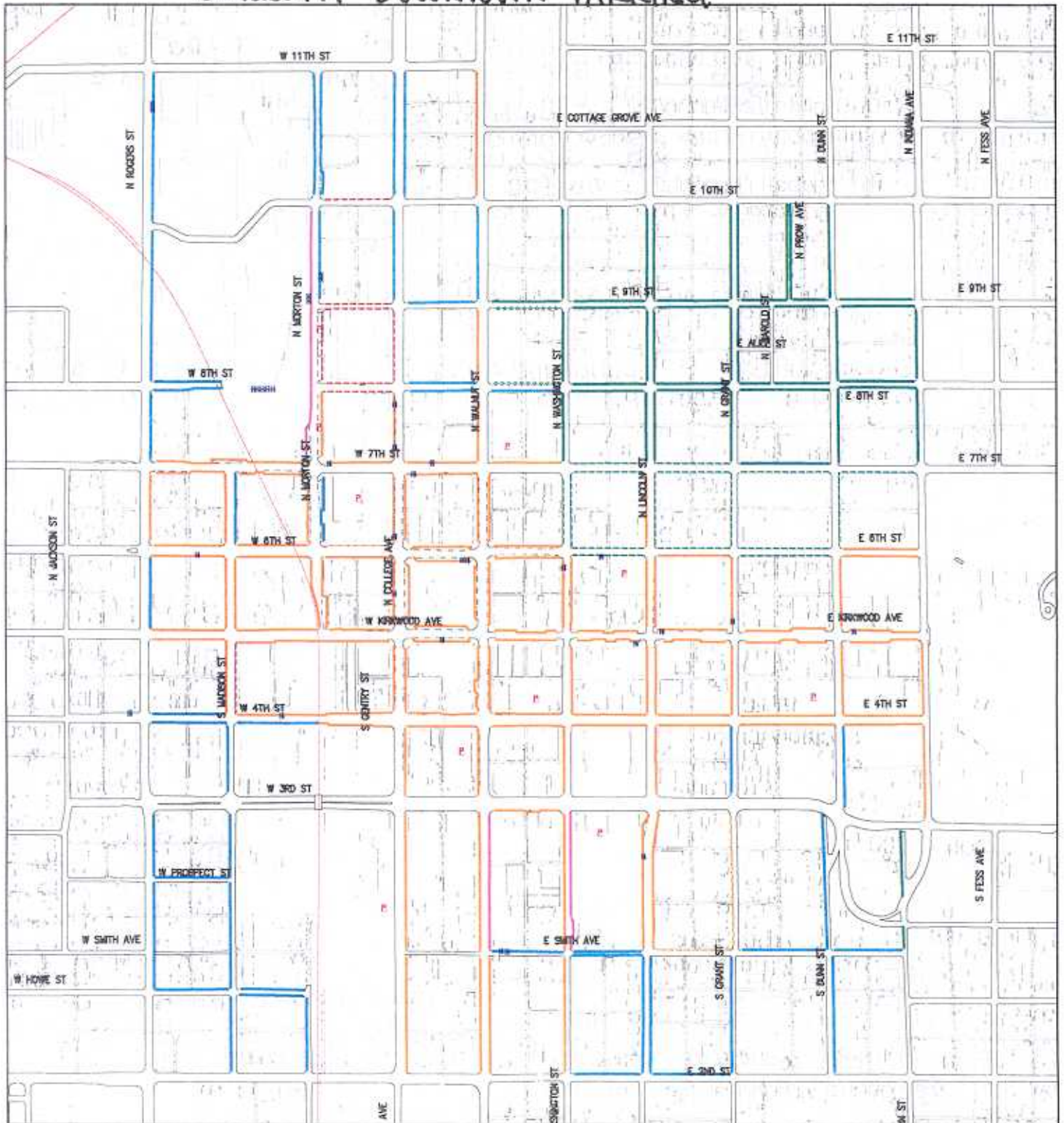
Parking Garage Security

Ordinance 04 – 14 Section 16

Ordinance 04 – 15

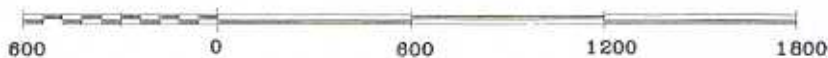
Appropriation Ordinance 04-04

# CURRENT DOWNTOWN PARKING



## Downtown Parking Spaces 2004 Inventory

Scale: 1" = 800'



April 12, 2004

For use as map information only, information is NOT warranted.



City of Bloomington  
Engineering Department



Geographic Information System

# Key on the next page










TdtpkLP

# 2004 Parking Inventory

44  
Block Number

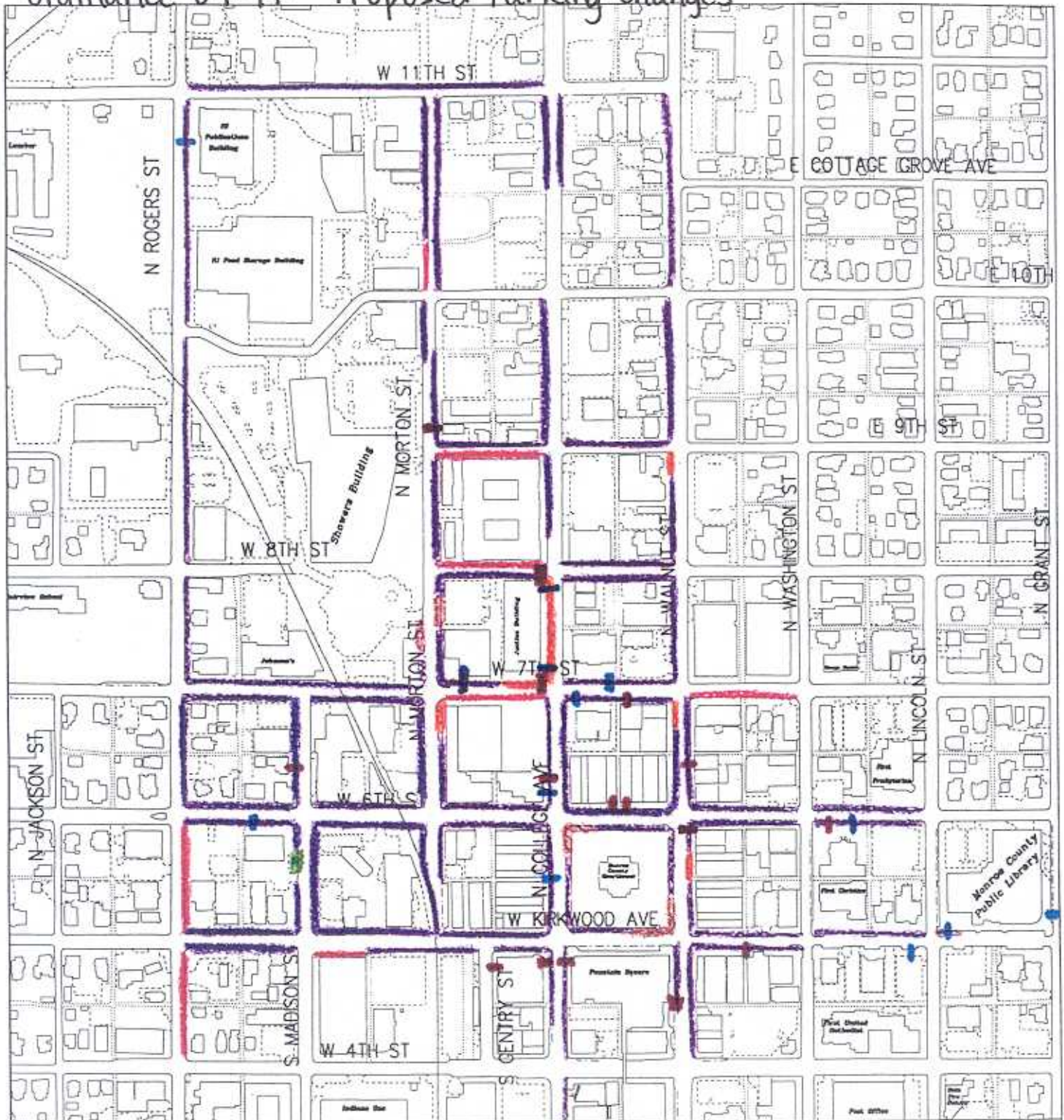
12  
Number of Spaces

## Parking Restriction Types

-  No Restrictions
-  Time
-  Part Time and None
-  RZone
-  RZone or 2 HR
-  Part RZone and None
-  Other
-  No Parking
-  Unknown/Under Construction

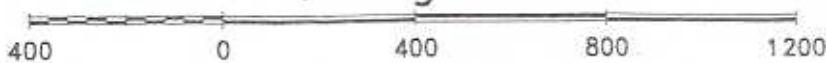


# Ordinance 04-14 Proposed Parking Changes



- NO PARKING
- Accessible Parking
- Loading Zone
- 15 minute parking
- 30 minute parking
- 1 hour parking
- 2 hour parking

By: carlson  
8 Jul 04



City of Bloomington

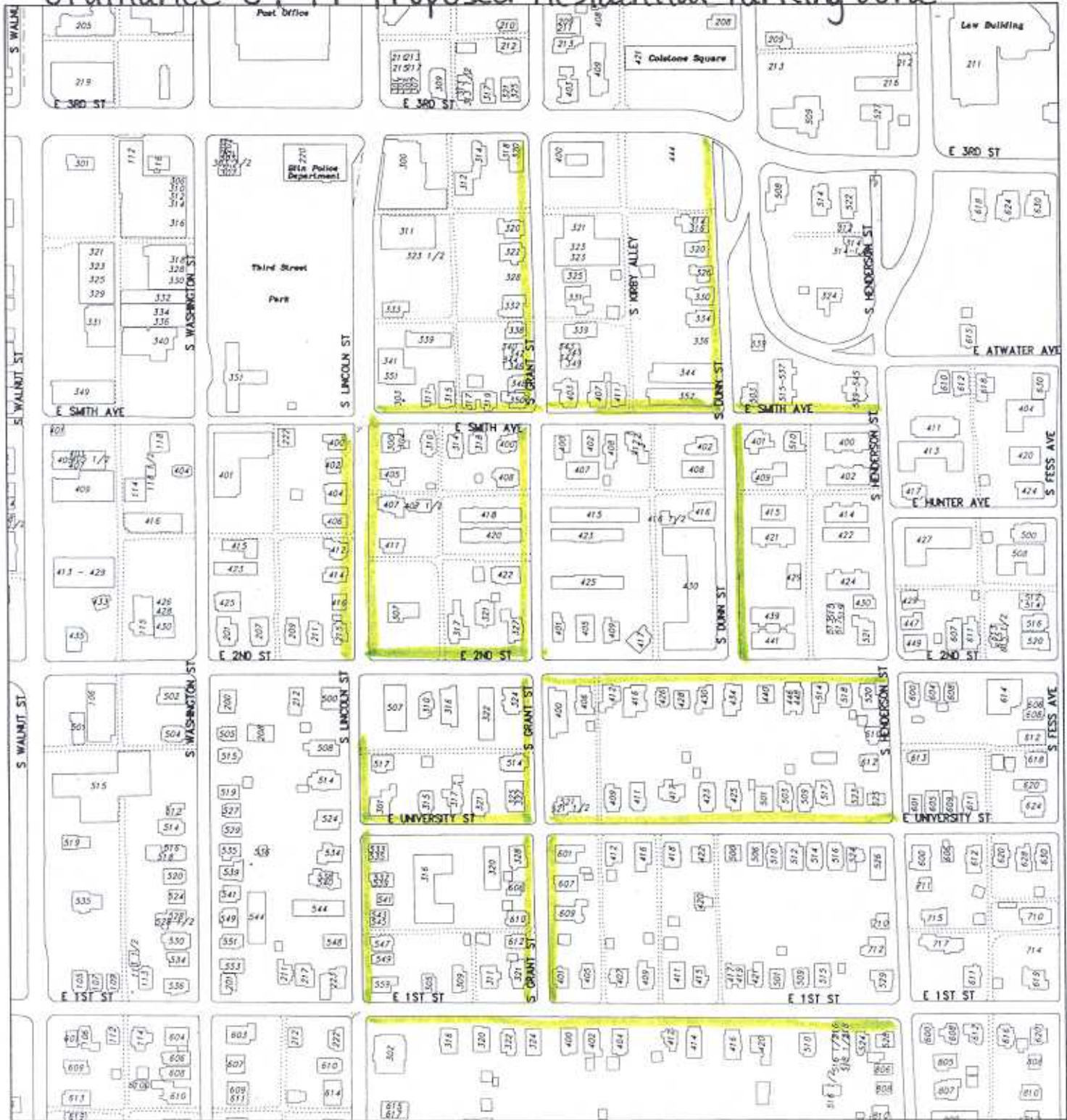


Scale: 1" = 400'

For reference only; map information NOT warranted.



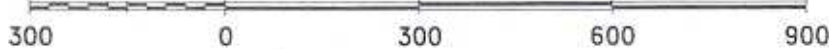
# Ordinance 04-14 Proposed Residential Parking Zone



Area for new Parking Zone - South Downtown Residential Neighborhood Zone

City of Bloomington

By: goodmanr  
28 Jun 04



Scale: 1" = 300'

For reference only; map information NOT warranted.

**ORDINANCE 04-15**

**TO AMEND THE ORDINANCE WHICH FIXED THE SALARIES OF APPOINTED OFFICERS AND EMPLOYEES OF THE CIVIL CITY (ORDINANCE 03-20) FOR THE YEAR 2004**

**Re: Adding a Parking Enforcement Officer and Two Security Guards in the Parking Enforcement Division**

WHEREAS, the Parking Enforcement Division would like to create a new job title — Security Guard — and hire two persons in that position; and

WHEREAS, Parking Enforcement would also like to add an additional Enforcement Officer;

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

SECTION I. Section 1 of Ordinance 03-20 (Civil City) shall be amended by deleting the following line regarding job title, grade, and pay minimum and maximum as indicated below:

Department	Job Title	Grade	Minimum	Maximum
Parking Enforcement	Parking Enforcement Officer (8)	3	\$22,674	\$34,010

SECTION II. Section 1 of Ordinance 03-20 (Civil City) shall be amended by adding the following lines regarding job titles, grades, and pay minimums and maximums as indicated below:

Department	Job Title	Grade	Minimum	Maximum
Parking Enforcement	Parking Enforcement Officer (9)	3	\$22,674	\$34,010
Parking Enforcement	Security Guard (2)	3	\$22,674	\$34,010

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  
City of Bloomington

#### SYNOPSIS

This ordinance amends the City of Bloomington Civil City Salary Ordinance for the year 2004 (Ordinance 03-20) by adding one additional Parking Enforcement Officer in the Parking Enforcement Division and adding two new Security Guard positions in that Division.



**City of Bloomington**  
**Office of the Mayor**  
Mark Kruzan

Date: July 10, 2004  
To: Councilmembers  
From: James McNamara  
Subj: Parking Legislation

The parking legislation on your agenda comes to you as a package of three ordinances:

- Ordinance 04-14: Amends Title 15 of the Bloomington Municipal Code and constitutes the bulk of the proposed changes
- Ordinance 04-15: An Amendment to the 2004 Salary Ordinance that allows the hiring of two security guards and an additional parking enforcement officer
- Appropriation Ordinance 04-04: Which appropriates money from the Parking Enforcement Fund to pay for security personnel, enforcement officer, security equipment and signage.

Each ordinance is described in greater detail below. It is worth noting at the beginning that the Parking Enforcement Fund is funded entirely with revenues from parking fees and fines. No tax dollars are allocated to this Fund.

The legislation comes to you with the overarching goal of getting specific, concrete proposals on the table for your consideration. Other primary and interrelated goals include preparing for the occupancy of more than 1300 new bedrooms in the downtown area in the next two months (with a heavy concentration in the downtown's westside,) and doing the best we can to ensure turnover of the on-street parking spaces in this area in order to increase the availability of that parking. We also want to use this opportunity to take measures to enhance the security at the parking garages in this area.

These ordinances represent an incremental approach to downtown parking issues. We do not presume that this legislation addresses all downtown parking issues. We anticipate that additional measures may need to be taken, but we want to first learn from our experience of the next several months, both with the new downtown residents and with this legislation. The focus of this legislation is on an area bounded by Kirkwood Avenue on the south, Rogers Street on the west, 11<sup>th</sup> Street on the north and Walnut Street on the east. It also includes the establishment of a new neighborhood parking zone in an area bounded roughly by First, Lincoln, 3<sup>rd</sup> and Dunn Streets.

The legislation addresses the following topics that this memo will address in turn.

- On-street parking restrictions
- City Hall Parking
- Parking Garage Security
- Neighborhood Parking Zone
- Enforcement & Collections
- Revenue Enhancement
- Housekeeping

### On-street Parking Restrictions

Ordinance 04 –14 Sections: 1-6, 18

The legislation makes several changes to the Municipal Code regarding on-street parking. First it extends the boundaries of the area where the 2-hour parking limits, found throughout most of the downtown area, apply. It extends the covered area to Rogers Street on the west and 11<sup>th</sup> street on the north, including those streets.

Another change is an attempt to deal with what is sometimes called “storage parking”. We’ve heard from many downtown stakeholders about on-street parking spaces being occupied on nights and weekends and thus unavailable to those who might visit downtown during those hours. Currently the 2 hour downtown parking limit applies Monday through Friday from 8:00 a.m. to 5:00. Ordinance 04-14 would change those hours so that the two hour limit would apply Monday through Saturday between 5:00 a.m. and 5:00 p.m. This means that a vehicle parked in a regulated space at 5:00 a.m. would be violating the two hour limit, and eligible for a parking ticket, if it was still parked there at 7:01 a.m. It is our belief/hope that the necessity of moving one’s vehicle before 7:00 a.m. will discourage a significant percentage of those who might otherwise park their vehicles there overnight. Obviously, the City would need to change its staffing schedule to enforce these changes.

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### City Hall Parking

Ordinance 04-14 Sections: 7, 9, 10, 11, 12, 13, 23, 24, 25, 27, 29

Appropriation Ordinance: 04-04

With so much of the new residential development going up very near City Hall, we want to do what we can to ensure that parking remains accessible to those visiting City Hall (on business, for meetings, etc.) and to our employees. We are proposing to designate 15 spaces on Morton

Street just south of Eighth Street as being exclusively for those visiting City Hall between 5:00 a.m. and 5:00 p.m. Those hours were chosen to discourage overnight parking and the possibility the spaces would then still be occupied after 8:00 a.m. We hope to make parking in a space designated for City Hall visitors by those not actually in City Hall a \$50 fine and a towable expense.

We also want to protect the employee parking spaces on the south and north ends of City Hall in a similar fashion by prohibiting parking there without an employee permit between 5:00 am and 5:00pm, and prohibiting parking there by anyone other than those inside City Hall at all other times. The spaces would remain available after 5:00 for those attending a meeting, for example. But parking by anyone else on nights and weekends would be prohibited. We hope to make this a \$50 fine for violations and a towable offense. Exceptions are made in the ordinance to the above provisions for Farmers' Market.

It will take extensive signage to make the new rules clear to those searching for parking spaces. The appropriation ordinance that is part of this legislative package includes \$13,800 for such signage and the accompanying necessary poles and fixtures. The money comes from the Parking Enforcement Fund.

Parking Garage Security

Ordinance 04 – 14 Section 16

Ordinance 04 – 15

Appropriation Ordinance 04-04

**APPROPRIATION ORDINANCE 04-04**

**TO SPECIALLY APPROPRIATE FROM THE PARKING ENFORCEMENT FUND  
EXPENDITURES NOT OTHERWISE APPROPRIATED  
(Appropriating Funds from the Parking Enforcement Fund for New Positions in the Parking  
Enforcement Division and the Purchase of Equipment)**

WHEREAS, the City desires to appropriate funds to cover personnel costs for new positions in the Parking Enforcement Division and the costs of new equipment purchases;

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

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

Parking Enforcement Fund – Parking Enforcement Division	Amount Requested
Line 111 – Salaries and Wages - Regular	\$ 47,000
Line 121 – FICA	3,596
Line 122 – PERF	3,995
Line 234 – Other Repairs and Maintenance	9,500
Line 243 – Uniforms and Tools	1,050
Line 321 – Telephones	900
Line 361 – Building	2,000
Line 365 – Other Repairs	5,000
Line 431 – Improvements Other Than Bldg.	13,800
Line 445 – Equipment	<u>21,500</u>
Parking Enforcement Division Total	\$ 108,341
Parking Enforcement Fund Total	<hr/> <b>\$ 108,341</b>

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

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

**SYNOPSIS**

This ordinance appropriates \$108,341 from the Parking Enforcement Fund to pay for three new positions, facility modifications, and new equipment needed for expanded hours of operation.



**City of Bloomington**  
**Office of the Mayor**  
Mark Kruzan

Date: July 10, 2004  
To: Councilmembers  
From: James McNamara  
Subj: Parking Legislation

The parking legislation on your agenda comes to you as a package of three ordinances:

- Ordinance 04-14: Amends Title 15 of the Bloomington Municipal Code and constitutes the bulk of the proposed changes
- Ordinance 04-15: An Amendment to the 2004 Salary Ordinance that allows the hiring of two security guards and an additional parking enforcement officer
- Appropriation Ordinance 04-04: Which appropriates money from the Parking Enforcement Fund to pay for security personnel, enforcement officer, security equipment and signage.

Each ordinance is described in greater detail below. It is worth noting at the beginning that the Parking Enforcement Fund is funded entirely with revenues from parking fees and fines. No tax dollars are allocated to this Fund.

The legislation comes to you with the overarching goal of getting specific, concrete proposals on the table for your consideration. Other primary and interrelated goals include preparing for the occupancy of more than 1300 new bedrooms in the downtown area in the next two months (with a heavy concentration in the downtown's westside,) and doing the best we can to ensure turnover of the on-street parking spaces in this area in order to increase the availability of that parking. We also want to use this opportunity to take measures to enhance the security at the parking garages in this area.

These ordinances represent an incremental approach to downtown parking issues. We do not presume that this legislation addresses all downtown parking issues. We anticipate that additional measures may need to be taken, but we want to first learn from our experience of the next several months, both with the new downtown residents and with this legislation. The focus of this legislation is on an area bounded by Kirkwood Avenue on the south, Rogers Street on the west, 11<sup>th</sup> Street on the north and Walnut Street on the east. It also includes the establishment of a new neighborhood parking zone in an area bounded roughly by First, Lincoln, 3<sup>rd</sup> and Dunn Streets.

The legislation addresses the following topics that this memo will address in turn.

- On-street parking restrictions
- City Hall Parking
- Parking Garage Security
- Neighborhood Parking Zone
- Enforcement & Collections
- Revenue Enhancement
- Housekeeping

### On-street Parking Restrictions

Ordinance 04 –14 Sections: 1-6, 18

The legislation makes several changes to the Municipal Code regarding on-street parking. First it extends the boundaries of the area where the 2-hour parking limits, found throughout most of the downtown area, apply. It extends the covered area to Rogers Street on the west and 11<sup>th</sup> street on the north, including those streets.

Another change is an attempt to deal with what is sometimes called “storage parking”. We’ve heard from many downtown stakeholders about on-street parking spaces being occupied on nights and weekends and thus unavailable to those who might visit downtown during those hours. Currently the 2 hour downtown parking limit applies Monday through Friday from 8:00 a.m. to 5:00. Ordinance 04-14 would change those hours so that the two hour limit would apply Monday through Saturday between 5:00 a.m. and 5:00 p.m. This means that a vehicle parked in a regulated space at 5:00 a.m. would be violating the two hour limit, and eligible for a parking ticket, if it was still parked there at 7:01 a.m. It is our belief/hope that the necessity of moving one’s vehicle before 7:00 a.m. will discourage a significant percentage of those who might otherwise park their vehicles there overnight. Obviously, the City would need to change its staffing schedule to enforce these changes.

We’ve also had requests to increase the number of short-term parking spaces available in the courthouse square area. We believe an incremental approach is most prudent here and, accordingly, we propose to convert eight spaces on the inside of the courthouse square from 2 hour to 1 hour limits. Four spaces would be clustered around the northwest and southeast corners of the inside of the square. We also propose to add two 30 minute spaces on the northeastern end of Morton Street just south of Seventh Street.

### City Hall Parking

Ordinance 04-14 Sections: 7, 9, 10, 11, 12, 13, 23, 24, 25, 27, 29

Appropriation Ordinance: 04-04

With so much of the new residential development going up very near City Hall, we want to do what we can to ensure that parking remains accessible to those visiting City Hall (on business, for meetings, etc.) and to our employees. We are proposing to designate 15 spaces on Morton

Street just south of Eighth Street as being exclusively for those visiting City Hall between 5:00 a.m. and 5:00 p.m. Those hours were chosen to discourage overnight parking and the possibility the spaces would then still be occupied after 8:00 a.m. We hope to make parking in a space designated for City Hall visitors by those not actually in City Hall a \$50 fine and a towable expense.

We also want to protect the employee parking spaces on the south and north ends of City Hall in a similar fashion by prohibiting parking there without an employee permit between 5:00 am and 5:00pm, and prohibiting parking there by anyone other than those inside City Hall at all other times. The spaces would remain available after 5:00 for those attending a meeting, for example. But parking by anyone else on nights and weekends would be prohibited. We hope to make this a \$50 fine for violations and a towable offense. Exceptions are made in the ordinance to the above provisions for Farmers' Market.

It will take extensive signage to make the new rules clear to those searching for parking spaces. The appropriation ordinance that is part of this legislative package includes \$13,800 for such signage and the accompanying necessary poles and fixtures. The money comes from the Parking Enforcement Fund.

Parking Garage Security

Ordinance 04 – 14 Section 16

Ordinance 04 – 15

Appropriation Ordinance 04-04



**ORDINANCE 04-16**

**TO AMEND THE ORDINANCE WHICH FIXED THE SALARIES OF APPOINTED OFFICERS AND EMPLOYEES OF THE CIVIL CITY (ORDINANCE 03-20) FOR THE YEAR 2004**

**Re: Positions in the Clerk's Office and the Council Office**

WHEREAS, the Job Evaluation Committee recently reviewed several job descriptions with substantive revisions reflecting changes in the positions, some of which resulted in recommendations for modified job grades, and

WHEREAS, the Clerk's Office would like to change the grade of Deputy Clerk position to reflect changes in minimum requirements for applicants, and

WHEREAS, the Common Council Office would like to change the grade and title of the Council Assistant position to reflect significant changes in the position description;

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

SECTION I. Section 1 of Ordinance 03-20 (Civil City) shall be amended by deleting the following lines regarding job title, grade, and pay minimum and maximum as indicated below:

Department	Job Title	Grade	Minimum	Maximum
Clerk	Deputy City Clerk	2	\$20,804	\$31,205
Common Council	Council Assistant	3	\$22,674	\$34,010

SECTION II. Section 1 of Ordinance 03-20 (Civil City) shall be amended by adding the following line regarding job titles, grades, and pay minimums and maximums as indicated below:

Department	Job Title	Grade	Minimum	Maximum
Clerk	Deputy City Clerk	3	\$22,674	\$34,010
Common Council	Assistant Administrator	5	\$27,127	\$42,429

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  
City of Bloomington

#### SYNOPSIS

This ordinance amends the City of Bloomington Civil City Salary Ordinance for the year 2004 (Ordinance 03-20) by changing the job grade of the *Deputy City Clerk* in the Clerk's office from 2 to 3. Additionally, the Common Council office position of *Council Assistant* is changed in title to *Assistant Administrator* and in grade from 3 to 5.

## Memorandum

To: City Council members  
From: Daniel Grundmann, ES Director  
CC: Dan Sherman, Council Attorney  
Regina Moore, City Clerk  
James McNamara, Deputy Mayor  
Susan Clark, Budget and Research Manager  
Date: 7/9/2004  
Re: Proposed Salary Ordinance Amendment (Ordinance 04-16)

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The Job Evaluation Committee recently met and reviewed fourteen job descriptions. Of those positions, two are recommended for a change in grade including a changed title for one of them. We respectfully request the following proposed changes to amend Ordinance 03-20.

### Common Council

The Common Council submitted revisions for the job description of the *Council Assistant*, including a proposed change in title to *Assistant Administrator*. The Job Evaluation Committee viewed the changes to the job description as significant departure from the primarily clerical orientation of the previous description. The evolution of this position is consistent with the vision communicated by the Council Attorney in July of 2002, when the Council approved the position's move from grade 2 to grade 3 (Ordinance 02-12). The increasingly professional nature of the position has relieved the Council Attorney from some administrative tasks and increased levels of service provision from the Council Office.

As a result of the enhanced duties in the job description, the position realized increases in four of the seven job evaluation criteria — complexity, independent judgment and consequences of error, professional level and direction of others, and knowledge requirement. Those increases drove the Employee Services' recommendation for a grade change from the current grade 3 to grade 5.

The grade change will lead to an anticipated increase of approximately \$1,700 for the remainder of the current year and an increase of approximately \$4,000 in 2005. While no additional appropriation is required for the 2004 budget year, an appropriation ordinance transferring funds from budget categories two and three may result.

City Clerk

Revisions to the position description for the job of Deputy City Clerk increased values in the categories of knowledge required, direction of others, and external relations. An increase in education requirements from a high school diploma or its equivalent to an Associates Degree, credit for directing interns, and recognition of amplified responsibility for external relations in response to ticket appeal volume and front desk coverage drove those changes.

No additional appropriation is required to accommodate the change in grade.

Please feel free to contact me with any questions.



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

To: Daniel Grundmann, Director of Employee Services  
From: Dan Sherman, Council Administrator/Attorney  
Re: Reclassification and Change in Title and Grade for Council Assistant Position  
Date: July 7, 2004

Thank you and the Reclassification Committee for the work you all put into reviewing this reclassification request. The following is a brief history of the change in duties for the Council Assistant position which led to the change in the job description, the new title of Assistant Administrator, and the recommendation for an increase in grade from 3 to 5. I am attaching a document that compares the current and proposed job description for this newly titled position to help delineate the changes.

As background, please remember that the Common Council made the Council Assistant a full-time position approximately two years ago in order to:

- Shift work from the Council Administrator/Attorney so that he could pursue more policy initiatives on the part of the council.
  - This work included handling more of the administrative duties relating to the Council Committees and now includes much of our constituent services;
  - This directive called for the Council Assistant to take on more professional duties and she has done so.
- Continue and expand webwork.
  - Since that time the Council Assistant has created our electronic packet and works closely and frequently with the ITS Department in improving our page. Her work in this area is neither routine nor clerical in nature. She is recommending what information should be on the page and where it will go.
- Do basic duties better and quicker.
  - Since that time we are simply getting more done; and
- Attract and retain highly qualified Council Assistants
  - This is a hybrid administrative/professional position that has evolved under directive of the Council and through the initiative of the employee. The greater responsibilities have turned a clerical position into an entry level professional position and the increase in grade and pay will help attract the right candidates and may help retain incumbents.

### Fiscal Impact

Assuming the Council approves this reclassification and the new pay is reflected in the next pay period, the upgrade should lead to an increase of approximately \$1,700 for the rest of this year and an increase of approximately \$4,000 in the base salary for 2005. The money for this year would require transfers within the existing budget (probably through the end-of-the-year appropriation ordinance), but additional monies would need to be appropriated to cover the costs for future years.

**Comparison of Job Description for  
Council Assistant and Assistant Administrator Positions  
(July 7, 2004)**

**POSITION:** Assistant Administrator (*currently Council Assistant*)  
**DEPARTMENT:** Common Council  
**JOB GRADE:** 5 (*currently grade 3*)  
**FLSA:** Non-Exempt  
**FILE NAME:** Assistant Administrator.doc  
**STATE & LOCAL JOB CENSUS CODE:** 6  
**CENSUS 2000 CODE (SOC equivalent):** 570

**1. DUTIES:**

**Essential (primary)**

**CONSTITUENT SERVICES**

**Existing Description of Duties**

Answers telephone and greets office visitors on a daily basis. Determines nature of call/visit and answers inquiries directly, researches those concerning the Clerk and Council Office and responds in a timely fashion, or routes to appropriate person, department or agency.

Prepares and forwards citizen action complaints within the citizen action system.

**Proposed Description of Duties:**

Responsible for constituent service operations and programs for the Common Council including:

- Trains and directs interns to receive citizen complaints and ensures they are referred to appropriate staff.
- Handles complaints from citizens dissatisfied with organization's response and seeking Council assistance.
- Discusses complaints with citizens, council members and staff, and helps resolve issues regarding the kind of service warranted.
- Works with Citizen Services Coordinator, City Staff & Council Liaison from Mayor's office to facilitate citizens' services.
- Tracks and records information pertaining to complaints.

Authors, drafts and reviews correspondence to constituents on behalf of the City Council Office including City Council members. Often includes response from Council members to citizens and agencies requesting action.

Assist with planning of special events such as news conferences, dedications, announcements, and activities.

Answers telephone and greets office visitors approximately 10 hours per week while performing other duties.

Sorts, duplicates, and distributes incoming mail and interoffice memos.

## POLICY DEVELOPMENT AND COORDINATION

### Existing Description

Researches various legislative and policy issues, compiles and analyses data, and prepares reports and findings at the request of council members and Council Administrator.

Acts as contact person for legislative network and, in this regard, shares and inquires about certain local laws, regulations, policies, and practices with other council offices throughout the country.

Creates and maintains forms for collecting and conveying information relating to the Council social services funding program.

Summarizes applications for social service program funds for use by committee. Involves discussing application with agency and determining conformance with guidelines.

### Proposed Description of Duties

Acts as a liaison between council members, the city administration, and Boards and Commissions on policy issues relating to city business.

Acts as contact person for legislative network and, in this regard, shares and inquires about certain local laws, regulations, policies, and practices with other council offices throughout the country.

Conducts research on Council policy initiatives and inquires, organizes information, prepares summary analysis, develops surveys, and prepares reports. Makes information available to the council members, city staff, and the public upon request.

Assist council members in tracking and monitoring progress of ongoing city projects across all City departments.

Provides program assistance to various Council Committees and programs – i.e. Jack Hopkins Social Services Funding Program, Sidewalk Committee, and Smoking Policy Committee. Includes creating and maintaining forms for collecting and conveying information relating to the Council social services funding program. Summarizes applications for social service program funds for use by committee. This involves discussing application with agency and determining conformance with guidelines.

## LEGISLATIVE DUTIES

### Existing Description of Duties

Assists the Administrator/Attorney in the preparation and distribution of the weekly legislative packet. This entails drafting agendas, gathering of background material, reviewing and formatting legislation, and distributing the final materials to council members, department heads, the media and the public.

The review of legislation entails attention to both style and content. In regard to content, ascertains intent of the drafter.

Drafts encomiums and proclamations on an as needed basis.

#### Proposed Description of Duties

Assists the Administrator/Attorney in the preparation and distribution of the weekly legislative packet. This entails drafting agendas, gathering of background material from generators of legislation, reviewing and formatting legislation, developing, reviewing, modifying, and preparing the electronic packet and distributing the final materials to council members, city staff, the media, and the public.

Works with CAA in deciding what information will be included in the packet and works with city staff to provide information for the packet.

The review of legislation entails attention to both style and content. In regard to content, ascertains intent of the drafter and identifies ambiguities and inconsistencies with municipal code.

Assist the CAA in surveying city staff about upcoming legislation.

Drafts encomiums and proclamations on an as needed basis.

Provides resources, contacts, and summary information to Council members in the course of legislative deliberations in an expedient fashion. Researches past actions of the Council for council members, city staff, and public.

#### ADMINISTRATIVE

##### Existing Description of Duties

Designs web documents and web page with general guidance and review of style and content by Council Administrator. Constructs new pages on a weekly basis. Basic knowledge of HTML needed for weekly pages.

Maintains inventory of supplies and equipment; determines needs, researches, and recommends items to be purchased based upon features, quality and price; prepares and maintains forms containing information for routine purchases, and orders items.

Maintains files for Council Office including packets, "back-up" legislative files, correspondence, and project files in conformance with relevant law.

Prepares Annual Calendar of City meetings and deadlines by contacting City departments and boards.

Takes all reasonable steps to maintain a safe work environment.

##### Proposed Description of Duties

Maintains close relationship with local media outlets by preparing and submitting announcements and providing background information for articles or stories.



Assists with all financial operations and budget monitoring. Includes processing claims, payroll, and assisting with budget preparation.

Hires, trains, schedules and directs intern.

Maintains current, archived, and confidential files for the Council Office and CAA.

Schedules, coordinates, and maintains Council's calendar of appointments, meetings, and appearances. Oversees preparation of Annual Calendar of City meetings and deadlines.

Monitors and maintains department web page. Includes creating and improving processes to enhance Council and citizen access to legislative information. Works with IT to monitor effectiveness of IT legislative services and recommend changes as needed.

Takes all reasonable steps to maintain a safe work environment.

### **Non-Essential (secondary)**

#### Existing Description of Duties

Other duties as assigned

#### Proposed Description of Duties

Responsible for handling communications during unusual, non-routine situations in cooperation with the CAA and Council.

Represents Council when members are unable to attend events and activities and represents CAA during absences.

Responsible for maintaining inventory and ordering office supplies and equipment. Other duties as assigned.

## **2. JOB REQUIREMENTS**

### Existing Requirements

Minimum knowledge equivalent to an Associates Degree.

Minimum experience equivalent to one year through three years.

Ability to effectively communicate with departmental personnel, elected officials, professionals and general public with accuracy, courtesy, and tact.

Ability to learn and interpret Bloomington Municipal Code and departmental practices, policies, and procedures.

Ability to review, discuss, and summarize applications for program funds in relation to program guidelines. Facilitate committee members' funding decisions.

Knowledge of and ability to use English grammar, punctuation and spelling, and the ability to type with speed and accuracy.

Ability to work on a variety of tasks at the same time while working under general instructions and guidelines.

The ability to operate standard office equipment including computer terminal, word processing and spreadsheet programs, copy machines, typewriters, Dictaphone, calculator, and telephone.

Ability to maintain accurate, complete, and orderly records and files.

### Proposed Requirements

Minimum knowledge equivalent to a Bachelors Degree.

Minimum experience equivalent to one year through three years.

Significant knowledge of municipal operations and thorough knowledge of legislative process.

Ability to effectively deal with city staff, elected officials, community leaders, agencies representatives, and the general public in a tactful and courteous manner and present a positive image for the City during varied situations and circumstances.

Ability to speak effectively with both individuals and groups.

Ability to write effectively and persuasively.

Ability to work under minimal supervision, under pressure, and with frequent deadlines.

Ability to perform research.

### **3. LEVEL OF SUPERVISION AND RESPONSIBILITY:**

#### **Received**

#### Existing Description of Received Supervision and Responsibility

Assistant establishes procedures for performing duties upon receiving general instructions. Administrator/Attorney reviews some procedures and duties on a routine and others on a periodic basis. The standards for review include but are not limited to: timeliness, accuracy, completeness and soundness in judgment.

Reports directly to the Council Administrator/Attorney.

#### Proposed Description of Received Supervision and Responsibility

Administrator/Attorney reviews some duties on a routine and others on a periodic basis. Work is reviewed only for adherence to instructions, soundness of judgment and conclusions, and conformance with practice and policy. Errors in judgment are not readily detected and may result in substantial embarrassment to the city and loss of time in other units.

Reports to the Council Administrator/Attorney and Council.

### **Exercised**

#### Existing Description of Exercised Responsibility and Supervision

Assistant responsible for orienting and training Council Interns and reviewing their work. Significant work time is spent without direct review of work product. Errors may result in loss of time in other departments, inconvenience to the public, and embarrassment to the department and the City.

#### Proposed Description of Exercised Responsibility and Supervision

Position is highly visible in dealing with citizens and has an important impact on the image of the City Council Office and the City in general.

Consequences of poor decision making can result in serious public relations or public trust implications for the City Council Office and the City. Incumbent supervises the work of office intern, including assigning, directing, and evaluating work performed. Assignments are carried out in accordance with standardized procedures with the incumbent determining the appropriate format and method to complete the duty.

Incumbent makes professional and technical decisions related to the proper interpretation of BMC and performs research and analysis projects.

### **4. DIFFICULTY OF WORK:**

#### Existing Description of Difficulty of Work

Position holder performs duties in a modern office environment with no unusual physical demands, but is required to meet constant deadlines. Independent judgment used in the performance of duties in accordance with general guidelines.

#### Proposed Description of Difficulty of Work

Position holder performs duties in a modern office environment with no unusual physical demands, but is required to meet constant deadlines.

Work is performed in a high profile environment.

Incumbent must exercise discretion and maintain composure when handling citizens who may be upset at actions of the City or City Council.

Independent judgment used in the performance of duties in accordance with general guidelines.

Requires regular evening and occasional weekend work in order to complete job responsibilities.

## **5. PERSONAL WORK RELATIONSHIPS:**

### Existing Description of Work Relationships.

Frequent contact with the departmental personnel, other governmental units, elected officials, petitioners, professionals and the general public for the purpose of receiving assignments, explaining city policies and procedures, and exchanging information.

Reports directly to Council Administrator/Attorney and works closely with the council members, City Clerk, Deputy City Clerk, and the Council Intern.

### Proposed Description of Work Relationships.

Position maintains frequent contact with City council members, City department heads and staff, and external organizations, for a variety of purposes.

Reports directly to Council Administrator/Attorney and works closely with the Council Members, City Clerk and staff, and supervises the Council Intern.

**Last Revised: 06/01/04**

**File Location: I:\public\Job Descriptions\COUNCIL\Assistant Administrator.doc**

In the Council Chambers of the Showers City Hall on Wednesday, February 18, 2004 at 7:30 pm with Council Vice President Ruff presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
February 18, 2004

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

ROLL CALL

Council Vice President Ruff gave the Agenda Summation

AGENDA SUMMATION

The minutes of Regular Sessions December 3, 2003, January 21, 2004, and February 4, 2004 were approved with minor spelling and grammatical corrections by a voice vote.

APPROVAL OF MINUTES

Dave Rollo said it was possible to oppose an unjust war while wholeheartedly supporting Crane. He said he opposed cuts or a base closure for Crane. He said he still felt justified in his vote on the council resolution that opposed a war in Iraq.

MESSAGES FROM  
COUNCILMEMBERS

Tim Mayer takes exception to recent HT editorials calling them somewhat mean spirited and ill informed. He referred to a statement regarding a late meeting that stated that council members 'hogged' the early part of the meeting. Mayer said he had called the editor and explained the structure of the meeting. He informed the editor that the planning staff report, the oral report from the petitioner and the counter statement by Bloomington Hospital were each followed by questions from council members. He emphasized that each question was on point, helped frame the issue and educated the public. He noted that the council chambers were totally full for this community debate on health care in Bloomington. He said the proposal discussed during that meeting was an important issue in the community, that meetings don't always fit news deadlines and the length of the meeting reflects the importance of the issue.

Chris Sturbaum said Fire Chief Jeff Barlow had recently invited him to tour the Westside Fire Station to learn about first responders and their readiness for assistance with emergency rescue. He also thanked citizens who had donated to the Save the Von Lee Legal Fund.

Chris Gaal, pointing out that democracy takes time and that elected officials asking questions in order to do the job that they were elected to do also takes time, addressed the day's newspaper editorial entitled "Will the City Council Support Crane?"

Gaal said he respectfully disagreed with both the tone and substance of the editorial in which the HT reminds the council that Crane supports some 4,000 jobs in the local area, adding that they were waiting with interest to see what position the Bloomington City Council would take regarding Crane. Gaal questioned this reference to waiting, because the council passed a resolution in support of Crane in March of 2002. He implied that the HT's editorial indicated that this was not a compatible stand with a resolution that the council passed opposing the war in Iraq, a war in which Crane has been directly involved.

Gaal continued:

And the HT wants to know "will we support Crane?" I think it's pretty easy to answer that question. Number 1, look at what official city policy has been on the Crane issue. The city council passed a resolution to raise awareness about the importance of high paying technology jobs in Bloomington that result from Crane and to quote from that resolution "*urging state and federal officials as well as citizens to support preserving, strengthening and expanding this facility.*" We worked on that in a

MESSAGES FROM  
COUNCILMEMBERS (cont'd)  
(Gaal)

bipartisan manner with groups such as the Bloomington Chamber of Commerce as well. Our former mayor, John Fernandez, was a co-chair of the Crane Regional Economic Development Organization made up of leaders from all over Southern Indiana.

The City of Bloomington contributed \$5,000 to the Southern Indiana Business Alliance to lobby to save Crane and all the additional jobs that result from Crane. Crane, finally, was a question that kept coming up in the last city election, so no one's position on it should be a surprise. The irony is that the key to success on an issue like Crane is effective bipartisan cooperation, and that's what we've been actually doing in the city on this issue. Trying to politicize it and drive in wedges by linking support for Crane to issues like what a position is on the war in Iraq hurts that effectiveness. But that's the connection that the HT editorial wanted to make and it was provocative in a very unproductive way.

The anti war resolution that was passed by this council and some 163 other cities in this country did not have to do with Crane. It had to do with Iraq and the war and when questioned about hearing that resolution during a candidate forum during the campaign in October, I said *"there's nothing wrong with the Bloomington City council, there's something wrong with the country."* And I believe more than ever that that's true and unless you're ideologically blinded I think its undeniable that the Bush administration misled the people of this country about the reasons for the war and distorted the existing intelligence information to make it's case for preemptive war based on a supposed imminent threat. That has nothing to do with our supporting or not supporting Crane.

We were told for a fact that the Bush Administration knew for a fact that Iraq possessed weapons of mass destruction. They didn't know. We were told that the Bush Administration knew for a fact that Iraq possessed chemical and biological weapons. They didn't know. We were told by George Bush that the Iraqi regime could launch a biological or chemical attack in as little as 45 minutes, they were certain that Iraq posed an imminent threat. At the same time Hans Blix of the United Nations Iraq weapons inspection program said *"it's somewhat puzzling, I think, that you can have a hundred percent certainty about the weapons of mass destructions existence and zero certainty about where they are."* They didn't tell the inspectors where they were.

The Bush administration told us that we can't let the smoking gun to make the case for war in Iraq come in the form of a mushroom cloud, and that Iraq posed a nuclear threat and could build a nuclear device within a year. The American people were told whatever it took to scare us into submission to that agenda. We were told about aluminum tubes that were for nuclear weapons production. That was wrong and it turns out the experts knew it was wrong. We were told that Iraq tried to buy uranium from Niger and we learned that information was deemed unreliable by the C.I.A. months earlier, but it was still used by the Bush administration. We were basically told whatever it took, and a huge percentage of the American people believed, they believed that Iraq had something to do with 9/11 and the Bush administration encouraged that misconception. We were encouraged to believe that Iraq had links to Al-Queda. Dick Cheney said there were Al-Queda in Iraq.

I recently saw a documentary film entitled "Iraq Uncovered: the Whole Truth about the War in Iraq." The entire film is a collection of interviews with former state department employees, diplomats, intelligence CIA people, Pentagon people, military insiders – basically people who have dedicated their careers to national security and have experience and knowledge on military intelligence issues. It's really unprecedented and very interesting the degree to which these people are speaking out. It's not necessarily new information for people who are paying attention to this, but this documentary pulled it together very well, and presented it so well that I highly recommend seeing it. I've purchased a copy and have it here. Don't look for it on CNN or FOX news because you won't see it there, but it was recently shown at the Monroe County Public Library and perhaps it could be shown again so that more people could have the opportunity to see it.

I would just share a few quick quotes from this film to close:

The first one is from Chas Freeman, a thirty year diplomat serving abroad with his last assignment as ambassador to Saudi Arabia: *"The war really had absolutely nothing to do with terrorism. There was no connection whatsoever between Iraq and a secular regime there and the religious fanatics that perpetrated 9/11."*

Mel Goodman, twenty years with the CIA: *"Iraq (and we have very good intelligence on this) was not part of the picture of terrorism before we invaded. Saddam Hussein and Bin Laden were enemies."*

Ray McGovern, twenty seven years as an intelligence analyst: *"The ties with Al-Queda was just a scare tactic to exploit the trauma, the very real trauma, the American people have felt ever since 9/11 and to associate that trauma with Iraq."*

MESSAGES FROM  
COUNCILMEMBERS (cont'd)  
(Gaal)

If you do a quick cost benefit analysis of this war, the cost we don't know but \$87,000,000,000 so far, a number of American lives, Iraqi lives, lives of international forces, non-governmental organizations, a great cost to American credibility in the international community.

The benefit is summed up by Robert Baer who was with the CIA for 21 years: *"the only person Saddam was a threat to at this point, as we saw when the army collapsed, was Iraq. He didn't have weapons of mass destruction. He wasn't scaring anybody. He certainly wasn't scaring the Turks, the Iranians or the Saudis or anybody else. It was a state that was on the verge of failure. Now it is a failed state. Failed states cause terrorism. You can name them: Afghanistan, Lebanon, Somalia. Anytime you create a vacuum, its where people flock to who were discontented to fight wars."*

Chas Freeman, again, a thirty year diplomat: *"The only real connection is that having invaded Iraq, we're very likely to make it a focus of terrorism. We're likely to produce what the President has said Iraq represents, mainly the battlefield in the war on terrorism. Why? Because we've sent a lot of Americans into a place where they're sitting ducks for people who think the only good American is a dead one."*

Milt Reardon, thirty years with the CIA: *"there's a sense in Washington now that you can't raise objections to this because you're supporting troops in the field. I would rapidly point out, that unlike almost anybody I know that holds office in this country, I've had two sons in uniform, both of whom were in combat, and so I don't have to take any nonsense from anybody nor will I."*

The HT's editorial implies that anti war rhetoric coming from the council is dangerous to local jobs because it might endanger Crane. I don't accept that. I think we've done everything necessary to support Crane and we don't have to be timid about criticizing a national policy that is so badly misguided, especially in the name of protecting jobs, when we're experiencing a jobless recovery and national policy is also failing to address that.

To sum up, I would say, it's not jobs versus truth, and we have the obligation to speak out on matters that we think are important and are relevant to this community.

Andy Ruff said he was awarding an "onion" to the HT for its editorial linking support for national defense and Crane as a base with the position opposing an unjustified war. He added that using this logic to paint the council as questionable in their judgment or questioning their level of support for Crane was childish and almost at the level of taunting the council. He said we should be able to expect more from our local newspaper.

Ruff further noted the difference in coverage of the municipal elections by the HT saying that in 1999 there was no endorsement of candidates, but after the election the paper dedicated considerable space to critique of the election and interviewing new council members. He reported that in the 2003 municipal election the HT advocated for certain candidates but then provided the public with no analysis, critique or insight into the developments of the election. He said this indicated that the election coverage was motivated by a particular agenda rather than an attempt to educate or inform the community. He added a plea for the paper to exercise their important role in the community with a little more responsibly and better judgment.

Andy Ruff disclosed that the mother of his daughter had worked for Bloomington Hospital for over 20 years and provides support for her through wages earned there. He added that his father had been a physician on staff at the hospital for many years, although he had retired several years ago. He added that the local code requires council members to announce any personal financial interest related to matters

- Conflict of Interest Form (Ruff)

that come before the council when they are more than nominal and are distinct from those of the general public. He stated that he could participate in the deliberations and vote on the item fairly, objectively and in the public interest. While this was not required by state law, he asked that the council accept the disclosure that he had submitted for filing with the County Clerk and the State Board of Accounts.

Ruff, Conflict of Interest Form (cont'd)

It was moved and seconded to accept Andy Ruff's *Disclosure of a Potential Conflict Of Interest*. The motion was approved by a voice vote.

There was no report from the mayor.

MESSAGE FROM THE MAYOR

Stephen Volan said he had no idea that being asked by his fellow council members to serve on the Monroe County Solid Waste Management Board would be so momentous. He reported that the fire at the landfill was now out, but that the closing in relation to the fire had taken away the District's main source of revenue. He said the board and employees were struggling with getting the approvals to get the landfill back open, and asked that citizens take an interest in the workings of the District. He said the news was quite bad, but predicted the District would recover and be even stronger. He asked that questions be directed to his email, or call him.

COMMITTEE REPORTS

Ruff reported that he attended the February meeting of the Metropolitan Planning Organization, and as the council representative there, he asked for records of the November, 2003, meeting where the amendments to the Long Range Transportation Plan regarding I-69 public study were discussed. He said the minutes were sparse and didn't reflect his comments. He said there was no tape and no CATS recording, and asked that the minutes and handwritten notes be submitted as public comment for the period which ended on February 2, 2004. He said he also asked for the Citizen's Advisory Committee minutes to be submitted as well.

There was no public comment at this time.

PUBLIC INPUT

There were no appointments to boards and commissions.

BOARD AND COMMISSION APPOINTMENTS

It was moved and seconded that Appropriation Ordinance 04-01 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 7-0. She announced that the public comment period on this item would serve as the legally advertised public hearing. It was moved and seconded that Appropriation Ordinance 04-01 be adopted.

LEGISLATION FOR SECOND READING

Susan Clark, Interim Controller, said that \$150,000 was being requested for a storage facility. She said that this was actually in the 2003 budget, but there were no bidders for the project by the end of the year. Clark said the other part of the appropriation dealt with a grant from the Indiana Criminal Justice Institute for \$25,000. She said that the BPD would use a portion for overtime and would pass through money to the Indiana University Police Department and the Monroe County Sheriff's Department in the amount of \$10,000.

Appropriation Ordinance 04-01 To Specially Appropriate from the Parks General Fund and the General Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the Parks General Fund to Construct a Storage Facility and Appropriating a Grant from the General Fund – Police Department for Additional Traffic Enforcement)

Appropriation Ordinance 04-01 received a roll call vote of Ayes: 8 Nays: 0.



It was moved and seconded that Ordinance 04-02 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 8-0. It was moved and seconded that Ordinance 04-02 be adopted.

Randy Lloyd, Petitioner for the McDoel Ventures, said he had nothing to add to last week's presentation. Volan asked when the grocery store would be open, to which Lloyd said that the engineering had not yet been done on the site, but his goal was that the land parcels would be consolidated sometime in the spring with site work done in the late spring or early summer. He said he hoped that by late fall the project would be well on its way.

Keith Romaine, an executive board member for the McDoel Garden's Neighborhood, voiced support for the grocery. He said it would be welcome on a number of points, but thought it would look nice and also attract people to the area.

Jack Baker, McDoel Gardens Neighborhood Association, thanked the council for preliminary support for the project saying it would be good for the whole section of the city.

Sabbagh said that this project was within his district, the petitioners and neighbors resided within the 5<sup>th</sup> District and he voiced his own support of the project.

Volan said, while tangential to the project, he thought the little teardrop shaped island in this area would be a good place for public art.

Sturbaum complimented Lloyd on the project saying that it was probably the first neighborhood activity center. He complemented him for setting the example of talking with the neighborhood and getting input, and getting their approval for this activity center. He applauded the mixed use of the center with apartments above the grocery adding that this was a vision of the growth policies plan. He was happy to support and praise this project.

Gaal echoed the support of the project and pointed out that there were many initiatives taking place in that neighborhood. He pointed out the Bloomington Digital Underground, the new investment in the Patterson road, the McDoel Switchyard project, the Indiana Enterprise Center and the Historic Conservation District. He said it was easy to support a concept called for in the Growth Policies Plan (GPP) being made into a reality.

Mayer added that this was an example of good policy that came from the GPP update. He said the time taken by staff, citizens and council members formed this good policy and thanked those folks and the petitioner along with the neighborhood.

Ruff thanked Lloyd and his associates for this nice project, and referring to the famous "Bud's Sandwich Shop," said he hoped that Bud Pavey's secret recipe for breaded tenderloin might be available in the grocery's deli.

Ordinance 04-02 received a roll call vote of Ayes: 8, Nays: 0.

It was moved and seconded that Ordinance 04-03 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 8-0. She announced that the public comment period on this item would serve as the legally advertised public hearing. It was moved and seconded that Ordinance 04-03 be adopted.

Ordinance 04-02 To Amend the Bloomington Zoning Maps from CG and RM7 to PUD and to Amend the List of Uses for Parcel C of the Thomson PUD – Re: 405-407 W. Patterson Drive (Randy Lloyd/McDoel Ventures, Petitioners)

Ordinance 04-03 To Vacate a Public Parcel – Re: A Portion of West Grimes Lane Between South Rogers Street and South Madison Street, a Portion of the 12' Alley Running

Randy Lloyd, Petitioner, said one of the neighbors had asked if the alley was going to be closed off, and said that the development had no intention of cutting off or closing the alley to pedestrian, bike or car traffic. He said it needed to remain open. Sturbaum asked for clarification of this and Lloyd said that even though the parking lot for the store would sit within this present right of way, the developers would not prevent passage through the area from the neighborhood through the alley to the parking lot.

Jack Baker, McDoel Gardens Neighborhood Association, said that there had been no persons approaching the executive board or the block captains with a negative comment regarding the vacation of right of way.

Baker informed Volan that there was a bench, limestone monument, and flowers in the portion of land mentioned earlier.

Volan asked what it actually meant for the city to be vacating property, to which Tom Micuda, Planning Director, stated that the ownership of the property was changing from the city to the petitioner. He added that it would allow him more flexibility of the parking lot design if he had actual ownership of the land. Micuda, when asked by Volan, said there would be property taxes paid on this parcel.

Ordinance 04-03 received a roll call vote of Ayes: 8, Nays: 0.

It was moved and seconded that Resolution 04-01 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 5-0-3. It was moved and seconded that Resolution 04-01 be adopted.

Ron Walker, Economic Development Director with the Office of the Mayor, said the petitioner, Randy Cassady, was seeking a ten year abatement on real property improvements. He said the site was a 6.81 acre site that contains the Woolery Stone Mill, an historic 76,000 square foot stone mill that has been vacant for some time. He said the reuse of the property would be done according to the Secretary of the Interior standards because the property is on the National Register. He said the project would consist of 42 apartments and condominiums, a 55 room hotel and conference space, a climbing gym facility, a restaurant, a brew pub and a 99 space parking facility. He added that the project would create 45 jobs excluding any connected with the construction of the project and that new wages were estimated at \$762,000 per year. He said the administration had reviewed the project at length and recommended a ten year abatement. Walker said it met the criteria for awarding an Economic Revitalization Area as well as an Economic Development Target Area and deductions for tax abatement because the site had experienced a lack of development; the characteristics of the property had impaired normal development and full utilization of the property. He said the project would encourage the retention of a local business, encourage creation of new businesses, expand employment opportunities and will encourage rehabilitation, preservation and restoration of a very visible and large historic property. He went on to say that the property was featured in the movie *Breaking Away* and had historic character that is quite special to the community. Walker said that in addition to the basic economic development criteria outlined in the city's policy and state code, there were other significant benefits. He said it would showcase the limestone heritage of Bloomington and could be a key piece in encouraging tourism around our limestone history; it would encourage additional development in the Tapp Road TIF district. He said Cassady, the petitioner, had expressed interest in continuing the Clear Creek Trail with perhaps limestone art on the property.

Approximately 65 feet South of the above Right-of-Way; and, a Portion of the West Side of Madison Street Between Grimes and Patterson Drive (Randy Lloyd/McDoel Grocery, Petitioner)

Resolution 04-01 To Designate an Economic Revitalization Area, Approve a Statement of Benefits, and Authorize a Period of Tax Abatement – Re: The Woolery Stone Mill Building Located at 2200 West Tapp Road (Woolery Ventures LLC, Petitioner)

Resolution 04-01 (cont'd)

Walker said his analysis projected an increase of \$1.2M in the Tapp Road TIF, while only \$73,000 would be generated from this property over the life of the TIF without the project. He added that both the Economic Development Commission and Redevelopment Commission unanimously supported this project.

Volan asked about the naming of the project to which Cassady answered that the name is the Quarry Inn at Woolery Mill with the name of the climbing gym being Hoosier Heights.

Gaal asked about the wages associated with the new jobs created at the hotel, climbing gym and brewpub. Walker said they would vary according to each facility, but would range from \$7.00 to \$25.00 per hour. He added that construction jobs would not figure into the job creation.

Rollo said because of the possibility of cultural tourism, it would be good to explore ways to connect this facility with Wapehani Park via bike trails.

Mayer asked Cassady if the Clear Creek Trail would be extended from the end of the trail to Sudbury. Cassady said it was his intent to do so and it was specified in the PUD. He added that it would be good to connect this to the new MCCSC school planned for the area, too.

Ruff asked if the petitioner would be receiving any grants to help with the rehabilitation or restoration of the property. Walker said there were a number of possibilities; however, the typical review of tax abatements did not include the inclusion of a financing package review of a project unless the city was the lender through one of its programs. He added that the petitioner had indicated that the project was largely a family investment with debt financing from a local Bloomington bank, and that with the investment in an historic property there was generally the option of an investor applying for tax credits.

Ruff asked if an historic component of projects, such as this one, helped meet any criterion requirements of an ERA for the State. Walker said that the city has some mention of this in the EDTA legislation, but needed to check further on the specifics. He said he would assume it would be favored because a primary goal of the State's tax abatement program is the rehabilitation and reuse of property. Ruff asked if he was confident that the intent was consistent with the idea to which Walker said yes. Ruff reiterated that the abatement was hinged on the fact that there had been a cessation of growth and that there were features of the property that impaired or discouraged normal investment. Walker said this petition met the criteria of both the Indiana Code and City of Bloomington policies.

Ruff asked if these conditions would apply to any other project on this site to which Walker said it would.

Larry Haywood gave the council members information from the National Highway Traffic Safety Administration stating that each alcohol related death on the highway in Indiana cost the state \$1.1M and each injury cost \$46,000 and added that last year ten persons lost their lives in alcohol related accidents. He added that taxes collected on the sale of alcohol were minimal while taxpayers would be burdened with costs of child welfare while parents spent money on alcohol.

Valerie Pena, Convention and Visitors' Bureau, said that her organization was strongly in favor of the project as it emphasized a limestone quarry type facility to recognize the historical aspect of

Monroe County and Bloomington, a long time goal of the Bureau. Pena said that the climbing gym would allow the Bureau to compete with other towns for national climbing competitions. She added that this type of project would also add resources and encouragement for other types of economic development in the area. She added that from a tourism perspective, this would be classified as a *destination*, something needed to stay ahead of the game in tourism.

Volan said he had been enlightened about the characteristics and appeal of a climbing gym and the Bureau's support and asked for (in the future) more information about growth of the facility should it be successful. He added that he appreciated and respected the concerns brought forward regarding alcohol on the premises, but that the problem was actually drinking in combination with driving. He said rejecting this proposal because it would allow drinking would not solve the problem presented.

Sturbaum said that public good is to be considered in the granting of a tax abatement, that this property had a lot of those and he would support it. He said it also solved the problem of the property in need of some solutions.

Gaal said he was looking forward to the project becoming a reality and noted that the tax abatement was limited to the old stone mill itself and was significant. He said the project would continue the Clear Creek Trail and would help edge it closer to the core of the city. He said it would help complete a fantastic bicycling loop for bikers in the area. He added that concern over \$7.00/hour jobs was an issue that the council should wrestle with in the future discussions of the criteria used in granting tax abatements. He said it was not the only rationale to be considered, especially in this case, but this project could help shape that discussion.

Rollo thanked Pena for her support of the project, and wished Cassady success with it. He said that this area of the city had important historic and environmental concerns. He said he also had concerns about wage levels, but was content to wait for a resolution to be brought forth in the near future that would tie payment of a living wage to tax abatements.

Ruff thanked Walker for an excellent summary of the abatement that he sent to the council. Ruff said that he was excited about the synergy of tourism and recreation with historic features in this area.

Ruff related that tax abatement approvals were always a struggle for him because while he looked for the public good he was often dispirited by events after the approval process. He told of a recent tax abatement in which the local company that was granted abatement was featured in a newspaper article about the purchase of luxury box football seat tickets costing the exact same amount of the tax abatement. He said this was followed by another report of the same company contributing \$18,000 to a political party.

Ruff said that he was concerned that with this project, a public subsidy would be contributing to the creation of low wage jobs that were not just going to be taken by high school students seeking part time jobs. He referred to Mr. Haywood's statement about stresses from economic bad times and the cycle of poverty in referring to the need for higher wage jobs.

In summation, Ruff said that there were presently no standards codified that would associate tax abatements with a living wage, but said he would be working towards this in the future. He added that the council needed standards along with flexibility in their judgments. He stated

that he knew the administration had carefully considered this project and was confident in the administrations' conclusion that this was worthy of the abatement.

Resolution 04-01 (cont'd)

Resolution 04-01 received a roll call vote of Ayes: 8, Nays: 0.

It was moved and seconded that Ordinance 04-05 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 8-0. It was moved and seconded that Ordinance 04-05 be adopted.

Ordinance 04-05 To Designate an Economic Development Target Area (EDTA) – Re: Woolery Stone Mill Building Located at 2200 West Tapp Road

Ron Walker, Economic Development Director, said that under tax law, certain uses of a property required the designation of an Economic Development Target Area. He cited retail and residential developments where less than twenty percent of the units were "affordable". He added that the geographic area was undesirable or impossible for normal development because of lack of development, cessation of growth, deterioration of improvement or character of the occupancy or that the geographic site has been designated as a historic district or contains a facility listed on the National Register of Historic Places. He said that this project would meet both criteria.

The question was called with no member taking the opportunity for questions or comments.

Ordinance 04-05 received a roll call vote of Ayes: 8, Nays: 0.

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

LEGISLATION FOR FIRST READING

Ordinance 04-06 To Designate an Economic Development Target Area (EDTA) – Re: Bloomington Paint and Wallpaper, Inc., Located at 1116 South Walnut Street

Ordinance 04-06

There was no public comment.

PUBLIC INPUT

The meeting was adjourned at 9:08 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Michael Diekhoff, President  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington

In the Council Chambers of the Showers City Hall on Wednesday, April 28, 2004 at 7:30 pm with Council Vice President Ruff presiding over a Regular Session of the Common Council

COMMON COUNCIL  
REGULAR SESSION  
April 28, 2004

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

ROLL CALL

Council Vice President Ruff gave the Agenda Summation.

AGENDA SUMMATION

There were no minutes to be approved.

APPROVAL OF MINUTES

Stephen Volan, Council Representative on the Solid Waste District Board of Directors, reported on recent actions of the board with respect to IDEM violations at the landfill and the prospect of either correcting them, closing the landfill, or privatizing the landfill operations. He added that the director was preparing plans for the board to consider and he invited anyone to call him with their concerns and questions regarding this issue.

MESSAGES FROM  
COUNCILMEMBERS

David Sabbagh reported with sadness that Henry O. Robbin, a council appointee to the Telecommunications Council had passed away, and extended sympathies to his family.

Tim Mayer announced that Bloomington Restorations had finished the restoration of a house on West 7<sup>th</sup> Street and said they were continuing to help to restore other parts of the neighborhood.

He thanked city offices that pitched in to help move furniture and supplies during a recent flood in the Clerk/Council office.

Mayer reported that Council President Diekhoff was not present because he was traveling to Washington, D.C., with city, county, Indiana University officials and members of the business community to meet with our congressional delegation.

He announced the opening of the new Skateboard Park on Kinser Pike and invited citizens to come to the ceremonies on Thursday, May 6, 2004.

Mayer told of the passing of Larry Burke, a citizen instrumental in saving the courthouse, saying he was a generally neat guy.

Chris Sturbaum reported on a recent trip to Philadelphia and Washington DC where he participated in a women's march on Washington. He said he was inspired by the historic perspectives of both geography and social history and challenged citizens to keep working for the preservation of democracy.

Gaal announced May was National Bike Month and that the City was sponsoring events to promote awareness of biking. He added that it was important to recognize the commitment of the City of Bloomington to a balanced transportation system in promoting quality of life.

Andy Ruff thanked Volan for all the time and work involved in his assignment to the Monroe County Solid Waste District, noting that it was a lot of work for someone who had only been with the council for four months.

There was no report from the Mayor.

MESSAGE FROM THE MAYOR

There were no council committee reports.

COMMITTEE REPORTS

Marc Haggarty spoke of water quality issues with our water supply. Haggarty also spoke about the recent death of James Borden in the county jail saying that it has raised the conscience of the community regarding jail issues of overcrowding, the use of Tasers, conditions and length of jail stays. He added that he has been taking oral histories of inmates and their families and said that certain neighborhoods may be targeted by police and sheriff deputies. He suggested a teen center or similar facility for youth on the west side of town to help prevent youth getting in trouble. Finally he questioned the lack of a member of low income on the Criminal Justice Coordinating Council.

PUBLIC INPUT

PUBLIC INPUT CONTINUED

Roberta McCloskey, a member of Citizens for Crisis Intervention Program, announced a non-partisan public meeting on Saturday, May 1, 2004. She said the goal of the program was to share experiences people have had with the criminal justice system and to brainstorm solutions to jail issues. The group hopes to have a forum on Tasers in the future.

There were no appointments to Boards or Commissions.

BOARD AND COMMISSION APPOINTMENTS

There was no legislation for final action.

LEGISLATION FOR SECOND READING

Ordinance 04-08 TO AMEND THE BLOOMINGTON ZONING MAPS FROM Q TO PUD AND TO ADOPT THE PRELIMINARY PLAN FOR THE SOUTHERN INDIANA MEDICAL PARK II PLANNED UNIT DEVELOPMENT RE: 2401 West Tapp Road (Southern Indiana Medical Park II, LLC, Petitioners)

LEGISLATION FOR FIRST READING

It was moved that Ordinance 04-08 be read by the Clerk by title and synopsis. The motion was lost for lack of a second.

Ordinance 04-08

There was no public comment.

PUBLIC INPUT

Ruff announced that since the motion was lost due to a lack of motion, a committee meeting scheduled for hearing information on the ordinance would not be held at the conclusion of the evening's regular session.

Meeting was adjourned at 8:00 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Michael Diekhoff, President  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington

In the Council Chambers of the Showers City Hall on Wednesday, May 5, 2004 at 7:30 pm with Council President Diekhoff presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
May 5, 2004

Roll Call: Diekhoff, Ruff, Gaal, Rollo, Sturbaum, Volan (arrived at 7:40), Sabbagh, Mayer  
Absent: Banach

ROLL CALL

Council President Diekhoff gave the Agenda Summation

AGENDA SUMMATION

There were no minutes to be approved.

APPROVAL OF MINUTES

Chris Sturbaum noted National Preservation Week and the publication of the Interim Report. He added that this reflected a professional look at our community and plans for future preservation in keeping the character of the city.

MESSAGES FROM  
COUNCILMEMBERS

David Sabbagh congratulated winners of the previous day's primary election.

Mayer asked citizens to participate in the Hoosier Hills Food Bank food drive, the largest one held annually. He also noted the next day's Skateboard Park opening and invited the community to participate.

Mike Diekhoff marked the end of the University school year by wishing IU students good luck in their final exams.

There was no message from the mayor.

MESSAGE FROM THE MAYOR

Duncan Campbell, advisory member to the Historic Preservation Commission, presented the Annual Report from the Commission and gave each council member a copy of "City of Bloomington Interim Report: Indiana Historic Sites and Structures Inventory." He highlighted the activities of the Commission in the past year including reports of the McDoel Conservation District and its new Historic Walking Tour Brochure. He reported on various projects and partnerships including WPA sidewalk repair, the Banneker Oral History project, Takings Law videos and presentations to Interior Design classes.

COMMITTEE REPORTS

- Historic Preservation  
Commission Annual Report

Rollo asked about the need for preservation of historic limestone quarries. Duncan said the historic quality of this industry is being lost in new technologies in the industry.

Mayer noted the restoration of the Raintree House on the IU campus. He reiterated the initiative to put this house on the National Historic Register.

Sturbaum noted the increase in home ownership in the McDoel neighborhood. He lauded Nancy Hiestand, Program Manager for Historic Preservation, Housing and Neighborhood Development Department, saying that this report would not have happened without her work.

Marc Haggarty reported on Empowering Silent Voices, a town hall meeting held on May 1, 2004 which examined problems in the criminal justice system regarding people who are disabled. He reiterated the need for a Crisis Intervention Team approach in Monroe County and said that the Committee for Crisis Intervention from Fort Wayne, Indiana, was ready to discuss this with the council.

PUBLIC INPUT



Mike Litwin, Environmental Commission chair, said he had a statement to read for the discussion on the Southern Indiana Medical Park petition from last week. He said that the southern portion of the property is one of Bloomington’s most significant greenspace. He said that the Environmental Commission had advocated the preservation of this area from 1997 and welcomed the news that the petitioner was willing to donate this land and try out the Growth Policies Plan in terms of preservation and acquisition of sensitive areas. He expressed disappointment that the petitioner was being asked to pay for the construction of a road through this area, sending a message that adherence to principles of environmental protection were important only when convenient. He asked that the council rethink long term thoroughfare alignment in the area. He said that roads can be placed in more than one location but greenspace can only be preserved where it exists now. He asked that this parcel be preserved for future citizens.

PUBLIC INPUT (cont’d)

Adam Neff, reporter from WGCL am 1370 radio assigned to cover the council, thanked all for their help and cooperation and added that he was graduating and leaving Bloomington.

It was moved and seconded that the following people be appointed:

BOARD AND COMMISSION APPOINTMENTS

- Barbara Fuqua MLK, Jr. Birthday Commission
- Deborah O’Brien Commission on the Status of Women
- Jeannie Walters Urban Enterprise Association Board
- Danielle Bachant-Bell Historic Preservation Commission (advisory)

It was moved and seconded that the following people be reappointed:

- Douglas Wissing Urban Enterprise Association Board
- Chris Smith Urban Enterprise Association Board
- David Walter Redevelopment Commission
- Jerry Hayes Redevelopment Commission
- James Rosenbarger Bicycle and Pedestrian Safety Commission
- Henry Glassie Historic Preservation Commission (advisory)
- Duncan Campbell Historic Preservation Commission (advisory)

It was moved and seconded that James Stewart’s appointment to the Historic Preservation Commission by the Mayor be confirmed.

All of the above were approved by a voice vote.

There was no legislation for final action

LEGISLATION FOR SECOND READING

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

LEGISLATION FOR FIRST READING

Ordinance 04-09 To Amend the Bloomington Zoning Maps from RS 3.5/PRO6 to PUD and to amend the Preliminary Plan for the Renwick Planned Unit Development (PUD) – Re: 2401 East Moore’s Pike (Ramsey Land Development, Petitioner)

Ordinance 04-09

There was no public input.

PUBLIC INPUT

The meeting was adjourned at 8:55 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Michael Diekhoff, President  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington