



# City of Bloomington Common Council

## Legislative Packet

### Wednesday, 18 April 2018 Regular Session

- For legislation, amendments, and background material regarding Ordinance 18-04 please consult the [7 March 2018 Legislative Packet](#), [21 March 2018 Legislative Packet](#) and [4 April 2018 Legislative Packet](#).
- For legislation and background material regarding Ordinance 18-05 please consult [21 March 2018 Legislative Packet](#).
- For legislation and background material regarding Resolution 18-06 please consult the [11 April 2018 Legislative Packet](#).
- All other materials are contained herein.

*For a schedule of upcoming meetings of the Council and the City's boards and commissions, please consult the City's [Calendar](#).*

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**Packet Related Material**

**Memo  
Agenda  
Notices**

*None*

**Legislation for Consideration under Second Readings and Resolutions  
at the Regular Session on April 18<sup>th</sup>**

- **Ord 18-05** To Amend Title 4 of the Bloomington Municipal Code (BMC) Entitled “Business Licenses and Regulations” (Amending Chapter 4.28, Entitled “Mobile Vendors,” to Provide for Appeal of Adverse Actions to the Board of Public Works)

Contacts: Philippa Guthrie: 812.349.3426/ [guthriep@bloomington.in.gov](mailto:guthriep@bloomington.in.gov)  
Larry Allen: 812.349.3557/ [allenl@bloomington.in.gov](mailto:allenl@bloomington.in.gov)

→ Please consult the packet issued in interest of the [21 March 2018](#) meeting for legislation and background material.

- **Ord 18-04** To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code - Re: Amending Fencing and Wall Standards and Some Related Definitions Set Forth in BMC 20.05.046(d) and BMC 20.11.020

Contact: Amelia Lewis at 812-349-3549/ [lewisa@bloomington.in.gov](mailto:lewisa@bloomington.in.gov)

→ Please consult the packet issued in interest of the [07 March 2018](#) meeting for legislation and background material.

→ Please consult the packet issued in interest of the [21 March 2018](#) meeting for Am 01 (successful) and Am 02 (defeated).

→ Please consult this packet and the packet issued in the interest of the [04 April 2018](#) meeting for Am 02a. Am 02a is sponsored by Councilmember Sturbaum and is an amendment by substitution intended to address the concerns raised by Councilmembers - re: open-top fencing (Am 02) at the meeting on 21 March. Note: It will need to be sponsored by a Council member who voted for its defeat on 21 March 2018.

*This measure was postponed at the 21 March meeting to the 04 April meeting and then placed on this agenda due to adjourning of that meeting prior to consideration of this item.*

- **Res 18-06** To Approve an Agreement between the City of Bloomington and IU Health for the Purchase of the Current Bloomington Hospital Site and Surrounding Outlots - Re: Parcels Located in and around the 400-800 Block of West 1<sup>st</sup> and West 2<sup>nd</sup> Street, Bloomington, Indiana

Contact: Philippa Guthrie at 812-349-3426, [guthriep@bloomington.in.gov](mailto:guthriep@bloomington.in.gov)

*→ Discussed at the Committee of the Whole on April 11<sup>th</sup> and ready for consideration under the Second Readings and Resolutions at the Regular Session on Wednesday, April 18<sup>th</sup>.*

*Please consult the legislative packet issued for the Special Session and Committee of the Whole on [11 April 2018](#) for legislation and background material.*

**Legislation to be Introduced under First Reading  
at the Regular Session on Wednesday, April 18<sup>th</sup>**

*→ With all Legislation and Background Material Contained in this Packet)*

- **App Ord 18-01** To Specially Appropriate from the General Fund, Parks General Fund, Local Road & Street Fund, Parking Meter Fund, Jack Hopkins Social Services Funding Program Fund, and Vehicle Replacement Fund Expenditures Not Otherwise Appropriated (Appropriating a Portion of the Amount of Funds Reverted to Various City Funds at the End of 2017 for Unmet Needs in 2018)
  - Memo to Council from Jeff Underwood, Controller

Contact: Jeff Underwood at 812-349-3412, [underwoj@bloomington.in.gov](mailto:underwoj@bloomington.in.gov)

- **App Ord 18-02** Additional Appropriation for Bloomington Transportation Corporation for 2018 (for Studies and Two Buses)
  - State Form 55819 – Certified Copy of Additional Appropriation (See Section II, E (Net Amount of Increase)
  - Budget Form 2 – Estimate of Miscellaneous Revenue
  - Memo to Council from Lew May, General Manager

Contact: Lew May at 332-5688 or [mayl@bloomingtontransit.com](mailto:mayl@bloomingtontransit.com)

**Minutes**

- 07 March 2018 Regular Session
- 04 April 2018 Regular Session
- 11 April 2018 Special Session

## Memo

### **Items for Consideration and Introduction at the Regular Session on Wednesday,**

There are three items ready for consideration under Second Readings and Resolutions and two items ready for introduction under First Readings next Wednesday night. As noted on the cover and above, four packets over the last month will need to be consulted for legislation and background material. Delving into a month or more of packets has become necessary because legislative items scheduled for consideration earlier were not considered before those prior meetings were adjourned.

### **Second Readings and Resolutions**

#### **Note on Item Two – Ord 18-04 (Amending the Unified Development Ordinance - Re: Fencing on Properties Bordered by More than One Street**

The second item ready for consideration under Second Readings and Resolutions is **Ord 18-04**. It came forward from the Plan Commission in February and has appeared on our agendas since March 7<sup>th</sup>. The legislation would amend the Unified Development Ordinance regarding fencing on properties bordered by more than one street. Please note that this legislation was postponed from March 21<sup>st</sup> to April 4<sup>th</sup> in order to provide time for Am 02, which was defeated that evening, to be revised and reconsidered on April 4<sup>th</sup>. Over that period, Am 02a, which is an amendment by substitution, was prepared and included in the packet for the April 4<sup>th</sup> Regular Session. Am 02, called for the portion of fencing forward of the secondary building wall which exceeds five feet in height to be of open-top construction. Am 02a revised the reference to “durable” materials to read materials “widely accepted in the fence industry for permanent open-topped fencing” and, as I understand it, is supported by P & T staff and has a Council member who voted on the prevailing side willing to make the motion to reconsider it.

### **First Readings**

#### **Item One - App Ord 18-01 – Appropriating from the General Fund, Parks General Fund, Local Road & Street Fund, Parking Meter Fund, Jack Hopkins Social Services Funding Program Fund, and Vehicle Replacement Fund – Using a Portion of Reversions in 2017 to Address Unmet Needs in 2018**

The first item to be introduced for First Reading next Wednesday is **App Ord 18-01**. It appropriates an additional \$2.083 million that reverted to five funds<sup>1</sup> at the end of 2017. Recall, that for the last two years, the Administration and Council have appropriated monies that reverted at the end of the previous year for use in the following year. In 2016, ~ \$2.79 million of funds that reverted at the end of 2015 were used primarily capital outlays (~\$2.6 million – largely for replacement of aging vehicles) and for training & education (~ \$190,000). And, in 2017, ~\$2.7 million of funds reverted at the end of 2016 were used again primarily for capital outlays (~ \$1.78 million – largely for capital/vehicle replacement) and for training, outside

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<sup>1</sup> This ordinance appropriates money in five funds: General Fund, Parks General Fund, Local Road & Street Fund, Parking Meter Fund, and Vehicle Replacement Fund.

services, and program support for grants and outreach efforts (~ \$885,000).

The appropriation of \$2.083 million is a little more than half of the \$3.92 million which reverted to seven funds<sup>2</sup> at the end of 2017. As the memo from Jeff Underwood, Controller, explains, the Mayor initiated this program in order to encourage “department heads to be good stewards of City’s funds and to strive to find innovative ways to become efficient as possible in utilizing these funds.” Much of the appropriation will be returned to the departments for their use (and early enough in the year to have a significant impact on their expenditures) and the rest will go towards the broader needs of the City.

### **Proposed Uses of Funds in 2018**

Here is an excerpt from Underwood’s Memo, highlighting some of the uses of the reversions to departments:

- ❖ Skill specific training for city employees
- ❖ Diversity training for City employees
- ❖ Department organizational reviews
- ❖ Capital funding for renovations of offices, replacement of HVAC and other equipment at the Showers complex
- ❖ Renovations at three fire stations
- ❖ Market study on the current housing stock and development of estimated future needs
- ❖ Office supplies, equipment and furniture
- ❖ Sanitation automation follow-up review
- ❖ Vehicle & equipment replacements
- ❖ Additional materials for street repair and maintenance
- ❖ New and upgraded software for ITS and other departments
- ❖ Additional funds for the rental deposit assistance program
- ❖ Dedicated funding for the newly created Jack Hopkins Social Service Fund

In addition, Underwood notes an emerging need from a number of departments due to “the unique opportunity we have to fund and develop ... major projects along with numerous smaller to mid-size projects over the next 3 to 5 years.”<sup>3</sup> To do these projects well, resources are required to manage them. While the overall costs for these project management services are estimated at \$600,000 - \$700,000 over the next 3 to 5 years, this appropriation ordinance requests \$200,000 for expenditure in 2018 .

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<sup>2</sup> Reversions at the end of 2017 went back into these seven funds: General Fund, Parks General Fund, Motor Vehicle Highway Fund, Local Road & Street Fund, Parking Facilities Fund, Parking Meter Fund, and Vehicle Replacement Fund.

<sup>3</sup> These include the Trades District, Convention Center, Current Hospital Site, the Switchyard Park along with numerous trails/sidepaths, building renovations, intersection improvements, and gateway projects.

Here's a breakdown of appropriations by Fund, Amount, and Budget Category:

**Appropriations by:**

<b><u>Fund</u></b>	<b><u>Appropriation</u></b>	<b><u>Category</u></b>
<b>General Fund (#101)</b>	\$1,128,774	Cat 1: \$41,000 <sup>4</sup> Cat 2: \$10,135 <sup>5</sup> Cat 3: \$508,639 <sup>6</sup> Cat 4: \$569,000 <sup>7</sup>
<b>Parks General Fund (#200)</b> Parks and Recreation Department	\$209,000	Cat 3: \$31,080 Cat 4: \$177,920
<b>Parking Meter Fund (#455)</b> Police Department	\$269,480	Cat 3: \$43,214 Cat 4: \$226,266
<b>Local Road &amp; Street Fund (#450)</b> Public Works	\$93,834	Cat 2: \$93,834
<b>Vehicle Replacement Fund (#610)</b> Controller	\$67,849	Cat 4: \$67,849
<b>Jack Hopkins Social Services Funding Program Fund (#610)</b> Controller	\$314,554	Cat 3: \$314,554

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**Total:** \$2,083,491 \$2,083,491\*

<b>* Total by Category:</b>	<b>Category 1</b>	Personnel	\$41,000
	<b>Category 2</b>	Supplies	\$103,969
	<b>Category 3</b>	Other Services and Charges	\$897,487
	<b>Category 4</b>	Capital	\$1,041,035

<sup>4</sup> Category 1 – includes the following requests: Animal Care & Control (\$38,000); Council Office (\$3,000).

<sup>5</sup> Category 2 – includes the following requests: Clerk (\$3,635); Council (\$4,000); CFR (\$2,500); and, HAND (\$12,000)

<sup>6</sup> Category 3 – includes the following requests: Animal Care & Control (\$4,000); Clerk (\$1,585); Council (\$3,000); Controller's Office (\$200,000); CFR (\$8,500; ESD (\$3,000); HAND (\$108,554); HR \$29,000; ITS (\$96,000); Planning & Transportation (\$27,000); Police (\$12,000); Public Works (\$16,000).

<sup>7</sup> Category 4 – includes the following requests: Animal Care & Control (\$15,000); PW-Facilities (\$468,000); Fire (\$57,000); and, PW (\$29,000).

## **Total Appropriation and Effect on Fund Balances**

According to the Underwood memo, this appropriation will leave about \$1,040,900 of the \$3,124,391 that departments reverted at the end of 2017 in the five funds subject to this appropriation.<sup>8</sup>

As a gauge of suitable reserves, the Memo cites the recommendation of Government Finance Officers Association (GFOA) that “general purpose governments ... maintain unrestricted budgetary fund balance in the general fund of no less than two months of regular general fund operating revenues or regular general fund operating expenditures.” According to the Memo, after this appropriation, there will be reserves amounting to four months of said revenue/expenditures.

By way of illustration, the Memo includes the year-end balances for the following funds (to which the Council Office added the column regarding this ordinance’s appropriations).

### **Appropriations by Fund**

<b><u>Fund</u></b>	<b><u>Appropriation</u></b>	<b><u>Balance at End of 2017</u></b>
<b>General Fund (#101)</b>	\$1,128,774	\$13,673,243
<b>Rainy Day Fund</b>	\$0	\$4,696,680
<b>Parks General Fund (#200)</b> Parks and Recreation Department	\$209,000	\$1,286,364
<b>Local Road &amp; Street Fund (#450)</b> Public Works	\$93,834	\$395,174
<b>Parking Meter Fund (#455)</b> Police Department	\$269,480	\$2,263,482
<b>Parking Facilities Fund (#452)</b> Public Works	\$0	\$2,313,703
<b>Alternative Transportation Fund (#454)</b> Planning and Transportation	\$0	\$1,147,977
<b>Motor Vehicle and Highway Fund (#451)</b> Public Works Department	\$0	\$1,164,365
<b>Cumulative Capital Development Fund (#601)</b>		

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<sup>8</sup> Please note that the \$3.92 million of reversions noted earlier in this memo were to seven funds, and this \$3.12 million figure applies to the five funds which are providing the appropriations in this ordinance..

Public Works	\$0	\$2,050,471
<b>Vehicle Replacement Fund (#610)</b>		
Controller	\$67,849	\$669,413
<b>Risk Management (#800)</b>		
Legal	\$0	\$363,671
<b>Fleet Maintenance (#802)</b>		
Fleet Maintenance	\$0	\$275,578
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<b>Total:</b>	\$1,768,497 <sup>9</sup>	\$30,300,121

**Item Two – App Ord 18-02 – Additional Appropriation for Bloomington Transit - \$406,250 for Studies and \$900,000 for Two Buses**

Since 2012, State law has required that any additional appropriations from Bloomington Transit must be approved by the Council, as the fiscal body charged with approving Transit’s annual budget.<sup>10</sup> App Ord 18-02 proposes an additional appropriation of \$1,306,250 to supplement the 2018 approved budget. This additional appropriation would leverage grant funds to pay for two studies and allow the purchase of two, 40-foot buses. Eighty Percent (80%) of the costs of these appropriations will be provided for by federal funding sources and 20% will be paid from the BT reserves.

The request for the buses is the result of a federal discretionary grant for \$720,000 (with \$180,000 of matching funds). The two studies include a Route Optimization Study (\$312,500) and an Operations/Maintenance Facility Condition Assessment Study (\$93,750), which are leveraged by \$325,000 of Federal planning funds via the Bloomington/Monroe County Metropolitan Planning Organization (MPO) and \$81,250 in local funds. Each item of this additional appropriation request is detailed in the accompanying memo by May and is summarized in the following table.

<b>Item</b>	<b>Federal Funding (80%)</b>	<b>BT Reserves (20%)</b>	<b>TOTAL</b>
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<sup>9</sup> This figure is less than the \$2.083 million appropriated by this ordinance because it does not include the \$314,554 appropriated to the Jack Hopkins Social Funding Program Fund. Please recall that all but \$14,554 of that amount is merely being transferred from the General Fund in HAND department to the newly established JHSSF Fund.

<sup>10</sup> I.C. §6-1.1-18-5(j) provides that, “[t]his subsection applies to an additional appropriation by a political subdivision that must have the political subdivision’s annual appropriations and annual tax levy adopted by a city, town, or county fiscal body under IC 6-1.1-17-20 or IC 36-1-23 or by a legislative or fiscal body under IC 36-3-6-9. The fiscal or legislative body of the city, town, or county that adopted the political subdivision’s annual appropriation and annual tax levy must adopt the additional appropriation by ordinance before the department of local government finance may approve the additional appropriation.



Class III – Services & Charges • Professional Services (2 studies)	\$325,00	\$ 81,250	\$406,250
Class IV - Capital • Grants (2 buses)	\$720,000	\$180,000	\$900,000
<b>Total</b>	<b>\$1,045,000</b>	<b>\$261,250</b>	<b>\$1,306,250</b>

As noted in the attached Budget Form 2 – Estimate of Miscellaneous Revenue - the Transit budget for 2018 projected revenue of \$9.66 million with revenue coming from these three top sources: Federal and State Grants (~\$4.28 million); State, Federal, and Local Payments in Lieu of Taxes (~\$2.54 million); Other Charges for Services, Sales, and Fees (~\$1.64 million). The certified copy of the additional appropriation indicates that approximately \$5.54 million in surplus funds is in the Special Transportation General Fund before this appropriation.

Lastly, note that as May makes clear in his memo, while the Transit Board of Directors is aware of these additional appropriations, the Board will consider final approval at its 17 April 2018 meeting.

**NOTICE AND AGENDA  
BLOOMINGTON COMMON COUNCIL REGULAR SESSION  
6:30 P.M., WEDNESDAY, APRIL 18, 2018  
COUNCIL CHAMBERS  
SHOWERS BUILDING, 401 N. MORTON ST.**

**I. ROLL CALL**

**II. AGENDA SUMMATION**

**III. APPROVAL OF MINUTES FOR:** 07 March 2018 Regular Session  
04 April 2018 Regular Session  
11 April 2018 Special Session

**IV. REPORTS (A maximum of 20 minutes is set aside for each part of this section.)**

- 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**

1. Ordinance 18-05 – To Amend Title 4 of the Bloomington Municipal Code (BMC) Entitled “Business Licenses and Regulations” (Amending Chapter 4.28, entitled “Mobile Vendors,” to Provide for Appeal of Adverse Actions to the Board of Public Works)

Committee Recommendation: Do Pass: 9-0-0

2. Ordinance 18-04 To Amending Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code (BMC) – Re: Amending Fencing and Wall Standards and Some Related Definitions Set Forth in BMC 20.05.046(d) and BMC 20.11.020

Committee Recommendation on March 7th: Do Pass: 2-0-6

Regular Session Action on March 21<sup>st</sup>

Am-01: Adopt: 9-0-0

Am-02, as amended: Adopt: 3-6-0

Motion to Postpone to Next Regular Session: Pass: 7-2-0

For Consideration

Am-02a Action Pending

3. Resolution 18-06 – To Approve an Agreement between the City of Bloomington and IU Health for the purchase of the Current Bloomington Hospital Site and Surrounding Outlots – Re: Parcels Located in and around the 400-800 Block of West 1<sup>st</sup> and West 2<sup>nd</sup> Street, Bloomington, Indiana.

Committee Recommendation: Do Pass: 9-0-0

**VII. LEGISLATION FOR FIRST READING**

1. App Ord 18-01 – To Specially Appropriate From the General Fund, Parks General Fund, Local Road & Street Fund, Parking Meter Fund, Jack Hopkins Social Services Funding Program Fund, and Vehicle Replacement Fund Expenditures Not Otherwise Appropriated (Appropriating a Portion of the Amount of Funds Reverted to Various City Funds at the End of 2017 for Unmet Needs in 2018)

2. App Ord 18-02 – Additional Appropriation for Bloomington Transportation Corporation for 2018 (for Two Buses and Studies)

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**VIII. ADDITIONAL PUBLIC COMMENT\*** (A maximum 25 minutes is set aside for this section.)

**IX. COUNCIL SCHEDULE**

**X. ADJOURNMENT**

\* Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment opportunities. Citizens may speak at one of these periods, but not both. Speakers are allowed five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.

\*\* Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call (812) 349 - 3409 or e-mail [council@bloomington.in.gov](mailto:council@bloomington.in.gov).

**APPROPRIATION ORDINANCE 18-01**

**TO SPECIALLY APPROPRIATE FROM THE GENERAL FUND, PARKS GENERAL FUND,  
LOCAL ROAD & STREET FUND, PARKING METER FUND, JACK HOPKINS SOCIAL  
SERVICES FUNDING PROGRAM FUND, AND VEHICLE REPLACEMENT FUND  
EXPENDITURES NOT OTHERWISE APPROPRIATED  
(Appropriating a Portion of the Amount of Funds Reverted to Various City Funds  
at the End of 2017 for Unmet Needs in 2018)**

- WHEREAS, the Animal Care & Control desires to increase its budget Classification 1 – Personal Services, Classification 3 – Services and Charges, & Classification 4 – Capital Outlays in order to provide for use of a grant from the Subaru Corporation for a pilot program to decrease length of stay, training and the installation of outdoor fencing; and
- WHEREAS, the City Clerk desires to increase its budget in Classification 2 – Supplies and Classification 3 – Services and Charges to provide for additional supplies, and training; and
- WHEREAS, the Council Office desires to increase its budget in Classification 1 – Personal Services, Classification 2 – Supplies and Classification 3 – Services and Charges in order to provide for additional funds for staff, supplies and training; and
- WHEREAS, the Controller’s Office desires to increase its budget in Classification 3 – Services and Charges, in order to provide for project management needs; and
- WHEREAS, the Community & Family Resources desires to increase its budget in Classification 2 – Supplies and Classification 3 – Services and Charges in order to provide additional supplies, education and training for City employees, and printing needs; and
- WHEREAS, the Office of Economic and Sustainable Development desires to increase its budget in - Classification 3 – Services and Charges in order to provide additional training; and
- WHEREAS, the Public Works Facilities Department desires to increase its budget in Classification 4 – Capital Outlays in order to provide for capital needs for the Showers Complex; and
- WHEREAS, the Fire Department desires to increase its budget in Classification 4 – Capital Outlays in order to provide for needed repairs at Stations 1, 3 & 4; and
- WHEREAS, the Housing & Neighborhood Development Department desires to increase its budget Classification 3 – Services and Charges in order to provide for a grant related to affordable housing, security deposits, and for a study on affordable housing inventory; and
- WHEREAS, the Human Resources Department desires to increase its budget in Classification 3 – Services and Charges in order to provide for outside services; and
- WHEREAS, the Information Technology Department desires to increase its budget in Classification 3 – Services and Charges, in order to provide for additional training and software; and
- WHEREAS, the Planning & Transportation Department desires to increase its budget in Classification 3 – Services and Charges, in order to provide for additional outside services and training; and
- WHEREAS, the Police Department desires to increase its budget in Classification 3 – Services and Charges in order to provide for training; and
- WHEREAS, the Public Works Department desires to increase its budget in Classification 3 – Services and Charges and Classification 4 – Capital Outlays in order to provide for outside services related to sanitation automation and vehicle replacement; and
- WHEREAS, the Parks Department for the Parks General Fund desires to increase its budget in Classification 3 – Services & Charges and Classification 4 – Capital Outlays in order to provide for outside consultant, equipment, and vehicle replacement; and

WHEREAS, the Public Works Department for the Local Road & Street Fund desires to increase its budget in Classification 2 – Supplies in order to provide for additional road materials; and

WHEREAS, the Police Department for the Parking Meter Fund desires to increase its budget in Classification 2 – Supplies, and Classification 4 – Capital Outlays in order to provide for additional supplies and vehicle replacement; and

WHEREAS, the City Council for the Jack Hopkins Fund desires to increase its budget in Classification 3 – Services and Charges, in order to provide for social service needs; and

WHEREAS, the Controller’s Office for the Vehicle Replacement Fund desires to increase its budget in Classification 4 – Capital Outlays in order to provide for vehicle replacement;

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

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

	AMOUNT REQUESTED
General Fund – Animal Care & Control	
Classification 1 – Personal Services	\$ 38,000.00
Classification 3 – Services and Charges	4,000.00
Classification 4 – Capital Outlays	\$ <u>15,000.00</u>
Total General Fund – Human Resources	<u>57,000.00</u>
General Fund – City Clerk	
Classification 2 – Supplies	\$ 3,635.00
Classification 3 – Services and Charges	\$ <u>1,585.00</u>
Total General Fund – City Clerk	<u>5,220.00</u>
General Fund – City Council	
Classification 1 – Personal Services	\$ 3,000.00
Classification 2 – Supplies	\$ 4,000.00
Classification 3 – Services and Charges	\$ <u>3,000.00</u>
Total General Fund – City Council	<u>10,000.00</u>
General Fund – Controller’s Office	
Classification 3 – Services and Charges	\$ <u>200,000.00</u>
Total General Fund – Controller’s Office	<u>200,000.00</u>
General Fund – Community and Family Resources	
Classification 2 – Supplies	\$ 2,500.00
Classification 3 – Services and Charges	\$ <u>8,500.00</u>
Total General Fund – Community and Family Resources	<u>11,000.00</u>
General Fund – Economic & Sustainable Development	
Classification 3 – Services and Charges	\$ <u>3,000.00</u>
Total General Fund – ESD	<u>3,000.00</u>
General Fund – Public Works - Facilities	
Classification 4 – Capital Outlays	\$ <u>468,000.00</u>
Total General Fund – Public Works - Facilities	<u>468,000.00</u>

General Fund – Fire	
Classification 4 – Capital Outlays	\$ 57,000.00
Total General Fund – Fire	<u>57,000.00</u>
General Fund – Housing & Neighborhood Development	
Classification 3 – Services and Charges	\$ 108,554.00
Total General Fund – Hand	<u>108,554.00</u>
General Fund – Human Resources	
Classification 3 – Services and Charges	\$ 29,000.00
Total General Fund – Human Resources	<u>29,000.00</u>
General Fund – Information Technology Services	
Classification 3 – Services and Charges	\$ 96,000.00
Total General Fund – ITS	<u>96,000.00</u>
General Fund – Planning & Transportation	
Classification 3 – Services and Charges	\$ 27,000.00
Total General Fund – Planning & Transportation	<u>27,000.00</u>
General Fund – Police	
Classification 3 – Services and Charges	\$ 12,000.00
Total General Fund – Police	<u>12,000.00</u>
General Fund – Public Works	
Classification 3 – Services and Charges	\$ 16,000.00
Classification 4 – Capital Outlays	29,000.00
Total General Fund – Public Works	<u>45,000.00</u>
<b>Grand Total General Fund (Fund #101)</b>	<b>\$ 1,128,774.00</b>
<b>Parks General Fund</b>	
Classification 3 – Services and Charges	\$ 31,080.00
Classification 4 – Capital Outlays	\$ 177,920.00
Total Parks General Fund - Parks	<u>209,000.00</u>
<b>Grand Total Parks General Fund (Fund # 200)</b>	<b>\$ 209,000.00</b>
<b>Parking Meter Fund – Police</b>	
Classification 2 – Supplies	\$ 43,214.00
Classification 4 – Capital Outlays	\$ 226,266.00
Total Parking Meter Fund - Police	<u>269,480.00</u>
<b>Grand Total Parking Meter Fund (Fund #455)</b>	<b>\$ 269,480.00</b>
<b>Local Road &amp; Street – Public Works</b>	
Classification 2 – Supplies	\$ 93,834.00
Total Local Road & Street Fund – Public Works	<u>93,834.00</u>
<b>Grand Total Local Road &amp; Street Fund (Fund #450)</b>	<b>\$ 93,834.00</b>

**Vehicle Replacement Fund – Controller**

Classification 4 – Capital Outlays \$ 67,849.00  
Total Vehicle Replacement Fund – Controller 67,849.00

**Grand Total Vehicle Replacement Fund (Fund #610) \$ 67,849.00**

**Jack Hopkins Fund – Common Council**

Classification 3 – Services and Charges \$ 314,554.00  
Total Jack Hopkins Fund – Controller 314,554.00

**Grand Total Jack Hopkins Fund (Fund #270) \$ 314,554.00**

**Grand Total All Funds \$ 2,083,491.00**

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
DOROTHY GRANGER, President  
Bloomington Common Council

ATTEST:

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

**SYNOPSIS**

This ordinance appropriates an additional \$1,768,937 of funds from the General Fund, Parks General Fund, Local Road and Street Fund, Parking Meter Fund, and the Vehicle Replacement Fund. This amount is a portion of the \$3,124,391 reverted to various City funds at the end of last year and will be used for temporary labor, supplies training, outside services, grants, equipment, and capital replacements. And this ordinance also appropriates \$300,000 for the Jack Hopkins Fund for 2018 and the balance of \$14,554 from 2016 and 2017.



**JOHN HAMILTON  
MAYOR**

CITY OF BLOOMINGTON

401 N Morton St  
Post Office Box 100  
Bloomington IN 47402

**JEFFREY H. UNDERWOOD  
CONTROLLER**

CONTROLLER'S OFFICE

p 812.349.3416  
f 812.349.3456  
controller@bloomington.in.gov

## Memorandum

**To:** Council Members  
**From:** John Hamilton, Mayor & Jeffrey Underwood, Controller  
**Date:** April 12, 2018  
**Re:** Appropriation Ordinance 18-01

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Appropriation Ordinance 18-01 represents our request to appropriate a portion of the 2017 year-end budget reversions.

By the end of 2017, departments reverted a total of \$3,919,806 in seven (7) funds (General Fund, Parks General Fund, Motor Vehicle Highway, Local Road & Streets, Parking Facilities, Parking Meter, and Vehicle Replacement).

As the Mayor has discussed on several occasions, it is his goal for Department Heads to be good stewards of the City's funds and to strive to find innovative ways to become as efficient as possible in utilizing these funds. It was also his goal to share savings with the Departments on an equal basis. This proposed ordinance reflects those goals. Departments, including the Council and Clerks office, were presented with their share of savings and asked to prepare a plan for the use of those funds.

These requests include funds for:

- ❖ Skill specific training for city employees
- ❖ Diversity training for City employees
- ❖ Department organizational reviews
- ❖ Capital funding for renovations of offices, replacement of HVAC and other equipment at the Showers complex
- ❖ Renovations at three fire stations
- ❖ Market study on the current housing stock and development of estimated future needs
- ❖ Office supplies, equipment and furniture
- ❖ Sanitation automation follow-up review
- ❖ Vehicle & equipment replacements
- ❖ Additional materials for street repair and maintenance
- ❖ New and upgraded software for ITS and other departments
- ❖ Additional funds for the rental deposit assistance program
- ❖ Dedicated funding for the newly created Jack Hopkins Social Service Fund

As we discussed reversion requests, a number of departments expressed a need for Project Management resources. As you are aware, we have a unique opportunity to fund and develop a number of major projects along with numerous smaller to mid-size projects over the next 3 to 5 years. These projects include the Trades District, Convention Center, Current Hospital Site and the Switchyard Park. Along with these, we have a number of Trails/Side Path projects, building renovations and intersection and gateway projects. These important and unique opportunities also create a strain on City resources. In assessing those needs, and our existing capacity, we have concluded that there is a need to add both temporary and possibly permanent resources. We estimate that the overall cost for this need will be \$600,000 to \$700,000. To that end, we are requesting \$200,000 in funding in the Controller's office budget to obtain resources for these projects.



**Conclusion:**

The total amount of these requests is \$2,083,491 from a total reversion in these funds of \$3,124,391. This leaves reversions of \$1,040,900 that will remain in the cash reserves.

The Government Finance Officers Association (GFOA) recommends, at a minimum, that general-purpose governments, regardless of size, maintain unrestricted budgetary fund balances in their general fund of no less than two months of regular general fund operating revenues or regular general fund operating expenditures.

After this appropriation of these reversions, we will continue to maintain reserves equal to four months of general fund operating expenditures. Following is an exhibit showing our year end cash balances.

City of Bloomington	
2017 ending Cash Balances	
General	\$13,673,243
Rainy Day Fund	\$ 4,696,680
Parks & Rec General	\$ 1,286,364
Local Road And Street	\$ 395,174
Motor Vehicle Highway	\$ 1,164,365
Parking Facilities	\$ 2,313,703
Alternative Transportation	\$ 1,147,977
Parking Meter	\$ 2,263,482
Cumulative Cap Develop	\$ 2,050,471
Vehicle Replacement	\$ 669,413
Risk Management	\$ 363,671
Fleet Maintenance	\$ 275,578
Total	\$ 30,300,121

Thank you for the consideration of this request.

**APPROPRIATION ORDINANCE 18-02**  
**ADDITIONAL APPROPRIATION FOR BLOOMINGTON TRANSPORTATION CORPORATION FOR 2018**  
**(for Two Buses and Studies)**

WHEREAS, It has been determined that it is now necessary to appropriate more money than was originally appropriated in the annual budget; now, therefore:

Be it ordained by the BLOOMINGTON COMMON COUNCIL that for the expenses of BLOOMINGTON TRANSPORTATION the following additional sums of money are hereby appropriated out of the fund named and for the purposes specified, subject to laws governing the same:

Fund Name: Transit Fund

Budget Class III-Services and Charges	\$ 406,250
Budget Class IV-Capital	900,000
 TOTAL for Transit Fund	 <u>\$1,306,250</u>

Adopted the 2nd day of May, 2018.

<u>Name</u>	<u>(circle one)</u>			<u>Signature</u>
Dorothy Granger, President	Aye	Nay	Abstain	_____
Isabel Piedmont-Smith, Vice President	Aye	Nay	Abstain	_____
Steve Volan, Parliamentarian	Aye	Nay	Abstain	_____
Allison Chopra	Aye	Nay	Abstain	_____
Dave Rollo	Aye	Nay	Abstain	_____
Andy Ruff	Aye	Nay	Abstain	_____
Susan Sandberg	Aye	Nay	Abstain	_____
Jim Sims	Aye	Nay	Abstain	_____
Chris Sturbaum	Aye	Nay	Abstain	_____

ATTEST:

<u>Name</u>	<u>Title</u>	<u>Signature</u>
Nicole Bolden	City Clerk	_____

MAYOR ACTION *(For City Use Only)*

<u>Name</u>	<u>Circle One</u>	<u>Signature</u>	<u>Date</u>
John Hamilton	Approve      Veto	_____	_____



**CERTIFIED COPY OF ADDITIONAL APPROPRIATION**  
 State Form 55819 (R3 / 11-17)  
 PRESCRIBED BY THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE

**Section I**

When reporting the appropriation of bond proceeds, complete Section I; lines A, B, C and 5 of Section II; Section III; and Section IV.

UNIT NAME: Bloomington Public Transportation Corporation  
 COUNTY NAME: Monroe  
 Date of Publication (month, day, year): 4/21/2018 Newspaper Name: Herald-Times  
 Date of Publication (month, day, year): N/A Newspaper Name: N/A  
 Date of Public Hearing (month, day, year): 5/2/2018  
 Date Resolution Passed (month, day, year): 5/2/2018

Unit Number: 0951  
 County Number: 53

<b>DLGF USE ONLY</b>
Date Received (month, day, year): _____
Order Number: _____

**Section II**

Complete a column for each fund for which the additional appropriations are being made. Values omitted from the sheet may impact the Department's review and approval of the request. Rows A and B should be completed using the fund number and fund name as listed on the Fund Report of the Final 1782 Notice issued by the Department. A listing of these values may be found at: <http://www.in.gov/dlqf/files/pdf/170630%20-%20Jones%20Memo%20-%20Additional%20Appropriations%20-%20Supplemental%20Information.pdf>

A. DLGF Fund Number	8001					
B. Fund Name	Special Tran General					
C. Appropriation Amount Requested	\$1,306,250.00					
D. Amount by Reduction (Enter as a positive number.)						
E. Net Amount of Increase (C minus D.)	\$1,306,250.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1. Property Tax Levy (Line 16)	\$1,264,465.00					
2. Levy Excess (Line 15)	\$0.00					
3. PTRC from Local Income Tax (LIT) (Line 13A)	\$0.00					
4. LIT Levy Freeze Amount (Line 13B)	\$0.00					
5. Misc. Revenue (Line 8B) (See Note #1.)	\$9,665,627.00					
6. January 1 Cash Balance (Include investments.)	\$6,802,782.00					
7. Subtotal of Funds (Add 1 thru 6.)	\$17,732,874.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8. Less Circuit Breaker (Amount From Circuit Breaker Report)	\$41,880.00					
9. Total Funds (7 minus 8.)	\$17,690,994.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
10. DLGF Approved Budget (Line 1C)	\$9,800,458.00					
11. Encumbered Appropriations Carried Forward From Previous Year	\$2,346,896.00					
12. Temporary Loans Outstanding as of January 1	\$0.00					
13. Beginning Obligations (Add 10 thru 12.)	\$12,147,354.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
14. Surplus Funds (9 minus 13.)	\$5,543,640.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
15. Previous additional appropriation(s) approved since January 1, less any reductions in appropriations.	\$0.00					
16. Amount transferred to the Rainy Day Fund (See Note #2.)	\$0.00					
17. Surplus Funds Remaining (14 minus 15 minus 16.)	\$5,543,640.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Note #1: If amount report on Row 5 is higher than 8B amount, then a revised Budget Form 2 must be attached with the Additional Appropriation Request.  
 Note #2: Row 16 cannot be used for additional appropriations for the rainy day fund. Transfers to the rainy day fund are entered as miscellaneous revenues on Line 5.

**Section III**

Please check the requested method for the Department to inform your unit of the status of the Additional Appropriation Request.

Check One:

- Follow Up Via E-mail browninc@bloomingtontransit.com  
 E-mail Address(es)  
 Follow Up Via Mail \_\_\_\_\_  
 Mailing Address (Number, Street, City, State, ZIP Code)

**Section IV**

I, \_\_\_\_\_ fiscal officer of \_\_\_\_\_, do hereby certify that the above information is true and correct.  
 (Please Print) (Please Print)

Signature \_\_\_\_\_ Title \_\_\_\_\_ Telephone Number \_\_\_\_\_ Date (month, day, year) \_\_\_\_\_

Completed additional appropriation requests may be submitted to the Department via e-mail at [AdditionalAppropriationRequests@dlgf.in.gov](mailto:AdditionalAppropriationRequests@dlgf.in.gov) or via fax (317) 974-1629.

# Budget Form 2 - Estimate of Miscellaneous Revenue

Year: 2018 County: Monroe Unit: 0951 - Bloomington Transportation

Fund	Revenue Code	Revenue Name	July 1 - December 31, 2017	January 1 - December 31, 2018
8001 - SPECIAL TRANSPORTATION GEN	R112	Financial Institution Tax distribution	\$5,323	\$10,381
8001 - SPECIAL TRANSPORTATION GEN	R114	Motor Vehicle/Aircraft Excise Tax Distribution	\$26,170	\$51,730
8001 - SPECIAL TRANSPORTATION GEN	R119	State, Federal, and Local Payments in Lieu of Taxes	\$1,355,971	\$2,538,801
8001 - SPECIAL TRANSPORTATION GEN	R134	Federal and State Grants and Distributions - Other	\$4,147,631	\$4,278,793
8001 - SPECIAL TRANSPORTATION GEN	R135	Commercial Vehicle Excise Tax Distribution (CVET)	\$1,950	\$3,901
8001 - SPECIAL TRANSPORTATION GEN	R138	Local Income Tax (LIT) Certified Shares	\$230,939	\$481,041
8001 - SPECIAL TRANSPORTATION GEN	R423	Other Charges for Services, Sales, and Fees	\$832,090	\$1,641,765
8001 - SPECIAL TRANSPORTATION GEN	R913	Other Receipts	\$130,193	\$659,215
<b>SPECIAL TRANSPORTATION GEN</b>			<b>\$6,730,267</b>	<b>\$9,665,627</b>
<b>0951 - BLOOMINGTON TRANSPORTATION Total</b>			<b>\$6,730,267</b>	<b>\$9,665,627</b>



# Bloomington Public Transportation Corporation

130 West Grimes Lane, Bloomington, Indiana 47403  
812.332.5688 Fax 812.332.3660



To: Bloomington Common Council

From: Lew May, General Manager

Date: April 6, 2018

Re: Additional Appropriation Ordinance

The Bloomington Public Transportation Corporation (BPTC) respectfully requests Council approval of an additional appropriation ordinance in the total amount of \$1,306,250 for the 2018 budget to provide the necessary budget authority for the following additional budget expenses:

### 2018 Budget – Requested Additional Appropriations

Class III Line Item	Total Amount
Professional Services	\$406,250
Class IV Line Item	
Bus Replacement – Two (2) 40-ft Buses	\$900,000
<b>Total Class III and Class IV Additional Appropriations</b>	<b>\$1,306,250</b>

The requested \$406,250 would be to conduct two (2) planning studies including a Route Optimization Study (\$312,500) and an Operations/Maintenance Facility Condition Assessment Study (\$93,750). Revenue for these studies would come from \$325,000 of Federal planning funds provided by the Bloomington/Monroe County Metropolitan Planning Organization (MPO). BPTC would provide the 20 percent local match amount of \$81,250.

The requested \$900,000 would be to purchase two (2) 40-foot diesel buses that would replace older vehicles. Yesterday, the U.S. Department of Transportation announced publicly that BPTC was selected to receive a Federal discretionary grant of \$720,000 to fund 80 percent of the cost of these two (2) buses. The 20 percent local match in the amount of \$180,000 would be provided by BPTC.

A copy of our additional appropriation ordinance is included for your consideration. The BPTC Board of Directors will consider final approval of the ordinance at its April 17, 2018 meeting. Under Indiana law, the Bloomington Common Council must approve additional appropriation ordinances for BPTC for our 2018 budget. I look forward to presenting the Additional Appropriations Ordinance at your April 25 and May 2 Council meetings.

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, March 7, 2018 at 6:30pm with Council President Dorothy Granger presiding over the Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
March 7, 2018

Roll Call: Ruff, Sturbaum, Chopra, Piedmont-Smith, Granger, Volan, Sandberg, Sims  
Members Absent: Rollo

ROLL CALL  
[6:30pm]

Council President Dorothy Granger gave a summary of the agenda.

AGENDA SUMMATION  
[6:32pm]

Councilmember Susan Sandberg moved and it was seconded to approve the minutes of February 7, 2018. The motion was approved by voice vote.

APPROVAL OF MINUTES [6:32pm]  
February 7, 2018 (Regular Session)

Councilmember Allison Chopra thanked a city employee named Robert who helped her when she had a flat tire.

REPORTS

- COUNCIL MEMBERS  
[6:34pm]

Councilmember Steve Volan thanked Brian Hancock of the Indiana University Student Association for organizing a forum between the City Council and students.

There were no reports from the Mayor or city offices.

- The MAYOR AND CITY OFFICES

There were no reports from Council Committees.

- COUNCIL COMMITTEES

There was no public comment.

- PUBLIC

Sandberg moved and it was seconded to appoint Laura Alford to the Commission on the Status of Children and Youth. The motion was approved by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS  
[6:36pm]

Volan moved and it was seconded to reappoint Eric Dockendorf to the Bloomington Digital Underground Advisory Committee. The motion was approved by voice vote.

Volan moved and it was seconded to appoint Trent Deckard to the Traffic Commission. The motion was approved by voice vote.

Volan moved and it was seconded to appoint Erica Walker, Zoe Need, and Morgan Taylor to the Environmental Commission. The motion was approved by voice vote.

Volan moved and it was seconded that Ordinance 18-01 be introduced and read by title and synopsis only. The motion was approved by voice vote. City Clerk Nicole Bolden read the legislation by title and synopsis.

LEGISLATION FOR SECOND READING AND RESOLUTIONS  
[6:37pm]

Volan moved and it was seconded that Ordinance 18-01 be adopted.

Ordinance 18-01 – To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code (BMC) – Re: Sidewalk Requirements and Sidewalk Variances Set Forth in BMC 20.05.010, 20.05.051, 20.09.130, 20.09.135 & 20.11.020

Jacque Scanlan, Interim Development Services Manager of the Planning and Transportation Department, presented the legislation.

Councilmember Isabel Piedmont-Smith asked why the city would want to negotiate right-of-way acquisition from someone who held a determinate sidewalk variance.

Dan Sherman, Council Attorney, suggested striking section one and revising it before adoption.

Council Questions:

Chopra asked how and why the Council Attorney was making suggestions regarding proposed legislation.

Sherman said his suggestions stemmed from his work as the administrator for the Council Sidewalk Committee.

Chopra asked if his suggestions were at the request of a councilmember.

Sherman said there were two amendments sponsored by a councilmember that stemmed from his comments the previous week.

Chopra asked if his suggestions were prompted by a councilmember or if he brought them forward on his own.

Sherman said he made the suggestions on his own.

Chopra said it seemed unusual to her for an attorney to weigh in on legislation and asked if it was normal.

Sherman said that it was unusual to have the administrator run a program and see its implications for actions in front of the Council.

Chopra asked if it was because of that particular program that Sherman had made suggestions on proposed legislation.

Sherman said that was correct.

Sturbaum said that both of the amendments were supposed to be sponsored by councilmembers and that he had discussed Sherman's proposals, which were based on some of Sturbaum's previous comments.

Volan asked if people who were required to install sidewalks under the home occupation section would be allowed to take the sidewalks out if that section were removed.

Scanlan said she would have to consult with the Legal Department.

Volan wondered if the intent was to allow removal.

Scanlan said the intent was to diminish large-scale up front expenses for people who might be starting businesses from their homes.

Councilmember Chris Sturbaum moved and it was seconded to adopt Amendment 01 to Ordinance 18-01.

Amendment 01 to Ordinance 18-01

Amendment 01 Synopsis: This amendment is sponsored by Councilmember Sturbaum and would delete Section 1 from Ord 18-01. According to Planning and Transportation staff, the primary effect of Section 1 would be to remove the requirement that sidewalks be included in site plans for all new single-family residences to be built on existing legal lots of record on neighborhood streets. The rationale for striking Section 1 (i.e. keeping the sidewalk requirement) is that the department should more carefully explore how the private sector might be enlisted in the effort to install these neighborhood sidewalks before proposing eliminating this existing sidewalk obligation.

Sturbaum explained the amendment to the Council.

Chopra asked staff for a response to the amendment.

Scanlan asked the Council to refrain from passing the amendment.

Sandberg asked if the section was in response to a perceived hardship for homeowners.

Scanlan said yes, in some cases.

Sandberg asked if installing a sidewalk cost approximately five to six thousand dollars.

Amendment 01 to Ordinance 18-01  
(cont'd)

Scanlan said the cost, based on a 60-foot frontage with ideal conditions (which was not typical), was about two to three thousand dollars.

Piedmont-Smith asked how many items on the Council Sidewalk Committee priority list fell into the category of single-family infill development on neighborhood streets.

Sherman said about 40% of the priority list included projects on neighborhood streets.

Scanlan said there were 24 lots and nine half lots.

Piedmont-Smith asked how many of those lots were in the Bryan Park neighborhood.

Scanlan said eight or nine.

Sturbaum asked if the ideal was to grant determinate variances to people rather than force them to build a sidewalk.

Scanlan said the existing regulations had become more cumbersome. She said that staff felt it was appropriate to exempt that type of development.

Sturbaum asked if the amendment was a cleaner way to maintain the determinate variance.

Scanlan said they were not getting rid of determinate sidewalk variances.

Volan asked if local roads and neighborhood streets were the same thing.

Scanlan said they were.

Volan asked if granting the amendment would mean that the Alternative Transportation standards would apply to all site plans.

Scanlan said it would.

Volan asked if the ordinance was meant to exempt local roads from having put in sidewalks for the occasional house without sidewalks.

Scanlan said that was correct.

Volan said he did not understand the problem the amendment was meant to correct.

Sturbaum said the point of easing the criteria was to reduce the burden on citizens.

Councilmember Andy Ruff asked if the city would be able to use a pedestrian easement for any other purpose.

Scanlan said that she did not think so.

Piedmont-Smith asked how a property owner could obtain a determinate variance.

Scanlan said owners would have to pay a \$100 fee, meet with a city planner, write a petitioner's statement, notify the neighbors, and make an appearance at a public hearing. She said that if the variance was granted the owners would then have to record the agreement at the county recorder's office.

Piedmont-Smith asked if they had to go to the Board of Zoning Appeals (BZA) or if it could be the Hearing Officer.

Scanlan said that it could be the Hearing Officer.

Sandberg asked if there were standards for the sidewalks that were required to be installed.

Scanlan said historically the installations were somewhat piecemeal. She said the requirements were for a five foot sidewalk and a five-foot tree planting area, but they were not all standard.



Piedmont-Smith asked if it was always better to have a sidewalk than to not have a sidewalk. She gave an example where trees would have to be removed on a quiet, dead-end street in order to install a sidewalk.

Sturbaum said he could see maintaining those trees. He believed the city should ask for a determinate variance rather than not asking for them anymore.

Volan asked how Sturbaum's second amendment would be impacted if Amendment 01 was not approved and wondered why he did not prepare them together.

Sturbaum said the second amendment clarified the difference between the amendments and applied more broadly than Amendment 01.

Volan asked if there was a higher standard for getting a permanent waiver versus a determinate waiver.

Scanlan said that both required a public hearing with either the BZA or the Hearing Officer.

Volan asked why anyone would apply for a determinate waiver instead of a permanent one if one did not want to build a sidewalk.

Scanlan said that decision was made after discussions with staff and based on the characteristics of the lot.

Volan asked who authored the amendments.

Sherman said that he suggested the amendment, and Rollo offered to sponsor. Sherman said he thought the legislation was good from a planning perspective but questioned whether it was a good idea from a transportation perspective.

Chopra asked staff to clarify how the legislation was beneficial to everyone.

Scanlan said the legislation had been discussed for a couple of years. She said the Planning and Transportation Department had numerous conversations about the changes to the UDO.

Sandberg asked if Amendment 03 was compatible with Amendment 01 and Amendment 02.

Granger said Amendment 03 was not related to Amendment 02 at all. She said if Amendment 01 did not pass the proposal was to require someone to build a sidewalk if there were sidewalks on both sides of the lot.

Sturbaum read the synopsis for Amendment 01 to staff and asked if it was accurate.

Scanlan said that it was accurate.

Piedmont-Smith asked for clarification of an earlier statement that the legislation had been presented to the Bicycle and Pedestrian Safety Commission.

Scanlan noted that the Commission did not have a quorum on the night it was presented, so it did not issue an official response. She said that those in attendance were in support of the legislation.

Piedmont-Smith asked when its next meeting was.

Scanlan said that she would check and get back to the Council.

Piedmont-Smith asked when it was taken to the commission.

Scanlan said it was presented to the commission in December and had not been discussed at the next meeting.

Ruff asked why staff objected to the amendment.

Scanlan said that they did not think the requirement was necessary and that the cost burden on the homeowner was excessive in relation to community value. She noted that variances were not guaranteed and asking citizens to go through the process to get one was not worth the effort it entailed.

Ruff asked if staff concerns were for the homeowner while Council concerns were geared more toward the long term effects.

Scanlan said the city was trying to make the leap from the up-front costs to the end goals of the city. She noted that the city did not have the funds to install sidewalks on every street and wanted to balance the impacts of the law on the citizens.

Sturbaum said that not passing the amendment would be waiving any responsibility of a developer to put in a sidewalk. He said the amendment was an attempt to maintain commitments for future sidewalks that should have been built when the houses were built.

Chopra said that she would not support the amendment. She said she trusted the administration's assessment and experience. She said she was willing to forgo a few patches of sidewalk.

Ruff said he appreciated the careful consideration that staff brought to the issue. He said that he appreciated the counsel of the Council Attorney and thought it was appropriate for him to have weighed in on the issue. He said he would follow the guidance of staff on the issue.

Volan said it was a complex problem. He said the discussion highlighted the logic of the merger of Planning and Transportation. He said that he had trouble supporting the amendment. He said he would prefer Amendment 03.

Sandberg said that it was a tough decision and she would vote no on the amendment.

Councilmember Jim Sims said that it was a difficult decision and he did not support the amendment.

Piedmont-Smith said that a determinate sidewalk variance was problematic because it was unclear when and why it could be called in. She said she understood Sturbaum's concerns. She stressed that it was important to enforce standards for all sidewalks even if the amendment did not pass. She encouraged staff to work on that issue. She said the burdens outweighed the benefits of the amendment and she would not vote for it.

The motion received a roll call vote of Ayes: 0, Nays: 6, Abstain: 2 (Sturbaum, Granger) FAILED.

Sturbaum said that he withdrew Amendment 02.

Granger moved and it was seconded to adopt Amendment 03 to Ordinance 18-01.

Amendment 03 Synopsis: This amendment is sponsored by Councilmember Granger. It would amend Section 1 to continue to require the installation of sidewalks for single family residences built on existing lots of records on neighborhood streets in those instances where there are pedestrian facilities adjacent to that lot.

Amendment 01 to Ordinance 18-01  
(cont'd)

Council Comment:

Vote on Amendment 01 to  
Ordinance 18-01 [8:01pm]

Amendment 03 to Ordinance 18-01

Granger explained the amendment to the Council.

Scanlan said that staff did not have any objections to the amendment.

Volan asked if the picture of 1610 West 7<sup>th</sup> Street was the best illustration of the proposed change.

Scanlan and Granger agreed that it was.

Chopra asked why Granger thought it was important to bring the amendment.

Granger said it seemed important and thought it would encourage others in neighborhoods to follow suit.

Volan asked how many other properties would fall under the proposed amendment.

Scanlan said that she was not certain, but of eleven projects the previous year, two would have been impacted by the amendment.

Chopra said she supported the amendment.

Sims said that he supported the amendment.

The motion adopt Amendment 03 to Ordinance 18-01 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

The motion to adopt Ordinance 18-01 as amended received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Volan moved and it was seconded that Ordinance 18-04 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read the legislation by title and synopsis.

Volan moved and it was seconded that Ordinance 18-06 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read the legislation by title and synopsis.

Chopra moved and it was seconded to cancel the Internal Work Session scheduled for Friday, March 9, 2018. The motion was approved by voice vote.

Chopra moved and it was seconded to hold a Committee of the Whole on March 21, 2018 and a Special Session on March 28, 2018. The motion was approved by voice vote.

Amendment 03 to Ordinance 18-01  
(cont'd)

Council Questions:

Council Comment:

Vote on Amendment 03 to  
Ordinance 18-01 [8:07pm]

Vote on Ordinance 18-01 as  
amended [8:08pm]

LEGISLATION FOR FIRST READING

Ordinance 18-04 – To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code (BMC) - Re: Amending Fencing and Wall Standards and Some Related Definitions Set Forth in BMC 20.05.046(d) and BMC 20.11.020

Ordinance 18-06 – To Amend Title 16 of the Bloomington Municipal Code Entitled “Residential Rental Unit and Lodging Establishment Inspection Program” - Re: Repeal of Chapters 16.06 (Public Health and Safety), 16.07 (Smoke Detectors), 16.08 (Carbon Monoxide Detectors), and 16.09 (Fire Extinguishers)

COUNCIL SCHEDULE [8:10pm]

The meeting was adjourned at 8:20pm.

ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_ day of \_\_\_\_\_, 2018.

APPROVE:

ATTEST:

\_\_\_\_\_  
Dorothy Granger, PRESIDENT  
Bloomington Common Council

\_\_\_\_\_  
Nicole Bolden, CLERK  
City of Bloomington

For Approval

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, April 4, 2018 at 6:30pm with Council President Dorothy Granger presiding over the Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
April 4, 2018

Roll Call: Ruff, Sturbaum, Chopra, Piedmont-Smith, Granger, Volan, Sandberg, Sims, Rollo  
Members Absent: None

ROLL CALL  
[6:30pm]

Council President Dorothy Granger gave a summary of the agenda.

AGENDA SUMMATION  
[6:32pm]

Councilmember Susan Sandberg moved and it was seconded to approve the minutes of December 5, 2017. The motion was approved by voice vote.

APPROVAL OF MINUTES [6:32pm]  
December 5, 2017 (Special Session)

Councilmember Dave Rollo spoke about the anniversary of the assassination of Dr. Martin Luther King, Jr. He began to speak about the Bloomington Police Department's purchase of an armored vehicle.

REPORTS  
• COUNCIL MEMBERS  
[6:32pm]

Several citizens interrupted Rollo with a series of questions and statements.

Granger called for order. When the citizens continued to interrupt Granger called for adjournment.

Sandberg moved and it was seconded to adjourn. The motion received a roll call vote of Ayes: 5, Nays: 4 (Sturbaum, Chopra, Volan, Rollo).

ADJOURNMENT

The meeting was adjourned at 6:41pm.

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_ day of \_\_\_\_\_, 2018.

APPROVE:

ATTEST:

\_\_\_\_\_  
Dorothy Granger, PRESIDENT  
Bloomington Common Council

\_\_\_\_\_  
Nicole Bolden, CLERK  
City of Bloomington

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, April 11, 2018 at 6:00pm with Council President Dorothy Granger presiding over the Special Session of the Common Council.

COMMON COUNCIL  
SPECIAL SESSION  
April 11, 2018

Roll Call: Ruff, Sturbaum, Chopra, Piedmont-Smith, Granger, Volan, Sandberg, Sims, Rollo  
Members Absent: None

ROLL CALL [6:04pm]

Council President Dorothy Granger gave a summary of the agenda.

AGENDA SUMMATION [6:04pm]

Councilmember Steve Volan gave a brief summary of the history of Bloomington, attached hereto.

RESOLUTION [6:37pm]

Volan moved and it was seconded that Resolution 18-07 be introduced. The motion was approved by voice vote.

Resolution 18-07- To Recognize the Bicentennial of the City of Bloomington, Indiana.

Volan read the legislation by title and synopsis and urged the Council to support the resolution.

Councilmember Allison Chopra thanked Volan for his presentation and hard work.

Council Comment:

Evelyn Powers spoke in support of the resolution and reminded the Council that there were at least six other towns in the United States named Bloomington.

Public Comment:

Elizabeth Ann "Betty" Bridgwaters spoke about the history of Bloomington.

Councilmember Isabel Piedmont-Smith clarified that the building in the slideshow was Franklin Hall.

Council Comment:

Volan thanked Ms. Bridgwaters for her comments and spoke more about the history of the city. He thanked everyone who came that evening.

Councilmember Chris Sturbaum said that the past smelled bad, and explained a bit about how the square was structured.

Councilmember Jim Sims spoke about the importance of knowing the city's history in order to provide context for where it would go in the future. He spoke about the importance of social justice and equity.

Vauhxx Booker spoke in favor of the resolution and said there were still issues to be addressed. He noted that he and members of the group Black Lives Matter were ready to disrupt every City Council meeting until the issue of a recent police vehicle purchase was resolved.

Additional Public Comment:

Piedmont-Smith spoke about her personal history in Bloomington and said that there was some way to go but that the city had made good progress.

Additional Council Comment:

The motion to adopt Resolution 18-07 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote on Resolution 18-07 [6:35pm]

Mayor Hamilton made brief remarks and presented the Bicentennial Proclamation to the Council.

PROCLAMATION BY MAYOR JOHN HAMILTON

There were no changes to the council schedule.

COUNCIL SCHEDULE [6:40pm]

The meeting was adjourned at 6:40pm.

ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_ day of \_\_\_\_\_, 2018.

APPROVE:

ATTEST:

\_\_\_\_\_  
Dorothy Granger, PRESIDENT  
Bloomington Common Council

\_\_\_\_\_  
Nicole Bolden, CLERK  
City of Bloomington

For Approval

## Bicentennial Speech by Councilmember Steve Volan

### Introduction

- The objective of this ceremony is to briefly observe the history of this city. Therefore, what you are about to hear is a brief, 10-minute presentation of Bloomington only as an incorporated place. It comes from a record that is incomplete in both continuity and in equity.
- We gain a second sight from hindsight. We see the huge blind spots our predecessors had. There is no clear record of African-Americans present at the founding of the city, and of women, almost none. We know there were already settlers, mostly of European descent, in close quarters in this area. Those men formed a government, because only men, of a certain color, could vote or hold office. And before that there were the original inhabitants, the only true native people of this land, who were either fought against, negotiated with, or forced out of, this place. Those who recorded the events of that time, did not think to acknowledge everyone. For reasons that you know.
- I want to take the opportunity of this day to acknowledge all those who came before us, not just those who were officially recorded. We have been forced to work with what we have, but let these records which have come to us not be the only history told of this place.

### 1818: Bloomington's establishment

- Bloomington was founded on this day two centuries ago. It was a Saturday on which met, for the second time, the newly formed Board of Commissioners of Monroe County.
- Their first meeting was the day before, at the house of one Abner Blair. On their first day, they barely began the task of governing. First, they noted which commissioners got the most votes in the first commissioner election. Bartlett Woodward, Michael Buskirk, and James Parks received, in order of votes earned, a 3-year-, 2-year, and 1-year term, respectively.
- The first commissioners then named three people to offices, which were not yet elected: the first county clerk, William Lowe. Second, "On motion the Court ordered that Captain James Bigger be appointed Lister," whom we today would call the first "assessor," "for the year 1818 for the County of Monroe...." And third, "On motion the court ordered that Roderick Rollings be appointed treasurer." Because they did not yet have a justice system, or judges, the minutes of the Commissioners from that day refer to themselves as "the Court." "On motion the Court adjourn[ed]" to the next morning.
- This is how a government is created from scratch. Yesterday, the county had a party at the Courthouse to observe the anniversary of that first meeting.
- The next day, Saturday, April 11, the Commissioners made seven more motions before finally, with their twelfth-ever act, recording on page two of their Record Book A in florid cursive handwriting: "On motion the court ordered that the seat of justice for Monroe County be known and distinguished by the name of Bloomington."
- At the third meeting, Monday, April 13, "the board ordered the Town of Bloomington be laid off by the Agent of this County." They then ordered the county agent "to advertise the lots (in the town of Bloomington) for sale on Monday the 22nd day of June" in papers around southern Indiana.
- At the fourth meeting, Tuesday, April 14, "On motion of Bartlett Woodward, ordered that the Agent of this county procure one barril of whiskie and have it at the sale of town lots in Bloomington." The money from the sale of that land funded county government for many years. As much as Monroe County created Bloomington, the reverse is true.
- The County ran its county seat at first. Bloomington did not have its own government -- separate from the County -- until later. Before that came IU.

### 1820: IU

- IU did not start with Bloomington. The state constitution did not allow it to begin before 1820. IU has been celebrating its bicentennial for some years now; I'm sure in two years they'll have a big bash. But students weren't attending classes at IU until 1825 for sure. IU would not have its first graduation until 1830, and then for only four students, who were aged 18, 19, 23 and 28, respectively.

### 1827: First incorporation

- The first referendum on making Bloomington an incorporated town was held March 5, 1827. Eighteen voted for it and three against. We know there were at least 500 people in town at the time, so it's safe to say that even then, voter turnout was low. Five trustees were elected, "...but for lack of unison and general interest in the new incorporation the municipality soon died out."



### **1845: Second incorporation**

- An act incorporating Bloomington would not take effect until 1845, when one was approved by the governor. By March 1847, when the first town election was held, the city's population was around 1200, and IU had about 70 students. John Lawrence was the first mayor; Robert Acuff, recorder; Asher Labertew, who was signatory to the 1827 incorporation, treasurer; David B. Judah, marshal; W.M. Smith, Samuel Kirk, J. M. Howe, John Graham and Joseph G. McPheeters, councilmen.
- First council meeting March 6, 1847: appointed a committee to draft ordinances and ordered record books. At the next meeting, sixteen ordinances were passed, one of which effectively taxed dogs. It was so unpopular it was repealed five months later. The first town tax was passed the next January, of ten cents on each hundred dollars for town purposes. That was never repealed.

### **1853: Railroad**

- The railway came to town in 1853 — the Louisville, New Albany & Chicago, or the LNA&C. Supposedly it stood for the "Long, Narrow, Awkward & Crooked." Nevertheless, it was one of the most important events in the city's history, improving transportation in and out of town and changing the way, and the places, where everyone lived and did business.

### **1858: Dissolution and Reincorporation**

- After a decade of mostly street building and other town improvements, some people had had enough. On January 10, 1858, there was an election to determine, "Shall the corporation be dissolved?" The vote was: For keeping the corporation, 101, Against, 115. a 55-45 margin. "[Some of] The property of the defunct town government was... turned over to the county auditor for some future municipality, while other amounts were paid back in way of taxes already paid in." (1914, p. 387)
- Although it isn't clear how from the record, Bloomington reincorporated the next year and stayed incorporated.

### **1866: First attempt to convert to city**

- A referendum on whether the town should become a city was first held in 1866. The vote was overwhelmingly for: 178-93. But the town had 513 eligible voters, For some reason — maybe because it was not a majority of all eligible voters — the outcome was considered insufficient to make the change.

### **1867: The streets of Bloomington: changed no later than this date**

- Sometime around this same time, the town changed the names of its streets, Council minutes between 1864 and 1867 have been lost, but we have maps and records of what the streets of Bloomington used to be called.
- The square's four sides were North, West, South and East Main Street, respectively.
- One block north of the Square was Water Street. One block south was Washington.
- West of the Square were Poplar, Cherry, and Spring. And East were Walnut, Blue and Buck. This latter street is not a proud moment in our history; It was one of the least developed parts of town, and the area where African-Americans, who were about 5% of the population, were forced to live.

### **1876: City**

- Finally, at the time of the nation's centennial, in July 1876, 217 citizens signed a petition to once again become a city. The population had increased to 2404, the enrollment at IU to 132. The referendum prevailed by only 184 to 169, but apparently no longer was a majority of all voters required to approve, because Bloomington has been a city ever since. The first mayor of the city was C.W. Henderson. The first city council meeting was held Sept. 13.

### **Since 1876**

- Bloomington has grown steadily, every decade, since 1818. It's now the seventh largest city in Indiana. IU burned and moved from the south to the east side. Its enrollment is at 43,000, and since WWII has been at least half the population of the city. The train track is a bike trail now; cars are everywhere, and the city is at least an order of magnitude bigger than it was when the first plats were sold off to people with shots of whiskey. (We'll be celebrating that event June 22.)
- But we have been late to diversify. We've had 25 city mayors. Only two have been women: the first, Mary Alice Dunlap in 1962.
- Twenty-six clerks have served since 1876. The first woman to be elected city clerk was Vanna Thrasher in 1935. The first African-American city clerk is the 26th and most recent, the current clerk, Nicole Bolden.

- The city council swung wildly between five members and eleven, between 1-year terms and 5-year, finally settling on nine members and four-year terms in 1971. We've had 207 city councilmembers since 1876. Only 17 have been women, the first, Agnes Woolery in 1948. Only two have been African-American, the first Paul Swain in 1992. The other, Jim Sims, is also our 207th member.

**Conclusion**

- Mayor Hamilton, my fellow Councilmembers, we are 200 today. This is one bare-bones history of how local government evolved, which does so much more now than it did, but because there is so much more to do. May we find that by our tricentennial, the histories told of Bloomington be ever broader, and tell of a city that is as inclusive as it is prosperous. Thank you.

For Approval