

City of Bloomington Common Council

Legislative Packet

**Wednesday, 14 November 2018
Regular Session**

- For legislation and background material regarding Ordinance 18-14 (Century Village PUD), please see the [19 September 2018 Legislative Packet](#).
- For legislation and background material regarding Resolution 18-24 (Parking Garage Bond), please see the [24 October 2018 Legislative Packet](#).
- For legislation and background material regarding Ordinance 18-21 (Meadowood PUD) and Ordinance 18-22 (Chandler's Glen PUD), please see the [31 October 2018 Legislative Packet](#).

All other legislation and background material contained herein.

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

Office of the Common Council
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Bloomington, Indiana 47402
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<http://www.bloomington.in.gov/council>

**City of
Bloomington
Indiana**

City Hall
401 N. Morton St.
Post Office Box
100



Office of the Common Council
(812) 349-3409
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To: Council Members
From: Council Office
Re: Weekly Packet
Date: 09 November 2018

LEGISLATIVE PACKET CONTENTS	
REGULAR SESSION: WEDNESDAY, 14 NOVEMBER 2018, 6:30 PM	
<ul style="list-style-type: none">• Memo from Council Office• Agenda• Notice• <u>Ordinance 18-14</u> (Reasonable Conditions 05 [Volan] and 06 [Sturbaum])• <u>Ordinances 18-21 and 18-22</u> (Report of the Land Use Committee)• <u>Appropriation Ordinance 18-06</u> (new legislation)• <u>Ordinance 18-20</u> (new legislation)• <u>Ordinance 18-24</u> (new legislation)• Proposed Annual Council Schedule	

Legislation for Consideration at the Regular Session

Second Readings:

- Resolution 18-24: Redevelopment Bonds (*Postponed to this date at the 31 October meeting*)
- Ordinance 18-14: the Century Village PUD, with a report from the Council's Land Use Committee (*Postponed to this date at the 31 October meeting*)
- Ordinance 18-21: the Meadowood PUD amendment, with a report from the Council's Land Use Committee
- Ordinance 18-22: the PUD amendment for Trinitas on Arlington Park Drive and Arlington Road (Chandler's Glen), with a report from the Council's Land Use Committee

First Readings:

- App Ord 18-06: the End-of-Year Appropriation Ordinance
- Ord 18-20: The Extend the Expiration Date of Ord 17-45 (UDO development and architectural standards for Commercial Downtown Overlay Districts)
- Ord 18-24: Amendment to the 2018 Salary Ordinance to Provide Incentive Pay to Dispatchers Who Train Other Dispatchers.

Second Readings – Material

Resolution 18-24: Redevelopment Bonds

→ Please see the [24 October 2018 Legislative Packet](#) for legislation and background material. Please see the [31 October Legislative Packet](#) for Am 01 offered by Councilmember Volan.

Ordinance 18-14: the Century Village PUD, with a report from the Council's Land Use Committee

→ Please note that at the 31 October Regular Session, the Council voted to postpone Second Reading on this petition until 14 November.

→ Please see the [19 September 2018 Legislative Packet](#) for legislation and background material.

→ See also the [Report from the Land Use Committee](#) and the Reasonable Conditions recommended by the Committee, all of which are included in this packet.

- Two additional Reasonable Conditions – RC 05 (Volan) and RC 06 (Sturbaum) are included in this packet. These Reasonable Conditions were not considered by the Land Use Committee.

Ordinance 18-21: the Meadowood PUD amendment, with a report from the Council's Land Use Committee

→ Please see [31 October Legislative Packet](#) for legislation.

→ Report from the Land Use Committee included herein.

→ Reasonable Condition RC 01 (Piedmont-Smith) included herein.

Ordinance 18-22: the PUD amendment for Trinitas on Arlington Park Drive and Arlington Road (Chandler's Glen), with a report from the Council's Land Use Committee

→ Please see [31 October Legislative Packet](#) for legislation.

→ Report from the Land Use Committee included herein.

First Readings – Material

App Ord 18-06 -- To Specially Appropriate from the, Cumulative Capital Development Fund, Municipal Arts Fund and Rental Inspection Program Fund Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Parking Facilities Fund, Risk Management Fund, Police Pension Fund, Alternative Transportation Fund; and, Appropriating Additional Funds from the Cumulative Capital Development Fund, Municipal Arts Fund and Rental Inspection Program Fund)

- Memo from City Controller, Jeffrey Underwood

Contact: Jeffrey Underwood at 812.349.3416 or underwoj@bloomington.in.gov

Ord 18-20 -- An Ordinance to Amend [Ordinance 17-45](#) Which Made Changes to Chapter 20.03 "Overlay Districts" to Provide Clear Guidance on Downtown Overlay Development and Architectural Standards – Re: Extending the Expiration Date from the End of December 2018 to the Earlier Date of December 31, 2019 or the Adoption of a New Unified Development Ordinance

- Certification

- Memo from Planning and Transportation Director, Terri Porter

Contact: Terri Porter at 812.349.3423 or porterti@bloomington.in.gov

Ord 18-24 -- An Ordinance to Amend Ordinance 17-37, Which Fixed Salaries for Certain City of Bloomington Employees for the Year 2018 – Re: Additional Pay for Dispatch Employees Who Assume Training Responsibilities

- Memo from Human Resources Director, Caroline Shaw
Contact: Caroline Shaw at 812.349.3578 or shawcaro@bloomington.in.gov

Council Schedule – Material

Annual Council Legislative Schedule for 2019

- See the Packet Summary for an overview of the Schedule
- IU List of Religious Holidays (to enlist the help of Council members in identifying days when meetings should not be held).

Contact: Dan Sherman at 349-3409, shermand@bloomington.in.gov

Second Readings – Summary of New Material

Item One – Res 18-24 – Approving the Issuance of Redevelopment District Bonds for the Acquisition, Construction, and Financing of Two Garages

Recall that this item was postponed at the Council’s last Regular Session until 14 November. Recall also that Councilmember Volan plans to propose an amendment Am 01, which would remove the Trades District garage from this bonding approval. A draft (which still needs a lower bonding maximum) was issued in the [31 October 2018 packet](#). The Council Office understands that issues surrounding the 4th Street Garage may generate further discussion and, perhaps, another amendment. Those discussion are ongoing.

Item Two - Ord 18-14 – Approving Amendments to the Century Village PUD – Two New Reasonable Conditions

This item was postponed at the Council’s last Regular Session until 14 November. Recall that this matter was referred to the Land Use Committee and that the Land Use Committee held two hearings on this petition. The Report of the Land Use Committee is included in the [31 October 2018 packet](#).

While four Reasonable Conditions were considered and approved by the Land Use Committee, two additional Reasonable Conditions are included in this packet. One is proposed by Councilmember Volan and would tie savings in reduction of structured parking to investment in more frequent public transit service (RC 05). The other is proposed by Councilmember Sturbaum and would require all four-bedroom units in the development be designed so that they can be converted into two-bedroom units with minimal modifications (RC 06).

Report from Land Use Committee – 7 November 2018 – Covering Two Referrals (Below)

Both of the following items were referred to the Land Use Committee at the 31 October Regular Session (see [31 October 2018 packet](#) for legislative materials regarding each ordinance). The Land Use Committee considered both referrals and made varying recommendations in the attached Report.

Item Three – Ord 18-21 – Approving Amendments to the Meadowood PUD – Reasonable Condition 01

The Report noted that the most significant concern was raised by a resident regarding the demolition of two single family houses and the authorization for the construction of 20 townhomes along North Dunn. The Committee unanimously voted to report back to the Regular Session after one hearing and gave it a 1 (Chopra) - 0 - 3 Do Pass Recommendation. Cm. Piedmont-Smith has asked that RC-01 be prepared to retain the single-family homes and impose Residential Estate development standards for parcels along North Dunn, a draft of which is enclosed.

Item Four – Ord 18-22 – Approving the Chandler’s Glen PUD

The Report noted that this is the first petition to be considered where there was a negative recommendation from staff. Two of the four members –Cms. Chopra and Piedmont-Smith – were opposed to the proposal based upon staff’s reasoning. Cm. Sturbaum noted that the property has not developed over the decades and has the support of neighbors, but he still had concerns regarding the number of 4-bedroom units and explored whether they might be made convertible into “twin-twos.” After initial tie votes, the Committee agreed to report back after one hearing and gave it a 1 (Sturbaum) – 2 (Chopra and Piedmont-Smith) – 1 (Volan) Do Pass Recommendation. Note that the petitioner urged postponement to give the Council more time to consider this project.

First Readings – Summaries

Item One – App Ord 18-06: End-of-Year Appropriation Ordinance – Summary

App Ord 18-06 is typically referred to as the “end-of-year appropriation ordinance.” This legislation proposes to make a number of transfers within departments who wish to move monies between classifications and from departments with a surplus to those who anticipate shortages. Recall that currently departments may transfer monies *within* a classification without Council authorization, but any transfer *between* classifications requires Council authorization.¹ The net fiscal impact of these intra- and inter-departmental transfers is zero. The measure also appropriates \$497,030 in additional monies from the following funds: Cumulative Capital Development Fund, Municipal Arts Fund and Rental Inspection Program Fund. The nature of the transfers and the additional appropriations are described below. Please consult the supporting memorandum from Controller Jeff Underwood for details of the appropriation ordinance.

General Fund Transfers- Net Zero Impact

As relayed by Controller Underwood, General Fund Transfers within and between departments have a zero net effect on actual appropriations from the Fund. Similarly, these transfers have no effect on fund balances, nor tax rates.

¹ Budget Classifications are as follows: 1 (Personnel Services), 2 (Supplies), 3 (Services and Charges), and 4 (Capital).

GENERAL FUND TRANSFERS

DEPARTMENT	TRANSFER OUT	TRANSFER IN	REASON
Animal Care and Control	- \$3,000 (2*- Supplies)	+ \$15,000 (Personnel)	To pay for overtime to covering for employees out for extended periods.
Housing & Neighborhood Dev.	- \$30,000 (3-Services)		
Community and Family Resources	- \$3,000 (1- Personnel)		
Public Works Admin.	- \$25,000 (3- Services)	+25,000 (4- Capital)	Replacement of heat pumps and window repairs at Showers.
Fire	- \$39,000 (2-Supplies)	+ \$39,000 (3-Services)	Various costs and repairs to fire stations. See Memo from Underwood.
Police		+ \$75,000 (1- Personnel) +\$74,900 (3- Services)	Overtime due to vacancies and increased patrols on Kirkwood Equalization payment to the County re: Dispatch Center
ITS	-\$80,000 (3-Services)	+ \$80,000 (4- Capital)	To fund replacement and addition of hardware related to data storage and network equipment.
Board of Public Safety		+ 1.00 (1- Personnel)	To cover FICA rounding
Mayor	-\$5,000 (3- Services)	+ \$5,000 (2- Supplies)	Additional office supplies
Planning & Transportation	-\$128,901 (1-Personnel)		
TOTAL	- \$313,901	+ \$313,901	

* Numbers refer to Budget Classification

OTHER FUNDS – NET ZERO IMPACT

In addition to the General Funds, the Administration proposes transfer between categories in other funds. These transfers will not have an effect on fund balances.

OTHER FUNDS			
FUND	TRANSFER OUT	TRANSFER IN	REASON
Parking Facilities Fund	-\$4,000 (2-Supplies)	+ \$4,000 (1-Personnel)	To account for Phase I of the City's market adjustment study.
Risk Management Fund	-\$5,500 (3-Services)	+ \$5,500 (1-Personnel)	To account for Phase I of the City's market adjustment study.
Alternative Transportation Fund	-\$800 (3-Services)	+ \$800 (1- Personnel)	To account for Phase I of the City's market adjustment study.
Police Pension Fund	-\$1 (3- Services)	+\$1 (1- Personnel)	To account for FICA rounding
TOTAL	- \$10,301	+\$10,301	

OTHER FUNDS – ADDITIONAL APPROPRIATIONS – TOTAL NET: \$497,030

Cumulative Capital Fund -- \$205,030

- *Planning & Transportation:* Requests the appropriation of \$205,030 in Classification 4 (Capital). These funds were expended on behalf of the State and have been reimbursed by the State.
- *Public Works:* Requests \$75,000 be transferred from Classification 2 (Supplies) to Classification 4 (Capital) to purchase a salt brine machine for \$25,000 and a striping machine for pavement markings for \$50,000. Controller Underwood writes that there will be no impact on the fund balance or tax rate.

Municipal Arts Fund -- \$10,000

The enabling legislation for this fund requires Council approval for expenditures from the fund. The Arts Commission expects to expend \$10,000 from this fund.

HAND Rental Inspection Program Fund -- \$282,000

In 2012, the Indiana General Assembly enacted a new law requiring that rental inspection fees be deposited in a separate fund ([I.C. §36-1-20-3](#)). While revenue is deposited into this designated fund, the expenses for the rental inspection program are appropriated in the General Fund. Locally, the Rental Inspection Program Fund is the fund into which local inspection fees are deposited. As of 31 October 2018, \$282,000 in inspection fee revenue has been deposited into the fund for the recent 12-month period. While revenue is accounted for *via* the new fund, expenses are still appropriated in the General Fund. For that reason, the City reimburses the General Fund from the Rental Inspection Program Fund. Please note that the expense of running HAND's inspection program far exceed revenue.

Item Two – Ord 18-20: Extending the Expiration Date of the Provisions of Ord 17-45 from December 2018 to The Earlier Date of December 2019 or the Adoption of a New UDO – Summary

Ord 18-20 extends the expiration date of changes made to Downtown overlays via Ord 17-45. On December 20, 2017, the Council passed Ord 17-45, a measure which amended Chapter 20.03 of the UDO to provide clearer guidance on the review, development, and architectural standards associated with six overlay districts located in the Commercial Downtown (CD).² Ord 17-45 included a sunset provision whereby the requirements of the ordinance would expire one year from the date of adoption if Chapter 20.03 was not repealed or replaced by that date. Upon expiration, the UDO language that existed before the changes of Ord 17-45 would attach. The sunset provision came forward in legislation certified to the Council from the Plan Commission and the Council did not make any amendments to the legislation.

When the sunset provision was added by the Plan Commission, it was anticipated that that a new UDO would be adopted in 2018. As the development of the UDO is still in process, Planning and Transportation requested, and the Plan Commission approved, extending the expiration date of the Chapter 20.03 provisions included in Ord 17-45 until December 31, 2019 or the adoption date of a new UDO, whichever date occurs earliest. The matter was certified to the Council on 07 November 2018.

Recall that when the Council considered this proposal, the changes were intended to be a temporary fix to reduce the size and impact of “by right” developments in the downtown. When the legislation was discussed, it was anticipated that a longer-term legislative approach to this issue would be addressed by the revision of the entire UDO. Until then, Ord 17-45 was intended to be an interim approach to better reflect the current circumstance and conditions of development in the overlay districts. As summarized by Planning and Transportation Director, Terri Porter, the interim changes of Ord 17-45 included:

- Reduction to the maximum permitted height in all overlays
- Reduction to the maximum permitted density in all overlays except the Showers Technology Park Overlay
- A change in modulation requirements to better define the massing of long buildings
- A change in review consideration for the Plan Commission to add language about housing issues for projects that don’t meet overlay standards

The packet for Ord 17-45 is linked [here](#).

The minutes from Second Reading of Ord 17-45 are linked [here](#).

² Those overlay districts included: Courthouse Square Overlay (CSO), Downtown Core Overlay (DCO), University Village Overlay (UVO), Downtown Edges Overlay (DEO), Downtown Gateway Overlay (DGO), and Showers Technology Park Overlay (STPO).

Item Three – Ord 18-24: Amending Ord 17-37 (the 2018 Salary Ordinance) to Provide Additional Pay for Dispatch Employees Who Assume Training Responsibilities

Ord 18-24 amends the salary ordinance for 2018 (Ord 17-37) to provide for additional pay for dispatchers who train other, less experienced co-workers. The amendment to the salary ordinance provides that dispatchers may earn a maximum of \$525 per year for such training. Recall that this incentive pay was built into the 2019 salary ordinance.

Council Schedule

Annual Council Legislative Schedule for 2019

This packet contains two versions of the Annual Council Legislative Schedule (Council Schedule) for 2019. In lieu of an additional Memo to the Council, usually attached to the Council Schedule, this summary serves that purpose and is intended to explain the dates and alternatives. Occasionally, you'll see variants (in red font) that present proposals from council members and motions that can be adopted by the Council.

This is the third iteration of the Council Schedule since the initial one was emailed on October 22nd and you'll see that format has greatly improved (that is, much more easily read and understood) over those in the past. This is due to suggestions from Cm. Volan – most of which were incorporated into the document.

Formatting Changes and Issues. As noted above, some but not all of the suggested changes were made. Here's a brief mention of what was changed and what stayed the same in the headings for the Schedule (with the understanding that further changes can be made by motion of the Council):

- Staff-Council Internal Work Sessions – would now be called Work Sessions, because they are neither exclusively with staff and Council nor internal;
- Reference to First Reading of Ordinance remains – discussion has begun about having certain fiscally-significant resolutions introduced at First Reading. Keeping the existing language follows local code and is not intended to forestall additional readings for resolutions in the event the Council decides to do so;
- Reference to Committee of the Whole/Land Use Committee Discussion – staff has entered this heading rather than reference to Committee Discussion. Reason being that these are the only two of the Council committees that, under local, are scheduled for discussion at this point in the Legislative Cycle.

Please review the material and offer your comments and be ready to vote on it on November 14th. Acting on it in November makes it easier for those working with boards and commissions to resolve room-conflicts and establish their schedules for 2019.

Legislative Cycles. The Annual Schedule includes 20 legislative cycles and one Budget Cycle which are set forth in rows with five columns of dates for the following meetings and deadlines associated with each legislative cycle:

- Work Sessions;
- Deadline for submittal of ordinances and associated materials to the Council Office (and another for resolutions);
- First Regular Session;

- Committee of the Whole/ Land Use Committee; and
- Second Regular Session.

Exceptions and Additions to the Usual – Four Wednesday – Schedule. As you know, the Council generally meets on the first four Wednesdays of the month alternating between Regular Sessions one week and Committees of the Whole and/or Land Use Committee the next. It also meets on Fridays about twice a month for what would now be called Work Sessions to informally hear about upcoming legislation and other pending matters. Here is an overview of the Council Schedule with mention of some meetings (and deadlines) that would *not* follow the usual rule (please see the proposed Schedule and Memo for more detailed information):

- **6:30 pm Start-Time for Regular Sessions and Committees of the Whole** – as you know, the Council changed the start time of these regular meetings as of 2017.
- **Staff-Council Internal Work Sessions** are scheduled on Friday at noon in the Council Library (unless a bigger room is necessary) except for:
 - Monday, December 17, 2018 – (before Council members and staff often take time off for the holidays); and
 - Monday, December 16, 2019 - (*same*);
- **January - Organizational Meeting and first Committee of the Whole** are scheduled for second Wednesday in January per past practice;
 - *However, given the first week off and the fifth Wednesday in January, Cm. Volan proposes the following change (in yellow) which can be adopted by a Motion to Adopt Cm. Volan’s Proposed Schedule for January 2019:*

LEGIS CYCLE	INTERNAL WORK SESSIONS ¹⁰	DEADLINE FOR ORDINANCES; E-MAILED TO CCL BY NOON	DEADLINE FOR RESOLUTIONS; E-MAILED TO CCL BY NOON	REGULAR SESSION 1st READING FOR ORDS.	COMMITTEE OF THE WHOLE/ LAND USE COMMITTEE DISCUSSION	REGULAR SESSION 2nd READINGS AND RESOLUTIONS
1	Mon. Dec. 17 (2018)	Wed. Dec. 19 (2018)	Wed. Dec. 19 (2018)	Jan. 9 ³	¹ Jan-9 16	Jan. 19 23
2	Fri. Jan. 11	Mon. Jan. 14	Fri. Jan. 18	Jan. 23	Jan. 31	Feb. 6

- **March** – The Council does not meet over IU Spring Break (March 10th – 16th) and doubles-up the first Regular Session and Committee of the Whole of the month on the first Wednesday in order to avoid meeting on the second Wednesday which falls over Spring Break;
- **January, May, July & October all have fifth Wednesdays** – There are five Wednesdays in four months next year. All those may be used for meetings because of holidays or other Council activities (e.g. Summer Recess at the end of June; Departmental Budget Hearings in August).

³ This change would require removing the last sentence of Note #1 (regarding the Committee of the Whole scheduled for that evening.)

- **June & July – Early Summer Recess** – Like last year, in order to coincide down-time with the Council Recess, this schedule proposes that the Council start its Summer Recess after the last Wednesday in June and end with the second Wednesday in August (after a Work Session on the last Friday in July).

ALTERNATIVE SUMMER RECESS (IN PACKET) – Mid-June to Mid-July – In response to interest for an even earlier Summer Recess, there is an alternative Council Schedule that commences the Recess in mid-June (June 12th) and has the Council return for a Work Session in mid-July (July 19th). It keeps time in June to consider the Annual Tax Abatement Report and brings the schedule more in line with the past schedules for the PS LIT Committee which meets in June, July & August. One problem with this schedule, however, is that it, in order to preserve the same number of Legislative Cycles, it would require doubling-up Regular Sessions and Committee of the Whole /Land Use Committee on both July 31st and August 7th.

- **However, both Cm. Piedmont-Smith and Volan are interested in another variant (“Scenario C”) which is set forth below and could be adopted by a Motion to Adopt Cm. Piedmont-Smith and Volan’s Proposal for Post Summer Schedule (changes in yellow-shade):**

LEGIS CYCLE	WORK SESSIONS	DEADLINE FOR ORDINANCES; E-MAILED TO CCL BY NOON	DEADLINE FOR RESOLUTIONS; E-MAILED TO CCL BY NOON	REGULAR SESSION 1st READING FOR ORDS.	COMMITTEE OF THE WHOLE/ LAND USE COMMITTEE DISCUSSION	REGULAR SESSION 2 nd READINGS AND RESOLUTIONS
SUMMER RECESS (ENDING WITH WORK SESSION ON JULY 5 AND REGULAR SESSION ON JULY 17 AND DEPARTMENTAL BUDGET HEARINGS (STARTING ON MONDAY, AUGUST 19)						
11	Fri. July 5	Mon. July 8	Mon. July 15	July 17	July 24	July 31
12	Fri. July 19	Mon. July 22	Mon. July 29	July 31	Aug 7	Aug 14

- **Budget Schedule - May and August thru early October** - The Budget Schedule keeps the start of the Departmental Budget Hearings on third Monday in August and otherwise entails:
 - A Budget Advance on the last Tuesday in April at 5:30 pm in the McCloskey Room
 - *Note: The day and time of this meeting is similar to last year and allows more time to for these deliberations (since a Council meeting does not follow at 6:30 pm).*
 - Department Budget Hearings over four evenings starting on the third Monday of August (Monday the 19th – Thursday the 22nd)
 - *This means the hearings fall on the week before the first week of classes at IU. In the past, the conclusion seemed to be that no week was ideal for these hearings.*
 - *This schedule continues to list the expected arrival of the Budget Books a week before the hearings begin.*
 - Formal Consideration of the Budget with a:
 - Special Session and Committee of the Whole on Wednesday, September 25th and
 - Special Session on *Thursday*, October 10th;
 - *This separates the two evenings by two weeks and holds the second meeting on a Thursday, since Yom Kippur (the Jewish Day of Atonement) falls on that Wednesday.*

- **Non-Budget Meetings in August, September, and October** – The months of August, September, and October include both Budget (*noted above*) and Non-Budget (*see below*) that deserve note.
 - **August** – *Depending upon the Council Schedule adopted by the Council, the post-recess sessions start in either late July or early August and may include doubling-up of Regular Sessions and Committee of the Whole / Land Use Committees. Doubling-up is done on the assumption that no legislation carries over and not result in an onerous evening.*
 - *One of the challenges for Council Office staff is processing items as part of the normal legislative cycles in the latter part of August and participating in the Departmental Budget Hearings (including preparing the Chart of Unanswered Questions from those hearings).*
 - **September and October** – *the second Legislative Cycle in September overlaps with the Budget Cycle and, therefore, includes a Regular Session on the third Wednesday in September, a Committee of the Whole on the first Wednesday in October, and a Regular Session on the third Wednesday in October (after which the Council returns to its usual schedule of Legislative Cycles).*

- **October and November** - the Council does not meet on the eve of Thanksgiving but, given the five Wednesdays in October, would, under this schedule, meet on the fifth Wednesday in October in order to avoid doubling-up meetings in mid-November.

- **Religious Holiday Adjustments** (*See excerpts from the IU Religious Holiday Schedule*) – as often happens, this proposal makes an adjustment in the schedule due to religious holidays (typically Passover, Rosh Hashanah, or Yom Kippur). As noted above, the latter is on the second Wednesday in October and has led to moving that meeting to the following night. I can use your help in determining whether there are other religious holidays to be observed. Please see the attached document from IU which lists religious holidays next year.

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL REGULAR SESSION
6:30 P.M., WEDNESDAY, 14 NOVEMBER 2018
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.**

- I. ROLL CALL**
- II. AGENDA SUMMATION**
- III. APPROVAL OF MINUTES FOR:** *none*
- IV. REPORTS** (A maximum of twenty 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. Resolution 18-24 Approving the Issuance of Tax Increment Revenue Bonds of the City of Bloomington Redevelopment District to Finance the Costs of Acquisition and Construction for Two Parking Garages in the Bloomington Consolidated Economic Development Area and Costs Incurred in Connection with the Issuance of Such Bonds
This resolution was postponed until 14 November at the 31 October meeting.
Committee Recommendation Do Pass: 4 – 1 – 4
Am 01: Cm. Volan Do Pass: N/A
An additional amendment may be forthcoming.
- 2. Ordinance 18-14 To Expand a Planned Unit Development (PUD) and Amend the Associated District Ordinance and Preliminary Plan – Re: 4500, 4518 E. 3rd Street & 306 S. State Road 446 (Fountain Residential Partners, Petitioner)
This ordinance was postponed until 14 November at the 31 October Regular Session.
Land Use Committee Recommendation (10/24/18): Do Pass: 2 – 0 – 2
RC – 01: Cm. Piedmont-Smith (as amended) Do Pass: 4 – 0 – 0
RC – 02: Cm. Piedmont-Smith (as amended) Do Pass: 4 – 0 – 0
RC – 03: Cm. Piedmont-Smith (as amended) Do Pass: 4 – 0 – 0
RC – 04: Cm. Volan Do Pass: 4 – 0 – 0
Additional reasonable conditions are anticipated this evening.
- 3. Ordinance 18-21 To Rezone a Property from Residential Estate (RE) to Planned Unit Development (PUD) and to Amend the Associated PUD District Ordinance and Preliminary Plan - Re: 800 E. Tamarack Trail (Meadowood Retirement Community, Petitioner)
The Land Use Committee reported back this PUD after referral at the 31 October 2018 Regular Session.
Land Use Committee Recommendation (11/7/18): Do Pass: 1 – 0 – 3
At least one reasonable condition is expected to be introduced in regard to this PUD.
- 4. Ordinance 18-22 To Rezone a Property from Planned Unit Development (PUD), Business Park (BP), and Residential Single Family (RS) to Planned Unit Development (PUD) and to Amend the Associated District Ordinance and Preliminary Plan – Re: 1550 N. Arlington Park Drive & 1723 W. Arlington Road (Trinitas Development, Petitioner)
The Land Use Committee reported back this PUD after referral at the 31 October 2018 Regular Session.
Land Use Committee Recommendation (11/7/18): Do Pass: 1 – 2 – 1

VII. LEGISLATION FOR FIRST READING

- 1. Appropriation Ordinance 18-06 – To Specially Appropriate from the, Cumulative Capital Development Fund, Municipal Arts Fund and Rental Inspection Program Fund Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Parking Facilities Fund, Risk Management Fund, Police Pension Fund, Alternative Transportation Fund; and, Appropriating Additional Funds from the Cumulative Capital Development Fund, Municipal Arts Fund and Rental Inspection Program Fund)
- 2. Ordinance 18-20 An Ordinance to Amend Ordinance 17-45 Which Made Changes to Chapter 20.03 “Overlay Districts” to Provide Clear Guidance on Downtown Overlay Development and Architectural Standards – Re: Extending the Expiration Date from the End of December 2018 to the Earlier Date of December 31, 2019 or the Adoption of a New Unified Development Ordinance
- 3. Ordinance 18-24 – An Ordinance to Amend Ordinance 17-37, Which Fixed Salaries for Certain City of Bloomington Employees for the Year 2018 – Re: Additional Pay for Dispatch Employees Who Assume Training Responsibilities

VIII. ADDITIONAL PUBLIC COMMENT* (A maximum of twenty-five minutes is set aside for this section.)

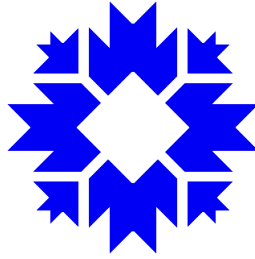
IX. COUNCIL SCHEDULE

- 1. Annual Council Legislative Schedule For 2019

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 are available upon request with adequate notice. Please call (812) 349 - 3409 or e-mail council@bloomington.in.gov.



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

NOTICE

Members of the Bloomington Common Council
have been invited to attend

**2018 Board and Commission
Appreciation Celebration**

**Friday, 16 November 2018
5:30pm – 7:30pm**

The Mill

642 N Madison Street, Bloomington

As a quorum of the Council may be present, this gathering may constitute a meeting of the Common Council under Indiana Open Door Law (I.C. § 5-14-1.5). For that reason, this statement provides notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.

Ordinance 18-14

To Expand a Planned Unit Development (PUD) and Amend the Associated District Ordinance and Preliminary Plan – Re: 4500, 4518 E. 3rd Street & 306 S. State Road 446

Relevant Material:

Link to Legislation issued in [19 September packet](#)

Link to Land Use Committee Report issued in [31 October packet](#)
(Includes Reasonable Conditions Considered by the Land Use Committee, Reasonable Conditions 01 (Piedmont-Smith), 02, (Piedmont-Smith), 03 (Piedmont-Smith), and 04 (Volan))

Reasonable Conditions Issued in this Packet

Reasonable Conditions 05 (Volan) and 06 (Sturbaum)

COMMON COUNCIL LAND USE COMMITTEE

*** Reasonable Conditions Form ***

Ordinance #: 18-14
Reasonable Condition #: RC – 05
Submitted By: Councilmember Volan
Date: 9 November 2018

Proposed Reasonable Condition:

1. Require that the developer forego the construction of structured parking spaces, and instead contribute half the expense of that construction to Bloomington Transit (BT), which must be used by BT for the express purpose of operating an extra bus on the #6 route (or, if routes are changed, the primary route serving this site) so as to increase its frequency weekdays during the Indiana University academic year. The money must be paid in full before any occupancy permit for the site may be issued; the additional bus service to be begun within 30 days after the permit is issued.

For this consideration, the developer will be permitted to add bedrooms. For every 10 structured parking spots foregone, the developer must contribute half their expense as described above, but may build 3 additional bedrooms. Bedrooms added under this condition must be in two-bedroom units or smaller.

Synopsis

This Reasonable Condition is sponsored by Cm. Volan and requires the developer to forego the construction of structured parking spaces and, instead, contribute half their potential expense to Bloomington Transit (BT) for the purpose of adding a bus to the #6 route (or whatever route primarily serves the Century Village PUD in the future) in order to increase its frequency from 20 to 16 minutes on weekdays during the IU academic year. It calls for the payment to be made before the occupancy permit is issued and for the bus service to begin within 30 days after the permit has been issued. Lastly, it offers the developer the opportunity to build 3 additional bedrooms in the project for every 10 foregone parking spaces, in addition to the contribution to BT, bedrooms which must be constructed in units with no more than two bedrooms.

10/24/18 LUC Committee Action:

10/31/18 Council Action:

(November 9, 2018)

Relevant Policy Goals -- The plan is to exchange structured parking AND additional bedrooms for an extra bus on the #6. This exchange meets the following goals and policies in at least some way.

2013 Vision Statements

#3. Meet basic needs and ensure self-sufficiency for all residents

#16: Provide a safe, efficient, accessible and connected system of transportation that emphasizes public transit, walking, and biking to enhance options to reduce our overall dependence on the automobile

Comp Plan Goals and Policies

Policy 1.5.3: Implement infrastructure plans and projects that anticipate growth and reduce community vulnerability.

Policy 4.4.4: Until such time as a reasonable balance of different housing types is achieved in the Downtown and nearby areas, strongly discourage new student-oriented housing developments in these areas.

Chapter 4 outcome: Outcome: Residential growth Downtown is inclusive of all ages and abilities.

Policy 5.1.2: Establish affordable housing in locations with close proximity to schools, employment centers, transit, recreational opportunities, and other community resources to increase access.

Goal 5.3 Housing Supply: Help meet current and projected regional housing needs of all economic and demographic groups by increasing Bloomington's housing supply with infill development, reuse of non-residential developed land, and developments on vacant land if it is at least partially surrounded by existing development.

Policy 5.3.1: Encourage opportunities for infill and redevelopment across Bloomington with consideration for increased residential densities, complementary design, and underutilized housing types such as accessory dwelling units, duplex, triplex, and fourplex buildings, courtyard apartments, bungalow courts, townhouses, row houses, and live/work spaces. Avoid placing these high density forms in single family neighborhoods.

Goal 6.1 Increase Sustainability: Improve the sustainability of the transportation system.

Policy 6.1.2: Balance economic, environmental, accessibility, and equity issues in local transportation decisions.

Policy 6.1.3: In land use decisions, require sufficient density through infill, redevelopment, and reuse of vacant or under-utilized parcels to support multimodal transportation and discourage urban sprawl.

Policy 6.1.4: Locate transit and multimodal facilities near higher-density developments and employment and retail centers, social services, and community facilities.

Goal 6.2 Improve Public Transit: Maintain, improve and expand an accessible, safe, and efficient public transportation system.

Goal 6.4 Prioritize Non-Automotive Modes: Continue to integrate all modes into the transportation network and to prioritize bicycle, pedestrian, public transit, and other non-automotive modes to make our network equally accessible, safe, and efficient for all users.

Policy 6.4.2: As capacity needs increase, focus on multimodal improvements and optimization of the existing transportation system rather than adding more lanes for passenger vehicles.

Policy 6.5.1: Implement traffic calming measures where safety concerns exist to manage motor vehicle traffic on residential streets.

Policy 6.6.1: Implement creative parking strategies to minimize inefficiencies and facilitate equitable use of public space, including potential adaptive reuse of structures as needs may evolve.

Policy 6.6.2: Encourage attractive and environmentally sensitive parking areas. -- *No parking garages are more appealing than housing, retail, or greenspace.*

Goal 6.7 Educate the Public: Increase residents' safe use of transportation options that minimize negative environmental and infrastructure impacts.

Policy 6.7.2: Collaborate with community organizations to educate residents about using public transit and bicycling.

Policy 6.7.3: Utilize enforcement programs to support desired motorist and active transportation user behavior.

Programs Ch6 > Mass Transit >

Coordinate with area transit providers (BT, IU, Rural, etc.) for opportunities to enhance service and efficiencies from a regional perspective.

Support statewide initiatives to assist in funding area transit. -- *Here is an opportunity for local funding of transit.*

Develop a plan to expand transit service (days, times, service areas) and accessibility to transit stops (sidewalks).

Programs Ch6 > Motor Vehicle Parking

Regularly examine parking demand, utilization, and alternatives in the Downtown area and City-wide.

COMMON COUNCIL
***** Reasonable Conditions Form *****

Ordinance #: 18-14
Reasonable Condition #: RC – 06
Submitted By: Councilmember Sturbaum, District I
Date: 25 October 2018

Proposed Reasonable Condition:

1. Require that the petitioner shall design all four-bedroom units such that these units can be readily converted into two-bedroom units.

Synopsis

This Reasonable Condition requires all four-bedroom units in the development be designed so that they can be converted into two-bedroom units with minimal modifications.

10/24/18 LUC Committee Action: *None*
10/31/18 Council Action: *None, postponed to 14 November 2018*
11/14/18 Council Action: *Pending.*

Legislative Materials Related to

Ordinance 18-21

To Rezone a Property from Residential Estate (RE) to Planned Unit Development (PUD) and to Amend the Associated PUD District Ordinance and Preliminary Plan - Re: 800 E. Tamarack Trail

and

Ordinance 18-22

To Rezone a Property from Planned Unit Development (PUD), Business Park (BP), and Residential Single Family (RS) to Planned Unit Development (PUD) and to Amend the Associated District Ordinance and Preliminary Plan – Re: 1550 N. Arlington Park Drive & 1723 W. Arlington Road

Link to Legislation for both Ordinances issued in [31 October packet](#)

Related Materials in this Packet:

Land Use Committee Report on Both Ordinances

Ordinance 18-21

Reasonable Conditions Issued in this Packet:

Reasonable Condition – 01 (Piedmont-Smith) - Draft

Ordinance 18-22

No Additional Materials

**City of Bloomington Common Council
Report of the Land Use Committee
November 9, 2018**

ON REFERRAL OF 1. Ordinance 18-21 To Rezone a Property from Residential Estate (RE) to Planned Unit Development (PUD) and to Amend the Associated PUD District Ordinance and Preliminary Plan – Re: 800 E. Tamarack Trail (Meadowood Retirement Community, Petitioner)

Referral and Deliberations

Date	Entity	Action
10/8/18	Plan Commission	Forward with Positive Recommendation (6-1-0)
10/17/18	Plan Commission	Certification of Action to Council
10/31/18	Regular Session	Introduction and Referral to Land Use Committee
11/7/18	Land Use Committee	Consideration of Proposal; Report Back to Regular Session on 11/14/18

Narrative and Recommendations

Committee felt the proposal was fairly straightforward. Most significant concern was expressed by neighbors to the west and echoed by some committee members that the proposed “townhomes” were out of architectural context and that two existing houses that better fit the neighborhood would be removed. CM Piedmont-Smith is considering a Reasonable Condition removing the townhouses from the proposal. CM Sturbaum wants to see elevations for site to settle concerns he has over water drainage issues.

Committee did not consider these issues significant enough to warrant a second hearing, and believes that any issues can be resolved expeditiously at Regular Session. Nevertheless, majority abstained, unwilling to give proposal a positive recommendation, expecting above issues to be addressed by the Council.

Motions

Report Back to the Next Regular Session: **4-0**
Do Pass: **1-0-3 (Chopra)**

#

ON REFERRAL OF 2. Ordinance 18-22 To Rezone a Property from Planned Unit Development (PUD), Business Park (BP), and Residential Single Family (RS) to Planned Unit Development (PUD) and to Amend the Associated District Ordinance and Preliminary Plan – Re: 1550 N. Arlington Park Drive & 1723 W. Arlington Road (Trinitas Development, Petitioner)

Referral and Deliberations

Date	Entity	Action
10/8/18	Plan Commission	Forward Without Recommendation (5-2-0)
10/17/18	Plan Commission	Certification of Action to Council
10/31/18	Regular Session	Introduction and Referral to Land Use Committee
11/7/18	Land Use Committee	Consideration of Proposal; Report Back to Regular Session on 11/14/18

Narrative and Recommendations

This petition is one of the, if not the, first in the experience of the chair to come forward to Council despite a negative recommendation by staff. Petitioner expressed dismay at recent changes to petition not being distributed sufficiently in advance for committee members to have seen them before hearing, and at outset of hearing over limited time to present, having anticipated 20 minutes when chair allotted 10.

Chopra and Piedmont-Smith opposed the project outright based on staff’s arguments against. Sturbaum supported, observing that the property has been undeveloped for decades, and the neighborhood supports a market-rate project; his primary issue is the number of four-bedroom units, which he’d like to see be made convertible into “twin-twos.” Volan had concerns with some aspects of the project, such as individual single and double-unit houses instead of apartment blocks; his primary concerns, however, were transportation-related: an excess of parking, not every house servable by city sanitation because some are on parking lots rather than real streets, and the current lack of a public transit plan.

The committee was split on reporting back to Council or holding a second hearing. The impasse was broken by the chair in favor of reporting back, as two members could refuse to attend a second hearing, preventing quorum.

As with previous proposal, no majority was to be had for a recommendation. A majority is required for one, as it is for business to be conducted at all. Council should take two general lessons from these outcomes: one, that the jurisdiction of a

committee is limited and intentionally so. The other is that recent projects that have come from Plan Commission have been borderline; votes by Plan Commission and the LUC reflect their ambivalence towards them.

Motions

Report Back to the Next Regular Session: 2-2-0 (Sturbaum, Volan)

Continue Deliberations at a Second Hearing: 2-2-0 (Chopra, Piedmont-Smith)

Reconsider First Motion: 3-1-0 (Sturbaum)

Report Back to the Next Regular Session: **3-1-0 (Sturbaum)**

Do Pass: **1-2-1 (Sturbaum; Chopra, Piedmont-Smith; Volan)**

#

Reports submitted respectfully this ninth day of November, 2018.

Stephen Volan
Committee Chair

###

***** Reasonable Conditions Form *****

Ordinance #: 18-21
Reasonable Condition #: 01
Submitted By: Cm. Piedmont-Smith, District V
Date: November 8, 2018

Proposed Reasonable Condition:

1. This PUD authorizes the demolition of two single family houses and the construction of 20 townhomes along North Dunn with Residential Multi-family (RM) development standards. This Reasonable Condition requires the retention of the two single-family homes and application of Residential Estate (RE) development standards for the parcels adjacent to North Dunn Street.

Synopsis

This Reasonable Condition is sponsored by Cm. Piedmont-Smith and would retain the existing single family homes and remove the approval for additional townhomes along North Dunn Street. The primary reason for this Reasonable Condition was best stated by constituent who wrote: "This proposal includes the destruction of two single-family homes that have been integral to the adjacent historic Matlock Heights neighborhood since its inception. The proposed 20 townhomes are not compatible with or appropriate to our mid-century modern neighborhood and do not preserve the character of our neighborhood in style, density, and use."

11/7/18 Committee Action: None
11/14/18 Regular Session Action: Pending

(11/8/18)

Continuation of Rationale – Further Excerpts from Constituent Comment:

Furthermore, the City's Comprehensive Plan states:

- “Many neighborhoods in Bloomington were developed during a span from the late 1800s through the 1950s. These older homes are generally well built and have distinctive architectural features. They also often have smaller footprints compared to more modern homes. As seen in communities across the nation, this can lead to the phenomenon of people purchasing these homes purely for their desirable urban locations and tearing down the existing structure to make way for a brand-new home, which often features an excessively large footprint and a contemporary architectural style. Such homes may not fit into the period context of their surroundings and can negatively impact the fabric of the entire neighborhood. Unchecked, this practice can lead to the large-scale loss of a community's historic integrity and also the loss of affordable housing stock.” (62)

The two homes that Five-Star Living wants to demolish were built in the 1950's. They are mid-century limestone treasures. They are part of the Matlock Heights neighborhood. The recent historic district status protects homes in that neighborhood from this kind of development. If the proposed townhomes are designed in the style of the most recently built townhomes at Meadowood, the integrity and visual rhythm of our single-family mid-century modern street-scape will be broken by an abrupt and dense complex of 20 faux arts and crafts style structures.

The current request to amend the 2006/2007 PUD to allow this expansion, goes against the original intent of that PUD in which the previous local owners, the Wheelers, assured the zoning committee that Meadowood had no intention of changing the street-scape of Dunn St. and wanted the homes along Dunn St. to stay single family homes. They also stated that if the one residence on Dunn St. was demolished (it has since been torn down) that it would be replaced with a single family home. The current corporate owners, Five-Star Living, who purchased the property in 2009 are not honoring that intent and violating the original 2006/2007 PUD.

APPROPRIATION ORDINANCE 18-06

**TO SPECIALLY APPROPRIATE FROM THE CUMULATIVE CAPITAL DEVELOPMENT FUND, MUNICIPAL ARTS FUND AND RENTAL INSPECTION PROGRAM FUND EXPENDITURES NOT OTHERWISE APPROPRIATED
(Appropriating Various Transfers of Funds within the General Fund, Parking Facilities Fund, Risk Management Fund, Police Pension Fund, Alternative Transportation Fund; and, Appropriating Additional Funds from the Cumulative Capital Development Fund, Municipal Arts Fund and Rental Inspection Program Fund)**

- WHEREAS, Various Departments within the General Fund, desire to transfer Classifications 1, 2, 3 & 4 amounts for Personnel services, supplies, services and capital replacement not included in the adopted budget; and
- WHEREAS, the Legal Department desires to transfer funds between Classifications 3 & 1 in the Risk Management Fund for Personnel services not included in the adopted budget; and
- WHEREAS, the Parking Enforcement Division desires to transfer funds between Classifications 1 and 3 for Personnel services in the Alternative Transportation Fund not included in the adopted budget; and
- WHEREAS, the Planning & Transportation Department desires to transfer funds from Classification 2 and increase its budget for the Cumulative Capital Development fund in Classification 4 – Capital for reimbursement by the State for capital not included in the adopted budget; and
- WHEREAS, the Public Works Department desires to transfer funds in the Parking Facilities Fund budget between Classifications 1 and 2 to pay for Personnel services; and
- WHEREAS, the Office of the Controller desires to transfer funds between Classification 1 & 3 in the Police Pension Fund for services not included in the adopted budget; and
- WHEREAS, the Public Works Department desires to increase its budget for the Municipal Arts Fund in Classification 3 – Services and Charges for services not included in the adopted budget; and
- WHEREAS, the Housing & Neighborhood Development Department desires to increase its budget in Classification 3 – Services and Charges in its Rental Inspection Program Fund to reimburse the General Fund for program expenses;

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 – Personnel Services	\$ 15,000.00
Classification 2 – Supplies	\$ (3,000.00)
Total General Fund – AC&C	<u>12,000.00</u>
 General Fund – Housing and Neighborhood Development	
Classification 3 – Services and Charges	\$ (30,000.00)
Total General Fund – Hand	<u>(30,000.00)</u>
 General Fund – Community and Family Resources	
Classification 1 – Personnel Services	\$ (3,000.00)
Total General Fund – CFRD	<u>(3,000.00)</u>

General Fund – Public Works Administration	
Classification 3 – Services and Charges	\$ (25,000.00)
Classification 4 – Capital	25,000.00
Total General Fund – PWA	<u>(0.00)</u>
General Fund – Fire	
Classification 2 – Supplies	\$ (39,000.00)
Classification 3 – Services and Charges	\$ 39,000.00
Total General Fund – Fire	<u>0.00</u>
General Fund – Police	
Classification 1 – Personnel Services	\$ 75,000.00
Classification 3 – Services and Charges	\$ 74,900.00
Total General Fund – Police	<u>149,900.00</u>
General Fund – Information Technology Services	
Classification 3 – Services and Charges	\$ (80,000.00)
Classification 4 – Capital	\$ 80,000.00
Total General Fund – ITS	<u>0.00</u>
General Fund – Board of Public Safety	
Classification 1 – Personnel Services	\$ 1.00
Total General Fund – Board of Public Safety	<u>1.00</u>
General Fund – Mayor	
Classification 2 – Supplies	\$ 5,000.00
Classification 3 – Services and Charges	\$ (5,000.00)
Total General Fund – Mayor	<u>0.00</u>
General Fund – Planning and Transportation	
Classification 1 – Personnel Services	\$ (128,901.00)
Total General Fund – P&T	<u>(128,901.00)</u>
Grand Total General Fund(F101)	<u><u>\$ 0.00</u></u>
Parking Facilities Fund (F452) – Public Works	
Classification 1 – Personnel Services	\$ 4,000.00
Classification 2 – Supplies	\$ (4,000.00)
Total Parking Facilities – Public Works	<u>0.00</u>
Grand Total Parking Facilities Fund	<u><u>\$ 0.00</u></u>
Risk Management Fund (F800) - Legal	
Classification 1 – Personnel Services	\$ 5,500.00
Classification 3 – Services and Charges	\$ (5,500.00)
Total Risk Management Fund - Legal	<u>0.00</u>
Grand Total Risk Management Fund	<u><u>\$ 0.00</u></u>
Police Pension Fund (F900) - Controller	
Classification 1 – Personnel Services	\$ 1.00
Classification 3 – Services and Charges	\$ (1.00)
Total Police Pension Fund - Controller	<u>0.00</u>
Grand Total Police Pension Fund	<u><u>\$ 0.00</u></u>
Alternative Transportation Fund – Parking Enforcement (F454)	
Classification 1 – Personnel Services	\$ 800.00
Classification 3 – Services and Charges	\$ (800.00)
Total Alternative Transportation Fund –P&T	<u>0.00</u>
Grand Total Alternative Transportation Fund	<u><u>\$ 0.00</u></u>

Cumulative Capital Development Fund (F601) – Planning & Transportation

Classification 2 – Supplies	\$ (75,000.00)
Classification 4 – Capital	\$ 280,030.00
Total Cumulative Capital Development Fund – P&T	<u>205,030.00</u>
Grand Total Cumulative Capital Development Fund	<u>\$ 205,030.00</u>

Municipal Arts Fund (F402)– Public Works

Classification 3 – Services and Charges	\$ 10,000.00
Total Municipal Arts Fund – Public Works	<u>10,000.00</u>
Grand Total Municipal Arts Fund	<u>\$ 10,000.00</u>

Rental Inspection Program Fund (F411) – HAND

Classification 3 – Services and Charges	\$ 282,000.00
Total Rental Inspection Program Fund - HAND	<u>282,000.00</u>
Grand Total Rental Inspection Program Fund	<u>\$ 282,000.00</u>

Grand Total All Funds \$ 497,030.00

PASSED 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 various transfers of Funds within the General Fund, Parking Facilities Fund, Risk Management Fund, Police Pension Fund, Alternative Transportation Fund; and, Appropriating Additional Funds from the Cumulative Capital Development Fund, Municipal Arts Fund and Rental Inspection Program Fund.



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: Jeffrey Underwood, Controller
Date: November 8, 2018
Re: Appropriation Ordinance 18-06

Appropriation Ordinance 18-06 is our comprehensive 2018 year-end appropriation. The total "net" additional appropriation is \$497,030.00. In addition, there are appropriations that are simple transfers between departments that have zero net impact on the total budget.

1. **General Fund – Various** The majority of this ordinance transfers appropriations between departments and categories in order to cover changes between the initial budget prepared, and actual operational results. As in previous years, the net effect on the actual appropriation from the General Fund is zero. There will be no impact on the fund balance or tax rates.
 - a. **Fire Department** - \$39,000 transfer from Classification 2 - Supplies to Classification 3 – Services and Charges to cover various repairs to the departments fire stations – With nearly \$50,000.00 of unforeseen cost and repairs this year starting out in January with a nearly \$20,000 repair of a sewer lift station at Fire Headquarters and ending with \$13,000 to repair damage caused by flooding at Fire Headquarters; we need to finish accomplishing our planned repairs to correct two safety issues and one infrastructure replacement (Stair treads repair/replacement at Stations 1 & 2 and HVAC replacement at Station 5).
 - b. **Public Works Administration** - \$25,000 transfer from Classification 3 – Services and Charges to Classification 4 – Capital to pay for additional capital expenditures. This will assist with the replacement of heat pumps and window repairs in Showers – City Hall.
 - c. **Office of the Mayor** – \$5,000 transfer from Classification 3 – Services and Charges to Classifications 2 – Supplies to pay for additional supplies needed to fund the office.
 - d. **Information Technology Services** - \$80,000 transfer from Classification 3 – Services and Charges to Classification 4 – Capital to fund replacement and addition of hardware related to data storage and network equipment.
 - e. **Public Works** – Animal Shelter – \$3,000 transfer from Classification 2 - Supplies to Classification 1 – Personnel Services and \$12,000 in additional funds for Classification 1 – Personnel Services. The department had several employees out for extended periods of time. This r will fund overtime expended to cover those lost hours.
 - f. **Police Department** – Appropriates \$75,000 in Classification 1 – Personnel Services to cover additional overtime hours for coverage due to intermittent vacancies and increased patrols on Kirkwood. Appropriates \$74,900 in Classification 3 – Services and Charges to cover expenses related to repayment to the County for the equalization payment related to the construction of the Central Dispatch Center.
2. **Parking Facilities Fund** – This is a transfer of funds from Classification 2 – Supplies to Classification 1 – Personnel Services to account for impacts of Phase 1 of the City's market adjustment study. There will be no impact on the fund balance
3. **Police Pension Fund** – This is a transfer from Classification 3 – Services and Charges to Classification 1 – Personnel Services and will have no impact on the Fund balance.
4. **Alternative Transportation Fund** – The Parking Enforcement is requesting to transfer funds from Classification 3 – Services and Charges to Classification 1 – Personnel Services to account for the impacts of Phase 1 of the City's market adjustment study. There will be no impact of the fund balance.

5. **Cumulative Capital Development Fund** – The Planning & Transportation Department is requesting to appropriate funds that were expended on behalf of the State and has been reimbursed by them in Classification 4 – Capital. In addition, the Public Works Department is requesting a transfer of \$75,000 from Classification 2 - Supplies to Classification 4 - Capital to purchase a salt brine machine (\$25,000) for treatment of City streets and for the purchase of a Striping Machine (\$50,000) to be placed on an existing vehicle to be used for in-house pavement markings. The existing unit is over 17 years old and has outlived its useful life. There will be no impact on the fund balance or tax rate.
6. **Risk Management Fund** – The Public Works Department is requesting a transfer of funds from Classification 3 – Services and Charges to Classification 1 – Personnel Services Charges to account for the impacts of Phase 1 of the City’s market adjustment study. There will be no impact on the fund balance.
7. **Municipal Arts Fund** – The ordinance establishing this fund requires approval from the City Council for any expenditures from the fund. It is estimated that the Commission will expend \$10,000.00. The cash balance in the fund will support this appropriation.
8. **Rental Inspection Program – HAND** In 2012 the state legislature created new rules regarding rental inspection programs. This requires the City to deposit receipts from the program in a designated fund. As of October 31, that fund has collected approximately \$282,000 for the 12 months ended October 31, 2018. Although the revenue is now accounted for in the new fund, expenses for the program are still appropriated in the general fund. As such, we will be creating an invoice to reimburse the general fund from the rental inspection program fund.



ORDINANCE 18-20

**AN ORDINANCE TO AMEND ORDINANCE 17-45
WHICH MADE CHANGES TO CHAPTER 20.03 “OVERLAY DISTRICTS” TO PROVIDE
CLEAR GUIDANCE ON DOWNTOWN OVERLAY
DEVELOPMENT AND ARCHITECTURAL STANDARDS**

**Re: Extending the Expiration Date from the End of December 2018 to the Earlier Date of
December 31, 2019 or the Adoption of a New Unified Development Ordinance**

- WHEREAS, the Unified Development Ordinance, Title 20 of the Bloomington Municipal Code (“UDO”) regulates development and architectural standards within the City of Bloomington; and
- WHEREAS, the UDO contains a number of overlay districts (“Overlay Districts”) in Chapter 20.03 that prescribe additional development and architectural standards for the Commercial Downtown (CD district): the Courthouse Square Overlay (CSO), the Downtown Core Overlay (DCO), the University Village Overlay (UVO), the Downtown Edges Overlay (DEO), the Downtown Gateway Overlay (DGO), and the Showers Technology Park Overlay (STPO); and
- WHEREAS, an expressed intent of each of these downtown Overlay Districts is to “ensure that new development is compatible in mass and scale with historic structures in the [Overlay District] character area;” and
- WHEREAS, on December 11, 2017, the Plan Commission considered ZO-42-17, and made a positive recommendation in favor of the amending the UDO to provide clearer guidance on the review, development, and architectural standards to the aforementioned overlay districts in the CD district; and
- WHEREAS, on December 11, 2017, the Plan Commission also attached a sunset clause to the overlay changes, providing that such changes shall be in effect for a period not to exceed twelve months after the date of adoption of the ordinance unless the ordinance is otherwise repealed, replaced, or modified; and
- WHEREAS, this sunset clause was added with the expectation that a revised UDO would be adopted before the twelve-month period expired; and
- WHEREAS, if not repealed and replaced by language of the new UDO, the sunset clause provides that CD overlay requirements will revert to the previous wording of 20.03; and
- WHEREAS, the Plan Commission certified the overlay changes with the sunset to the Council on December 12, 2017 as Ordinance 17-45; and
- WHEREAS, on December 20, 2017, the Common Council passed Ordinance 17-45 as certified by the Plan Commission (Exhibit A); and
- WHEREAS, the revisions to the UDO are still in development and will not be adopted before Ordinance 17-45’s expiration date; and
- WHEREAS, in order to stay consistent with the direction of the new Comprehensive Plan, the Planning and Transportation Department recommends extending the expiration date of Ordinance 17-45; and
- WHEREAS, on November 5, 2018, the Plan Commission considered ZO-31-18, and made a positive recommendation to extend the deadline of Ordinance 17-45 to December 31, 2019 or when the new UDO is adopted, whichever date occurs earliest;

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

SECTION 1. Section 19 of Ordinance 17-45 (Exhibit A) shall be amended to extend the expiration date of the ordinance to December 31, 2019 or to the date of the adoption of a new Unified Development Ordinance, whichever date is earliest. If Chapter 20.03 of the Unified Development Ordinance is not repealed, replaced, or modified by December 31, 2019, the provisions of Ordinance 17-45 shall expire and the wording of Chapter 20.03 prior to adoption of Ordinance 17-45 shall be reinstated.

SECTION 2. 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 3. 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, and after any required waiting and/or notice periods under Indiana law.

PASSED 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 extends the expiration date of Ordinance 17-45 from the end of December 2018 to December 31, 2019 or to the date of the adoption of a revised UDO, whichever date occurs earlier. The initial expiration date was identified with the expectation that a new UDO would be adopted in 2018. As the adoption of the UDO will not occur until 2019, this ordinance extends the expiration date to the end of 2019. Ordinance 17-45 made a number of interim changes to overlay districts in the Commercial Downtown (CD) district.

*Corrected per
Home Pro Team Entry*

**ORDINANCE 17-45
TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE)
OF THE BLOOMINGTON MUNICIPAL CODE**

**Re: Amending Chapter 20.03 “Overlay Districts” To Provide Clear Guidance on Downtown
Overlay Development and Architectural Standards**

WHEREAS, on December 20, 2006, the Common Council passed Ordinance 06-24, which created the Unified Development Ordinance, Title 20 of the Bloomington Municipal Code (“UDO”); and

WHEREAS, the UDO regulates development and architectural standards within the City of Bloomington; and

WHEREAS, the UDO contains a number of overlay districts (“Overlay Districts”) that prescribe additional development and architectural standards for the Commercial Downtown (CD) district: the Courthouse Square Overlay (CSO), the Downtown Core Overlay (DCO), the University Village Overlay (UVO), the Downtown Edges Overlay (DEO), the Downtown Gateway Overlay (DGO), and the Showers Technology Park Overlay (STPO); and

WHEREAS, an expressed intent of each of these downtown Overlay Districts is to “ensure that new development is compatible in mass and scale with historic structures in the [Overlay District] character area;” and

WHEREAS, the City of Bloomington wishes to amend the UDO to provide clearer guidance on the review, development, and architectural standards that align with this expressed intent; and

WHEREAS, on December 11, 2017, the Plan Commission considered ZO-42-17, and made a positive recommendation in favor of the amendments to the UDO described herein;

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

SECTION 1. Section 20.03.030 - Courthouse Square overlay (CSO) — Review standards shall be deleted and replaced with the following:

20.03.030 Courthouse square overlay (CSO)—Review standards.

Staff Review:

Staff shall approve any project that:

- Complies with all the standards of Section 20.03.050, Courthouse square overlay (CSO)—Development standards and Section 20.03.060, Courthouse square overlay (CSO)—Architectural standards; and
- Complies with all review standards of Section 20.09.120, Site plan review.

Plan Commission Review:

The plan commission shall approve any project that:

- Complies with all the standards of Section 20.03.050, Courthouse square overlay (CSO)—Development standards and Section 20.03.060, Courthouse square overlay (CSO)—Architectural standards; and complies with all review standards of Section 20.09.120, Site plan review.

The plan commission may approve any project that does not comply with all the standards of Section 20.03.050, Courthouse square overlay (CSO)—Development standards and Section 20.03.060, Courthouse square overlay (CSO)—Architectural standards if the commission finds that the project:

- Complies with all review standards of Section 20.09.120, Site plan review, and
- Satisfies the design guidelines set forth in Section 20.03.070, Courthouse square overlay (CSO)—Design guidelines.
- The Plan Commission is encouraged to consider projects that include a high degree of best practice sustainable development design features that are unique designs which are not incompatible with their surroundings, and that contribute to the diversification of downtown housing and/or contribute to addressing the community’s affordable housing challenge.

SECTION 2. Subsections 20.03.050 (a) and 20.03.050 (b) of Courthouse square overlay (CSO)—Development standards, shall be deleted and replaced with the following:

(a) Density and Intensity Standards.

(1) Maximum residential density: twenty units per acre.

(A) Dwelling unit equivalents:

Five-bedroom unit = two units;

Four-bedroom unit = one and one-half units;

Three-bedroom unit = one unit;

Two-bedroom unit with less than nine hundred fifty square feet = 0.66 of a unit;

One-bedroom unit with less than seven hundred square feet = 0.25 of a unit;

Efficiency or studio unit with less than five hundred fifty square feet = 0.20 of a unit.

(2) Maximum impervious surface coverage: one hundred percent.

(b) Height Standards.

(1) Minimum structure height: twenty-five feet.

(2) Maximum structure height: thirty feet.

SECTION 3. Subpart (c)(1) of Section 20.03.060 - Courthouse square overlay (CSO)—Architectural standards shall be deleted and replaced with the following:

(c) Mass, Scale and Form:

(1) Building Facade Modulation. Facade modulation is required and shall be incorporated through recessing and through banding and/or articulation of exterior materials or change of materials by incorporating repeating patterns, textures and/or colors used on exterior facade materials.

(A) Building facades with street frontage shall utilize a maximum facade width interval of fifty feet and a minimum facade width interval of twenty feet for a facade module.

(B) The building facade module shall be offset by a minimum depth (projecting or recessing) of five percent of the total facade length, at a minimum of five feet, and the offset shall extend the length and height of its module.

SECTION 4. 20.03.100 - Downtown core overlay (DCO)—Review standards shall be deleted and replaced with the following:

20.03.100 Downtown core overlay (DCO)—Review standards.

Staff Review:

Staff shall approve any project that:

- Complies with all the standards of Section 20.03.120, Downtown core overlay—Development standards and Section 20.03.130, Downtown core overlay—Architectural standards; and
- Complies with all review standards of Section 20.09.120, Site plan review.

Plan Commission Review:

The plan commission shall approve any project that:

- Complies with all the standards of Section 20.03.120, Downtown core overlay—Development standards and Section 20.03.130, Downtown core overlay—Architectural standards; and complies with all review standards of Section 20.09.120, Site plan review.

The plan commission may approve any project that does not comply with all the standards of Section 20.03.120, Downtown core overlay—Development standards and Section 20.03.130, Downtown core overlay—Architectural standards if the commission finds that the project:

- Complies with all review standards of Section 20.09.120, Site plan review, and
- Satisfies the design guidelines set forth in Section 20.03.140, Downtown core overlay—Design guidelines.
- The Plan Commission is encouraged to consider projects that include a high degree of best practice sustainable development design features that are unique designs which are not incompatible with their surroundings, and that contribute to the diversification of downtown housing and/or contribute to addressing the community's affordable housing challenge.

SECTION 5. Subsections 20.03.120(a) and 20.03.120(b) - Downtown core overlay (DCO)—Development standards shall be deleted and replaced with the following:

(a) Density and Intensity Standards.

(1) Maximum residential density: thirty units per acre.

(A) Dwelling unit equivalents:

Five-bedroom unit = two units;

Four-bedroom unit = one and one-half units;

Three-bedroom unit = one unit;

Two-bedroom unit with less than nine hundred fifty square feet = 0.66 of a unit;

One-bedroom unit with less than seven hundred square feet = 0.25 of a unit;

Efficiency or studio unit with less than five hundred fifty square feet = 0.20 of a unit.

(2) Maximum impervious surface coverage: one hundred percent.

(b) Height Standards.

(1) Minimum structure height: thirty-five feet

(2) Maximum structure height: forty feet

SECTION 6. Subpart (c)(1) of Section 20.03.130 - Downtown core overlay (DCO)—Architectural standards shall be deleted and replaced with the following:

(c) Mass, Scale and Form.

(1) Building Facade Modulation. Facade modulation is required and shall be incorporated through recessing and through banding and/or articulation of exterior materials or change of materials by incorporating repeating patterns, textures and/or colors used on exterior facade materials.

(A) Building facades with street frontage shall utilize a maximum facade width interval of sixty-five feet and a minimum facade width interval of twenty-five feet for a facade module.

(B) The building facade module shall be offset by a minimum depth (projecting or recessing) of five percent of the total facade length, at a minimum of five feet, and the offset shall extend the length and height of its module.

SECTION 7. 20.03.170 - University village overlay (UVO)—Review standards shall be deleted and replaced with the following:

20.03.170 University village overlay (UVO)—Review standards.

Staff Review:

Staff shall approve any project that:

- Complies with all the standards of Section 20.03.190, University village overlay (UVO)—Development standards and Section 20.03.200, University village overlay (UVO)—Architectural standards; and
- Complies with all review standards of Section 20.09.120, Site plan review.

Plan Commission Review:

The plan commission shall approve any project that:

- Complies with all the standards of Section 20.03.190, University village overlay (UVO)—Development standards and Section 20.03.200, University village overlay (UVO)—Architectural standards; and complies with all review standards of Section 20.09.120, Site plan review.

The plan commission may approve any project that does not comply with all the standards of Section 20.03.190, University village overlay (UVO)—Development standards and Section 20.03.200, University village overlay (UVO)—Architectural standards if the commission finds that the project:

- Complies with all review standards of Section 20.09.120, Site plan review, and
- Satisfies the design guidelines set forth in Section 20.03.210, University village overlay (UVO)—Design guidelines.
- The Plan Commission is encouraged to consider projects that include a high degree of best practice sustainable development design features that are unique designs which are not incompatible with their surroundings, and that contribute to the diversification of downtown housing and/or contribute to addressing the community's affordable housing challenge.

SECTION 8. Subsections 20.03.190(a) and 20.03.190(b) - University village overlay (UVO)—Development standards shall be deleted and replaced with the following:

(a) Density and Intensity Standards.

(1) Maximum residential density: twenty units per acre.

(A) Dwelling Unit equivalents:

Five-bedroom unit = two units;

Four-bedroom unit = one and one-half units;

Three-bedroom unit = one unit;

Two-bedroom unit with less than nine hundred fifty square feet = 0.66 of a unit;

One-bedroom unit with less than seven hundred square feet = 0.25 of a unit;

Efficiency or studio unit with less than five hundred fifty square feet = 0.20 of a unit.

(2) Maximum impervious surface coverage:

(A) General: eighty-five percent;

(B) Kirkwood Corridor: one hundred percent.

(b) Height Standards.

(1) General:

(A) Minimum structure height: twenty-five feet.

(B) Maximum structure height: thirty feet.

(2) Restaurant row:

(A) Minimum structure height: twenty feet.

(B) Maximum structure height: twenty-five feet.

SECTION 9. Subpart (c)(1) of Section 20.03.200 - University village overlay (UVO)—Architectural standards shall be deleted and replaced with the following:

(c) Mass, Scale and Form.

(1) Building Facade Modulation. Facade modulation is required and shall be incorporated through recessing and through banding and/or articulation of exterior materials or change of materials by incorporating repeating patterns, textures and/or colors used on exterior facade materials.

(A) Building facades with street frontage shall utilize a maximum facade width interval of fifty feet and a minimum facade width interval of twenty feet for a facade module.

(B) The building facade module shall be offset by a minimum depth (projecting or recessing) of five percent of the total facade length, at a minimum of five feet, and the offset shall extend the length and height of its module.

SECTION 10. 20.03.240 - Downtown edges overlay (DEO)—Review standards shall be deleted and replaced with the following:

20.03.240 Downtown edges overlay (DEO)—Review standards.

Staff Review:

Staff shall approve any project that:

- Complies with all the standards of Section 20.03.260, Downtown edges overlay (DEO)—Development standards and Section 20.03.270, Downtown edges overlay (DEO)—Architectural standards; and
- Complies with all review standards of Section 20.09.120, Site plan review.

Plan Commission Review:

The plan commission shall approve any project that:

- Complies with all the standards of Section 20.03.260, Downtown edges overlay (DEO)—Development standards and Section 20.03.270, Downtown edges overlay (DEO)—Architectural standards; and complies with all review standards of Section 20.09.120, Site plan review.

The plan commission may approve any project that does not comply with all the standards of Section 20.03.260, Downtown edges overlay (DEO)—Development standards and Section 20.03.270, Downtown edges overlay (DEO)—Architectural standards if the commission finds that the project:

- Complies with all review standards of Section 20.09.120, Site plan review, and
- Satisfies the design guidelines set forth in Section 20.03.280, Downtown edges overlay (DEO)—Design guidelines.

- The Plan Commission is encouraged to consider projects that include a high degree of best practice sustainable development design features that are unique designs which are not incompatible with their surroundings, and that contribute to the diversification of downtown housing and/or contribute to addressing the community's affordable housing challenge.

SECTION 11. Subsections 20.03.260(a) and 20.03.260(b) - Downtown edges overlay (DEO)—Development standards shall be deleted and replaced with the following:

(a) Density and Intensity Standards.

(1) Maximum residential density: fifteen units per acre.

(A) Dwelling unit equivalents:

Five-bedroom unit = two units;

Four-bedroom unit = one and one-half units;

Three-bedroom unit = one unit;

Two-bedroom unit with less than nine hundred fifty square feet = 0.66 of a unit;

One-bedroom unit with less than seven hundred square feet = 0.25 of a unit;

Efficiency or studio unit with less than five hundred fifty square feet = 0.20 of a unit.

(2) Maximum impervious surface coverage: seventy percent.

(b) Height Standards.

(1) Minimum structure height: twenty feet.

(2) Maximum structure height: twenty-five feet.

SECTION 12. Subpart (c)(1) of Section 20.03.270 - Downtown edges overlay (DEO)—Architectural standards shall be deleted and replaced with the following:

(c) Mass, Scale and Form.

(1) Building Facade Modulation. Facade modulation is required and shall be incorporated through recessing and through banding and/or articulation of exterior materials or change of materials by incorporating repeating patterns, textures and/or colors used on exterior facade materials.

(A) Building facades along each street shall utilize a maximum facade width interval of forty-five feet and a minimum facade width interval of twenty feet for a facade module.

(B) The building facade module shall be offset by a minimum depth (projecting or recessing) of five percent of the total facade length, at a minimum of five feet, and the offset shall extend the length and height of its module.

SECTION 13. 20.03.310 - Downtown gateway overlay (DGO) — Review Standards shall be deleted and replaced with the following:

20.03.310 Downtown gateway overlay (DGO)—Review standards.

Staff Review:

Staff shall approve any project that:

- Complies with all the standards of Section 20.03.330, Downtown gateway overlay (DGO)—Development standards and Section 20.03.340, Downtown gateway overlay (DGO)—Architectural standards; and
- Complies with all review standards of Section 20.09.120, Site plan review.

Plan Commission Review:

The plan commission shall approve any project that:

- Complies with all the standards of Section 20.03.330, Downtown gateway overlay (DGO)—Development standards and Section 20.03.340, Downtown gateway overlay (DGO)—Architectural standards; and complies with all review standards of Section 20.09.120, Downtown gateway overlay (DGO)—Site plan review.

The plan commission may approve any project that does not comply with all the standards of Section 20.03.330, Downtown gateway overlay (DGO)—Development standards and Section 20.03.340, Downtown gateway overlay (DGO)—Architectural standards if the commission finds that the project:

- Complies with all review standards of Section 20.09.120, Site plan review, and
- Satisfies the design guidelines set forth in Section 20.03.350, Downtown gateway overlay (DGO)—Design guidelines.

- The Plan Commission is encouraged to consider projects that include a high degree of best practice sustainable development design features that are unique designs which are not incompatible with their surroundings, and that contribute to the diversification of downtown housing and/or contribute to addressing the community's affordable housing challenge.

SECTION 14. Subsections 20.03.330(a) and 20.03.330(b) - Downtown gateway overlay (DGO)—Development standards shall be deleted and replaced with the following:

(a) Density and Intensity Standards.

(1) Maximum residential density: twenty units per acre.

(A) Dwelling unit equivalents:

Five-bedroom unit = two units;

Four-bedroom unit = one and one-half units;

Three-bedroom unit = one unit;

Two-bedroom unit with less than nine hundred fifty square feet = 0.66 of a unit;

One-bedroom unit with less than seven hundred square feet = 0.25 of a unit;

Efficiency or studio unit with less than five hundred fifty square feet = 0.20 of a unit.

(2) Maximum impervious surface coverage: seventy-five percent.

(b) Height Standards.

(1) Minimum structure height: twenty-five feet.

(2) Maximum structure height: thirty feet.

SECTION 15. Subpart (c)(1) of Section 20.03.340 - Downtown gateway overlay (DGO)—Architectural standards shall be deleted and replaced with the following:

(c) Mass, Scale and Form.

(1) Building Facade Modulation. Facade modulation is required and shall be incorporated through recessing and through banding and/or articulation of exterior materials or change of materials by incorporating repeating patterns, textures and/or colors used on exterior facade materials.

(A) Building facades with street frontage shall utilize a maximum facade width interval of sixty-five feet and a minimum facade width interval of twenty-five feet for a facade module.

(B) Building facade module shall be offset by a minimum depth (projecting or recessing) of five percent of the total facade length, at a minimum of five feet, and the offset shall extend the length and height of its module.

SECTION 16. 20.03.380 - Showers Technology Park overlay (STPO)—Review standards shall be deleted and replaced with the following:

20.03.380 Showers Technology Park overlay (STPO)—Review standards.

Staff Review:

Staff shall approve any project that:

- Complies with all the standards of Section 20.03.400, Showers technology park overlay (STPO)—Development standards and Section 20.03.410, Showers technology park overlay (STPO)—Architectural standards; and
- Complies with all review standards of Section 20.09.120, Site plan review.

Plan Commission Review:

The plan commission shall approve any project that:

- Complies with all the standards of Section 20.03.400, Showers technology park overlay (STPO)—Development standards and Section 20.03.410, Showers technology park overlay (STPO)—Architectural standards; and complies with all review standards of Section 20.09.120, Site plan review.

The plan commission may approve any project that does not comply with all the standards of Section 20.03.400, Showers technology park overlay (STPO)—Development standards and Section 20.03.410, Showers technology park overlay (STPO)—Architectural standards if the commission finds that the project:

- Complies with all review standards of Section 20.09.120, Site plan review, and
- Satisfies the design guidelines set forth in Section 20.03.420, Showers Technology Park overlay (STPO)—Design guidelines.

- The Plan Commission is encouraged to consider projects that include a high degree of best practice sustainable development design features that are unique designs which are not incompatible with their surroundings, and that contribute to the diversification of downtown housing and/or contribute to addressing the community's affordable housing challenge.

SECTION 17. Subsection 20.03.400(b) - Showers Technology Park overlay (STPO)—
Development standards, Height standards shall be deleted and replaced with the following:

(b) Height Standards.

- (1) Minimum structure height: twenty-five feet.
- (2) Maximum structure height: thirty-five feet.

SECTION 18. Subpart (c)(1) of Section 20.03.410 - Showers Technology Park overlay (STPO)—
Architectural standards shall be deleted and replaced with the following:

(c) Mass, Scale and Form.

- (1) Building Facade Modulation. Facade modulation is required and shall be incorporated through recessing and through banding and/or articulation of exterior materials or change of materials by incorporating repeating patterns, textures and/or colors used on exterior facade materials.
 - (A) Building facades along each street and the B-line trail shall utilize a maximum facade width interval of one hundred feet and a minimum facade width interval of twenty-five feet for a facade module.
 - (B) The building facade module shall be offset by a minimum depth (projecting or recessing) of five percent of the total facade length, at a minimum of five feet, and the offset shall extend the length and height of its module.

SECTION 19. Duration:

This Amendment to Chapter 20.03 "Overlay Districts" shall be in effect for a period of time not to exceed twelve (12) months after the adoption of this ordinance. If not repealed, replaced, or modified, this amendment shall expire and the previous wording of 20.03 shall be reinstated.


SECTION 20. 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 21. 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, and after any required waiting and/or notice periods under Indiana law.


PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 20 day of December, 2017.


SUSAN SANDBERG, President
Bloomington Common Council

ATTEST:

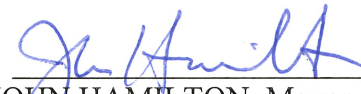

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 21st day of December, 2017.


NICOLE BOLDEN, Clerk
City of Bloomington

Pursuant to the attached Nunc Pro Tunc Entry, which retroactively corrected Ordinance 17-45, this corrected ordinance was presented by me to the Mayor of the City of Bloomington, Indiana upon this 3rd day of May, 2018.

SIGNED and APPROVED by me upon this _____ day of _____, 2017.


JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Title 20 (the Unified Development Ordinance or “UDO”) of the Bloomington Municipal Code. The proposed amendments decrease the densities and heights of, and set forth additional guidelines for, new construction in the downtown overlay districts. The policies of the 2002 Growth Policies Plan, the 2005 Downtown Vision and Infill Strategy Plan and the subsequent UDO were successful in spurring downtown development, and approximately 1,000 new downtown housing units have been built since 2007, with more under construction or recently approved. However, current community sentiment, as it will be embodied in the revised Comprehensive Plan presently under review, is that the existing UDO standards are not sufficient to preserve the integrity, uniqueness, and diversity of the overlay neighborhoods. The intent of these proposed amendments is to ensure that new development in the Overlay Districts is appropriately sized, scaled, and compatible with existing buildings so as to preserve and enhance the distinct character of the Overlay Districts until a broader revision of the UDO can be undertaken after adoption of the new Comprehensive Plan. In the event that the new UDO is not in effect, the proposed amendments are set to expire twelve months after the adoption of this ordinance.

The ordinance amends Section 20.03.030 - Courthouse Square overlay (CSO) — Review standards, Sections 20.03.050 - Courthouse square overlay (CSO)—Development Standards, 20.03.060 - Courthouse square overlay (CSO)—Architectural standards, 20.03.100 - Downtown core overlay (DCO)—Review standards, 20.03.120 - Downtown core overlay (DCO)—Development standards, 20.03.130 - Downtown core overlay (DCO)—Architectural standards, 20.03.170 - University village overlay (UVO)—Review standards, 20.03.190 - University village overlay (UVO)—Development standards, 20.03.200 - University village overlay (UVO)—Architectural standards, 20.03.240 - Downtown edges overlay (DEO)—Review standards, 20.03.260 - Downtown edges overlay (DEO)—Development standards, 20.03.270 - Downtown edges overlay (DEO)—Architectural standards, 20.03.310 - Downtown gateway overlay (DGO) — Review Standards, 20.03.330 - Downtown gateway overlay (DGO)—Development standards, 20.03.340 - Downtown gateway overlay (DGO)—Architectural standards, 20.03.380 - Showers Technology Park overlay (STPO)—Review standards, 20.03.400 - Showers technology park overlay (STPO)—Development standards, and 20.03.410 - Showers technology park overlay (STPO)—Architectural standards.

NUNC PRO TUNC ENTRY
**CORRECTING SIGNATURES ON ORDINANCE 17-45: TO AMEND TITLE 20
(UNIFIED DEVELOPMENT ORDINANCE) OF THE BLOOMINGTON MUNICIPAL
CODE – RE: AMENDING CHAPTER 20.03 “OVERLAY DISTRICTS” TO PROVIDE
CLEAR GUIDANCE ON DOWNTOWN OVERLAY DEVELOPMENT AND
ARCHITECTURAL STANDARDS**

WHEREAS, on December 20, 2017, the Bloomington Common Council passed Ordinance 17-45, which had the effect of amending the Bloomington Municipal Code, Chapter 20.03 to provide clear guidance on Downtown Overlay development and architectural standards; and

WHEREAS, given the swift trajectory of this legislation, the legislation was issued in the Council’s legislative packet on December 8, 2017 before the Plan Commission acted; and

WHEREAS, the legislative packet made clear that the Plan Commission had not yet acted and that the version certified to the Council may be different than that issued in the legislative packet; and

WHEREAS, on December 11, 2017, the Plan Commission voted in favor of Ordinance 17-45, but added a sunset clause to the legislation, recounted in a new Section 19, making the entire ordinance sunset twelve months after its effective date; and

WHEREAS, on December 12, 2017, the Plan Commission certified this version of Ordinance 17-45 to the Council and such certification was signed by the City Clerk; and

WHEREAS, on December 12, 2017, Councilmembers were notified of the version certified for their consideration; and

WHEREAS, on December 20, 2017, copies of the version certified to the Council were distributed to Councilmembers and the public; and

WHEREAS, on December 20, 2017, the Council passed Ordinance 17-45, as certified to them by the Plan Commission; and

WHEREAS, it has been discovered that the version issued in the legislative packet, not that certified to the Council, was mistakenly signed by the Council President and the Mayor; and

WHEREAS, local legislative bodies may take steps to correct their own records to speak the truth (*State ex rel. Van Der Veer v. Butcher*, 205 Ind. 117 [1933]) and the City Clerk has the duty to keep accurate records of City Council action (*I.C. § 36-4-6-9*); and

WHEREAS, a nunc pro tunc entry is an appropriate means to correct an error in City Council records (*City of Logansport v. Crockett*, 64 Ind. 319 [1878]) and, upon proper written memorial, serves as “an entry made now of something which was actually previously done, to have effect as of the former date.” (*Elliott v. Dyck O’Neal, Inc.*, 46 N.E.3d 448, 456–57 [Ind. Ct. App. 2015]);

NOW THEREFORE,

1. In concert with this entry, the City Clerk has presented Ordinance 17-45, as certified by the Plan Commission (Correct Ordinance 17-45), to President of the Council and Mayor, who were in office as of the date of adoption of the ordinance, and has attested to their signatures on the Correct Ordinance 17-45.
2. The Correct Ordinance 17-45, hereby replaces the previous version of the ordinance as it was recorded by the City Clerk in the book of ordinances pursuant to IC § 36-4-6-17.
3. This nunc pro tunc entry serves as the written memorial for this correction and shall be placed alongside the Correct Ordinance 17-45 in the aforementioned book of ordinances and elsewhere as deemed appropriate by the City Clerk.

AS CITY CLERK OF THE CITY OF BLOOMINGTON, I MAKE THIS ENTRY:



NICOLE BOLDEN, Clerk
City of Bloomington

23 February 2018
Date


ACKNOWLEDGED AND APPROVED:




DOROTHY GRANGER, President (2018)
Bloomington Common Council

23 February 2018
Date

ATTEST:




NICOLE BOLDEN, Clerk
City of Bloomington



SUSAN SANDBERG, President (at time of
adoption of Ordinance 17-45)
Bloomington Common Council

February 23, 2018
Date

ATTEST:



NICOLE BOLDEN, Clerk
City of Bloomington

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 18-20 is a true and complete copy of Plan Commission Case Number ZO-31-18 which was given a recommendation of approval by a vote of 6 Ayes, 1 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on November 5, 2018.

Date: November 7, 2018



Terri Porter, Secretary
Plan Commission

Received by the Common Council Office this 7th day of November, 2018.



Nicole Bolden, City Clerk

Appropriation Ordinance # _____	Fiscal Impact Statement Ordinance # _____	Resolution # _____
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Type of Legislation:

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

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

Cause of Request:

Planned Expenditure _____	Emergency _____
Unforeseen Need _____	Other _____

Funds Affected by Request:

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

Signature of Controller

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

Yes _____ No _____

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

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

Ordinance 18-20

To: City of Bloomington Council

From: Terri Porter, Director

Date: October 9, 2018

Re: Extension of Expiration Date of Ordinance 17-45

On December 20, 2017, the Common Council passed amendments to Chapter 20.03 “Overlay Districts”, which created an interim temporary change until a new Unified Development Ordinance (“UDO”) could be written by Clarion and adopted by this Council. Ordinance 17-45 contained a “sunset” clause which stated: “This Amendment to Chapter 20.03 “Overlay Districts” shall be in effect for a period of time not to exceed twelve (12) months after the adoption of this ordinance. If not repealed, replaced, or modified, this amendment shall expire and the previous wording of 20.03 shall be reinstated.”

As Clarion continues to prepare the new UDO, there is a need to extend the “sunset” clause to the end of 2019 or to the date of the adoption of a new UDO, whichever date is earliest, to ensure that downtown multifamily housing development is consistent with the direction of the Comprehensive Plan. The adoption of the new UDO, as has been the case with writing the new Comprehensive Plan, will be a very public and transparent process and public input will guide the future criteria of the Downtown Overlay areas.

Therefore, the Planning and Transportation Department proposes extending the expiration date of Ordinance 17-45 to December 31, 2019 or to the date of the adoption of a new Unified Development Ordinance, whichever date is earliest.

On November 5, 2018, the Plan Commission considered ZO-31-18, and made a positive recommendation to extend the deadline of Ordinance 17-45 to December 31, 2019 or when the new UDO is adopted, whichever date occurs earliest.

As a reminder, below is a summary of the changes to the UDO adopted by Ordinance 17-45. These changes were intended to reduce the size and impacts of by-right development within the six downtown overlays: Courthouse Square Overlay (CSO), Downtown Core Overlay (DCO), University Village Overlay (UVO), Downtown Edges Overlay (DEO), Downtown Gateway Overlay (DGO), and Showers Technology Park Overlay (STPO). These interim changes include:

1. Reduce the maximum permitted height in all overlays
2. Reduce the maximum permitted density in all overlays except the Showers Technology Park Overlay
3. Change modulation requirements to better define the massing of long buildings
4. Change review consideration for the Plan Commission to add language about housing issues for projects that don’t meet overlay standards

ORDINANCE 18-24

AN ORDINANCE TO AMEND ORDINANCE 17-37, WHICH FIXED SALARIES FOR CERTAIN CITY OF BLOOMINGTON EMPLOYEES FOR THE YEAR 2018

-Re: Additional Pay for Dispatch Employees Who Assume Training Responsibilities

WHEREAS, IC § 36-7-4-3 authorizes the Mayor, subject to the approval of the Council, to fix the compensation of each appointed officer, deputy, and other employee of the city; and

WHEREAS, Salaries for certain City of Bloomington employees were set by Ordinance 17-37; and

WHEREAS, the Mayor desires to allow dispatchers to receive additional pay for taking on training responsibilities;

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

SECTION 1. Ordinance 17-37, which fixed salaries for Appointed Officers, Non-Union, and AFSCME Employees, shall be amended by inserting the below new section after Section 2M and before Section 3.

SECTION 2N: Dispatch Trainer Incentive Pay. Dispatchers may earn a maximum of \$525 per year for training other, less experienced dispatchers.

SECTION 2. 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 3. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED 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.

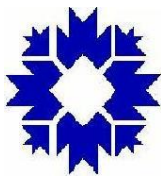
NICOLE BOLDEN, Clerk
City of Bloomington

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

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Ordinance 17-37 which fixed the salaries for certain employees for the year 2018. The ordinance provides for Dispatch Trainer Incentive Pay at a maximum of \$525 per year for dispatchers who trained less-experienced colleagues.



City of Bloomington
Human Resources Department

MEMORANDUM

To: City Council Members
From: Caroline Shaw, Human Resources Director
CC: Mayor John Hamilton, Deputy Mayor Renneisen, Jeff Underwood, and Dan Sherman
Date: November 1, 2018
Re: Ordinance 18-24 to Amend Ordinance 17-37

Ordinance 18-24 amends Ordinance 17-37 by adding Section 2N: Dispatch Trainer Incentive Pay. Dispatch has created a trainer incentive. Dispatchers may earn a maximum of \$525 per year for training other, less experienced coworkers.

Your approval of this amendment is requested. Please feel free to contact me if you have any questions at 349-3578.

ANNUAL COUNCIL LEGISLATIVE SCHEDULE FOR 2019

Anticipated Council Action: November 14, 2018

Packet Materials

**Alternative 1 – Summer Recess Start June 26th and Ends
July 26th**

**Alternative 2 – Summer Recess Starts June 12th and Ends
July 19th**

(Other Variants Possible by Motion – See Packet Summary)

IU Five-Year List of Religious Holidays

CITY OF BLOOMINGTON, INDIANA
ANNUAL COUNCIL LEGISLATIVE SCHEDULE FOR 2019
(Subject to Revision by Common Council)

The Legislative Cycle. While it is typical for the Council to introduce and take final action on legislation during the same legislative cycle, which typically spans three consecutive Wednesdays (or 14 days), the Council may schedule legislation for further consideration at subsequent Committees of the Whole, Regular Sessions, or Special Sessions. Matters certified by the Plan Commission may be referred to the Land Use Committee which, unless given more time by that motion, may return the matter to the full Council at the second Regular Session following its referral to the Land Use Committee.

Work Sessions. Work Sessions provide an opportunity for the Council members to learn about City initiatives, most of which are close to formal consideration by the Council. (Please see Footnote #6 for the broadened purpose of the meeting held at the end of July.) These meetings will be held in the Council Office Library (Room 110 of City Hall) at noon. If the room is too small for the meeting, the Council may move it to another room in City Hall and post notice on the door of the Council Office the day of the change in location. Except for the meetings on Monday, December 18, 2018, Thursday, April 18, 2018, and Monday, December 16, 2019, these meetings will be held on a Friday.

Deadlines for Legislation: There are typically two deadlines for submitting legislation for each legislative cycle: one for ordinances and another for resolutions. These deadlines include the submittal of all accompanying materials, including a summary memo, and are set at noon on the date listed above. For information on the manner for submitting these materials, please inquire with the Council Office.

Usual Day, Location, and Time of Meetings: Unless otherwise indicated, the Council meets on the first four Wednesdays of the month in the Council Chambers in Room 115 of the Showers Center, 401 North Morton, at 6:30 p.m. It also meets for a Work Session on Fridays about 10 days before the beginning of the next legislative cycle. See the first column of the chart (below) and Work Session (above) for the day, time, location of those meetings and the typical topics discussed at them. Matters certified by the Plan Commission to the Common Council may be referred to the Land Use (Standing) Committee. When considering those matters, the Land Use Committee, as a standing committee of the Council, shall meet on the second and fourth Wednesday of the month and start its meeting between 5:30 pm and 9:45 pm. (BMC 2.04.255)

LEGIS CYCLE	WORK SESSIONS	DEADLINE FOR ORDINANCES; E-MAILED TO CCL BY NOON	DEADLINE FOR RESOLUTIONS; E-MAILED TO CCL BY NOON	REGULAR SESSION 1st READING FOR ORDS.	COMMITTEE OF THE WHOLE/ LAND USE COMMITTEE DISCUSSION	REGULAR SESSION 2nd READINGS AND RESOLUTIONS
1	Mon. Dec. 17 (2018)	Wed. Dec. 19 (2018)	Wed. Dec. 19 (2018)	¹ Jan. 9	¹ Jan. 9	Jan. 16
2	Fri. Jan. 4	Mon. Jan. 7	Mon. Jan. 14	Jan. 16	Jan. 23	Feb. 6
3	Fri. Jan 25	Mon. Jan. 28	Mon. Feb. 4	Feb. 6	Feb. 13	Feb. 20
4	Fri. Feb. 8	Mon. Feb. 11	Mon. Feb. 18	Feb. 20	Feb. 27	Mar. 6
5	Fri. Feb. 22	Mon. Feb. 25	Mon. Feb. 25	² Mar. 6	² Mar. 6	Mar. 20
6	Fri. Mar. 8	Fri. Mar. 8	Mon. Mar. 18	Mar. 20	Mar. 27	Apr. 3
7	Fri. Mar. 22	Mon. Mar. 25	Mon. Apr. 1	Apr. 3	Apr. 10	Apr. 17
8	Fri. Apr. 5	Mon. Apr. 8	Fri. Apr. 12	Apr. 17	Apr. 24	May 1
9	Thu. Apr. 18	Mon. Apr. 22	Mon. Apr. 29	³ May 1	May 8	May 15
10	Fri. May 3	Fri. May 3	Mon. May 13	May 15	May 22	⁴ May 29
11	Fri. May 17	Mon. May 20	Fri. May 24	⁴ May 29	⁴ June 5	^{4 & 5} June 12
12	Fri. May 31	Mon. June 3	Mon. June 10	4 & 5 June 12	4 June 19	⁴ June 26
SUMMER RECESS (ENDING WITH INTERNAL WORK SESSION ON JULY 26 AND DEPARTMENTAL BUDGET HEARINGS (STARTING ON MONDAY, AUGUST 19) ³)						
13	⁶ Fri. July 26	Mon. July 29	Mon. July 29	⁶ Aug 7	⁶ Aug. 7	⁶ Aug. 14
14	Fri. Aug. 2	Mon. Aug. 5	Mon. Aug. 12	⁶ Aug. 14	Aug. 28	Sep. 4
15	Fri. Aug. 16	Mon. Aug. 26	Fri. Aug. 30	Sep. 4	Sep. 11	⁷ Sep. 18
Budget	N/A	Mon. Sep. 9	Mon. Sep. 9	⁸ Sep. 25	⁸ Sep. 25	⁸ Oct. 10
16	Fri. Sept. 6	Mon. Sept. 9	Mon. Sept. 16	⁷ Sep. 18	⁷ Oct. 2	⁷ Oct. 16
17	Fri. Oct. 4	Mon. Oct. 7	Mon. Oct. 14	Oct. 16	Oct. 23	⁹ Oct. 30
18	Fri. Oct. 18	Mon. Oct. 21	Mon. Oct. 28	⁹ Oct. 30	⁹ Nov. 6	⁹ Nov. 13
19	Fri. Nov. 1	Fri. Nov. 1	⁹ Wed. Nov. 6	⁹ Nov. 13	⁹ Nov. 20	Dec. 4
20	Fri. Nov. 15	Mon. Nov. 18	Mon. Dec. 2	Dec. 4	Dec. 11	⁴ Dec. 18
YEAR END RECESS						
First Legislative Cycle for 2019:						
1	Mon. Dec. 16 (2019)	Wed. Dec. 18	Wed. Dec. 18	¹ Wed. Jan. 8 (2020)	¹ Wed. Jan. 8 (2020)	Wed. Jan. 15 (2020)

The following footnotes list and explain the exceptions to this general rule:

1. **Organizational Meeting.** The Council will hold an annual Organizational Meeting on this date when, along with other matters, it elects officers, appoints its members to serve on boards and commissions, and gives legislation first reading. Under local code, the meeting must be held by the second Wednesday in January unless rescheduled by a majority of the Council. (BMC 2.04.010 and BMC 2.04.050[a, c & d]). This meeting will be immediately followed by a Committee of the Whole.
2. **Spring Break.** The Council will hold its first Regular Session and first Committee of the Whole in March on the first Wednesday (March 6, 2019). This schedule calls for two meetings on one night in order to avoid meeting over Spring Break (when many residents are out-of-town).
3. **Budget Hearings.** The Council will hold a Council Budget Advance in the McCloskey Room (Room 135) of City Hall at 5:30 p.m. on Tuesday, April 30 and Departmental Budget Hearings in the Council Chambers at 6:00 p.m. on Monday, August 19, Tuesday, August 20, Wednesday, August 21, and Thursday, August 22, 2019. Budget Books are scheduled to be delivered on Monday, August 13, which is one week before the start of the Departmental Budget Hearings.
4. **Summer Recess.** BMC 2.04.050[e] & [g] call for the Council to take a brief recess after the first Regular Session in August and the second Regular Session in December, and not introduce legislation for first reading at these meetings. By approving this Annual Schedule, the Council will be starting and ending the Summer Recess earlier than set forth in the BMC. The Summer Recess will begin after the second legislative cycle in June and end with a Work Session on Friday, July 26. Please note that this will move one legislative cycle from before to after the Summer Recess. In order to begin the Summer Recess before the end of June, this schedule will also use the fifth Wednesday in May to move the last two legislative cycles before the Summer Recess up one week. This results in a Regular Session on May 29, Committee of the Whole on June 5, Regular Session on June 12, Committee of the Whole on June 19, and Regular Session on June 26.
5. **Tax Abatement Report.** The Council will hear the Annual Tax Abatement Report as a Report from the Mayor and City Offices at this Regular Session.
6. **Summer Schedule Adjustment.** As mentioned in Footnote #4, this Annual Schedule moves one legislative cycle from before to after the Summer Recess and ends that recess earlier than usual. That legislative cycle includes a Work Session on Friday, July 26, a Regular Session and Committee of the Whole on August 7 and a Regular Session on August 14. Please note that statute (IC 36-4-6-7) and local code (BMC 2.04.050[a]) require the Council to hold regular meetings at least once a month. By adoption of this Annual Schedule, the Council is intending for the Work Session on July 26 to comply with this requirement. The President of the Council will approve the agenda and a quorum of the Council will be necessary to conduct any business.
7. **Cycle after the Budget.** The second legislative cycle in September overlaps with the Budget Cycle and is intended to allow for consideration of routine, non-budget legislation during that time. That schedule results in the second legislative cycle spanning from the third Wednesday in September to the third Wednesday in October. Those meetings will include a Regular Session on Wednesday, September 18, a Committee of the Whole on October 2 (a first Wednesday), and a Regular Session on October 16. In essence, this arrangement replaces one legislative cycle in early October with the Budget Cycle.
8. **Budget Cycle Schedule.** After holding Departmental Budget Hearings in the mid-August (See Footnote #3), the Council will formally consider the City Budget for 2019 during a separate legislative cycle (known as the "Budget Cycle") starting in late September and ending in early October. In keeping with the Wednesday meeting schedule, this Budget Cycle typically starts with a Special Session and Committee of the Whole on the fourth Wednesday in September and ends with a Special Session on the second Wednesday in October. However, because Yom Kippur (Jewish High Holy Day) falls on Wednesday, October 9, the Budget Cycle in 2019 will entail a Special Session and Committee of the Whole on Wednesday, September 25 and a Special Session on Thursday, October 10. Please note that the statutorily required initial public hearings associated with the City Budget package will be held during the aforementioned Committee of the Whole in September and the adoption hearings will be held at the Special Budget Session in October.
9. **Scheduling around Thanksgiving.** The Council will not meet for a Committee of the Whole on the Wednesday before Thanksgiving per BMC 2.04.050 (f). In order to hold a full complement of Wednesday meetings during the two legislative cycles in November, this schedule starts the first legislative cycle in November on the fifth Wednesday of October. The meetings in those legislative cycles include: a Regular Session on Wednesday, October 30, a Committee of the Whole on Wednesday, November 6, a Regular Session on Wednesday, November 13, a Committee of the Whole on Wednesday, November 20 and a Regular Session on Wednesday, December 4.

Note: By adoption of this schedule, the Council gives staff the authority to correct typographical errors and align the footnotes and narrative to mesh with changes made in the course of Council approval of this schedule. These changes will not alter the date, time, or place of any meeting voted upon by the Council.

CITY OF BLOOMINGTON, INDIANA
ANNUAL COUNCIL LEGISLATIVE SCHEDULE FOR 2019
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YEAR END RECESS

First Legislative Cycle for 2019:

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(Over)

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5. **Tax Abatement Report.** The Council will hear the Annual Tax Abatement Report as a Report from the Mayor and City Offices at this Regular Session.
6. **Summer Schedule Adjustment.** As mentioned in Footnote #4, this Annual Schedule moves two legislative cycles from before to after the Summer Recess and ends that recess earlier than usual. In order to avoid losing a legislative cycle (because of Departmental Budget Hearings), those two legislative cycles will entail doubling-up Regular Sessions and Committees of the Whole on both July 31 and August 7. Those legislative cycles include a Work Session on Friday, July 19, a Regular Session and Committee of the Whole on July 31, Regular Session and Committee of the Whole on August 7, and a Regular Session on August 14.
7. **Cycle after the Budget.** The second legislative cycle in September overlaps with the Budget Cycle and is intended to allow for consideration of routine, non-budget legislation during that time. That schedule results in the second legislative cycle spanning from the third Wednesday in September to the third Wednesday in October. Those meetings will include a Regular Session on Wednesday, September 18, a Committee of the Whole on October 2 (a first Wednesday), and a Regular Session on October 16. In essence, this arrangement replaces one legislative cycle in early October with the Budget Cycle.
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2018–2019

1st Semester

Beginning of Ramadan	<u>Islamic</u>	May 16*#	Wednesday
Eid-al-Fitr (Eid-ul-Fitr) (first day of Shawwal)	Islamic	June 15*	Friday
Eid-al-Adha	Islamic	Aug. 21*#+	Tuesday
Rosh Hashanah [New Year]	<u>Jewish</u>	Sept. 10-11*	Mon.-Tuesday
Al-Hijra (Muharram) (New Year)	Islamic	Sept. 11*	Tuesday
Yom Kippur [Day of Atonement]	Jewish	Sept. 19*	Wednesday
Aashura (10th day of Muharram)	Islamic	Sept. 20*	Thursday
Autumn Equinox (EDT)	<u>Equinox / Solstice</u>	Sept. 22	Saturday
Sukkot [Feast of Tabernacles]	Jewish	Sept. 24-25*	Mon.-Tuesday
Shemini Atzeret & Simchat Torah	Jewish	Oct. 1-2*	Mon.-Tuesday
Birth of the Báb	<u>Bahá'í</u>	Oct. 20*	Saturday
Birth of Bahá'u'lláh	Bahá'í	Nov. 12*	Monday
Mawlid-al-Nabi (Muhammed's birthday)	Islamic	Nov. 20*	Tuesday
Day of the Covenant	Bahá'í	Nov. 26*	Monday
Ascension of 'Abdu'l-Bahá	Bahá'í	Nov. 28*	Wednesday
Hanukkah (Chanukah) [8-day Feast]	<u>Jewish</u>	Dec. 3-10*	Mon.-Monday
Bodhi Day (Rohatsu)	<u>Buddhist</u>	Dec. 8	Saturday
Winter Solstice (EST)		Dec. 21	Friday
Christmas	Western Christian	Dec. 25	Tuesday
Kwanzaa	<u>Interfaith / African-American</u>	Dec. 26-Jan. 1	Wed.-Tuesday

*Holy days start at sundown on evening preceding first day and end at sundown or nightfall of concluding date.

#All dates are from Fiqh Council of North America (FCNA) and European Council for Fatwa and Research (ECFR) adopted Islamic Calendar. For events based on sightability of the moon in North America, those denoted with "#" will be the next day from these dates.

+These dates may be changed by Saudi Arabia to the next day due to Solar Eclipse on New Moon Day.

2018–2019

January 2019 - Note from Council Office

2nd Semester

Gantan-sai (New Year)	<u>Shinto</u>	Jan. 1	Tuesday
Feast of the Nativity	<u>Eastern Orthodox</u>	Jan. 7	Monday
Asian Lunar New Year [Year of the Boar]	<u>Chinese</u>	Feb. 5	Tuesday
Vernal Equinox (EDT)		March 20	Wednesday
Naw-Rúz (Bahá'í New Year)	Bahá'í	March 21*	Thursday
Purim	Jewish	March 21*	Thursday
Palm Sunday	Western Christian	April 14	Sunday
Good Friday	Western Christian	April 19	Friday
Passover (Pesach), 1st two days	Jewish	April 20-21*	Sat.-Sun.
Easter	<u>Western Christian</u>	April 21	Sunday

Palm Sunday	Eastern Orthodox	April 21	Sunday
Ridvan Festival, 1st of 12 days	Bahá'í	Apr. 21*	Sunday
Holy Friday	Eastern Orthodox	April 26	Friday
Passover (Pesach), concluding days	Jewish	Apr. 26-27*	Fri.-Sat.
Pascha	<u>Eastern Orthodox</u>	April 28	Sunday
9th Day of Ridvan	Bahá'í	Apr. 29*	Monday
12th Day of Ridvan	Bahá'í	May 2*	Thursday

**Holy days start at sundown on evening preceding first day and end at sundown or nightfall of concluding date.*

#All dates are from Fiqh Council of North America (FCNA) and European Council for Fatwa and Research (ECFR) adopted Islamic Calendar. For events based on sightability of the moon in North America, those denoted with "#" will be the next day from these dates.

2019

Summer Sessions

Beginning of Ramadan	Islamic	May 6*	Monday
Declaration of the Báb	Bahá'í	May 23*	Thursday
Ascension of Bahá'u'lláh	Bahá'í	May 29*	Wednesday
Eid-al-Fitr (Eid-ul-Fitr) (first day of Shawwal)	Islamic	June 4*#	Tuesday
Shavuot (Feast of Weeks)	Jewish	June 9-10*	Sun.-Mon.
Summer Solstice (EDT)		June 21	Friday
Martyrdom of the Báb	Bahá'í	July 9*	Tuesday

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2019–2020

1st Semester

Beginning of Ramadan	<u>Islamic</u>	May 6*	Monday
Eid-al-Fitr (Eid-ul-Fitr) (first day of Shawwal)	Islamic	June 4*#	Tuesday
Eid-al-Adha	Islamic	Aug. 11*	Sunday
Al-Hijra (Muharram) (New Year)	Islamic	Aug. 31*#	Saturday
Aashura (10th day of Muharram)	Islamic	Sept. 9*#	Monday
Autumn Equinox (EDT)	<u>Equinox / Solstice</u>	Sept. 23	Monday
Rosh Hashanah [New Year]	<u>Jewish</u>	Sept. 30-Oct. 1*	Mon.-Tuesday
Yom Kippur [Day of Atonement]	Jewish	Oct. 9*	Wednesday
Sukkot [Feast of Tabernacles]	Jewish	Oct. 14-15*	Mon.-Tuesday
Birth of the Báb	Bahá'í	Oct. 20*	Sunday
Shemini Atzeret & Simchat Torah	Jewish	Oct. 21-22*	Mon.-Tuesday

Mawlid-al-Nabi (Muhammed's birthday)	Islamic	Nov. 9*#	Saturday
Birth of Bahá'u'lláh	Bahá'í	Nov. 12*	Tuesday
Day of the Covenant	Bahá'í	Nov. 26*	Tuesday
Ascension of 'Abdu'l-Bahá	Bahá'í	Nov. 28*	Thursday
Bodhi Day (Rohatsu)	<u>Buddhist</u>	Dec. 8	Sunday
Winter Solstice (EST)		Dec. 21	Saturday
Hanukkah (Chanukah) [8-day Feast]	<u>Jewish</u>	Dec. 23-30*	Mon.-Monday
Christmas	Western Christian	Dec. 25	Wednesday
Kwanzaa	<u>Interfaith / African-American</u>	Dec. 26-Jan. 1	Thursday-Wed.

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2019-2020

2nd Semester

Gantan-sai (New Year)	<u>Shinto</u>	Jan. 1	Wednesday
Feast of the Nativity	<u>Eastern Orthodox</u>	Jan. 7	Tuesday
Asian Lunar New Year [Year of the Rat]	<u>Chinese</u>	Jan. 25	Saturday
Purim	Jewish	March 10*	Tuesday
Vernal Equinox (EDT)		March 19	Thursday
Naw-Rúz (Bahá'í New Year)	Bahá'í	March 21*	Saturday
Palm Sunday	Western Christian	April 5	Sunday
Passover (Pesach), 1st two days	Jewish	April 9-10*	Thurs.-Friday
Good Friday	Western Christian	April 10	Friday
Easter	<u>Western Christian</u>	April 12	Sunday
Palm Sunday	Eastern Orthodox	April 12	Sunday
Passover (Pesach), concluding days	Jewish	Apr. 15-16*	Wed.-Thursday
Holy Friday	Eastern Orthodox	April 17	Friday
Pascha	<u>Eastern Orthodox</u>	April 19	Sunday
Ridvan Festival, 1st of 12 days	Bahá'í	Apr. 21*	Tuesday
Beginning of Ramadan	Islamic	April 24*#	Friday
9th Day of Ridvan	Bahá'í	Apr. 29*	Wednesday
12th Day of Ridvan	Bahá'í	May 2*	Saturday

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