



City of Bloomington Common Council

Legislative Packet

Wednesday, 19 November 2014

Special Session *immediately followed by a* **Committee of the Whole**

*For legislation and background material regarding
Ordinance 14-24 and Ordinance 14-25 please consult the
[12 November 2014 Legislative Packet](#).*

All other material contained herein.

Office of the Common Council
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Packet Related Material

Memo Agenda Calendar

Notices and Agendas:

Notice – Council Sidewalk Committee Meeting, Tuesday, 18 November 2014 at Noon in the Council Library (Suite 110, 401 N. Morton).

Legislation for First Reading at Special Session

- **App Ord 14-06** To Specially Appropriate from the General Fund, Parks General Fund, Fire Capital Fund, Risk Management Fund, and Rental Inspection Program Fund Expenditures not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Fire Pension Fund; and, Appropriating Additional Funds from the Arts Commission Operating Fund, Risk Management Fund, BMFC Showers Bond, 1998 Street Bond II, Golf Course Bond, BMFC 1998 Street Lease and Rental Inspection Program Fund)
 - Memo from City Controller, Jeffrey Underwood
Contact: Jeffrey Underwood at 349-3416 or underwoj@bloomington.in.gov

Legislation for Discussion at Committee of the Whole:

- **App Ord 14-06** To Specially Appropriate from the General Fund, Parks General Fund, Fire Capital Fund, Risk Management Fund, and Rental Inspection Program Fund Expenditures not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Fire Pension Fund; and, Appropriating Additional Funds from the Arts Commission Operating Fund, Risk Management Fund, BMFC Showers Bond, 1998 Street Bond II, Golf Course Bond, BMFC 1998 Street Lease and Rental Inspection Program Fund)
 - Memo from City Controller, Jeffrey Underwood
Contact: Jeffrey Underwood at 349-3416 or underwoj@bloomington.in.gov
Legislation and background material contained herein.

- **Ord 14-24** To Amend Title 4 of the Bloomington Municipal Code Entitled “Business Licenses and Regulations” - Re: Chapter 4.16 (Itinerant Merchants, Solicitors and

Peddlers – *deleted and replaced*); Chapter 4.28 (Mobile Vendors - *added*); and Chapter 4.30 (Pushcarts - *added*)

*Contact: Patty Mulvihill at 349-3426, mulvihip@bloomington.in.gov
Jason Carnes at 349-3419, carnesj@bloomington.in.gov*

Please see the [Legislative Packet](#) issued in interest of the 12 November 2014 Regular Session for legislation and supporting information.

- **Ord 14-25** To Amend Title 20 of the Bloomington Municipal Code Entitled “Unified Development Ordinance” (Amending Sections 20.05.110 & 20.05.111 Regarding Temporary Uses and Structures)

*Contact: Tom Micuda at 349-3423 or micudat@bloomington.in.gov
Patty Mulvihill at 349-3426 or mulvihip@bloomington.in.gov*

Please see the [Legislative Packet](#) issued in interest of the 12 November 2014 Regular Session for legislation and supporting information.

Legislation and Background Material for First Reading at Special Session and for Discussion at Committee of the Whole:

Memo

**One Appropriation Ordinance Ready for Introduction at a Special Session
Three Items for Discussion at the Committee of the Whole**

The agenda for next Wednesday includes one item for introduction at a Special Session and three items for discussion at the Committee of the Whole. The item scheduled for introduction is a year-end appropriation ordinance. The appropriation ordinance and two pieces of legislation related to solicitors, food trucks, and pushcarts ([Ord 14-24](#) and [Ord 14-25](#)) will be discussed at the Committee of the Whole immediately following the Special Session. The legislation and background material for [Ord 14-24](#) and [Ord 14-25](#) was issued in last week’s packet, as cited above. The appropriation ordinance and supporting material are contained herein.

Special Session – First Reading

Appropriation Ordinance 14-06
(End-of-Year Appropriation Ordinance)

App Ord 14-06 is scheduled for introduction and discussion this Wednesday. Otherwise referred to as the typical end-of-year appropriation ordinance, this legislation proposes to make a number of inter-departmental transfers from those departments with a surplus to those who anticipate shortages. The measure also appropriates \$282,551 in additional monies from the following funds: the Risk Management Fund, BMFC Showers, BMFC 1998 Street Lease, Golf Course, 2001 Park Bond and 1998 Street II Bond Funds, Art Commission Non-reverting Fund, and the Rental Inspection Program Fund. The nature of the transfers and the additional appropriations are described below.

General Fund Transfers– Zero Net Impact

App Ord 14-06 transfers \$234,400 in General Fund monies from departments which have a surplus to departments which may have a shortfall. According to the memo submitted by Controller Underwood, these transfers are made to cover the difference between the initial budget prepared for 2014 and the actual operational results. Departmental surpluses are typically due to budgeting for positions that become vacant. Departmental deficits stem from overtime expenses, additional hours for temporary employees, additional staff, salary increases, and payout for departing employees. As Controller Underwood makes clear, these transfers simply shift money between departments – the transfers will have a “zero net impact” on the total budget.

INTER-DEPARTMENTAL TRANSFERS			
TRANSFER OUT	-	TRANSFER IN	+
Animal Care and Control	(45,750)	City Clerk	12,000
Board of Public Works	(66,430)	Controller	10,000
Community and Family Resources	(30,000)	Council Office	2,400
Facilities	(22,220)	Police	210,000
ITS	<u>(70,000)</u>		
TOTAL	(234,400)		234,400

Fire Pension Fund – Zero Net Impact

As described in the memo from Underwood, this is a transfer of \$200,000 from one line (Category 2 – supplies) to another (Category 3 – services and charges) within the Fire Pension Fund. The transfer is necessary to cover the pension costs paid to widows and widowers of deceased firefighters. The net impact of this appropriation is zero.

Risk Management Fund – \$150,000 additional appropriation

Unlike the General and Fire Pension fund appropriations, this request is for an additional appropriation of \$150,000 to cover the increasing costs associated with worker compensation. As communicated by Underwood, the increased costs are due to “several higher cost injuries coupled with higher medical and pharmacy costs.” As required by the DGLF, Underwood explains that the cash balance in the fund will support the additional appropriation.

Bond Appropriations -- \$951 additional appropriations

The Controller provisions for the City’s bonds. As communicated by Controller Underwood, the funds budgeted for five bond funds in 2014 will not be sufficient to cover the bank fees charged for the administration of these funds. For that reason, this appropriation ordinance appropriates additional money to the following funds in the following amounts:

Bloomington Municipal Facilities Corporation -- Showers Bond	\$125.00
1998 Street Bond Fund	\$350.00
Golf Course Bond	\$350.00
Bloomington Municipal Facilities Corporation – 1998 Street Lease	\$125.00
2001 Parks Bond	\$ 1.00

BCAC Non-Reverting Fund -- \$1,600 additional appropriation

The enabling legislation for the Bloomington Community Arts Commission requires the approval of the Council for expenditures greater than \$5,000. ([Ord 02-38](#)). In 2014, the BCAC expects to expend \$1,600 over the \$5,000 limit.

HAND Rental Inspection Program -- \$130,000 additional appropriation

In 2012, the Indiana General Assembly enacted a new law to require that rental inspection fees be deposited in a separate fund ([I.C. §36-1-20-3](#)). Locally, the Rental Inspection Program Fund is the fund into which local inspection fees are deposited. As of 31 October 2014, \$130,000 in inspection fee revenue has been deposited into the fund. While revenue is deposited into this designated fund, the expenses for the rental inspection program are appropriated in the General Fund. This appropriation ordinance reimburses the General Fund \$130,000 for program expenses.

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL
SPECIAL SESSION AND COMMITTEE OF THE WHOLE
7:30 P.M., WEDNESDAY, NOVEMBER 19, 2014
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.**

SPECIAL SESSION

I. ROLL CALL

II. AGENDA SUMMATION

III. LEGISLATION FOR FIRST READING

1. Appropriation Ordinance 14-06 To Specially Appropriate from the General Fund, Parks General Fund, Fire Capital Fund, Risk Management Fund, and Rental Inspection Program Fund Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Fire Pension Fund; and, Appropriating Additional Funds from the Arts Commission Operating Fund, Risk Management Fund, BMFC Showers Bond, 1998 Street Bond II, Golf Course Bond, BMFC 1998 Street Lease and Rental Inspection Program Fund)

IV. COUNCIL SCHEDULE

V. ADJOURNMENT

to be followed immediately by a

COMMITTEE OF THE WHOLE

Chair: Chris Sturbaum

1. Appropriation Ordinance 14-06 To Specially Appropriate from the General Fund, Parks General Fund, Fire Capital Fund, Risk Management Fund, and Rental Inspection Program Fund Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Fire Pension Fund; and, Appropriating Additional Funds from the Arts Commission Operating Fund, Risk Management Fund, BMFC Showers Bond, 1998 Street Bond II, Golf Course Bond, BMFC 1998 Street Lease and Rental Inspection Program Fund)

Asked to Attend: Jeffrey Underwood, Controller

2. Ordinance 14-24 To Amend Title 4 of The Bloomington Municipal Code Entitled “Business Licenses and Regulations” - Re: Chapter 4.16 (Itinerant Merchants, Solicitors and Peddlers – *deleted and replaced*); Chapter 4.28 (Mobile Vendors - *added*); and, Chapter 4.30 (Pushcarts - *added*)

Asked to Attend: Patty Mulvihill, City Attorney
Jason Carnes, Assistant Director for Small Business Relations,
Department of Economic and Sustainable Development

3. Ordinance 14-25 To Amend Title 20 of the Bloomington Municipal Code Entitled “Unified Development Ordinance” (Amending Sections 20.05.110 & 20.05.111 Regarding Temporary Uses and Structures)

Asked to Attend: Tom Micuda, Director, Department of Planning and Transportation
Patty Mulvihill, City Attorney



City of Bloomington
Office of the Common Council

To Council Members
From Council Office
Re Weekly Calendar -- 17-22 November 2014

Monday, 17 November

12:00 pm Bloomington Entertainment & Arts District, McCloskey
12:00 pm Board of Public Works – Work Session, Kelly
4:00 pm Board of Park Commissioners, Chambers
5:00 pm Utilities Service Board, Utilities
5:30 pm Bicycle & Pedestrian Safety Commission, Hooker
6:00 pm Arts Alliance of Greater Bloomington, Kelly

Tuesday, 18 November

12:00 pm Council Sidewalk Committee, Council Library
4:00 pm Board of Public Safety, McCloskey
5:00 pm Redevelopment Commission, Kelly
5:30 pm Commission on the Status of Children & Youth, Hooker
5:30 pm Board of Public Works, Chambers
5:30 pm Animal Control Commission, McCloskey
5:30 pm Bloomington Public Transportation Corp. Board of Directors, Transit

Happy Birthday Councilmember Dorothy Granger!

Wednesday, 19 November

9:30 am Tree Commission, Rose Hill – 930 W 4th St.
10:00 am Metropolitan Planning Organization – Technical Advisory Committee, McCloskey
4:00 pm Board of Housing Quality Appeals, McCloskey
5:30 pm Dr. Martin Luther King, Jr. Birthday Commission, McCloskey
6:00 pm Council of Neighborhood Associations, Hooker
6:30 pm Metropolitan Planning Organization – Citizens’ Advisory Committee, McCloskey
7:30 pm Common Council – Special Session *immediately followed by a*
Committee of the Whole, Chambers

Thursday, 20 November

8:00 am Bloomington Housing Authority Board of Commissioners, 1007 N Summit, Community Rm.
12:00 pm Monroe County Suicide Prevention Coalition, McCloskey
5:15 pm Solid Waste Management District – Citizens’ Advisory Council, McCloskey
7:00 pm Environmental Commission, McCloskey

Friday, 21 November

12:00 pm Economic Development Commission, Hooker Room
12:00 pm Domestic Violence Task Force, McCloskey

Saturday, 22 November

9:00 am Bloomington Community Farmers’ Market – Showers Common, 401 N Morton St.

Posted and Distributed: Friday, 14 November 2014



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

NOTICE

COUNCIL SIDEWALK COMMITTEE (Initial Meeting for 2015 Recommendations)

**Tuesday, NOVEMBER 18, 2014
12:00 p.m.
COUNCIL LIBRARY (ROOM#110)
CITY HALL, 401 N. MORTON**

Because a quorum of the Council may be present, this meeting may constitute a meeting of the Council as well as of this Committee under the Indiana Open Door Law.

This statement is provides notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.

Posted: Thursday, November 13, 2014

APPROPRIATION ORDINANCE 14-06

**TO SPECIALLY APPROPRIATE FROM THE GENERAL FUND, PARKS GENERAL FUND, FIRE CAPITAL FUND, RISK MANAGEMENT FUND, AND RENTAL INSPECTION PROGRAM FUND EXPENDITURES NOT OTHERWISE APPROPRIATED
(Appropriating Various Transfers of Funds within the General Fund, Fire Pension Fund; and, Appropriating Additional Funds from the Arts Commission Operating Fund, Risk Management Fund, BMFC Showers Bond, 1998 Street Bond II, Golf Course Bond, BMFC 1998 Street Lease and Rental Inspection Program Fund)**

- WHEREAS, various Departments desire to transfer within the General Fund amounts in Categories 1, 2 & 3 amounts to cover expenses not originally included in the adopted budget; and
- WHEREAS, the Fire Department desires to transfer funds from its Category 1 to its Category 3 in its Fire Pension Fund to fund payments due to widows/widowers of deceased firefighters; and
- WHEREAS, the Risk Management Department desires to increase its budget in Category 3 to pay for additional claims related to workers compensation; and
- WHEREAS, the Controller’s Department desires to increase its budget in Category 3 to pay for bank fees for the BMFC Showers Bond, 1998 Street Bond II, Golf Course Bond, BMFC 1998 Street Lease and 2001 Parks Bond; and
- WHEREAS, the Bloomington Community Arts Commission desires to increase its budget in Category 3 to pay for expenditures greater than \$5,000; and
- WHEREAS, the Housing & Neighborhood Development Department desires to increase its budget in Category 3 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	
Category 1 – Personal Services	\$ (39,000.00)
Category 3 – Services and Charges	\$ (6,750.00)
Total General Fund – AC&C	<u>(45,750.00)</u>
 General Fund – Board of Public Works	
Category 1 – Personal Services	\$ (12,000.00)
Category 2 – Supplies	\$ (2,000.00)
Category 3 – Services and Charges	\$ (31,675.00)
Category 4 – Capital	\$ (20,755.00)
Total General Fund – BPW	<u>(66,430.00)</u>
 General Fund – Community and Family Resources	
Category 1 – Personal Services	\$ (30,000.00)
Total General Fund – CFRD	<u>(30,000.00)</u>
 General Fund – Clerk	
Category 1 – Personal Services	\$ 12,000.00
Total General Fund – Clerk	<u>12,000.00</u>

General Fund – Controller	
Category 1 – Personal Services	\$ 5,000.00
Category 2 – Supplies	\$ 5,000.00
Total General Fund – Controller	<u>10,000.00</u>
General Fund – City Council	
Category 1 – Personal Services	\$ 5,300.00
Category 2 – Supplies	\$ (2,900.00)
Total General Fund – City Council	<u>2,400.00</u>
General Fund – Facilities	
Category 2 – Supplies	\$ (500.00)
Category 3 – Services and Charges	\$ (21,720.00)
Total General Fund – Facilities	<u>(22,220.00)</u>
General Fund – Information Technology Services	
Category 1 – Personal Services	\$ (70,000.00)
Total General Fund – ITS	<u>(70,000.00)</u>
General Fund – Police	
Category 1 – Personal Services	\$ 210,000.00
Total General Fund – Police	<u>210,000.00</u>
Grand Total General Fund	\$ <u>0.00</u>
Fire Pension Fund	
Category 2 – Supplies	\$ (200,000.00)
Category 3 – Services and Charges	\$ 200,000.00
Total Fire Pension Fund - Fire	<u>0.00</u>
Grand Total Fire Pension Fund	\$ <u>0.00</u>
Risk Management Fund – Legal	
Category 3 – Services and Charges	\$ 150,000.00
Total Risk Management Fund – Legal	<u>150,000.00</u>
Grand Total Risk Management Fund	\$ <u>150,000.00</u>
BMFC Showers Bond - Controller	
Category 3 – Services and Charges	\$ 125.00
Total BMFC Showers Bond - Controller	<u>125.00</u>
Grand BMFC Showers Bond Fund	\$ <u>125.00</u>
1998 Street Bond II - Controller	
Category 3 – Services and Charges	\$ 350.00
Total 1998 Street Bond II - Controller	<u>350.00</u>
Grand Total 1998 Street Bond II Fund	\$ <u>350.00</u>
Golf Course Bond - Controller	
Category 3 – Services and Charges	\$ 350.00
Total Golf Course Bond - Controller	<u>350.00</u>

Grand Total Golf Course Bond Fund	\$ <u>350.00</u>
BMFC 1998 Street Lease - Controller	
Category 3 – Services and Charges	\$ <u>125.00</u>
Total BMFC 1998 Street Lease - Controller	<u>125.00</u>
Grand Total BMFC 1998 Street Lease Fund	\$ <u>125.00</u>
2001 Parks Bond - Controller	
Category 3 – Services and Charges	\$ <u>1.00</u>
Total 2001 Parks Bond Fund - Controller	<u>1.00</u>
Grand Total 2001 Parks Bond Fund	\$ <u>1.00</u>
Bloomington Community Arts Commission Non-Reverting Fund – Bloomington Community Arts Commission	
Category 3 – Services and Charges	\$ <u>1,600.00</u>
Total Bloomington Community Arts Commission Non-Reverting Fund – Bloomington Community Arts Commission	<u>1,600.00</u>
Grand Total Bloomington Community Arts Commission Non-Reverting Fund	\$ <u>1,600.00</u>
Rental Inspection Program Fund – HAND	
Category 3 – Services and Charges	\$ <u>130,000.00</u>
Total Rental Inspection Program Fund - HAND	<u>130,000.00</u>
Grand Total Rental Inspection Program Fund	\$ <u>130,000.00</u>
Grand Total All Funds	\$ <u>282,551.00</u>

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2014.

DARRYL NEHER, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2014.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2014.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance appropriates various transfers of funds within the General Fund and Fire Pension Fund. It also appropriates additional funds from the Risk Management Fund, BMFC Showers, BMFC 1998 Street Lease, Golf Course, 2001 Parks Bond and 1998 Street II Bond Funds, Art Commission Non-reverting Fund and Rental Inspection Program Fund.



MARK KRUZAN
MAYOR

CITY OF BLOOMINGTON

401 N Morton St
Post Office Box 100
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JEFFREY H. UNDERWOOD
CONTROLLER

CONTROLLER'S OFFICE

p 812.349.3416
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controller@bloomington.in.gov

Memorandum

To: Council Members
From: Jeffrey Underwood, Controller
Date: November 10, 2014
Re: Appropriation Ordinance 14-06

Appropriation Ordinance 14-06 is our comprehensive 2014 year-end appropriation. The total "net" additional appropriation is \$282,551.00. 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 initial budget prepared and actual operational results. As in previous years, the net effect on the actual appropriation from the General Fund is Zero.
2. **Fire Pension – Fire.** This is a transfer between classifications to cover pension costs related to payments made to widow/widowers of deceased firefighters. The cash balance in the fund will support the additional appropriation.
3. **Risk Management – Risk.** This is a request for an additional appropriation in this fund to cover increased costs related to worker compensation. This is due primarily to several higher cost injuries coupled with higher medical and pharmacy costs. The cash balance in the fund will support the additional appropriation.
4. **Bond Appropriations.** Five bond funds budgeted 2014 appropriations were not sufficient to cover the bank fees charged by the financial institutions to administer these funds. In all cases the cash balance in the fund will support the additional appropriation.
 - a. **BMFC-Showers.** Additional appropriation of \$125.00.
 - b. **1998 Street Bond II.** Additional appropriation of \$350.00.
 - c. **Golf Course Bond.** Additional appropriation of \$350.00.
 - d. **BMFC-1998 Street Lease.** Additional appropriation of \$125.00.
 - e. **2001 Parks Bond.** Additional appropriation of \$1.00.
5. **Bloomington Community Arts Commission Non-reverting - BCAC.** The ordinance establishing this fund requires approval from the City Council for any expenditure's greater than \$5,000.00. It is estimated that the Commission will expend an additional \$1,600.00. The cash fund in the fund is sufficient will support these expenditures.
6. **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 \$130,000.00 for 2014. 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.

Feel free to contact me by email at underwoj@bloomington.in.gov by phone at 349-3416 at any time.