

City of Bloomington Common Council

Legislative Packet

12 December 2012

Special Session
immediately followed by a
Committee of the Whole

Please consult the [05 December 2012 Legislative Packet](#) for legislation and background material for Ord 12-29. All other material is contained herein.

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



Packet Related Material

**Memo
Agenda
Calendar**

Notices and Agendas:

- **Council Rules Committee** on Wednesday, December 12th at noon in the Council Library
- **Cancellation - Council Executive Session** on Wednesday, December 12th
- **Council Special Session** on Wednesday, December 12th at 7:30 p.m. in the Chambers (Immediately Before the Committee of the Whole)

Legislation for Discussion at the Committee of the Whole on December 12th:

- **Ord 12-28** To Amend Title 10 of the Bloomington Municipal Code Entitled "Wastewater" - Re: Revisions to Chapter 10.04 General Rules, Chapter 10.08 Wastewater Rates and Charges, Chapter 10.12 Prohibited Wastewater Discharges and Chapter 10.16 Industrial Wastewater Dischargers and the Addition of Chapter 10.17 Food Service Establishment Wastewater Dischargers

Contact:

John Langley, Deputy Director of the Utilities Department, at 349-3656 or langleyj@bloomington.in.gov

Please see the weekly [Council Legislative Packet](#) issued for the 5 December 2012 Regular Session for the legislation, summary and related material

Legislation and Background Material for First Reading at the Special Session on December 12th (Immediately Before the Committee of the Whole):

- **Ord 12-29** To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration And Personnel” - Re: Amending Article IV of Chapter 2.04 (Common Council) to Establish Councilmanic Districts for the City of Bloomington
 - Exhibit “A” including Proposed Map and List of Precincts and Their Populations
 - Insert for Materials Incorporated by Reference – Order from Monroe County Commissioners dated December 30, 2011 and Accompanying Documents
 - Insert for Report from Redistricting Committee

Contact:

- *Susan Sandberg, Chair, 349-3409 or sandbers@bloomington.in.gov*

Memo

Reminder of Meetings and Cancellations:

Wednesday, December 12th

Rules Committee	McCloskey Room at noon
Cancelled – Executive Session	Cancelled
Special Session	7:30 p.m. in Chambers (before the Committee of the Whole)

One Item to be Introduced at Special Session which Joins Another Item to be Discussed at the Committee of the Whole on Wednesday, December 12th

There are two meetings next Wednesday evening. The first is a Special Session to introduce Ord 12-29 (Establishing Council Districts Based Upon 2012 Census) which is included in this packet and summarized below. The second is a Committee of the Whole which will immediately follow the Special Session. The items for discussion at that meeting include Ord 12-28 (Repealing and Re-Enacting Title 10 – Wastewater) as well as the item noted above. Ord 12-28 can be found in the Council Legislative Packet prepared for the 5 December 2012 Regular Session. See above for an online link to that legislation and related information.

**New Item for Introduction at the Special Session and Discussion at the
Committee of the Whole on Wednesday, December 12th**

Ord 12- 29 – Establishing Six Council Districts in 2012

Based Upon Census Data Collected in 2010 and in Accordance with IC 36-4-6-3

Ord 12-29 establishes council districts in the second year after the year in which a federal decennial census was conducted as is required by I.C. 36-4-6-3. It brings forward recommendations of the Council Redistricting Committee, which consisted of the three at-large representatives (with Councilmember Sandberg elected as Chair). In preparation for the Committee work, City Clerk Regina Moore provided maps and an interactive table of precinct populations for Council members and the public to use to prepare maps that met statutory requirements for consideration by the Committee. Those requirements are that there be six districts that are contiguous, reasonably compact, and, as nearly as possible, equal in population, and, with some (very specific) exceptions, do not cross precinct boundaries. The Committee met four times in November before making its recommendation. In the course of its deliberations, the Committee heard from Council district representatives who expressed a desire to make as few changes as possible and preserve existing neighborhoods in the districts.

The ordinance:

- Recites this history;
- Approves the Report of the Committee (which is available in the Council Office);
- Establishes the six districts – see Exhibit A which is attached includes a Map and List of Precincts and their Populations;
- Incorporates the Monroe County Order dated December 30, 2011 which established the precincts; and
- Directs the City Clerk to file the ordinance with the County Clerk within 30 days after its adoption (in accordance with IC 36-4-6-3(1)).

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL
SPECIAL SESSION & COMMITTEE OF THE WHOLE
7:30 P.M., WEDNESDAY, DECEMBER 12, 2012
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.**

SPECIAL SESSION

I. ROLL CALL

II. AGENDA SUMMATION

III. LEGISLATION FOR FIRST READING

1. Ordinance 12-29 To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration And Personnel” - Re: Amending Article IV of Chapter 2.04 (Common Council) to Establish Councilmanic Districts for the City of Bloomington

IV. ADJOURNMENT

(Adjourn and immediately reconvene for)

COMMITTEE OF THE WHOLE

Chair: Darryl Neher

1. Ordinance 12-28 To Amend Title 10 of the Bloomington Municipal Code Entitled “Wastewater” - Re: Revisions to Chapter 10.04 General Rules, Chapter 10.08 Wastewater Rates and Charges, Chapter 10.12 Prohibited Wastewater Discharges and Chapter 10.16 Industrial Wastewater Dischargers and the Addition of Chapter 10.17 Food Service Establishment Wastewater Dischargers

Asked to Attend: John Langley, Deputy Director, Utilities

2. Ordinance 12-29 To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration And Personnel” - Re: Amending Article IV of Chapter 2.04 (Common Council) to Establish Councilmanic Districts for the City of Bloomington

Asked to Attend: Susan Sandberg, Chair, Council Redistricting Committee



City of Bloomington
Office of the Common Council

To Council Members
From Council Office
Re Weekly Calendar – 10- 14 December 2012

Monday, 10 December

5:30 pm Farmers' Markey Advisory Council, Finch's Brasserie, 514 East Kirkwood Avenue

Tuesday, 11 December

4:00 pm Board of Park Commissioners, Council Chambers
4:30 pm Commission on Aging, Hooker Room
5:30 pm Bloomington Public Transportation Corporation Board of Directors, Public Transportation Center, 130 W. Grimes Lane
6:00 pm City of Bloomington Commission on Sustainability, McCloskey
6:30 pm Sister Cities International *Polsetaga*, Kelly
6:30 pm Sister Cities International *CubAmistad*, Dunlap

Wednesday, 12 December

9:30 am Tree Commission, Rose Hill Cemetery Office, 930 W. Fourth St.
12:00 pm Council Rules Committee, McCloskey
2:00 pm Hearing Officer, Kelly
4:30 pm Environmental Resources Advisory Council, Parks Conference Room
5:00 pm Bloomington Arts Commission, McCloskey
5:30 pm Commission on the Status of Black Males, Hooker Room
7:30 pm Common Council – Special Session *immediately followed by a* Committee of the Whole, Council Chambers

Thursday, 13 December

12:00 pm Housing Network, Council Chambers
2:30 pm Commission on the Status of Children and Youth, McCloskey
4:00 pm Bloomington Historic Preservation Commission, McCloskey
4:00 pm Monroe County Solid Waste Management District, Council Chambers

Friday, 14 December

There are no meetings scheduled for this date.

Posted and Distributed: Friday, 7 December 2012



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

NOTICE OF RESCHEDULING

The COUNCIL RULES COMMITTEE

**Scheduled for Wednesday, 5 December 2012 at
12:00 p.m. has been Rescheduled for
12 December 2012 at the Same Time in the
McCloskey Room (Room 135)
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 the Rules 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: Tuesday, 4 December 2012



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

SPECIAL SESSION of the Common Council

**WEDNESDAY, 12 DECEMBER 2012
7:30 p.m. (Immediately Before the Previously
Scheduled Committee of the Whole)
Council Chambers (#115)
City Hall, 401 N. Morton**

The Common Council will use this opportunity to introduce additional legislation for consideration during the last Legislative Cycle of 2012.

This meeting constitutes a meeting of the Council under the Indiana Open Door Law and this statement is provides notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.

Posted: 7 December 2012



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

NOTICE OF MEETING CANCELLATION

**BLOOMINGTON COMMON COUNCIL
EXECUTIVE SESSION
HAS BEEN CANCELLED**

WEDNESDAY, 12 DECEMBER 2012

5:30 p.m.

**Council Chamber (#115)
City Hall, 401 N. Morton**

The Common Council intended to meet at this time and place to discuss strategy with respect to the implementation of security systems pursuant to Indiana Code 5-14-1.5-6.1(b)(2)(c). This meeting has been cancelled and will be rescheduled for some time in the new year. An Executive Session is one of the rare occasions where the public will not be allowed to attend, observe and record what transpires.

Posted: 7 December 2012

ORDINANCE 12-29
TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED
“ADMINISTRATION AND PERSONNEL”
- Re: Amending Article IV of Chapter 2.04 (Common Council) to Establish
Councilmanic Districts for the City of Bloomington

- WHEREAS, I.C. 36-4-6-3 requires that the City be divided into six (6) councilmanic districts during the second year after a year in which a federal decennial census is conducted; and
- WHEREAS, this statute also requires that these districts be contiguous, reasonably compact, and, as nearly as possible, of equal population, and, with some specific exceptions, not cross precinct boundaries; and
- WHEREAS, Council President Mayer created the Redistricting Committee composed of the three at-large representatives and chaired by Councilmember Sandberg; and
- WHEREAS, prior to the first meeting, the City Clerk Regina Moore provided maps and an interactive table of precinct populations for Council members and the public to use to prepare maps that met the three requirements for consideration by the Committee; and
- WHEREAS, the Redistricting Committee held four meetings in November and submitted a report comprised of the Memoranda of the Meetings and documents kept in the Office of City Clerk which, by passage of this ordinance, will be approved by the Council; and
- WHEREAS, these meetings complied with the Indiana Open Door Law, including one meeting that was continued with the same agenda to later the same week, and were attended by the public at every meeting; and
- WHEREAS, the Council finds that the proposed districts are contiguous, reasonably compact, and, as nearly as possible, of equal population;

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

SECTION 1. Article IV of Chapter 2.04 of the Bloomington Municipal Code shall be amended by deleting Sections 2.04.500 (Definition of councilmanic districts) and 2.04.0510 (Repeal of former council districts) and replacing them with the following:

2.04.500 Definition of councilmanic districts.

The City of Bloomington is hereby divided into six (6) councilmanic districts which shall be known as the First District, Second District, Third District, Fourth District, Fifth District, and Sixth District. A copy of the map of these districts and the associated precinct populations are attached to this ordinance (Ordinance 12-29) as Exhibit “A.” These districts shall consist of precincts as they were set forth in the “Order of the Monroe County Commissioners Regarding Additional Information or Corrections to the Precinct Boundaries and Submission of Corrected IEC-8 Forms” dated December 30, 2011. This Order and the associated precinct map, list of precincts with the component census blocks in each precinct, and the IEC-8 forms are incorporated by reference into this ordinance and, in accordance with IC 36-1-5-4, two copies of this material shall be kept on file in the office of the City Clerk and Council for inspection by the public. These districts and their component precincts are as follows:

FIRST DISTRICT. The First Councilmanic District shall consist of the following designated precincts:

- (a) Bloomington Township Precincts 2 & 6
- (b) Perry Township Precincts 1, 3, 5 & 29
- (c) Richland Precinct 9
- (d) Van Buren Township Precinct 2

SECOND DISTRICT. The Second Councilmanic District shall consist of the following designated precincts:

- (a) Bloomington Township Precincts 5, 7, 13, 14, 17 & 23

THIRD DISTRICT. The Third Councilmanic District shall consist of the following designated precincts:

- (a) Bloomington Township Precincts 9, 10, 16, 21 & 22
- (b) Perry Township Precincts 20 & 21

FOURTH DISTRICT. The Fourth Councilmanic District shall consist of the following designated precincts:

- (a) Bloomington Township Precincts 8 & 18
- (b) Perry Township Precincts 14, 15, 16, 17, 18, 19 & 26

FIFTH DISTRICT. The Fifth Councilmanic District shall consist of the following designated precincts:

- (a) Perry Township Precincts 6, 8, 9, 10, 11, 12, 13, 28, 31 & 32

SIXTH DISTRICT. The Sixth councilmanic District shall consist of the following designated precincts:

- (a) Bloomington Township Precincts 1, 3, 4, 19 & 20
- (b) Perry Township Precincts 7 & 30

SECTION 2. The district boundaries established in this ordinance supersede those established in all previous ordinances.

SECTION 3. In accordance with I.C. 36-4-6-3(l), the City Clerk is directed to file the ordinance with the Monroe County Clerk not later than thirty (30) days after the ordinance is adopted.

SECTION 4. Severability. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstance 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 5. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2012.

TIMOTHY MAYER, 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 _____, 2012.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____,
2012.

MARK KRUZAN, Mayor
City of Bloomington

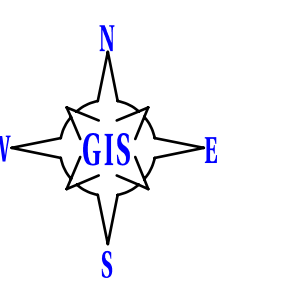
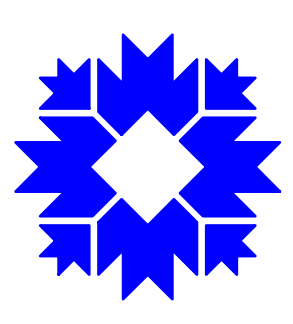
SYNOPSIS

This ordinance fulfills the council's obligation, in accordance with IC 36-4-6-3, to establish six councilmanic districts in 2012 based upon data received as a result of the federal census in 2010. Under this statute, these districts must be contiguous, reasonably compact, and, as nearly as possible, of equal population. The ordinance brings forward recommendations of the Council Redistricting Committee, which invited members of the Council and public to offer maps for the Committee's consideration in light of the statutory requirements. The committee met four times, with members of the public and Council present at each meeting, considered various plans from council members and the public, and recommended this map which is in compliance with statutory requirements.

ORDINANCE 12-29
TO AMEND TITLE 2 OF THE BLOOMINGTON
MUNICIPAL CODE ENTITLED
“ADMINISTRATION AND PERSONNEL”
- Re: Amending Article IV of Chapter 2.04 (Common
Council) to Establish Councilmanic Districts for the City
of Bloomington

Exhibit A

Map of Proposed Districts
Sheet of District Populations by Precinct

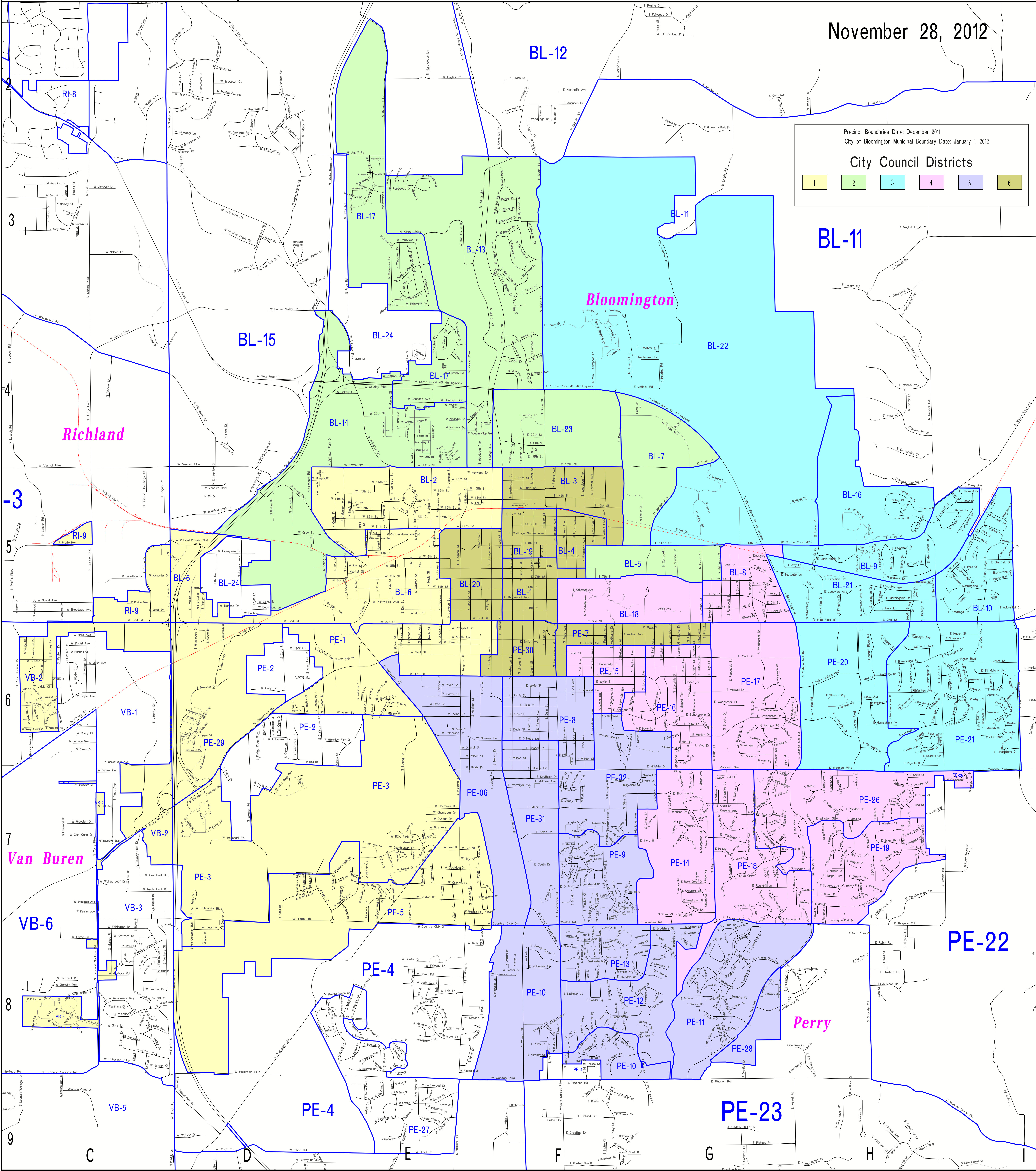


November 28, 2012

Precinct Boundaries Date: December 2011
City of Bloomington Municipal Boundary Date: January 1, 2012

City Council Districts

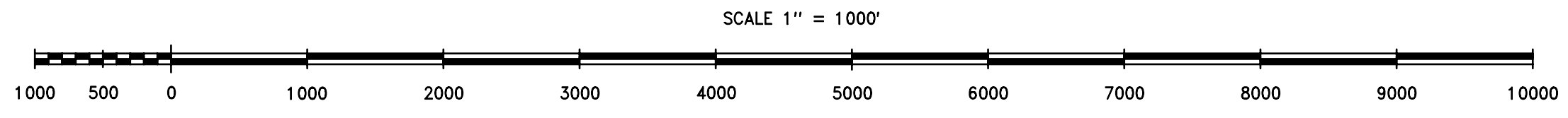
1	2	3	4	5	6
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* This map adjusts precinct boundaries to the city limits.

Bloomington Geographic Information System

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This map was produced by the City of Bloomington GIS from Monroe County data for use by the Monroe County Clerk's Office and the General Public as map information only. The map has been approved for release by the Monroe County Clerk. Any errors, omissions, or warranties are hereby disclaimed. Please contact the Monroe County Clerk or Voter Registration Office for additional information or questions regarding voting precincts.

FID	PRECINCT	10 Pop	CurrD	1	2	3	4	5	6
5	BLOOMINGTON 01	1494	6						1494
6	BLOOMINGTON 02	2017	1	2017					
7	BLOOMINGTON 03	3517	6						3517
8	BLOOMINGTON 04	1018	6						1018
9	BLOOMINGTON 05	2778	4		2778				
10	BLOOMINGTON 06	1560	1	1560					
11	BLOOMINGTON 07	2586	2		2586				
12	BLOOMINGTON 08	1113	3				1113		
13	BLOOMINGTON 09	1735	3			1735			
14	BLOOMINGTON 10	1007	3			1007			
17	BLOOMINGTON 13	1295	2		1295				
18	BLOOMINGTON 14	2395	2		2395				
20	BLOOMINGTON 16	1955	3			1955			
21	BLOOMINGTON 17	1314	2		1314				
22	BLOOMINGTON 18	3643	6				3643		
23	BLOOMINGTON 19	1396	6						1396
24	BLOOMINGTON 20	1842	1						1842
25	BLOOMINGTON 21	1916	3			1916			
26	BLOOMINGTON 22	2645	3			2645			
27	BLOOMINGTON 23	2500	2		2500				
33	PERRY 01	1141	1	1141					
35	PERRY 03	2270	1	2270					
37	PERRY 05	2247	1	2247					
38	PERRY 06	1171	5					1171	
39	PERRY 07	1671	6						1671
40	PERRY 08	1355	5					1355	
41	PERRY 09	1690	5					1690	
42	PERRY 10 ?	1857	5					1857	
43	PERRY 11	1663	5					1663	
44	PERRY 12	1215	5					1215	
45	PERRY 13	1321	5					1321	
46	PERRY 14	1440	4				1440		
47	PERRY 15	1064	4				1064		
48	PERRY 16	1310	4				1310		
49	PERRY 17	1438	4				1438		
50	PERRY 18	1251	5				1251		
51	PERRY 19	1326	4				1326		
52	PERRY 20	2206	3			2206			
53	PERRY 21	2462	3			2462			
58	PERRY 26	915	4				915		
60	PERRY 28	351	5					351	
61	PERRY 29	2340	1	2340					
62	PERRY 30	1827	6						1827
63	PERRY 31	1523	5					1523	
64	PERRY 32	1526	4				1526		
74	RICHLAND 09	30	1	30					
77	VAN BUREN 02	2072	1	2072					

Total Populations 80408
Avg. District Pop. **13401**

Range between smallest & largest: **8.66%**

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Materials Incorporated by Reference

“Order of the Monroe County Commissioners Regarding Additional Information or Corrections to the Precinct Boundaries and Submission of Corrected IEC-8 Forms” dated December 30, 2011, which includes the:

- Order;
- Precinct Map;
- List of Precincts with the component census blocks in each precinct;
and
- IEC-8 forms

Section 1 of Ord 12-29 states that the aforementioned material is incorporated by reference. In addition and in accordance with I.C. 36-1-5-4, Section 1 also states that two copies of the material is available in the Office of City Clerk for inspection by the public. This statute also requires that those copies be, indeed, available in that office. In compliance with this requirement, two copies of this material will be attached to Council Legislative Background File for this ordinance.

ORDINANCE 12-29
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Other Material Available in the Office of City Clerk

Report of Redistricting Committee – consisting of:

- **Signature Page;**
- **Agenda and Memoranda of Meetings;**
- **Available in the Office of City Clerk:**
 - **Colored map with current council districts and county precincts;**
 - **List of city precincts with populations for each (and capable of certain calculations when used in electronic form); and**
 - **Various proposed maps and plans which had been submitted along with sheets that compare sets of plans (typically presented at different meetings) based upon variance and deviation of population.**