



# **City of Bloomington Common Council**

## **Legislative Packet**

### **Regular Session**

**Wednesday, 14 November 2012**

*For background legislation for Ordinance 12-27, please consult the [Legislative Packet](#) issued in interest of the 7 November 2012 meeting.*

*For background legislation for Ordinance 12-26, please consult the [Legislative Packet](#) issued in interest of the 31 October meeting.*

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**To: Council Members**  
**From: Council Office**  
**Re: Weekly Packet Memo**  
**Date: November 9, 2012**

## Packet Related Material

**Memo**  
**Agenda**  
**Calendar**

### Notices and Agendas:

- **Notice of Rules Committee Meeting** on Wednesday, November 14, 2012 at Noon in the Council Library
- **Notice of Redistricting Committee** on Thursday, November 15, 2012 at 5:30 p.m.
- **Notice of Special Session** on Monday, November 26, 2012 at 6:00 p.m. in the Council Chambers (in part for the legally advertised public hearing on Ord 12-25)

### Annual Council Schedule for 2013

- **Annual Schedule**
  - **Memo to Council** from Dan Sherman Administrator/Attorney  
*Contact: Dan Sherman at 349-3409, [shermand@bloomington.in.gov](mailto:shermand@bloomington.in.gov)*

### Legislation for Second Reading: <sup>1</sup>

- **Ord 12-26** To Vacate a Public Parcel - Re: Portion of Morton Street Right-of-Way, South of Kirkwood Avenue and Directly West of the B-Line (CFC, Inc., Petitioner)
  - Request for Withdrawal of Petition  
*Contact: Lynne Darland at 349-3529 or [darlandl@bloomington.in.gov](mailto:darlandl@bloomington.in.gov)*

*Please see the weekly [Council Legislative Packet](#) issued for the 31 October 2012 Regular Session for the legislation, summary and related material*

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<sup>1</sup> **Ord 12-25** To Vacate a Public Parcel - Re: Alley Right-of-Way Running East/West Between South Gentry Street and the B-Line Trail, South of Kirkwood Avenue and North of West 4th Street (REI Investments, Petitioner) has been scheduled for second reading at a Special Session on Monday, November 26<sup>th</sup> at 6:00 p.m.

- **Ord12-27** To Amend Title 16 of the Bloomington Municipal Code Entitled “Housing Inspection” (Repealing and Reenacting Title 16 with the New Title Name of “Residential Rental Unit and Lodging Establishment Inspection Program” and a Total of Ten Chapters)
  - *Note: Amendments Anticipated*

*Contact:*

*Lisa Abbott at 349-3401 or [abbottl@bloomington.in.gov](mailto:abbottl@bloomington.in.gov)*

*Patty Mulvihill at 349-3426 or [mulvihip@bloomington.in.gov](mailto:mulvihip@bloomington.in.gov)*

*Please see the weekly [Council Legislative Packet](#) issued for the 7 November 2012 Special Session/Committee of the Whole for the legislation, summary and related material*

### **Legislation and Background Material for First Reading:**

- **App Ord 12-04** 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, Parks General Fund, and Risk Management Fund; and, Appropriating Additional Funds from the Fire Capital Fund, Risk Management Fund and Rental Inspection Program Fund)
  - Memo to the Council from Mike Trexler, Controller

*Contact:*

*Mike Trexler at 349-3412 or [trexlerm@bloomington.in.gov](mailto:trexlerm@bloomington.in.gov)*

### **Minutes from Regular and Special Sessions:**

- November 7, 2012 (Special Session)

### **Memo**

### **Reminders:**

- **Rules Committee – Noon on Wednesday in Council Library**
- **Redistricting Committee – 5:30 p.m. on Thursday in the Council Library**
- **Staff-Council Internal Work Session – Noon on Friday in the Council Library**

**Two Ordinances Under Second Readings (One Ready for Withdrawal),  
One Appropriation Ordinance Under First Readings, Minutes, and  
the Annual Schedule Under Council Schedule  
on the Agenda for the  
Regular Session on Wednesday, November 14th**

There are two ordinances under Second Readings (one ready for withdrawal), one appropriation ordinance under First Readings, a set of minutes and the Annual Schedule for 2013 on your Regular Session agenda for next Wednesday. Please see the Council Legislative Packets prepared for the October 31<sup>st</sup>, November 7<sup>th</sup> and next Wednesday's meeting (contained herein) for the related materials.

**Annual Schedule for 2013**

This packet contains the proposed Council Schedule for 2013 and a memo explaining it. Please review the material and offer your comments and be ready to vote on it on November 14<sup>th</sup> - unless you wish the matter decided later in November or early December. Acting on it by early December would allow the Council intern to complete and distribute the Annual City Calendar (which includes Council meeting dates) before she leaves for Winter Recess.

As you know, the Council generally meets on the first four Wednesdays of the month for Regular Sessions and Committee of the Wholes. It also meets on Mondays about twice a month for Staff-Council Internal Work Sessions to informally hear about upcoming legislation. Here are some of the meetings that would not follow the usual rule (please see the proposed Schedule and Memo for more detailed information):

- **January** – This schedule proposes holding:
  - an Organizational Meeting and Committee of the Whole on Wednesday, January 9<sup>th</sup> (rather than the Council's usual practice of meeting on the first Wednesday of this month);
  - Staff-Council Internal Work Sessions on two Fridays (January 4<sup>th</sup> and 25<sup>th</sup>) due to holidays occurring on Mondays of those weeks;
  - No meeting on the fifth Wednesday of that month.

- **February** – This schedule proposes holding:
  - A Staff-Council Internal Work Session on a Friday, February 22<sup>nd</sup>, due to a holiday occurring on the Monday of that week.
  
- **March** - This schedule proposes holding a Regular Session and Committee of the Whole on the first Wednesday of the month to avoid meeting during Spring Break (which falls on the second Wednesday of that month).
  
- **Budget Meetings (May, July, and September)** - This schedule proposes holding the:
  - Budget Advance on Wednesday, May 8<sup>th</sup> at 5:30 p.m.;
  - Four evenings of Departmental Budget Hearings at 6:00 p.m. commencing on the *fourth rather than third* Monday of July (and running from July 22<sup>nd</sup> to 25<sup>th</sup>), and
  - Final Budget hearings on the first Tuesday (because the first Wednesday falls on Rosh Hashanah – the Jewish New Year) and second Wednesday in September
    - *Please note that these dates have been reviewed by the Office of the Mayor.*
  
- **June** – This schedule continues the practice of holding:
  - A Special Session on the fourth Wednesday in order to act on the Annual Tax Abatement Report
  
- **July** – This schedule takes advantage of the five Wednesdays this month in order to hold the full complement of Regular Sessions and Committees of the Whole along with the week of Departmental Budget Hearings by proposing;
  - Departmental Budget Hearings the week of July 22<sup>nd</sup> (*fourth week of the month*); and a
  - Committee of the Whole on the fifth Wednesday.

- **September** – This schedule follows past practice of taking action on the next year’s budget during the first two weeks of September. However, in order to avoid meeting on Rosh Hashanah (Jewish New Year), it holds the initial meeting on the first Tuesday rather than the first Wednesday in September. With that in mind, it proposes holding a:
  - Regular Session and Committee of the Whole (for Budget Legislation) on Tuesday, September 3<sup>rd</sup>;
  - Special Session (for Budget Legislation) and Committee of the Whole on Wednesday, September 11<sup>th</sup>; and
  - Regular Session followed by a Committee discussion on September 18<sup>th</sup>.
- **October and November** – This schedule takes advantage of a fifth Wednesday in October to meet four times during the two legislative cycles in November without meeting on the night before Thanksgiving (which is prohibited by local code). In particular, it proposes holding a:
  - Regular Session on the October 30<sup>th</sup> (*fifth Wednesday of October*);
  - Committee of the Whole on November 6<sup>th</sup> (*first Wednesday in November*);
  - Regular Session on November 13<sup>th</sup> (*second Wednesday in November*);
  - Committee of the Whole on November 20<sup>th</sup> (and not meeting on the fifth Wednesday); and
- **Fifth Wednesdays** - note that there are four fifth Wednesdays next year - in January, May, July and October - *which affect deadlines for filing legislation and provide opportunities to shift your meetings.*)

### **Second Readings:**

#### **Item One – Ord 12-26 (Vacation of Portion of Morton Street Right-of-Way) – Request for Withdrawal by Petitioner (CFC)**

Please remember that the petitioner (CFC) has requested that Ord 12-26 (Vacation of Portion of Morton Street Right-of-Way) be withdrawn and the Committee of the Whole recommended that the Council accept the withdrawal at next week’s Regular Session. (*See attached letter*)

**Item Two – Ord 12-27 (Repealing and Re-Enacting Title 16)  
– Please Contact Council Office (or Lisa Abbott/Patty Mulvihill) about Any  
Amendments and Questions**

A number of Council members expressed concerns about this piece of legislation Wednesday night. Please contact Lisa Abbott or Patty Mulvihill about any questions you may have and please contact me or Patty as soon as possible about any amendments you would like prepared for next week's meeting.

**First Readings**

**Item 1 – App Ord 12-04 (End of the Year Appropriation Ordinance)**

**App Ord 12-04** is coming forward during the next legislative cycle and is commonly known as the end-of-the-year appropriation ordinance. Along with transferring money within and between departments, which will have a “zero net impact on the total budget,” it appropriates \$263,000 to reimburse a program with program fees (\$140,000) and for a one-time capital investment (\$123,000), which “will not impact the City’s long-term financial projections.” In particular, the ordinance:

- Uses General Fund money to cover the 1% raise for non-union City employees which were under-budgeted for 2012;
- Shifts funds from one category to another within Parks General Fund to cover the costs of an insurance deductible related to an accident this year;
- Uses money in a dormant Fire Capital Fund to pay for equipping a new engine Truck with confined, trench, and collapse rescue function; and
- Transfers money from the Rental Inspection Program Fund to the General Fund to cover the costs of operating the Rental Inspection Program.

This summary is based upon a memo from, and conversations with, Mike Trexler, Controller.

**Paying for 1% Increase for Non-Union Employees for Rest of 2012**

There were some technical difficulties setting up the City’s new financial system last year which led to under-budgeting the 1% increase for non-union City employees in 2012. This ordinance, in part, transfers General Fund money to cover these personnel costs. It transfers \$77,000 in the salary lines between various departments and appropriates \$3,000 from General Fund to the Risk Management Fund for that purpose (without increasing the annual appropriations).

Here is the breakdown of those transfers:

Transferring \$80,000 for Salaries and Wages – Regular (Line 51110)

**General Fund – Transfer From One Department to Another**

<u>Transfer Out:</u>	<u>Transfer In :</u>
Community and Family Resources -\$2,000	Animal Care and Control + \$15,000
Controller -\$1,000	Public Works + \$9,000
Housing and Neighborhood Development (HAND) -\$10,000	Public Works - Facilities +\$2,000
Information and Technology Services -\$27,000	Clerk +\$3,000
Legal -\$16,000	Council +\$8,000
Mayor -\$15,000	Fire +\$20,000
Planning -\$9,000	Police +\$20,000
-\$80,000	+\$77,000
General Fund Total (-\$3,000)	

**Risk Management Fund – Transfer From General Fund to  
Risk Management Fund**

<u>Transfer Out:</u>	<u>Transfer In:</u>
\$0	\$3,000
-\$0	+\$3,000
Risk Management Fund Total (+\$3,000)	
Net \$0	
-\$80,000	+\$80,000



### Transferring \$6,000 in Parks General Fund for Insurance Deductible

The Parks and Recreation Department needs to cover the cost of an insurance deductible relating to a recent traffic accident. This ordinance transfers \$6,000 from two lines in Category Two (Supplies) to the Motor Repairs line in Category Three (Other Services and Charges) for this purpose.

### Spending \$123,000 in Dormant Fire Capital Fund to Equip Newest Fire Engine

As mentioned in the State of the City Address, the Fire Department has acquired a new fire engine (with TIF revenues) and needed money to “outfit it with specialized equipment for the tactical rescue team related to confined, trench, and collapse rescue.” In accordance with an understanding with the Redevelopment Commission, this ordinance appropriates \$123,000 from the supplies line in the dormant Fire Capital Fund for this purpose.

### Reimbursing the General Fund \$140,000 for Rental Inspection Program

The General Assembly enacted legislation last year that required rental inspection fees be deposited in a separate fund. In Bloomington, the actual costs for operating the program are borne by the General Fund. The City has collected \$115,673 in fees so far this year and anticipates collecting another \$25,000 by the end of the year. This ordinance authorizes the reimbursement of \$140,000 from the Rental Inspection Program Fund to the General Fund for program expenses.

**NOTICE AND AGENDA  
BLOOMINGTON COMMON COUNCIL  
REGULAR SESSION  
7:30 P.M., WEDNESDAY, NOVEMBER 14, 2012  
COUNCIL CHAMBERS  
SHOWERS BUILDING, 401 N. MORTON ST.**

**I. ROLL CALL**

**II. AGENDA SUMMATION**

**III. APPROVAL OF MINUTES FOR:** November 7, 2012, Special Session

**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. LEGISLATION FOR SECOND READING AND RESOLUTIONS**

1. Ordinance 12-26 To Vacate a Public Parcel -- Re: Portion of Morton Street Right-of-Way, South of Kirkwood Avenue and Directly West of the B-Line Trail (CFC, Inc., Petitioner)

Recommendation: Accept Withdrawal                      7 – 0 – 0

2. Ordinance 12-27 To Amend Title 16 of the Bloomington Municipal Code Entitled “Housing Inspection” (Repealing and Reenacting Title 16 with the New Title Name of “Residential Rental Unit and Lodging Establishment Inspection Program” and a Total of Ten Chapters)

Recommendation: Do Pass    1 – 0 – 5

**VI. LEGISLATION FOR FIRST READING**

1. Appropriation Ordinance 12-04 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, Parks General Fund, and Risk Management Fund; and, Appropriating Additional Funds from the Fire Capital Fund, Risk Management Fund and Rental Inspection Program Fund)

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

**VIII. COUNCIL SCHEDULE**

1. Annual Schedule for 2013

**IX. ADJOURNMENT**

\* Members of the public may speak on matters of community concern not listed on the Agenda at one of the two *Reports from the Public* 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.



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

To Council Members  
From Council Office  
Re Weekly Calendar – 12 – 18 November 2012

**Monday, 12 November**

*Veterans Day – City offices closed.*

**Tuesday, 13 November**

11:30 am Plan Commission Work Session, Kelly  
4:00 pm Board of Park Commissioners, Council Chambers  
4:30 pm Commission on Aging, Hooker Room  
5:30 pm Animal Control Commission, Dunlap  
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, *Posoltega*, Kelly  
6:30 pm Sister Cities International, *CubAmistad*, Hooker Room  
7:30 pm Telecommunications Council, Council Chambers

**Wednesday, 14 November**

12:00 pm Council Rules Committee, Council Library  
2:00 pm Hearing Officer, Kelly  
4:00 pm [ImagineBloomington](#) Steering Committee, Council Chambers  
5:00 pm Bloomington Arts Commission, McCloskey  
5:30 pm Commission on the Status of Black Males, Hooker Room  
7:30 pm Common Council, *Regular Session*, Council Chambers

**Thursday, 15 November**

8:00 am Bloomington Housing Authority, Community Room, 1007 N. Summit  
3:30 pm Bloomington Municipal Facilities Corporation, Dunlap  
5:00 pm ArtWorks Mentor Training, McCloskey  
5:30 pm Board of Zoning Appeals, Council Chambers  
5:30 pm City Council Redistricting Committee, Council Library  
7:00 pm Environmental Commission, McCloskey

**Friday, 16 November**

12:00 pm Domestic Violence Task Force, McCloskey  
12:00 pm Economic Development Commission, Hooker Room  
12:00 pm Staff-Council Internal Work Session, Council Library

**Saturday, 17 November**

9:00 am Bloomington Community Farmers' Market, Showers Common, 401 N. Morton

**Sunday, 18 November**

*Happy Birthday Council Member Dorothy Granger!*

*Posted and Distributed: Friday, 9 November 2012*



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

# **NOTICE**

## **COUNCIL RULES COMMITTEE**

**Wednesday, 14 November 2012**

**12:00 p.m.**

**Council Library (Room 110)**

**CITY HALL, 401 N. MORTON**

Council President Mayer convened the Council Rules Committee this summer to review the manner by which the Council conducts its deliberations and Committees, and appointed himself and Councilmembers Granger, Neher, and Ruff to serve on the Committee. Councilmember Neher acts as Chair.

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: Thursday, 14 November 2012



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

# **NOTICE**

## **CITY COUNCIL REDISTRICTING COMMITTEE**

**Thursday, 15 November 2012  
5:30 p.m.  
Council Library (Room 110)  
CITY HALL, 401 N. MORTON**

The Council Redistricting Committee has been created by Council President Mayer and consists of the three at-large members of the Council: Mayer, Ruff, and Sandberg. Its charge is to propose new district maps for consideration by the City Council before the end of this year as required by I.C. 36-4-6-3. Please note that maps and census data are available for public inspection in the Office of City Clerk/Council.

Because a quorum of the Council may be present, this meeting may constitute a meeting of the Council as well as of the Redistricting 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: Friday, 9 November 2012



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

# **SPECIAL SESSION**

**MONDAY, 26 NOVEMBER 2012**

**6:00 p.m.**

**Council Chambers (#115)**

**City Hall, 401 N. Morton**

The Common Council will use this opportunity to hold a legally advertised public hearing and consider adoption of Ord 12-25. This ordinance proposes the vacation of a right-of-way parallel to, and south of, West Kirkwood between the B-Line Trail and Gentry Street. The Council may use this occasion to conduct other business as well.

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: 8 November 2012



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

**To: Council Members**  
**From: Council Office**  
**Re: Approving the Annual Schedule for Year 2013 by November 14<sup>th</sup>**  
**Date: November 9, 2012**

**Contents**

Memo with Highlights of Meeting and Scheduling Issues  
Proposed Annual Schedule for 2013

**Memo**

I generally submit the *Annual Schedule* for the next year to the Council in November for review and comment and for action no later than the first Regular Session in December. This practice allows the Council Office to get a head start on the new year (and is *not* done to meet any legal requirement). Along with the *Annual Schedule*, the Council Office also prepares an *Annual Calendar* for the entire City, which contains Council meeting dates. By having you vote on the *Annual Schedule* by then, the Council Office can use the Council Intern, rather than the full-time employees, to finish and distribute the *Annual City Calendar*.

The Council typically meets on the first four Wednesdays of the month, with Regular Sessions being held on the first and third Wednesday and Committees of the Whole being held on the second and fourth Wednesday. It also typically holds a Staff-Council Internal Work Session to hear about legislation coming forward at the next Legislative Cycle on Monday at noon approximately two weeks before ordinances considered during that cycle would be introduced at the Council Regular Session.

**Explanation of the Schedule Sheet.** The Annual Schedule presents these meetings in legislative cycles which appear as 21 rows with 7 columns. The rows indicate the 21 legislative cycles next year. Legislative cycles begin with a Regular Session, are followed by a Committee of the Whole, and end with another Regular Session. These columns indicate:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>	<u>Column 5</u>	<u>Column 6</u>	<u>Column 7</u>
Legislative Cycle	Internal Work Sessions	Deadline for Filing Ordinances	Deadline for Filing Resolutions	Regular Session <i>When Ordinances are Introduced</i>	Committee Discussion <i>When Ordinances and Resolutions are Newly Introduced</i>	Regular Session <i>When Ordinances and Resolutions are Scheduled for Second Reading</i>

**Deadlines.** The deadline for legislation generally falls 10 days before the meeting at which the legislation is scheduled to be introduced (whether at a Regular Session or a Committee of the Whole) and provides time for staff to review the legislation and prepare the weekly legislative packet for distribution on Friday. The deadline is typically on the Monday of the week before that meeting (or, in other words, the Monday of the week the Council Legislative packet for the upcoming meeting goes out). However, the deadline is moved back a day when there is a City holiday during that week and is moved back further when there are 5<sup>th</sup> Wednesdays in the month. This latter change allows staff to take time-off other than during the August Recess. Please note that the Bloomington Municipal Code requires legislation and background material be filed at least two weeks before the item is to be introduced at the Council.

**Explanation of the Footnotes.** The footnotes in the Annual Schedule indicate those occasions when the Council: 1) does not follow the usual four-Wednesdays-a-month routine; 2) does not meet on Monday in the McCloskey Room for a Staff-Council Internal Work Session; 3) or meets at some other time or day for some reason (typically due to budget deliberations).

**Religious Holidays.** Please note that the Annual Schedule would shift the first Regular Session and Committee of the Whole in September from Wednesday to Tuesday to avoid meeting on Rosh Hashanah (the Jewish New Year).

There may be other religious holidays you want to observe and for that reason a copy of the IU "Religious Observances" is available in the Council Office or can be found on the web at [http://www.iub.edu/~vpfaa/policylocker/religious\\_observances/Comprehensive%20calendar%20update%202010-2015.pdf](http://www.iub.edu/~vpfaa/policylocker/religious_observances/Comprehensive%20calendar%20update%202010-2015.pdf)

Please review the following highlights and the accompanying schedule and be prepared to vote on the schedule on November 14<sup>th</sup>.

### **Proposed Annual Schedule - Highlights and Issues**

#### **January**

Wednesday, January 9 <sup>th</sup>	Organizational Meeting and Committee discussion. <i>Please note that while statute no longer requires the Council to hold an Organizational Meeting on the first Monday of the new year, our local code still does (unless it is a holiday, in which case, the meeting is to be held on Tuesday). However, under local code you may reschedule that meeting by a majority vote of the Council (e.g. by approving a different date in the Annual Schedule). Please note that this schedule sets that meeting on the second Wednesday of the month (January 9<sup>th</sup>) rather than the first.</i>
Friday, January 4 <sup>th</sup>	<i>Staff-Council Internal Work Session (because the Monday of that week is a holiday)</i>
Friday, January 25 <sup>th</sup>	<i>Staff-Council Internal Work Session (because the Monday of that week is a holiday)</i>
Wednesday, January 30 <sup>th</sup>	<i>No Meeting – 5<sup>th</sup> Wednesday</i>



## **February**

Friday, February 22<sup>nd</sup>      *Staff-Council Internal Work Session (because the Monday of that week is a holiday)*

## **March**

*In 2013, Spring Break occurs during the week of March 10<sup>th</sup> – 16<sup>th</sup>. This schedule would have the Council meet for a Regular Session followed by a Committee of the Whole on the first Wednesday of March to avoid meeting over Spring Break.*

Wednesday, March 6<sup>th</sup>      Regular Session immediately followed by a Committee of the Whole

Wednesday, March 13<sup>th</sup>      No Meeting – Spring Break

## **May**

Wednesday, May 8<sup>th</sup>      “Budget Advance” in the McCloskey Room at 5:30 p.m.  
*Please note that the Office of the Mayor has reviewed and is satisfied with the dates and times of the budget-related meetings.*

## **June**

Wednesday, June 26<sup>th</sup>      The Council holds a Special Session this evening before the Committee discussion in order to consider the Annual Tax Abatement Report

## **July**

*There are five Wednesdays in July 2013. This means that the Council can hold two Regular Sessions and two Committees of the Whole and still hold a week of Departmental Budget Hearings.*

Monday, July 22<sup>nd</sup>      Start of Departmental Budget Hearings – which will begin at 6:00 p.m.

(Through)  
Thursday, July 25<sup>th</sup>      End of Departmental Budget Hearings

Wednesday, July 31<sup>st</sup>      Committee of the Whole to be held on a 5<sup>th</sup> Wednesday

## **August**

Wednesday, August 7<sup>th</sup>      August Recess begins after Regular Session

## **September**

*September is different from other months because the Council holds extra meetings during the first legislative cycle in order to take final action on the budget as well as consider other legislation.*

*This year, Rosh Hashanah (the Jewish New Year) falls on the first Wednesday of the month. In order to avoid meeting on that night, this schedule proposes that the Council hold a Regular Session and Committee discussion on the first Tuesday (rather than the first Wednesday). Then, as in the past, the Council would hold a Special Session and Committee discussion on the second Wednesday of the month. The first Committee discussion and Special Session will be primarily devoted to the Budget for 2014; the second Committee discussion and second Regular Session will be devoted to other legislation.*

**Tuesday, September 3<sup>rd</sup>**

August Recess ends with Regular Session immediately followed by Committee discussion to informally consider the 2014 Budget.

**Wednesday, September 11<sup>th</sup>**

Council will hold Special Session to take action on 2014 budget immediately followed by a Committee of the Whole to discuss non-budget related legislation for the first legislative cycle in September.

**Wednesday, September 18<sup>th</sup>**

Regular Session (when the Transit Budget will be ready for second reading).

## **October**

**Friday, October 18<sup>th</sup>**

*Staff-Council Internal Work Session (because the Monday of that week is a holiday)*

## **November**

*In 2013, there are five Wednesdays in October and the Wednesday before Thanksgiving in November when the Council does not meet. The fifth Wednesday in October will allow the Council to hold four evenings in November by scheduling the first Regular Session and Committee discussion and Second Regular Session a week earlier than usual.*

**Wednesday, October 30<sup>th</sup>**

Regular Session (on the fifth Wednesday in October)

**Wednesday, November 6<sup>th</sup>**

Committee of the Whole (on the first Wednesday in November)

**Wednesday, November 13<sup>th</sup>** Regular Session (on the second Wednesday in November).

**Wednesday, November 20<sup>th</sup>**

Committee of the Whole

**Wednesday, November 27<sup>th</sup>**

No Meeting – 5<sup>th</sup> Wednesday and the night before Thanksgiving

**December**

Wednesday, December 18<sup>th</sup> Last meeting of the year

**COMMON COUNCIL  
MEETING SCHEDULE AND LEGISLATION DEADLINES FOR THE YEAR 2013  
(Subject to Revision by Common Council)**

LEGIS CYCLE	INTERNAL WORK SESSIONS <sup>11</sup>	DEADLINE FOR ORDINANCES; E-MAILED TO CCL BY NOON	DEADLINE FOR RESOLUTIONS; E-MAILED TO CCL BY NOON	REGULAR SESSION 1 <sup>st</sup> READING FOR ORDS.	COMMITTEE DISCUSSION	REGULAR SESSION 2 <sup>nd</sup> READINGS AND RESOLUTIONS
1	Mon. Dec. 17 (2012)	Mon. Dec. 17 (2012)	Mon. Dec. 17 (2012)	<sup>1</sup> Jan. 9	<sup>1</sup> Jan. 9	Jan. 16
2	Fri. Jan. 4	Mon. Jan. 7	Mon. Jan. 14	Jan. 16	Jan. 23	<sup>2</sup> Feb. 6
3	Fri. Jan 25	Wed. Jan. 23	Mon. Feb. 4	<sup>2</sup> Feb. 6	Feb. 13	Feb. 20
4	Mon. Feb. 4	Mon. Feb. 11	Fri. Feb. 15	Feb. 20	Feb. 27	<sup>3</sup> Mar. 6
5	Fri. Feb. 22	Mon. Feb. 25	Mon. Feb. 25	<sup>3</sup> Mar. 6	<sup>3</sup> Mar. 6	Mar. 20
6	Mon. Mar. 4	Mon. Mar. 11	Mon. Mar. 17	Mar. 20	Mar. 27	Apr. 3
7	Mon. Mar. 18	Mon. Mar. 25	Mon. Apr. 1	Apr. 3	Apr. 10	Apr. 17
8	Mon. Apr. 1	Mon. Apr. 8	Mon. Apr. 15	Apr. 17	Apr. 24	May 1
9	Mon. Apr. 15	Mon. Apr. 22	Mon. Apr. 29	May 1	<sup>4</sup> May 8	May 15
10	Mon. Apr. 29	Mon. May 6	Mon. May 13	May 15	May 22	<sup>2</sup> June 5
11	Mon. May 20	Wed. May 22	Mon. June 3	<sup>2</sup> June 5	June 12	June 19
12	Mon. June 3	Mon. June 10	Mon. June 17	June 19	<sup>5</sup> June 26	July 3
13	Mon. June 17	Mon. June 24	Fri. June 28	July 3	July 10	<sup>4</sup> July 17
14	Mon. July 1	Mon. July 8	Mon. July 15	<sup>4</sup> July 17	<sup>6</sup> July 31	<sup>7</sup> Aug. 7
AUGUST RECESS						
15	Mon. Aug. 26	<sup>8</sup> Tue. Aug. 20	<sup>8</sup> Tue. Aug. 20	<sup>8</sup> Sep. 3	Sep. 11	Sep. 18
16	Mon. Sept. 9	Mon. Sep. 9	Mon. Sep. 16	Sep. 18	Sep. 25	Oct. 2
17	Mon. Sept. 16	Mon. Sep. 23	Mon. Sept. 30	Oct. 2	Oct. 9	Oct. 16
18	Mon. Sept. 30	Mon. Oct. 7	Fri. Oct. 11	Oct. 16	Oct. 23	<sup>10</sup> Oct. 30
19	Fri. Oct. 18	Mon. Oct. 21	Mon. Oct. 28	<sup>10</sup> Oct. 30	<sup>10</sup> Nov. 6	<sup>10</sup> Nov. 13
20	Mon. Oct. 28	Mon. Nov. 4	Fri. Nov. 8	<sup>10</sup> Nov. 13	<sup>10</sup> Nov. 20	Dec. 4
21	Mon. Nov. 18	Wed. Nov. 20	Mon. Dec. 2	Dec. 4	Dec. 11	<sup>7</sup> Dec. 18

YEAR END RECESS

First Legislative Cycle for 2013:

Mon. Dec. 16 (2013)	Mon. Dec. 16 (2013)	Mon. Dec. 16 (2013)	<sup>1</sup> Wed. Jan. 8 (2014)	<sup>1</sup> Wed. Jan. 8 (2014)	Wed. Jan. 15 (2014)
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Deadlines for Legislation: The deadline for submitting legislation and all accompanying materials, including a summary memo, is noon on the date listed. For information on the manner for submitting these materials, please inquire with the Council Office.

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 7:30 p.m. It also meets for a Staff-Council Internal Work Session on Mondays about 10 days before the beginning of the next legislative cycle typically to hear about items to be considered during that legislative cycle. The following footnotes list and explain the exceptions to this general rule:

1. The Council will hold an annual Organizational Meeting on this date when, along with other matters, it elects officers and gives legislation first reading. The meeting is generally held on the first Monday in January, except when it is a legal holiday, in which case the meeting is held on the first Tuesday. (BMC 2.04.050[c & d]). However, by the adoption of this schedule, the Council has set this meeting for the second Wednesday in January. This meeting will be immediately followed by a Committee of the Whole.

2. There will be two weeks between the Committee of the Whole and the Regular Session due to the occurrence of a fifth Wednesday in this month.

3. The Council will hold its first Regular Session and Committee of the Whole in March on the 6<sup>th</sup> in order to avoid meeting during Spring Break (March 13<sup>th</sup>).

4. The Council will hold a Council Budget Advance in the McCloskey Room (Room 135) of City Hall at 5:30 p.m. on Wednesday, May 8<sup>th</sup> and Departmental Budget Hearings in the Council Chambers at 6:00 p.m. on Monday, July 22<sup>nd</sup>, Tuesday, July 23<sup>rd</sup>, Wednesday, July 24<sup>th</sup>, and Thursday, July 25<sup>th</sup>, 2013.

5. The Council will hold a Special Session at 7:30 p.m. on June 26<sup>th</sup> before the Committee of the Whole to consider the Annual Tax Abatement Report.

6. The Council will hold its second Committee of the Whole meeting in July on Wednesday, July 31<sup>st</sup> (a fifth Wednesday) because the week of the fourth Wednesday of that month has been set aside for Departmental Budget Hearings (per footnote 4).

7. Since it will take a brief recess after first Regular Session in August and the second Regular Session in December, the Council will not introduce legislation for first reading at these meetings. (BMC 2.04.060 [e] & [g])

8. The Council will consider the City Budget for 2014 along with routine legislation during the first legislative cycle in September. Because Rosh Hashanah (the Jewish New Year) falls on the first Wednesday, the first Regular Session of September will be held on Tuesday, September 3<sup>rd</sup>. With one exception, the City Budget package will be considered at a public hearing during the Committee of the Whole to be held immediately after the Regular Session on that first Tuesday in September and be ready for second reading at a Special Session on the Second Wednesday in September. The one exception is the Transit Budget will be ready for final adoption at the second Regular Session on the third Wednesday of September. Typically, non-budget related legislation for that legislative cycle will be heard at a Committee of the Whole held immediately after the Special Session on the second Wednesday in September and be ready for second readings at the second Regular Session on the third Wednesday in September.

10. The Council will not meet on the fourth Wednesday of November because it is the night before the Thanksgiving Holiday (BMC 2.04.050(f)). By taking advantage of the fifth Wednesday in October (when the Council does not ordinarily meet) and by holding the first two meetings in November a week earlier than usual, the Council will be able to schedule four evenings of meetings for the two legislative cycles in November. Those evenings include: a Regular Session on October 30<sup>th</sup>, Committee of the Whole on November 6<sup>th</sup>, Regular Session on November 13<sup>th</sup> and a Committee of the Whole on November 20<sup>th</sup>.

11. Staff-Council Internal 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. These meetings are held either on Monday or Friday at noon in the McCloskey Room, unless they are held in the Hooker Room (Room 245 of City Hall). Meetings that will be held in the Hooker Room include:

- Monday, 15 April 2013
- Monday, 20 May 2013
- Monday, 17 June 2013
- Monday, 16 September 2013
- Friday, 18 October 2013
- Monday, 18 November 2013

**Ord 12-26**

**To Vacate a Public Parcel**

- Re: Portion of Morton Street Right-of-Way, South of Kirkwood Avenue and Directly West of the B-Line  
- (CFC, Inc., Petitioner)**

**Supplemental Materials**

**Request for Withdrawal of Petition**



CFC PROPERTIES  
320 W. EIGHTH ST., SUITE 200  
P.O. BOX 729  
BLOOMINGTON, IN 47402-0729 U.S.A.  
PHONE: 812.332.0053 FAX: 812.333.4680  
WWW.CFCINCORPORATED.COM

November 6, 2012

Lynn Darland  
City of Bloomington Planning Department  
401 N. Morton Street Suite 110  
Bloomington, IN 47404

Subject: Withdrawal for petition for a right-of-way vacation

Dear Ms. Darland:

CFC Properties is withdrawing the petition to vacate a right-of-way. The parcel of land is located east of original Plat Lots 133 & 134, North Morton right-of-way. CFC has decided to not to relocating the former Chase ATM building to this location because the building is too narrow. The building is 7-8 feet wide and the total square footage is 750 square feet. The space will be further reduced once we install restrooms and additional infrastructure item. The limited space would make it difficult for potential businesses to be successful.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Jim Murphy". The signature is written in a cursive, flowing style.

Jim Murphy, President  
CFC Properties

Cc: Tom Micuda, Planning Director  
Dan Sherman, Council Attorney

**APPROPRIATION ORDINANCE 12-04**

**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, Parks General Fund, and Risk Management Fund; and, Appropriating Additional Funds from the Fire Capital Fund, Risk Management Fund and Rental Inspection Program Fund)**

WHEREAS, Various Departments within the General Fund, and Risk Management Fund desire to transfer Category 1 – Salaries & Wages amounts for non-union pay increases not included in the adopted budget; and

WHEREAS, the Fire Department desires to increase its budget in Classification 3 – Services and Charges in its Fire Capital Fund to purchase specialized equipment for its newest engine; and

WHEREAS, the Parks & Recreation Department desires to transfer funds from Classification 2 – Supplies to Classification 3 – Services & Charges to pay an insurance deductible related to a vehicle accident; 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	
Line 51110 – Salaries & Wages - Regular	\$ <u>15,000.00</u>
Total General Fund – AC&C	<u>15,000.00</u>
General Fund – Board of Public Works	
Line 51110 – Salaries & Wages - Regular	\$ <u>9,000.00</u>
Total General Fund – BPW	<u>9,000.00</u>
General Fund – Community and Family Resources	
Line 51110 – Salaries & Wages - Regular	\$ <u>-2,000.00</u>
Total General Fund – CFRD	<u>-2,000.00</u>
General Fund – Clerk	
Line 51110 – Salaries & Wages - Regular	\$ <u>3,000.00</u>
Total General Fund – Clerk	<u>3,000.00</u>
General Fund – Controller	
Line 51110 – Salaries & Wages - Regular	\$ <u>-1,000.00</u>
Total General Fund – Controller	<u>-1,000.00</u>
General Fund – City Council	
Line 51110 – Salaries & Wages - Regular	\$ <u>8,000.00</u>
Total General Fund – City Council	<u>8,000.00</u>



General Fund – Facilities	
Line 51110 – Salaries & Wages - Regular	\$ <u>2,000.00</u>
Total General Fund – Facilities	<u>2,000.00</u>
General Fund – Fire	
Line 51110 – Salaries & Wages - Regular	\$ <u>20,000.00</u>
Total General Fund – Fire	<u>20,000.00</u>
General Fund – Housing and Neighborhood Development	
Line 51110 – Salaries & Wages - Regular	\$ <u>-10,000.00</u>
Total General Fund – HAND	<u>-10,000.00</u>
General Fund – Information Technology Services	
Line 51110 – Salaries & Wages - Regular	\$ <u>-27,000.00</u>
Total General Fund – ITS	<u>-27,000.00</u>
General Fund – Legal	
Line 51110 – Salaries & Wages - Regular	\$ <u>-16,000.00</u>
Total General Fund – Legal	<u>-16,000.00</u>
General Fund – Mayor	
Line 51110 – Salaries & Wages - Regular	\$ <u>-15,000.00</u>
Total General Fund – Mayor	<u>-15,000.00</u>
General Fund – Planning	
Line 51110 – Salaries & Wages - Regular	\$ <u>-9,000.00</u>
Total General Fund – Planning	<u>-9,000.00</u>
General Fund – Police	
Line 51110 – Salaries & Wages - Regular	\$ <u>20,000.00</u>
Total General Fund – Police	<u>20,000.00</u>
Grand Total General Fund	\$ <u><b>-3,000.00</b></u>
<b>Fire Capital Fund - Fire</b>	
Line 52420 – Other Supplies	\$ <u>123,000.00</u>
Total Fire Capital Fund - Fire	<u>123,000.00</u>
Grand Total Fire Capital Fund	\$ <u><b>123,000.00</b></u>
<b>Parks General Fund - Operations</b>	
Line 52310 – Bldg. Materials & Supplies	\$ -4,000.00
Line 52340 – Other Maintenance & Repairs	-2,000.00
Line 5362 – Motor Repairs	<u>6,000.00</u>
Total Parks General Fund - Operations	<u>0.00</u>
Grand Total Parks General Fund	\$ <u><b>0.00</b></u>
<b>Rental Inspection Program Fund – HAND</b>	
Line 53990 – Other Services & Charges	\$ <u>140,000.00</u>
Total Rental Inspection Program Fund - HAND	<u>140,000.00</u>
Grand Total Rental Inspection Program Fund	\$ <u><b>140,000.00</b></u>

**Risk Management Fund – Legal**

Line 51110 – Salaries & Wages - Regular \$ 3,000.00

Total Risk Management Fund – Legal 3,000.00

Grand Total Risk Management Fund \$ 0.00

**Grand Total All Funds \$ 263,000.00**

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 appropriates various transfers of funds within the General Fund, Parks General Fund, and Risk Management Fund. It also appropriates additional funds from the Fire Capital Fund, Risk Management Fund and Rental Inspection Program Fund.



MARK KRUZAN  
MAYOR

CITY OF BLOOMINGTON

401 N Morton St  
Post Office Box 100  
Bloomington IN 47402

MIKE TREXLER  
CONTROLLER

CONTROLLER'S OFFICE

p 812.349.3412  
f 812.349.3456  
controller@bloomington.in.gov

## Memorandum

**To:** Council Members  
**From:** Mike Trexler, Controller  
**Date:** October 30, 2012  
**Re:** Appropriation Ordinance 12-04

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Appropriation Ordinance 12-04 is our comprehensive 2012 year-end appropriation. The total Appropriation totals \$263,000. The majority of these appropriations are simple transfers between departments that have zero net impact on the total budget. The rest of the appropriation will utilize the remaining balance of a dormant capital fund and will not impact the City's long-term financial projections.

- Category One Transfers.** The majority of this ordinance transfers appropriations between departments and categories within funds in order to cover pay increases approved in the 2012 budget. Due to technical difficulties in setting up the City's new financial system, some 2012 pay increases were not properly budgeted. As a result, many departments are short in their category one appropriations. Many other departments have surpluses in their category one budget, allowing us to cover the shortfall with transfers between departments without increasing total category one appropriations.
- Parks General Fund.** Parks & Recreation has requested to transfer \$6,000 from category two to category three to pay for an insurance deductible related to a recent vehicle accident.
- Fire Capital Fund.** The Fire Department has requested to appropriate \$123,000 from its Fire Capital Fund. This is a dormant fund set up more than 20 years ago for general capital needs in the Fire Department. Since then the fund has become dormant with no recurring revenues or expenses. The department would like to use the money to outfit its newest engine with specialized equipment for the tactical rescue team related to confined, trench, and collapse rescue.
- Rental Inspection Program – HAND.** Last year the state legislature created some new rules regarding rental inspection programs. One of them requires the City to deposit receipts from the program in a designated fund. As of today, that fund has collected \$115,673 for 2012. 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. We would like to appropriate \$140,000 from the rental inspection program fund to capture any additional revenue that may accrue before the end of the year.

Page 2 of 2

The grand total of this appropriation ordinance is \$263,000. This amount represents transfers and reimbursements between funds and departments and will not affect the City's long-term financial projections.

Feel free to contact me by email at [trexterm@bloomington.in.gov](mailto:trexterm@bloomington.in.gov) or by phone at 349-3412 at any time.



In the Council Chambers of the Showers City Hall on Wednesday, November 7, 2012 at 7:30 pm with Council President Tim Mayer presiding over a Special Session of the Common Council.

COMMON COUNCIL  
SPECIAL SESSION  
November 7, 2012

Roll Call: Mayer, Neher, Rollo, Ruff, Sandberg, Spechler, Volan, Granger  
Absent: Sturbaum

ROLL CALL

Council President Mayer gave the Agenda Summation

AGENDA SUMMATION

Ordinance 12-27 To Amend Title 16 of the Bloomington Municipal Code Entitled "Housing Inspection" (Repealing and Reenacting Title 16 with the New Title Name of "Residential Rental Unit and Lodging Establishment Inspection Program" and a Total of Ten Chapters)

LEGISLATION FOR FIRST  
READING  
Ordinance 12-27

It was moved and seconded that a special session be held on November 26, 2012 at 6 pm in order to hold a legally advertised public meeting on Ordinance 12-25.

COUNCIL SCHEDULE

The motion was approved by a roll call vote of Ayes: 7, Nays: 1 (Volan)

The meeting was adjourned at 7:43 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Timothy Mayer, PRESIDENT  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington

for approval