In the Council Chambers of the Showers City Hall on Wednesday, APRIL 3, 2013 at 7:30 pm with Council President Darryl Neher presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
APRIL 3, 2013

Roll Call: Mayer, Neher, Rollo, Ruff, Sandberg, Spechler, Volan, Granger, Sturbaum
Absent: None

ROLL CALL

Council President Neher gave the Agenda Summation

AGENDA SUMMATION

There were no minutes for approval at this meeting.

APPROVAL OF MINUTES

REPORTS

- COUNCIL MEMBERS

Chris Sturbaum said he was annoyed with the high cost of health care but that he didn't have a report.

Marty Spechler said he totally disagreed with Rollo's pessimism about the long term prospects for the American economy. He said he disagreed with the prediction which he called 'feeble' reasoning. Spechler said that current conditions were that the stock market was at an all time high, that there would be a 2.5% growth in the first quarter of 2013, and that housing was improving. He noted it was unfortunate that the financial crises have occured in the American mixed Capitalist economy and that it was also unfortunate that recent legislation, the Dodd-Frank (Wall Street Reform and Consumer Protection) Act, had not done anything to quell a financial crisis in the future. He said that as a professional economist he had the view that technological change would provide growth for the future. He said that clean natural gas would replace expensive oil and dirty coal in the future and that it was cleaner and less expensive and so energy would be cheaper in the next 10 years and would spur the growth of the chemical industry. He also said that free trade from Europe and Asia would grow the economy. He said these long term prospects proved Rollo's statements fallacious and that the long term federal and local economy was in good shape.

Rollo said that there were developments that would help the economy, but that even a 2% annual growth in the economy would double human impact in 35 years. He defined this as the expansion of human artifacts in the world that would increase the throughput of energy and materials required by growth. He said that infinite growth on a finite planet could not be reconciled, would not work, and that we needed to do something about this immediately. He said the discipline of ecological economics or biophysical economics focused on a steady state sustainable economy rather than the model we have now that was predicated on growth and that required growth. This would have to be rethought and old style economics models would need to be abandoned in order to design a sustainable economy. He said that this was the premise of his earlier remarks and that the world would have to go through some hardship in recognizing that growth was uneconomic and costs were exceeding benefits.

Melissa Britton, staff liaison to the Commission on Hispanic and Latino Affairs, gave the commission's annual report for commission chair Luis R. Hernandez who couldn't attend the meeting.

- The MAYOR AND CITY OFFICES
- Commission on Hispanic and Latino Affairs

- She noted that the City of Bloomington's Hispanic and Latino Affairs Awards were given to Prisma Lopez-Marin for Latino Leader, The Futures Family Planning Clinic for the Agency Award, and to Alexandra Nin Velez for Outstanding High School Senior.

- She said the Commission supported the interpreter program and had written and spoken to newspapers and elected leaders about issues that were in the best interest of the community's growing Hispanic and Latino population.
- Using the initial strategic plan, she noted that three objectives were the focus of the commission's activities:
  - gathering and reporting of data
  - forming new interagency forums and collaborations and
  - supporting foreign language education in schools
- The Commission outlined current problems of the need for access to medical interpreters and the growing number of young Latinos applying for the Deferred Action for Childhood Arrivals ("DACA") program.
- The Commission had worked with the Workers Rights Board with regards to immigration reform. The board was publicizing the fact that worker protection needed to be part of the reform and was, on April 23, 7pm-9pm presenting the program *Making Immigration Reform Work for All Workers*.
- Lastly, she noted that the Commission By-laws were revised to conform to the Bloomington Municipal Code.

- Commission on Hispanic and Latino Affairs Report *(cont'd)*

Spechler stated that he was told that Spanish was the most important language and asked how many students in MCCSC took Spanish. Britton said the Commission would probably come across that information in their new research.

Bet Savich said that over 500 people came to the Be More Awards at the Buskirk-Chumley the night before the meeting. She noted the Be More Award sponsors, United Way, WTIU, IU Credit Union, Volunteer Network and Community Foundation, who combined efforts to give the agency where the award winners volunteered $500. She also noted the sponsorship of the Bloomington Arts and Entertainment Grant's Program funded the lease of the Buskirk-Chumley Theater for the program.

- Volunteer Network <u>Be More</u> Awards

- She noted the winners and their categories of award:
- Bloomington Meals on Wheels, Hoosiers Outrun Cancer Committee, the Sigma Phi Epsilon Fraternity for their work with Habitat for Humanity, the Wildcare Volunteers and Board for their work with sick, injured and orphaned wildlife, the Wylie House Museum Quilters who have created twelve heirloom-style quilts to replace the actual 150 year-old quilts for exhibits, Molly O'Donnell and Madeline Hirschland for their work with sustainability, Tammy Minger for her work with CASA, Alexandra Nin Velez for her work with Animal Care and Control and Jo Weddle for her work with United Ministries.
- She noted that Betty Applegate was honored for her Lifetime of Service.
- She noted that there are recordings of the event.

Neher thanked Savich for celebrating volunteers who made Bloomington and these deserving agencies work.

Kathy Mayer, Community and Family Resources Program Specialist, gave a report about the 11th Annual Homeward Bound Walk that would take place on April 14, 2013. She talked about the support from the community for the participants and those who benefit from this fundraising event for social service agencies. She said that over $600,000 had been raised in Bloomington with this walk in the eleven years it has occurred.

- Homeward Bour Walk Announceme

Volan asked about the people who were served by the agencies. Mayer talked about homeless issues and then said that 365 MCCSC students were homeless and that 25% of Monroe County people were living below the

poverty level. She said that homelessness was a state-wide problem and also a national program.

- Homeward Bound Walk Announcement *(cont'd)*

Spechler asked if the amount of money raised from this event was steady. Mayer said that the amount of money raised dropped in 2007, but noted that part of the purpose for the event was to raise consciousness and add participation from in-kind donations. Pressed for a number, she said that $36,000-$38,000 was raised last year for direct help to the agencies. Spechler said that despite all good efforts with this event, the real purpose was to raise money. Mayer said raising awareness about what the agencies do and who they serve was also a goal of the Walk.

There were no reports from council committees at this meeting.

- COUNCIL COMMITTEES

Call for public comment:

- PUBLIC

Tonia Matthew noted it was Poetry Month and read a poem by Philip Appleman, IU Professor Emeritus, entitled *To the Garbage Collectors in Bloomington, Indiana, The First Pick-Up of the New Year.*

David Keppel, said he was a member of three organizations that worked together to bring activist Medea Benjamin to Bloomington on the occasion of the 10th Anniversary of the invasion of Iraq to speak about drone killings. Keppel thanked Mayor Kruzan for his introduction to Benjamin's talk, which he said embodied the awareness that we were part of a wider world. He said that this community awareness made Bloomington special. He said that Congress had passed sweeping authorization to consider certain crimes as war, and that that was the basis of the invasions of Iraq and Afghanistan; and it was also the basis for the drone program. He said that drones were the international means for extrajudicial killing and a domestic means for warrantless surveillance. He said he hoped Bloomington would sign a resolution about the wide spread use of drones for the US.

Gene DeFelice said he was returning to Bloomington. He said the growth economy was in the process of crashing and burning and those cities and counties that work towards local sustainability would fare far better than those that don't. He thanked the council for the letter that they wrote in opposition to the Vernal Pike Waste Transfer Station and said he was grateful that the council was on top of the issues.

Sam Harrell said that four years ago she had attended a council meeting about affordable housing that inspired her to volunteer with Martha's House, volunteer for four years with the Interfaith Winter Shelter and three seasons with Genesis House shelter and was currently working at Shalom Center and at one overnight shelter. She said that there was no summer shelter in Bloomington, and asked the city to consider that there would be 70-80 community members who would have no safe place to sleep. She said that the lack of shelter would also result in people rotating in and out of jail and the hospital, and that these sites should not be the only options for shelters. She wanted to know what the city would do.

David Parsons followed with the same concern as Harrell. He said he was asking for a temporary zone for camping until the faith-based shelters re-opened in the fall. He said it would reduce trespassing charges and also reduce empty houses being used for temporary and unlawful places to sleep.
He said the poor would always be with us and that the hopes and dreams of a community should be all inclusive.
He quoted the Book of Luke:

Public Comment *(cont'd)*

"Woe to you experts in the law, because you have taken away the key to knowledge. You didn't go in yourselves, and you hindered those who were going in."

Travis Sparks, fourth generation Bloomingtonian and currently homeless, said there was a serious issue with the interfaith shelters closing. He said this would cause problems with policing and with other service agencies, and that squatting and trespassing would increase. He said there was a need for a safe place for these almost 100 people to go, and also suggested a 'safe camp.' He said people wanted a place to set up a camp, to sit in peace, and not be arrested or robbed or harassed.

Jon Dauterman read letters to the council from Missy and Isaac who were homeless and couldn't attend the meeting. The letters asked for some type of safe summer shelter.

Glenn Carter reiterated the importance of a need for a summer shelter. He said his own previous homeless situation required the help of a lot of people. He said the lack of shelters swept people from one area to another with no clean clothes or ability to bathe. He said the problem was not addressed by shooing people away from one place to go to another place. He advocated for a safe place to camp or shelter.

Jon Jones said that homeless people needed a summer shelter. He said no shelter would increase arrests for disorderly conduct, loitering, fighting, and trespassing. He said he was not alone in striving for normalcy but that drunks, dopers and thieves created a stigma for all homeless people. He said he was homeless in Bedford, and there was a shelter there now. He said that for Greene, Brown, Martin, Orange and Owen counties, Bloomington had become a drop off for homeless people. He said that Martha's House and other shelters could not service the 70-80 people who were now homeless. He said these homeless people were mothers, fathers, brothers and sisters.

Laura LaSuertmer, caseworker at Shalom Center, said each person had an opportunity to take a step to solve the problem by inviting a homeless person to live with them. She said there was space in the community to house all who need it. She said that Catholic Worker Movement had 'Houses of Hospitality' -- a model for this effort.

Stephanie McGee, an Independent Living Coach at Stepping Stones and New Leaf /New Life, said there was a need for an emergency needs shelter. She said needs were unmet. She said some of the kids at Stepping Stones had formerly tried to find a couch to sleep on. She asked the council to use their connections and resources to help.

Donyel Byrd a social worker said she came to hear the comments about the shelter for the summer. She read a letter from Stephanie Hart who could not come to the meeting. The letter indicated that more than 100 people needed a summer shelter, and there was no place that people could stay in a camp for the summer. Byrd said she worried about the phrase about 'something in the works' because grants and long term programs could take a lot of time to get going. She said homelessness was not a disease, and again asked the city's help.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to boards or commissions at this meeting.

LEGISLATION FOR SECOND READING AND RESOLUTIONS

Ordinance 13-07 To Vacate Public Parcels - Re: Two Segments of a Seminary Lot Alley which are 16.5 Feet Wide and a Total of 1,180 Feet Long with One Segment Running East to West through the Patterson Pointe PUD and the Other Running in the Same Direction Through the Proposed Patterson Park PUD (Adam's Crossing, LLC and Rogers Group, Inc. Petitioners)

Ordinance 13-07 *(cont'd)*

It was moved and seconded that Ordinance 13-07 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 7-0-0. She also noted that the public comment portion of the council's deliberation would serve as the Public Hearing on the item.
It was moved and seconded that Ordinance 13-07 be adopted.

Patrick Shay, Development Review Manager for the Planning Department was available to answer questions from the council on this vacation of right-of-way.
Spechler asked if the petitioner was planning to put a road in where the alleys were located.

Shay said it would not be in the same location and pointed out on the maps where the alleys were located and where the street would be located.

Spechler asked if what the city lost by giving up the right-of-way would be more than replaced by what he called an 'imaginary loss.' Shay said it would.

There were no public comments on this vacation.

Volan noted that the vacation of right-of-way was at the edge of the city when the area was platted. He also noted that the area had been forsaken for so long that the original intent of the map drawers (of developing in a grid fashion with people living in close proximity) had been lost. He noted that the development proposed in this location was as close to that grid as could be obtained in modern day. He said he would support the ordinance.

Ordinance 13-07 received a roll call vote of Ayes: 9, Nays: 0

Ordinance 13-08 An Ordinance Concerning the Current Refunding by the City of Bloomington, Indiana of Its Sewage Works Revenue Bonds of 2000, Series A Through C, and Sewage Works Refunding Revenue Bonds of 2003; Authorizing the Issuance of Sewage Works Refunding Revenue Bonds for such Purposes; Providing for the Collection, Segregation and Distribution of the Revenues of the Sewage Works and the Safeguarding of the Interests of the Owners of Said Sewage Works Refunding Revenue Bonds; Other Matters Connected Therewith; and Repealing Ordinances Inconsistent Herewith.

It was moved and seconded that Ordinance 13-08 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 9-0-0.
It was moved and seconded that Ordinance 13-08 be adopted.

Vickie Renfrow, City Attorney, said the ordinance involved a refunding of sewage works bonds a measure she called comparable to refinancing a loan. She said bonds sold with a certain rate of interest with certain terms are repaid to the holders and the money used for the repayment came from the issue of new bonds or refunding bonds. She said the ordinance authorized the sale of up to $22,000,000 in refunding bonds which would be sold at a lower interest rate than the ones that were currently being held. The bonds would be refunded and money would be saved in the long term.

She said that estimated net present value savings on this refunding would be $1.2M or 5.9% of the outstanding bond balance. She said that the rule of thumb was that if one could get a 3% savings, a refund would be worth the effort and time. She said this was well above that threshold.

Renfrow said the term of the debt would not change; the 30 year bonds were sold in 1995. She said the full payment of these bonds would still occur by 2025.

She said this was the seventh refunding that the City of Bloomington had done in the last four years, and the city had taken advantage of the lower interest rates and its creditworthiness each time. She said the closing would most likely take place in a month.

Ordinance 13-08 *(cont'd)*

Spechler asked Renfrow about the rate of interest on which the 'present rate of value' was calculated. Renfrow said that she had been given the following information:
The present value calculations are as follows: Semi annual savings are 'present valued' at the closing date of the refunding bonds discounted at the arbitrage yield for the new bonds.
Again asking for the specific rate of interest, Renfrow said that it would depend on the arbitrage yield for the new bonds.

Spechler asked who the city legal department consulted with for this highly specialized bond work, and asked if they were from Bloomington. Renfrow noted that the City of Bloomington worked with a bond counsel, Dennis Otten, who worked with Bose McKinney and Evans in Indianapolis and that the underwriter was Hilliard Lyons. She said there were no bond counsels in Bloomington that had this level of expertise. She said these two firms had been looking for opportunities for the city to benefit from the refunding process, were competitive in their pricing, and extremely competent in their ability to get the sales closed.

Spechler asked if bids were called for on this legal work, speculating that it would have cost the city several hundred thousand dollars. Renfrow said the cost would not be that high, and that because the two firms brought the situation to the city's attention, it was felt that it was reasonable to have them do the work in the refunding process.

Spechler asked the cost of the bond issuance. Renfrow said that there were a number of different costs associated with issuing bonds, but the bond counsel fee would be in the range of $60,000.

There was no public comment on this item of legislation.

Mayer thanked the city legal department, specifically Renfrow, for work done in the refunding process. He thanked CBU Assistant Director of Finance, Mr Horstman, and the financial and bond counsel who kept an eye on investments for the city.

Spechler said it was a rational thing to do at this time of low interest rates. He said he's glad the opportunity was discovered in time to take advantage of the situation and would support the measure.

Ordinance 13-08 received a roll call vote of Ayes: 9, Nays: 0

There was no legislation for introduction at this meeting. — LEGISLATION FOR FIRST READING

There was no public comment in this section of the meeting. — PUBLIC COMMENT

There were no schedule adjustments to make at this meeting. — COUNCIL SCHEDULE

The meeting was adjourned at 8:43 pm. — ADJOURNMENT

APPROVE:

Darryl Neher, PRESIDENT
Bloomington Common Council

ATTEST:

Regina Moore, CLERK
City of Bloomington