In the Council Chambers of the Showers City Hall on Wednesday, March 6, 2013 at 7:30 pm with Council President Darryl Neher presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
March 6, 2013

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

ROLL CALL

Council President Neher gave the Agenda Summation

AGENDA SUMMATION

Minutes from

- January 16, 2013 (Regular Session),
- February 20, 2013 (Regular Session),
- February 27, 2013 (Special Session)
- and the memo from the Executive Session held on February 27, 2013 were approved by a voice vote.

APPROVAL OF MINUTES

Dorothy Granger noted that she recently participated in a program that was sponsored by the Commission on the Status of Women regarding the Women's Leadership Development Event. She noted this event, sponsored by the Bloomington Commission on the Status of Women, was held each year to encourage civic participation and leadership.

REPORTS from COUNCIL MEMBERS

Tim Mayer thanked the city workers who cleared the streets of snow in a recent sudden storm. He thanked Susie Johnson, Public Works Director.

Steve Volan noted that he, Granger and Ruff were present at a recent meeting regarding a proposed Recycling Transfer Station within city limits. He said the recent Herald Times editorial needed to be debunked, that the editorial board didn't understand the contractual issues regarding other waste stream entities, and promised a guest editorial to correct fallacies in the column. He said that a 'public option' was worth support and he was working to develop a proposal for a transfer station and materials recovery facility that would be located at the site of the former landfill. He said the reopening of the landfill would be the best option for reducing our carbon footprint. He encouraged citizens to watch or attend the Monroe County Solid Waste Management District meetings to keep abreast of the Transfer Station issue.

Melissa Britton, Latino Outreach Coordinator, gave data on naturalization rates in Monroe County from the Department of Homeland Security and noted that there were barriers to the process due to the cost of application and attorney's fees, and the fear of taking the exam. She spoke of the development of the program that used volunteers to address both of the problems and acknowledged the volunteer teachers and attorneys worked with the program. She reported the recent accomplishments of the City of Bloomington Citizenship and Naturalization's second class and introduced some of the students to the council.

The MAYOR AND CITY OFFICES

She was joined by Pierre Plessier who became a citizen in August of 2012 and voted in the last presidential election. He spoke of his experience with immigration and the class, and then thanked the city for helping him become a citizen. Britton also introduced the current year's instructor, Ramsey Harik, who spoke about the importance and opportunity of the class experience.

Mayer welcomed one of the program instructors, Kathy Dilcher, who was a former city council member.

There were no reports from council committees at this meeting.

COUNCIL COMMITTEES

Call for public comment brought the following people to the podium:

PUBLIC

Glen Carter talked about the triangular cement blocks that replaced benches at the corner of Lincoln and 6th Streets saying that they discouraged the gathering of people there, unlike the previous benches.

C.W.Poole said that the design of the aforementioned clustering of blocks was atrociously ugly with no artistic validity and wondered where the usual city artistry was when this design was formed. He spoke of his prior advocacy of a publicly funded detox unit said that one current inmate with a sentence of twelve years may have been helped with this program. He also said the cost of that incarceration would have funded the center for 5-10 years. He said that substance abuse and mental health incarcerations were costly to the community and state. He thanked Volan and other council members for their interest in homeless issues and for their advocacy.

Daniel McMullin spoke of bills that were being considered by the state legislators that would negate the Affordable Health Act. He spoke of his personal positions regarding several bills, the constitution and citizen rights.

Sandi Clothier opposed the proposed Waste Transfer Station and gave reasons why it was opposed by several neighborhood associations. She read a letter that she had sent to the council in which she outlined problems with noise, odors, health issues, particulate matter, rodents and birds, traffic and decreased property values. She thanked Mayor Kruzan for his most recent statement opposing this proposal.

Lisa Marie Napoli said she was a new resident of the near west side. She read for the record an email message from Mayor Kruzan sent earlier that afternoon regarding his opposition to the Waste Transfer Station proposed for Vernal Pike. She thanked Mayor Kruzan for his statement.

There were no appointments at this meeting.

APPOINTMENTS TO BOARDS AND COMMISSIONS

LEGISLATION FOR SECOND READING AND RESOLUTIONS

Ordinance 13-05 TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "ADMINISTRATION AND PERSONNEL" Re: Amending Chapter 2.04 (Common Council) Pursuant to Recommendations of the Council Rules Committee of 2012-2013

It was moved and seconded that Ordinance 13-05 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 13-05 be adopted.

Dan Sherman, Council Attorney/Administrator noted that the report from the Rules Committee had been submitted previously to the council. He said the two most important amendments offered in the ordinance changed the actions of the council: it authorized the president of the council to refer legislation to five week cycles rather than three week cycles, and removed the provision of requirement of a fiscal impact statement that was previously required by code.

There were no comments from the public.

Mayer noted that there might be little discussion of this item because the legislation had been discussed in a previous meeting.

Volan said he wanted everyone to understand the impact of the first segment of the change. He said that until this point, the time between the time legislation is discussed in committee and final vote on that item was seven days. He called that a compressed period of time. He said that the proposed legislation could, on authorization of the president,

extend the period for discussion and vote to three weeks. He commended the committee for recommending this change, saying it was overdue.

He said that the second major change was to a policy that had the ability to go astray by allowing four council members to hijack the legislative process under a technicality.

He asked colleagues to consider the council work schedule, upcoming legislation and any need for amendments, and then consider asking the president of the council to consider using the five week cycle.

Neher thanked all staff members of the Clerk and Council office as well as those who served on the Rules Committee for making the suggestions and their work in bringing forth this report and legislative revisions.

Ordinance 13-05 received a roll call vote of Ayes: 7, Nays: 0

Resolution 13-07 STANDING COMMITTEES OF THE COMMON COUNCIL –Re: To Affirm All Active, Dissolve All Inactive, and Establish One New Standing Committees

It was moved and seconded that Resolution 13-07 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 8-0-0. It was moved and seconded that Resolution 13-07 be adopted.

Dan Sherman, Council Attorney/Administrator, noted that this resolution would bring the council standing committees in line with the requirement in the Bloomington Municipal Code that they be created and dissolved by resolution. He said it enabled active standing committees (Interviewing Committees, Jack Hopkins Committee and the Sidewalk Committee) and dissolved any inactive committees.

There were no council questions, public comments or council comments on this item.

Resolution 13-07 received a roll call vote of Ayes: 7, Nays: 0

LEGISLATION FOR FIRST READING

Ordinance 13-04

Ordinance 13-04 REVISING PARTICIPATION FEES FOR BUSINESSES LOCATED WITHIN THE BLOOMINGTON URBAN ENTERPRISE ZONE AND A TAX INCREMENT FINANCE AREA THAT RECEIVE AN ENTERPRISE ZONE INVESTMENT DEDUCTION

Ordinance 13-06

Ordinance 13-06 TO AMEND THE BLOOMINGTON ZONING MAPS FROM COMMERCIAL ARTERIAL (CA) TO A PLANNED UNIT DEVELOPMENT (PUD) TO BE KNOWN AS PATTERSON PARK AS WELL AS TO APPROVE A PRELIMINARY PLAN AND DISTRICT ORDINANCE - Re: 445 S. Patterson Drive (Trinitas Ventures, LLC, Petitioner)

Ordinance 13-07

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

PUBLIC COMMENT

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

COUNCIL SCHEDULE

There were no changes in the council schedule. President Neher noted that the three items that were being discussed at the meeting following this regular session would be considered for vote on March 27, 2013 as the council would not be meeting during the spring break week of March and the next meeting, March 20, 2013 was dedicated to Ordinance 13-03.

The meeting was adjourned at 8:37 pm. ADJOURNMENT

APPROVE: ATTEST:

Darryl Neher, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington