In the Council Chambers of the Showers City Hall on Wednesday, January 16, 2013 at 7:30 pm with Council President Darryl Neher presiding over a Regular Session of the Common Council.	COMMON COUNCIL REGULAR SESSION January 16, 2013
Roll Call: Mayer, Neher, Rollo, Ruff (arr: 8:45pm), Sandberg, Spechler, Volan, Granger, Sturbaum Absent: None	ROLL CALL
Council President Neher gave the Agenda Summation	AGENDA SUMMATION
Minutes from the Organizational meeting of January 9, 2013 were approved by a voice vote.	APPROVAL OF MINUTES
	REPORTS COUNCIL MEMBERS
Marty Spechler said the only way to reduce gun violence in this country was to reduce the number of guns available to purchase. He said anything else, mental health issues, putting police in schools, was really a distraction from this issue.	
Steve Volan noted the passing of Rosemary Miller, saying she was awoman of great vision who led the John Waldron Art Center campaign. He said she would be missed.	
Tim Mayer noted Rosemary Miller's passing and that of Mike Hostettler, former Chief of Police for the City of Bloomington.	
Chris Sturbaum noted the uniqueness of Rosemary Miller and the fact that she started the bulk of her historic preservation 'career' after she retired at the age of 65. He said her optimism and "Let's do it" attitude inspired him every day.	
Dorothy Granger said her residents' breakfast would not be held in January. Granger said that she would be interested in hearing what topics residents wanted to know more about for future sessions, and encouraged folks to email her.	
Darryl Neher said his constituent meeting would be held on Saturday, January 19, 2013 in the McCloskey Room at 11:00 am. He said he would review the 2012 legislative year and preview the 2013 year's work.	
There were no reports from the Mayor or other offices at this meeting.	The MAYOR AND CITY OFFICES
There were no reports from council committees at this meeting.	COUNCIL COMMITTEES
President Neher called for public comment, but there was none in this segment of the meeting.	PUBLIC
It was moved and seconded that Ordinance 13-01 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 7-0-1. She announced that *the public comment portion of the deliberation on this item would serve as the publicly noticed hearing on the item.* It was moved and seconded that Ordinance 13-01 be adopted.	LEGISLATION FOR SECOND READING AND RESOLUTIONS Ordinance 13-01 To Vacate a Public Parcel – Re: A 50-foot Wide, 768-Feet Long Segment of South Tech Boulevard Running North of West Schmaltz Boulevard (Public Investment Corporation, Petitioner)
Tom Micuda, Director of Planning, said that the petitioner had submitted the request so that they could sell adjacent properties to Hoosier Energy for a building project. He outlined the basics of the project, listing points of support for this project as 1)- 4.5 extra acres of woods and open space saved with aggregated lots rather than individual lot development, 2)- Tech Park Blvd does not have connectivity to	

surrounding areas and will not be needed by the public, 3)- Gate access is not done on public streets and Hoosier Energy needs that feature for security, and 4)- GPP has designated this area as an employment center. He said emergency services and Utilities had all been notified and had no issues with the vacation. He said the Board of Public Works had supported this vacation.

Micuda answered a question that came from the committee hearing regarding the land value. He said the value as $86,000 based on the value of lots in the tech park. He said he did not hear back from the other business owner in the park, but took it to mean that there were no concerns.

Spechler asked about the wooded area between the site and future I-69. He expressed his preference for a wooded buffer. Micuda pointed out on a map the areas of concern, adding that Lot 8 would remain wooded unless additional parking would be needed in the future. He said Lot 1 would be a location for an I-69 interchange, with the remainder used for green space by Hoosier Energy, the purchaser of the aggregated lots.

Rollo asked about a fire station in the area. Micuda said that a satellite or perimeter fire station would probably be needed in the area of Tapp Road and Fullerton Pike. He said that a lot was set aside for city purchase in a proposed development south and east of Mill Creek, but the development was not built and the lot was not purchased by the city. Micuda said there was vacant property in the Tapp/Fullerton area for a fire station when it would be needed, but it was not a requirement of this area.

Rollo asked if there was due consideration given in terms of overextension of fire protection services for this area. Micuda said yes. Rollo asked if, in the event that a fire station was needed, it would be financed with TIF funds. Micuda said the financing plan was not firm. He said that the development of 150-200 acres of land in the area would be the trigger for the need of a fire station. Rollo asked what station serviced this area at the present time. Micuda said he believed the area would be served by the West 3rd Street Station with support from the station at Miller Drive.

Neher asked the petitioner for comments. Bob Richhart, Vice President of Management Services with Hoosier Energy, said he had no comments but would entertain questions.

President Neher, asking for public comment, noted that this portion of the deliberation would serve as the legally advertised public hearing on the vacation petition.

There were no public comments.

Council comments:
Sturbaum thanked the petitioners for staying in the community, and said he was glad to be able to help make it happen. He said that Hoosier Energy was helping the community by choosing to locate their headquarters there.

Mayer also thanked the petitioner. He said that the Bloomington Economic Development Corporation meeting had been held earlier that evening, and that Hoosier Energy was mentioned along with Duke for providing the community with reliable energy. He thanked them.

Rollo noted that the GPP from 1992 called for the concept of concurrency, or having infrastructure and services in anticipation of

Ordinance 13-01 (cont'd)

development. He said this was still a concern of his, and said there should be a focus on expediting plans for a fire station in this area.

Spechler said his district regularly had annoying power outages, and there was every reason to urge the commercial utility companies to look to improving the reliability of their service. He noted that Hoosier Energy was a co-operative.

Volan clarified that Spechler's district was not served by Hoosier Energy and that comments about another company's quality of service were not germane to this issue.

Ordinance 13-01 received a roll call vote of Ayes: 8, Nays: 0 (Ruff had not yet arrived at the meeting.)

Resolution 13-02 To Designate an Economic Revitalization Area, Approve the Statement of Benefits, and Authorize a Period of Abatement - Re: Tech Park Blvd, Schmaltz Blvd, Lots 1, 6, 7, 8, 10, 11, 12, 13, Mill Creek PUD (Hoosier Energy Rural Electric Cooperative, Inc, Petitioner)

It was moved and seconded that Resolution 13-02 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 7-1-0. Moore said *the resolution also declared the intent of the Council to hold a public hearing on February 6, 2013 to hear public comment on the ERA designation.*

It was moved and seconded that Resolution 13-02 be adopted.

Danise Alano Martin, Director of Economic and Sustainable Development, presented the proposed project and the tax abatement request. She said the project met the basic requirements of increase in assessed value and retention of quality jobs. She showed an overview of the 10-year tax abatement and noted that the taxes to be paid in that time totaled $1.95M while the taxes not paid by Hoosier Energy would total $1.91M. She said that the tax abatement would not include personal property of about $2M which would be taxed at the full tax rate.

Alano Martin noted that the company had provided information on evaluative criteria for the abatement which included their contributions to community service, community character, quality of life and conservation, environmental stewardship and sustainability issues. She noted the company was seeking LEED certification, discussed their prospective ranking in the certification process, and added that they may be able to achieve a higher level of certification.

Alano Martin explained the required Memorandum of Understanding that would be attached to the tax abatement that would include enforcement language, remedies and consequences if compliance was not achieved.

Alano Martin noted that by naming the site an Economic Revitalization Area the council was finding that there were obstacles to normal development and redevelopment which she believed to be the case. She noted only one parcel of the PUD had been developed in the past years, and that conservation easements, topography and odd shaped lots may have also contributed to this obstacle to development.

Alano Martin said that the council would also need to find that the tax abatement did not adversely affect the Tapp Road TIF District. As background she gave a history of the TIF and noted the 2018 expiration date with an optional 5 year extension. In building a case for a finding that the tax abatement would not adversely affect the TIF, she said that there would be no need for new public investment in the area and that there would not be an impact on the TIF's ability to repay a debt, as there was no current debt. She added that benefits to the TIF would be additional revenue and achievement of the above mentioned goals of expanding business and employment opportunities at this site.

Alano Martin reported that the staff agreed with the Economic Development Commission's recommendation of a 10-year abatement

Resolution 13-02 *(cont'd)*

for the property, found that there was no adverse affect on the TIF, and recommended the approval of the resolution. She noted that the public would have a chance to state concerns or objections with the consideration of a confirming resolution that would follow this proposal.

Neher asked the petitioners to make any statement they wished. Bob Richhart, Vice President of Management Services with Hoosier Energy, said he had no comments but would answer questions.

Volan asked staff for clarification on the need for public investment that would require the TIF funds to complete. Alano Martin said there would be no need for new roads or other infrastructure investments. Volan asked if the time extension for the TIF allowed by the state was a one time extension. Alano Martin said that the TIF statute had changed over time. She noted that the council had established an end date for this TIF as there was no 'sunset' in law at the time. She noted that later the law was changed to allow a five year extension to any TIFs with ending dates. Volan asked what would happen with regards to Hoosier Energy if the TIF expired in 10 years. Alano Martin said the taxes would be distributed differently if the TIF expired before the tax abatement.

Spechler asked Alano Martin to comment on the capture of tax revenue, asking if it could be or should be used elsewhere in the city since she had noted it was not needed in the TIF. Alano Martin noted that she did not mean to indicate that the revenue would not be needed by the TIF. She said the current Tapp Road construction and Wapehani Park trail improvements have been funded by the TIF. She added that connectivity between Clear Creek Trail, Twin Lakes and Weimer Road areas would be funded with TIF money in the future. She said that the new revenue created by this tax abatement would add to the TIF.

Spechler said there was a danger of capturing tax revenues for specific projects which might not be the top priority of the city. He said he didn't see the purpose of extending the TIF.

Neher asked if the Memorandum of Understanding (MOU) was a function of a new policy through the Economic Development Department or this project. Alano Martin said the MOU was part of new general standards for tax abatements that were adopted by the Common Council in 2011.

Volan asked about the eventual revenue allotted to all taxing units. Alano Martin noted that TIF districts had a specific ending date but that some tax abatements had an ending date after the expiration of the TIF. The taxes collected after the TIF expired would be allocated among all taxing units rather than remaining in the TIF fund.

Volan asked what would happen to the money in the TIF when it expired. Alano Martin said that the funds could be used for any legal purpose the city would need, but the funds would not be redistributed to other taxing units.

Volan asked if there had ever been a tax abatement given outside of a TIF district. Alano Martin said there had been. She said that there was an extra step in awarding a tax abatement within a TIF but it was all put together in this proposal.

Volan asked about the public hearing. She also noted that there needed to be a public notice for a public hearing on the tax abatement and that would take place within the consideration of the confirming resolution, Resolution 13-03.

Volan asked for information about LEED certification for this project. He noted the information that had been provided from Hoosier Energy and also noted that the prospective points for certification had changed since he first saw the proposal.

Richhart said that they were working with the architect, and that things were in flux. He said that that as things developed they were looking for the inclusion of features that could gain more certification points.

Volan asked if the MOU would include LEED certification.
Alano Martin said the petitioner stated on the Statement of Benefits that they would have a LEED certified project. Volan added that the petitioner was only committing to the lowest certification. Richhart said that they would achieve the minimum level and would try to achieve a higher level. Volan asked if the cost of the building and therefore LEED level of certification was in flux. Richhart said that the building costs were within a budget, and that final board approval had not yet been given.

Neher asked for public comment on the petition.

Larry Jacobs, Chamber of Commerce Government Relations Manager for the City, spoke in favor of the project and tax abatement. He said Hoosier Energy was a good company that paid employees well, and that they were good citizens. He said that it was a good thing to achieve a LEED certification, and that the council should consider the track record of the company.

Fred Jones, Business Agent for IBEW Local 1393, said he had worked with Hoosier Energy for 24 years and that they were good to work with. He said IBEW and Hoosier Energy were in the middle of a four year contract at this time. He also said that he came to answer questions from council members.

Buff Brown said Hoosier Energy was an example of a good company, and their longevity and commitment to the area was great. He said that the system of spending money in the TIF districts for infrastructure projects was not as public as it should be. He added that it had been eleven years since the Growth Policies Plan was written and that this project did not benefit connectivity, an important part of that plan. He noted the cul-de-sac would be owned privately and also that Tapp Road did not warrant the four lanes that had been built. He noted trees would be cut, and parking lots would be built, that there was no connectivity and that people could not ride a bike to this area. He said this was a good example of how an area was not built with the policies of the GPP.

Rollo said he would support this proposal but also wanted to acknowledge that Buff Brown was a preeminent constituent expert on transportation and community. He said that in any other case he, too, would be focused on connectivity issue. He said in this case there were site constraints with the environmentally sensitive area.

Spechler said although he didn't know much about LEED certification he was glad to hear that Hoosier Energy was doing a cost benefit analysis of elements of the certification. He said economists know that moving closer to environmental purity cause costs to rise and benefits decline, so a higher certification might not be worth while. He said he would not support a unidirectional push to get to a Platinum or Gold certification at all costs. He said Hoosier Energy had ways to use their money to benefit the community other than environmental purity. He said the proposal was good for the workers, good for the city and good for the Hoosier Energy customers.

Volan expressed disappointment at arguments from the public and colleagues. He noted that he had voted to vacate the right-of-way connected to this project, and added that connectivity through the Wapehani Bike Park could allow people to ride a bike to this site. He

Resolution 13-02 *(cont'd)*

said the $86,000 value of the right-of-way paled in comparison to the $1.9M that the city was being asked to 'vacate' for ten years for the sake of the project. He said that was a high standard and that questions should be asked. He said Alano Martin asked the council to consider community character, community service, and quality of life/sustainability and added that it was reasonable to ask questions about LEED certification. He said that 'working very hard' at something without a commitment wasn't equal to the city's commitment of forgoing $1.9M in taxes. He said that the Memorandum of Understanding listed the requirements of LEED certification of 40 points when the previous week the petitioner said they were seeking a higher Silver certification, and at this meeting said they could achieve 58 points, just two points from the highest certification. He added that it didn't give him enough of a promise, and he had trouble supporting this proposal for that reason. He said that in the future, all buildings should be LEED certified with costs spelled out. He also said that asking a question should not be construed as disrespectful or critical of the personal quality of the presenter.

Mayer said he would support the ERA designation that would lead to the tax abatement. He said that in the last GPP the area was designated for development and since then the Pines neighborhood and the Broadview school had been rebuilt there (as Summit Elementary School). He said roads, sewers, road extensions, and other improvements were still needed in the area and more TIF money would be used well.

Resolution 13-02 received a roll call vote of Ayes: 8, Nays: 1 (Volan).

Ordinance 13-02 To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration and Personnel" and Title 20 of the Bloomington Municipal Code Entitled "Unified Development Ordinance" - Re: Various Changes to Make the Local Code Consistent with Other Provisions of the Code, State and Federal Law, and Best Practice

It was moved and seconded that Ordinance 13-02 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 6-1-0. It was moved and seconded that Ordinance 13-02 be adopted.

Patty Mulvihill, Assistant City Attorney, explained each part of the ordinance that would bring the Municipal Code into compliance with state and federal regulations. She noted that there were seven segments to the ordinance, six of which were non-discretionary as they would bring local zoning code in compliance with state law.

- She said that appeal rights to a zoning decision had been changed from 14 days to 5 days and our code needed to be modified accordingly.
- She noted that vesting rights (from the time the approval was granted until action on the project) were also changed from seven years to ten years, and again, the local code needed to be changed.
- She added that since the state code changed the period of approvals from two to three years, it allowed the city to change the code accordingly, and thus cleaned up many discrepancies in the local code. She said the state code change necessitated a change in the procedure to allow for a plat vacation even if not all owners of land in the Final Plat are in agreement.
- She noted that it had been recently discovered that state and federal regulations currently prohibit the use of greywater, and thus the proposal would delete any reference to greywater.
- She said that according to recent federal law, local units of government were prohibited from denying request for modification to cell phone towers if the dimensions of the base stay the same.
- She noted that the proposal also would require a developer to dedicate a right-of-way to the city within 180 days of a PUD approval or zoning map change.

Rollo asked if the change for appeals was at the city's discretion. Mulvihill said it was not, but that the planning staff would work closely with the developers to make sure that this change would be clear.

Rollo asked about any creative ways that greywater could be used. Mulvihill said that greywater could not be used for irrigation purposes according to state and federal law. She noted that if there was a specific question as to what greywater could be used for, she would look into it.

Rollo said creative allowance for treating greywater made sense. He said he was interested in distinguishing between putting greywater into our water treatment process and the creative use of greywater. He said he'd like to know what the allowance could be, and if it was possible to discuss this further. He said permaculturists used greywater to reduce the amount of greywater going into utilities systems. Mulvihill said that the Sustainability Department was looking into ways that it could be used, but at this point in time, the wording needed to be removed from the code. Rollo was pleased with this answer.

Volan asked if a company could put anything on a cell phone tower. Mulvihill said that she inserted the federal language into this proposal and then read the words for the record. Volan asked about microwave transmission that might be damaging birds or mammals. She said her focus was the denial of adding, removing or replacing equipment, but that she could look into his question.

Volan questioned the right-of-way issue. Mulvihill said that the proposed change was written because if a PUD was not developed, the right-of-way to the city often did not get granted, and the city would later need to either purchase or use eminent domain to acquire these areas, especially if it needed the rights-of-way before the property was divided and developed. Tom Micuda, Director of Planning affirmed that the proposed provision would put the right-of-way dedication up front in the process, and would insure that the city got the land areas needed, whether the PUD was developed or not.

Granger asked about the changes to Title 2 which referred to Areas Intended for Annexation. Micuda said that the planning Interlocal agreement, which allocated jurisdiction for areas outside the city, had not been agreed upon by the city and county. He said that disagreement was still the current situation. He said that because of the situation, what had been called "The Areas Intended for Annexation" was regulated through the county. The ordinance changes reflected the county control versus city control over the areas. Granger asked for clarification on annexation of these areas. Micuda said the city still had the ability to annex the areas some time in the future, but under this change in wording, they would not have official designation under city zoning control.

Spechler asked for the definition of greywater and asked if the term extended to retention ponds which might be used for irrigation. Micuda said the term referred to the output of laundry, dishwashing and other household use. Spechler said the pond was attractive and saved water usage.

Mayer, council member serving on the Utilities Service Board, said that Utilities defined greywater as water that had been used for domestic use.

Spechler asked about a right-of-way issue and the acquirement of such private property. Micuda explained that in exchange for a zoning change that would increase the value of the property for future development, state law and zoning practice specified that a right-of-way be dedicated to the city for public infrastructure support as a trade-off for increasing the value of the land. He said it was clearly understood in the PUD process that this would occur. Micuda said it was not considered to be a

'taking' as described by Spechler, but a legitimate part of the development process.

Ordinance 13-02 *(cont'd)*

Mayer clarified that the cell tower proposed language in the ordinance was to adopt the federal rule. He asked about current code. Mulvihill said the current code was not clear and thus the need for adoption of the federal language.

Ordinance 13-02 received a roll call vote of Ayes: 9, Nays: 0

It was moved and seconded that Resolution 13-01 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 5-0-3. It was moved and seconded that Resolution 13-01 be adopted.

Resolution 13-01 To Adopt a New Vision Statement for Updating the Growth Policies Plan

It was moved and seconded that Amendment #1 be considered.

Amendment #1 to Resolution 13-01 This amendment is sponsored by Councilmembers Ruff and Sturbaum. It changed the proposed Vision Statement of Growth Policies Plan as outlined in the staff memo to Council to describe some of the Vision's components with greater particularity. Specifically, the proposed amendment more clearly defines the City's priorities to: 1) provide a transportation infrastructure that encourages reduced reliance on the automobile; 2) foster neighborhoods as mixed-use centers with access to essential services; 3) invest in economic development that is equitable, supports small business and is sustainable; 4) nurture a resilient, environmentally-friendly community through the judicious use and protection of natural resources, the protection of historic resources and support of local food production; and 5) support healthy lifestyles through the provision of a high-quality parks and greenspace infrastructure. Most of the changes offered in this amendment derive from language previously recommended by City Planning staff and have been informed by robust public feedback.

Ruff explained his amendment. He said it made small, important changes and additions to the statement that would be guiding the upcoming Growth Policies Plan update. He said the changes used language from an earlier draft of the statement that had been written by staff that was based on public input. He said that the earlier statements better reflected the vision of the community. He noted he was the council representative on the committee, that Sturbaum was the council member serving on the Plan Commission and that they were well suited to consider and propose the changes. He noted that Sturbaum added a few words that clarified that no forms of transportation would be interfered with or chastised, but that there were community benefits in less dependence on the automobile.

Sturbaum said the added words indicated that the city wanted to enhance options with safe, efficient, accessible and connected systems of transportation. He said choice and options would help decrease dependence on cars. He noted the addition of the word 'historic' as a way to indicate that there were legal ways to save historic properties. He said that these changes clarified brief statements that perhaps had lost some clarity for brevity.

Neher asked staff to respond to the amendment. Tom Micuda, Director of Planning, expressed support for the amendment and also said that staff was anxious to get to Phase II. He said he was open to questions any time.

Volan said after reading the phrases he needed more clarification on wanting to reduce the dependence on the auto. He said the focus should be on reducing vehicle miles traveled. He said this would also placement of buildings and asked if this language could be included. Sturbaum answered that that issue was actually handled with other points in the statement.

Volan asked if Micuda could say that the idea of reducing vehicle miles traveled was embodied in other areas of the visioning statement. Micuda said that it was. He added that there was a deliberate avoidance of the use of the 'language of planning' so that the average person would understand concepts. He said that the reduction of vehicle miles traveled would come out more clearly in Phase II when goals and objectives would be discussed.

A call for public comment brought Buff Brown to the podium. He said that Bloomington Transportation Options for People existed for just this purpose, to reduce the amount of driving and cars and to make Bloomington a bike-pedestrian-transit friendly community. He said their

intent was the protection of the planet and that the car was a huge liability for the planet. He said in the past ten years the GPP, Commission on Sustainability, Environmental Commission and the US Climate Agreement signed by the mayor have all indicated that current driving habits were unsustainable. He said cars were the problem and urban areas should be compact and less car dependent. He said this was a huge subject and he advocated for bold language in this statement. He said communities that had taken this stance had experienced lower death rates from car accidents, lower pollution, and more livability. He said that language from eleven years ago was not sufficient to make changes needed. He asked that council members consider that "being Bloomington" stood for sustainability and livability.

Glen Carter expressed his support for the amendment.

Larry Jacobs, Chamber of Commerce City Government Relations Manager, noted that he liked the term 'enhance' and also liked the terms 'vehicle miles traveled.' He said that 'less dependence on the automobile' was not acceptable language to the Chamber.

Council comments:
Spechler said he supported the amendment. He said citizens should be given better options, but should not be impeded in their choice of using the automobile. He said that people needed to be convinced to change their ways with options and education about their personal actions in saving the planet. He said his constituents used cars for shopping and other things, and that we would need to tolerate their use of cars. He said he would never vote for anything that would impede the use of an automobile, but he appreciated the notion of freedom of choice in this amended language.

Granger said she liked the amendment, said the few new words were strategically placed and would facilitate the rest of the process.

Sandberg said she supported the statement and said that words do matter. She said that simpler, less divisive language afforded her the ability to vote for this amendment.

Volan said the new language was not simpler, and that the steering committee had made an effort to simplify the language to the point where it was detrimental to the content. He said that this amendment was restoring the language that had necessary specificity. He said that 'vehicle miles traveled' was not in conflict with anything stated in the amendment. He said the inclusion of that language would enhance the community dialogue, but took encouragement from Micuda's statement that the meaning would pervade through the process. He said it was better to pass this, but he would continually advocate for the use of "vehicle miles traveled' in the specific language of the GPP.

Rollo said he appreciated the crafting of the amendment and supported it with one exception. He said the language substitute in guiding principle eleven was agreeable, but lamented that 'reducing the community's environmental footprint' was struck from the sentence. He said that that language provided a direction for using metrics for measuring impact. He said it was important to establish this, measure it and reduce the environmental impact. He asked the council to consider this in amending and adopting the final document.

Mayer said the committee sent the council members 16 points as guiding principles for review while just a few were modified with this amendment. He said he hoped that the rest of the points would be scrutinized with the same intensity in the future. He noted that the

degree of specificity in only a few of the principles should be applied to the rest of the principles. He noted that 'footprint' was removed from the document and noted that it was a contemporary word that would be replaced in time.

Amendment #1 to Resolution 13-01 *(cont'd)*

Sturbaum thanked the council members for their collaboration and agreement on this issue. He noted that the principles that were not changed were strong enough to stand as they were crafted. He also noted that if the principles were followed and implemented, the number of vehicle miles traveled would be reduced. He said this was a goal no matter how it was achieved.

Ruff thanked Sturbaum for joining him in this work. He thanked the council members, staff members, the mayor and council office staff for their work in preparing the documents. He said this work allowed the principle to be clarified: *providing more opportunities for transportation to reduce dependency on oil.* He noted Volan's concern regarding vehicle miles traveled, but agreed with others that the concept was encompassed in the document. He said that the idea was to provide freedom of mobility for those too young, too old or too poor to drive, increase the freedom of future generations to enjoy a more livable community and planet when looking to the future.

Amendment #1 to Resolution 13-01 received a roll call vote of Ayes: 9, Nays: 0.

There were no additional comments or presentation from the staff for the resolution as amended.

Resolution 13-01 as amended

Council questions:
Volan asked Micuda about his statement of being anxious to get to Phase II. He noted that at least three members of the council have said that they want to see language of the vision statement tweaked. He asked if work on Phase II could begin before the resolution was approved by the council. Micuda said that was up to the council. He said the vision statement would give all parties an idea of direction, setting the stage for Phase II, the Comprehensive Plan. He said there was no statutory requirement, but it was proposed to be a guide to the rest of the process. He said the entire Growth Policies Plan, including the vision statement, would be considered later in the process and that language could be amended then.

Public comment:
Larry Jacobs, Chamber of Commerce City Government Relations Manager, said the Chamber was in support of the work and work product on this document. He thanked the committee and staff for their work and urged the council to support the resolution.

Buff Brown, Bloomington Transportation Options for People, said he had participated in the Growth Policies Plan a decade before and said he enjoyed the process very much. He said that the transportation and land use wording did not have quite enough direction for the past ten years. He said the GPP was the constitution of the city, guiding what the city should do, and said it needed real measureable numbers to work towards. He said that a reduction in car crashes could be achieved by putting more bikes and pedestrians on the street to calm traffic. He said pollution numbers and vehicle miles traveled could be reduced with measurable targets.

Rollo said that 'environmental or ecological footprint' was a common measure of human demands on the earth's ecosystems, and a core principle of sustainability. He added that references to measurements

Resolution 13-01 as amended *(cont'd)*

and quantifiable data were needed for specific goals. He said to not do this would be to create a document with grandiose visions and no teeth. He said his major focus would be on reduction of carbon emissions to alleviate the stress on major ecological systems.

Spechler said setting quantitative targets was attractive if there were reasonable targets and if they had names, but this was not the case. He said that vehicle miles traveled was fallacious because the city was increasing in population and thus the vehicle miles traveled would also increase. He said annexation would also increase this measure, as well as increasing the popularity of the downtown area. He said caution needed to be taken with slogans and phrases to make sure measurements were quantitative targets not in conflict with other values. He said carbon footprint was an odious term and that he did not salute to words such as 'sustainability.' He said his concern was for the effect of any of these measures on human life in the community. He said education was needed to convince people that reduction in usage of their cars was desired.

Volan said the adoption of the resolution would not preclude additional tweaking. He said he was distressed to hear that 'vehicle miles traveled' was fallacious, and noted that a sign of the reduction of 'vehicle miles traveled' was that the average Bloomingtonian rode the transit 85 times per year. He said neighborhood markets and apartments with first floor retail were goals that should be included in the GPP. He hoped for continued conversation, and expressed his support of the resolution.

Neher said that both words and form matter. The more a vision statement was loaded with details, the more a confusion of that form was created. He said that policy decisions that should be made by a governing body would be made in the document. He said he supported the vision statement, but encouraged council members to consider the level of details and metrics expressed in a different level of the Growth Policies Plan. He noted that a discussion of goals was needed in addition to that of specific measurements.

Resolution 13-01 as amended received a roll call vote of Ayes: 9, Nays: 0

Resolution 13-04 To Consolidate the Council Board and Commission Interviewing and Nominating Committees

It was moved and seconded that Resolution 13-04 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 6-0-0. It was moved and seconded that Resolution 13-04 be adopted.

Neher discussed the resolution on behalf of the Rules Committee, which discussed the proposal with staff from the Office of the City Clerk. He said that this would enable interviews to be held simultaneously, would improve communication within each committee, and would allow for ease in scheduling. He added that the Rules Committee was forwarding this on for adoption before an actual report on the committee's work. He said three committees would be formed rather than 24 committees. He added that the council president would name council members to the committees. He said his intent was to place one at-large member on each committee.

Spechler asked if the president would group common interests together. Neher said the groupings were not centered around commonalities, but with a broad range of interests. He noted his intent to assign council members to the committee that would be interviewing applicants to boards or commissions of interest to them.

There was no public comment on this proposal.

Mayer thanked the Clerk and Deputy Clerk for their work on the proposal.

Resolution 13-04 *(cont'd)*

Resolution 13-04 received a roll call vote of Ayes: 8, Nays: 1 (Volan)

Ordinance 13-03 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" - Re: Authorizing the Expanded Use of Parking Meters in the Downtown and Related Changes

LEGISLATION FOR FIRST READING
Ordinance 13-03

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

PUBLIC COMMENT

Dan Sherman, Council Attorney/Administrator reminded council members that the next Internal Work Session would be held on Friday, January 25, 2013.

COUNCIL SCHEDULE

The meeting was adjourned at 10:33 pm.

ADJOURNMENT

APPROVE:

Darryl Neher, PRESIDENT
Bloomington Common Council

ATTEST:

Regina Moore, CLERK
City of Bloomington