In the Council Chambers of the Showers City Hall on Wednesday, October 9, 2013 at 7:30 pm with Council President Darryl Neher presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
October 9, 2013

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

ROLL CALL

Council President Neher gave the Agenda Summation

AGENDA SUMMATION

It was moved and seconded that Ordinance 13-15 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 13-15 be adopted.

LEGISLATION FOR SECOND READING
Ordinance 13-15 An Ordinance Fixing the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana for the Year 2014

Daniel Grundmann, Director of Human Resources, noted the previous discussions on this. He said the ordinance, consistent with the provisions in the collective bargaining agreements, set the Police and Fire Department sworn officer salaries for the next year. He said this included a 3% increase to the base pay of police officers, and 0% increase to the base pay for fire fighters.

Ruff asked how the negotiations were going with the Firefighters' Union, and also about the 0% base pay increase compared to the non-union employees in the city both in this ordinance and historically.

Grundmann said that there had been a management proposal for the firefighter contract that was turned down by the union in a vote. He said there was an Evergreen Clause in the existing collective bargaining agreement that stated that if there was not a contract or it was not voted on by July 1st, the existing contract would be in effect for the following fiscal year, in this case 2014.

Grundmann talked about salaries over time and cautioned against looking strictly at base pay when looking at the four compensation groups (Fire, Police, AFSCME and non-union). He said he had looked back at the previous 15 years salary history for the categories and noted the pay increases between categories were remarkably similar, ranging from 3% (non-union) to 3.3% (Police).

Grundmann said the AFSCME employees had taken a 0% increase to base pay, but had some increases to certification pay, increased capacity to attain certification pay, and regular increases to years of service steps. He reiterated that the '0% increase' meant, with the exception of non-union employees, that there would be some employees within the other three categories that would have pay increases. He said that this meant there would be an increase to total compensation to that employee group.

Spechler asked how the City of Bloomington fire fighters were compensated compared to other communities where the activity and risks were similar. Grundmann said that while reporting data is incomplete, he believed the compensation was comparable, noting factors of certification, uniform allowance, professional command pay, indirect compensation, working conditions, longevity and PERF calculations.

Spechler asked if the City of Bloomington had lost fire fighters in their first ten years of work, or if there had been difficulty in hiring new qualified fighters. Grundmann said the turnover rate was quite low, mostly driven by retirement, although he did believe some had left in the first ten years. He said that it was not uncommon to have 200-300 applicants each time applications are taken.

Ordinance 13-15 *(cont'd)*

There was no public comment on this item.
Council comments followed:

Spechler said he was grateful for the 2% raise he was getting this year. He said he believed that as long as the city was not going to break the budget over raises, Grundmann should continue to negotiate contracts in the ongoing bargaining sessions.

Ordinance 13-15 received a roll call vote of Ayes: 8, Nays: 0

Ordinance 13-16 An Ordinance Fi g the Salaries of Appointed Officers, Non-Union and A.F.S.C.M.E. Employees for All the Departments of the City of Bloomington, Monroe County, Indiana for the Year 2014

It was moved and seconded that Ordinance 13-16 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 13-16 be adopted.

Daniel Grundmann, Director of Human Resources, summarized impacts as:

- Eliminating the position of Program Assistant/Office Manager in HAND due to an expected retirement,
- Moving an Assistant City Attorney from Risk Management to Legal,
- Eliminating the Front Desk II Position in the Police Department to be replace with a Crime Analyst Position,
- Moving three Customer Service positions from Public Works Administration to Parking Enforcement, assigning each to a separate new subdivision within Parking Enforcement,
- Changing one Parking Enforcement Officer to add Technician to the title,
- Changing the Pretreatment Program Inspector title to Pretreatment Program Coordinator in Utilities,
- Changes to the AFSCME sections according to the collective bargaining agreement,
- Changing the maximum amount paid to Pension secretaries from $3400 to $3700 to reflect maximum payments approved by the Pension Board in accordance with state statute.

There were no questions from the council members or comments from the public.

Neher commented on the lack of council questions and comments by outlining for the public the months' long process of the council's involvement and ongoing discussions on this budget.

Ordinance 13-16 received a roll call vote of Ayes: 8, Nays: 0

Ordinance 13-17 To Fix the Salaries of All Elected City Officials for the City of Bloomington for the Year 2014

It was moved and seconded that Ordinance 13-17 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 13-17 be adopted.

Daniel Grundmann, Director of Human Resources, noted that this ordinance included a 2% increase for elected officials of the city. He said this reflected the 2014 raise for the category of non-union officials. He said that historically that had been the tradition in setting increases for city elected officials.

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

Ordinance 13-17 received a roll call vote of Ayes: 8, Nays: 0

Ordinance 13-13 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" to Establish the Parking Meter Fund (Inserting BMC 15.40.015 - Parking Meter Fund)

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

City Controller Sue West recapped the committee discussion on this item. She said that the state code required that financial funds for parking meters and parking facilities be separate. She said that parking facilities were considered to be parking garages and parking meters on parking lots owned by the city. She said funds coming from parking meters on public right of ways were to be a separate fund. She said this was related to the separation of Parking Enforcement into three sections, and noted that this separation was reflected in all the budget ordinances presented for 2014.

Spechler asked if the parking meter revenue not needed for repairs for the meters could be used to improve the garages and public ways that lead to the downtown. West answered yes. She said that the state code is completely mirrored in this ordinance.

There was no public comment on this ordinance.

Spechler commented that when the majority of the council voted to install parking meters, one of the reasons was to have a more rational type of parking with regards to employees, residents and customers of the downtown. He said that this meant more parking in garages which the city had improved and made more attractive for parkers. He said that the city surplus should be able to be used from one account to the other and related signage and road issues. He said using parking revenue this way would benefit all residents and visitors.

Ordinance 13-13 received a roll call vote of Ayes: 8, Nays: 0

Ordinance 13-14 Establishing the Parking Facilities Fund

It was moved and seconded that Ordinance 13-14 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 13-14 be adopted.

Sue West, City Controller, noted that this was the fund that needed to be separated out from other parking revenue funds according to state law.

There were no council questions, no public comments and no council comments on this ordinance.

Ordinance 13-14 received a roll call vote of Ayes: 8, Nays: 0

Ordinance 13-12 Petition to Appeal for an Increase to the Maximum Levy (A Request for Permission from the Department of Local Government Finance to Impose an Excess Levy as a Result of a Revenue Shortfall)

It was moved and seconded that Ordinance 13-12 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 13-12 be adopted.

Sue West noted that this was actually supposed to be a one time levy voted on last year, however due to a technical advertising deficiency it was back to be reauthorized. She said that the original issue in 2012 was that the Monroe County Auditor tax statements included tax exempt properties and the certified net valuation was incorrectly figured. She said that the city was appealing to the state for this loss of $377,930 in revenue. She noted that the library was also appealing for the same reason.

There were no council questions and no public comments on the ordinance.

Ordinance 13-12 *(cont'd)*

Spechler noted this measure would serve to correct a mistake made by the former County Auditor who exaggerated the assessed valuation resulting in a minimization of the tax rate which then resulted in a loss of revenue.

Ordinance 13-12 received a roll call vote of Ayes: 8, Nays: 0

Appropriation Ordinance 13-01 An Ordinance for Appropriations and Rates (Establishing 2014 Civil City Budget for the City of Bloomington)

It was moved and seconded that Appropriation 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 9-0-0. She noted the legally noticed public meeting on the city budget was held on September 25, 2013.
It was moved and seconded that Appropriation Ordinance 13-01 be adopted.

Sue West, City Controller, noted her appreciation for the council work during the budget session. She thanked the budget team of Maria Heslin, Mick Renneisen, Mike Trexler and Daniel Grundmann for their work, noting they shepherded the process well. She thanked the department heads, and Dan Sherman and Regina Moore for their help.

Acknowledging the long detailed process that began in May, west said that the last step in the process was for the council to sign a two page form.

There were no council questions on the budget.

Scott Wells, former County Council Member and member of several environmental and planning commissions, spoke about the idea of a Materials Recovery Facility to be operated by the Monroe County Solid Waste Management District. He advocated creating an Interlocal agreement with the City of Bloomington, Recycling Center, the District and Indiana University. He said the city sanitation budget was not sustainable as it was composed, and the costs would only increase. He explained the prospective costs of a MRF and how it could take advantage of revenue potential by the sale of recyclables.

Sarah Ryterband spoke about the Materials Recovery Facility, noting that this would be a solution to the sanitation budget deficit. She noted that while it was not the city council's business to create a MRF, one council member and the mayor were on the District's board. She said the greening of the environment and our sustainability with a revenue stream was a good idea, and one that citizens should get behind.

Gene DeFelice said that the trash transfer station proposal near his home opened his eyes to the whole solid waste process and players. He said that he supported the MRF and encouraged the council to further encourage this initiative by committing to being a customer or entering into an Interlocal agreement with the District. He commended Volan for sticking with his involvement with the District and the issues involved there. He said the private sector's interest was in making money for shareholders. He said it made no sense to have the private sector in charge of public services.

Kerry Winkle said the MRF would be a viable and responsible solution to the ever-growing problem of waste and recyclable processing and removal. She said she was the Executive Chair of the Crescent Bend Neighborhood and had become more sensitive to how the county processed waste when Bethany Stevens requested a permit from IDEM for a facility on Vernal Pike, near her neighborhood. She said that pooling recyclables out of the waste stream would also decrease

operating costs; reduce the carbon footprint, and perhaps reduce the trips to Terre Haute and reduce the need for tax dollars to subsidize this. She recommended that the council encourage the District to build a MRF. She said a well run MRF would be the most sustainable, environmentally friendly, and logical and cost effective use of taxpayer's money.

Steve Akers, former chair of the Citizens Advisory Committee for the Monroe County Solid Waste District, (CAC) said he wanted to get the Board of Directors of the District to do a research study to see how viable a MRF could be. He said the votes were not there for the action, but hoped that it would happen soon. He said soon, as the news was reported, the US would need to deal with plastic recyclables rather than ship them to China. He said he also was a customer of Republic Services as an employee of IU and said a way of reducing costs for waste disposal and recycling for the university was his obligation. He said a MRF would help with that cost saving, and although he didn't know if IU would be a complete partner, they would most certainly be a customer of a MRF.

Akers said the District had the manpower and "know-how" to manage and operate a MRF for the community.

Spechler thanked the persons who spoke for taking an issue in what he called a big issue. He said Wells claim of the $300,000 deficit was probably not correct, as Spechler believed it was balanced with the tax levy that would wipe out what appeared to be a deficit.

Spechler said that services of the city were provided, probably without complete financial balance. He said that the city could not allow the sanitation budget to continue to rise without making up the funds in another place. He said he made suggestions to the mayor for dealing with this issue. He said that utilities in Indiana must be paid for by user fees, and that in his mind, collecting garbage was a utility. He said, therefore, the city was entitled to ask citizens to pay for that service, or the city would have to raise taxes or cut services in the next budget.

He said the speakers made impressive statements about the MRF, but he was not convinced about the extraordinary claims regarding the profitability of a MRF. He said that we needed a study, as suggested by Akers, to examine the idea of what to do with solid waste. He urged Neher and Kruzan to look into this issue seriously and immediately, with a report to the public about the viability of the idea.

Volan said he'd been the council representative to the Solid Waste District Board of Directors since the first day of his tenure as council member. He said he was currently president, and had been an advocate of a MRF for years.

He said Spechler was correct in that there would be services paid for by taxes and a component of sanitation that could not be covered by any fees. He added that the sale of recyclables could probably never offset the cost of sanitation, but the MRF should still be pursued.
He noted that while the District had a mission of reducing solid waste, the sale of recyclables as commodities reduced the amount of waste going into a landfill and was within that mission.

Volan showed a chart of solid waste collected since the landfill closed in 2004, and thanked Susie Johnson, Public Works Director for her assistance in providing the data. He noted that the next nearest permitted waste facility was a transfer station owned by Republic Services, who then transfers trash to near Terre Haute, about 60 miles away. He said the other option would be to have the City of Bloomington trucks drive to the facility in Medora, IN, about a 40 mile drive. He noted that the rates for future years would be at a higher rate, with a $90,000 additional expense to the city for disposal.

Appropriation Ordinance 13-01 *(cont'd)*

Volan reviewed the history of MRF proposals over the last years, noting the last iteration did not include investment by any other entity but the District. He outlined the membership of the board, and told people to contact the commissioners, the mayor, and council representatives regarding the MRF.

In bringing the statement back to budget related concerns, he noted that this was just one small corner of the city budget, and that the mayor's role was not the same role as the District's, and noted that he himself, in making this statement was wearing two hats, council member and District board member.

Rollo said the idea of a MRF was compelling and probably inevitable. He liked the idea of a 'dirty mrf' with an organic sorter. He noted that the greenhouse gas assessment from a few years ago was estimated at 100,000 tons of CO2 equivalents that were generated because of organic waste from Monroe County going into the landfill. He said that peak oil and the current practice of fracking were compelling reasons to move to a MRF. He said that the community needed to control its waste stream from beginning to end and reopen the landfill.

Granger thanked West for her work on the budget noting it was a transparent and readable document.

Neher thanked the administration, council members, and Dan Sherman for working through schedule changes and adapting the budget process to a new schedule. He said he looked forward to it becoming the new schedule permanently.

Appropriation Ordinance 13-01 received a roll call vote of Ayes: 8, Nays: 0

Appropriation Ordinance 13-02 An Ordinance Adopting a Budget for the Operation, Maintenance, Debt Service and Capital Improvements for the Water and Wastewater Utility Departments of the City of Bloomington, Indiana for the Year 2014

It was moved and seconded that Appropriation 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 9-0-0.
It was moved and seconded that Appropriation Ordinance 13-02 be adopted.

John Langley, Deputy Director of Utilities, asked for passage of the ordinance that reflected the water/utilities budget of $15,669,433, and wastewater/utilities budget of $21,795,288. He said the balance was balanced, met the needs of the customers and community.

Volan asked where the Utilities Department sent its sludge. Langley said two-thirds of the material was put into a landfill at Dillman Road Treatment plant in an IDEM approved facility. He said that sludge from the Blucher Poole Treatment plant was pressed and driven to the Rumpke landfill at Medora.

Mayer read a letter written by David Sabbagh:

Dear council,

I had planned to attend the meeting tonight until I realized I had a conflict, so I'm sending you some comments.

In august of 2012, Linda, my wife, and I were in West Lafayette for a weekend reunion of my high school class. On Saturday afternoon I got a call from my neighbor telling me that there was water coming out from our basement. We hurried home Sunday morning to see what was happening.

The water didn't seem to come from our basement, so we were perplexed. On Monday morning we called CBU. A woman came, tested the water and told us it was treated water. A little later more CBU people came to search for the problem. They used what looked like a giant stethoscope to look for the problem. There was a break across the street in front of my neighbor's home. They then brought in a giant water cannon, dug, found the break and fixed it. CBU was there from start to finish and the job took from three to four hours.

I want you to know that CBU's performance was terrific. Please read this at the meeting.

Appropriation Ordinance 13-02 *(cont'd)*

Mayer said that CBU had the ability to make repairs on water mains without turning the main off to avoid 'boil orders' for customers.

Spechler said he had a similar story relayed to him regarding problems in sewer lines with regards to construction of a new sidewalk. He said the people working for the city wanted to do what was right, despite problems involved.

Appropriation Ordinance 13-02 received a roll call vote of Ayes: 8, Nays: 0

Ordinance 13-18 Appropriations and Tax Rates for Bloomington Transportation Corporation for 2014

It was moved and seconded that Ordinance 13-18 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 13-18 be adopted.

General Manager of the Bloomington Public Transportation Corporation Lew May recommended approval of the 2014 budget for the corporation. He said the budget of $8.36M for 2014 had not been changed since the committee hearings earlier in the year, adding that the budget had been approved by the board of directors of the corporation.

Spechler asked if one of the IU bus routes was being cut and wondered if the BTC could step in and help. May said this seemed like the stadium express route shuttle from the football stadium to the heart of campus. May said he was not aware of their cutting services, but would check. He said that the transit routes, particularly the 6 and 9 routes mentioned by Spechler, didn't go near the stadium area. He said that BTC did not have the resources to add a route without significant additional costs, unless the university would provide the resources. Spechler said there had been what he called 'loose talk' about the merger of the two systems, which he said was unnecessary. He said that the IU service reduced the amount of vehicular traffic in the heart of Bloomington, and therefore asked May to look into the issue.

Volan asked about the status of IU/BTC merger talks. May said nothing had changed since the August meeting report where he told of the INDOT meeting and noted their encouragement of the two bodies to continue to talk of what they thought was an innovative plan. He added that INDOT also did not assure that additional funding from the state would come to the merger, as their concern was with the transit services in Indianapolis taking up more money and resources. He said state funding for public transit had been capped at $42.5M for seven years. May called this statewide view of transportation short-sighted and unfortunate, and showed the priority at the state level.

Volan asked if we should consider a referendum regarding transit like Central Indiana Regional Transit Authority was doing. May said that he hoped they would get that authority from the general assembly so that it would pave the way for other transit authorities to do the same.

Rollo asked how many bus shelters were in existence. May said there were 63, where there had been twenty about 15 years ago. Rollo asked how many were added per year. May said that in the 2014 budget there would be $27,000 to fund 5-6 shelters. He said there were about 3-4 new shelters per year, with an increase in the last few years.

Rollo asked how locations were decided, and May said the average number of boardings daily at a stop was a determining number for consideration.

There was no public comment on this item.

Volan said the idea of a referendum would be an appealing mechanism for raising money for public transit. He said he shared Spechler's dismay on the IU "X" Bus route reduction. He said he was worried that BTC would merge with an organization that did not share the same pro-active goals, despite the fact that the majority of riders were IU students. He said that enunciators in the downtown busses were a little loud. Ordinance 13-18 *(cont'd)*

Rollo said that BTC was an ongoing success story, considering the constraints with state level funding. He thanked May for his work.

Mayer thanked May as well.

Ordinance 13-18 received a roll call vote of Ayes: 8, Nays: 0

There was no adjustment to the council schedule at this meeting. COUNCIL SCHEDULE

The meeting was adjourned at 9:20 pm. ADJOURNMENT

APPROVE: ATTEST:

Darryl Neher, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington