At the Utilities Board Room at 600 E Miller Drive on Wednesday, September 2, 2015 at 7:30 pm with Council President Dave Rollo presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
September 2, 2015

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

ROLL CALL

Council President Rollo gave the Agenda Summation

AGENDA SUMMATION

The minutes for Regular Sessions of February 18, 2015, May 20, 2015 and August 26, 2015 were approved by a voice vote.

APPROVAL OF MINUTES

REPORTS

- COUNCIL MEMBERS

Dave Rollo reported that President Obama issued a statement on climate change that challenged world leaders to act boldly or "condemn our children to a world they will no longer have the capacity to repair."
He said he had asked climate change authority and Stanford Professor Steven Schneider (2010 d.) about the worst case scenario in climate change. Schneider said it would be when methane was be released in the artic. Rollo said this was actually happening now, explaining the reasons and process.
Rollo noted that Mayor Kruzan had signed a Climate Protection Agreement initiated by the mayor of Seattle, and the council had passed resolutions in support of the Kyoto Protocol and the community Energy Challenge. He said that the city had also created a baseline for carbon emissions with reports from the Environmental and Sustainability commissions. He said now was the time to double down efforts for conservation and efficiency (along with a code and incentives to make that happen), to act on sequestration of carbon, and to explore generating energy by alternative means. He said a professional consultant employed to guide the council and mayor would be an investment in the future.

- The MAYOR AND CITY OFFICES

Mayor Mark Kruzan announced the intent to transfer 5.96 acres of city land to developers Flaherty & Collins Properties for the development of a portion of the Trades District in the certified technology park area. He said this development would be fueled by a tech industry that was driven by locally owned businesses, live-work opportunities for young professionals, co-work space, green space and mixed-use development. He spoke of a few of the components, noting there was more work to do on this issue, but was happy with the direction of this development. Danise Alano-Martin gave some particulars about the business arrangement, the development itself, and the chronology for going forward with the development. She thanked the council for their help in getting to this stage.

Volan asked how big the building on Parcel 2 of the development would be. Alano-Martin, noting the very early stage of development, said the plan was for a 200,000 square foot building of three to four stories with a parking component. Volan asked about parking in the area to which Alano-Martin related a plan to hire a developer to do a study on the development needs. Volan said the focus on small business and not on large buildings was called for in this area. Kruzan noted that the parking price rate in this structure would not be set by government, but by the private owner.

Granger said she was proud of this work and was excited about the project. She thanked Kruzan and Alano-Martin.

Neher asked Kruzan to speak about the housing component of the project and what mechanism would assure that the housing would actually be occupied by the individuals who would be working in that area. Alano-Martin said the housing plan itself, with smaller units, calendar year leases, and possible deed restrictions were ways to attract people to live in the area while working in the area.

Report from the Mayor *(cont'd)*

Spechler said attractive housing with adequate parking would cause young professionals with good salaries to move to this area, and thus would cause an increase in housing vacancies throughout the community. He added that affordability and housing the homeless should be done throughout the community and not just in one space to create a neighborhood. He said the inclusion of all levels of income would create a more desirable type of neighborhood. Kruzan noted that the city's Rogers Street property adjacent to this parcel was the place for the affordable housing portion of the whole 12 acre development. He said it naturally would have been very desirable for a higher end development, but the city purposely set aside this land downtown on a main artery for this purpose.

Sturbaum hoped there would be a place for the recycling facility.

Rollo asked if the acre of green space noted in the Trades District development plan would be placed into a conservation easement or be delegated as green space in perpetuity. Alano-Martin said it would be part of the detention and storm water system.

Volan asked if and when a proposal, plan or report would come to the council. Kruzan said the project was under his purview, but he wanted the council to hear this announcement now. He said components would come to the council or the Plan Commission, but the development in its entirety would not.

Rollo thanked Kruzan for his report, and said this was a bold move and one that was not without its critics. He said the plan for the city to buy the property from IU and hold it for the type of development desired in that space paid off, and he was happy to see this come about.

- COUNCIL COMMITTEES

There were no reports from council committees at this meeting.

- PUBLIC

President Rollo called for public comment.

Jim Shelton spoke about CASA, the number of children waiting for a CASA, and the opportunities for volunteer training.

Kay Bull spoke about bicycle safety.

Daniel McMullen told the council he is no longer advocating for Convention of States.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards or Commissions at this meeting.

LEGISLATION FOR SECOND READING AND RESOLUTIONS

Ordinance 15-16 To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration and Personnel" - Re: Amending Chapter 2.21 Entitled "Department of Law" to Include "Veteran Status" and "Housing Status" as Protected Classes in the Bloomington Human Rights Ordinance

It was moved and seconded that Ordinance 15-16 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 15-16 be adopted.

Amendment #1 to Ordinance 15-16
The amendment changed the synopsis to reflect that the ordinance was sponsored by councilmember Granger and co-sponsored by the remainder of the council.

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

Daniel McMullen said this amendment was fair.

There was no council comment on this amendment.

The motion to adopt Amendment #1 received a roll call vote of Ayes: 9, Nays: 0.

Ordinance 15-16 as amended

Byron Bangert, Chair of the Human Rights Commission, noted this change to the Bloomington Municipal Code was a long time coming, but was delighted that all the council members were sponsoring the ordinance. He thanked the council for their consideration of the issue and offered to answer any questions that may have arisen since the committee meeting.

Barbara McKinney, Director of the Human Rights Commission, thanked the council for their support and offered to answer questions.

There were no council questions. In explanation for this, Rollo noted for many people in attendance that there had been a lengthy discussion on this topic the previous week.

Public comment:

Daniel McMullen commended the council for their action on this item, and encouraged the council to look into the establishment of a Veteran's Housing Authority.

Donyel Byrd, social worker, said she wanted to thank the council in person for their work on this measure. She said she and the other social workers present had been to the council in the past with concerns about persons experiencing homelessness. She noted that people who had instability in their housing status deserved the same opportunities to progress in their lives as those who are housed. She expressed thanks to McKinney and Bangert for their work.

Council Comments:

Volan said it was unfortunate that local government could not fully protect the class of persons experiencing homelessness until state law changed. He said he looked forward to that day.

Spechler noted Bangert's and McKinney's presentations were mature and persuasive which made his decision to support this ordinance an easy one.

Mayer thanked McKinney and Bangert for their work. He noted that it was important that Bloomington take the lead on this issue, noting that Columbus was working on a similar ordinance.

Neher said it made sense to pass this ordinance. He looked forward to the Human Rights Commission looking at possible ways to approach "ban the box" whereby the checkbox on employment applications asking the candidate whether or not they had ever been convicted of a crime would be eliminated. McKinney said there was such an issue working through the commission process, and the commissioners were discussing the issue of a prospective employer considering a candidate's qualifications first, without the stigma of a conviction record.

Neher said he was emboldened to pursue strengthening the protection of gender identity and sexual orientation, and that he intended to do this before the end of the year.

Ruff noted Volan's comments saying that until the state, and all states, took action to expand protection to people that found themselves discriminated against and marginalized in society, he hoped we could find creative ways to expand the protections in any way possible. He said this was a step in the long and slow process of progress regarding economic and social justice in society. He said there was still a long way to go.

Granger said the ordinance was a good thing. She added that continuing education and advocating for these issues must continue.

Rollo, referring to a conversation with Sandberg, noted she said this was an important and necessary step to take to prevent discrimination based on housing status as a means by which one could gain employment and respect. She said it was part of a continuum of housing concerns that

included access to housing, affordability of housing, opportunities for employment and shelters. He said that idea encapsulated the issue.

Ordinance 15-16 as amended *(cont'd)*

Sandberg noted that she and Sturbaum had been involved in the Affordable Living Study Group in the past year. She said the group was gathering data about how people live in the city in order to help, protect and give people a hand up. She said it was the public sector's role to pass and enforce laws that protect. She said she was proud to be a part of a city that put that legislative action to work, and said this was an honorable thing to do.

Rollo said the city had a wonderful asset in its boards and commissions, in particular the Human Rights Commission.

The motion to adopt Ordinance 15-16 as amended received a roll call vote of Ayes: 9, Nays: 0

There was no legislation for introduction at this meeting.

LEGISLATION FOR FIRST READING

Appropriation Ordinance 15-02 To Specially Appropriate from the General Fund Expenditures Not Otherwise Appropriated (Appropriating $15,000 for the Operation of the Community Sheltering Project for the Remainder of Appropriation Ordinance 15-02 To Specially Appropriate from the General Fund Expenditures Not Otherwise Appropriated (Appropriating $15,000 for the Operation of the Community Sheltering Project for the Remainder of 2015)

Appropriation Ordinance 15-02

Ordinance 15-15 To Amend the Approved Planned Unit Development (PUD) District Ordinance and Preliminary Plan – Re: 2602 E. Creeks Edge Drive (Evergreen Partners II, LLC, Petitioner)

Ordinance 15-15

Ordinance 15-17 To Vacate a Public Parcel - Re: Two 12-foot Wide Alley Segments Located at the Southwest Corner of West 11th Street and North Rogers Street

Ordinance 15-17

There was no public comment at this portion of the meeting.

PUBLIC COMMENT

Dan Sherman, Council Attorney/Administrator noted that there would be an Internal Work Session on Friday, September 4, at noon in the council library.

COUNCIL SCHEDULE

The meeting was adjourned at 8:30 pm.

ADJOURNMENT

APPROVE:

Dave Rollo, PRESIDENT
Bloomington Common Council

ATTEST:

Regina Moore, CLERK
City of Bloomington