

In the Council Chambers of the Showers City Hall on Wednesday, March 23, 2011 at 7:30 pm with Council President Susan Sandberg presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
March 23, 2011

Roll Call: Mayer, Piedmont-Smith, Rollo, Ruff, Sandberg, Satterfield, Sturbaum, Volan, Wisler
Absent: None

ROLL CALL

Council President Sandberg gave the Agenda Summation

AGENDA SUMMATION

The minutes of the Special Session held February 23, 2011 were approved by a voice vote.

APPROVAL OF MINUTES

Tim Mayer noted the passing of George Van Arsdale, saying he was a dedicated cyclist and a supporter of the arts. He also noted the passing of Mary Ann Wampler, a writer and editor. Mayer also said that Bob Dixon had passed away, and noted that he was the person who maintained the clock on the courthouse dome. He said they were all contributors to our community, and would be missed.

REPORTS:
COUNCILMEMBERS

Dave Rollo said he applauded Mayor Mark Kruzan and the city administrative staff for their initiative to fund bicycle and pedestrian infrastructure as announced on March 22, 2011. He said the ambitious plan called for further implementation of the greenways plan, a bike boulevard, an acquisition of the Black Lumber railroad spur to add to the B-Line trail complex, the installation of bike facilities and the implementation of the College Mall pedestrian accessibility study. He said that cities that offer the best bike infrastructure were the best off in economic status as businesses chose communities that have this type of infrastructure. He added that tourism in this area was known through the Hilly Hundred, the Little 500 race and the movie Breaking Away. He said it was good for the environment, a healthy choice for people to bike, a preparation for high energy costs and even patriotic as it helps lessen the use of foreign oil. He said it was a leap towards a League of American Bicyclists Platinum Status, currently held by only three cities in the US.

Chris Sturbaum said he officially welcomed Spring to Bloomington and said he had a very nice walk to City Hall for this meeting.

Andy Ruff said he seconded Rollo's comments and was glad that he took advantage of recent HT online complaints to make those comments.

Susan Sandberg said she thanked Christina Courtright for volunteering to translate into Spanish the council's Resolution 11-07 opposing a state law regarding immigration. Sandberg said both English and Spanish versions were posted on the city's website. She said that Courtright ran a translating service and gave her website.

Joanne Bunnage, Chair of the Community and Family Resources Commission, noted that the Commission had sponsored two open forums on both affordable and Section 8 housing. She noted that the commission also supported the April 10, 2011 Homeward Bound Walk. Katelyn Stoffregen, IU Journalism student who volunteered to help the Homeward Bound Walk Committee, gave background information, details of the walk and how citizens could participate.

MAYOR and CITY OFFICES

There were no council committee reports at this meeting.

COUNCIL COMMITTEES

President Sandberg read the rules for public speaking at this meeting.

PUBLIC INPUT

Daniel McMullin spoke of living life with a higher power in mind.

It was moved and seconded that George Hegeman and Tom Coleman be reappointed to the Tree Commission.
The motion was approved by a voice vote.

BOARD AND COMMISSION APPOINTMENTS

It was moved and seconded that Ordinance 11-02 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.

LEGISLATION FOR SECOND READING AND RESOLUTIONS

It was moved and seconded that Ordinance 11-02 be adopted.

Ordinance 11-02 An Ordinance Amending Ordinance 10-18 Authorizing the City of Bloomington, Indiana to Issue Its Economic Development Revenue Bonds, Series 2011 (Bloomington Dyslexia Center, LLC Project) in the Principal Amount Not in Excess of One Million Five Hundred Thousand Dollars (\$1,500,000), and Approving and Authorizing Other Actions in Respect Thereto

Miah Michaelsen, Assistant Director of Economic Development for the Arts spoke for Adam Wason, Assistant Director of Small Business Relations who was unable to attend the meeting. She said the staff of the Economic and Sustainable Development department had been working with the staff of the Pinnacle School to obtain the tax exempt 501 (c) 3 Economic Development Recovery Zone Facility bonds. She added that the City's Economic Development Commission had approved the bond application, and that the council had also approved an ordinance that allowed the investment of American Reinvestment and Recovery Act Bonds for this project. She explained that Pinnacle School had not been able to obtain financing before the expiration of the federal program. She added that the city was simply acting as a pass through agency for these bonds, and that the issuance of these bonds would not impact the city's bond rating, nor would the issuance be an obligation of the city for its taxpayers. She said that the bond counsel, Karl Sturbaum, and the petitioner were present for questions.

Volan asked how the city was not liable since its approval was necessary. Sturbaum said that the internal revenue code indicated that tax exempt bonds must be issued by a political subdivision, but that the statutes permit a conduit issuance – issued by a political subdivision but paid specifically and solely from revenues generated from the facility. He said this would be noted on the bond itself.

Denise Lessow, Director of the Pinnacle School, said she appreciated this opportunity to expand supplemental services of after school and summer tutoring programs as well as enlarging space.

Piedmont-Smith asked the amount of the bond. Sturbaum noted it was for \$1.5 million.

Larry Jacobs, Governmental Relations Director for the Chamber of Commerce, said the Pinnacle School had served the community since 1981 and it was critical that they expand their operations. He encouraged the council to pass this ordinance.

Chris Sturbaum noted that he would abstain from this vote in order to prevent any appearance of impropriety or conflict of interest since his brother was the counsel for this bond issuance.

Sandberg thanked Sturbaum and Lessow for their work, and added that it was fortunate that Bloomington had such a fine school in the community to serve dyslexia and related learning abilities.

Ordinance 11-02 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 1 (Sturbaum abstained).

It was moved and seconded that Resolution 11-06 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 Resolution 11-06 be adopted.

Resolution 11-06 Authorizing a Grant Under the Bloomington Investment Incentive Fund - Re: \$25,000 to Bloomington Playwrights Project for Capital Improvements at 107 West 9th Street

Miah Michaelsen, Assistant Director of Economic Development for the Arts, said that the Bloomington Playwrights Project had submitted the application for the grant to renovate and enhance their space on West 9th Street in the Bloomington Entertainment and Arts District (BEAD). She said the BIIF review committee voted to recommend approval to the Economic Development Commission, which did, in fact, vote support for this project. She said that the project supported by the application aligned with the administration's goals for development of the arts sector of the economy and is an important anchor in the BEAD. She said the goal of the BEAD was to market Bloomington, especially its arts and entertainment industry and product as a destination for tourists and visitors. Completion of this project would enhance a unique product in the BEAD and would positively impact the artistic community as well as the local economy. She noted that a representative of the BPP, Chad Rabinovitz, Artistic Director, was present for questions.

Piedmont-Smith noted that one of the 'whereas' clauses needed a change from the word "has" to "have". Sandberg thanked her for her correction.

Amendment #1 This amendment is sponsored by Councilmember Piedmont-Smith and corrects a grammatical error in the third whereas clause.

Amendment #1 to Resolution 11-06 received a roll call vote of Ayes: 9, Nays: 0.

Rollo asked if the BPP had a history of receiving grants from the city. Michaelsen said that it had not received anything through this program before, but had received grants from the Arts Commission for various projects. She also noted that they had received state and National Endowment for the Arts monies.

Rollo asked where the other money necessary for the project would come from. Michaelsen said, and Rabinovitz confirmed, that the remainder of the funds needed for the project had been raised by the BPP.

Piedmont-Smith asked if the BPP had any bicycle parking, or if it was something that was going to be added to the facility.

Rabinovitz said the facility didn't have car parking, and had offered discounted tickets for bike riders during an event the previous year.

Volan added that the city would respond favorably to merchants who requested bike racks. Michaelsen said that the city might have bike racks in its inventory, and that it could be investigated. She added that, if the space allowed the installation, it would be a wonderful addition to the space in front of the building.

Rollo noted the evaluation criteria that pertained to requests of funding from this program. He asked Michaelsen to describe the process. She said the process was similar to a business applying for a loan; a business plan, previous financial history, budget, and cash flow analysis were required. She said the Economic and Sustainable Development staff reviewed the materials as well as a review panel (of staff and community members). She said upon a positive review, the application was sent to the Economic Development Commission for a recommendation, before the council reviewed the application.

Satterfield, the council appointment to the Economic Development Commission, said that the Commission was pleased with the presentation and business and financial plan. He added that the one note of concern was that since this was a grant, there was no recapitalization plan in place, and that the council would, at some time in the future, have to deal with this facet of the Fund.

Mayer said that it was a good use of the Fund, and was glad that the city could offer the grant. He said multiple theater opportunities within the community, not just those associated with the university, broadens the community.

Rollo noted that the audience for this meeting might not have seen the council packet on this issue. He read from the packet:

The BPP has been a local professional theater for over 30 years. It is distinguished from other local theater groups (i.e. IU Department of Theater and Drama and Cardinal Stage Company) by its focus on developing and producing new plays. The center pieces of its main stage season are two national-level competitions where over 1,300 plays are submitted for the opportunity to be performed under the Woodward/Newman Drama and the Reva Shriner Comedy awards. Over the years these competitions have attracted talent that were or have become nationally renowned. Last year, approximately 4,000 patrons attended these and many other live, dramatic performances and events.

He concluded by saying this was a good investment for the arts and for the community. He said it was a wise economic development investment.

Sandberg said she appreciated the new interior space look of the BPP and appreciated that the BPP was a mainstay of the BEAD. She thanked Rabinovitz for leadership and raising the additional funds needed for the project.

Resolution 11-06 as amended received a roll call vote of Ayes: 9, Nays: 0

Resolution 11-06 as amended.

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Clerk Moore read the legislation by title and synopsis.

LEGISLATION FOR FIRST READING

Ordinance 11-03 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" (Two Signalized Intersections and Certain Items Deferred from Ordinance 10-15)

Ordinance 11-03

Ordinance 11-04 To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration and Personnel" – Re: The Repeal and Reenactment of Section 2.12.020 entitled "The Bloomington Arts Commission"

Ordinance 11-04

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

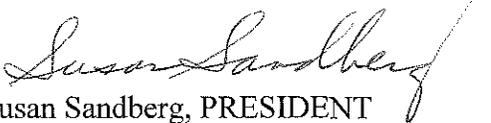
PUBLIC INPUT

The meeting was adjourned at 8:19 pm.

ADJOURNMENT

APPROVE:

ATTEST:



Susan Sandberg, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington