

In the Council Chambers of the Showers City Hall on Wednesday, May 17, 2006 at 7:30 pm with Council President Chris Sturbaum presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
May 17, 2006

Roll Call: Banach, Diekhoff, Ruff, Gaal, Rollo, Sturbaum, Volan, Sabbagh, Mayer

ROLL CALL

Council President Sturbaum gave the Agenda Summation

AGENDA SUMMATION

The minutes of May 18, 2005 and April 5 and May 3, 2006 were approved by a voice vote with one correction.

APPROVAL OF MINUTES

Jason Banach noted that the replacement activity for the annual budget 'retreat' was held immediately before the council meeting, and is now termed the budget 'advance.' He noted that the 2007 budget was discussed and he was pleased to hear that the administration was going to emphasize basic public services and infrastructure with public safety as a priority. He said the budget hearings in July would have few frills and he looked forward to productive discussions.

REPORTS:

▪ COUNCILMEMBERS

Mike Diekhoff said he attended the dedication of the new playground in Cascades Park along with Councilmember Mayer. He congratulated the Parks and Recreation Department and invited everyone to visit the park.

Chris Gaal noted that the Parks and Recreation Department had published their pocket-sized listing of the summer concert series and invited everyone to get one and visit one of the lunch concerts and events this summer.

Dave Rollo briefly reported on an Energy and Sustainability Conference which concentrated on the topic of peak oil. He noted the national and international officials that attended the conference and said he would have a full report for the council as they supported his travel to Washington, DC for the conference. He said his report would indicate that there was much evidence that humans have altered the climate, that a global peak in petroleum production would likely occur in the near future, and that humans need to consider mitigation efforts immediately.

Steve Volan noted that he continuously meets citizen with good ideas regarding entrepreneurship. He invited anyone who wanted to create something interesting regarding social services or arts, to contact him.

David Sabbagh read an article from the previous week's newspaper regarding local students attending an international science fair in Indianapolis. He said local educators wanted to take students but funds were not available for field trips. He applauded the Bloomington Economic Development Corporation (BEDC) for spearheading a drive to find funding needed for busses to transport students to the event. He noted that a thriving business community benefits the entire community.

Tim Mayer noted the passing of local businessman Victor Settle. He also noted the recent children's park dedication in the Cascades Park. He encouraged citizens to visit there. He also thanked Joan Olcott for her contribution to the parks fund saying it would help children the most.

Chris Sturbaum also lauded the BEDC actions and said it was a good feeling that the community is pulling together in new ways.

Danise Alano read a proclamation from the mayor pronouncing May 20, 2006 as Science Olympiad Day in Bloomington in honor of the National Science Olympiad competition being held May 17-20, 2006 on the campus of Indiana University. Kathy Teige, Campus Events Coordinator from the College of Arts and Sciences accepted the proclamation and noted that 4500 students, coaches and parents from all over the country will be visiting the campus this weekend. She noted that the economic value to the community would be approximately \$2,550,000.

- MAYOR and CITY OFFICES

Mayor Kruzan said that the late Lloyd Olcott, former city council member, was a local statesperson who set an example for him which was that disagreement in political affairs was not a problem, but an appreciation that differing views could exist on issues. Kruzan noted the significant contribution of Joan Olcott and her late husband on the occasion of her donations to the Bloomington Parks and Recreation Foundation fund that will sponsor children's enrollment in programs this summer. He noted the presence of Joan, Board of Parks Commissioners president Mary Catherine Carmichael, Bloomington Community Parks and Recreation Foundation president Gayle Stuebe, Bloomington Parks and Recreation Foundation vice president Debbie Sibbit, and Scott Sayger and Rene Chambers with the Bloomington Community Foundation. He noted Mick Renneisen, Director of Parks and Recreation, Angela Parker and P.A. Mack were also present.

Kruzan noted that Joan Olcott had recently donated \$150,000 for the Lloyd Olcott Youth Endowment Fund which provides scholarships for youth. He said the Parks and Recreation Foundation established this fund in honor charter member Lloyd Olcott in 2001. He noted that 162 children received \$18,904 in scholarships for parks programming and lessons in 2005. Kruzan noted that Ms. Olcott further encouraged the foundation to participate in the Bloomington Community Foundation Matchstick Initiative by donating \$2500 to its new program. Kruzan said that because of the generosity of the Olcott concerns and donations Bloomington youth would benefit from programs not otherwise available to them.

Joan Olcott commented that every Wednesday night for 16 years, her family rushed through dinner so that Lloyd could get to the city council meeting on time, and noted that it was entirely appropriate that this announcement be made at the council meeting. She noted her pleasure at being able to make this donation.

Scott Sayger, Bloomington Community Foundation Development Director, spoke of the Matchstick Initiative program in matching donations to Monroe County United Ministries, the Bloomington Community Parks and Recreation Foundation, Lotus, and Middle Way House. He said for every three dollars these agencies received in donations, the Community Foundation would raise and distribute one dollar. He thanked Ms. Olcott for her recent donation.

Mary Catherine Carmichael, Parks and Recreation Board President, thanked Ms. Olcott for her generosity noting that her gift has graciously created many smiles and much happiness to children throughout the city. She thanked the mayor and council for honoring Ms. Olcott at this time.

There were no council committee reports.

- COUNCIL COMMITTEES

Marc Haggerty told the council that his electrical supplies have tripled recently. He noted that he, as a private contractor, could not compete against larger operations and said that this was a harbinger of things to

- PUBLIC INPUT

come in the economy. He noted economic difficulties in other countries and touched on the ill will in the southern part of the US regarding immigration. He said that citizens also needed to consider planting food locally for sustainability.

Public Input (cont'd.)

Gabe Rivera, representative of G.R.A.C.E, said a paradigm shift needed to be made in the 'war on drugs.' He read from Smoke and Mirrors: the War on Drugs and the Politics of Failure by Dan Baum. He repeated that the current approach to the war on drugs does not work in this community and said he would keep working to change that. He also read a selection from Vid Beldavs' study of Finnish prison systems.

David R. Grubb noted the pride of those who choose military service, noting that he enlisted in the military five days after he graduated from high school in 1957.

There were no appointments at this meeting.

BOARD AND COMMISSION APPOINTMENTS

It was moved and seconded that Appropriation Ordinance 06-01 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Appropriation Ordinance 06-01 be adopted.

LEGISLATION FOR SECOND READING

Appropriation Ordinance 06-01 To Specially Appropriate From the General Fund Expenditures Not Otherwise Appropriated (Appropriating Funds From the General Fund for Animal Care & Control and Housing & Neighborhood Development)

Susan Clark, Controller, explained the Animal Care and Control division had received a grant from PetSmart for \$11,525 which they would like to use for two high pressure cleaning and disinfecting systems, a microscope, a digital camera, a tripod, and video equipment for training and education. She explained that \$411 of money appropriated for the Jack Hopkins Social Services fund budget line for 2005 was unused and the committee was requesting that it be reappropriated for this year.

There were no questions from council members, and no comments from the public in attendance.

Comments from the council included thanks from Mayer to the administration for taking the council's requests for the Hopkins fund money for this year as it was very much needed.

Sabbagh noted that the money was grant money and that it was being allocated for purposes for which it was intended.

Appropriation Ordinance 06-01 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 06-09 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 8-0-1. It was moved and seconded that Ordinance 06-09 be adopted.

Ordinance 06-09 To Amend the Title 11 of the Bloomington Municipal Code Entitled "Lakes and Reservoirs"- Re: Extensive Revisions to Chapter 11.04 Entitled "Lake Lemon"

Vickie Renfrow, attorney in the Legal Department, noted that the ordinance included significant updating of the code. She said that Lake Lemon and parcels around the lake are owned by the City of Bloomington Utilities (CBU) Department and the lake is considered a back-up water source for the city. She said that 11 years ago the CBU entered into a 50 year lease with the Lake Lemon Conservancy District which had just been created. She said that it is a political subdivision with taxing authority by state statute. She explained that the lease agreement provided that the Conservancy District would take over the management of the lake with the idea that it should be managed with

conservation principles so that it could be a water supply if needed. Renfrow said that the city was pleased that over the period the Conservancy District had done an excellent job considering the residents and users of the lake, and had formed policies to manage the lake and had been successful in seeking grant money for projects at the lake. She noted that the Bloomington Municipal Code was in need of update regarding this agreement and the subsequent policies and procedures that the Conservancy had developed. She noted that they had public meetings and board review for these changes that they now brought to be incorporated into the municipal code. Renfrow said that Angela Parker, counsel for the Conservancy District, Bob Madden, manager of the District and several board members were present for questions.

Angela Parker said the council packet explained the actions, but wanted to thank Renfrow, Dan Sherman, and John Langley.

Volan asked Parker for an explanation of what the ordinance would mean for practical work in conserving the lake. Parker called on Marty Mann, president of the board of the conservancy district and thanked John Langley and Rachel Atz from the Utilities Department for their help in helping to manage the lake on a daily basis. He said the partnership with the city and Indiana University was helpful in this operation. Mann said that the lake is changing, homes are being developed and upgraded and that the access and development of the lake were important issues to use and overuse of the lake. He said that the ordinance would help protect the lake from being overused and would be legally defensible if needed. He added that some of the enforcement of these issues would be more clearly spelled out in this ordinance.

Volan noted that this information was available to the public in the council packet that is available online. He noted the protection of the lake was important, and asked for an example of something that was new in the ordinance.

Mann noted that in addition to acknowledging the existence and authority of the Conservation District, the ordinance would spell out the district's role in preventing the concept of "funneling" where a developer would try to increase shorelines for new developments on properties with smaller shorelines. He said that the new ordinance would help with consistency and strength of the code to protect the lake from upcoming pressure for overdevelopment.

Rollo thanked the District for their stewardship of the lake and asked John Langley, Deputy Director of Utilities, to comment. Langley said that this was a housekeeping ordinance and it was done for long term protection of the lake and supported the ordinance.

There were no comments from the public.

Mayer said that he went out to the lake that afternoon to speak with members of the District and wanted the council to know that there were over 500 freeholders, people with participation in the lake who are taxed over and above the property tax and know and accept that responsible maintenance of the lake will result in increases in taxation.

Sturbaum said he was happy to help with the protection of the lake with this ordinance.

Ordinance 06-09 received a roll call vote of Ayes: 9, Nays: 0.

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 06-08 To Amend Ordinance 05-21 Which Fixed 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 2006 - Re: Positions in the Controller's Office, Employee Services, Engineering, Fire, Office of the Mayor, Parking Enforcement, Parks and Recreation, Sanitation, and Utilities Dillman and Utilities Engineering

Ordinance 06-08

Ordinance 06-06 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic"

Ordinance 06-06

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

PUBLIC INPUT

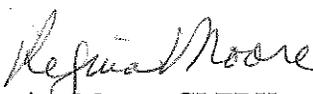
The meeting was adjourned at 8:44 pm.

ADJOURNMENT

APPROVE:

ATTEST:


DAVE ROLLO VICE-
Chris Sturbaum, PRESIDENT
Bloomington Common Council


Regina Moore, CLERK
City of Bloomington