

City of Bloomington Common Council

Legislative Packet

Regular Session
16 February 2011

Please consult the <u>Legislative Packet</u> issued in interest of the 02 February 2011 Regular Session for legislation and background material.

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City of Bloomington Indiana

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Office of the Common Council

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To: Council Members From: Council Office

Re: Weekly Packet Memo Date: February 11, 2011

Packet Related Material

Memo Agenda Calendar Council Schedule

- Notice of Staff-Council Internal Work Sessions for the Rest of 2011
- Revised Annual Council Schedule with Staff-Council Internal Work Sessions for the Rest of 2011

Legislation Ready for Final Action:

- Res 11-03 To Authorize and Approve the Execution of a Collective Bargaining Agreement Between the City of Bloomington and the Fraternal Order Of Police
- Ord 11-01 To Amend Ordinance 10-09 which Fixed the Salaries of Officers of the Police And Fire Departments for the City of Bloomington, Indiana, for the Year 2011 Re: Reflecting Collective Bargaining Agreement Affecting Positions in the Police Department

Please see the Legislative Packet for <u>2 February 2011</u> for the legislation, materials and summary.

<u>Legislation and Background Material for Consideration During the Second Legislative Cycle in February:</u>

• None – but resolution expected next week

Minutes from Regular and Special Sessions:

- January 5, 2011(Regular Session)
- February 9, 2011(Special Session)

Memo

Reminder: Internal Work Session on Friday, February 18th at Noon in the Council Library

Two Items Ready for Final Action and No Items Ready for Introduction at the Regular Session on Wednesday, February 16th
(But Resolution Expected for Committee of the Whole on February 23rd)

There are two items ready for final action at the Regular Session next Wednesday. They approve the recently-negotiated collective bargaining agreement with the Fraternal Order of Police, Lodge 88, and the related changes to the Police and Fire Salary Ordinance for 2011 and can be found as indicated previously. While there are no ordinances ready for introduction next week, there should be the annual resolution approving Community Development Block Grant (CDBG) funds for 2011 coming forward for Council consideration at the Committee of the Whole on February 23rd.

NOTICE AND AGENDA BLOOMINGTON COMMON COUNCIL REGULAR SESSION 7:30 P.M., WEDNESDAY, FEBRUARY 16, 2011 COUNCIL CHAMBERS SHOWERS BUILDING, 401 N. MORTON ST.

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. APPROVAL OF MINUTES FOR: January 5, 2011 (Organizational Meeting)

February 2, 2011 (Special Session)

- **IV. REPORTS** (A maximum of twenty minutes is set aside for each part of this section.)
 - 1. Councilmembers
 - 2. The Mayor and City Offices
 - 3. Council Committees
 - 4. Public *
 - V. APPOINTMENTS TO BOARDS AND COMMISSIONS
- VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS
- 1. <u>Resolution 11-03</u> To Authorize and Approve the Execution of a Collective Bargaining Agreement Between the City of Bloomington and the Fraternal Order of Police

Committee Recommendation: Do Pass 9 - 0 - 0

2. Ordinance 11-01 To Amend Ordinance 10-09 Which Fixed the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2011 - Re: Reflecting Collective Bargaining Agreement Affecting Positions in the Police Department

Committee Recommendation: Do Pass 9 - 0 - 0

VII. LEGISLATION FOR FIRST READING

None

VIII. ADDITIONAL PUBLIC COMMENT * (A maximum of twenty-five minutes is set aside for this section.);

- IX. COUNCIL SCHEDULE
- X. ADJOURNMENT

Posted & Distributed: Friday, February 11, 2011

^{*} Members of the public may speak on matters of community concern not listed on the agenda at one of the two *Reports from the Public* opportunities. Citizens may speak at one of these periods, but not both. Speakers are allowed five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.



City of Bloomington Office of the Common Council

To: Council Members From: Council Office

Re: Calendar for the Week of 14-18 February 2011

Monday,	14 February 2	2011
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11:45	am	Inclusive Recreation Advisory Council, Hooker Room
4:30	pm	Plat Committee, Hooker Room
5:00	pm	Utilities Service Board, Board Room, 600 E Miller Dr

Tuesday, 15 February 2011

11:30	am	Plan Commission Work Session, Kelly
4:00	pm	Board of Public Safety, McCloskey
4:00	pm	Downtown Plan Subcommittee Meeting, Dunlap
5:00	pm	Community and Family Resources Committee, Hooker Room
5:30	pm	Animal Control Commission, McCloskey
5:30	pm	Board of Public Works, Council Chambers

Wednesday, 16 February 2011

9:30	am	Tree Commission, Rose Hill Cemetery Office, 930 W 4 th Street
5:00	pm	Bloomington Community Arts Commission, McCloskey
7:00	pm	Environmental Commission, McCloskey
7:30	pm	Common Council Regular Session, Council Chambers

Thursday, 17 February 2011

8:00	am	Bloomington Housing Authority, Housing Authority, 1007 N. Summit, Community Room
9:00	am	Emergency Management Advisory Committee, Council Chambers
5:30	pm	Joint City of Bloomington-Monroe County Deer Task Force, McCloskey

Friday, 18 February 2011

12:00	noon	Domestic Violence Task Force, McCloskey
12:00	noon	Common Council Internal Work Session, McCloskey

Posted and Distributed: Friday, 11 February 2011

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NOTICE

2011 STAFF-COMMON COUNCIL INTERNAL WORK SESSIONS

FRIDAY FRIDAY	18 FEBRUARY 2011 04 MARCH 2011	COUNCIL LIBRARY (#110) HOOKER ROOM (#245)
FRIDAY	25 MARCH 2011	McCLOSKEY ROOM (#135)
FRIDAY	08 APRIL 2011	McCLOSKEY ROOM (#135)
THURSDAY	21 APRIL 2011	McCLOSKEY ROOM (#135)
FRIDAY	06 MAY 2011	McCLOSKEY ROOM (#135)
FRIDAY	20 MAY 2011	HOOKER ROOM (#245)
FRIDAY	03 JUNE 2011	McCLOSKEY ROOM (#135)
FRIDAY	17 JUNE 2011	HOOKER ROOM (#245)
FRIDAY	24 JUNE 2011	McCLOSKEY ROOM (#135)
FRIDAY	02 SEPTEMBER 2011	McCLOSKEY ROOM (#135)
FRIDAY	09 SEPTEMBER 2011	McCLOSKEY ROOM (#135)
FRIDAY	23 SEPTEMBER 2011	McCLOSKEY ROOM (#135)
FRIDAY	07 OCTOBER 2011	McCLOSKEY ROOM (#135)
FRIDAY	21 OCTOBER 2011	HOOKER ROOM (#245)
FRIDAY	28 OCTOBER 2011	McCLOSKEY ROOM (#135)
FRIDAA	18 NOVEMBER 2011	COUNCIL LIBRARY (#110)

All of the above meetings will be held:

12:00 Noon City Hall, 401 N. Morton Street

These sessions are for the purpose allowing the Common Council an opportunity to discuss anticipated legislative initiatives with City officials and staff. The work sessions may be held with as few as one and as many as nine members of the Council. Since a majority of the Council may be present, these sessions constitute a meeting of the Common Council under the Indiana Open Door law. This notice alerts the public that these meetings will occur and that the public is welcome to attend, observe and record (but not comment upon) what transpires.

REVISED COMMON COUNCIL MEETING SCHEDULE AND LEGISLATION DEADLINES FOR THE YEAR 2011 (Subject to Revision by Common Council) (February 9, 2011)

LEGIS CYCLE	INTERNAL WORK SESSIONS ⁹	DEADLINE FOR ORDINANCES; E-MAILED TO CCL BY NOON	DEADLINE FOR RESOLUTIONS; E-MAILED TO CCL BY NOON	REGULAR SESSION 1st READING FOR ORDS.	COMMITTEE DISCUSSION	REGULAR SESSION FINAL <u>ACTION</u>	
1		Mon. Dec. 20 (2010)	Mon. Dec. 20 (2010)	¹ Jan. 5	¹ Jan. 5	Jan. 19	
2		Mon. Jan. 10	Fri. Jan. 14	Jan. 19	Jan. 26	Feb. 2	
3		Mon. Jan. 24	Mon. Jan. 31	Feb. 2	Feb. 9	Feb. 16	
4		Mon. Feb. 7	Mon. Feb. 14	Feb. 16	Feb. 23	Mar. 2	
5	Fri. Feb. 18	Mon. Feb. 21	Mon. Feb. 28	Mar. 2	Mar. 9	² Mar. 23	
6	Fri. Mar. 4	Wed. Mar. 9	Mon. Mar. 21	² Mar. 23	² Mar. 30	Apr. 6	
7	Fri. Mar. 25	Mon. Mar. 28	Mon. Apr. 4	Apr. 6	Apr. 13	Apr. 20	
8	Fri. Apr. 8	Mon. Apr. 11	Fri. Apr. 15	Apr. 20	Apr. 27	May 4	
9	Th. Apr 21	Mon. Apr. 25	Fri. Apr. 29	May 4	³ May 11	May 18	
10	Fri. May 6	Mon. May 9	Mon. May 16	May 18	May 25	June 1	
11	Fri. May 20	Mon. May 23	Fri. May 27	June 1	June 8	June 15	
12	Fri. June 3	Mon. June 6	Mon. June 13	June 15	June 22	⁴ June 29	
13	Fri. June 17	Mon. June 20	Mon. June 27	⁴ June 29	⁴ July 6	⁴ July 13	
14	Fri. June 24	Wed. June 29	Wed. July 13	^{3 & 4} July 13	^{3 & 4} July 27	⁵ Aug. 3	
1.5	AUGUST RECESS						
15	Fri. Sept. 2	Wed. Aug. 24	Wed. Aug. 24	⁶ Sep. 7	⁶ Sep. 14	Sep. 21	
16	Fri. Sept. 9	Mon. Sep. 12	Mon. Sep. 19	Sep. 21	⁷ Sep. 27	Oct. 5	
17	Fri. Sept. 23	Mon. Sep. 26	Mon. Oct. 3	Oct. 5	Oct. 12	Oct. 19	
18	Fri. Oct. 7	Mon. Oct. 10	Mon. Oct. 17	Oct. 19	Oct. 26	Nov. 2	
19	Fri. Oct. 21	Mon. Oct. 24	Fri. Oct. 28	Nov. 2	Nov. 9	Nov. 16	
20	Fri. Oct. 28	Wed. Nov. 2	Wed. Nov. 2	Nov. 16	⁸ Nov. 30	Dec. 7	
21	Fri. Nov. 18	Mon. Nov. 21	Wed. Nov. 30	Dec. 7	Dec. 14	⁵ Dec. 21	
			YEAR EN	ND RECESS			
Firs Fri. Dec.		on. Dec. 19 M			Wed. Jan. 4 W	/ed. Jan. 18	

(2011)(2012)(2012)

Deadlines for Legislation: The deadline for submitting legislation and all accompanying materials, including a summary memo, is noon on the date listed. For information on the manner for submitting these materials, please inquire with the Council Office.

Unless otherwise indicated, the Council meets on the first four Wednesdays of the month in the Council Chambers in Room 115 of the Showers Center, 401 North Morton, at 7:30 p.m. The following footnotes list and explain the exceptions to this general rule:

- The Council will hold an annual Organizational Meeting on this date, when it elects officers and gives legislation first reading. The meeting is generally held on the first Monday in January, except when it is a legal holiday, in which case the meeting is held on the first Tuesday. (BMC 2.04.050[c & d]). However, by the adoption of this schedule, the Council has set this meeting for the first Wednesday after the first Monday in January. This meeting will be immediately followed by a Committee of the Whole.
- 2. The Council will not meet during Spring Break and will move its second Regular Session and Committee of the Whole in March to the fourth Wednesday and fifth Wednesdays in March.
- 3. The Council will hold a Council Budget Advance in the McCloskey Room (Room 135) of City Hall at 5:30 p.m. on Wednesday, May 11th and Departmental Budget Hearings in the Council Chambers at 6:00 p.m. on Monday, July 18th, Tuesday, July 19th, Wednesday, July 20th, and Thursday, July 21st, 2011.
- 4. In order to schedule three evenings of meetings for the first legislative cycle in July and hold a week of departmental budget hearings starting on the third Monday of that month, the Council will hold what would ordinarily be the first three meetings in July on the fifth Wednesday in June and the first two Wednesdays in July.
- 5. Since it will take a brief recess after first meeting in August and the second Regular Session in December, the Council will not introduce legislation for first reading at these meetings. (BMC 2.04.060 [e] & [g])
- 6. The Council will consider the City Budget for 2012 along with routine legislation during the first legislative cycle in September. The City Budget will be considered at a public hearing during the Committee of the Whole to be held immediately after the Regular Session on the first Wednesday in September and be ready for final adoption at a Special Session on the Second Wednesday in September. Typically, non-budget related legislation for that legislative cycle will be discussed at a Committee of the Whole to be held immediately after the Special Session on the second Wednesday in September and will be given final action at the Regular Session on the third Wednesday in September.
- 7. The Council will move its Committee of the Whole from the fourth Wednesday of September to the fourth Tuesday to avoid meeting on Rosh Hashanah (the Jewish New Year).
- 8. The Council will not meet on the fourth Wednesday of November because it is the night before the Thanksgiving Holiday (BMC 2.04.050(f)). Since there are five Wednesdays that month, the Council will hold the second Committee of the Whole on the fifth Wednesday of November.
- 9. Staff/Council Internal Work Sessions provide an opportunity for the Council members to learn about City initiatives, most of which, are close to being formally considered by the Council. These meetings are held at noon in the McCloskey Room, unless otherwise indicated.

In the Council Chambers of the Showers City Hall on Wednesday, January 5, 2011 at 7:30 pm with Council President Susan Sandberg presiding over a Organizational Session of the Common Council.

COMMON COUNCIL ORGANIZAIONAL SESSION January 5, 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

There were no minutes at this meeting to be approved.

APPROVAL OF MINUTES

It was moved and seconded that the following slate of officers be

elected:

President: Susan Sandberg Vice President: Andy Ruff Parliamentarian: Tim Mayer **ELECTION OF OFFICERS**

This slate was approved by a voice vote. Council Members changed seats in accordance with their new positions as assigned by the new president. New Council President Sandberg thanked outgoing President Piedmont-Smith for her service, and presented her with an engraved gavel to commemorate her term as president.

It was moved and seconded that the following appointments to various council positions be approved.

BOARD AND COMMISSION APPOINTMENTS

Citizens Advisory Committee (Community Development Block Grants)

-Social Services Susan Sandberg Timothy Mayer -Physical Improvements Commission for Bloomington Downtown Chris Sturbaum Economic Development Commission (City) Mike Satterfield **Economic Development Commission (County)** Regina Moore Environmental Resource Advisory Committee Dave Rollo Metropolitan Planning Organization Andy Ruff Plan Commission Piedmont-Smith Solid Waste Management District Stephen Volan Urban Enterprise Association Board Chris Sturbaum **Utilities Services Board** Timothy Mayer Bloomington Economic Development Corporation Susan Sandberg Bloomington Commission on Sustainability Dave Rollo

The nominations were approved by a voice vote.

President Sandberg appointed the following council members to the Council Social Services Funding Committee:

Mayer, Piedmont-Smith, Ruff, Sandberg and Satterfield

President Sandberg appointed the following council members to the Council Sidewalk Committee:

Rollo, Sturbaum and Satterfield, Ruff

President Sandberg appointed council members to Board and Commission Interview Committees as they served in the past year.

It was moved and seconded that the council affirm the Mayor's reappointment of Danielle Bachant-Bell, Marjorie Hudgins and Marleen Newman to the Historic Preservation Commission.

The appointments were affirmed by a voice vote.

It was moved and seconded that Mary Balle and Dee Brown be appointed to the Community and Family Resources Commission. The appointments were approved by a voice vote.

Board and Commission Appointments (cont'd)

This being the first meeting of the year, there was no legislation for consideration for final action.

LEGISLATION FOR SECOND **READING**

There was no legislation to be introduced at this meeting.

LEGISLATION FOR FIRST

READING

The meeting was adjourned at 7:58 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Susan Sandberg, PRESIDENT **Bloomington Common Council** Regina Moore, CLERK City of Bloomington

In the Council Chambers of the Showers City Hall on Wednesday, February 9, 2011 at 7:30 pm with Council President Susan Sandberg presiding over a Special Session of the Common Council.

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Roll Call: Mayer, Piedmont-Smith, Rollo, Ruff, Sandberg, Satterfield, Sturbaum, Volan, Wisler

ROLL CALL

Council President Sandberg gave the Agenda Summation

AGENDA SUMMATION

COMMON COUNCIL

SPECIAL SESSION

February 9, 2011

Mike Satterfield said it was another election year, and noted that he would not be participating in that election. He noted that the topic of education was getting more involvement from the community, business, and even government. He added that as a society, we had taken too long to get serious about educational issues, and added that decisions that the MCCSC had to make were staggering and outlined some concepts. He used a parable to illustrate the message to people who want to participate in civic leadership and governmental service to consider that if a grass fire starts, you could be there to help put it out. He said it was a rewarding experience, would recommend it, and asked that the community continue in its growth on all levels.

REPORTS: COUNCILMEMBERS

Tim Mayer thanked the city Street, Utilities and Sanitation departments for their work in the recent ice storm. He said they performed above and beyond the call of duty in keeping the city functional, even if it meant being away from their families. He thanked the Police and Fire departments, also, noting that it was dangerous to be out when the roads were slippery.

Steve Volan noted that everyone should be civically engaged. He said that we all must be guardians of public speech, and said it was a complex idea that not everyone understood all the time. He noted the passing of David Grubb, who often used the podium to say something of use to the community. Volan said he didn't often agree with him, calling his tone that of a malcontent, but that he was glad that Grubb availed himself of the opportunity to speak. He said that he had this right, so did all watching the meeting and that all had an obligation to listen to each other.

MAYOR and CITY OFFICES

David Hummons, Chair of the Commission on the Status of Black Males gave an overview of the mission of the Commission, their work in the past year, and their plans for work in the next year. He said that the commission was focusing the next year on education and employment, and noted areas where they could do small projects, but ones where they think they can make an impact. He described working with social service agencies in making materials more Afro-centric. He highlighted a conversation project with youth at a local black barber shop that included adult men, and noted the conversation was lively and the experience outstanding. He also reviewed plans for a program focusing on education and mentoring of 10-12 males over the period of a year. Hummons concluded by noting Dr. Martin Luther King, Jr.'s inspiring statement of 'everyone can be great because everyone can serve.'

There were no council committee reports at this meeting.

COUNCIL COMMITTEES

George Brooks said the twentieth century was characterized by some 19 recessions, minor to major. He said our current recession was decades in the making, and that the key ingredient was 'free' – free to work, free to choose where to work, free market. He said that while customers are courted, the shareholders of large corporations were courted; this was not done for hourly wage workers, even those who were experienced.

PUBLIC INPUT

He said that if they were disgruntled, they were quoted the 'free' choice model – that they were free to choose to work somewhere else. He said we needed to value our workers more.

Buff Brown noted an upcoming talk in the council chambers on March 1 at 1 pm. He said that Mia Birk from Portland, OR, would be speaking on *Creating a Bike Friendly City: Lessons from Portland*. Her talk would include her experiences in achieving a Platinum Status for Portland, and she would also be signing copies of her book: *Joy Ride: Pedaling Toward A Healthy Planet*.

James McNamara, Executive Director of Pets Alive, said that Mayor Kruzan had proclaimed February as Spay/Neuter Bloomington Month, and told of the upcoming activities including a NeuterPAlooza where male cats could be neutered for \$2.

There were no appointments to boards or commissions at this meeting.

It was moved and seconded that <u>Resolution 11-02</u> be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 7-0-0.

It was moved and seconded that <u>Resolution 11-02</u> be adopted.

Laurie Ringquist, Director of Animal Care and Control, said this resolution referred to a standard agreement process that had been used among these bodies for many years. She said that the amounts calculated for the agreement were based on the percentage of animals coming from outside the city limits and then presented to county government. She said they, then, worked with the town of Ellettsville to negotiate an amount that they would contribute. She asked for approval of this agreement.

There was no public comment on this resolution.

Parliamentarian Mayer explained to the visitors in the council chambers that this resolution was discussed two weeks before and therefore most

questions and issues had been addressed at that time.

Piedmont-Smith thanked the Animal Control for their diligent work, and noted that it was difficult work for animal lovers. She said that she was glad that the county and Ellettsville were contributing their part.

Resolution 11-02 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.

Ordinance 11-01 To Amend Ordinance 10-09 Which Fixed the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2011 - Re: Reflecting Collective Bargaining Agreement Affecting Positions in the Police Department

It was moved and seconded that the Proposed Schedule of Staff/Council Internal Work Sessions for the Rest of 2011 be adopted.

Council Attorney/Administrator Dan Sherman was asked to explain the proposed council schedule that was being amended to add dates for the internal work sessions for the rest of 2011. He said the work sessions would be at the start of the remaining 2011 legislative cycles and would be held at noon on particular Fridays. He asked for approval.

BOARD AND COMMISSION APPOINTMENTS

LEGISLATION FOR SECOND READING

Resolution 11-02 To Approve the Interlocal Agreement Between Monroe County, the Town of Ellettsville and the City of Bloomington for Animal Shelter Operation for the Year 2011

LEGISLATION FOR FIRST READING

Ordinance 11-01

COUNCIL SCHEDULE

 Proposed Schedule of Staff/Council Internal Work Sessions for the Rest of 2011 The motion was approved by a roll call vote of Ayes: 8, Nays: 1 (Volan).

Council Schedule (cont'd)

There were no public statements in this portion of the meeting.

PUBLIC INPUT

The meeting was adjourned at 8:17 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Susan Sandberg, PRESIDENT Bloomington Common Council

Regina Moore, CLERK City of Bloomington