



City of Bloomington Common Council

Legislative Packet

Regular Session

01 July 2009

Office of the Common Council
P.O. Box 100
401 North Morton Street
Bloomington, Indiana 47402

812.349.3409

council@bloomington.in.gov
<http://www.bloomington.in.gov/council>



Packet Related Material

Memo

Agenda

Calendar

Notices and Agendas:

- **Notice of Webinar: Local Government: Decrease Parking Problems and Increase Livability** on Wednesday, July 1, 2009 at 1:00 p.m. in the Council Chambers (*A quorum of Council members may be present*)

Legislation for Final Action:

- **Res 09-11** To Approve the Interlocal Agreement Between the City of Bloomington and Monroe County, Indiana in Regard to the Second Justice Assistance Grant (JAG) Program Award in 2009 (Funding for the Bloomington/Monroe County Audio-Video Recording Equipment Upgrade Project)
 - Memo from Patty Mulvihill, Risk Attorney; Summary of Grant; Agreement

Contact: *Patty Mulvihill at 349-3426 or mulvihill@bloomington.in.gov
Chief Mike Diekhoff at 349-3307 or diekhofm@bloomington.in.gov*
- **App Ord 09-04** To Specially Appropriate from the General Fund and Risk Management Fund Expenditures Not Otherwise Appropriated (Appropriating Funds for Worker's Compensation Expenses)

Contact: *Mike Trexler at 349-3416 or trexlerm@bloomington.in.gov or
Daniel Grundmann at 349-3578 or grundmad@bloomington.in.gov*

- **App Ord 09-05** To Specially Appropriate from the Telecommunications Non-Reverting Fund Expenditures Not Otherwise Appropriated (Appropriating Funds to Purchase an Enterprise Resource Planning System for the City)
Contact: Rick Dietz at 349-3485 or dietzr@bloomington.in.gov

Please see the Council Legislative Packet prepared for the [17 June 2009 Regular Session](#) for the legislation, background material and summaries for the foregoing appropriation ordinances.

Legislation and Background Material for First Reading:

None

Minutes from Regular Session:

- February 4, 2009
- May 6, 2009

Memo

Reminders:

- 1) *Parking Webinar on Wednesday at 1:00 p.m. in the Council Chambers*
- 2) *Council Staff Internal Work Session on Thursday in the McCloskey Room at 11:00 a.m.*

Three Items Ready for Final Action and No Items ready for First Reading at the Regular Session on Wednesday July 1st

There are one resolution and two appropriation ordinances ready for final action and no items ready for first reading next Wednesday. The resolution along with the related material and summary can be found in this packet. The two appropriation ordinances along with the related material and summaries can be found in the Council Legislative Packet prepared for the [17 June 2009 Regular Session](#).

July and August Schedule – Consideration of Amendments to Unified Development Ordinance and Departmental Budgets

There are six Wednesdays before the Council enters its August Recess. Consideration of departmental budgets as well as amendments to the Unified Development Ordinance will dominate the schedule during July and August. As usual, the Council will hear presentations of departmental budgets on four evenings during the third full week of July (Monday, July 20th – Thursday, July 23rd). After the Regular Session on July 1st and aside from the Wednesday of departmental budget hearings, the Council will likely hold one long Special Session spanning the other four Wednesdays to consider amendments to the Unified Development Ordinance that have come forward from the Plan Commission. Further consideration of amendments may be necessary after the Council returns from its August Recess in September. The third Wednesday in July and first Wednesday in August may also include brief Regular Sessions. In anticipation of this workload, the Council should consider a motion next week to cancel the Committee of the Whole and hold a Special Session on Wednesday, July 8th. One of the first items of business on July 8th will be to approve a schedule for the rest of the summer.

Final Actions

Item One – Res 09-11 – Authorizing Execution of an Interlocal Cooperation Agreement with the County Regarding Disbursal of a Second Justice Assistance Grant (JAG) Program Award

Res 09-11 authorizes the execution of an Interlocal Cooperation Agreement with the County regarding the disbursal of a second Justice Assistance Grant (JAG) Program award in 2009. The first award was for \$209,379 and came forward as part of federal Recovery Act. This second award is for \$41,900 and comes forward under the usual annual funding. As a requirement for each award, the City and the County must enter into a “Memorandum of Understanding” (Agreement).

Agreement

The Agreement, which is attached to the resolution, serves that purpose. Its salient features include an understanding that:

- the City will forward \$7,542 of the \$41,900 or, if that amount is different, 18% of second round award of JAG funds to the County ;

- the County will spend that money to purchase a “Mirra IV Digital Voice Logging System” and submit reports in time for the City to meet quarterly reporting requirements;
- each party will communicate and cooperate with each other to ensure the purposes of the Agreement are achieved and that each party is responsible for their own actions in providing services under this grant; and
- each party will make good faith efforts to obtain all necessary funds and comply with all provisions of this Agreement; and
- performance of the duties in the Agreement are conditioned on the receipt of sufficient JAG funds.

Grant

The grant is referred to as the *Bloomington/Monroe County Audio-Video Equipment Upgrade*.

The City expects to receive \$34,358 of this award and will use:

- \$26,379.74 to purchase and install cameras, microphones, digital video recorders, and electronic components in five Interview Rooms and one Breath Test Room in order to replace the old VHS recording system with a digital recording system. The new digital recording system will allow the department to: use computer servers and discs that, on the whole, are less expensive, take up less space, and provide better backup than the tapes; record with greater accuracy and provide better evidence of what transpired in those interviews; allow for very quick transmission of the recording; and, meet a growing expectation in the public that there be an electronic record of encounters with suspects; and
- Another \$9,874 to purchase overhead in-car cameras for the two “canine” unit vehicles recently put into service by the department. Like the above request, the cameras will be able to record interactions between officers and citizens that can provide evidence to help prosecute a crime, resolve allegations of misconduct or mistreatment, and help train officers; and
- An additional \$1,895.74 of currently budgeted funds to cover the remaining cost this project (for a total project cost of \$36,253.74).

The County expects to receive \$7,542 of the award and will use:

- All of the funds to purchase and install a telephone/intercom/radio recording system to replace the current system that cannot record Voice Over Internet Protocol (VOIP) which “is used in 99% of the current facility”; and
- An additional \$9,865 of local funds to cover the remaining costs for this upgrade.

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL REGULAR SESSION
7:30 P.M., WEDNESDAY, JULY 1, 2009
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.**

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: February 4, 2009 (Regular Session)
May 6, 2009 (Regular Session)

IV. REPORTS FROM:
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. Resolution 09-11 To Approve the Interlocal Agreement Between the City of Bloomington and Monroe County, Indiana in Regard to the Second Justice Assistance Grant (JAG) Program Award in 2009 (Funding for the Bloomington/Monroe County Audio-Video Recording Equipment Upgrade Project)

Committee Recommendation: N/A

2. Appropriation Ordinance 09-04 To Specially Appropriate from the General Fund and Risk Management Fund Expenditures Not Otherwise Appropriated (Appropriating Funds for Worker's Compensation Expenses)

Committee Recommendation: Do Pass 7 – 0 – 0

3. Appropriation Ordinance 09-05 To Specially Appropriate from the Telecom Non-Reverting Fund Expenditures Not Otherwise Appropriated (Appropriating Funds to Purchase an Enterprise Planning System for the City)

Committee Recommendation: Do Pass 5 – 0 – 2

VII. LEGISLATION FOR FIRST READING

None

(Motion in regard to the Council schedule anticipated)

VIII. PRIVILEGE OF THE FLOOR (This section of the agenda will be limited to 25 minutes maximum, with each speaker limited to 5 minutes)

IX. ADJOURNMENT



**City of Bloomington
Office of the Common Council**

To: Council Members
From: Council Office
Re: Calendar for the Week of June 29-July 4, 2009

Monday, June 29, 2009

3:00 pm *Art Across the Americas Reception – A Welcome for students from Guatemala who are partnering with Templeton students to paint a mural downtown, Atrium*
4:00 pm Council for Community Accessibility, McCloskey

Tuesday, June 30, 2009

12:00 pm Bloomington Industrial Development Advisory Commission, Hooker Room
1:30 pm Development Review Committee, McCloskey
4:00 pm Bloomington Community Farmers' Market, Madison St, Between 6th & 7th St
6:00 pm IDNR State Forest Stakeholder Discussion, Council Chambers

Wednesday, July 1, 2009

12:00 pm Bloomington Urban Enterprise Association, McCloskey
1:00 pm Webinar – *Local Governments: Decrease Parking Problems and Improve Livability*, Council Chambers
2:00 pm Hearing Officer, Kelly
5:30 pm Commission on Hispanic and Latino Affairs, McCloskey
5:30 pm NAACP Freedom Fund Banquet Committee, Dunlap
7:30 pm Common Council Regular Session, Council Chambers

Thursday, July 2, 2009

11:00 am Common Council Internal Work Session, McCloskey
11:30 am Solid Waste Management District, Monroe County Courthouse, Judge Nat U. Hill, III Room
3:00 pm Bid Opening for Cook Pharmica Improvements, McCloskey
4:00 pm Bloomington Digital Underground Advisory Council, McCloskey
5:30 pm Commission on the Status of Women, McCloskey

Friday, July 3, 2009

City Holiday: Independence Day – Offices Closed.

Saturday, July 4, 2009

8:00 am Bloomington Community Farmers' Market, Showers Common, 401 N. Morton

Posted and Distributed: Friday, June 26, 2009



City of Bloomington
Office of the Common Council

MEETING NOTICE

Members of the Bloomington Common Council have been invited to attend *Local Governments: Decrease Parking Problems and Increase Livability Webinar*. This event is scheduled for Wednesday, July 1, 2009 at 1:00 pm in the Council Chambers of City Hall, Showers Building, 401 North Morton.

Because a quorum of the Council may be present, this meeting may constitute a meeting of the Common Council under the Indiana Open Door Law. For that reason, this statement provides notice that this meeting will occur and is open for the public to attend, observe and record what transpires.

Dated and Posted: Friday, June 26, 2009

401 N. Morton Street • Bloomington, IN 47404

City Hall

Phone: (812) 349-3409 • Fax: (812) 349-3570

www.bloomington.in.gov/council
council@bloomington.in.gov

RESOLUTION 09-11

**TO APPROVE THE INTERLOCAL AGREEMENT
BETWEEN THE CITY OF BLOOMINGTON AND
MONROE COUNTY, INDIANA
IN REGARD TO THE SECOND
JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD IN 2009
(Funding for the Bloomington/Monroe County Audio-Video Recording Equipment
Upgrade Project)**

WHEREAS, Indiana Code § 36-1-7-1 *et seq.* permits governmental entities to jointly exercise powers through Interlocal Cooperation Agreements; and

WHEREAS, the City of Bloomington and Monroe County, Indiana have sought a second round of funds under the Justice Assistance Grant (JAG) Program for the “Bloomington/Monroe County Audio-Video Recording Equipment Upgrade” project and wish to enter into an agreement regarding the disbursement of these funds;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

Section 1. The Common Council hereby approves the attached Interlocal Agreement between the City of Bloomington and Monroe County, Indiana in regard to the second Justice Assistance Grant (JAG) Program Award and authorizes the Mayor of the City of Bloomington to execute the Agreement.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2009.

ANDY RUFF, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED to me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2009.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2009.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This resolution authorizes execution, by the Mayor, of an Interlocal Agreement between the City of Bloomington and Monroe County, Indiana regarding the disbursement of a second award under the Justice Assistance Grant (JAG) Program for what is referred to as the Bloomington/Monroe County Audio-Video Recording Equipment Upgrade project.

Memorandum

TO: City of Bloomington Common Council
CC: Dan Sherman
FROM: Patty Mulvihill, Assistant City Attorney
DATE: June 22, 2009
RE: Interlocal Cooperation Agreement between the City of Bloomington and
Monroe County in Regards to JAG Program Funding

BACKGROUND

The City of Bloomington is requesting funding from the Justice Assistance Grant Program, a funding source for which the Bloomington Police Department (BPD) applies annually. Unlike in other years, the City will apply for the grant in conjunction with Monroe County.

The City is eligible for \$34,358 in funding through the JAG and Monroe County is eligible for \$7,542.00, for a total award of \$41,900. In addition to the \$34,358 JAG award, the City will provide another \$1,895.74 of local matching funds bringing its project cost to \$36,253.74.

USE OF FUNDS

BPD seeks these JAG funds in order to purchase a digital audio and video camera system to replace existing camera systems operating in VHS format. The project, *Bloomington/Monroe County Audio-Video Recording Equipment Upgrade*, will upgrade the current system in five Interview Rooms and one Breath Test Room. Additionally, funds will be sought to provide overhead in-car cameras for two vehicles recently put into service as Canine Units.

INTERLOCAL COOPERATION AGREEMENT

Indiana Code Section 36-1-7-1 allows governmental entities to jointly exercise powers through Interlocal Cooperation Agreements (“Agreement”).

In this case, the City and County will apply jointly for these funds, with the City as the receiving entity. Through this agreement, the City agrees to pay the County \$7,542, its portion of the JAG, upon being receipt of the awards funds. The County will submit quarterly financial and programmatic data to the City 10 days prior to the established quarterly reporting deadline.

This Agreement is subject to the appropriation of sufficient funds from JAG. Both the City and County will make a good faith effort to obtain all necessary appropriations and comply with all provisions of this Agreement.

JAG FUND PROPOSAL ABSTRACT

FY 2009 JAG Abstract

The Bloomington (IN) Police Department seeks JAG funds to purchase a digital audio and video camera system to replace existing camera systems operating in VHS format. The amount being sought is \$26,379.74 for cameras, microphones, DVR's, electronic components and installation costs. The project, *Bloomington/Monroe County Audio-Video Recording Equipment Upgrade*, will upgrade the current system in five Interview Rooms and one Breath Test Room. An additional \$9,874.00 is being sought to provide overhead in-car cameras for two vehicles recently put into service as Canine Units. Previously, Mobile Data Terminals, Automatic Vehicle Locaters and MapTrak were applied for through the 2009 Recovery Act JAG. This request would complement the previously requested equipment for those vehicles. Additional money in excess of JAG funds (\$1,895.74) will be met with a local match from the current approved budget of the Bloomington Police Department.

The benefits of an upgraded system to a digital format are many with a primary benefit being the reduced costs of CD/DVD over VHS tapes. Additional benefits would be less storage space, improved audio/video quality to aid in the prosecution of criminal cases and reduced overtime costs for Court appearances by Department personnel for pre-trial challenges on evidentiary matters and in actual criminal trials. Also, there is protection for officers from false accusations of coercion or physical abuse because a recording of the interaction with a suspect exists. Finally, a digital camera system could assist the Department in complying with a trend toward the requirement by some Courts and legislation that encounters with suspects in custody be electronically recorded.

The same reasons for a camera system for use within the Department also apply to a request for the availability of video in vehicles. An accurate record of events involving police and citizens is readily available to protect officers from false accusations, can be used to portray the actual events for trial and can be used for training purposes.

The Monroe County (IN) Sheriff's Office/Correctional Center is requesting JAG funds in the amount of \$7,542.00 for a telephone/intercom/radio recording system. This system would replace an outdate system incapable of recording Voice Over Internet Protocol (VOIP) which is used in 99% of the current facility. Funds needed in excess of the requested amount to purchase the system at its cost of \$17,407.00, a difference of \$9,865.00, will come from other internal funding sources.

This system will allow for telephone interviews by investigators, telephonic search and arrest warrant requests and the recording of inmate intercom communications and correctional officer radio traffic within the correctional facility. Once implemented, this system has the potential to reduce agency liability because of the recording capability of correctional facility radio traffic among correctional staff, can aid investigators with internal investigations within the correctional facility and will improve efficiency with

investigators seeking telephonic search and arrest warrants from judicial officers after normal business hours.

INTERLOCAL COOPERATION AGREEMENT
BETWEEN
THE CITY OF BLOOMINGTON AND
MONROE COUNTY, INDIANA
IN REGARDS TO 2009
JUSTICE ASSISTANCE GRANT PROGRAM AWARD

WHEREAS, Indiana Code § 36-1-7-1 *et seq.* permits governmental entities jointly exercise powers through Interlocal Cooperation Agreements; and

WHEREAS, each governmental entity, in performing their governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governmental entity finds that the performance of this Interlocal Cooperation Agreement is in the best interests of both entities, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this Interlocal Cooperation Agreement; and

WHEREAS, this Interlocal Cooperation Agreement reflects the commitments and understandings agreed to by the governmental entities in order to efficiently and effectively utilize proceeds received from the Edward Byrne Memorial Justice Assistance Grant Program FY 2009 (JAG).

NOW, THEREFORE, City of Bloomington and Monroe County, Indiana, hereby agree as follows:

Section 1. Payment

The City of Bloomington (hereinafter, "City"), acting as the Fiscal Agent of the grant, agrees to pay Monroe County, Indiana (hereinafter, "County"), \$7,542.00 if the total amount awarded under JAG is \$41,900.00; if the amount is different, City agrees to pay County 18% of the total amount received under JAG.

Section 2. Use of Funds

County agrees to use the JAG funds for the purchase of and/or payment towards a Mirra IV Digital Voice Logging System.

Section 3. Reporting

The County must submit quarterly financial and programmatic data, including any required performance measures data, to the City at least ten (10) days prior to the end of the established quarterly report deadline.

Section 4. Liability

Nothing in the performance of this Interlocal Cooperation Agreement (hereinafter, "Agreement") shall impose any liability for claims against either governmental entity other than claims for which liability may be imposed by the Indiana Tort Claims Act.

Section 5. Responsibility

Each entity to this Agreement shall be responsible for its own actions in providing services under this Agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 6. Commitment

The entities shall communicate and cooperate with one another to ensure that the purposes of this Agreement are achieved on behalf of and to the benefit of the publics they serve.

Section 7. Third Parties

The entities to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 8. Intent

Be entering into this Agreement, the entities do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 9. Severability

If any provision of this Agreement is declared, by a court of competent jurisdiction, to be invalid, null, void or unenforceable, the remaining provisions shall not be affected and shall have full force and effect.

Section 10. Appropriation of Funds

The entities acknowledge and agree that the performance of this Agreement is subject to the appropriation of sufficient funds by JAG. The parties agree to make a good faith effort to obtain all necessary appropriations and to comply with all provisions of this Agreement to the extent feasible under current or future appropriations.

SO AGREED this _____ day of _____, 2009.

CITY OF BLOOMINGTON, INDIANA

ATTEST:

MARK KRUZAN, Mayor

REGINA MOORE, Clerk

MONROE COUNTY, INDIANA

ATTEST:

PATRICK STOFFERS, President
Monroe County Commissioners

AMY GERSTMAN, Auditor

IRIS F. KIESLING, Vice President
Monroe County Commissioners

MARK STOOPS, Commissioner
Monroe County Commissioners

Approved this _____ day of _____, 2009, by the City of
Bloomington Common Council.

ANDY RUFF, President
Bloomington Common Council

In the Council Chambers of the Showers City Hall on Wednesday, February 4, 2009 at 7:30 pm with Council President Andy Ruff presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
February 4, 2009

Roll Call: Mayer, Piedmont, Rollo, Ruff, Sandberg, Satterfield, Sturbaum, Volan, Wisler
Absent: none

ROLL CALL

Council President Ruff gave the Agenda Summation

AGENDA SUMMATION

Four small corrections were made to the minutes as presented in the packet sent out for this meeting. The minutes of Organizational Session of January 7, 2009 were approved by a voice vote.

APPROVAL OF MINUTES

Tim Mayer thanked the street, sanitation and utilities workers for their work in severe weather conditions to keep the city running.

REPORTS:
COUNCILMEMBERS

Mike Satterfield thanked the city workers also. He noted that the heavy snow on trash days didn't deter the collection of trash. He reminded citizens to clear their sidewalks as a neighborly thing to do for children, seniors, and students who then wouldn't have to walk in the street.

Chris Sturbaum said that he and Mayer toured the Bloomington Hospital in conjunction with a needs assessment associated with a potential move of the hospital. He said that they were both struck by the dedicated workers at the hospital, and hoped that they could remain in the city limits.

Steve Volan explained council procedures to visitors, with special mention of a possibility of cancelling the next scheduled Committee Meeting. He also mentioned the Internal Work Sessions, and said that they were open to the public. He invited student visitors to stop by for more information on how the legislative process works. He noted that for many years, the Community Access Television Services had been broadcasting council meetings and other public meetings. He said it was a useful service, and thanked CATS for their participation in this effort.

Brad Wisler said the street crews had done a wonderful job, and wanted to make sure that citizens knew that the one evening that crews went home it was because they had been working for 20 hours straight. He said that they responded to special situations where folks were trapped and snowed in and praised them for this work.

Susan Sandberg noted that she would be joining County Councilmember Jill Lesh in sponsoring Citizen Breakfast meetings so that city and county residents could discuss items of interest to both the city and county. She said the next meeting would feature a food and beverage tax, and what might be done with it.

Isabel Piedmont-Smith reported that she had toured the Bloomington Bike Project, a volunteer run project that had been running for the past ten years. She said that it taught people how to repair bikes, and refurbished (and sold) bikes that folks no longer wanted in an atmosphere of cooperative work. She noted that the project was running out of space for storage. She praised this project that helps those in lower income brackets and supports alternative transportation.

Andy Ruff said it was important that folks clear their sidewalks, and thanked the city crews, public safety officers, and those who cleared

their sidewalks in what he called a fairly significant winter storm. Ruff also noted that HB1656 was being considered in the state legislature and that it would redirect certain highway money from funds dedicated to state highway uses to funds dedicated to local highway uses. He encouraged folks to speak to their representatives.

COUNCILMEMBERS REPORTS
(cont'd)

Safe and Civil City Director Beverly Calendar-Anderson presented a proclamation from Mayor Kruzan to the Girl Scouts in honor of the 29th Annual National Girls and Women in Sports Day February 8, 2009. She listed the co-celebrants of this day, and noted activities surrounding it. Elizabeth Snell accepted the award while Girl Scouts Annaliese Haldeman and Hope Lavato gave Girl Scout cookies and Women's Basketball tickets to each council member. She spoke of the work of the Girl Scouts and thanked all for their work in advancing girls and women in the community.

MAYOR and CITY OFFICES

Pete Giordano, Director of the Community and Family Resources Department, told the council of the free State and Federal tax preparation and electronic filing services for low and moderate income persons with their Volunteer Income Tax Assistance (VITA) program. He also announced the Black History Month Kick-Off event at city hall and noted a few of the many events that would take place during Black History Month. Susan Sandberg thanked him for bringing the IU Soul Review to the council chambers the previous Monday, noting the difference in tone from a council meeting!

There were no committee reports at this meeting.

COUNCIL COMMITTEES

Jack Khan said he also did tax preparation at the Monroe County Public Library with the AARP program. He said anyone was welcome to use their service.

PUBLIC INPUT

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

BOARD AND COMMISSION APPOINTMENTS

It was moved and seconded that Ordinance 09-02 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation. It was moved and seconded that Ordinance 09-02 be adopted.

LEGISLATION FOR SECOND READING

Ordinance 09-02 Waiving Current Payments in Lieu of Taxes by the Bloomington Housing Authority to the City.

Jennifer Osterholt, Director of Bloomington Housing Authority, noted that the Payment in Lieu of Taxes that the council waives each year is really put to good use. She reviewed recent improvements made in their office, renovations of housing units, landscaping, and playground improvements. She showed slides of apartment renovations that would update the apartments and make them more energy efficient. She noted kitchen, computer lab, teen room and dance room improvements to the Crestmont Girls and Boy's Club as well as some outside improvements.

There were not council questions or comments from the public on this Ordinance.

Sturbaum said it was good to see the positive changes in the units. Satterfield said it was good to find out about the bird project at the Club.

Osterholt said that there was a stigma living in public housing, but that folks were working hard to change this.

Mayer said that he had toured the area several times, and that changes were positive and the progress was noted.

Sandberg said she supported these upgrades and changes, and that as a member of the Jack Hopkins Social Services Committee, was happy to support this ordinance. She thanked Osterholt for her work.

Ordinance 09-02 received a roll call vote of Ayes: 9, Nays: 0.

There was no legislation for first reading at this meeting.

LEGISLATION FOR FIRST
READING

It was moved and seconded to cancel the Committee of the Whole meeting scheduled for February 11, 2009.

MOTION TO CANCEL
COMMITTEE OF THE WHOLE
MEETING

The motion was approved by a voice vote.

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

PUBLIC INPUT

The meeting was adjourned at 8:25 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Andy Ruff, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

for approval

In the Council Chambers of the Showers City Hall on Wednesday, May 6, 2009 at 7:30 pm with Council President Andy Ruff presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
May 6, 2009

There were over 100 students, teachers, parents and citizens at this meeting.

Roll Call: Mayer, Piedmont-Smith, Rollo (7:37), Ruff, Sandberg, Satterfield, Volan (7:43), Wisler
Absent: Sturbaum

ROLL CALL

Council President Ruff gave the Agenda Summation

AGENDA SUMMATION

There were no minutes to approve at this meeting.

APPROVAL OF MINUTES

Susan Sandberg noted that Indiana University's graduation weekend was coming up and congratulated all who were receiving degrees. She also noted the weekend's Letter Carrier's Stamp Out Hunger food drive and encouraged citizen participation in this event. She mentioned the good theater in the area and encouraged folks to attend the live performance of Doubt and the Argentine Tango presentation.

REPORTS:
COUNCILMEMBERS

Isabel Piedmont-Smith said that she was encouraged to hear several items she could support in Mayor Kruzan's recent State of the City Address. She specifically mentioned inclusionary zoning and limiting chain establishments on Kirkwood and the downtown square. She commended the mayor on his vision.

Tim Mayer congratulated all high school graduates. He congratulated Public Works Director Susie Johnson on her college degree.

Mayor Mark Kruzan read a proclamation recognizing May 2009 as Mental Health month. Jennifer Bass with the Mental Health Association and Lee Strickholm from the National Alliance on Mental Illness accepted the proclamation and spoke briefly about the importance of advocacy, understanding and research regarding mental illness.

MAYOR and CITY OFFICES
Proclamations:

- Mental Health Month
- Science Olympiad Day
- Bloomington South Panthers Day
- JR Holmes Day
- Jordan Hulls Day

Mayor Kruzan spoke specifically to the students in the council chambers who came to be honored by the city. He told them that while elected representatives were proud of their student athletic and academic accomplishments, they were actually serving as Ambassadors of the City of Bloomington.

Kruzan read a proclamation proclaiming May 15, 2009 as Science Olympiad Day honoring the Bloomington High Schools North and South Science Olympiad Teams as they travel to national competitions on that day. Ramin Rajaii, Elizabeth Sherrill, and Adam Nichols thanked the mayor for honoring them, saying they were proud to represent Bloomington at the upcoming competition.

Kruzan read a proclamation proclaiming Wednesday, May 6, 2009 as Bloomington South Panthers Day in honor of the tremendous accomplishments of the school's boy's basketball team during the season. Coach JR Holmes accepted the proclamation and noted that almost every player was present for the reading of the proclamation. He introduced the assistant coaches and team members and they stood to be recognized. Jordan Hulls thanked the mayor for the proclamation.

Kruzan read a proclamation recognizing BHS South Men's Basketball Coach JR Holmes as USA Today Coach of the Year, leading the team to

the school's first ever undefeated season, IHSAA State Championship and number 3 spot in the nation, and that proclaimed Wednesday, May 6, 2009 as JR Holmes Day in the City of Bloomington. Holmes, in receiving the proclamation said that the school administration, coaches and players all shared in the honor.

Kruzan read a proclamation recognizing Jordan Hulls as an outstanding BHS South boy's basketball player, as the 2009 Gatorade Indiana Boy's Basketball Player of the Year, as Mr. Basketball for the State of Indiana named by the Indianapolis Star, as a nominee for National Player of the Year, and as a student holding a 3.9 grade point average. The proclamation announced that May 6, 2009 was Jordan Hulls Day in the City of Bloomington. Hulls thanked everyone for their support and thanked the city for the honor.

Kruzan congratulated all on their accomplishments, making special mention of the fact that both academics and athletics were present in support of each others achievements and awards.

President Andy Ruff noted that parents who have nurtured these talented students deserved a mention along with the students.

Bet Savich, City of Bloomington Volunteer Network Coordinator, announced the following **Be More** Award winners:

| | |
|-----------------------------|---|
| Be More Sustainable Award | Cathi Eagan |
| Be More Knowledgeable Award | Arletha Dabney |
| Be More Creative Award | Michelle Davenport |
| Be More Energized Award | Bella (Peach) Caruso |
| Be More Phenomenal Award | Dr. Eric Bannec |
| Be More Dedicated Award | Pat & Dotti Riggins |
| Be More Involved Award | IU Kelley School of Business Civic Leadership Development Program |
| Be More Collaborative Award | Hand in Hand, a Stone Belt Project |
| Be More Bloomington Award | Pat Wilson |
| Honorable Mention Awards: | |
| • Carolyn VandeWiele | |
| • Natalie Cabanaw | |
| • Harold "Hal" Taylor | |

Savich explained each award category and noted each awardees' activities. She said photos, CATS coverage and more about each award winner and nominees were posted at the city website.

A brief adjournment was used to clear the council chambers at this time.

There were no reports from council committees at this meeting.

COUNCIL COMMITTEES

PUBLIC INPUT

Randy Paul spoke about his concerns regarding the BT Access service, the renewal of the contract for this service between Area 10 Agency on Aging and Bloomington Transit. He said he was concerned that the renewal process was being used politically to bust the new union of drivers. He noted that drivers were told that if they continued to support the union, the contract would not be renewed and the drivers would be out of work.

Paul said that he had been concerned for some time about the safety of the service, pointing out that while a training program was mandated by the contract, and that there were training managers listed, the training program did not, in fact, exist outside of a brief shadowing of a veteran driver. He referred to his email to the council that detailed his own experience of getting drenched in a thunderstorm while the wheel chair lift got stuck when the driver didn't know how to manually override the system.

Paul said that the drivers had not had a raise in over 5 years, and said that the drivers were taken advantage of in this instance. In case the contract was dropped by Area 10, he asked the council to help facilitate the hiring of the current drivers by Bloomington Transit. He said that these drivers were unsung heroes in doing this type of work.

Sherlyn Reynolds, a client of BT Access due to legal blindness and memory impairment, asked the council to consider intervening on behalf of the drivers. She said that the drivers often went above the call of duty on their jobs to take care of their passengers according to their abilities and problems. She said that she could not live independently in this town if it were not for this service and the dedication of the drivers.

Dan Combs, Perry Township Trustee, presented a report prepared by Perry Township that studied emergency assistance for housing in the township. Trustee Combs said that the results were counter-intuitive and therefore wanted to make sure that the council was aware of these findings.

Special Public Comment:
Perry Township Trustee Emergency
Assistance Report

Combs said that his office studied two years of data from September 2006 to August 2008. They looked at the number of assistance requests in both non-subsidized housing (single room occupancy, mobile home parks, market rate complexes and primarily student complexes) and subsidized housing (both HUD housing such as Henderson Court, Walnut Woods and the Rise and what he called "Affordable" housing such as Country View Apartments, Canterbury House, Bradford Ridge and Arbor Glen).

Combs defined "Affordable" housing as a cooperation of governmental entities that use Federal Income Tax Credits, Tax Exempt Bonds and reduced assessment values to create homes for those folks who are otherwise self-supporting but have few financial reserves. He said that when these folks hit a financial crisis, there is no one they can turn to. He noted that HUD housing is already income-based and those recipients have more resources such as food stamps, TANF, Medicaid, and other cushions built into place.

Combs noted that the Township has an emergency assistance program for one month or two's worth of help. He said that when folks in need of help come into the office for help, they are already at the end of their resources. Since the township program is not intended for maintenance, there is rarely money for help for a second month, yet the folks in the "Affordable" housing situation are in peril if they get evicted as the downward spiral begins.

Combs noted that the bulk of the money used for emergency assistance during the years of the study went to those in the "Affordable" housing

category where one might think that folks would have more stability and financial resources than in other categories.

He said that he intended this study and presentation to help start a discussion about affordable housing, not just as an entity, but a means to start to build things into the resource that would give people a cushion. While not making a specific suggestion, he said that a rent assessment or some kind of a developer pool might be investigated. Combs said that he hoped this study would also help with planning since once their budget cap was reached there is no more money to help with emergencies.

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

BOARD AND COMMISSION APPOINTMENTS
LEGISLATION FOR SECOND READING

There was no legislation for second reading or final action at this meeting.

There was no legislation for first reading at this meeting.

LEGISLATION FOR FIRST READING

Motion to suspend the rules to take up an item not on the original agenda received a roll call vote of 8-0.

MOTION TO SUSPEND RULES

Motion to cancel the Committee of the Whole Meeting scheduled for May 13th was approved by a roll call vote of 8-0.

MOTION TO CANCEL COMMITTEE OF THE WHOLE MEETING

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

PUBLIC INPUT

The meeting was adjourned at 8:32 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Andy Ruff, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

for approval