In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, March 1, 2017 at 6:31pm with Council President Susan Sandberg presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
March 1, 2017

Roll Call: Sturbaum, Ruff, Chopra, Granger, Sandberg, Mayer, Piedmont-Smith, Rollo
Absent: Volan

ROLL CALL
[6:32pm]

Council President Susan Sandberg gave a summary of the agenda.

AGENDA SUMMATION
[6:32pm]

It was moved and seconded to approve the minutes of February 16, 2017.

APPROVAL OF MINUTES
[6:35pm]

The motion to approve the minutes was approved by voice vote.

February 16, 2017 (Special Session)

REPORTS

- COUNCIL MEMBERS
[6:35pm]

Councilmember Chris Sturbaum encouraged people to talk less and do more.

Councilmember Andy Ruff spoke in memory of Toby Strout, former Director of Middle Way House and Bloomington resident, calling her a model citizen.

Councilmember Dorothy Granger also spoke in memory of Toby Strout, and described her as a mother hen who protected her chicks.

Councilmember Dave Rollo said it was an honor to serve with Toby Strout.

Councilmember Tim Mayer thanked people for their positive feedback to the Herald Times article on Valentine's Day.

Sandberg made an announcement regarding an Affordable Care Act (ACA) forum that was happening the following evening at the Monroe County Public Library. She also asked for a moment of silence in honor of the life and work of Toby Strout.

- The MAYOR AND CITY OFFICES
[6:43pm]

Lauren Cowan, chair of the Commission on Aging, presented an annual report to the Council.

Councilmember Allison Chopra asked if the other members of the Commission could be recognized. She then asked if there had been any discussion of a community center.

Cowan said that a community center discussion had been a part of the Commission since its inception.

Ruff thanked the Commission and asked if there were plans to address the low ranking.

Cowan said there were plans to go through the data and address some of the flaws in the collection reports.

Councilmember Isabel Piedmont–Smith thanked the Commission and asked if there were plans to add advisory members.

Cowan said that they planned to look into it after they became more comfortable in their roles, since they were all fairly new to the Commission.

Piedmont-Smith pointed out that Cowan missed a member of the Commission who was on the other side of the room.

Cowan asked Lei Gong to stand up, and said that she was a valued member of the team as well.

Granger said that she liked the name of the annual report.

Sandberg thanked the Commission for its participation in the affordable living committee.

Bethany Emenhiser, Program Manager in the Housing and Neighborhood Development department, read an Encomium for Marjorie Hudgins, honoring her for her years of service as a voting member of the Historic Preservation Commission.

Marjorie Hudgins spoke and thanked her colleagues on the Commission.

- COUNCIL COMMITTEES

There were no reports from Council Committees.

- PUBLIC
  [7:03pm]

Sandberg called for public comment.

Gerhard Glomm, Professor of Economics at Indiana University, spoke about the ACA panel planned for the following evening.

APPOINTMENTS TO BOARDS AND COMMISSIONS
[7:06pm]

It was moved and seconded to appoint Gavin Everett and Irasema Rivera to the Commission on Hispanic and Latino Affairs. The motion was approved by voice vote.

It was moved and seconded to reappoint Nancy Obermeyer and to withdraw the appointment of Ron Bronson to the Public Transportation Corporation. The motion was approved by voice vote.

It was moved and seconded to reappoint Margaret Fette to the Bloomington Urban Enterprise Association. The motion was approved by voice vote.

It was moved and seconded to appoint Mallory Rickbeil to the Bicycle and Pedestrian Safety Commission. The motion was approved by voice vote.

It was moved and seconded to appoint James Sanders to the Martin Luther King, Jr. Birthday Commission. The motion was approved by voice vote.

It was moved and seconded to appoint Judy Maki and Chris Etter to the Traffic Commission. The motion was approved by voice vote.

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:09pm]

It was moved and seconded that Ordinance 17-05 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Nicole Bolden read the legislation by title and synopsis, giving the committee Do Pass recommendation of 8-0-0.

Ordinance 17-05 – To Amend Title 8 of the Bloomington Municipal Code, Entitled "Historic Preservation and Protection" To Establish a Historic District – Re: 1033 S. Ballantine Road Historic District (Nathan Silverstein House)

It was moved and seconded that Ordinance 17-05 be adopted.

Emenhiser presented the legislation to the Council, explaining that the property was being recommended for a historic designation as a "Contributing" structure under both historical and architectural criteria.

Eric Sandweiss, Petitioner, added his gratitude to the Council and the Historic Preservation Commission, and said that he was happy to answer any questions as needed.

Council Questions:

Councilmember Dave Rollo asked if the property was listed as a contributing structure in the previous year's legislation.

Emenhiser said that it was, but that it was not listed in the 2001 survey.

Rollo asked if the Commission reached out to other homeowners in the area to discuss historic designation.

Emenhiser said that it had been discussed but that it was in the early phases.

Sturbaum asked for an update on the re-survey project.

Emenhiser said they expected a final report in January 2018.

Piedmont-Smith asked for clarification as to whether the property was on the local listing or the SHAARD.

Emenhiser said that it was only on the SHAARD and was not on the 2001 listing.

Chopra asked if there were any conflicts of interest between the Historic Preservation Commission and Bloomington Restoration Incorporated.

Emenhiser said there were two advisory members who had left the room during discussions.

Council Comment:

Granger said she was excited that the homeowners brought the petition forward.

Sturbaum thanked the owners for bringing the petition forward.

Ruff also thanked the property owners, and said that he thought it would help increase public awareness of the historic value of homes.

Mayer thanked the property owners.

Chopra thanked the property owners and noted that, at one time, the property in question was outside city limits and considered suburban.

Piedmont-Smith said she had grown up in a house like the one being discussed and thought it was appropriate for the house to be the first in the neighborhood to achieve historic designation.

Sturbaum said that in 2001 the house was not old enough to be put on the survey but now it was, he predicted that it would be 15 years older in another 15 years.

Ordinance 17-05 (cont'd)

The motion to adopt Ordinance 17-05 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 17-05 [7:25pm]

It was moved and seconded that Ordinance 17-04 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read Ordinance 17-04 by title and synopsis[1].

It was moved and seconded that Ordinance 17-04 be adopted.

Ordinance 17-04 – To Amend the Zoning Maps from Planned Unit Development (PUD) to Commercial General (CG) – Re: 4021-4025 West 3rd Street (GMS-Pavilion Properties, Petitioner)

Eric Greulich, Zoning Planner, presented the legislation to the Council.

Rollo asked if there was a dialysis center on the Westside.
Greulich said he did not know.
Rollo asked if there were any medical waste concerns related to the proposed rezoning.
Greulich said there were not any zoning concerns, but the Health Department may have had some.

Council Questions:

Mayer thanked the staff for their work.

Council Comment:

The motion to adopt Ordinance 17-04 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 17-04 [7:31pm]

It was moved and seconded that Resolution 17-13 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read Resolution 17-13 by title and synopsis.

It was moved and seconded that Resolution 17-13 be adopted.

Resolution 17-13 – Urging the United States Congress to Enact Revenue-Neutral Carbon Fee and Dividend Legislation [7:31pm]

Rollo read the full text of Resolution 17-13 out loud.

Marcia Veldman, Coordinator for Citizens' Climate Lobby (CCL), spoke about the importance of the Resolution and the history of the CCL.

David Mann, CCL, spoke in favor of the Resolution.

Richard Durisen, retired professor, spoke about the greenhouse effect, the proposed legislative approach of the CCL, and urged the Council to support the Resolution.

Piedmont-Smith asked what would incentivize people receiving dividend checks to switch to greener methods of energy.
Durisen said that the money would have a net positive effect on the economy.
Piedmont-Smith said that the CCL website showed that, in Indiana, people would be getting less than they would spend.
Alex York, State Endorsement Coordinator for CCL, said that those who could not afford to pay came out ahead, but those who could afford to pay did not.
Rollo added that 60% of people would receive more money than they pay in their bill.

Council Questions:

[1] The committee Do Pass recommendation of 8-0-0, was not read out loud.

Resolution 17-13 (*cont'd*)

Ruff asked if the CCL really believed it was a nonpartisan issue.

York explained that CCL was a nonpartisan group, but that its mission was not necessarily a nonpartisan one.

Ruff asked if there were any other countries in which a similar fee and dividend structure was in place.

York said the closest example was in British Columbia, Canada, where it had adopted a carbon tax.

Ruff asked how tax refunds would manifest.

York explained that it would be a rebate to maintain competiveness with other countries that did not have carbon pricing.

Ruff asked where that refund would come from.

York said the money would come from the tariff fund.

Sandberg asked what the lobby date was for the CCL when it interacted with legislators.

York said that it was over Father's Day weekend in June of the previous year, and the CCL had another in November after the election.

Sandberg asked if it would be at the same time that year.

York said that the CCL planned to do its lobby weekend the second week of June.

Piedmont-Smith asked if the proposal would encourage companies to mine more coal and export it to countries that did not have a carbon fee.

York said yes, but exporting would still be more expensive than selling it domestically with a fee.

Piedmont-Smith asked about plastics companies, which made a lighter-weight product out of petroleum. She asked if there would be incentives built in so those companies would get a refund of the fee on that export.

York said that would be true to some extent, but that we would also be bringing goods into our economy, and that exporting was not bad.

Piedmont-Smith said that it decreased the incentive for companies to invest in green energy.

York said there was not a large international market for U.S. coal, and plastics production did not directly contribute to the carbon production issue.

Rollo asked about CCL's strategy and how citizens could be involved.

Veldman said the strategy was to have groups of constituents in every congressional district in the country. CCL intended to grow the chapters, connect with media, write letters to editors, connect with representatives, do outreach, get endorsements, and organize a grassroots movement. She encouraged people to join their local chapters.

Durisen said that phone calls and letters were very effective.

Piedmont-Smith asked if the carbon fee would be assessed by ton of CO2 emissions.

Durisen said it would be assessed by ton of CO2 emissions or an equivalent.

Piedmont-Smith asked if there were any controls, or if it would rely on industry to self-report.

York said that much of the information was already known, measured, reported, and available.

Resolution 17-13 (*cont'd*)

Public Comment:

Jeff White spoke in favor of the resolution.

Rob Deppert, Democracy for Monroe County, spoke in favor of the resolution.

Alex York spoke in favor of the resolution.

Council Comment:

Granger said that it was a complex issue, but it was past time and thanked the co-sponsors for bringing it forward.

Chopra thanked everyone who spoke and who worked on the resolution.

Piedmont-Smith said that she emphatically supported the effort, and that she liked the approach.

Ruff echoed what Chopra had said, and added that seeing the mix of ages in the CCL made him feel hopeful.

Sandberg said that she was impressed by the comments and efforts. She agreed that Bloomington needed to lead and not flee.

Mayer noted the irony that the fossil-fueled power had failed twice that evening. He was pleased that Bloomington was the first city in the state to advocate for a carbon fee dividend system. Mayer thought the approach was a logical and reasonable one, and thanked his co-sponsor and staff.

Rollo thanked Mayer for co-sponsoring, the CCL for its work, and staff for their work. He said that he felt a growing sense of urgency to address climate change, and the CCL helped. He said that the resolution was a good step, and said that there was more to do.

Vote to adopt Resolution 17-13 [8:55pm]

The motion to adopt Resolution 17-13 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

LEGISLATION FOR FIRST READING [8:56pm]

Appropriation Ordinance 17-01 – To Specially Appropriate from the General Fund Expenditures Not Otherwise Appropriated (Authorizing the Transfer of Funds to the City and the Appropriation of Such Funds from the General Fund to the Housing Development Fund)

It was moved and seconded that Appropriation Ordinance 17-01 be introduced and read by title and synopsis only. Clerk Bolden read the legislation by title and synopsis.

It was moved and seconded that Ordinance 17-03 be introduced and read by title and synopsis only. Clerk Bolden read the legislation by title and synopsis.

Ordinance 17-03 – To Amend Ordinance 95-75 Entitled "Establishing the Housing Trust Fund and its Board of Directors and Approving the Designated Housing Trust Fund Endowment Agreement," as Subsequently Amended (Revising and Updating the Housing Trust Endowment Fund Agreement with the Community Foundation of Bloomington and Monroe County and Terminating the City's Housing Trust Fund Board)

It was moved and seconded that Ordinance 17-06 be introduced and read by title and synopsis only. Clerk Bolden read the legislation by title and synopsis.

Ordinance 17-06 – To Amend Title 6 (Health and Sanitation) of the Bloomington Municipal Code – Re: Deleting Chapter 6.04 (Refuse and Yard Waste Collection by the City) and Replacing it with Chapter 6.04 (Sold Waste, Recycling and Yard Waste Collection by the City)

Sandberg called for additional public comment.

PUBLIC COMMENT
[9:02pm]

Terry Amsler spoke about participating and engaging in local government.

It was moved and seconded to hold a Special Session on Wednesday, March 8, 2017 to introduce Ordinance 17-07.

COUNCIL SCHEDULE
[9:07pm]

The motion was received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0 (Chopra out of the room).

The meeting was adjourned at 9:11pm.

ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 22nd day of March, 2017.

APPROVE:

Susan Sandberg, PRESIDENT
Bloomington Common Council

ATTEST:

Nicole Bolden, CLERK
City of Bloomington