In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, March 22, 2017 at 6:33pm with Council President Susan Sandberg presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
March 22, 2017

Roll Call: Sturbaum, Ruff, Chopra, Granger, Sandberg, Mayer, Piedmont-Smith, Volan, Rollo
Absent: None

ROLL CALL
[6:33pm]

Council President Susan Sandberg gave a summary of the agenda.

AGENDA SUMMATION
[6:33pm]

It was moved and seconded to change the agenda order to switch the last two items.

Councilmember Steve Volan asked if there was any other legislation on the agenda that might conflict with the proposal.

Sandberg said the agenda was designed carefully to get the quick items out of the way first, but that changing the order of the later items would not be a problem.

The motion to change the agenda order received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to change the agenda order
[6:40pm]

It was moved and seconded to approve the minutes of March 1, 2017 and March 8, 2017.

APPROVAL OF MINUTES
[6:41pm]

Councilmember Isabel Piedmont-Smith noted a correction in an acronym in the minutes from March 1, 2017 that had been made.

March 1, 2017 (Regular Session)
March 8, 2017 (Special Session)

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

Volan said that he attended the AIM annual dinner with the Mayor and Councilmember Piedmont-Smith.

REPORTS

- COUNCIL MEMBERS
  [6:41pm]

Piedmont-Smith clarified that AIM stood for the organization known as "Accelerate Indiana Municipalities" and explained what the dinner was about.

Councilmember Tim Mayer discussed the passing of Chuck Berry.

Councilmember Chris Sturbaum brought up the national vote on healthcare to take place the next day. He stressed the impact the proposed bill would have on the elderly and the poor. He said that the country was in big trouble and expressed his shock at the situation.

Sandberg acknowledged the Women's History Luncheon held earlier that day. She also said that she wanted the Council to stand up for the folks impacted by the healthcare situation via a Resolution.

Jhonna McGee, co-chair of the Bloomington Sustainability Commission, introduced the Commission's annual report.

- The MAYOR AND CITY OFFICES
  [6:48pm]

Gwenn White, co-chair of the Bloomington Sustainability Commission, began by explaining the Commission's duties. She said that they attempted to assess Bloomington's sustainability. She said that they received the data from utility providers within and outside the city. She displayed tables and graphs representing energy consumption and waste disposal. She noted Bloomington's participation in the Star Community Index data collection in 2015.

She outlined the Commission's priorities and project considerations. She asked the Council for questions and feedback.

- The Mayor and City Offices (cont'd)

Volan said he thought the Commission was supposed to focus on environmental issues and was encouraged by their future plans.

Councilmember Dave Rollo said the report was very encouraging. He said it coincided with the Energy Challenge.

Sandberg said that the commissions wanted to have as much input as possible. She thanked the Commission for its work.

There were no reports from Council Committees.

- COUNCIL COMMITTEES

Sandberg called for public comment.

- PUBLIC [7:02pm]

Scott Faris spoke on behalf of the Area 6 No Annexation Coordination Group. He said that the group collected over 125 signatures, which represented roughly 90% of the Area 6 property owners. He called on the Council to vote no to annex Area 6.

Pam Faris spoke about the annexation, and asked for the Council to consider the poor people who have left the city because they cannot afford to live there.

Art Oelmich said that they could have gotten more than 90% of the population of Area 6 to sign the petition.

Jennifer Mickel said that the annexation proposal was according to Indiana code, and that people did not have any recourse.

Sandberg reminded everyone of upcoming annexation information sessions.

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:15pm]

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

It was moved and seconded to reappoint Andrew Marrs and appoint Dani Graf to the Environmental Commission. The motion was approved by voice vote.

LEGISLATION FOR SECOND READING AND RESOLUTIONS

Ordinance 17-07 – An Ordinance to Amend Ordinance 16-26 and Ordinance 16-45, Which Fixed Salaries for Certain City of Bloomington Employees for the Year 2017 – Re: Changes in Job Titles and Job Grades within th Planning and Transportation Department, Legal Department, and Controller's Office to More Accurately Reflect the Nature and Grade of those Positions

It was moved and seconded that Ordinance 17-07 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 9-0-0.

It was moved and seconded that Ordinance 17-07 be adopted.

Caroline Shaw, Human Resources director, highlighted the proposed changes in the ordinance. She said that the changes were designed to reflect changes in job descriptions.

Councilmember Dorothy Granger asked if anyone currently occupied the positions that were being downgraded.

Shaw said she they were all vacant and that no one's salary would be impacted.

Vote to adopt Ordinance 17-07 [7:19pm]

The motion to adopt Ordinance 17-07 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

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 17-03 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read Ordinance 17-03 by title and synopsis.

It was moved and seconded that Ordinance 17-03 be adopted.

Philippa Guthrie, corporation counsel, explained the purpose of the ordinance. She said the original ordinance established a fund to promote affordable housing efforts. She said that the current funds should be deposited in the housing development fund.

It was moved and seconded that Amendment 01 to Ordinance 17-03 be adopted.

Amendment 01 Synopsis: This amendment was prepared by the Council Office. It corrects the cite to the ordinance which established the Housing Development Fund as it appears in the fourth Whereas clause.

Attorney Dan Sherman noted that the amendment was designed to correct a citation.

Vote to adopt Amendment 01 [7:26pm]

The motion to adopt Amendment 01 to Ordinance 17-03 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Council Questions:

Volan asked why the annual proceeds were not being left with the endowment to grow.

Guthrie said that the endowment would continue to grow, but it would only allow the city access to the annual earnings if the money was left with the endowment. By moving all but the original funds, it would allow for more funds to be used all at once.

Volan said that he thought the point was to guarantee growth and asked why they did not leave the entire amount to grow.

Guthrie said that the city would prefer to have the larger amount deposited now.

Granger asked if the reason for pulling the money back into the city was so that the city had more say.

Guthrie concurred and said that the board would be eliminated.

Piedmont-Smith asked Guthrie to remind the public how the transferred funds would be expended.

Guthrie said the funds could be used to provide financial assistance to families with certain income levels, purchase property to be used for affordable housing, pay expenses of administering the fund, make grants or loans for affordable housing for various groups of people, and provide technical assistance to nonprofit affordable housing developers.

Piedmont-Smith asked if the Council made decisions on where funding went.

Guthrie said yes.

Rollo asked if the Director of HAND had anything to add.

Doris Sims, HAND Director, declined to speak.

Volan asked Tina Peterson of the Community Foundation his previous question. He said it is fine to create the housing trust fund, but asked why not leave all the money in the endowment so it continued to grow more.

Peterson said endowments are very sustainable. She said that it is not really a transfer, but more of a grant to be used on a different

timeline. She said their job was to serve donors and the community well.

Volan asked if the original base must always stay and if anything else could have been spent on affordable housing.

Peterson said that they would not make a distribution that was not in accordance with the spending policy. She said that they would not normally take a portion of the fund from the original donation. She said there were instances where they have done it.

Volan said that what she said did not make sense. He asked again for clarification.

Peterson said that originally the city donated $500,000 to the community foundation. This was matched by the Lilly endowment to be used for strategic grant making. She said that the original endowment agreement was permanent. She said that from that point forward they would distribute 4.25%. She said the current situation is not typical. She said she believes they were within the restrictions to make the grant.

Volan clarified that the original $500,000 had to stay, and Peterson said yes.

Ordinance 17-03 (cont'd)

Volan thanked everyone for indulging his questions. He noted the previous presentation regarding sustainability and said that this was a question of economic sustainability. He said he was ready to vote no for this proposal, but that the money originally came from the city, so the city is getting it back. He said it was made for grants and now he would vote yes.

Mayer said that he would be voting yes and consequently voting himself off the Housing Trust Fund Board.

Granger said that this was a long time coming. She said that she was excited that it was coming to the city. She thanked Peterson for her leadership.

Council Comment:

The motion to adopt Ordinance 17-03 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 17-03 as amended
[7:41pm]

It was moved and seconded that Appropriation Ordinance 17-01 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read Appropriation Ordinance 17-01 by title and synopsis.

It was moved and seconded that Appropriation Ordinance 17-01 be adopted.

Guthrie presented the legislation to the Council, explaining that this was a companion ordinance to the previous ordinance. She said it would officially appropriate the money into the housing development fund.

It was moved and seconded that Amendment 01 to Appropriation Ordinance 17-01 be adopted.

Amendment 01 Synopsis: This amendment was prepared by the Council Office. It brings the amount of this appropriation more in line with the amount of the transfer from the Community Foundation to the City. The amount of the transfer, when made, will be equal to the balance in the Housing Trust Fund minus the amount of the initial donation ($500,000), which changes with the value of the fund. The reduction from $425,000 (which was high in order not

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)

to have an amendment that increases the amount in the appropriation legislation) to $404,500 brings the amount much closer to the amount of the expected transfer.

Appropriation Ordinance 17-01 (cont'd)

Mayer introduced Amendment 01. He said that it would bring the amount more in line with the initial donation.

Piedmont-Smith asked if the money was accurate.
Jeff Underwood said that it was a more precise estimate. He said the Council had the authority to cut appropriation requests but not raise them. He said it served as a public hearing, and was advertised high intentionally. He said the exact number would depend on the date that the check was written.

Council Questions:

The motion to adopt Amendment 01 to Appropriation Ordinance 17-01 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 [7:46pm]

Sandberg noted the list of things the Housing Trust Endowment had funded in the past, and Guthrie gave additional details.

Council Comments:

Volan said he erred in his previous comments about the usage of the funds that he made during the previous ordinance discussion. He wanted to make sure that his comments from Ordinance 17-03 were read to go with Appropriation Ordinance 17-01.

ACTION: The motion to adopt Appropriation Ordinance 17-01 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Appropriation Ordinance 17-01 as amended [7:50pm]

It was moved and seconded that Resolution 17-14 be introduced and read by title and synopsis only. It was moved and seconded that Resolution 17-14 be adopted. Clerk Bolden read Resolution 17-14 by title and synopsis only.

Resolution 17-14 - Supporting Responsible Gun Regulations - Calling for the Repeal of IC 35-47-11.1 and Supporting Universal Background Checks

It was moved and seconded that Resolution 17-14 be adopted.

Councilmember Allison Chopra introduced the resolution. She spoke about its importance and recognized Stacy Jane Rhoads for her work.

Jody Madeira, professor at Indiana University Maurer School of Law spoke about gun restrictions and regulations.

Rachel Guglielmo, Moms Demand Action for Gun Sense in America, spoke about the significance of the resolution.

Chopra read the resolution.

Rollo noted that it seemed that authorized gun dealers were at a disadvantage under current requirements. He asked if authorized dealers had lobbied state governments.
Madeira said that they do indeed have lobbying groups. She said most dealers do a good job with background checks.
Rollo said that it seems intuitive that they would have lobbying efforts.

Council Questions:

Sturbaum asked if there was concern that this would help terrorists bring guns into public spaces.
Madeira said that this was a concern.
Sturbaum asked if you could bring a weapon on a plane. He asked about IU ball games.

Madeira said neither are allowed.

Resolution 17-14 (cont'd)

Piedmont-Smith asked for clarification about women who have restraining orders being able to get guns without a background check.

Madeira said that a woman must get a license before purchasing a firearm if she has a restraining order, but a pending bill would eliminate the license requirement for the woman.

Chopra said it sounded like they are trying to protect the woman, but statistics show that the likelihood that the woman would be hurt by her own gun is much higher.

Public Comment:

Jennifer Mickel said spoke about murder in Chicago and licensing requirements.

Joan White said that more people with more guns means more killing.

Jean Kappler thanked the Council for the resolution. She spoke about gun violence studies.

Gary Roots spoke about a personal experience with firearms.

Council Comment:

Granger said the resolution did not go far enough. She said she was not against the 2nd Amendment, but that the efforts of the NRA to put a gun in every hand bothered her. She said it was about money. She said it was ok to have reasonable controls like background checks, and that she would be supporting it.

Sturbaum said allowing the mentally ill to have guns was not common sense. He said money corrupted the democratic process. He said that people did not say no to big gun money. He said the majority of people want common sense. He said government was meant to happen on a local level and the bigger it got the more corrupt it got. He said the fake news business had circulated stories of Sandy Hook being false in an attempt to discredit gun control.

Rollo said he supported the resolution and appreciated the staff who worked on the resolution. He said the states with the least common sense regulation had the most deaths. He said common sense was not against the 2nd Amendment.

Piedmont-Smith said we needed more gun regulation. She said there was an epidemic of gun violence in our society, and that the NRA was a cancer on our society preventing legislation to address mass violence. She expressed anger at the widespread gun violence in this country. She said there was a mass shooting every day. She said the NRA's prevention of sensible regulation was maddening. She said she was in favor of the resolution and thanked Councilmember Chopra for the work she did.

Volan said people committed illegal acts. He said gun free zones should not be controversial. He wished common sense had a definition, so there could be common sense laws. He noted the gun lobby's capitalization on paranoia and different sources of information. He supported the resolution.

Councilmember Tim Mayer noted that the city had very little control, but hoped that legislators at the state level would use common sense.

Resolution 17-14 (cont'd)

Chopra again thanked Rhoads for her work. She also thanked the experts who assisted and spoke at the meeting. She said it felt wonderful knowing that two strong women were working at the statehouse and staying on top of what was happening.

Sandberg said that she met a survivor of the Virginia Tech shooting who advocated for common sense gun safety. She said that this man had a military background and was a gun owner with a permit, and claimed that if he had had a gun that day he would not have had a chance against the attack. She said she thought surely after Sandy Hook the majority of people would support monitoring legislation. She said it was horrifying to think that our country has so much gun violence. She said she was more than happy to vote in favor of the resolution.

Vote to adopt Resolution 17-14 [8:38pm]

The motion to adopt Resolution 17-14 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

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) [8:38pm]

It was moved and seconded that Ordinance 17-06 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read Ordinance 17-06 by title and synopsis.

It was moved and seconded that Ordinance 17-06 be adopted.

The legislation was presented by Adam Wason, Director of Public Works. He noted that as a result of public comments made during the previous week's meeting, the administration was working on a plan to add recycling to the City's public parks. Wason answered a question that Piedmont-Smith had asked the previous week about sidewalk access, and said that ADA compliance was the primary goal, and that they would work to ensure that they maintained pedestrian and auto flow.

It was moved and seconded that Amendment 01 to Ordinance 17-06 be adopted.

Amendment 01 Synopsis: This amendment is sponsored by Cm. Piedmont-Smith and proposes two changes to the ordinance. First, it amends the third Whereas clause to clarify that the Sanitation Modernization Advisory Committee was composed of one representative from each of the following: the neighborhoods, the Environmental Commission, and the Utilities Services Board. Second, it corrects the outlining for BMC 6.04.090(b), regarding additional pick-up fees.

Piedmont-Smith explained that Amendment 01 was intended to clarify the ordinance.

Vote to adopt Amendment 01 to Ordinance 17-06 [9:02pm]

The motion to adopt Amendment 01 to Ordinance 17-06 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

It was moved and seconded that Amendment 02 to Ordinance 17-06 be adopted

Amendment 02 Synopsis: This amendment is sponsored by Cm. Volan. The ordinance codifies the modernization of the City's sanitation collection program and, in doing so, sets fees for the provision of sanitation services. In some instances, the amount of the fee is set forth in the ordinance and, in others, the amount of the fee is to be determined by the Board of Public Works from within a

Ordinance 17-06 (cont'd)

range based upon the size of cart chosen by the customer. This amendment provides that the fees for these sanitation services will expire by July 1, 2019 and that, after that date, no such fees shall be authorized without amendment of Chapter 6.04 by the Common Council.

Volan explained that Amendment 02 would make it so that fees could be reviewed by the Council after the administration had collected roughly a full year of data instead of after four or five years.

Council Questions:

Chopra asked for the date to be repeated.

Volan said that the administration would have to come back to the Council and ask for the fees to be reauthorized by July 1, 2019.

Chopra asked how that would give a full year of service.

Volan clarified that the timeline of rollout planned for all households to have carts by January of 2018.

Rollo asked for Wason's opinion of Amendment 02.

Wason said that if the amendment did move forward he preferred a date of November 1, 2020. The reason was the administration wanted to make sure they had time to address all of the issues in purchasing equipment and supplying households.

Volan asked if weekly recycling and the new fees would begin on October 1, 2017.

Wason said yes.

Volan asked if that was also the start of the distribution date for the new trash carts.

Wason explained that they would begin distributing the carts within two months of that date, with October 1, 2017 being the goal date.

Volan asked what difference it made to the public as to whether the bins were picked up by a rear or side loader.

Wason explained that it did not make a difference to the public, but for the purpose of maximum organizational efficiency, the side loaders were where the City would get the best usage.

Volan asked how many people were needed for each type of truck.

Wason said a rear loader required three people to run it, and a side loader required one person to run it.

Rollo asked if Volan would consider moving the date in favor of the most robust consideration of the data.

Volan declined.

Chopra asked Volan that since this was a tickler amendment rather than an emergency amendment if there was a problem with moving the date.

Volan said that he was responding to a perceived need amongst his colleagues to review the fees in the monthly billing, not to review the costs of the automated trucks.

Granger asked Volan if a friendly amendment of January 1, 2020 might fit the needs of both the Council and the Administration.

Volan said that nothing in the amendment prevented the Council from coming back and reevaluating at a later date after the administration had more data with the side loader trucks. He also said the Council and Administration could look into a rebate program for households that did not generate any trash for extended periods of time.

Ordinance 17-06 (cont'd)

Wason said that the reason he suggested November 1, 2020 was to ensure that the program was properly funded and he did not have to come to the Council repeatedly to ask for rate adjustments. He noted that the Council would be getting regular reports on a yearly basis as part of the budget process, but he would not be able to give a full and accurate report until everyone was in the system. He expressed sympathy for households with low trash output, but noted that the City would be driving by those households regardless to check for trash, so there would still be some cost to the City.

Volan said that asking people to wait for 38 months before offering some sort of rebate program was too long. He said that people did not care about costs associated with side loaders, they cared about paying more for trash removal than they did before.

Wason said that he was concerned that the rates might not be accurate, but they would defer to the Council and did not wish to be adversarial.

Piedmont-Smith asked if the impact of the proposed annexation areas would be able to be included if the reevaluation of the process were deferred until November 1, 2020.

Wason said that it would offer nine to ten months of data from the date annexation went into effect, which was not ideal, but was better than six months or less.

Chopra asked for clarification on the date in November 2020.

Piedmont-Smith clarified that the date that Wason asked for was November 1, 2020.

Volan said that people who were looking for a pay as you throw rebate needed to wait for three plus years to find out what that rebate was going to be. He said it was not about how you pick up the bin, it was about how often you put the bin out in the first place.

Wason said that it still matters, because the city still incurred costs driving by the households every week.

Jeff Underwood, City Controller, clarified that the ratio of costs should be looked at as those saved when you did not pick up, which was roughly $.84 per bin.

Volan asked why it would take more than two years of data to figure out a way to give people who recycle heavily a rebate.

Underwood added that the entire program was subsidized by monies from the general fund.

Volan said that he was not talking about that cost, he was focused on those citizens who did not put their bins out every week, and how to get them a rebate for those times.

Granger asked why they had to wait until November 1, 2020 when Public Works would be appearing before the Council in August with numbers anyway.

Wason said that he was not thinking of the budget cycle at the time he proposed the November date, he was focused on the implementation of the new program.

Granger asked if implementing the new fee could help to offset the general fund supplement.

Underwood agreed that tying it in to the budget cycle made sense.

Chopra asked what time of year would make the most sense to tie it to the budget cycle.

Underwood said that the expiration of fees would make sense around October 15, 2020. He explained that with the budget timing, there was a full legislative cycle in case the Council wished to make changes to the budget.

Ordinance 17-06 (cont'd)

Chopra asked if the November 1, 2020 date was actually good.

Underwood said that the administration could come forward at any time prior to that date and propose to change the rates.

Chopra said that her goal was to find a date that coincided well with the budget and the needs of the administration.

It was moved and seconded that Amendment 02a to Ordinance 17-06 be adopted.

Amendment 02a Synopsis: This amendment is sponsored by Cm. Chopra. This amendment changes the date in Amendment 02 from July 1, 2019 to November 1, 2020.

Volan said that the service delivery fee was the place that the Council had room to provide a rebate for those households that wanted to recycle. He asked the administration to figure out how to provide a program on a year of data.

Rollo said that he understood the argument, and wondered if it was correct to assume people would know the bin size they needed for their homes.

Volan said that the administration had built in a two-month window for people to exchange their bin size for free. After that it would cost $50.

Underwood said that was correct, and that most of the households should have their chosen bin sizes by December 1, 2017.

Piedmont-Smith asked what the $.84 per week represented in the service delivery fee.

Underwood explained that it was the tipping fee; the cost of not taking those 35 gallons of garbage to the landfill.

Piedmont-Smith said that even people who recycle heavily will still produce trash at some point, so they would have to pay for that.

Underwood said that was correct, and that was where the data gathering would be helpful.

Sturbaum asked why the Council was nickel and diming over $.84 for households that could pay $4-6 per month.

Chopra said that it was clear the administration was looking forward to reviewing the data, but asked if there was a guarantee of a reduced rate in the future.

Wason said there was not.

Volan said the original intent of the amendment was to address those households that only put out one bin per month. He said that nobody was addressing that concern in their comments. He said that all he wanted was to be able to provide those citizens with a timeframe of less than three years to say that they were going to review the rates and come up with a rebate plan for them.

Chopra said that administration had a concern about doing a decent job in that time, and that they wanted to do a good job. She said she liked the amendment, but wanted to give some time to allow the data to be complete.

Mayer asked if with the minimum charge of $4.82 per month, he got a 35 gallon trash bin and a 64 gallon recyclable bin that he could put out every week with no charge. And if that was the case, even with citizens who only put out their trash bin once a month, why they would object to paying $4.82 per month. He noted that when people

Ordinance 17-06 (cont'd)

left their homes to travel for three months, they did not turn off their electricity and gas.

Volan said that his colleagues were comparing apples to oranges, and that they still were not addressing the problem of how to get a rebate to people who did not put out trash every week.

Chopra said that it was a possible rebate, not a guaranteed rebate, and that even if it was approved, it would likely be a very small amount. She reiterated that she liked the original amendment, but felt that her amendment to the amendment allowed the Council to accommodate the administration's needs as well.

Piedmont-Smith asked staff if it was reasonable to tell people that the city has been subsidizing recycling pickups.
Underwood said yes.

Sturbaum asked if the administration wanted to do a rebate program.
Wason said that his goal was to explore all options to increase recycling, decrease solid waste, and offer programs to encourage both.

Rollo asked if the intent of the administration was to have the citizens bear the full cost of sanitation.
Underwood said that ideally, over time, efficiencies would be gained and the city subsidy would decrease. He said the administration aimed toward being cost effective and increasing recycling without increasing the burden on citizens.
Rollo asked if the savings would be applied to the deficit for sanitation that the city currently had.
Underwood said yes.

Volan asked how much staff thought a rebate program would cost the city.
Wason said that they did not know and they needed time.
Volan asked how much time they needed to collect usage data regardless of what trucks were used, and if they really needed three years.
Wason said that he needed three years to understand the full efficiencies of the new system.
Volan read the definition of the service delivery fee, and said that nothing in the definition indicated that the cost of trucks or personnel were considerations in calculating that fee.
Wason said that personnel was built into that portion of the fee as well.

Sandberg asked if the reason for staggered truck purchase was to offset the replacement costs down the road.
Wason said that although they had the money and budgeted for the trucks, it was preferable to buy them in smaller numbers.

Chopra clarified that the amendment to the amendment only gave a date of rate expiration, and did not provide for a rebate. She noted that there could even be a rate increase requested.
Wason said that was correct, and noted that it was why they had asked for a range of rates.

Public Comment:

Jennifer Mickel spoke about concerns for poor people with the proposed legislation.

There was a brief discussion over procedural matters.

Ordinance 17-06 (cont'd)

Ruff said the people who were behaving most sustainably felt they were getting the short end of the stick, and he felt that the Council should do what they could to support them.

Council Comment:

Chopra commented that she appreciated the work that Volan had put in on the committee, but that he was not part of the staff who would be working with sanitation on a regular basis. She said that listening to Wason on the timing of the collection of the data made sense, and that there was little harm in pushing the date out.

Granger said that she appreciated the original amendment, and was planning to pass on the amendment to the amendment because she hated to wait so long.

Volan said that he appreciated all of the work that went into the ordinance. He said Public Works did not have to have a broad understanding of all of the numbers in order to have a sense of what kind of rebate they might offer. He said that all the amendment was required was for the administration to come back to the Council for reauthorization of the rates. He said that he would prefer to hear back from Public Works in June 2019.

The motion to adopt the Amendment 02a to Ordinance 17-06 received a roll call vote of Ayes: 5, Nays: 3(Volan, Rollo, Ruff), Abstain: 1(Granger).

Vote to adopt Amendment 02a to Ordinance 17-06 [10:16pm]

There was a brief discussion over procedural matters.

Volan said that the net effect of this amendment was that he could not tell citizens that there would be a rebate program coming forward from the administration any time before 2021. He said that it would be 38 months for some people who do not produce a lot of trash having to pay higher fees. He also said that it did not stop Council from putting forward rebate legislation at another time before that date.

Council Comment:

Sturbaum said that maybe in the interim Public Works could find a way to recognize people who were recycling a lot.

The motion to adopt Amendment 02 as amended to Ordinance 17-06 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 02 as amended to Ordinance 17-06 [10:22pm]

Granger asked if the house by house analysis for bin placement had started yet.

Wason said that Sanitation had already started.

Council Questions:

Volan asked if employees moved from Sanitation would maintain their same or greater wage level.

Wason said yes and that the city would try to grandfather salaries in so that staff would not lose any pay.

Volan asked when the cart exchange change fees would come into play.

Wason said that they would go into effect 60 days after cart pickup began. He said they would announce the date they were starting closer to September 1st.

Mayer asked if there were costs built in to cover damage or loss of the carts.

Ordinance 17-06 (cont'd)

Wason said the carts were warrantied for ten years for normal wear and tear.

Mayer also asked about keeping the carts clean and if the city had thought about how to handle it.

Wason said a hose and some soap would work. He added that the city had not considered providing the service for households.

Rollo asked if the bill integration would mean that a failure to pay a water bill would also mean that a household risked not having their trash picked up.

Wason said that was correct.

Rollo asked what would happen in the case of a water leak and resultant dispute.

Underwood said that when those issues arose in the past, the city worked closely with residents in those cases, and typically asked for an average of services used. In the end, the dispute was usually not enough to delay or withhold service.

Piedmont-Smith asked what would happen to people's old trash and recycling bins.

Wason said the city would offer a recycling program for those bins. He said they were looking at options for picking up the bins and for having people drop them off.

Piedmont-Smith asked what the plan was for streets that did not have sidewalks or had monolithic sidewalks.

Wason said that there would have to be adjustments, but that they were working on making sure that they were ADA compliant and out of the way of pedestrians and vehicles.

Piedmont-Smith said that in her neighborhood there was not room for larger bins.

Shelby Walker, Director of Sanitation, said that he was out looking at every location in the city with his team, and that if there was room for a 32 gallon can they could probably find room for the new carts. He said the bottom line was that they wanted everyone to be serviced, and they would do whatever it took to make certain that occurred unless there was just no way it could happen. He added that he did not believe in "no way".

Piedmont-Smith asked if the additional man hours had been factored into the budget.

Wason said that everyone down at sanitation was working hard to get the information needed. He also said that the footprint of the 35 gallon and 64 gallon bin was nearly identical. Wason then introduced some folks who were helping with the transition.

Rollo asked what the procedure was for residents who wanted an additional pickup.

Wason explained that residents could call and ask for the additional pickup later in the week.

Public Comment:

Jennifer Mickel spoke in opposition to the legislation.

Council Questions:

Piedmont-Smith asked about safety issues with the side loaders.

Don Ross, Operations Director for Kessler Consulting, said that Bloomington's plan was one of the most developed that his company had ever seen. He said that according to OSHA, sanitation was the fifth most dangerous industry, and that one of the best things that a city could do for safety was to automate. Ross said the city planned for training and public outreach.

Granger said she appreciated the thoughtfulness of the plan, acknowledged the difficulty of the change, and said she thought it was good for the community.

Ordinance 17-06 (cont'd)
Council Comment:

Volan urged everyone to read the sanitation plan that was on the city website because there were many answers to the questions asked there. He also asked the administration to have the complete program in place before the end of the year. He discussed bin sizes, rates, usage, and how they could all work to the benefit of the city. He said that it was a good plan and commended everyone who worked on the plan.

Rollo said he was impressed by the work and wished it had been done years before. He thought it was a good way to improve worker safety and to incentivize conservation.

Mayer said that sanitation costs had several variables beyond the city's control, and the city had to make sure to have a minimum amount covered. He noted that it was a health and safety issue to make sure people were not dumping trash in bad places.

Sandberg expressed pride in the sanitation department and said that she would follow Mr. Walker's lead on how to approach change. She said that the city would make sure the new system was fair and safe.

The motion to adopt Ordinance 17-06 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 17-06 as amended
[10:56pm]

There was no legislation for first reading.

LEGISLATION FOR FIRST READING

Sandberg called for additional public comment.

PUBLIC COMMENT
[10:56pm]

Matt Kelley, Senior Manager for Government Affairs for Comcast, spoke about Comcast's latest trial for one gigabit internet service.

It was moved and seconded to hold a Special Session on Wednesday, March 29, 2017 and to cancel the Committee of the Whole.

COUNCIL SCHEDULE
[11:02pm]

The motion was approved by voice vote.

The meeting was adjourned at 11:03pm.

ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 19th day of April, 2017.

APPROVE:

Susan Sandberg, PRESIDENT
Bloomington Common Council

ATTEST:

Nicole Bolden, CLERK
City of Bloomington