COMMON COUNCIL
REGULAR SESSION
June 15, 2016

In the Council Chambers of the Showers City Hall on Wednesday, June 15, 2016 at 7:33 pm with Council Vice-President Susan Sandberg presiding over a Regular Session of the Common Council.

Council Vice-President Sandberg opened the meeting by explaining that President Ruff was attending a conference in Austin, and would not be chairing the meeting that evening. She then made the following statement:

"On behalf of all on the Bloomington City Council, we thank this community for the tremendous outpouring of support offered to the LGBT community in Orlando. The attendance at last night's vigil is a testament to the inclusiveness and compassion that lives here in Bloomington.

We offer our condolences to all who have lost family members, friends, co-workers and children to senseless gun violence, including this most recent violent assault on a safe haven for the LGBT community.

As we absorb this profound sadness, we encourage you to do more than just grieve. Make calls to Congress. Give them the courage to act. Sign petitions, attend rallies. Join an active group like Moms Demand Action for Gun Sense in America. Vote.

Let's all pledge to do more than just hope that America's worst mass shooting is the last."

ROLL CALL
[7:34pm]

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

AGENDA SUMMATION
[7:34pm]

Council Vice-President Sandberg gave the Agenda Summation.

APPROVAL OF MINUTES
June 1, 2016 (Regular Session)
[7:35pm]

It was moved and seconded to approve the minutes for the Regular Session of June 1, 2016.

The minutes of June 1, 2016 as corrected were approved by voice vote.

December 16, 2015 (Regular Session) 6-0-1 Chopra
December 02, 2009 (Regular Session) 6-0-1 Chopra
December 20, 2006 (Regular Session) 5-0-2 Chopra, Piedmont-Smith

REPORTS

- COUNCIL MEMBERS
  [7:37pm]

Allison Chopra wished all the fathers on the council, her husband, and father a Happy Father's Day.

Isabel Piedmont-Smith spoke on the Orlando Pulse Night Club shooting. She said she was moved by the attendance at the previous night's vigil. She said that society needed to do something about gun violence and as a council member she could not vote on things such as gun control and abortion.

Steve Volan said he was experimenting with a new method of timing public comment and showed that he would use his iPad with a timer application.

Dorothy Granger thanked everyone who attended the vigil held for the Orlando shooting. She said that we must stop these tragedies. She thanked Bloomington.

Tim Mayer said that he joined Granger in her sentiments.

There were no reports from the Mayor's office.

- The MAYOR AND CITY OFFICES

There were no council committee reports.

- COUNCIL COMMITTEES

Council Vice-President Sandberg called for public comment.

- PUBLIC [7:39pm]

Daniel McMullen spoke about the tragedy in Orlando.

Gabe Rivera spoke about the war on drugs.

Danny McConnell, recently retired Maintenance Coordinator with City of Bloomington Utilities, thanked various members of the council for their support of the labor management committee.

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

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:45pm]

LEGISLATION FOR SECOND READING AND RESOLUTIONS

Resolution 16-06 – Authorizing the Allocation of the Jack Hopkins Social Services Program Funds fo the Year 2016 and Other Related Matters

It was moved and seconded that Resolution 16-06 be introduced and read by title and synopsis. The motion was approved by a voice vote.

Clerk Bolden read the legislation by title and synopsis.

Mayer gave a summary of the committee's report.

It was moved and seconded to limit the public comment portion on this piece of legislation to 40 minutes total, and to two (2) minutes per speaker.

The motion received a roll call vote of Ayes: 7, Nays: 0

Public Comment:
Daniel McMullen, Scott Tibbs, Dave Heart, Maria Siefker, Marian Leahy, Margie Sayward, Barbara Barbina, Margaret Key, Donna Fogarty, Ronda Brandon, Roger Sawyer, Andre Siefker, Donald Gregory, Elizabeth Stierwalt, Mark Hornbacher, Donna Zathy, John Kollish, Isaac Siefker, and Levi Bolton spoke in opposition to Planned Parenthood being allocated any Jack Hopkins grant funding.

Council Comment:
Chopra thanked the council for letting her be a part of the process. She also recognized Mrs. Hopkins, who was still with the community.

Granger noted that abortions were legal, she believed in the separation of church and state, and the Planned Parenthood portion of the fund was 1% of the fund.

Chris Sturbaum said the funds were to help people in the community. He went further saying that the fund was not going to be used for abortions.
Piedmont-Smith said that A Friend's Place (formerly Martha's House) was going to get double the funding due to a matching grant by BUEA. She thanked the staff for their work.

Volan said that every year this was a difficult decision and brought attention to other organizations that were receiving funds such as All Options Pregnancy Resource Center, with money going to their diaper bank, the Boys and Girls Club, Court Appointed Special Advocates for Children, and Girls Inc. Those organizations that provide services to children and My Sister's Closet and Middle Way House providing support to women. He said that he supported the resolution.

Sandberg commented on the process and said that as the community needs changed the fund must also evolve to cover operational funds.

Mayer said that the fund covered twenty four agencies and that nineteen were specifically for children. He thanked the committee members for their work.

Resolution 16-06 vote[9:08pm]

It was moved and seconded that Resolution 16-06 be adopted.

The motion to adopt Resolution 16-06 received a roll call vote of Ayes: 7, Nays: 0

Ordinance 16-08 – To Amend Title 9 of the Bloomington Municipal Code Entitled "Water" (Rate Adjustment)
[9:12pm]

It was moved and seconded that Ordinance 16-08 be introduced and read by title and synopsis. The motion was approved by a voice vote.

Clerk Bolden read the legislation by title and synopsis, giving the committee recommendation do pass 7-0-1.

Council Attorney Dan Sherman informed the council that due to an error involving a public notice requirement, there could be no action taken on Ordinances 16-08 and 16-09, but the council could have discussion. The council discussed when those pieces of legislation could have a public hearing.

Director of Utilities, Vic Kelson, gave a presentation on the state and future plans of the City of Bloomington Utilities (slides attached).

Efrat Feferman spoke on the customer service efforts that Utilities was providing (such as options for electronic pay). She said the e-bill program and having all forms online saved CBU money by reducing paper. Feferman also spoke on water conservation kits that were available that could save 5,000 gallons of water per person per year. She also spoke about Vic Kelson who jumped in to fulfill his role as department head of the City of Bloomington Utilities and strived to make it the best municipal waterworks in the state, but that required the appropriate funding.

Council Questions:
Volan asked about sewer overflows and where the sewer pipes were prone to damage. He also asked if leaks developed over time and if leaks were predictable.
Kelson responded by saying that as landscape changed and sewers age, leaks become more likely. He said there are other risks to

sewers such as grease and tree roots. He went on to say that best way to predict overflows was with a hydraulic model of the network and meters in the sewer system.
Mike Bengtson spoke about the meters that were currently being used.

Granger asked how many pipes had been lined.
Kelson said that 8.3% of the pipes in the whole system had been lined, but the focus was on the clay pipes which was 21.6%. He said CBU was approximately a fifth of the way through with that project.

Piedmont-Smith asked about the deadline for filing the bond being September 27, 2016.
John Sconp said that date was a filing deadline, but the intention was to file by July. He said they intended to look for open market bonds, but there was an option to use the State Revolving Loan Funding Program (SRF) which was a financing program through the state to help local utilities by leveraging federal dollars.

Volan asked about whether the tracking of rain fall would help forecast future storm and sewer leaks.
Bengtson said rain fall was tracked, but it was very difficult to predict leaks.
Volan then asked Feferman when forms were available online.
Feferman said that the fillable form was put up in April 2016 and CBU was able to create it in house. By digitizing they were able to reconfigure internal work flow to minimize paper. She went on to say that there was a survey for customers to report on their experiences which helped to fine tune the process.

Public Comment:
Doug Deyhoff from Upland Brewery said that he recommended the rate increase and said that the financial health of the utilities was very important. He went on to say that the surcharge that Upland was being charged was outside of the statewide norm and he hoped that the rate increase could mitigate that need for a surcharge. He said that he appreciated collaborating with Kelson.

Dennis Dunn of Oliver Winery also said that he supported the work that Kelson was doing and the rate increase, but that surcharges had significant impact on Oliver.

Council Questions:
Volan asked if surcharges were the result of usage.
Kelson said that surcharges were the result of the pretreatment program. If an organization had a high Biochemical Oxygen Demand or a high concentration of solids it required a pretreatment. He also said that surcharges would scale with the rate adjustment.

It was moved and seconded that Ordinance 16-08 be tabled.

There was a brief discussion about Ordinance 16-08 and Ordinance 16-09 not having been properly advertised for public notice.

The motion to table Ordinance 16-08 received a roll call vote of Ayes: 5, Nays: 2

Ordinance 16-08 vote [10:19pm]

It was moved and seconded that Ordinance 16-09 be introduced and read by title and synopsis. The motion was approved by a voice vote.

Ordinance 16-09 – An Ordinance of the Common Council of the City of Bloomington, Indiana, Authorizing

Clerk Bolden read the legislation by title and synopsis, giving the committee recommendation do pass 7-0-1.

the Acquisition, Construction, Installation and Equipping by the City of Bloomington, Indiana, of Certain Improvements and Extensions to the City's Waterworks, the Issuance and Sale of Revenue Bonds to Provide Funds for the Payment of the Costs Thereof, the Issuance and Sale of Bond Anticipation Notes in Anticipation of the Issuance and Sale of Such Bonds, and the Collection, Segregation and Distribution of the Revenues of Such Waterworks and Other Related Matters
[10:18pm]

It was moved and seconded that Ordinance 16-09 be tabled.

Ordinance 16-09 vote [10:19pm]

The motion to table Ordinance 16-09 received a roll call vote of Ayes: 6, Nays: 1

Ordinance 16-10 – To Amend Title 10 of the Bloomington Municipal Code Entitled "Wastewater" (Rate Adjustment)
[10:22pm]

It was moved and seconded that Ordinance 16-10 be introduced and read by title and synopsis. The motion was approved by a voice vote.

Clerk Bolden read the legislation by title and synopsis, giving the committee recommendation do pass 7-0-1.

It was moved and seconded that Ordinance 16-10 be adopted.

Ordinance 16-10 vote [10:26pm]

The motion to adopt Ordinance 16-10 received a roll call vote of Ayes: 7, Nays: 0

Ordinance 16-11 – An Ordinance of the Common Council of the City of Bloomington, Indiana, Authorizing the Acquisition, Construction, Installation and Equipping by the City of Bloomington, Indiana, of Certain Improvements and Extensions to the City's Sewage Works, the Issuance and Sale of Revenue Bonds to Provide Funds for the Payment of the Costs Thereof, the Issuance and Sale of Bond Anticipation Notes in Anticipation of the Issuance and Sale of Such Bonds, and the Collection, Segregation and Distribution of the Revenues of Such Sewage Works and Other Related Matters
[10:34pm]

It was moved and seconded that Ordinance 16-11 be introduced and read by title and synopsis. The motion was approved by a voice vote.

Clerk Bolden read the legislation by title and synopsis, giving the committee recommendation do pass 7-0-1.

It was moved and seconded that Ordinance 16-11 be adopted.

The motion to adopt Ordinance 16-11 received a roll call vote of Ayes: 7, Nays: 0

Ordinance 16-11 vote [10:34pm]

LEGISLATION FOR FIRST READING

It was moved and seconded that Ordinance 16-12 be introduced and read by title and synopsis. The motion was approved by a voice vote.

Ordinance 16-12 – To Vacate Public Parcels – Re: Two 12-foot Wide Alley Segments and Two Fifty-Foot Wide Street Segments Located at the Northwest Corner West 11th Street and North Roger Street (Duke Energy, Petitioner)

It was moved and seconded that Ordinance 16-13 be introduced and read by title and synopsis. The motion was approved by a voice vote.

Ordinance 16-13 – To Amend Title 8 of the Bloomington Municipal Code, Entitled "Historic Preservation and Protection" To Amend a Historic District to Reflect Re-Addressing of a Designated Property – Re: 305 East Vermilya Avenue

There were no comments in this segment of the meeting.

ADDITIONAL PUBLIC COMMENT

There were no changes to the council schedule.

COUNCIL SCHEDULE

The meeting was adjourned at 10:39pm.

ADJOURNMENT

APPROVE:

Andy Ruff, PRESIDENT
Bloomington Common Council

ATTEST:

Nicole Bolden, CLERK
City of Bloomington