

In the Council Chambers of the Showers City Hall on Wednesday, October 14, 2015 at 7:34 pm with Council President Dave Rollo presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
October 14, 2015

Roll Call: Rollo, Ruff, Mayer, Volan, Granger, Sturbaum, Neher, Spechler, Sandberg
Absent: None

ROLL CALL

Council President Rollo gave the Agenda Summation

AGENDA SUMMATION

The minutes for April 15, 2015; September 24, 2015; and September 30, 2015 were approved by a voice vote.

APPROVAL OF MINUTES

Ordinance 15-22 - To Amend Ordinance 14-18 Which Fixed the Salaries of Officers of Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2015 - Re: Reflecting Collective Bargaining Agreement Affecting the Police Department

LEGISLATION FOR FIRST
READING
Ordinance 15-22

It was moved and seconded that Resolution 15-20 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of Do Pass 8-0-0. It was moved and seconded that Resolution 15-20 be adopted.

LEGISLATION FOR SECOND
READING AND RESOLUTIONS
Resolution 15-20 - To Authorize and Approve the Execution of a Collective Bargaining Agreement Between the City of Bloomington and the Fraternal Order of Police

Deputy Mayor Adam Wason noted that this resolution approved the agreement for the police officers that was negotiated between the city and the Fraternal Order of Police. The agreement would take effect immediately upon execution through the end of 2018. The full agreement was attached to the resolution.

Spechler asked if these changes were reflected in the 2016 budget that was being presented for vote at this meeting. Wason said they were.

Public comment:

Daniel McMullen spoke briefly on the issue.

There was no council comment on the resolution or the bargaining agreement.

The motion to adopt Resolution 15-20 received a roll call vote of Ayes: 9, Nays: 0

It was moved and seconded that Ordinance 15-18 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of Do Pass 8-0-0.

Ordinance 15-18 - An Ordinance Fixing the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2016

It was moved and seconded that Ordinance 15-18 be adopted.

Doris Sims, Director of Human Resources, explained the salary ordinance, noting that it included the raises negotiated in the bargaining agreement with the police and fire departments as approved by the previous resolution.

There were no council questions or comments on this item.

Public comment:

Daniel McMullen came to say the police chief didn't need a raise.

The motion to adopt Ordinance 15-18 received a roll call vote of Ayes: 9, Nays: 0

It was moved and seconded that Ordinance 15-19 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of Do Pass 8-0-0.

Ordinance 15-19 - An Ordinance Fixing the Salaries of Appointed Officers, Non-Union, and A.F.S.C.M.E. Employees for all the Departments of the City of Bloomington, Monroe County, Indiana for the Year 2016

It was moved and seconded that Ordinance 15-19 be adopted.

Doris Sims noted that the ordinance would fix the salaries for the Civil City employees, both union and non-union, for 2016.

She said the non-union employees would receive a 2% pay increase for 2016; the union employees, according to the AFSCME contract, would receive a 1% pay increase.

She said the ordinance would also set the salaries for three paid boards (Utilities Service Board, Board of Public Safety and the Board of Public Works). She added that the ordinance also authorized changes in pay grades as well as positions and job titles.

She said there were only two changes with fiscal impact on the 2016 budget. Savings of \$31,599 would be realized with the termination of the Records Archivist position in the Office of the City Clerk. She said the Public Works Operations Facilities Director position was reclassified from a grade 8 to 9 with a salary increase of \$1,450.

There was no public comment on this ordinance.

Council comments:

Spechler said the Consumer Price Index increase would be a little less than 2% unless the price of oil rose dramatically. He said the 2% increase was a fair thing and voiced his support of this raise.

The motion to adopt Ordinance 15-19 received a roll call vote of Ayes: 9, Nays: 0

It was moved and seconded that Ordinance 15-20 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of Do Pass 8-0-0.

Ordinance 15-20 - To Fix the Salaries of all Elected City Officials for the City of Bloomington for the Year 2016

It was moved and seconded that Ordinance 15-20 be adopted.

Doris Sims noted that this ordinance included a pay increase for elected officials and was consistent with the 2% raise for Civil City employees for 2016.

The motion to adopt Ordinance 15-20 received a roll call vote of Ayes: 9, Nays: 0

It was moved and seconded that Appropriation Ordinance 15-03 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of Do Pass 8-0-0.

Appropriation Ordinance 15-03 - An Ordinance for Appropriations and Tax Rates (Establishing 2016 Civil City Budget for the City of Bloomington)

It was moved and seconded that Appropriation Ordinance 15-03 be adopted.

Jeff Underwood, City Controller, said that the overall budget proposal was for \$72,367,515 which was an increase of 1.13%. He said the general fund request was for \$38,382,593 which was a 5.25% increase. He said the budget was balanced.

Volan noted he had previously asked about a transfer of \$377,500 that took place in December of 2014, and read portions of an email from Controller Underwood regarding that transfer.

Here's the information in regards to the interdepartmental transfer of \$377,500 in this year's parking meter fund. Here's the breakdown:

- \$150,000 to general fund to partially fund officers in the areas with parking meters.
- \$200,000 to the alternative transportation fund.
- \$27,500 to the vehicle replacement fund for partial funding of parking meter and police vehicles.

This transfer was included in the 2015 budget, and was not a part of the 2016 budget request.

Appropriation Ordinance 15-03
(cont'd)

Volan said he couldn't find where this transfer had been approved. Underwood said he misspoke in the email; the transfer was done within the 2014 budget with the end of the year budget transfer ordinance at the end of 2014. He said it was not in the 2015 or 2016 budgets.

Volan asked when it was approved. Underwood said it was in the 2014 budget request that was passed in the fall of 2013. Volan asked how anyone would have known in 2013 the specific amount of money that would be available to transfer a year later in 2014. Underwood noted that there would have been no transfer at all unless there was a balance in the fund to support that transfer.

Volan asked if the transfers were anticipated a full year in advance. Underwood said he understood it was included in the budget at that time, but he was not named to his position until after the 2013 budget legislative cycle had been completed.

Spechler asked what changes had been made in the 2016 budget proposal since it was first presented in early September. Underwood said the change since the end of August was a total of \$85,763 over the entire budget. He gave the following:

- General fund increase of \$8,960
- Parks General Fund increase of \$56,007
- Motor Vehicle Highway Fund increase of \$1,721
- Parking Facilities Fund increase of \$730
- Solid Waste Fund increase of \$5,657
- Fleet Maintenance Fund increase of \$12,688

Underwood said that \$72,000 of that total was for unemployment benefits, and noted that this particular line was continually re-calculated as the budget process proceeded. He said \$10,000 had been added to the Fleet Maintenance department for tools and additional equipment, and that \$3,000 covered miscellaneous needed expenses.

Spechler asked what adjustments were made for projected revenue. Underwood said new numbers had come from the state regarding County Option Income Tax that increased projected revenue by \$377,000. Underwood added that those projected figures would continue to change as the state estimated and revised their projected revenues and then passed along their projections to cities. He said the last part of the process was that the budget would get sent to the state which would review all budgets and issue final orders. He added that the final draft order would not come until January of 2016.

Spechler asked about the 'miscellaneous' taxes. Underwood said there were no real changes; the estimates still stood as presented.

Volan revisited his original question regarding the timing of the approval of a fund transfer. He thanked Underwood for the breakdown. He asked for any narrative that would have accompanied the \$200,000 transfer to the Alternative Transportation Fund. He said that that fund didn't seem related to parking meters or parking enforcement.

Underwood said he didn't find any specific notations or deliberations about how the former controller arrived at the two expenditures from the Alternative Transportation fund: \$300,000 to the council sidewalk fund, and \$200,000 for greenway development. He said expenses for the council sidewalks funds were allowed in areas where meters were located or areas that served the metered sections of the city.

Volan asked where money deposited into the Alternative Transportation Fund came from before meters were installed. Underwood said there had been transfers from different funds over the past years. He said neighborhood parking permit fees were part of that funding.

Volan noted that the budget approved in the fall of 2013 occurred at the time meters were installed. He said this implied that the administration was anticipating enough revenue from the meters to place this in the budget a full year before the initial meter revenue report. Underwood said the fund was created at the start of 2014 and the transfers were made at the end of 2014.

Sturbaum asked Underwood if money from this fund could be used in dealing with birds damaging the meters and property downtown. Underwood said it would be appropriate.

Public Comment:

Daniel McMullen said he accepted Underwood's explanation.

Council comments:

Spechler said he had serious issues with the budget, noting that he had talked about them once or twice before. He said a balanced budget with an increased reserve fund was a good idea, but not at the expense of neglecting important city needs. Spechler said that new problems and new populations necessitated at least two new sworn police officers, and they were left out of the budget. He said there was a need for a new firehouse, because citizens were paying higher home insurance rates the further away they were from a fire station. He said a new fire station was left out of the budget. Lastly, he noted that a senior staffer in the sanitation department brought new environmental requirements to his attention. Spechler said this would lead to more overtime which would strain the budget and expand costs. He said overtime should be included in the budget. He lauded the inclusion of an increase for the Jack Hopkins Social Service Fund. He said he was appreciative of the funding for paving and sidewalks, and the 2% raise for employees.

He said he looked forward to the correction of these issues with the new mayor.

Volan apologized to his colleagues for saying that, with the short amount of time between the delivery of the budget to the council members and the first hearing, the council members had not read the budget. He said he meant to say that it was difficult for anyone to read all the material over a weekend. He said he did not mean to imply that the council members had not actually read the budget, and was surprised that anyone took his words that way.

He noted his question about the parking meter fund two weeks prior didn't get answered until just prior to this meeting due to a miscommunication. He said that requested information should be provided to council members in a timelier manner, and this needed a protocol for the future.

Volan referenced Donald Shoop's book "High Cost of Free Parking" by saying that excess meter revenue should be used to improve the metered areas, an essential component of buy-in from those who live, work and operate in the area. He said since the sidewalks in his district (VI) were already built out, he was concerned about the use of the money from parking meters. He said the one time transfer of money was not enough to have him vote against a quality budget, calling it carefully built with attention to detail. He said that in 2016, the Parking Meter fund would grow in size. He said there would be pressures to use the fund, and he wanted to make sure that the concerns of District VI were taken into consideration.

Volan, with regards to insurance rates and placement of fire stations, said that Bloomington had a three rating out of eight, which he said was about as high as a city could get. He asked Spechler to demonstrate that there was a need for a fire station in the south side of the city.

Ruff referred to Spechler's previous comments about fire protection and public safety. He said he was convinced that there had been increased efficiency in police officers due to resources from technology and other

Appropriation Ordinance 15-03
(cont'd)

strategies that had been adopted. He noted Mayor Kruzan had committed to add officers to the police force over a specific period of time, and that he had done just that.

Sturbaum said that he had seen twelve budgets prepared by Mayor Kruzan, noting some lean times and better times, but that the city was well run, and that the Democrats had led balanced budgets in the city.

Rollo noted public safety had been of prime importance to this administration, noting the addition of twelve police officers, significant investments in training facilities and equipment, and increased efficiencies in public safety. He said the fire station was to be paid for out of TIF funds, with development of PUDs, commercial, and retail development adding to that fund. Rollo said those things didn't develop and therefore there were not TIF funds available for this buildout. He said now was the time to start thinking of this.

Spechler said that money deposited in the parking meters downtown came from the people of his district, other districts, and the city as a whole. He disputed Volan's claim that money collected from the meters should be spent in the areas where the meters were placed. He said the correct approach was to assess the needs for sidewalks and paving wherever needed in the city.

Spechler said the rating for insurance may not have even been noticed by residents in the south east portion of the city. He stood by his statement that there should have been more police officers added to the force because there had been an increase in population and there was also an increase in problems near the bus station. He also noted police were needed for food truck regulation enforcement.

Neher said this was his last budget vote, and said that he appreciated the approach of the administration and the council during his term, noting his admiration for their collaborative work. He said the budgets were fiscally prudent and provided strong reserves. He said the process took months, and actually didn't end with the passage of these pieces of legislation. He thanked everyone involved in the process, and said he would continue to follow this issue in the next year.

Volan spoke again about his concerns about transfers and expenditures from the Parking Meter Fund in relation to the installation of meters. He also spoke of finding an equitable way to spend money on improvements in each district. He said that District VI should be able to ask for a downtown shuttle service from this fund. He said Mayor Kruzan had increased the police force from 84 officers to 100 in his time as mayor and had instituted the downtown resource officer program. He said that he agreed with Spechler that the city could use two more of those.

Appropriation Ordinance 15-03 received a roll call vote of Ayes: 8, Nays: 1 (Spechler)

It was moved and seconded that Appropriation Ordinance 15-04 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of Do Pass 8-0-0.

It was moved and seconded that Appropriation Ordinance 15-04 be adopted.

Patrick Murphy, Utilities Director, noted this was the twelfth budget he had prepared for the council. He said there had been no changes from the previous proposal. He noted that the total amount was \$36.5 million, was conservative, was fiscally responsible and was balanced. He noted the department was holding the line on expenditures. He said that there

Appropriation Ordinance 15-04 -
An Ordinance Adopting a Budget for the Operation, Maintenance, Debt Service, and Capital Improvements for the Water and Wastewater Utility Departments of the City of Bloomington, Indiana, for the Year 2016

was a 1.44% increase over the previous year's budget.
There were no council questions on this ordinance.
There were no public comments on the ordinance.

Appropriation Ordinance 15-04
(cont'd)

Council comments:

Spechler noted for the public that, by law, the Utilities budget had to cover their costs by the rates charged. He said rate increases would come forward when the cost of providing clean water exceeded the rates.

Murphy asked for a moment of personal privilege as he took time to mention council member Neher's Chicago Cubs garb.
He quoted Steve Goodman:

Baseball season's underway
Well, you'd better get ready for a brand new day
Hey, Chicago, what do you say?
The Cubs are gonna win today

They're singing
Go, Cubs, Go!
Go, Cubs, Go!
Hey, Chicago, what do you say?
The Cubs are gonna win today

The motion to adopt Appropriation Ordinance 15-04 received a roll call vote of Ayes: 9, Nays: 0

It was moved and seconded that Appropriation Ordinance 15-05 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of Do Pass 8-0-0.

Appropriation Ordinance 15-05 -
Appropriations and Tax Rates for
Bloomington Transportation
Corporation for 2016

It was moved and seconded that Appropriation Ordinance 15-05 be adopted.

Lew May, General Manager of the Bloomington Public Transportation Corporation, noted the budget was for \$9.22 million. He added there had been no changes in the proposal since the council saw it earlier in August and September.

Spechler asked if Route 6 was the most heavily traveled route in the bus system. May said it was a close tie with Route 9, with each averaging 6,000-7,000 passenger trips on a typical weekday Monday through Thursday. Spechler asked if Route 8 was serviced by a smaller bus. May said that there was only one small bus on that route, as compared to several busses on Routes 6 and 7. Spechler asked about the burden of Route 8 to the entire budget. May said that on a cost per passenger basis it was higher than other routes, but that on a cost per route basis it was not a burden because other routes were higher in cost.

Rollo noted that the Energy Information Agency observed that this time period was a low in fuel prices but anticipated a fuel hike within the next six to eight months. He asked May if the PTC was ready for a fuel hike. May said they were. He said that their contract (ending in July of 2016) included a fixed price for fuel that had been less in cost than in previous years. He said that this contract also covered the IU busses.

Public comment:

Daniel McMullen spoke about the little used routes, wondering if they were cost effective.

Council Comments:

Mayer noted that he and council member Ruff had attended an event at the transit terminal when it was dedicated to a 33 year PTC board member, Ray McConn. He thanked May and the PTC staff for honoring McConn in that way.

Appropriation Ordinance 15-05
(cont'd)

Volan said that the data should drive decisions on routes, and he said that the Eastside Local Route 8 had a cost per passenger that was substantially higher than other routes. He noted his past advocacy for a downtown shuttle that would connect all the downtown points of interest, but was told that Route 8 could be repurposed for that. He said that would be a higher and better use for those resources. He hoped that the parking meter funds could help fund a downtown shuttle.

Spechler said that a downtown shuttle for tourists connecting the garages to other destinations would be important. He said Route 8, the Eastside Local, served the city's second most important commercial area.

The motion to adopt Appropriation Ordinance 15-05 received a roll call vote of Ayes: 9, Nays: 0

It was moved and seconded that Ordinance 15-21 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 8-0-0.

It was moved and seconded that Ordinance 15-21 be adopted.

Doris Sims said that the proposal would amend this year's salary ordinance to allow for longevity payment and recognition for years of service to the city.

Spechler asked if merit increases were given to employees as recognition of their work or if they increased their qualifications for the job. Sims said that the city only provided cost of living increases. Spechler asked if longevity payments were included in the budget. Sims said this money came from a particular line item from each department's budget, and would be awarded once. Sims said the total amount allocated for this year was \$6,500 across all city departments.

Ruff asked how the concept of longevity pay fared in the HR world. Sims said it showed commitment and appreciation to employees, but different organizations recognized length of service differently. She said that gift cards, ceremonies and small gifts had been given in the past, but the controller felt that monetary awards given in recognition of an employee's longtime service to the city should be part of the salary ordinance.

Public Comment:

Daniel McMullen said that performance reviews needed to be included in the topic of increases in pay. He asked that the proposal be denied.

Council Comments:

Sturbaum said this was a nice way of saying 'Thank You,' and it meant something to both the city and employee.

Spechler said the amount was not excessive, but was not an efficient way of rewarding the performance of an employee. He said labor studies indicated that performance on the job peaked during the 5th or 6th decade of life. He said he doubted this reward matched performance but said it would, however, be an insult to employees not to vote for this. He urged Sims to adopt merit increases for younger members of the staff who have shown innovation, efficiency, or who have worked above and beyond what is expected of them. He said that a department head should be able to do this for several people in each department each year. He said this would help in management and also in innovation.

The motion to adopt Ordinance 15-21 received a roll call vote of Ayes: 8, Nays: 0 (Volan was out of the room)

Ordinance 15-21 - To Amend Ordinance 14-19 Which Fixed Salaries for Appointed Officers, Non-Union and A.F.S.C.M.E. Employees for the Year 2015 and Ordinance 14-18 Which Fixed the Salaries of Officers of the Police and Fire Departments for the Year 2015 Re: To Provide for Longevity Payments for Civil City and Public Safety Employees in Recognition of Their Years of Service to the City of Bloomington

It was moved and seconded that Ordinance 15-22 be introduced and read by title and synopsis.

Ordinance 15-22 - To Amend Ordinance 14-18 Which Fixed the Salaries of Officers of Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2015 - Re: Reflecting Collective Bargaining Agreement Affecting the Police Department
Motion to consider an item (Ordinance 15-22) introduced earlier in the meeting rather than at the next meeting.

It was moved and seconded to consider Ordinance 15-22, introduced earlier in the evening at first reading, rather than wait for another meeting. The motion to consider at the same meeting required unanimous consent.

The motion received a roll call vote of Ayes: 8, Nays: 0 (Volan was out of the room)

It was moved and seconded that Ordinance 15-22 be adopted.

Ordinance 15-22

Doris Sims noted that Resolution 15-20, heard earlier in this meeting, authorized the collective bargaining agreement between the city and the FOP which included the year 2015. She said part of the agreement was that salaries and other pay compensation for police officers would take effect for the remainder of 2015. She said the original salary ordinance passed last year would need to be amended in order to include those changes, which she briefly outlined.

Spechler asked about the reasons for increases at this time. Sims said that the base pay for 2015 was negotiated. She said that a lump sum payment would be paid to the officers instead of a percentage of pay during the year.

There were no public comments on this item.

Granger thanked the council for discussing this ordinance on the same night it was introduced.

Spechler said it was fair that once the agreement was made, it be in effect.

The question was called and President Rollo noted that a 2/3 majority vote would be needed to pass this ordinance because of the special circumstances of the deliberation timing.

The motion to adopt Ordinance 15-22 received a roll call vote of Ayes: 9, Nays: 0.

Dan Sherman, Council Attorney/Administrator, noted the next Regular Session would be held on October 21, 2015.

COUNCIL SCHEDULE

The meeting was adjourned at 9:28 pm.

- ADJOURNMENT

APPROVE:

ATTEST:

Dave Rollo, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington