In the Council Chambers of the Showers City Hall on Wednesday, December 2, 2015 at 7:32 pm with Council President Dave Rollo presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
December 2, 2015

Roll Call: Rollo, Ruff (arr. 7:37), Mayer, Volan, Granger, Sturbaum, Neher, Spechler, Sandberg
Absent: None

ROLL CALL

Council President Rollo gave the Agenda Summation

AGENDA SUMMATION

The minutes for Regular Sessions of May 07, 2014, September 03, 2014, Septem 17, 2014, October 29, 2014, November 18, 2015, and Special Session of July 09, were approved by a voice vote.

APPROVAL OF MINUTES

REPORTS

- COUNCIL MEMBERS

Darryl Neher said that earlier that day the extension of Martha's House, a homeless shelter, had been funded for the next year. He said that the Bloomington Urban Enterprise Association (BUEA) would donate $150,000 dollars and an additional $200,000 in matching funds to keep forty beds open. He said that Perry Township, Bloomington Township, Monroe County, and city governments along with the Shalom Community Center had helped. He praised the organizations that provided a vital service to the community.

Dorothy Granger thanked Neher for his impassioned remarks and the BUEA for supporting the sheltering project.

Tim Mayer thanked Neher, Sandberg, and Granger for their work on the sheltering project and noted he was unable to attend the meeting. He spoke about the attacks in Paris two weeks prior; Colorado Springs, CO; and San Bernardino, CA. He urged everyone to find a way to solve these problems.

Marty Spechler praised his colleagues' work on the sheltering project. He said that it was an opportunity to help people get back on their feet. He said that the IU Football Team was beginning to become competitive again, and they had demonstrated what scholar athletes could do with hard work.

Susan Sandberg echoed Mayer's comments about the attacks. She spoke about Mom's Demand Action for Gunsense in America and their work to stop gun violence in the country. She said that a time of joy approaching the holidays was harmed by senseless acts of violence.

- The MAYOR AND CITY OFFICES

Mary Boutain, member of Commission on Aging, presented the commission's annual report. She said that the goal of the commission was to ensure that all people could enjoy a meaningful life regardless of age or ability. She detailed the commission's accomplishments for 2015:

- 5th Annual Creative Aging Festival,
- members served on the Affordable Living Task Force,
- organized a weekly gathering place for senior's called Sally's Place
- livestreamed the White House Conference on Aging
- participated in the 50+ Expo
- participated in the 8th Annual Active Living Coalition Health Fair
- co-sponsored "Navigating the Caregiving Challenge"

She said that the commission would continue their work in 2016 by repeating successful events, creating the Task Force to review the Best Cities for Successful Aging Report, creating the 6th Annual Creative Again Festival, and recommending guidelines from the White House Conference on Aging for the Growth Policies Plan.

Spechler asked about Sally's Place, a gathering spot for seniors. He said he did not know about the place, even though he considered himself a senior, and had received some feedback about the need for such a center. He said the center should be advertised so that more people could learn about it, and the council should work to include senior housing within the Trades District. Boutain said that she agreed that a senior center was necessary. She said that the Salvation Army opened its doors to provide such a place, and said the commission would like to work with the city to create a center near senior housing downtown.

Teresa Grossi, Chair of the Commission on the Status of Children and Youth (CSCY), gave the commission's annual report for 2015. She said they:

- developed an award for "Students Who Act Generously, Grow and Earn Respect (SWAGGER)" for students with positive attitudes who change the lives of others or themselves

Reports for the Mayor *(cont'd)*

- community outreach to hear what students and young adults liked and what they would change about Bloomington
- served on the Community Develop Block Grants committee

She said that the commission would continue the work for the next year to design a campaign to identify resources for those suffering from anxiety.

Spechler asked how the commission reacted to the growing number of public charter schools, which he said was a threat to children and youth in the community. He said that the charter school movement created social segregation. Grossi said limited resources prevented the commission from covering every issue, and they chose to focus on issues that affected children of all ages.

- COUNCIL COMMITTEES

There were no reports from council committees at this meeting.

- PUBLIC

President Rollo called for public comment.

David Sabbagh, resident of Coppertree Neighborhood, praised the city's Street Department for fixing issues within the neighborhood.

Daniel McMullen spoke in favor of gun ownership and transportation issues.

Lindsey Badger, Service Learning Liaison for New Leaf New Life, spoke about how the city could help people re-enter the community after incarceration. She asked that the council offer three months of free bus ridership to recently released citizens. She thanked the council for their work in securing temporary shelter for citizens, and said that her organization worked to find permanent housing for the recently released. She said a recent local zoning decision made a long term, sober living community impossible.

Carter Wilson, New Leaf New Life, said that there was a lack of public facilities, mainly restrooms, which adversely affected the homeless population in the community. He said that the community had the obligation to provide these basic needs, and he listed other communities that provide these needs.

Lexi Prasco, Monroe County Jail Women's Think Tank, explained that her organization had gathered testimonials about experiences of incarcerated women. She encouraged the city to find affordable, safe housing for formerly incarcerated women.

Public Comment *(cont'd)*

Rachel Slepian, Monroe County Jail Men's Think Tank, explained that her organization also attempted to create a safe living space for men committed to sobriety after incarceration. She said that they needed the city's resources to create therapeutic homes for self-supportive, drug and alcohol free individuals to recover and not face re-incarceration or homelessness. She said the recent zoning change put people at risk for relapse when they could not live together.

Jim Blickensdorf, resident of District 3, spoke about the BUEA's meeting earlier in the day. He said he hoped to make a tremendous impact in the community by providing $150,000 to fund the community sheltering project through 2016. He said the BUEA issued a challenge to the community by offering up to $200,000 in matching funds. He urged the council to appropriate funds to support the shelter.

Sura Gail Tala spoke about the environmental impact of plastic bags. She advocated for a plastic bag ban in the community and added that 130 cities in the country and 70 other countries had banned plastic bags.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards or Commissions at this meeting.

LEGISLATION FOR SECOND READING AND RESOLUTIONS

It was moved and seconded that Appropriation Ordinance 15-06 be introduced and read by title and synopsis. Deputy Clerk Larabee read the legislation and synopsis, giving the committee recommendation of do pass 8-0-1.

It was moved and seconded that Appropriation Ordinance 15-06 be adopted.

Appropriation Ordinance 15-06 To Specially Appropriate from the General Fund, Risk Management Fund, and Rental Inspection Program Fund Expenditures Not Otherwise Appropriated (Appropriating Various

Jeff Underwood, City Controller, said that this was the annual end of the year appropriation. He said it would move $632,640 throughout various funds throughout the city, and $280,000 of this was a movement of previously appropriated funds. He detailed the departments that would experience of funding chance.

Transfers of Funds within the General Fund, Solid Waste Fund, Alternative Transportation Fund; and, Appropriating Additional Funds from the Municipal Arts Fund, Risk Management Fund, BMFC Showers Bond, Parking Facilities, Police Pension, and Rental Inspection Program Fund)

Council Questions:
Volan asked about the transfer within parking facilities. Underwood explained that the city took back operation of the parking garages that year and had estimated the cost of operation but would have clear costs for future years.

Spechler asked which departments had surplus funds that could be transferred. Underwood said that Community and Family Resources, City Council, Human Resources, Economic and Sustainable Development, and Planning and Transportation had additional funds that could be transferred.

Spechler asked which department had the largest budget surpluses. Underwood said that Planning and Transportation and Community and Family Resources had the largest surpluses.

There was no public comment on the ordinance.

Council Comment:
Spechler said that a project within his district was not completed that year, and he was told that Planning and Transportation and Economic and Sustainable Development did not have the funds to complete the project. He was surprised that there were now surplus funds within the departments.

The motion to adopt Appropriation Ordinance 15-06 received a roll call vote of Ayes: 9, Nays: 0

Ordinance 15-25 To Amend Title 8 of the Bloomington Municipal Code, Entitled "Historic Preservation and Protection" to Establish a Historic District – Re: Courthouse Square Historic District (Bloomington Historic Preservation Commissioner, Petitioner)

It was moved and seconded that Ordinance 15-25 be introduced and read by title and synopsis. Deputy Clerk Larabee read the legislation and synopsis, giving the committee recommendation of do pass 9-0-0.

It was moved and seconded Ordinance 15-25 be adopted.

Lisa Abbott, Director of Housing and Neighborhood Development (HAND), thanked the Historic Preservation Commission, downtown property owners, Nancy Hiestand and Bethany Emenhiser for their work on the ordinance.

Bethany Emenhiser, Program Manager with HAND, described the district. She said that there had been eight newspaper articles, three public meetings, direct mail to property owners, seventeen design guideline meetings, and five meetings with individual property owners about the historic district.

Council Questions:
Volan asked why this designation hadn't been made sooner. Abbott said that the department wanted the process to be a cooperative celebration instead of a contentious hearing. She said the issue was far more divisive ten years ago.

Volan asked how the department pitched the district to property owners. Abbot explained that Hiestand had done the legwork to bring property owners on to the same page and demonstrate the economic potential of the downtown. She said that taking that time allowed people to work better together.

Public Comment:
Mark Dollase, Indiana Landmarks, explained that his organization served as the state's historic designation body. He congratulated everyone involved for finding a mutually agreeable way to create the historic district. He encouraged the council to adopt the ordinance to take advantage of the economic benefits of historic preservation.

Council Comment:
Spechler said that he valued the downtown and supported the ordinance, but historic preservation could not replace the need for modern architecture. He said historic structures were not energy efficient nor had modern amenities.

Granger said she wished the council had created the designation sooner. She said she was excited that it was getting done.

Volan disagreed with Spechler that older buildings could not be remodeled to be energy efficient. He said that new construction would use a tremendous amount of energy. He spoke negatively of modern architecture in comparison to historic structures.

Neher echoed Volan's sentiment on historic preservation pointing out that City Hall was a remodeled historic structure. He said modern architecture and historic structures were not mutually exclusive, and the Growth Policies Plan should be designed to maintain the essence of historic buildings.

Ordinance 15-25 *(cont'd)*

Mayer said the design guidelines meetings were informative, and he felt that the process was inclusive. He thanked the historic preservation commission, Emenhiser, and Hiestand for their guidance and support of the project.

Sandberg thanked Sturbaum for advocating and negotiating with concerned parties during the final stretch of the ordinance.

Ruff spoke about other Indiana Counties that had torn down their historic courthouses. He challenged those in attendance to imagine what the city would be like without the sense of common space associated with the courthouse. He thanked everyone involved and county officials for supporting the ordinance.

Sturbaum thanked his colleagues for prompting the commission to push for the creation of the district. He said that a new building would take 80 or 90 years before it could save enough energy to offset the carbon debt of tearing down the old building and constructing the new one. He spoke about the fight to create the McDoel Gardens Preservation District and when there was a movement to demolish the courthouse to demonstrate how far historic preservation had come.

Spechler said that entrepreneurs took the demolition and construction cost associated with creating a new building into account. He suggested the cost of historic preservation be considered on a case by case basis. He said he would support the ordinance.

Sturbaum said that money did not tell the whole story. He said that there were historical factors that could be not be quantified monetarily.

Rollo thanked everyone who contributed to the creation of the district and thanked Sturbaum for negotiating with county officials.

The motion to adopt Ordinance 15-25 received a roll call vote of Ayes: 9, Nays: 0

LEGISLATION - FIRST READING

Ordinance 15-26

Ordinance 15-26 To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code - Re: Amending 20.05.020 ("CF-01 [Communication Facility- General]") and 20.09.320 ("Surety standards – Performance surety") to Reflect Changes in State Law; Revising the Definition of "Fraternity/Sorority House," and Correcting Minor Errors

Ordinance 15-27

Ordinance 15-27 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" - Re: Stop, Multi-Stop, Yield, and Signalized Intersections; Turning Right on Red; School Speed Zones; Angled Parking, No Parking, Limited Parking, Loading, and Bus Zones; and, Accessible Parking for Persons with Disabilities

Ordinance 15-28

Ordinance 15-28 To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration and Personnel" Re: Amending Chapter 2.21 Entitled "Department of Law" to Remove the Voluntary Nature of Investigation and Mediation of Complaints Based on Sexual Orientation Discrimination and Gender Identity Discrimination

PUBLIC COMMENT

There was no public comment at this portion of the meeting.

COUNCIL SCHEDULE

Dan Sherman, Council Attorney/Administrator, reminded the council that next week would begin with a Special Session followed by a Committee of the Whole.

ADJOURNMENT

The meeting was adjourned at 9:32 pm.

APPROVE:

Dave Rollo, PRESIDENT
Bloomington Common Council

ATTEST:

Regina Moore, CLERK
City of Bloomington