

In the Council Chambers of the Showers City Hall on Wednesday, October 17, 2012 at 7:30 pm with Council President Tim Mayer presiding over a Regular Session of the Common Council.

ROLL CALL: Mayer, Neher, Rollo, Ruff, Spechler, Sturbaum, Volan, Granger  
Absent: Sandberg

#### AGENDA SUMMATION

Council President Mayer gave the Agenda Summation

#### APPROVAL OF MINUTES

There were no minutes for approval at this meeting.

#### REPORTS:

##### COUNCILMEMBERS

Andy Ruff reported on an Indianapolis Star editorial based on a previous article on lack of funding for the completion of I-69. He read a little of the article *'Money Runs Low for Completion of I-69 extension from Evansville to Indy.'* He reiterated that there was no plan for finishing it and read a quote by Governor Daniels about putting the plan on hold after the current sections were complete. Ruff said this had been predicted by opponents for years and worried about highway traffic ending on Rt. 37 in Bloomington. He read the editorial that said the people in the south part of Indianapolis would be relieved that taxable property wouldn't be taken for the route.

Ruff noted that as a Metropolitan Planning Organization member, the non answers to his questions at the meetings and the situation presented above was more tragic and wasteful with each passing month.

Darryl Neher announced his constituents meeting to be held on Saturday, October 20th at 11:00 am in the McCloskey Room. He noted that the discussion would center on the council agenda for the past and what was coming up in the future.

Dorothy Granger noted that Friday morning's Residents' Breakfast held in conjunction with county councilmember Julie Thomas would be at 7:30 am at Rachael's Café on Third Street. The topic was Historic Designation process in both the city and county.

Chris Sturbaum noted a conference on Happiness in Australia, and what happiness means. He said their Gross National Happiness measurement based on other things besides money spent on goods should be adopted.

##### MAYOR and CITY OFFICES

Nate Nickel, Senior Long Range Planner with the Planning Department provided a report on the *Imagine Bloomington* visioning project for the city which would, in turn, guide the upcoming Growth Policies Plan revision. He said a series of eleven workshops were held throughout the community to create a vision statement that would reflect Bloomington's core values and goals. He said tabling around the city and a dedicated online survey and other web access points allowed folks to participate in other ways. Major themes heard included:

- Bloomington is a progressive and special community
- We have a strong cultural and arts vibrancy
- Need to establish more affordable housing and social services
- Need to develop more opportunities for seniors and youth
- Expand economic development opportunities
- Create a broader focus on environmental issues.

Nickel said a draft vision statement had been developed and it would be reviewed by the public in a series of open house workshops. He added that an online open house survey was active on the city website. He asked the public and council to weigh in on the statement.

Nickel noted that a steering committee would have a final review in mid-November before the Plan Commission reviewed the statement for adoption. He said the statement would come before the council in early 2013.

Laurie Ringquist, Director of Animal Care and Control Division, talked about the Society for Prevention of Cruelty to Animals (ASPCA) \$100,000 Challenge to save 300 more lives than the city did last year. She noted that Bloomington's was the only shelter competing from the state of Indiana. She noted local businesses and media have supported the challenge, and that the volunteers and community have helped as well. She asked for people to vote on the website and to support an adoption of a furry friend.

Martin Spechler read the Mayor's Proclamation announcing October as Blindness Awareness Month. The proclamation was presented to Jim Shelton and Rebecca Davis from Visually Impaired Pre-School Services (VIPS) who spoke about the one year anniversary of this group. Davis thanked all for the proclamation. She shared the story of seeking services for her daughter who had low vision. She spoke the need of early intervention services for toddlers and children with visual impairment and of her campaign to bring this non-profit organization to Indiana.

#### COUNCIL COMMITTEES

There were no reports from council committees at this meeting.

#### PUBLIC INPUT

Mayer asked for public comment.

Joseph Vargas, Spokesperson for South Central Indiana Jobs with Justice, presented the council with a letter and packet of information on the Hyatt Hotel Corporation and their history of labor problems. He urged the city to seriously consider their track record and obtain assurances from Hyatt on paying a living wage to employees, abide by health and safety standards and remain neutral if their employees consider unionization before approving permits and proceeding with consideration of REI's request to build a hotel on Kirkwood and the B-Line.

Glenn Carter spoke about the mayor's comments reported on the previous day. He spoke about the cost of parking in the downtown and central city area being a part of discouraging people's participation in the events taking place in those areas.

#### BOARD AND COMMISSION APPOINTMENTS

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

#### LEGISLATION FOR SECOND READING

Resolution 12-12 To Approve the Interlocal Agreement Between Monroe County, Town of Ellettsville, and the City of Bloomington for Animal Shelter Operation for the Year 2013

It was moved and seconded that Resolution 12-12 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, noting that there was no committee recommendation for this item.

It was moved and seconded that Resolution 12-12 be adopted.

Laurie Ringquist, Director of Animal Care and Control said that Monroe County and the Town of Ellettsville have signed the agreement. She said that the amount was an increase of \$40,731 more than the previous agreement, due to a higher percentage of animals coming from the county areas and Ellettsville.

There were no council questions or public comments on this legislation.

Sturbaum said that happiness was the adoption of a puppy.

Spechler said that Ringquist had explained to him the formula and that he was convinced that this was a fair division of responsibility for a service that was provided to all the people of Monroe County.

Resolution 12-12 received a roll call vote of Ayes: 8, Nays: 0.

Ordinance 12-24 To Amend the Bloomington Zoning Maps for Six Parcels in the Old Northeast Neighborhood from Institutional (IN) to Residential Multifamily (RM) (Four Parcels), Commercial General (CG) (One Parcel) and Commercial Downtown (CD) (One Parcel) - Re: 718 E. 8<sup>th</sup> Street, 702 E. 10<sup>th</sup> Street, 525 N. Park Avenue, 514 N. Fess Avenue, 403 E. 6<sup>th</sup> Street, and 613 E. 12<sup>th</sup> Street (The City of Bloomington, Petitioner)

It was moved and seconded that Ordinance 12-24 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 12-24 be adopted.

Lynne Darland, Zoning & Enforcement Manager for the Planning Department, said that six properties were included in this ordinance. She said this legislation came about as request from the Plan Commission for a rezoning for a single property, but was denied because the commission found a need for a comprehensive

rezoning for Old Northeast Area. She said the comprehensive research, conversations with owners and meetings resulted in a finding that the six properties which were zoned for Institutional in the 2007 rezoning action. Darland gave the current status of the use of each structure, its previous current and the proposed zoning categories which she added were appropriate for the properties in question.

Council questions:

Volan asked about a "university" zoning classification as opposed to "institutional" and asked if it were considered down-zoning if that category existed and a property moved from institutional to "university." Darland said that the issue would really be what could be done with the property. She referred to the buying and selling of a property zoned as "university" and the permitted uses for the structure for the buyer. She said that these issues would take a study to make sure that anyone who had the zoning wouldn't be harmed.

Spechler said Volan's intervention and imagination had left him more befuddled than ever with regard to this issue. He confirmed that "university" zoning did not exist. He asked Darland if the city had any jurisdiction of property owned by the university. She said that the university was not required to get city approval to change the use of a property. Darland explained that the ownership of a property by Indiana University or the IU Foundation exempted the property as a state entity, not the zoning.

Spechler said that it was his understanding that IU Foundation owned properties were not taken off the tax roll. He said it was regrettable that, considering the relationship between the city and the university, there was not more consultation between these entities on the consequences of changing the use of property. Darland, when asked if she agreed, said that this issue had improved over the years she had worked for the city.

Public comment:

Jeannine Butler said she lived in an owner occupied home at 514 N. Fess and was pleased to see the support of the committee during the preliminary discussion on this item. She urged council support of the action in this legislation.

Council comments:

Volan said Spechler was right that the entities should converse more not just about properties but about streets and police service. He claimed that the university had its way of providing things that we might consider "municipal." He referred to the IU Master Plan and said that there was almost no mention of the city of Bloomington in the 150 page plan and that there was no mention of the Growth Policies Plan. Volan said that his district included many people that lived in areas where the city had no jurisdiction. He said often they could be advised but sometimes not directly served.

Volan noted that the council was under pressure to get the UDO done in 2006 and that this was missed at that time and that correcting it was the right thing to do. He said that the city should take a careful look at the edges of the campus where single family and multi-family housing is located. He said that 'university' zoning would be helpful in this respect. He added that he didn't think IU realized how much they depended on the city of Bloomington and how much their reputation depended on the quality of laws and services that the city provided.

Spechler said this was a correction of a mistake and he would support it. He said that direct communication with a property owner should have been in place and that the property owners should have had an opportunity to protest.

Ordinance 12-24 received a roll call vote of Ayes: 8, Nays: 0.

LEGISLATION FOR FIRST READING

There was no legislation for introduction at this meeting.

COUNCIL SCHEUDLE

MOTION: It was moved and seconded that the Council consider the Deer Task Force Report in November with the date and time of that meeting to be announced by the Council President at the Regular Session on October 31, 2012 after consultation with the Council.

Rollo said this would allow more time for the public to read and consider the report. He said emails he received supported this.

Volan said there was no harm in the presentation on the 24<sup>th</sup>, but that the adoption of the report so soon after the initial presentation would be too soon. He said the issue was too weighty to consider in a one week process.

Neher said he shared Volan's concern but would respect Rollo's proposal. He asked that people engage in the report to understand it and understand its complexity. He added that the acceptance of the report did not bind the council to legislation, but was the entrance point to a greater understanding of the issue and actions surrounding the issue.

ACTION: The motion received a roll call vote of Ayes: 7, Nays: 1 (Volan)

PUBLIC INPUT

There were no public comments at this point in the meeting.

ADJOURNMENT

The meeting was adjourned at 8:45 pm.

APPROVE: /s/ Timothy Mayer, PRESIDENT, Bloomington Common Council

ATTEST: /s/ Regina Moore, CLERK, City of Bloomington

