

In the Council Chambers of the Showers City Hall on Wednesday, December 19, 2012 at 7:30 pm with Council President Tim Mayer presiding over a Regular Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
December 19, 2012

Roll Call: Mayer, Neher, Ruff (8:15), Sandberg, Spechler, Volan, Granger, Sturbaum
Absent: Rollo

ROLL CALL

Council President Mayer gave the Agenda Summation

AGENDA SUMMATION

Minutes from February 1, 2012 (Regular Session), September 19, 2012 (Regular Session), October 3, 2012 (Regular Session), October 17, 2012 (Regular Session) and December 12, 2012 (Special Session) were approved by a voice vote.

APPROVAL OF MINUTES

Marty Spechler referred to a recent mass killing of grade school children in Connecticut and said that children all over the country were being killed on a daily basis. He advocated for a ban on assault weapons, clips and ammunition. He hoped citizens would write congressmen and senators on this issue.

REPORTS

- COUNCIL MEMBERS

Dorothy Granger noted that the regular Residents' Breakfast that she holds with former County Council member (now Commissioner) Julie Thomas would not be held in December.

Chris Sturbaum said he agreed with Spechler's statements. He noted that the state of Indiana recently set law to allow guns to be carried into public meetings, and Sturbaum said that this was wrong.

Susan Sandberg said that she attended the vigil held on the courthouse square for victims of the above mentioned shooting. She said the tone was somber, respectful and hopeful. She added she hoped for better protection for children. She said that hopeful tone was carried over to a recent visit to the Cardinal Stage company rehearsal of The Wizard of Oz. She said that the children acting and singing in this production lifted us up in these times of tragedy.

Tim Mayer took time to ask citizens to help those in the community at this time of year. He thanked the council for their work with the administration in discussing and fostering legislation to bring the city forward. He thanked the council and clerk staff, also.

The MAYOR AND CITY OFFICES

Jacqui Bauer, Sustainability Coordinator, said that city was recognized as a "Green City" by the Indiana Association of Cities and Towns for their efforts in sustainability. She said City Hall was certified through the Leadership in Energy & Environmental Design (LEED) program. She said that the city had exceeded numerous metrics of sustainable energy use in all city buildings.

Barry Collins, Facilities Coordinator, detailed energy saving upgrades made to city owned buildings --LED lighting, green cleaning, and heating upgrades.

Volan asked if there was a written report on the LEED certification for the city. Bauer said that there was not a single compiled document, but she would be happy to share the individual reports.

Volan asked how much money was saved through the program. Bauer said that there was no exact figure, but the process and investments would benefit other city buildings.

Sturbaum asked if there were payback options for the energy savings. Collins said that the city was applying for rebates for the improvements.

Reports from City Offices (cont'a)

Spechler asked about solar panels on City Hall. Bauer said that the city applied for a grant for solar panels but did not receive it. She said that solar on City Hall would be an option when the roof would be replaced.

Mayer thanked staff for saving the taxpayers money.

Maggie Sullivan, Chair of the Sustainability Commission, gave a year end report of the commission's activities to the council. She said that the commission focused on energy, transportation, waste reduction, and local food. She said they tried to establish goals for the city to reach by 2014, and they supported initiatives that helped the community reach these targets.

Volan asked if the commission participated in the Growth Policies Plan. Sullivan said that they had commented informally.

Spechler asked for one example of how the sustainability benchmarks would be achieved. Sullivan used the example of the "Beat the Meter" program where a professional went into homes to advise residents on how to reduce their household energy consumption.

There were no reports from council committees.

Chaim Julian said he was a strong advocate for gun control, but said that access to mental health care and medications was the other side of the coin. He said it was harder to get help for these illnesses than it was to get guns and that the stigma of mental illness needed to be eliminated.

It was moved and seconded that Nancy Obermeyer and Keith McDaniel be reappointed to the Public Transit Corporation Board of Directors. The reappointments were approved by a voice vote that was not unanimous.

It was moved and seconded that Ordinance 12-28 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 12-28 be adopted.

John Langley, Deputy Director of Utilities, presented on the federal updates to the Sewer Use Ordinance and Local Effluent Limits. He said that the federal Clean Water Act (CWA) was passed in 1972 and was intended to clean and protect water in the country. He said that twelve changes were required to be adopted by local ordinance such as clearly defining terms used in the ordinance, verification sampling, and requiring significant industrial users to notify utilities if production increases or decreases by 20%. He detailed the new limitations of effluent in water after treatment and the Enforcement Response Plan to standardize a broad range of enforcement responses to violations. He said that if the council approved the ordinance, IDEM and the EPA would need to review the changes.

Council Questions:

Neher asked what the time frame for responding to complaints was. Langley said that the goal would be to have the out of compliance business present a corrective plan within six months.

Spechler asked if fees other than the homeowner wastewater charge funded these programs. Langley said there were none.

Spechler asked how the wastewater charge was determined. Langley said that it was based off of water usage by the business or home.

Spechler asked if utilities were entirely funded by water rates. Langley said it was, and the state required it to be.

Mayer asked how the new limitations on effluent were determined. Langley said that the EPA told utilities what they needed to monitor.

Mayer asked where food receptors for grease could be placed. Langley said they could be placed in a right of way.

There was no public comment on the ordinance.

Council Comment:

Sturbaum said that he appreciated that utilities sought to educate businesses to bring them into compliance rather than charging a fee just to make money.

Mayer thanked staff for their work on the ordinance.

Ordinance 12-28 received a roll call vote of Ayes: 8, Nays: 0

It was moved and seconded that Ordinance 12-29 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 12-29 be adopted.

Sandberg said that the at-large councilmembers were charged with bringing the councilmanic districts into compliance. Districts needed to be contiguous, reasonably compact, and as equal in population as possible. She said that no precincts were divided in the plan.

There were no council questions or public comment.

COUNCIL COMMITTEES

PUBLIC

APPOINTMENTS TO BOARDS AND COMMISSIONS

LEGISLATION FOR SECOND READING AND RESOLUTIONS

Ordinance 12-28 To Amend Title 10 of the Bloomington Municipal Code Entitled "Wastewater" - Re: Revisions to Chapter 10.04 General Rules, Chapter 10.08 Wastewater Rates and Charges, Chapter 10.12 Prohibited Wastewater Discharges and Chapter 10.16 Industrial Wastewater Dischargers and the Addition of Chapter 10.17 Food Service Establishment Wastewater Dischargers

Ordinance 12-29 To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration And Personnel" - Re: Amending Article IV of Chapter 2.04 (Common Council) to Establish Councilmanic Districts for the City of Bloomington

Council Comments:

Volan said that precinct lines were 'arbitrary' because they were drawn for registered voters rather than population. He said splitting precincts could be against electoral law and was undesirable.

Spechler commended Sandberg on her work on the process. He said that districts were drawn based on census population rather than voting turnout. He said that fewer votes would be cast in student dominated districts.

Sturbaum explained some of the changes in his district.

Mayer thanked Sandberg and Ruff for serving on the committee to determine the new map.

Ordinance 12-29 received a roll call vote of Ayes: 8, Nays: 0

This being the last meeting for the 2012 calendar year, there was no legislation to introduce.

LEGISLATION FOR FIRST READING

Larry Barker, Executive Director for the Solid Waste Management District, said that the district would make electronic recycling free, keep rural sites open five days a week, and free bulky item drop off.

PUBLIC COMMENT

President Mayer announced that the next meeting of the council would be in the new year, January 9, 2013.

COUNCIL SCHEDULE

The meeting was adjourned at 9:04 pm.

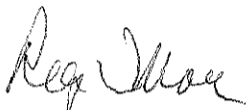
ADJOURNMENT

APPROVE:

ATTEST:



Timothy Mayer, PRESIDENT
Bloomington Common Council



Regina Moore, CLERK
City of Bloomington