

In the Council Chambers of the Showers City Hall on Wednesday, September 7, 2011 at 7:30 pm with Council President Susan Sandberg presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
September 7, 2011

Roll Call: Mayer, Piedmont-Smith, Rollo, Ruff, Sandberg, Satterfield, Sturbaum, Volan, Wisler
Absent: none.

ROLL CALL

Council President Sandberg gave the Agenda Summation

AGENDA SUMMATION

Minutes for April 20, 2011, June 15, 2011, and July 13, 2011 were approved by a voice vote.

APPROVAL OF MINUTES

Dave Rollo talked about the Indiana University's Themester on "Making War, Making Peace." He announced a Themester colloquium entitled "*Extreme Politics: Provoking the Body Politic to War?*" and said the first of the series would be presented on September 15th. He read the synopsis of the series and urged citizens to attend the fascinating series.

REPORTS:
COUNCILMEMBERS

Steve Volan said that six out of eight items on the agenda for First Reading were related to the 2012 budget. He said it was appropriate for the council to reconsider the budget schedule, and said he was planning to move to extend the time for deliberation on these budget items. He said he would ask that discussion on five of the aforementioned items be held at a later date to diffuse further contention on some items. He also said that the council members needed to more fully understand how to make complicated motions over concerns with the Public Works budget. He said that since state statute had changed and lengthened the budget deliberation period there was adequate time for this to be done.

Tim Mayer welcomed folks back to school, urged them to drive safely and learn which streets were one-way streets.

Susan Sandberg noted that Cardinal Stage Company's presentation of Arthur Miller's play "*All My Sons*" was part of the IU Themester. She and Rollo noted the IU website with the entire semester's schedule for the Themester. Sandberg announced the upcoming Dedication of the B-Line Trail on the evening of Sept 8th. She invited everyone to join in the bicycle parade and festivities.

There were no reports in this section.

MAYOR and CITY OFFICES

There were no reports in this section.

COUNCIL COMMITTEES

Kyla Cox, Director of Communications and Outreach for IU Bloomington Continuing Studies, spoke of the upcoming Lifelong Learning Coalition Week. She said the Mayor had proclaimed the following week Lifelong Learning Week with the theme 'Food For Thought.' She highlighted several events and classes that all related to food in the community, state and nation.

PUBLIC INPUT

Mayer recognized Cox for her work on the Community Kitchen board and her role as fundraiser with the agency.

Gabe Rivera brought a poster and spoke of, among other things, ending the drug war.

Cheryl Underwood spoke of a misunderstanding about a zoning designation on her property at 718 and 720 E. 8th Street.

Shaun Kastner, Underwood's assistant continued the presentation and presented the council with a packet with maps and issues related to this.

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

BOARD AND COMMISSION APPOINTMENTS

This being the first meeting after the August council break, there was no legislation for final action.

LEGISLATION FOR SECOND READING

LEGISLATION - FIRST READING

Appropriation Ordinance 11-05 An Ordinance for Appropriations and Tax Rates (Establishing 2012 Civil City Budget for the City of Bloomington)

Appropriation Ordinance 11-05

Appropriation Ordinance 11-06 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 2012

Appropriation Ordinance 11-06

Appropriation Ordinance 11-07 To Specially appropriate from the General Fund and Rainy Day Fund Expenditures Not Otherwise Appropriated (Appropriating Funds for Additional 2011 Health Insurance and Fuel Expenses)

Appropriation Ordinance 11-07

Ordinance 11-09 An Ordinance Fixing the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2012

Ordinance 11-09

Ordinance 11-10 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 2012

Ordinance 11-10

Ordinance 11-11 To Fix the Salaries of All Elected City Officials for the City of Bloomington for the Year 2012

Ordinance 11-11

Ordinance 11-12 Appropriations and Tax Rates for Bloomington Transportation Corporation for 2012

Ordinance 11-12

Ordinance 11-15 To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration And Personnel" and Title 11 of the Bloomington Municipal Code Entitled "Lakes and Reservoirs" - Re: Conforming Local Code with Senate Enrolled Act 292

Ordinance 11-15

There was no public comment at this meeting.

PUBLIC INPUT

After a show of hands as to which council members would be attending an internal work session, it was moved and seconded to cancel the council internal work session scheduled for Friday, September 9, 2011. The motion was approved by a voice vote.

COUNCIL SCHEDULE

It was moved and seconded that deliberation of the budget-related legislation (Appropriation Ordinance 11-05, Appropriation Ordinance 11-06, Ordinance 11-09, Ordinance 11-11 and Ordinance 11-12) be changed and expanded to give the council members more time for consideration. Second reading on these items would be postponed to October 5, 2011, a second Committee of the Whole discussion would be held on Tuesday, September 27, 2011 (an adjustment in schedule due to religious holiday). Included in the motion was a request that the changes be affirmed in a motion at the special session on September 14, 2011.

COUNCIL SCHEDULE (cont'd)

Volan, as the council member making the motion, further explained that there were a number of issues that had come from the July budget hearings that individual council members had met with the administration to work out. He said that the main issue was with the ability to make amendments to the budget. He noted that the council meeting schedule was approved at the end of 2010, and could be revised by the council as needed, and that as the state had lengthened the budget process in light of a mandatory county council review of the budget, the city should take full advantage of the extra time allowed. He noted that the state statute requirements of holding public hearings could be easily met with his proposal. He said it was clear that the accelerated schedule was no longer appropriate or desirable.

He noted that the state statute for the Public Transit budget had a slightly different schedule for budget hearings, but could also be accommodated with his proposal.

He said the complicated procedures needed for the council to amend the budget or to divide a question out of the budget had not at this time been fully researched and understood, and that extra time was needed for that. He said that the council could only cut funds from the budget and since that was not necessarily the goal of the council, it would take time to prepare the appropriate motions.

Sandberg asked Dan Sherman, Council Administrator/Attorney to address the impact of this motion on any other time sensitive work coming up. Sherman said only one resolution was coming forth in the second legislative cycle in September. Sandberg asked for council questions.

Satterfield asked for clarification on the state's deadline for submitting the budget. Sherman said that the city must adopt and submit the budget no later than November 1st. Satterfield asked the latest date that the county could review the city budget. Sherman said it could be accomplished by then. Mike Trexler, City Controller, said that the county council review had already taken place and affirmed that there was no other board that needed to review this information.

Volan asked if the administration had any concerns about the motion. Mark Kruzan, Mayor, stepped forward and noted that he would not have asked to speak to this issue as it was entirely a council decision. He said that he had heard the possibility of this motion at six pm that evening and thought that it was unnecessarily complicated. He said that the budget was ready to be adopted and that in future years new deadlines could be discussed. He added that with state and federal governments not being able to get their work done on time, he saw no need for the city to delay action on this item. He said that practically speaking delay might lead to problems. He added that there was nothing in the budget, if it passed as it was presented, that could not be talked about or negotiated beyond the adoption of the budget in terms of expenditures.

Buff Brown said he had been working on a project that involved the budget and felt that it was key to the acceptance of this current budget. He said this budget would move forward projects that he believed could really hinder long term goals of the city and also would not include information from his or other's examination of city plans and projects. He said he would welcome a special session.

Volan apologized for the relative lack of notice for this motion, but said that the fact it was made underscored its need. He said it was difficult to anticipate every problem that might arise in the course of deliberation, which was one of the reasons he wanted more time to discuss this issue. He said at this time he did not have a specific motion regarding the budget at this time, but thought that other council members might have

and wanted to make this motion preemptively to avoid the type of discussion held in July. He said he respected the mayor's points and views, but that it was entirely up to the council as to how they conducted their work. He said that the schedule in the past was arbitrary and that seven days was not enough time to form proposals or to fully understand the depths of the budget. He said that there was not harm in adding this extra time.

Rollo said he would support the motion because he saw a direction in the way of road expansion in the city that was contrary to the spirit of the Redefining Prosperity Report and the Growth Policies Plan. He said that since the council had investigative powers with regards to these matters, and he saw the utility in having extra time to ask for a report from the engineering staff specific to assumptions regarding the reports mentioned above. He said that it was relevant to see this report before the budget was approved.

Piedmont-Smith said that she supported the motion. She said it was a good idea to give the public and council members more time to examine the budget proposal. She said that the budget sheets were complicated and it was important to know exactly what was being proposed and voted on, and that the council might not agree with some of the proposal. She said she needed a little more time to make sure she understood everything in the budget. She assured the mayor that the record of being on time with the city budget submission to the state would not be marred with this proposed extension of the process. She said that the same proposal should be considered for the next year.

Ruff said that despite being nine individuals, the council members acted together as a body for legislative issues. He said that he strongly felt the obligation to protect and support the concerns, initiatives and rights of the council. He said that if any member of the council requested, for what he judged to be reasonable and credible reasons, more time to study, learn and inquire about an issue before making a decision on it, and that the additional time had no negative impact on the timing of the legislation, he would support that request of any member.

The motion received a roll call vote of Ayes: 5 (Wisler, Rollo, Ruff, Volan, Piedmont-Smith), Nays: 4 (Sturbaum, Sandberg, Mayer, Satterfield).

The meeting was adjourned at 8:37 pm.

ADJOURNMENT

APPROVE:

ATTEST:



Susan Sandberg, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington