

In the Council Chambers of the Showers City Hall on Wednesday, March 4, 2009 at 7:30 pm with Council President Andy Ruff presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
March 4, 2009

Roll Call: Mayer, Piedmont-Smith, Rollo, Ruff, Sandberg, Satterfield, Sturbaum, Volan, Wisler (7:40)

ROLL CALL

Council President Ruff gave the Agenda Summation

AGENDA SUMMATION

The minutes of January 14, 2009 were approved by a voice vote.

APPROVAL OF MINUTES

Tim Mayer noted that March, Disabilities Awareness Month, brought recognition from Stonebelt to businesses that employ persons with disabilities. Mayer said the ceremony was very moving, and that Mayor Kruzan sent a proclamation.

REPORTS:
COUNCILMEMBERS

Mayer said that Daniel Grundmann, Employee Services Director, received an award for his work with persons with disabilities from the Indiana Association of Rehabilitation Facilities.

Mayer noted the passing of long time city worker, Carol Jack, adding that she would be missed.

Chris Sturbaum noted the Heritage Quilt Show being held at the Convention Center with two days of classes and a great show. He noted that his wife participated in this activity and encouraged folks to see the show.

Susan Sandberg said that March was Women's History Month, and announced the annual Women's History Month Luncheon would be held on March 11, 2009.

Andy Ruff noted that the Metropolitan Planning Organization would be hearing a proposal from the Indiana Department of Transportation to purchase a property in the right-of-way for the proposed I-69 highway. He said this was a waste of money and effort on this project and urged folks to attend the meeting on March 13, 2009.

There were no reports from the Mayor or other city offices at this time.

MAYOR and CITY OFFICES

John Hamilton (outgoing Chair) gave the 2008 Annual Report about the work of the Bloomington Commission on Sustainability (BCOS).

COUNCIL COMMITTEES

- Bloomington Commission on Sustainability (BCOS)

Hamilton noted that the council had charged the BCOS to work on the environment, economy and social equity with initiatives and educational activities, and recommendations and annual report.

Hamilton said the initiatives included getting 40,000 more compact fluorescent bulbs in use within the city, a transportation summit with the city, county and IU as participants, and work on the volume pricing of water.

He noted that their educational work partnered with the Environmental Commission to hold meetings on energy efficiency and said that the meetings were well attended.

BCOS recommended that the hospital be kept in the downtown area, and that before any expansion of the water treatment plant, that there be an investment in resources in demand side management.

Hamilton said that the report looked at several indicators, noting that people in the lower subgroups of ISTEP scores had an increase per

capita water usage, had higher crime rates (particularly violent crimes) and higher rates of bicycle and pedestrian accidents, which he said called for attention and work. He noted that while bus ridership was up, it still could be improved.

Hamilton noted that the Greenhouse Gas Taskforce and the Peak Oil Taskforce came from the BCOS and worked independently of the Commission. He introduced Cynthia Shultz who would be leading the 2009 assessment report.

Ruff thanked Hamilton for his work on the commission for the past three years.

Shultz said that the next report would track 16 key indicators plus 10 others and the framework was available online.

Rollo, council member serving on the BCOS said that Cynthia had put together a framework to analyze a huge spectrum of data that the commission would be reviewing. He said that Hamilton had done a stellar job in the past three years in his leadership of the commission. He noted that the topic of sustainability was very broad and that the work of the commission and noted that there were resources needed. He said that Hamilton was an advocate for free ridership on BT busses and that it could be done for a rather modest investment.

Gabe Rivera made a statement about the drug war and sang his original song regarding this issue and accompanied himself on the guitar.

PUBLIC INPUT

David Keppel, member of the Green Sanctuary Task Force of the Unitarian Church, commended the council for its work in Sustainability. Keppel drew attention to SB 420 passed by the Indiana State which defined coal and nuclear energy as renewable energy, and disregarded the function of renewable energy standard. He added that he hoped that the Indiana House of Representatives would remove this passage and make the bill more sensible. Keppel noted the admirable work on a local level could be overwhelmed by the negative work elsewhere and asked that folks watch what was happening on a state level.

He also expressed his appreciation for local business, in particular thanked Steve Volan for his work with the Cinemat, a downtown business that was closing.

Jamie Scholl Reed, board member of the local Growers' Guild, permaculture guild talked about Urban Agriculture. She read a friend's statement regarding the growing, harvesting, and sale of crops within the city. She gave some examples of urban agriculture in other areas, noting the effectiveness of this practice. She noted that if we are truly a sustainable city, we must consider this practice.

Pete Johnson, director of Transition Bloomington, said that some of the funds for the city's purchase of the Sportsplex could be productively used in the purchase of land for agriculture for the purpose of growing food near the City of Bloomington. He said we as a community needed to take responsibility for our own, immediate and local food production rather than rely on energy wasting models.

Marc Haggerty asked the council to think about the county election committee that is studying elections. He noted that we needed to have some input on the type of voting machines we use. He noted that the hospital needed to stay downtown, and that the jail and courts needed to stay downtown, too. He talked about how folks are not better off after they leave jail and that and we need not vindictive justice, but

reformatory justice. He said it's a challenge, but there are solutions, and that we have to work on this.

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

BOARD AND COMMISSION APPOINTMENTS

It was moved and seconded that Appropriation Ordinance 09-01 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0-0.

LEGISLATION FOR SECOND READING

It was moved and seconded that Appropriation Ordinance 09-01 be adopted.

Appropriation Ordinance 09-01 To Specially Appropriate from the General Fund Expenditures Not Otherwise Appropriated (Appropriating from the General Fund Grant Monies for the Animal Care and Control Department)

Michael Trexler, Controller, noted that ordinance dealt with a grant from PetSmart to the City of Bloomington. He said that the funds were used to resurface kennels at the Animal Shelter.

Appropriation Ordinance 09-01 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Resolution 09-03 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Resolution 09-03 be adopted.

Resolution 09-03 To Approve Recommendations of the Mayor for the Distribution of Community Development Block Grant (CDBG) Funds for 2009

Lisa Abbott, Director of the Housing and Neighborhood Development Department, outlined the Mayor's recommendations for the distribution of the Community Development Block Grants for both Social Services and Physical Improvements for this year. She also noted that \$224,578 of CDBG funds would be coming to the City from the American Recovery and Reinvestment Act. She said it would necessitate a smaller CDBG process although the parameters had not yet been sent by HUD.

It was moved and seconded that Amendment #1 be adopted to amend Resolution 09-03.

Amendment #1 to Resolution 09-03 was sponsored by Councilmember Piedmont-Smith and clarifies that the \$744,000 of CDBG funds the City expects to receive is an estimated and not a final figure.

Isabel Piedmont-Smith explained her amendment.

Satterfield asked if this language was used in last years Resolution. Dan Sherman, Council Attorney/Administrator, noted that the language last year did not reflect that the amount was estimated.

Piedmont-Smith noted that this wording was not caught in the last year's Resolution.

Satterfield asked if this was the only place that the amount was approximate, to which Sherman said that section 2 of the resolution discussed the event of more or less money.

There was no public comment on this amendment.

Mayer said that it may not be clear in the whereas clauses of the resolution that these were approximate numbers. However, it was very clear to the committee that made the recommendations to the Mayor that authority had been given to the chair of the committee to deal with any discrepancies in amounts allocated and amounts received.

Abbott said that had been used in all the previous years, but that this year if the amount received was 10% less than the funds allocated, the funds would be split evenly between the housing authority and the Department of Public Works. If there was more than 10% more than the expected allocation, the first \$48,360 would be split evenly between the Housing Authority and Public Works, and the remaining funds would be

divided equally among the other applicants up to their requested amounts. She said that this was outlined in the resolution.

Sturbaum asked if the committee would be reconvened to deal with the additional allocations from the stimulus package. Abbott said there probably would be another allocation recommendation with public comment and another presentation to the council. She said specifics of the program had not come forth at this point in time.

Amendment #1 to Resolution 09-03 received a roll call vote of Ayes: 9, Nays: 0.

Piedmont-Smith said she was pleased that more money would be coming to the city, and asked Abbott if there would be a new call for applications. Abbott said information from HUD indicated there would be 120 days to commit the money and it needed to be spent on projects that are ready to go. She said additional restrictions were not currently known, but the additional funding would necessitate amending the current annual action plan for 2008-2009 which would be a regular public process. Resolution 09-03 as amended

Piedmont-Smith asked when the current fiscal year ended. Abbott noted the end was May 31. She said that according to preliminary information received by HUD, the city would have 120 days to commit the funds. She didn't know the actual time frame for that period.

There was no public comment on the resolution as amended.

Resolution 09-03 as amended received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Clerk Moore read the legislation by title and synopsis.

LEGISLATION FOR FIRST READING

Ordinance 09-04 To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration and Personnel" (Adding Chapter 2.29 Entitled "Green Building Program.")

Ordinance 09-04

It was moved and seconded to suspend the rules to consider a motion to hold a Special Session on March 11, 2009. The motion was approved by a roll call vote of Ayes: 9, Nays: 0.

MOTION TO SUSPEND THE RULES.

It was moved and seconded that the council introduce Ordinance 09-03 at a Special Session on March 11, 2009, discuss it at the Committee of the Whole Session on March 25, 2009 (after the Regular Session that Evening), and be ready to take final action on it at the Regular Session meeting on April 1, 2009.

MOTION TO HOLD SPECIAL SESSION ON March 11, 2009

Ruff noted that this Ordinance dealt with the proposed purchase of the Sportsplex by the City of Bloomington.

The motion was approved by a roll call vote of Ayes: 8, Nays: 1 (Volan).

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

PUBLIC INPUT

The meeting was adjourned at 8:38 pm.

ADJOURNMENT

APPROVE:

ATTEST:



Andy Ruff, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington