

In the Council Chambers of the Showers City Hall on Wednesday, March 19, 2008 at 7:30 pm with Council President Susan Sandberg presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
MARCH 19, 2008

Roll Call: Mayer, Piedmont, Rollo, Ruff, Sandberg, Satterfield, Sturbaum, Volan (arrived at 9:10 pm)
Absent: Wisler

ROLL CALL

Council President Sandberg gave the Agenda Summation

AGENDA SUMMATION

There were no minutes to approve at this meeting.

APPROVAL OF MINUTES

Dave Rollo noted that since this was the anniversary of the invasion of Iraq which began the Iraq war, he asked for a moment of silence for the service men and women who have died and all others who have died including Iraqis.

REPORTS:
COUNCILMEMBERS

Isabel Piedmont noted that this was the 5th anniversary of the Iraqi conflict. She said she was angry that the US government had been so contrary to democratic principles by going into this war under false pretenses, and continuing this war under the pretense of creating democracy. She said she believed that the troops needed to be withdrawn as quickly and safely as possible. She hoped that the folly of Iraq wouldn't spread into Iran.

She noted that she preferred to focus on the good things that were happening locally with support for the anti-war movement.

Tim Mayer mentioned the passing of a dear friend, Margaret Carter who was 88, mother of nine and a neighbor in Green Acres. He said she was active in the Neighborhood Association and church and was a very sweet and wonderful person, who would be missed greatly. He also mentioned the upcoming Squonk Opera which would feature Bloomington and Bloomingtonians. He highly recommended this event.

Chris Sturbaum said he had joined the group of cold, wet patriots protesting the war on the square. He wondered, after watching the Vietnam and Iraqi Wars, when we would ever learn. He said he hoped in the upcoming presidential election we would get it right this time.

Susan Sandberg said that with all of the resources spent on the war effort, one of the things sadly lacking across the country was attention to domestic issues. Therefore, she noted the upcoming Homeward Bound Walk, benefitting the homeless on April 6th at 3rd St. Park with festivities beginning at noon, and the walk stepping off at 2:00 pm. She reminded everyone of the Squonk Opera and the exciting activities associated with the BEAD District and arts in the community.

Daniel Grundmann, Director of Employee Services reported on behalf of the Mayor's Office recognizing Disability Awareness Month, as declared by the Governor. He said one of the directives from Mayor Kruzan upon taking office was to increase attention paid to employing people with disabilities, although the city had been employing people with disabilities for a long time. Now, he said, it was time to ramp up efforts, be a conscientious employer, and advocate for people with disabilities. He described a group of business leaders called Diversity Works that advocated for people with disabilities and hiring people with disabilities. He noted that many departments in the City of Bloomington support and advocate for people with disabilities including Craig Brenner and Community and Family Resources, Barbara McKinney and the Humans Rights Commission as well as the Housing and Neighborhood Development Department.

MAYOR and CITY OFFICES

Grundmann introduced Susan Rinne, Executive Director with Options for Better Living, who congratulated the City for its work in making all city services and public facilities accessible. She distributed handouts on making meetings accessible which had been used as part of a program for Disability Awareness Month.

Rinne said that there were 8500 people in the Monroe County area with disabilities. The national unemployment rate for people with disabilities, the largest minority group in the country, is 67%, which is larger than any other minority. She offered ideas for helping to employ people with disabilities including providing guidance to supervisors on appropriate hiring and supervisory practices, examining hiring practices such as on-line applications that may exclude those who can't use technology and considering an accessibility audit through the City's Council on Accessibility. She concluded with the fact that one out of five people have a disability.

Dan Grundmann, on behalf of Mayor Kruzan presented a proclamation declaring March 2008 as Disabilities Awareness month.

Laurie Ringquist, Animal Control reported on the receipt of an \$11, 215.00 grant from Pet Smart Charities based on the city's "Puppy Train" program. This year's grant, to enhance the foster program by providing supplies to foster families will hopefully attract increased numbers of foster homes.

She also announced that on March 30th there would be a Disaster Preparedness event for pets.

Finally, she reported on the Adopt Today Campaign, which was to be expanded to include information on volunteers, spaying and neutering, and responsible pet ownership.

Mayer, council representative on the Utilities Service Board, reported that during the most recent USB meeting, the peer review requested by USB board members for a redundant water line was approved.

Lorraine Farrell, member of the Commission on the Status of Women, announced that the annual Women on Board event would be held March 24th and would feature Liz Feitl, AFL-CIO Community Services liaison as the keynote speaker along with three separate workshops.

Sura Gail Tala spoke as an organizer of the weekly peace demonstration where she said between 200 and 250 people participated.

Michelle Cole reported on her promotion of Complete Streets which assists in disability access, prevents overreliance on fossil fuels, improves the community's safety, encourages unity and increases property values. She said Senate Bill 2682 which provided for research and best practice on Complete Streets was coming forth, and encouraged the community to contact Indiana Senators to support this bill.

David R. Grubb spoke against a new jail on the old RCA site, and said most taxpayers were against such a measure. He said Ellettsville was where a new jail was needed. He also said there needed to be less expenditure of tax funds, especially in this time of a "light depression". He said he hoped Ellettsville would be able to expand its city limits.

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

It was moved and seconded that Appropriation Ordinance 08-01 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 9-0-0. It was moved and seconded that Appropriation Ordinance 08-01 be adopted.

Susan Clark, City Controller reported on the Pet Smart Grant received by Animal Control in the amount of \$11,215.00 to enhance the Foster Pet Program which would increase numbers of foster homes by

MAYOR and CITY OFFICES Report:
(cont'd)

COUNCIL COMMITTEES

- USB

PUBLIC COMMENT

BOARD AND COMMISSION APPOINTMENTS

LEGISLATION FOR SECOND READING

Appropriation Ordinance 08-01 To Specifically Appropriate From the General Fund Expenditures Not Otherwise Appropriated (Appropriating Grant Funds from the General Fund for Animal Care & Control)

providing equipment and supplies to those that may not otherwise be able to afford becoming a foster home. She explained that fostering was an alternative to full-time pet ownership in that it allowed for short-term care of animals. This measure would allow the grant funding to be appropriated for use by Animal Control.

Clark also reported that Animal Control received a \$5,000 bequest from Naomi Osborn's estate, for which Clark thanked and recognized Naomi Osborn.

Mayer thanked Susan Clark for her work on this measure.

Sandberg thanked the Naomi Osborn estate, to all who volunteer for the Animal Shelter, Laurie Ringquist and her staff.

Appropriation Ordinance 08-01 received a roll call vote of Ayes: 7, Nays: 0.

It was moved and seconded that Ordinance 08-03 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 9-0-0. It was moved and seconded that Ordinance 08-03 be adopted.

President Sandberg said that she and Councilmember Piedmont were pleased to cosponsor this ordinance. She noted members of the Commission on the Status of Women were in attendance.

Jillian Kinzie, Commission on the Status of Women, said the commission was excited about the proposed expansion and would certainly take advantage of the increased membership. She said this would be a way to help with the ever-increasing work scope and all of the new projects. She said it also would be a recognition of all of those who had served informally to assist with the commission by creating formal roles on the commission.

Mayer thanked the Commission for their past work and the work they would do in the future.

Ordinance 08-03 received a roll call vote of Ayes: 7, Nays: 0. (Volan was not yet present at the meeting at the time of this vote.)

It was moved and seconded that Resolution 08-06 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation. It was moved and seconded that Resolution 08-06 be adopted.

Resolution Sponsor Rollo read the resolution and introduced Councilmember Piedmont, co-sponsor of this resolution. She noted that recently the Council increased the membership on the Commission on sustainability because sustainability could not be confined by geographic boundaries. She compared that to the larger county and state effort to protect green space. She also said that it was fitting to speak out when the few remaining wilderness areas, including two right next door (which are the two covered by the resolution) were threatened by commercial logging.

Piedmont reported that in addition to the recreational and personal benefits from the forests, these forests also provide natural erosion control and storm water filters, as well as clearing the air of particulates and providing habitat for the forests' rich biodiversity.

Drew Laird, Director of the Indiana Forest Alliance explained that the Morgan-Monroe, Yellowwood State Forest Backcountry was created in 1980 to provide a wilderness experience to the public, but now the DNR

Appropriation Ordinance 08-01 (cont'd)

Ordinance 08-03 To Amend the Title 2 of the Bloomington Municipal Code Entitled "Administration and Personnel" – Re: Amending Section 2.23.060 Entitled "Commission on the Status of Women – Establishment" to Increase Its Size from Seven to Nine Commissioners

Resolution 08-06 Recognizing the Special Value of the Backcountry Area of Morgan-Monroe and Yellowwood State Forests and Urging that It be Permanently Protected from Commercial Logging

was logging it. He reported that the forest industry donated heavily to Governor Daniels' campaign, that the Daniels' administration replaced the State Forester with a former timber industry lobbyist and mandated a huge logging increase in the 2005 plan which increased timber revenue, increased logging 500% and had no environmental assessment component in the plan. These two forests seemed to be the prime targets of logging in the state forests because they have the most timber. Hiking trails double as the logging roads, which meant the timber trucks and heavy machinery have overtaken the trails. There was no single-selection of trees, but rather clear cutting of large areas. The logging has endangered wildlife and curtailed use by hikers.

David Haberman, Indiana Forest Alliance thanked the Council for considering this resolution. He said that logging violated the initial intention for these forests. Documentation from the inception of the Backcountry area didn't prohibit all logging and even mentioned the possibility of single-tree identification and harvesting, but said there was never an intention to open it to five acre clear-cutting, as proposed by the DNR.

While there was no absolute prohibition of logging, the intention regarding this area as wilderness had been honored by state foresters since the 1980s, and it had not been logged for over three decades. Increased logging had been done without any public input or considerations for environmental impact.

Haberman explained that to create roads for the logging, bulldozers are used to clear out the forest areas, creating a semi-permanent roadway. Then, he said large tractors are driven off the roadway throughout the forest to pull the trees into the roadway. He noted the high amount of collateral damage done through commercial logging.

Haberman said commercial logging in the back country area certainly was not economically necessary, since the area represented only a tiny portion of the state forest system. He said this logging was unnecessary, but especially so in such a small area as the Backcountry.

He cited a 2001 opinion poll in which only 33% of the respondents agreed that the DNR should continue to allow commercial logging by private companies in publicly owned state forests. He asked for support of this resolution.

Mayer asked for clarification of income received from logging, which Laird said was 1.5 million dollars per year.

Sturbaum asked if the public should appeal to the Governor's Office as the means for the most direct action, to which Laird said yes, that would be the most effective.

Ruff asked if it was more profitable for commercial logging firms to use public forests rather than private. Haberman said that was their conclusion. He said if a private contractor logged in a private forest, then that contractor was responsible for all costs associated with that work such as bulldozing roads, maintaining roads and clearing logging yards. However, the state was providing that work for the state forests. He said that needed to be considered when determining the cost of a logging operation or bid. Haberman added that the average price per tree being sold from the state forest was less than that sold from private land. He said it was his sense that logging in the state forest was a subsidized logging program.

Ruff asked if private contractors got more for their efforts in state forests as opposed to private land. Haberman said the wood coming from a state forest is probably a higher quality. Ruff also asked if the timber industry was aggressively lobbying for ability to log state forests. Haberman said that yes, the timber industry helped get logging-friendly

people in state positions, and The Indiana Heartwood Lumberman's Association contributed heavily to Governor Daniels' campaign.

Ruff followed up by asking about the percentage of forested land in Indiana, to which Laird said the State Forest was 1% of the land in Indiana, but represented 30% of recreational land. The Backcountry forest area is a very tiny fraction of that 1%.

Sturbaum asked about the bidding prices and how logging prices were set. Laird said it almost represented price fixing because the bids for logging on state land were much less than logging on private land. He said any licensed timber buyer could bid.

Sandberg asked how citizens could register concerns about the upcoming timber auction. Laird said his organization, along with others would be there to protest, and he invited members of the public to join. He said they also sent about 200 emails to the DNR Director with no response.

Sura Gail Tala reported that she supported all of the work that had been done to save the forest. She referred to the book "Last Child in the Woods" which described nature deficit disorder and the lack of outdoor experiences. She said she believed the timber price was low because it was an auction, and that the buyers might work together to keep the prices low. She urged the public to attend on April 17th to demonstrate their objections.

Terry Green, member of the Sassafras Audubon Society said that it was wrong to destroy a place such as the Backcountry through logging because of the multiple negative effects on the environment and personal well-being. She said everything was inter-connected, and that plundering natural resources was having a negative impact on our planet. She said that to continue in such a way was greedy, arrogant and simply insane. She thanked the Council for this proposal and anything else that could be done to save the Backcountry and stop this ludicrous venture.

Piedmont mentioned an open house hosted by DNR on April 1st at Yellowwood State Forest which might be a time to register objections.

Satterfield said that commercial logging on public land didn't make sense.

Ruff agreed that this didn't make sense, especially because this logging operation was subsidized in many ways by taxpayers. Even though wood and wood products were needed, he said wood had been over-consumed because it had been subsidized, which was wrong. He said because this was unsustainable, it was inconsistent with City sustainability policies. He thanked everyone who had worked with this and said he would support it.

Sturbaum said he didn't remember the governor promising to do this when he was driving around in his campaign bus. He said he hoped we learned from this.

Sandberg said "Last Child in the Woods" was a wonderful book especially for anyone who cared about how our children will grow up. She said she would support the resolution.

Mayer recalled the times he spent in Morgan-Monroe and Yellowwood State Forests, which was always a beautiful experience. He said this timber sale was wrong-headed in terms of economics. The revenue derived from this for the state was peanuts, and amounted to nothing, he said. He referred to Britain, where he said, they had figured it out, because knowing that the roof of Parliament would have to be replaced

every 100 years, they set aside an oak forest for that purpose which was carefully managed for the future. Also, he added that Crane Naval Base maintained an oak forest called Constitution Grove for timbers for the USS Constitution in Boston Harbor. He said it was about having a vision of how forests could be beneficial, but this clear cutting was crazy.

Rollo agreed that this was bad economics because it distorted the marketplace through subsidies. Since one rung of sustainability is social equity, he wondered what kind of environment would be left to the next generation. He recalled the impact that Rachel Carson had on him as a child with her work on the loss of birds due to pesticide. He said as biodiversity was lost through the loss of forested land, there would be a particular impact and threat on birds. He reported that opening up the forest canopy had a direct negative effect on bird reproduction, and that the only way to reverse this effect was to maintain the integrity of the forest and not go into the interior and clear cut huge swaths of trees. He said that the loss of forest meant the loss of birds. He suggested that when phone calls were made to the Governor's Office that he be asked what legacy would he like to leave, since it would be easy to document that legacy with photos and videos of the clear cutting. In conclusion, he said ecosystems all over the planet had been affected with species of fish and insects disappearing. Since these forests were on Bloomington's doorstep, it was imperative for the community to protect this treasure. He thanked the IFA for all of their work and efforts to inform and educate the community.

Resolution 08-06 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 1 (Volan declined to vote as he arrived too late in the discussion.) 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 08-01 To Amend the Preliminary Plan for the Woolery Planned Unit Development (PUD) to Allow 38 Attached Single Family Units on Parcel G - Re: 1302 W Countryside Lane (Langley Construction)

Ordinance 08-01

There was no public comment.

PUBLIC INPUT

The meeting was adjourned at 9:12 pm.

ADJOURNMENT

APPROVE:

ATTEST:



Susan Sandberg, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington