

In the Council Chambers of the Showers City Hall on Wednesday, December 5, 2007 at 7:30 pm with Council President Dave Rollo presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
December 5, 2007

Roll Call: Wisler, Diekhoff, Ruff, Sandberg, Rollo, Sturbaum, Volan, Mayer, Sabbagh

ROLL CALL

Council President Dave Rollo gave the Agenda Summation

AGENDA SUMMATION

The minutes of October 17, 2007, November 7, 2007 and November 14, 2007 were approved by a voice vote.

APPROVAL OF MINUTES

Brad Wisler thanked those who attended the 17th and Crescent development meeting the previous week, and said it was very productive. He commended the engineering department on their efforts to improve safety in the area, as well as Councilmember Sturbaum for his involvement in the matter. He also wished the Hoosier football team luck in their Insight Bowl game.

REPORTS:

Tim Mayor thanked the street department for their hard work in preparing for cold weather. He also told Councilmember Sabbagh, who had been sick, that he hoped he felt better soon.

Miah Michelson said she was happy to be present to honor Bloomington musician Menahem Pressler with a proclamation. She thanked Councilmember Sabbagh for suggesting Pressler receive acknowledgement from the mayor's office. Michelson said she was pleased to see members of the IU Jacobs School of Music in the audience to support Pressler.

COUNCILMEMBERS
MAYOR and CITY OFFICES

Michelson read the proclamation, noting Pressler's achievements. These included that he had recorded more than 80 albums, was a long time acclaimed music professor, and had performed in several international cities. He was praised for being an international citizen of the musical world, while calling Bloomington home. Michelson then announced that Mayor Kruzan and Council President Rollo had officially declared December 5, 2007, as Menahem Pressler Day in Bloomington.

Pressler said he appreciated receiving this award in front of his students and administrative friends, as it meant that he was sharing the award with them. He said he was happy to have called Bloomington home for more than 50 years.

Council member Sabbagh said Pressler was a terrific musician and teacher, and that he so enjoyed his performances. He said that he was sad to see that the Beaux Arts Trio was ending after 50 years. He and Rollo both thanked Pressler for his gifts of autographed CD's for the council members.

The Environmental Commission gave a presentation on a Green Building Initiative, in conjunction with the office of the mayor.

COUNCIL COMMITTEES

Environmental Commission Chair Heather Reynolds showed statistics from the U.S. Green Building Council, highlighting that the over 81 million buildings in the U.S. account for 37 percent of energy used in the country. She said that this figure could be improved through green building.

Green building was defined as an approach to building design, construction, operation, and potential disassembly seeking to reduce human impact on the environment while fostering healthy and comfortable communities.

Reynolds said that characteristics of green building included maximizing resource and energy efficiency, and emphasizing maximum sustainability among building materials and processes. She outlined the environmental, economical and social benefits of green building.

Tom McGlasson, member of the Environmental Commission, also spoke during the presentation. He exemplified the U.S. Green Building Council as moving the building industry towards sustainability with their LEED (Leadership in Energy and Environmental Design) system. The system rates buildings based on their achievements within a wide range of sustainability goals.

He cited Chicago, Seattle, Atlanta, Austin, Portland and Ann Arbor as cities that had already made green building a priority, using LEED guidelines.

Environmental Commission member Jacqui Bauer noted Mayor Kruzan's 2006 signed commitment to the U.S. Mayor's Climate Protection Agreement, which specifically mentioned promoting sustainable building practices using systems such as LEED.

She also cited the City Council's previous commitment to cutting greenhouse gas emissions and increasing energy efficiency and atmospheric carbon reduction, through Resolution 06-05 and Resolution 06-07.

Bauer noted that in order to meet the mayor's specific goal of decreasing carbon emissions, the Bloomington Commission on Sustainability found that the city must cut emissions six percent annually for the next five years. She said the most effective way to do this would be through buildings and transportation.

While she was happy that the UDO had included incentives for businesses to build green, Bauer encouraged the city to take the issue further with a newly proposed ordinance from the Environmental Commission.

Environmental Commission member Michael Tosick concluded the report by saying that the Commission had developed a three-tier green building plan with the office of the mayor. He outlined a green building ordinance, as well as a website and pamphlets to better inform people about green building options.

Rollo said that the proposed ordinance they had been given to look at was just a draft and some details still needed to be worked out.

Council member Volan asked if the Environmental Commission was suggesting that the city aim for the lowest level of LEED certification, to which Tosick responded that they were not asking the city to aim for the lowest level.

Volan then inquired as to how the figure of carbon emissions was measured, and how it would be in the future. Tosick replied that LEED guidelines would help them to measure progress in the future. Heather Reynolds added that the city had already started to inventory its greenhouse gas emissions through the Commission on Sustainability, and that they would continue to monitor the correlating energy use and carbon emissions.

Volan asked about incorporating local energy companies into the process to calculate the costs of energy for the city.

COUNCIL COMMITTEES (cont'd)

Reynolds replied that this step had been taken when initially inventorying greenhouse emissions. She then clarified for Volan that conversions were used to calculate energy use from carbon emissions data.

Council member Sturbaum asked if there was a new LEED rating that took urban concepts into account. Reynolds said that information could be found through the new website they had put together. Sturbaum asked if his question was relevant to the Environmental Commission's current report.

Tosick responded that the LEED system took into account several factors, including those brought up by Sturbaum. He said Sturbaum made an important point in saying that it wouldn't do the community any good if a green building was constructed in a area that was not easily accessible, but noted that the ordinance the commission was trying to promote only dealt with city owned buildings.

Council member Mayer asked if anyone on the Environmental Commission was in the process of becoming LEED certified. Tosick stated that he was interested in pursuing that, but hadn't yet. He added that he knew others in the community that had started studying for LEED certification. Mayer commented that this type of expertise would be beneficial. Reynolds added that she knew of residential LEED experts that had been training in town.

Council member Sandberg, reading from the pamphlet the council members were given by the commission, asked if anyone knew why test scores had gone up in schools located in green buildings.

Reynolds credited such things as natural lighting and better air quality in green schools as helping students thrive.

Council member Wisler asked if more detail could be given as a follow-up to Volan's questions.

Bob Bent, member of the Commission on Sustainability, further explained the correlation between carbon and energy use. He was not involved in the finding of and wasn't able to explain certain specific numbers used on a graph, however, and credited an intern for putting that information together.

Wisler expressed concern that if the city's population continued to increase, even while some buildings were constructed using the LEED system, it wouldn't have the impact desired in the next few years by the Commission on Sustainability.

Bent agreed that if population went up, more would need to be done to counteract the carbon emissions. However he added that even if the total goal could not be achieved, it would lower emissions, and that would be better than doing nothing.

Wisler asked if anyone knew the exact number of LEED certified people within the community currently, and Reynolds replied that she did not.

Volan then inquired where the data for the carbon emissions and population came from, as he was apprehensive that maybe it didn't take into account the city's college students.

Bent and Reynolds said they used 2004 Census data for the report and that it was as accurate of a source that they knew of, and added there was more information about their methodology on the new website.

COUNCIL COMMITTEES (cont'd)

Volan made suggestions about other kinds of data to gather, such as how many gallons of gas were being bought in Bloomington over a period of time.

Bent said he'd like to see the measurement of carbon emissions calculated per person, instead of per the city.

Tosick encouraged the council members who had more questions to come to a meeting next month where issues could be discussed in further detail. He added that if only a few city buildings being constructed in the next few years implemented the LEED system it would not make a huge impact, but offered that if the system caught on then hopefully non-city buildings would follow the city's lead a difference in energy use would be apparent.

Bauer added that there would be a meeting at City Hall on December 17th to generate more input and encouraged council members to participate.

Rollo thanked the Environmental Commission for their report, saying that it was the first of its kind and was a tremendous effort, but would need some refinement in the future. He said the council looked forward to reviewing the ordinance proposal when they reconvened in the new year.

There was no public comment at this time.

PUBLIC INPUT

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

BOARD AND COMMISSION
APPOINTMENTS

It was moved and seconded that Resolution 07-16 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was a committee Do-Pass recommendation of 7-0-1. It was moved and seconded that Resolution 07-16 be adopted.

LEGISLATION FOR SECOND
READING

Resolution 07-16 ESTABLISHING
A BLOOMINGTON PEAK OIL
TASK FORCE

Dave Rollo, sponsor of this resolution presented the rationale for establishing the Task Force. He said that oil represented the primary energy source for society and read from a resolution the council passed in 2006, stating that the city must prepare for the inevitability of an oil peak. He indicated that most experts think the peak will happen within the next 20 years.

He said that America was extremely vulnerable due to the amount of oil that currently had to be imported into the country. Rollo explained many statistics, and stated that over 90 percent of America's 200 million vehicles rely on petroleum every day.

He said that the goal of the proposed Peak Oil Task Force was to assess vulnerabilities, build resilience into the system, and come up with strategies to reduce petroleum and natural gas dependence and increase alternative energy generation, as well as risk management planning.

Council member Wisler asked Rollo how many millions of barrels of oil were used per day. Rollo replied that 86 million barrels were consumed world wide.

Wisler then asked for clarification that currently the world was not consuming more oil than it had, but it would in the near future. Rollo noted that many countries, especially in Africa, could simply no longer afford oil prices and were having to go without. At the same time, he said, countries

such as China and India have had continuously expanding economies and are driving the demand for oil up.

Wisler asked how one could differentiate demand from production and consumption levels. Rollo said that demand would soon exceed supply, at which point prices would probably go up considerably and there would be a large degree of volatility.

Wisler wondered if the trend of hybrid cars and green building had counteracted the demand of oil in any noted capacity.

He said it had been measured that in about the last year, America had dropped its oil consumption by about a half million barrels per day.

Councilmember Sturbaum asked Rollo, in regards to the Peak Oil Task Force, what the plan was for getting public feedback.

Rollo said that a public forum, in addition to private task force meetings, was a good way to get comments, concerns and ideas from the community.

Sturbaum asked if the county would be involved in the task force, or just the city.

Rollo said it was important that the county be included.

Sturbaum wanted to clarify the vision of the Peak Oil Task Force.

Rollo said anticipating higher fuel costs was to be a main concern for the task force over the next year.

Sturbaum wondered if there would be something such as an annual report from the task force to mark any progress they had made.

Rollo said it would be up to the council to decide if they needed further information from the task force at that time.

Sturbaum said he felt a need for an annual report or update.

Ruff asked Rollo to what extent he felt the progress of the task force would be dependent on a broader awareness of peak oil.

Rollo responded that the council acted on behalf of the needs of its constituents, and said the awareness of peak oil was widening, likening it to global warming.

Ruff noted that it was a different time when oil peaked in the late 1970s, and that currently a new solution, using alternatives to oil instead of simply importing it from other countries, would be needed.

Rollo said that some scientists believed when the price of gas eventually skyrockets because of the shortage of oil, people would be increasingly interested in extracting the harder to get oil. He said the problem with that is it would be extremely expensive, and we would be ending the cheap oil age. He then explained a few fuel alternatives and the benefits of using them in the long run, as well as the dangers of not using them soon enough. He noted that the amount of energy that would be used to extract the hard to get oil would be a greater amount than the amount of energy exhumed from the process.

Ruff asked Rollo at what point would the price of oil become so high that it would destroy the American economy.

Rollo noted that when the gas crisis in the 1970s hit, it put the U.S. in a recession for nearly a decade. He said that one problem currently was that some countries may hold out on exporting oil, because they know it would make them a lot more money if they waited until supplies were lower to sell it. Also, he noted the increase in the use of oil in countries that export it, due to their economically thriving economies.

He said that, in response to Ruff's question, he could not give a specific date that the American economy would begin to be severely damaged by high oil prices, but believed it was important to begin planning for it so the impact might be lessened.

Ruff said he had heard that a republican in Congress was the main advocate for change regarding peak oil, and asked if Rollo knew of any legislation that Congress had in the works.

Rollo said he knew of a bi-partisan resolution before Congress on the matter. He said that peak oil was beginning to get very serious attention, and projected that it would be an issue the media takes up quite soon.

Volan wondered as gas prices climbed higher, if there would be less carbon emissions put out due to people using alternative methods of transportation.

Rollo said it depended on what types of alternatives were being used. He said that if coal was used as a replacement in some way, it would actually make the global warming issue worsen. He said ideally, conserving as much as possible, getting away from non renewable resources and looking towards renewable ones for energy use would address the problem of global warming as well as peak oil.

Volan addressed public transportation, asking Rollo how long the city could afford the costs of fuel as oil prizes rose.

Rollo responded that the city had already expanded its bus service, which he noted was important, and he added he was not sure what action would be taken if the city could no longer afford to maintain the transportation system.

Volan asked Rollo if he thought the city should aim for a certain percentage of increased miles traveled by buses within a period of time.

Rollo said that the number of bus passengers had grown tremendously, adding that he'd like to see the amount of riders and routes expand further. He said the council as a whole would have to decide what priority level to put the transportation system on. He suggested bus systems and railways as the best mass transportation options. He advocated conservation in any way possible.

Public Comment:

Steve Forrest said he was a concerned citizen, and felt there were many reasons to reduce consumption of petroleum products. He said that making transportation more efficient locally was one way to deal with the peak oil issue.

Council comments:

Wisler stated that dependence on oil should be reduced for many reasons, consumption should decreased and renewable energy should be used. He said he hoped the task force would be geared more towards finding solutions to peak oil instead of just bringing awareness to the issue. He said he felt that they should examine the efficiency of items

Resolution 07-16 (cont'd)

involved with transportation in Bloomington specifically. He made the point that supply and demand were important factors. For example, it would not be efficient to run mass transportation more frequently if no one was actually riding it. He said he hoped the task force would seriously consider railways as a transportation option. He added that the problem in this case was a lot more obvious than the solution. He offered that a person's political affiliation shouldn't mandate if they were chosen for the task force. He said that understanding the need to decrease oil dependence was more important than the reasoning behind thinking it. He noted that math skills and knowledge of the economy should be deciding factors as to who gets a position on the task force. Wisler said he would like to see the task force make real progress and not come back in a year and tell the council information that it already had. He said he would vote for the resolution with the hopes to gain a solution to the peak oil problem in Bloomington.

Ruff thanked Rollo for bringing the issue of peak oil to the council and for putting a lot of effort into gathering data on the matter. He said that bringing awareness of peak oil and the consequences that come with it was an important part of this initiative. He noted that bringing awareness was crucial in helping Bloomington become a leading community in the effort to find renewable energy sources. He said he would support the resolution.

Sturbaum said that activating this task force was good government. It sent the message that 'business as usual' wasn't good enough. He said it would be a step in the right direction.

Rollo thanked the council for listening to his lengthy presentation. He said he agreed with Wisler that the task force should come up with valuable information.

Volan said it was important to begin asking energy questions. He encouraged citizens to attend task force meetings.

Resolution 07-16 received a roll call vote of Ayes: 8, 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. It was moved and seconded that Appropriation Ordinance 07-06 be adopted.

Controller Susan Clark spoke about the legislation. She explained why each additional appropriation was needed. She assured the council that her office was not increasing the overall 2007 budget.

Appropriation Ordinance 07-06 received a roll call vote of Ayes: 8, Nays: 0.

Appropriation Ordinance 07-06 TO SPECIALLY APPROPRIATE FROM THE GENERAL FUND, CUMULATIVE CAPITAL DEVELOPMENT FUND, CUMULATIVE CAPITAL IMPROVEMENT – RATE FUND, FLEET MAINTENANCE FUND, MOTOR VEHICLE HIGHWAY FUND, RISK MANAGEMENT FUND, REDEVELOPMENT LEASE RENTAL BONDS OF 1991 FUND, AND PARKING FACILITIES LEASE RENTAL BONDS OF 1992 FUND EXPENDITURES NOT OTHERWISE APPROPRIATED (Appropriating Various Transfers of Funds within the General Fund for Animal Care & Control, Clerk's Office, and Fire; Appropriating Transfers of Funds within the Fleet Maintenance Fund and the Motor Vehicle Highway Fund; Appropriating Funds from the General Fund for Clerk, Police and Information Technology Services; Appropriating Funds from the Cumulative Capital Development Fund, the Cumulative Capital Improvement – Rate Fund, the Risk Management Fund, the Redevelopment Lease Rental Bonds of 1991, and the Parking Facilities Lease Rental Bonds of 1992 Fund)

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

LEGISLATION FOR FIRST
READING

ORDINANCE 07-28 TO AMEND TITLE 10 OF THE
BLOOMINGTON MUNICIPAL CODE ENTITLED
“WASTEWATER” - Re: Addition of Chapter 10.21 entitled
“Construction Site and Post Construction Stormwater Control”

Ordinance 07-28

Ordinance 07-29

Ordinance 07-30

ORDINANCE 07-29 TO VACATE PUBLIC PARCELS Re: Three
Alley Rights-of-Way Segments in the 300 Block of South Walnut and
South College Including Segments Running: 1) North/South from Third
Street South about 257 Feet; 2) East/West from College Avenue East
about 145 Feet and Intersecting with the First Segment; and, 3)
North/South in Line with the First Segment South about 69 Feet
(Downtown Redevelopment Partners, LLC, Petitioner)

ORDINANCE 07-30 TO AMEND TITLE 2 OF THE BLOOMINGTON
MUNICIPAL CODE ENTITLED “BOARDS, COMMISSIONS AND
COUNCILS” -Re: Administration of the City’s Cemeteries

There was no public input at this time.

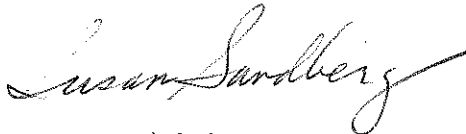
PUBLIC INPUT

The meeting was adjourned at 10:20 pm.

ADJOURNMENT

APPROVE:

ATTEST:



~~JULIAN SANDBERG~~
Dave Rollo, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington