COMMON COUNCIL
REGULAR SESSION
December 20, 2006

In the Council Chambers of the Showers City Hall on Wednesday, December 20, 2006 at 7:30 pm with Council President Chris Sturbaum presiding over a Regular Session of the Common Council.

ROLL CALL

Roll Call: Banach, Diekhoff, Ruff, Gaal, Rollo, Sturbaum, Volan, Sabbagh, Mayer

AGENDA SUMMATION

Council President Sturbaum gave the Agenda Summation

APPROVAL OF MINUTES

There were no minutes to be approved.

REPORTS:
COUNCILMEMBERS

Timothy Mayer wished everyone Happy Holidays and a Prosperous and Healthy New Year.

MAYOR and CITY OFFICES

Mayor Mark Kruzan lauded Plan Director Tom Micuda for shepherding the process of developing and adopting the Unified Development Ordinance. He presented Micuda with a shirt embellished with the name Tom Mic-UDO.

COUNCIL COMMITTEES

- Human Rights Commission Award

Human Rights Commission Chair, Jeff Harlig, presented the 2006 Human Rights Award to Lillian Casillas, Director of the Latino Cultural Center at Indiana University. Harlig outlined Casillas' dedication to the Latino community, her activities in the community as well as the university while working quietly and behind the scenes to insure that all the community's residents are valued.

- Tribute to Chris Gaal

It was moved and seconded to approve this tribute to Gaal. The motion was approved by a voice vote.

Dan Sherman was asked to read a tribute to Chris Gaal, who was attending his last council meeting. Gaal had been elected to be the County Prosecutor in the November election.

Chris Sturbaum said Gaal had been quietly effective in communicating to the different members of the council. Sturbaum said Gaal's example of civil communication among council members set that bar very high, and that that he'd make good use of this quality in his next position.

Mayer said he had thoroughly enjoyed working with Gaal in the past seven years, thanked him for his work on the council, and said he would be missed.

Andy Ruff said he didn't know Gaal before the 1999 campaign, but would miss him as they had served together. Ruff noted that there had sometimes been communication problems with the previous administration but that Gaal had worked tirelessly in his two years as president to facilitate discussion and productive engagement during that time. Ruff said it would be difficult without Gaal, but that he would do great things for the community as Prosecutor.

Dave Rollo said that he did know Gaal before he became a council member in 1999. He added that they had worked on several community issues together, but they never had really disagreed until they both sat on the council together. He said that he appreciated Gaal's ability to focus and narrow debate, and that ability would be missed.

Mike Diekhoff noted that he would still be working closely with Gaal in his new position, and thanked him for bringing people together, even in disagreement.

David Sabbagh related a story of Chris working with him on the Patriot Act Resolution and working out wording on the 'whereas' clauses to the benefit of all. He alluded to Gaal's personal life, noted that Gaal had been smiling continually, and wished him luck with his new family and job.

Steve Volan noted that Gaal best represents the character of this community with the way he approaches public policy. He wished Gaal luck in his new endeavor.

Brad Wisler teased that, as having been on the council two months, he had had fewer disagreements with Gaal than the other council members. He thanked him for his help with his own transition to the council and hoped that Gaal's transition to the Prosecutor's office would be smooth as well.

Mayor Kruzan, noting that he had never had a disagreement with Gaal, said that his leaving the council would be a huge loss for city government. He noted Gaal put community interests ahead of personal ones, was the moderating influence within the council and with the administration. He added that Gaal had helped put the good name back into 'liberalism' by showing that government can serve the people and improve the human condition. He noted that Gaal was al all 'round good guy.
Kruzan noted that Gaal's work in bicycling and B-Line Trail alternative transportation advocacy was well known. He added that for that fact he was announcing that bike racks on the B-Line Trail would be labeled with a plaque that would read: "These bike racks are dedicated to the spirit and enthusiasm of councilmember Chris Gaal who helped shape the development of the B-Line trail for generations to enjoy."

Gaal said it was an honor to serve with the council members, that he had learned a lot and had been challenged with the number of issues that had come up in the last seven years. He noted that with the B-Line Trail, the UDO, the Growth Policies Plan and the Zoning Ordinance updates he felt that he had now come full circle around the issues he started with. He thanked city staff for their relationships with the council and with him, and said Susan Sandberg would do a great job sitting in his seat. He said he would now continue to work with the city to enhance public safety in the community.

Sturbaum presented Gaal with a framed copy of the tribute.

PUBLIC INPUT

David Grubb said 'bah humbug.' He added that he would like to see passenger trains go through here from Louisville and Cincinnati.

BOARD AND COMMISSION APPOINTMENTS

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

LEGISLATION FOR SECOND READING

Ordinance 06-26 To Authorize the Issuance of Bonds by the Monroe Cc y Redevelopment Commission Pursuant to IC 36-7-14-3.5

It was moved and seconded that Ordinance 06-26 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 Ordinance 06-26 be adopted.

Clint Merkel, Community Development Director with the Monroe County Commissioners Office, requested approval for issuance of bonds for the construction of the Indiana Life Sciences Education and Training Institute. He explained that the city had annexed a portion of the Westside Tax Increment Financing District and therefore needs to

Ordinance 06-26 (Cont'd)

approve the issuance of bonds with regard to the TIF district. He read a statement from the county's financial advisor nothing that the issuance of the bonds payable from the TIF revenues would not have any impact, positive or negative, on any amount of money to be received by the City of Bloomington. Merkel said that the project would actually have a positive impact on the city's residents as education and training needed to fill several hundred new jobs created by new biotech firms in the area would be provided at this facility.

Iris Kiesling, member of the Board of Commissioners asked for the council support for this ordinance, adding that it would benefit area businesses and citizens who need work.

Jim Tolen, fourteen year member of the Monroe County Redevelopment Commission and current Vice President of the Commission, said that there had been excellent growth opportunities on the west side of town. He said he was enthusiastic about the creation of the life sciences institute which would benefit Westside employers in the industry. He asked for unanimous support for the ordinance.

Barry Lessow, president of the Monroe County Redevelopment Commission thanked the council for their support of this endeavor that would prepare for work in a continually growing sector of the economy. He offered his congratulations to Gaal and Sandberg, and wished all happy holidays.

Sabbagh said this was a wonderful project and was happy that the city would participate. He voiced his support.

Rollo noted that lots of industry has left the county, and that this was a good response to that flight. He said that the institute would benefit many in their effort to qualify for a good paying job while establishing Monroe county as a leader in this field.

Sturbaum said it was a good example of cooperation between the city and county.

Ordinance 06-26 received a roll call vote of Ayes: 9, Nays: 0.

Ordinance 06-25 To Amend Chapter 2.23 of the Bloomington Municipal Code Entitled "Community and Family Resources Department" in Order to Establish the Commission on the Status of the Black Males as a Permanent Commission.

It was moved and seconded that Ordinance 06-25 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 Ordinance 06-25 be adopted.

Pete Giordano, Director of the Community and Family Resources Department, requested the reauthorization of the Commission and to remove the sunset provision in the Code. He noted that the commission was created in 2001 to analyze and address the conditions and underlying problems faced by black males. He noted the commission was reauthorized in 2003 for a second three year period, and it was now requesting a further and permanent reauthorization as required by the enabling legislation.

Giordano introduced David Hummons, Chair of the Commission on the Status of Black Males, who reviewed some of the commissions work and findings in their work of enhancing the prospect of black males being successful in society. Hummons told of the Commission's He spoke of a town hall meeting entitled "Race, School Discipline and Criminal Justice" which uncovered a disproportion of problems in school discipline. He this activity lead to a partnership with the MCCSC to create a Commission on Human Understanding and Diversity to address this process of suspensions, expulsions, and other

Ordinance 06-25 (cont'd)

problems of discipline. Hummons announced the "Men of Color" Leadership Conference to be held at IU in February 2-3, 2007, and reported that the Commission was working with the school system to bring 55-85 black male students to the conference for workshops, inspiration and encouragement.
Hummons answered a question from Rollo by noting that their main emphasis was currently on high school students, but that they would work with younger children in the future. In answering a question from Sturbaum, Hummons gave the size and composition of the commission.

Sturbaum noted that then newly elected Governor Daniels had made a mistake early in his tenure by stating that the citizen commissions should be reviewed and disbanded. Sturbaum noted that commissions extended the power and effectiveness of government with their work, and noted that the Commission on the Status of Black Males was a solid commission.

Sabbagh said it was disappointing that the Commission on the Status of Black Males had a sunset provision in its enabling legislation and said it was time that this be removed.

Ordinance 06-25 received a roll call vote of Ayes: 9, Nays: 0.

Ordinance 06-27 To Vacate A Public Parcel - Re: Right-of-Way Running North /South Along the East Side of 111 South Grant Street (Trinity Episcopal Church - Rectors and Wardens, Petitioners

It was moved and seconded that Ordinance 06-27 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 Ordinance 06-27 be adopted.

Ordinance 06-27 received a roll call vote of Ayes: 9, Nays: 0.

Hearing On Written Objections To The Unified Development Ordinance (UDO) Pursuant To I.C. 36-7-4-606(C)(3)

This portion of the agenda was a continuation of the Special Session being held by the Council to consider what is known as the Unified Development Ordinance.

MOTION TO RECONSIDER AMENDMENT #23 To Ordinance 06-24 (UDO)
To Make Technical Corrections – Plan Staff Submitted By: Tom Micuda, Director of Planning Anticipate Motion to Reconsider in Order to Add Cemeteries to List of Uses to be Separated from Sexually *Oriented Businesses*

It was moved and seconded to reconsider Amendment #23.

The motion to reconsider Amendment #23 received a roll call vote of Ayes: 9, Nays: 0.

MOTION TO AMEND AMENDMENT #23

It was moved and seconded to add cemeteries to list of uses to be separated from sexually oriented businesses.

The motion to amend Amendment #23 received a roll call vote of Ayes: 9, Nays: 0.

MOTION TO ACCEPT AMENDMI #23 AS AMENDED.

Amendment #23 received a roll call vote of Ayes: 9, Nays: 0.

MOTION TO RECONSIDER AMENDMENT #29 TO Ordinance 06-24 (UDO) To Establish Minimum Required Entrances along the B-Line Trail Sponsor: Sturbaum

It was moved and seconded to adopt Amendment #29.

The motion to reconsider Amendment #29 received a roll call vote of Ayes: 7, Nays: 2 (Wisler, Sabbagh)

It was moved and seconded to amend the amendment to extend the distance to 100 feet and change the word "property" to "building" frontage.

MOTION TO AMEND AMENDMENT #29

The motion to amend Amendment #29 received a roll call vote of Ayes: 9, Nays: 0.

Amendment #29 received a roll call vote of Ayes: 7, Nays: 2 (Wisler, Sabbagh)

MOTION TO ACCEPT AMENDMENT #29 AS AMENDED

Motion to continue discussion on Amendment #22 postponed from earlier in the consideration of Ordinance 06-24 received a roll call vote of Ayes: 9, Nays: 0.

MOTION TO CONTINUE DISCUSSION ON AMENDMENT #22 TO Ordinance 06-24 (UDO).
To Modify the LEED and Affordable Housing Components in Green Development Standards Sponsor: Rollo

Motion to consider an item not on the agenda received a roll call vote of Ayes: 9, Nays: 0.

MOTION TO CONSIDER ITEM NOT ON THE AGENDA.

It was moved and seconded to adopt Amendment #30.

MOTION TO ADOPT AMENDMENT #30 TO Ordinance 06-24 (UDO).

Amendment #30 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 06-24 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis. She noted that this portion of the meeting was actually a continuation of the Special Session called to consider the UDO. It was moved and seconded that Ordinance 06-24 be adopted.

Ordinance 06-24 To Repeal and Replace Title 20 of the Bloomington Municipal Code Entitled, "Zoning", Including the Incorporated Zoning Maps, and Title 19 of the Bloomington Municipal Code, Entitled "Subdivisions"

Ordinance 06-24 as amended received a roll call vote of Ayes: 7, Nays: 2 (Wisler, Sabbagh).

As this was the last meeting of the year, there was no legislation for introduction.

LEGISLATION FOR FIRST READING

PUBLIC INPUT

The meeting was adjourned at 11:55 pm.

ADJOURNMENT

APPROVE: ATTEST:

Chris Sturbaum, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

City of Bloomington
Office of the City Clerk

CLERK'S CERTIFICATE

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

I, Nicole Bolden, being the duly elected, qualified and current Clerk of the City of Bloomington, Monroe County, Indiana, hereby do certify that I am the custodian of the records of the Bloomington City Council and the City of Bloomington, and that the attached copy of the minutes for the December 20, 2006 meeting of the Bloomington City Council is a full, true and complete copy of drafts of the minutes of that meeting and which is kept in this office in the normal course of business.

I affirm under the penalties for perjury that the foregoing representations are true.

IN WITNESS WHEREOF, I hereunto set my signature as Clerk of the City of Bloomington on the date set forth below, 2016.

N Bolden

Nicole Bolden
City Clerk
City of Bloomington, Indiana

Date: 15 June 2016

The attached copy of the minutes for the December 20, 2006 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the 15 day of June, 2016.

Andy Ruff
President, Bloomington Common Council
City of Bloomington, Indiana