In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, November 1, 2017 at 6:28pm with Council President Susan Sandberg presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
November 1, 2017

Roll Call: Sturbaum, Ruff, Chopra, Granger, Sandberg, Volan, Piedmont-Smith, Sims, Rollo
Absent: None

ROLL CALL
[6:28pm]

Council President Susan Sandberg gave a summary of the agenda.

AGENDA SUMMATION
[6:29pm]

Councilmember Steve Volan moved and it was seconded to approve the minutes of October 4, 2017 as corrected. The motion was approved by voice vote.

APPROVAL OF MINUTES [6:30pm]
October 04, 2017 (Special Session)
October 11, 2017 (Special Session)
October 18, 2017 (Regular Session)

Volan moved and it was seconded to approve the minutes of October 11, 2017. The motion was approved by voice vote.

Volan moved and it was seconded to approve the minutes of October 18, 2017. The motion was approved by voice vote.

Councilmember Jim Sims spoke about the importance of standing against recent hate speech written around town.

REPORTS

- COUNCIL MEMBERS [6:32pm]

Councilmember Allison Chopra commended the Bloomington Fire Department for their work with the local schools.

Caroline Shaw, Human Resources Director, introduced John Bollenback of Evergreen Solutions, who presented the Salary Study (attached hereto) to the Council.

- The MAYOR AND CITY OFFICES [6:36pm]

Councilmember Dave Rollo asked whether the cost of living index was weighted to account for the region.

Bollenback said that it was and explained the methodology used.

Rollo asked if the study used only second-class cities in Indiana for the elected officials salaries.

Bollenback said that was correct.

Sims noted that the participation rate of 78% seemed high.

Bollenback said that the normal goal was 60% and the average was around 65%.

Sims asked if there was a geographic component to the salary study based on the job grade.

Bollenback said that there was because it was more likely that some of the lower job grades only had peers in Indiana while some of the higher job grades had national peers as well.

- The MAYOR AND CITY OFFICES (*cont'd*)

Volan asked if there was a full written report and when it would be available.

Bollenback said they were planning on submitting it by the end of the year.

Volan asked if there was any consideration of using a market/merit based approach to salaries.

Mick Renneisen, Deputy Mayor, said the city did not ask the consultant to advise the city on performance. He said the city was considering returning to a market/merit based system, but it had just implemented performance evaluations in the last year and did not have enough data to reinstitute the process in the city.

Bollenback added that the target for the end of the year was for a draft report.

Volan asked when the report reccomendations would be implemented.

Renneisen said the administration would ask the Council for changes to the pay grades in the upcoming November 29, 2017 and December 6, 2017 meetings.

Volan asked if the changes would take place in time for 2018.

Renneisen said if the changes did not take effect by January 1, 2018 they would be retroactive. He added that compensation was extremely personal and the city wanted to make certain that it was handled carefully.

Volan asked if the city would be operating on draft recommendations.

Renneisen said any numbers would be carefully reviewed before being acted upon.

Volan asked how many pay grades were typical for cities.

Bollenback said there was no best practice or recommended number. He noted that Bloomington had 12 at the time but might look into adding more in the future.

Renneisien added that the salary study recommended 25 pay grades but the city was not ready for such a drastic change at the time without a classification study.

Volan asked what a classification study was.

Rennesien said it was looking at the jobs and making sure they were classified properly within each job band.

Bollenback added that jobs may have similar titles but different duties, which the classification study would consider.

Councilmember Chris Sturbaum asked if the city was at 80% of the market rate as a whole.

Bollenback said that the published pay range for positions was 25% below market at minimum. He said the city had addressed the issue through policy initiatives but the best practice would be to adjust the salary range.

Sturbaum asked what it would cost the city to make the change and if it would happen in a single lump payment.

Jeffrey Underwood, Controller, said that the city put $250,000 in the 2018 budget to start implementation of the changes. He said that it represented about 25-33% of the proposed cost.

Councilmember Isabel Piedmont-Smith asked for clarification on the five pay scales that Bollenback referred to in his presentation.

Bollenback said he referred to the non-union positions, blue-collar workers, fire, police, and elected officials.

Piedmont-Smith asked if there was a clear percentage of how far the average employee was behind the market rate.

Bollenback said that he did not have those numbers, but there were no easy answers.

- The MAYOR AND CITY OFFICES (*cont'd*)

Renneisen said that the presentation was focused on the non-union employees. He said the administration was leaving the decision about the elected official salaries up to the Council, but that the mayor had decided to decline to raise his own salary.

- PUBLIC [6:43pm]

Daniel McMullen and Mark Haggerty spoke to the Council.

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

LEGISLATION FOR SECOND READING AND RESOLUTIONS

Volan moved and it was seconded that Resolution 17-40 be introduced and read by title and synopsis only. The motion was approved by voice vote. City Clerk Nicole Bolden read the legislation by title and synopsis.

Resolution 17-40 – To Approve an Interlocal Cooperation Agreement between the City of Bloomington and Monroe County, Indiana in Regards to the 2017 Edward Byrne Memorial Justice Assistance Grant (JAG)

Volan moved and it was seconded that Resolution 17-40 be adopted.

Michael Rouker, Assistant City Attorney, presented the legislation to the Council.

Council Questions:

Volan asked if the money would be used for cameras only.
Rouker said the money would be used to supplement the purchase of video cameras for the downtown area.
Volan asked what the goal of the cameras was.
Rouker said the goal of the cameras was to detect crime in areas where the police had seen an increases in crime.
Volan asked if there was an upper limit to the number of cameras the police department thought was appropriate.
Rouker did not think it would come to the point when all public places were under surveillance.
Volan asked if the cameras were permanently affixed.
Rouker said they could be moved if necessary.
Volan asked how many cameras were being purchased.
Rouker said there were five.

Chopra asked what the goal of the cameras was.
Rouker said it was to aid law enforcement.
Chopra asked if it was for deterrence.
Rouker said it was primarily investigatory and that footage would be retained on the server for 30 days.
Chopra asked how long it would be retained after that.
Rouker said that it would be retained for however long was required for prosecutorial reasons.
Chopra asked if the the plan was to place the cameras in high crime areas and wondered how those areas would be determined.
Rouker said that both the gravity and quantity of crime would be taken into account.
Chopra asked if the placement had been determined yet.
Rouker said it had not been.

Rollo asked if the footage from the cameras was recorded and mobile.
Rouker said yes to both.
Rollo asked if the cameras would be recording 24 hours per day, seven days per week.
Rouker said they would.

Resolution 17-40 (*cont'd*)

Chopra asked if the cameras would be visible.
Rouker said they would be conspicuous.

Piedmont-Smith asked if people would just go somewhere else to commit crimes.
Rouker said there was some measure of deterrence

Volan asked how the policy was being overseen and if there would be a list of where the cameras were located.
Rouker said that law enforcement and ITS would have that information.

Chopra asked what the grant could be used for and what other uses were considered that year.
Rouker said there were limited uses and that he did not know what other uses had been considered.

Council Comments:

Councilmember Dorothy Granger reminded her colleagues that the department decided what to do with the grant funds; the Council just approved the agreement.

Volan said he supported the grant but expressed concern over the lack of oversight tracking the usage of the cameras. He said the city could not be too careful when deploying cameras.

Rollo expressed concern about deploying cameras and asked for a report back to the Council.

Sturbaum said that his experience with cameras was that on television shows all of the crimes get solved with camera footage.

Piedmont-Smith said that she thought cameras were a good idea and that they were a small part of improving safety in Bloomington.

Rollo added that Great Britain was one of the most surveilled countries in the world and a measured approach was warranted.

Granger said she supported the grant, and while she was uncomfortable with how often citizens were watched it was a good plan and she supported it.

Volan said he was not advocating for Bloomington to become more like Great Britain. He said it was important to find a balance between the public good and surveillance.

Sims said he planned to support the grant but reminded staff that the Council needed to be kept informed about where the cameras were going to be placed.

Sandberg understood everyone's concerns about a surveillance state. She reminded people that there was a need to pay attention to public safety as well. She expressed gratitude for the JAG grant and said that it was money that the city and county could both use.

Vote on Resolution 17-40 [7:42pm]

The motion to adopt Resolution 17-40 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Resolution 17-41 – To Approve an Equipment Lease Purchase Agreement and Other Related Matters - Re: Installation of Solar Panels by Energy Systems Group, LLC

Volan moved and it was seconded that Resolution 17-41 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read the legislation by title and synopsis.

Volan moved and it was seconded that Resolution 17-41 be adopted.

Underwood presented the legislation to the Council. He said solar panels were being installed in 30 locations throughout the city for a total of five gigawatts of power. He said there were three proposals for financing, the lowest of which was a 2.97% interest rate from Bank of America. He said the annual payments of just over $900,000 would extend over 20 years. Underwood noted that the revenue source would come from energy savings.

Council Questions:

Volan asked where the solar panels were being installed.

Underwood listed several of the locations and noted that some of the mounts would be ground-mounted and some would be roof-mounted.

Volan asked how long the panels would last.

Underwood said there was a 20-year lifespan guarantee, but the city hoped to get 30 years of use out of them.

Volan asked if there were any concerns about the lifespan of the panels.

Underwood explained that 30 years was a good length of time for an asset that was exposed to the elements and would generally outlast the roofs.

Volan asked if the city had anticipated the additional costs of replacing roofs with solar panels.

Underwood said that solar panels extended the life of roofs and the city had done an analysis of the costs.

Sturbaum asked if the electrical savings would pay for the equipment lease purchase bill and if the city had checked the math.

Underwood said there were a number of factors including operational costs and cost avoidance, but the majority of the savings were from direct electrical savings. He said they checked the math.

Rollo asked if Energy Savings Group (ESG) would replace the panels if they failed in the first 20 years.

Underwood said that was correct.

Rollo asked what would happen after that.

Underwood said that the city might want to consider replacing them if the efficiencies had increased significantly.

Councilmember Andy Ruff asked if the city considered the reputation of Bank of America.

Underwood said that the proposal was reviewd by the legal and financial team of the city.

Volan asked how long ESG had been in business.

Underwood said they had been in business for more than 20 years.

Volan asked if the Council could see the calculations that the city used to figure out costs.

Underwood said he would get them to the Council.

Public Comment:

Melissa Jimenez spoke in favor of the legislation.

Volan said he would have preferred to review the legislation over two meetings instead of one. He said he supported the legislation.

Rollo said he enthusiastically supported the resolution.

Piedmont-Smith asked why the quoted rate was lower than the rate listed in the resolution.

Thomas Cameron, City Legal, said it was typical for the city to include some amount of flexibility in the documents in case something unexpected happened.

Ruff said he was supportive of the legislation but expressed concern about having Bank of America as a financial partner.

Sims said that he was comfortable with Bank of America as a financial partner and trusted staff.

Resolution 17-41 (*cont'd*)
Council Comment:

The motion to adopt Resolution 17-41 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote on Resolution 17-41 [8:08pm]

Volan moved and it was seconded that Ordinance 17-35 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation of 6-0-2.

Volan moved and it was seconded that Ordinance 17-35 be adopted.

James Roach, Development Services Manager, presented the legislation to the Council. Roach explained that sexually-oriented businesses (SOBs) had been regulated in the city since 2006. He said since that time, the amount of available land for SOBs had decreased to .045% of the city limits, which was less than the 5% recommended by the Supreme Court. He detailed the ways the legislation would increase the land available for SOBs.

Ordinance 17-35 – To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code – Re: Amending Section 20.02.300 to allow Sexually Oriented Businesses as a Permitted Use in Commercial General (CG) Districts and Deleting and Replacing Section 20.05.078 "Sexually Oriented Businesses - General"

Piedmont-Smith moved and it was seconded to adopt Amendment 01 to Ordinance 17-35.

Amendment 01 to Ordinance 17-35

Amendment 01 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith. It would amend Section 2(a) by inserting a new part (6), regarding homeless shelters, and renumbering subsequent parts. This would prohibit a sexually oriented business from locating within 500 feet of a homeless shelter and is being proposed out of concern about the effect a closer proximity may have on children or youth who may be housed in shelters. Please note that, if adopted, the Council must return this amendment to the Plan Commission with a statement of reasons for the change.

Piedmont-Smith explained that homeless shelters could have vulnerable populations, especially women and children, who would need the same protections afforded to those in residential areas.

Volan asked how many properties would be exempted from being used as a SOB as a result of the amendment.

Roach said there was only one shelter that would fall out of consideration. The other shelters would not have been affected by the amendment because they were already in prohibited areas.

Council Questions:

The motion to adopt Amendment 01 to Ordinance 17-35 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote on Amendment 01 to Ordinance 17-35 [8:20pm]

Rollo pointed out that SOBs might either lease an existing building or build on a vacant lot.

Roach said that was correct.

Rollo asked if SOBs would be required to move if a protected use moved into the same area.

Roach said that if the SOB was already in an area when a protected use came into that area then the SOB would be grandfathered. He also noted that the map would change any time a building was constructed that fell under the protected uses.

Council Questions:

Sturbaum asked why the city was being so proactive and asked if there was a current lawsuit.

Roach said there was no pending or current litigation but the city was trying to minimize its risk of future lawsuits.

Rollo thought it was good for the city to be proactive. He supported the legislation.

Council Comment:

Granger said she was not inviting more SOBs into the community but she recognized their right to exist and the need to respect free speech.

Sturbaum said he would have preferred to let sleeping dogs lie. He said he would exercise his right to be irrational by voting against the legislation.

Volan commented on the map and said he hoped that all of the documents the Council had been shown that evening would end up online as part of the legislative packet.

The motion to adopt Ordinance 17-35 as amended received a roll call vote of Ayes: 8, Nays: 1 (Sturbaum), Abstain: 0.

Vote on Ordinance 17-35 [8:26pm]

LEGISLATION FOR FIRST READING

Volan moved and it was seconded that Ordinance 17-40 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read the legislation by title and synopsis.

Ordinance 17-40 – To Amend Title 9 of the Bloomington Municipal Code Entitled "Water" (Non-Recurring Rate Adjustment)

Volan moved and it was seconded that Ordinance 17-41 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read the legislation by title and synopsis.

Ordinance 17-41 – To Amend Title 10 of the Bloomington Municipal Code Entitled "Wastewater" (Non-Recurring Rate Adjustment)

Dan Sherman, Council Attorney, presented the Council Schedule for 2018 to the Council.	COUNCIL SCHEDULE
Chopra moved and it was seconded that the Council Schedule for 2018 be adopted.	Motion to adopt Council Schedule for 2018
The motion received a roll call vote of Ayes: 8, Nays: 1 (Volan), Abstain: 0.	Vote on Council Schedule for 2018 [8:33pm]
The meeting was adjourned at 8:37pm.	ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 15th day of November, 2017.

APPROVE:

Susan Sandberg, PRESIDENT
Bloomington Common Council

ATTEST:

Nicole Bolden, CLERK
City of Bloomington

Salary and Benefits Study for the City of Bloomington

November 1, 2017

Study Process

- Study Initiation and Data Collection
- Focus Group and Orientation Sessions
- Analysis of Current Conditions
- Market Salary Survey
- Recommendations (including Phase-In)

1

Study Initiation and Outreach

- Study Initiation – February 2017
- Orientation Sessions and Focus Groups – March and April 2017
- 17 Focus Groups conducted with 125 Employees
- Job Assessment Tool (JAT) – March 10 to March 29, 2017
- JAT Participation Rate – 78.0%
- Supervisor's Review – March 29 to April 11, 2017

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Outreach Summary

- Most employees enjoy the working environment in the City of Bloomington and share genuine passion and appreciation for the quality of life in the City.
- Many employees are concerned that the current compensation structure pays them less than in peer organizations.
- Most employees expressed that the current practice of providing "across the board" increases is not ideal.
- Many employees desire an evaluation system which compensates for performance.
- Employees shared various issues with classifications and position titles.

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Assessment of Conditions

- Overall, the City Utilizes five Pay Scales with 218 Unique Classifications and 715 Employees
- Only two covered in first report:
  - Elected Officials – 11 employees
  - Non-Union Personnel – approximately 300 employees
  - Over 300 employees in first phase

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Assessment of Conditions *(Cont'd)*

Summary Analysis for Non-Union and Elected Employees

- Analyzed range spreads and midpoint progression in comparison to best-practice
- Evaluated employee salary placement relative to their position's assigned pay grade
- Identified potential areas for improvement to the existing pay grades and ranges

5

Assessment of Conditions *(Conr'd)*

- Overall, as a strength, the City possesses just one pay plan for non-union staff and one containing salary rates for elected officials.
- While anomalies exist in the relationship between City experience and range penetration percentage, the City generally maintains a healthy positive linear relationship between these two variables.

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Market Survey

- 41 Benchmark Classifications
- 14 Market Peers (11 cities; 1 school district; 1 university; and the state government)
- 366 Market Matches Made, adjusted for the cost of living
- Evergreen found that overall City salary ranges are:
  - 25.0 percent below the market average minimum across all surveyed job titles;
  - 11.1 percent below the market midpoint average; and
  - 3.6 percent below market average at maximum of the range.

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Market Survey

Elected Official Market Rates:

- Mayor
  - 2017 Salary: $103,333
  - Market: $118,034
- City Council
  - 2017 Salary: $15,501
  - Market: $17,323
- City Clerk
  - 2017 Salary: $55,466
  - Market: $57,851

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Recommendation: Phase One

- **Adopt the recommended pay grade ranges for non-union employees.**
- **This revised structure moves the City from 11.1 percent below market to 0.2 percent below market (at midpoint).**

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Recommendations

Pay Grade	Min	Mid	Max	Range Spread
1	$31,200	$35,880	$40,560	30.0%
2	$32,136	$36,956	$41,777	30.0%
3	$33,100	$38,065	$43,030	30.0%
4	$34,093	$44,321	$54,549	60.0%
5	$35,116	$45,651	$56,185	60.0%
6	$36,872	$47,933	$58,995	60.0%
7	$38,715	$50,330	$61,944	60.0%
8	$41,425	$53,853	$66,281	60.0%
9	$45,568	$63,795	$82,022	80.0%
10	$50,125	$70,174	$90,224	80.0%
11	$57,643	$80,701	$103,758	80.0%
12	$69,748	$97,648	$125,547	80.0%

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Thank you!

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