City of Bloomington Common Council

Legislative Packet

Wednesday, 22 March 2017

Regular Session

For legislation and material regarding:

- Ordinances 17-03 and 17-06 and Appropriation Ordinance 17-01, please consult the 01 March 2017 Legislative Packet.

- Ordinance 17-07, please consult the 08 March 2017 Legislative Packet

All other legislation and background material contained herein.

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City of Bloomington Indiana

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To: **Council Members**
From: **Council Office**
Re: **Weekly Packet Memo**
Date: **March 17, 2017**

Packet Related Material

Memo
Agenda
Calendar
Notices and Agendas:
None

Reports

- **Bloomington Commission on Sustainability – Annual Sustainability Assessment** (March 22, 2017)
  Contact: Jacqui Bauer at 349.3837; bauerj@bloomington.in.gov

Legislation for Second Reading (in the Order Items Appear on the Agenda):

Items Found in the Weekly Council Legislative Packet issued for the March 8th Special Session

- **Ord 17-07** An Ordinance to Amend Ordinance 16-26 and Ordinance 16-45, which Fixed Salaries for Certain City of Bloomington Employees for the Year 2017 - Re: Changes in Job Titles and Job Grades within the Planning and Transportation Department, Legal Department, and Controller's Office to More Accurately Reflect the Nature and Grade of those Positions
  Contact: Caroline Shaw at 812-349-3404 or shawcaro@bloomington.in.gov

Items Found in the Weekly Council Legislative Packet issued for the March 1st Regular Session

- **Ord 17-03** To Amend Ordinance 95-75 Entitled "Establishing the Housing Trust Fund and Its Board of Directors and Approving the Designated Housing Trust Fund Endowment Agreement," as Subsequently (Revising and Updating the Housing Trust Endowment Fund Agreement with the Community Foundation of Bloomington and Monroe County, and Terminating the City's Housing Trust Fund Board)

- **App Ord 17-01** To Specially Appropriate from the General Fund Expenditures Not Otherwise Appropriated (Authorizing the Transfer of Funds to the City and the Appropriation of Such Funds from the General Fund to the Housing Development Fund)
    - *Note: Am 01 (lowering the amount of the appropriation to the more accurate figure of $404,500) was given a favorable Do Pass recommendation by the Council on March 8th)*

Contact:
Philippa Guthrie at 812-349-3426 or guthriep@bloomington.in.gov
Tina Peterson, President & CEO, Community Foundation, tinapeterson@cfbmc.org

- **Ord 17-06** To Amend Title 6 (Health and Sanitation) of the Bloomington Municipal Code - Re: Deleting Chapter 6.04 (Refuse and Yard Waste Collection by the City) and Replacing it with Chapter 6.04 (Solid Waste, Recycling and Yard Waste Collection by the City)
    - *Note: Am 01 (clarifying the composition of the Sanitation Modernization Advisory Committee and reformatting the outlining of one section) was given a favorable Do Pass recommendation by the Council on March 8th)*

Contact:
Adam Wason at 812-349-3410 or wasona@bloomington.in.gov

Item Found in this Weekly Council Legislative Packet:

- **Res 17-14** Supporting Responsible Gun Regulations – Calling for the Repeal of IC 35-47-11.1 and Supporting Universal Background Checks.
    - NY Times, Op-Ed from Mayor Hamilton (July 21, 2016)
    - Law Center to Prevent Gun Violence – Graphics

Contact:
Councilmember Allison Chopra at chopraa@bloomington.in.gov

Legislation and Background Material for First Reading:

None

Minutes from Regular and Special Sessions:

- March 1, 2017 (Regular Session)
- March 8, 2017 (Special Session)

Memo

One Resolution Joins Four Ordinances under Second Readings but No Legislation under First Readings at the Regular Session on Wednesday, March 22nd

The agenda for next Wednesday's Regular Session includes four ordinances and one resolution under Second Readings and Resolutions. The four ordinances were discussed at the Committee of the Whole on March 8th and can be found in the two previous packets as indicated above. The resolution urging commonsense gun control measures can be found in this packet.

No legislation is listed under First Reading, but please note that, according to previous memos, annexation legislation is scheduled for consideration at a Special Session on March 29th.

Second Readings and Resolutions

Res 17-14: Supporting Responsible Gun Regulation

Resolution 17-14 is sponsored by Councilmember Chopra and calls for reasonable gun regulation in Indiana. It specifically calls for the Indiana General Assembly to take two actions. First, the resolution urges the Assembly to repeal IC 35-47-11.1, a measure enacted in 2011 that prohibits political subdivisions from regulating the possession and carrying of firearms, ammunitions and firearm accessories. Secondly, the resolution urges Indiana lawmakers to implement universal background checks for all private gun sales. In developing this resolution, Councilmember Chopra has worked closely with two residents and active members of Moms Demand Action -- Professor Jody Madeira and Rachel Guglielmo. Both Professor Madeira and Ms. Guglielmo will make presentations in support of the resolution Wednesday night.

Indiana Law

At present, Indiana provides very little regulation when it comes to firearms:

- While a person must obtain a permit to carry a handgun, that same requirement does not apply to other allowable firearms.[1]
- Pursuant to federal law, a person wishing to buy any firearm from an authorized dealer must submit to a background check. However, when it comes to purchasing firearms from *private sellers* -- most commonly in the context of gun shows and internet sales -- there is no federal background check requirement. Some states control for this gap by implementing state-level regulation calling for background checks in these private transactions. Indiana does not.
- Indiana does not limit the number of firearms that can be purchased at one time.
- Indiana does not ban assault weapons.
- Indiana does not impose a waiting period for prospective gun purchasers.
- Indiana does not regulate unsafe guns.

For these reasons the Law Center to Prevent Gun Violence ("the Center") gives Indiana a D-. *See*, http://gunlawscorecard.org/. According to the Center, weak gun laws are closely associated with the rate of gun deaths per capita. Indiana ranks 24th among all States for the strength of its gun laws and ranks 21st highest in the number of gun deaths per capita. Please *see* Indiana's Scorecard, as provided by the Center included herein.

Not only does Indiana have lax gun regulations, but the Indiana General Assembly has rendered localities virtually powerless to do anything about it. As Res 17-14 documents, in 2011, the Indiana General Assembly passed a law prohibiting local government from regulating the possession and carrying of firearms, ammunitions and firearm accessories. I.C. 35-47-11.1. That means that the City cannot prohibit guns in common community spaces, such as City Hall or City parks.[2] As the resolution recounts, the presence of guns in everyday spaces creates fear and the opportunity for harm. The fallout and wrongheaded nature of the Indiana General

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[1] Indiana law prohibits machine guns, sawed-off shotguns, and armor-piercing ammunitions. IC 35-47-5-4.1, 35-47-5-8, and 35-47-5-11

[2] In response to this law change, the City was required to amend local code to conform with State law by removing regulations about possession of firearms at Council meetings or in City recreational spaces. Note that while IC 35-47-11.1 prohibits localities from regulating the possession and carrying of firearms, localities are not prohibited from regulating the *use* of firearms. For that reason, the City largely prohibits the discharge of a firearm within City limits. Further, while the new State law removed the City's ability to regulate the possession of a firearm, the law does provide that a political subdivision can prohibit the "intentional display" of a firearm. Our local code prohibits the intentional display of a firearm at any public meeting of the City's boards, commissions, and councils. BMC 2.08.020.

Assembly's actions was documented in a *New York Times* Op-Ed by Mayor Hamilton. Councilmember Chopra includes the Mayor's Op-Ed in her packet of materials to the Council.

Universal Background Checks

Res 17-14 asserts that repealing the law tying the hands of local government to keep its residents safe is a necessary step toward smarter gun laws in Indiana. However, alone it is not enough. The resolution also calls upon Indiana to follow the lead of at least 18 other states and the District of Columbia in implementing background checks at the point of sale on the private sale of all firearms. At present, federal law requires that any person purchasing a firearm from a *federally licensed* dealer must undergo a background check. A dealer must be licensed if s/he is "engaged in the business" of dealing in firearms. A person "engaged in the business" is defined as "a person who devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms." [3] Purchases from federally licensed dealers are estimated to account for about 60% of all gun purchases.[4] However, federal law does not require background checks when a firearm is purchased from a private dealer, leaving a significant gap in the vetting of firearm possession. For that reason, many states have stepped in to fill this void.

Background checks are intended to keep guns out the hands of people who should not have guns, those persons who are ineligible to purchase firearms under federal or state law. Such persons prohibited from purchasing firearms under federal law include categories of persons such as convicted felons, domestic abusers, fugitives, underage persons, persons addicted to controlled substances, and people with specific kinds of mental health histories.[5] Under State law, the foregoing are prohibited persons in addition to those who are convicted of any crime involving the inability to safely handle a handgun. And while these persons are effectively blocked if they attempt to purchase a firearm from a licensed firearm dealer or if they attempt to obtain a permit to carry a handgun, they are not so blocked when purchasing a firearm from a private seller -- most commonly in the context of an internet sale or a gun show. The resolution points out that this is a significant gap, one that Indiana can close by requiring background checks at the point of sale of all firearms.

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[3] 18 U.S.C § 921(a)(21)(C)

[4] Coalition to Stop Gun Violence, Universal Background Checks, http://csgv.org/issues/universal-background-checks/, accessed 16 March 2017.

[5] 18 U.S.C. Section 922(g)

As Res 17-14 makes clear, background checks work. Since the federal law attaching to authorized dealers was enacted, more than 2.4 million gun sales to persons prohibited from possessing guns were prevented from March 1, 1994 to December 31, 2012. Similarly, as made clear in the background information provided by Councilmember Chopra from the Center, there is strong correlation between the presence of background checks and a low-incidence of gun-related deaths. Furthermore, as the resolution points out, law change in Indiana will benefit more than just Indiana residents: while Illinois does have strong gun laws, a significant portion of gun violence occurring in Illinois is attributable guns obtained from making a short trip to Indiana.

NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL REGULAR SESSION
6:30 P.M., WEDNESDAY, MARCH 22, 2017
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES: March 1, 2017 (Regular Session)
March 8, 2017 (Special Session)

IV. REPORTS (A maximum of twenty minutes is set aside for each part of this section.)
1. **Councilmembers**
2. **The Mayor and City Offices**
3. **Council Committees**
4. **Public***

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS

1. Ordinance 17-07 – An Ordinance to Amend Ordinance 16-26 and Ordinance 16-45, Which Fixed Salaries for Certain City of Bloomington Employees for the Year 2017 – Re: Changes in Job Titles and Job Grades within the Planning and Transportation Department, Legal Department, and Controller's Office to More Accurately Reflect the Nature and Grade of those Positions
Committee Recommendation: Do Pass 8 - 0

2. Ordinance 17-03 – To Amend Ordinance 95-75 Entitled "Establishing the Housing Trust Fund and its Board of Directors and Approving the Designated Housing Trust Fund Endowment Agreement," as Subsequently Amended (Revising and Updating the Housing Trust Endowment Fund Agreement with the Community Foundation of Bloomington and Monroe County and Terminating the City's Housing Trust Fund Board)
Committee Recommendation: Do Pass 8 - 0 - 1

3. Appropriation Ordinance 17-01 – To Specially Appropriate from the General Fund Expenditures Not Otherwise Appropriated (Authorizing the Transfer of Funds to the City and the Appropriation of Such Funds from the General Fund to the Housing Development Fund)
Committee Recommendation: Do Pass 9 - 0
Amendment 01: Do Pass 9 - 0

4. Ordinance 17-06 – To Amend Title 6 (Health and Sanitation) of the Bloomington Municipal Code – Re: Deleting Chapter 6.04 (Refuse and Yard Waste Collection by the City) and Replacing it with Chapter 6.04 (Sold Waste, Recycling and Yard Waste Collection by the City)
Committee Recommendation: Do Pass 9 - 0
Amendment 01: Do Pass 9 - 0

5. Resolution 17-14 - Supporting Responsible Gun Regulations - Calling for the Repeal of IC 35-47-11.1 and Supporting Universal Background Checks
Committee Recommendation: None

VII. LEGISLATION FOR FIRST READING - *None*

VIII. ADDITIONAL PUBLIC COMMENT* (A maximum of twenty-five minutes is set aside for this section.)

IX. COUNCIL SCHEDULE

X. ADJOURNMENT

**Members of the public may speak on matters of community concern not listed on the agenda at one of the two Reports from the Public opportunities. Citizens may speak at one of these periods, but not both. Speakers are allowed five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.*

***Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call (812)349-3409 or e-mail council@bloomington.in.gov.*

Posted & Distributed: March 17, 2017

City of Bloomington
Office of the Common Council

To Council Members
From Council Office
Re Weekly Calendar – 20-25 March 2017

Monday, 20 March

12:00	pm	Board of Public Works- Work Session, McCloskey
12:00	pm	Affordable Living Committee, Hooker Conference Room
5:00	pm	Utilities Service Board, 600 E. Miller Dr.
5:00	pm	Redevelopment Commission, McCloskey
6:00	pm	Annexation Public Information Meeting, Chambers

Tuesday, 21 March

11:30	am	Plan Commission- Work Session, Kelly
12:30	pm	Bloomington Public Transportation Corporation, 130 W. Grimes Ln.
4:00	pm	Board of Public Safety, Utilities, 600 E. Miller Dr.
5:30	pm	Board of Public Works, McCloskey
5:30	pm	Animal Control Commission, Kelly
5:30	pm	Commission on the Status of Children and Youth, Hooker Conference Room
6:00	pm	Annexation Public Information Meeting, Chambers

Wednesday, 22 March

10:00	am	Metropolitan Planning Organization- Technical Advisory Committee, McCloskey
11:00	am	Annexation Public Information Meeting, Chambers
2:00	pm	Hearing Officer, Kelly
4:30	pm	Traffic Commission, Chambers
4:30	pm	Martin Luther King, Jr. Day Commission, McCloskey
5:30	pm	Commission on Hispanic and Latino Affairs – Special Meeting, McCloskey
6:00	pm	Council on Neighborhood Associations, Hooker Conference Room
6:30	pm	Metropolitan Planning Organization- Citizens' Advisory Committee, McCloskey
6:30	pm	Common Council Regular Session, Chambers

Thursday, 23 March

11:00	am	Annexation Public Information Meeting, Chambers
5:00	pm	Bloomington Historic Preservation Commission, McCloskey
5:30	pm	Board of Zoning Appeals
7:00	pm	Environmental Commission, McCloskey

Friday, 24 March

12:00	pm	Domestic Violence Task Force
12:00	pm	Common Council Internal Work Session, Library
6:00	pm	Annexation Public Information Meeting, Chambers

Saturday, 25 March

11:00	am	Annexation Public Information Meeting, Chambers

*Auxiliary aids for people with disabilities are available upon request with adequate notice. Please contact the applicable board or commission or call (812) 349-3400.

Posted and Distributed: Friday, 17 March 2017

Bloomington Commission on Sustainability
Annual Sustainability Assessment
March 22, 2017

This report is the Annual Sustainability Assessment prepared by the Bloomington Commission on Sustainability (BCOS) to the Common Council, Mayor, and the public in accordance with the Bloomington, Indiana Code of Ordinances for Boards, Commissions, and Councils.[1] The duties of BCOS related to this report are specified in Powers and Duties under Section 2.12.100.

> "(C) To determine, in cooperation with other city boards and commissions, Bloomington's current and future sustainability status by developing and monitoring a set of sustainability indicators;
>
> (D) To provide, in cooperation with other city boards and commissions, an annual "sustainability assessment" based on said indicators. The assessment shall be included in an annual report and provided to the common council, mayor and the public;"

Sustainability Outcomes for the City

Environmental Metrics

BCOS selected three environmental sustainability categories as a sample of metrics tracked by the city. These are energy usage, water usage, and waste disposal (estimated) over an eight-year period (2008 to 2016). The data presented comes from each utility provider, which defines Bloomington service areas differently.

Energy usage includes data for both natural gas and electricity. Natural gas data, provided by Vectren, represents the total for customers with Bloomington city zip codes (Figure 1). Duke Energy provided electricity consumption data

(Figure 2) representing the Bloomington District, which is defined by the utility company to include Bloomington and Ellettsville. Since 2008, the Bloomington District has consumed 11,971,073,380 kWh of electricity. The residential sector accounted for 35.8 percent of the total while the commercial sector accounted for 27.84 percent, the government sector for 23.28 percent, and the industrial sector for 12.48 percent. The trend lines (Figure 3) for all sectors show a steady decrease over the past eight years. In 2015, usage in each sector dropped below their respective levels in 2008; the total decrease resulted in approximately 170,000,000 kWh less consumed in 2015 than 2008.

Figure 1

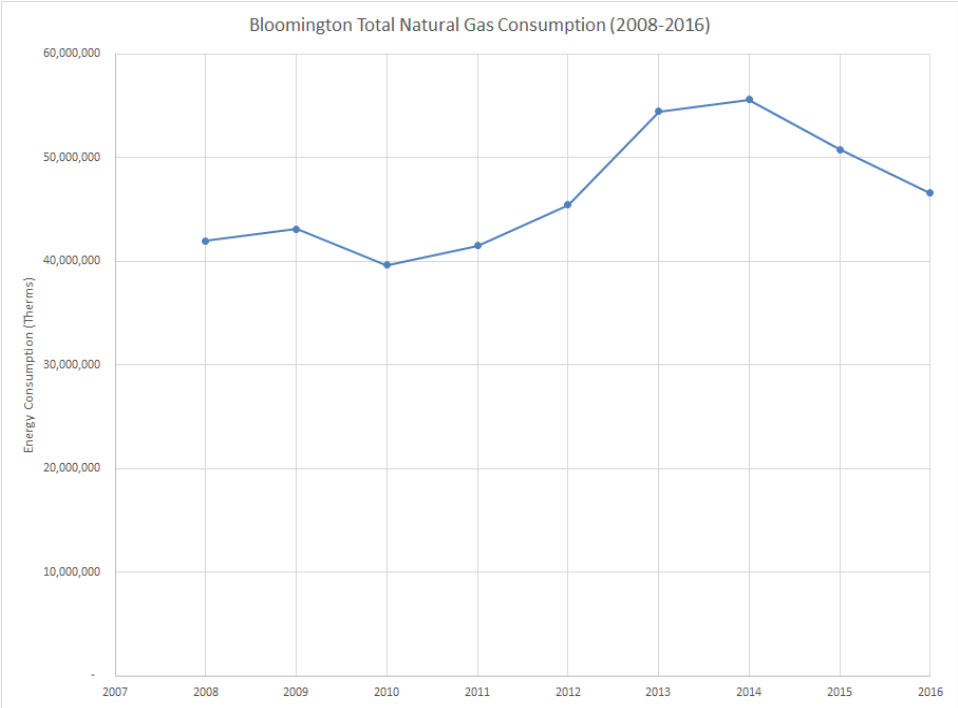


Figure 2

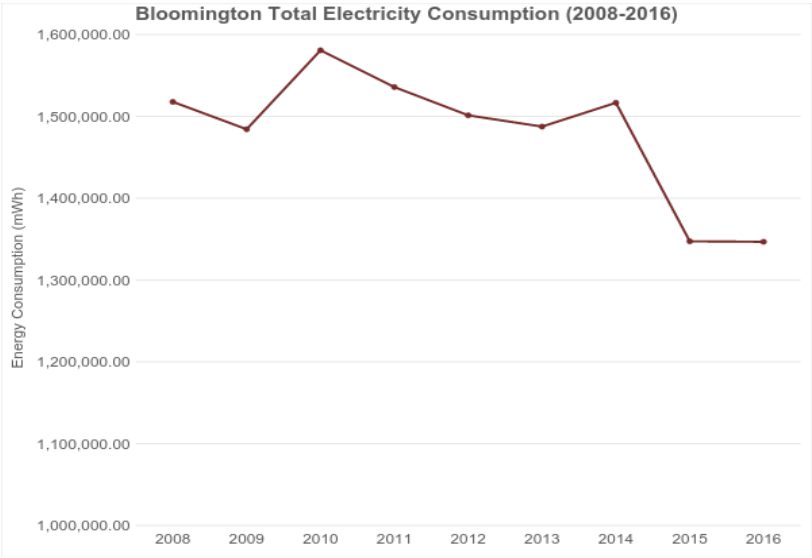
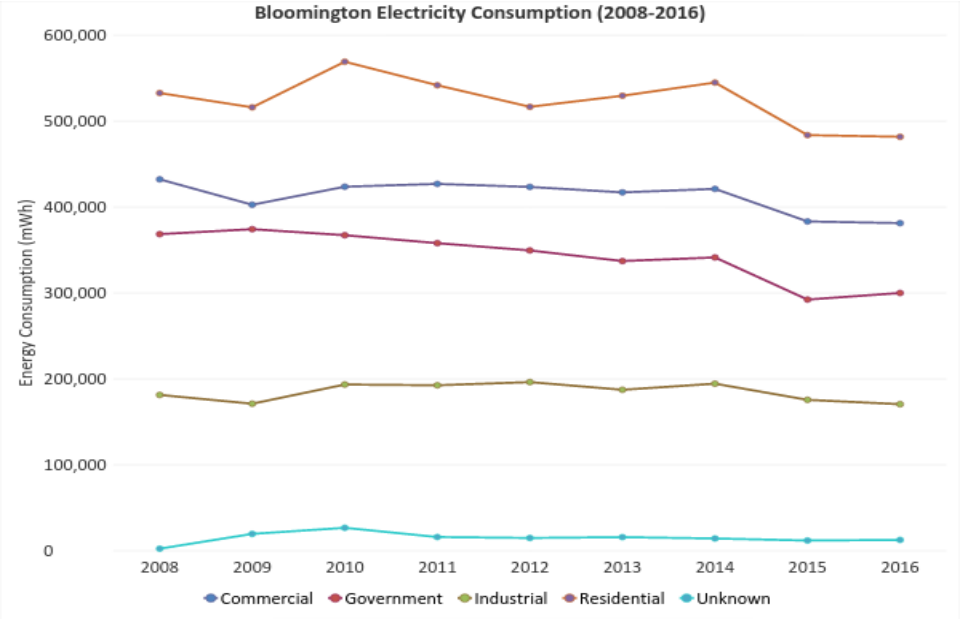


Figure 3

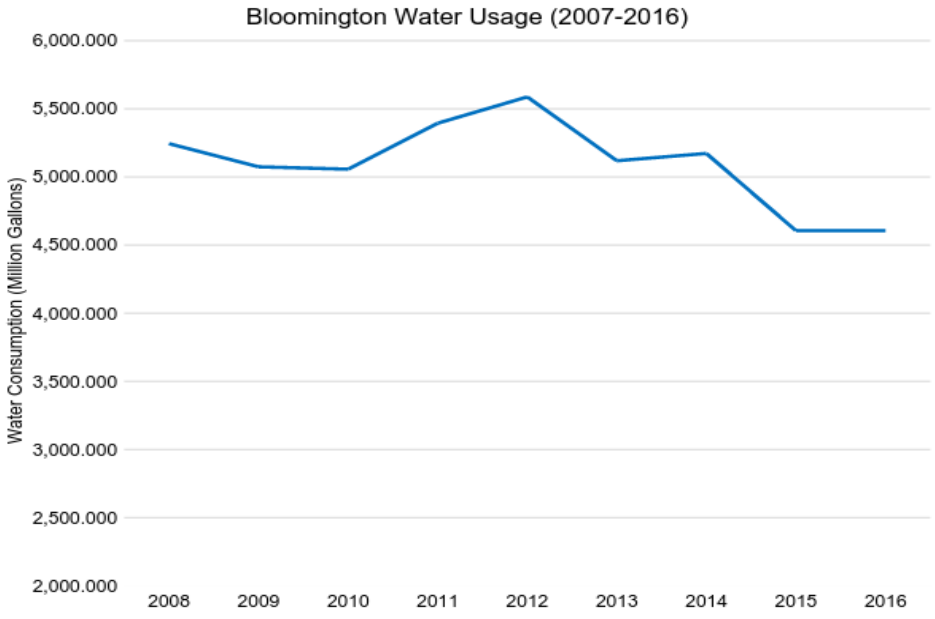


In 2015 and 2016, the city enrolled in the Georgetown University Energy Prize, a national contest including 50 participating cities.[2] During the contest period from July 2013 to June 2017, communities are challenged to work with government and utilities to establish and implement plans to reduce per capita energy consumption from local gas and electric utilities. The City of Bloomington has

invested in extensive community outreach, which included involving local school programs and community service projects, to educate citizens about energy consumption.

Water usage data (Figure 4) provided by the City of Bloomington Utilities represent amounts for the city and service areas outside the city. From 2008-2016, consumption totaled 45,860 million gallons (MG) of water, with an average of 5,096 MG per year. Since 2008, the city has reduced its consumption from 2008 levels of 5,244 MG to 4,605 MG in 2016.

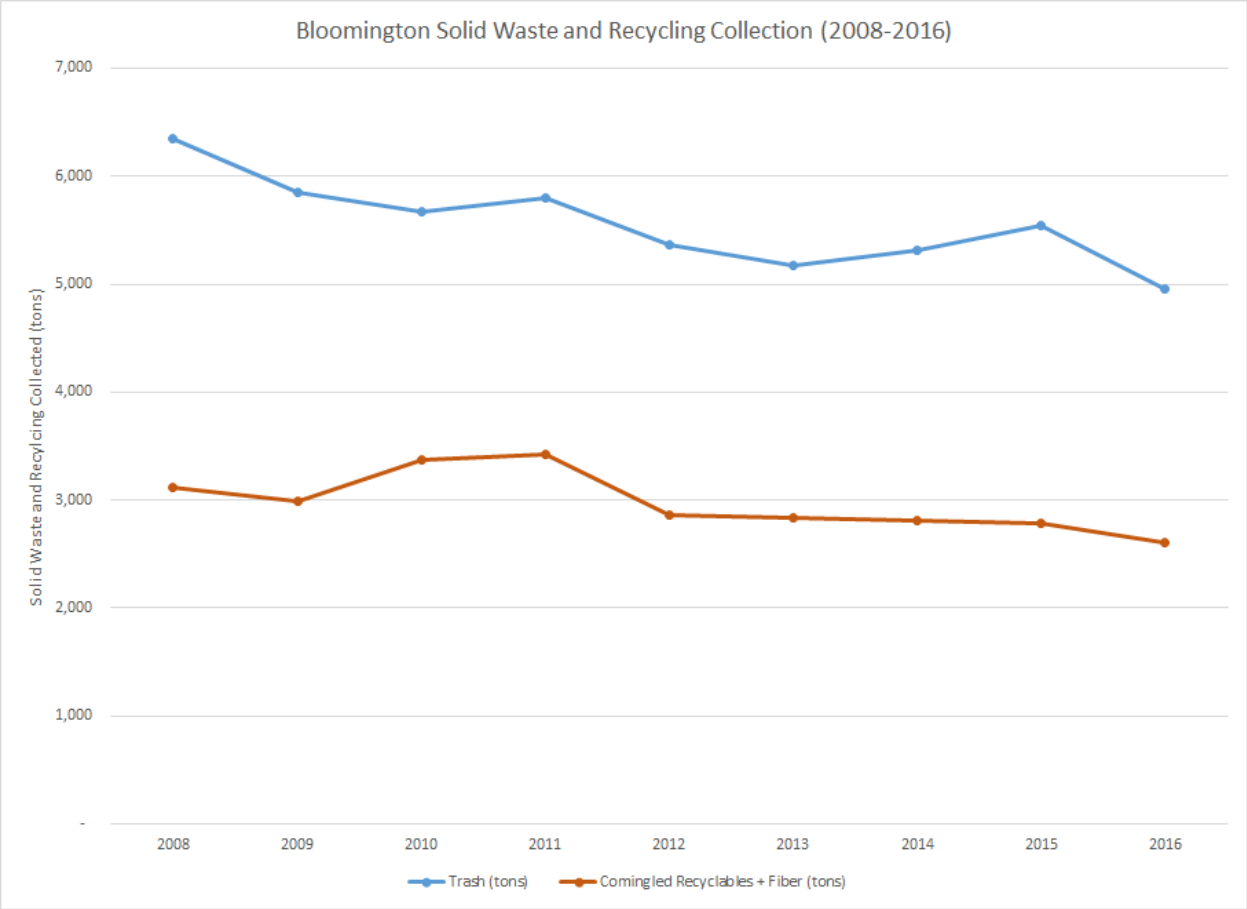
Figure 4



The City of Bloomington Sanitation Department, Indiana University, and private businesses provide waste collection. The private waste collectors that serve Bloomington do not currently collect data at the municipal level. As a result, the data presented (Figure 5) is only from the City of Bloomington Sanitation Department's solid waste and recycling collection program. In 2008, the department reported collecting 6,353 tons of trash and 3,114 tons of recyclable waste. Measured tonnage of recyclable waste included co-mingled recyclable materials (plastic, glass, etc.) and fiber (paper and cardboard). From 2008 to 2016, Bloomington has seen a decrease in trash collected from 6,353 tons in 2008 to 4,956 tons in 2016. During the same time period, collection of recycled materials fluctuated from 3,114 tons in 2008, up to 3,422 tons in 2011, and then down to

2,611 tons in 2016.

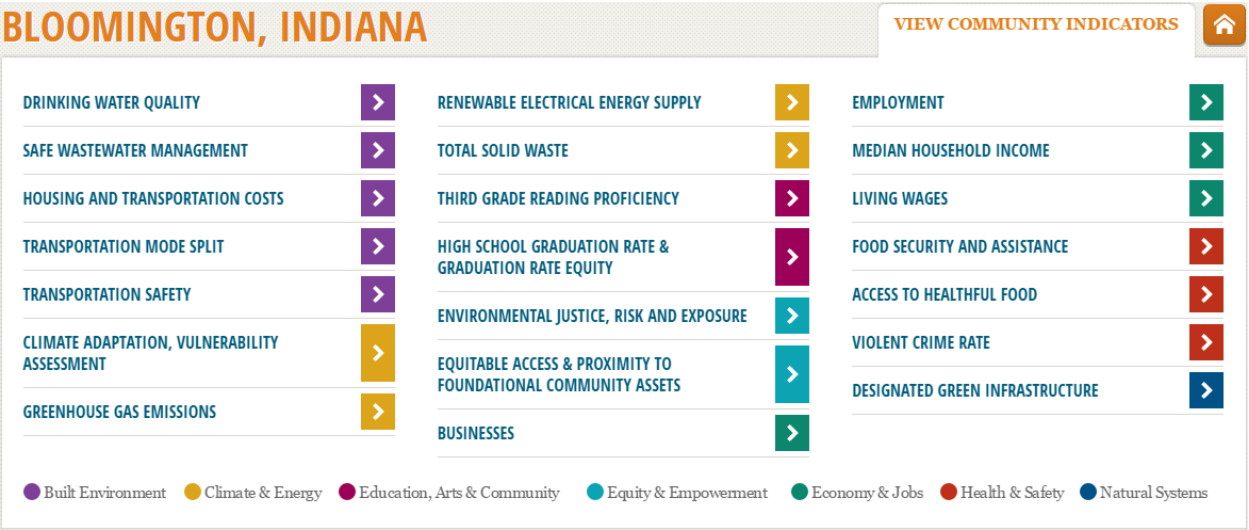
Figure 5



Leading STAR Community Indicators Project

In 2016, the City of Bloomington participated for the first time in the Leading STAR Indicators program using 2015 data.[3] This framework and certification program was developed for local governments to evaluate local sustainability, which includes economic, environmental, and social performance measures. The project provides a platform for communities reporting to share and compare data between participating communities. Figure 6 presents a list of the 21 STAR sustainability topics created to track each community's progress towards becoming a sustainable city. Bloomington has reported on 18 of the 21 indicators with plans to report on more in the future. The full report may be accessed from the STAR Communities website.[4]

Figure 6



BCOS Initiatives

BCOS held work meetings at the end of 2016 to renew our commitment to our charge given by the Common Council of the City of Bloomington (Ordinance 05-15, passed and adopted on May 4, 2005; 2.12.100 Bloomington, Indiana, Code of Ordinances) and to develop a strategic plan, goals, and priorities. The key priorities for 2017 are to establish BCOS strategic plan and goals, participate in the review and comment of the City of Bloomington 2040 Comprehensive Plan,[5] contribute to the City's Environmental Sustainability Plan, and to support the Solarize Bloomington Initiative.[6]

In an effort to strengthen our own identity, BCOS is preparing its strategic plan with specific goals and timelines. In this vein, we are researching several new opportunities such as food justice and security policy development, promotion and policy for non-market economy growth, securing funds and partnerships for sustainability recognition awards, and deep reflection on Bloomington's current level and quality of resiliency and strategic development for a stronger supportive resiliency plan.

A subset of BCOS Commissioners has been meeting with other citizens to review and provide written comment on chapters of the City of Bloomington 2040 Comprehensive Plan using the lenses of sustainability and resiliency. BCOS has voted and approved the submission of written comments on the chapters of Land Use (submitted 11/1/2016), Community Services (submitted 12/8/17), and

Culture & Identity (12/8/17). BCOS will continue to stay connected to the process of review and comment as additional chapter calls are issued.

BCOS supports several efforts involving The City of Bloomington Department of Economic & Sustainable Development. BCOS will participate in developing a comprehensive Environmental Sustainability Plan through a designated BCOS representative. In addition, the commission supports the Solarize Bloomington Initiative, which is collaboration between the City of Bloomington, the Solar Indiana Renewable Energy Network (SIREN)[7], and BCOS. This group-buying arrangement allows citizens to purchase solar energy installations at reduced prices. Other projects include RentRocket[8] and Hoosier to Hoosier.[9]

We look forward to expanding our partnerships and working towards a more sustainable, compassionate, and resilient Bloomington.

Questions for City Council: How Can BCOS Help to Enhance City Policymaking

This report is intended as a general update on BCOS activities and available sustainability data, but we are also sincerely interested in learning how our efforts can be optimized to support city policymakers on the City Council and in the administration. Constituted as an advisory body, some core functions of BCOS are to conduct research and to draft policy briefings that can facilitate policymakers' efforts in developing laws, plans, and programs that adequately account for the dynamic interdependence among ecological, economic, and social equity variables.

This systems-level policy thinking requires a view of both "the forest" and "the trees," which is an integrative mandate that gives the BCOS a unique role, in the constellation of statutorily authorized citizens' advisory commissions. In our work, as in yours, we must always consider many, overlapping issue-areas and we must always be mindful of the tradeoffs inherent among competing policy options. Nevertheless, the weight of actual policymaking authority rests in your hands; hence, we are here to help lighten the load.

As such, we are eager to learn what kinds of information (data) and what formats of presentation (reports) would contribute *substantively* to your work. With only so many hours in the day, we want to spend our time crafting

deliverables that are immediately applicable and squarely relevant. It is with these considerations in mind that we put forth two, primary questions:

> First: What sustainability-oriented metrics would the City Council like to see reported in the future? Or, rather: what information might we collect to help you craft robust and data-driven policy?
>
> Second: What kind of substantive support can BCOS provide to City Council, regarding upcoming initiatives? Or, rather: what policy decisions on the 2017 legislative calendar could benefit from the multi-dimensional perspective of sustainability?

Such simple questions do not likely have simple answers, so BCOS has no expectation for a quickly issued, itemized list. In fact, it may be more productive to plan more regular and consistent communication, such that we may assist you as opportunities arise. Further, there may be times when our work will require your help in providing information that is difficult for us to access. Some examples are gaps in the set of sustainability metrics we have presented, above. Collaboration can help us help you!

We are grateful for the opportunity to work with you to serve the Bloomington community, in this uniquely grassroots and deeply democratic institution of the City Commission system. Together, we can continue to strengthen our community's democratic culture and, by so doing, to enhance our community's capacity to convivially, collaboratively, and collectively choose how we share our lives and livelihoods in this place we call our home.

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[1] Statutory Authority: BMC 2.12.100 (https://bloomington.in.gov/code/level2/TIT2ADPE_CH2.12BOCOCO.html#TIT2ADPE_CH2.12BOCOCO_2.12.100BLCOSU)

[2] Georgetown University Energy Prize (https://guep.org/about-the-prize/)

[3] Leading STAR Community Indicators (http://www.starcommunities.org/star-updates/leading-star-communities-indicator-project-workshop/)

[4] Star Communities (https://reporting.starcommunities.org/communities/57-indiana-bloomington)

[5] City of Bloomington 2040 Comprehensive Plan (https://bloomington.in.gov/cmp)

[6] Solarize Bloomington Campaign (https://bloomington.in.gov/documents/viewDocument.php?document_id=9841)

[7] Solar Indiana Renewable Energy Network (SIREN) (https://www.sirensolar.org)
[8] RentRocket (www.RentRocket.org)
[9] Hoosier to Hoosier (http://www.indiana.edu/~sustain/programs/hoosier-to-hoosier/index.php)

Contributing BCOS Commissioners:

Coleman Burnett, Member
Ryan Conway, Member
Ethan Horvath, Member
Jana McGee, Co-Chair
Teddie Phillipson-Mower
Gwendolen White, Co-Chair

RESOLUTION 17-14

SUPPORTING RESPONSIBLE GUN REGULATIONS -
Calling for the Repeal of IC 35-47-11.1 and
Supporting Universal Background Checks

WHEREAS, the prevention of violence and the cultivation of a community free from fear is at the heart of the duty of local government to protect the health, welfare, and safety of its residents; and

WHEREAS, the ability of local government to fulfill this core duty is severely compromised by both the presence and absence of certain State gun regulations; and

WHEREAS, in 2011, the Indiana General Assembly created a new chapter of the Indiana Code, Chapter 35-47-11.1, which prohibits a political subdivision from regulating the possession and carrying of firearms, ammunition and firearm accessories; and

WHEREAS, this means that absent certain exceptions, local government cannot prevent persons from carrying a gun into a public meeting at City Hall, a soccer game at Bryan Park, a community pool, a City-sponsored parade, or a community play at the Buskirk-Chumley theater; and

WHEREAS, the presence of guns in everyday spaces creates fear and presents the opportunity for community harm; and

WHEREAS, so weak are Indiana's gun laws that the Law Center to Prevent Gun Violence gives Indiana a "D-" for the strength of its gun laws; and

WHEREAS, indeed, over the past three years, the Indiana General Assembly has considered a number of legislative proposals that are much more likely to threaten the public good, than protect it. Such proposals include, but are not limited to: expanding the number and type of persons who can carry handguns without permits; eliminating the handgun permitting requirement altogether; loosening up who can carry guns on school property; and, prohibiting State universities from regulating firearms on campus; and

WHEREAS, instead of working to make it easier to get guns into the hands of the wrong people, Indiana lawmakers should work toward responsible gun ownership by both restoring the ability of local government to decide where guns are permissible and by implementing universal background checks at the point at which any firearm is sold; and

WHEREAS, implementing universal background checks at the point of sale ensures that individuals who should not have a gun, do not get a gun; and

WHEREAS, currently, federal law requires licensed firearms dealers to perform background checks on prospective purchasers and maintain records of all gun sales; however, this requirement does not extend to private sellers; and

WHEREAS, similarly, Indiana law requires a federally-licensed dealer to conduct a background check prior to transferring a handgun, but does not make this requirement of unlicensed private firearm sellers; and

WHEREAS, this is a dangerous loophole that makes it easier for guns to get into the hands of persons otherwise prohibited from carrying a firearm, such as felons, domestic violence abusers, and those with a severe mental illness; and

WHEREAS, this is a loophole that can be easily closed by requiring background checks at the point of transfer of any firearm from any seller; and

WHEREAS, this is a commonsense measure that will respect the Second Amendment rights of all Hoosiers, while keeping us all safer; and

WHEREAS, indeed, since the federal requirement that firearms dealers (not private dealers) conduct background checks, more than 2.4 million gun sales to prohibited persons were prevented from 1994-2012;[1] and

WHEREAS, approximately eighteen states and the District of Columbia have extended the background check requirement beyond federal law to at least some private sales;[2] and

WHEREAS, background checks work. In states that require a background check for every handgun sale:

- 38 percent fewer women are shot to death by intimate partners;
- 39 percent fewer law enforcement officers are shot to death with handguns;
- 49 percent fewer people commit suicide with firearms;[3] and

WHEREAS, background checks in the interest of public safety is a requirement that is supported by an overwhelming majority of Hoosiers -- a recent scientific survey conducted by Ball State University indicates that fully 83 percent of Hoosiers support background checks by private sellers;[4] furthermore, 74 percent of the National Rifle Association's own members support background checks;[5] and

WHEREAS, Indiana's gun laws do not just hurt Indiana residents. Sixty percent of guns recovered in Chicago come from out of state; twenty percent come from Indiana. While Chicago is working to stem gun violence by enacting tougher gun laws, those laws are of little effect if all it takes is a short trip to Indiana to buy a gun from a private dealer without a background check;[6] and

WHEREAS, Bloomington is a peaceful place where residents guard the wellbeing of the community and each other; it is not a place that has been ruptured by the systemic gun violence occurring throughout the country; and

WHEREAS, Bloomington is safe and we want to keep it that way.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Indiana lawmakers are urged to repeal Indiana Code 35-47-11.1 and restore the right of local communities to regulate the possession and carrying of firearms, ammunition, and firearm accessories in the interest of protecting their residents.

SECTION II. Indiana lawmakers are urged to pass a law requiring private sellers to conduct universal background checks.

SECTION III. The City Clerk is directed to send a copy of this resolution, duly adopted, to members of the Indiana General Assembly representing Bloomington and to the Governor of Indiana.

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[1] Jennifer C. Karberg, et al., *Background Checks for Firearm Transfers, 2012 – Statistical Tables* (Washington: Bureau of Justice Statistics, 2014), available http:/www.bjs.gov/content/pub/pdf/bcft12st.pdf

[2] Jurisdictions with background checks: California, Colorado, Connecticut, Delaware, Hawaii, Iowa, Illinois, Maryland, Massachusetts, Michigan, Nebraska, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Washington, and the District of Columbia.

[3] Mayors Against Illegal Guns, *Gun Background Checks Reduce Crime and Save Lives*, available at http://libcloud.s3.amazonaws.com/9/a2/3/1982/MAIG_-_2_-_Background_checks_national_charts_-_b.pdf

[4] Bowen Center for Public Affairs, *Hoosier Survey*, November 2015, available at http://bowencenterforpublicaffairs.org/wp-content/uploads/2015/11/HoosierSurvey2015FinalReport.pdf.

[5] Luntz Global, *Gun Owners Poll for Mayors Against Illegal Guns*, July 2012, available at http://every.tw/luntz.

[6] City of Chicago, Office of the Mayor, Chicago Police Department, *Tracing the Guns: The Impact of Illegal Guns on Violence in Chicago*, May 27, 2014, available at http://www.chicagobusiness.com/Assets/downloads/20151102-Tracing-Guns.pdf.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2017.

_____
SUSAN SANDBERG, President
Bloomington Common Council

ATTEST:

_____
NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2017.

_____
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2017.

_____
JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This resolution is sponsored by Councilmember Chopra and calls for the Indiana General Assembly to enact responsible gun regulation. Specifically, the resolution calls for the General Assembly to repeal 35-47-11.1, a measure that prohibits political subdivisions from regulating the possession and carrying of firearms, ammunition and firearm accessories. The resolution also urges Indiana lawmakers to implement universal background checks for all private gun sales; presently, under federal law, only authorized dealers are required to conduct background checks. The resolution directs the City Clerk to send copies of the resolution to members of the Indiana General Assembly representing Bloomington and to the Governor.

The New York Times | https://nyti.ms/2aaEXH3

The Opinion Pages | OP-ED CONTRIBUTOR

Pistols at the Pool, Machine Guns on Parade and Nothing We Can Do

By JOHN HAMILTON JULY 21, 2016

Bloomington, Ind. — I'M the mayor of a small Midwestern city and I'm at my wit's end about guns. My first job is to help keep my city safe, but two recent events showed me the limits of what I can do.

Item 1: On a beautiful day this summer, our public swimming pool was full of kids taking lessons and their families enjoying the sun. A man arrived and walked around the pool, with a handgun visible on his hip. He was not a law enforcement officer in uniform. Just a parent, it seemed, unknown to most there, walking around the pool, packing a pistol. No one had any idea if it was loaded or not. You can imagine the stress and worry this led to, with the memories of Orlando (and San Bernardino and Charleston and Newtown and on and on) fresh in people's minds.

Item 2: For our annual Fourth of July parade downtown, the sidewalks and streets were packed with thousands of children, parents, students, retirees — all in their patriotic finest. A float rolled by featuring armed men from a private firearms training center with military-style machine guns held at the ready, ammunition belts attached, atop a pickup truck. The celebration took a nervous-making turn.

This is all happening in Indiana, with a governor, Mike Pence, who has long fought against any reasonable restrictions on guns. His extreme views on this, and other issues, are apparently one reason Donald J. Trump chose him as his running mate. The nation as a whole will now get a better look at the kind of attitude on gun laws that has earned Governor Pence an A rating from the National Rifle Association

— and has made it harder for me to do what my constituents want when it comes to making them safe.

The people of Bloomington expect their mayor to protect them against violence. I received dozens of calls, emails and desperate messages after the incidents at the pool and the parade, urging me to act to prevent potential disaster.

My constituents aren't against all guns. They respect Second Amendment rights. They just don't want handguns carried around at their public pools. They don't want machine guns in their parades. Nor does my Police Department. Nor do I.

And in fact, my city used to have reasonable restrictions in place on the possession of firearms in parks, city facilities and at City Council meetings.

But five years ago the State Legislature prohibited cities from enforcing virtually any individual local regulation of firearms, ammunition or their accessories. The statehouse said we couldn't restrict what kind of guns or ammunition can be carried, displayed, worn, concealed or transported, with a few very limited exceptions like courtrooms and intentional displays at official public meetings.

The state did nothing to fill this vacuum it created. It did create one exception to protect itself — prohibiting anyone but officers, legislators or judges from carrying guns in the statehouse. And in one more technical twist, the state said if any city ever tries to restrict firearms or ammunition, it would be subject to paying triple the lawyers' fees for anyone who sues us.

So despite what a vast majority of Bloomington wants, we can't ban a handgun from a public pool or a machine gun from a parade float.

No one was physically hurt at the pool or the parade. But I worry that tomorrow, or next month, or some day, my city may lose the awful violence lottery that seems to strike with terrible frequency.

Residents of this city, with a population of more than 80,000, worry about their role. How exactly are they supposed to tell a "good guy" with a gun from a "bad guy" with a gun? How about that fellow walking around the pool with a weapon? How are parents, looking up from slathering sunscreen on their kids, to make the necessary

judgment? They don't want to be in that position. They're certainly not trained to be in that position.

And more and more people with more and more guns complicate the work of those trained in law enforcement as well. Our police officers risk their lives every day to protect us. Why do we have to make their jobs harder?

I worry that some day it could be my turn to stand in front of television cameras for a few days promising we'll get through, and come together to heal. My duty is to act now, before another terrible act of violence is carried out.

So I'll go to my state legislature and ask them, again, to give us back local authority. I expect the well-funded gun lobby will again oppose local control and reasonable regulations. I'm not likely to prevail without more pressure or a tragedy, but I'll keep at it.

I'm like a lot of mayors around the country, who work every day to fix problems and get results. The people who voted for me want me to do more to protect our community from gun violence. I wish it was one problem we were actually allowed to tackle.

John Hamilton, a Democrat, is the mayor of Bloomington, Ind.

Follow The New York Times Opinion section on Facebook and Twitter (@NYTOpinion), and sign up for the Opinion Today newsletter.

A version of this op-ed appears in print on July 21, 2016, on Page A23 of the New York edition with the headline: Why I Can't Protect My City From Guns.

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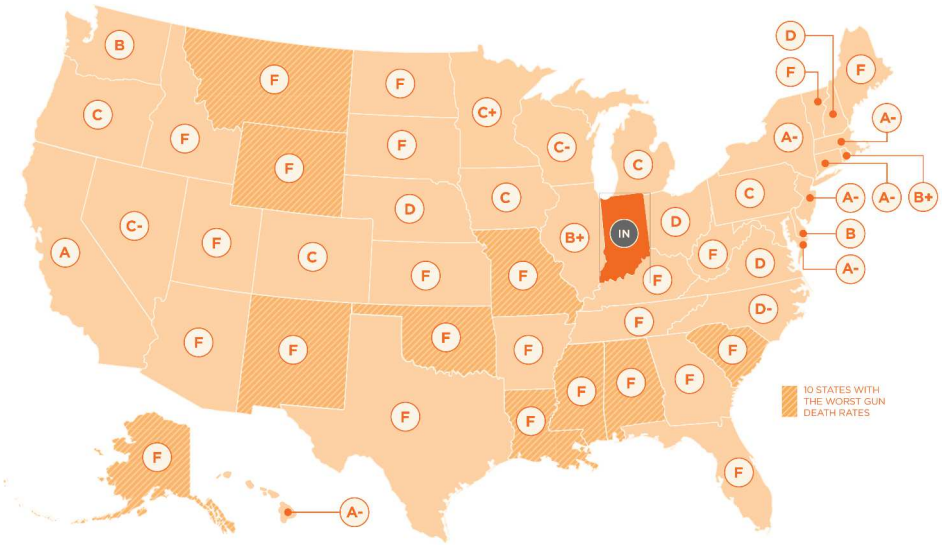
2016

2016 GUN LAW STATE SCORECARD

MAP ANALYSIS RANKINGS GET INVOLVED

DOES YOUR STATE MAKE THE GRADE?



INDIANA

D-

GUN LAW RANK (strongest (1) to weakest (50))	GUN DEATH RATE (per 100,000)
24	12.7
LAST YEAR'S RANK: 23	2015 TO 2016: ↓
LAST YEAR'S GRADE: D-	GUN DEATH RATE RANK (highest (1) to lowest (50) rate): 21 OUT OF 50

STATE SNAPSHOT

Indiana did not enact any significant firearms-related laws in 2016, does not require background checks on private sales, and has weak gun laws overall. As a result, it is a major supplier of trafficked crime guns to neighboring states, particularly Illinois.

WAYS TO RAISE YOUR GRADE

- Require background checks on private sales.
- Limit the number of firearms that may be purchased at one time.
- Impose a waiting period on firearm purchases.
- Impose child access prevention liability on gun owners.

LEARN MORE ABOUT INDIANA'S GUN LAWS
smartgunlaws.org/IN

GUN LAWS SAVE LIVES

UNDERSTANDING THE GUN CRISIS
A COMPLEX PROBLEM WITH PROVEN SOLUTIONS

UNDERSTANDING THE GUN CRISIS
A COMPLEX PROBLEM WITH PROVEN SOLUTIONS

Year after year, our data shows the same thing: smart, comprehensive gun laws lead to fewer gun deaths.

GUN LAWS SAVE LIVES | HOW WE GRADE THE STATES | CONTINUING MOMENTUM | DANGEROUS TRENDS | BEST AND WORST OF 2016 | ABOUT THE LAW CENTER

GUN LAWS SAVE LIVES

At this point, the scale of America's gun violence epidemic should be a surprise to no one. 2016 brought the worst mass shooting in our country's history, with 102 people shot at the Pulse Nightclub in Orlando. Chicago reported its most murders—over 700—in 20 years. More than 20,000 people kill themselves with a gun every year, and over *one million* Americans have been victims of gun violence in the past decade.

Gun violence takes a number of different forms, and so do its solutions. No one policy will stop every shooting, but what we do know—because our research shows it, year after year—is that when taken in the aggregate, smart gun laws have a significant impact on public safety. They save lives.

The premise of the Law Center's annual *Gun Law State Scorecard* is simple. Our legal experts evaluate every state's gun laws, assign grades, and compare those grades with the state's most recent gun death rate. **Consistently, we see a powerful correlation: states with stronger laws have fewer gun deaths per capita while states with weaker laws have more gun deaths.**

2016 brought increased public outcry over gun violence, as well as real progress at the state level, with a flurry of new gun laws passed, including ballot initiatives in three states. But, with 25 states scoring an F for their gun laws, clearly there is so much more work to be done. Use the map above to see how your state stacks up and learn about the steps your lawmakers can take to save lives in 2017.

EVALUATING THE DATA
STATE-BY-STATE RANKINGS

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EVALUATING THE DATA
STATE-BY-STATE RANKINGS

Universal background checks are the most effective policy to reduce the toll gun violence has on our communities.

50-STATE RANKINGS

GUN LAW RANK	STATE	2016 GRADE	GUN DEATH RATE RANK	BACKGROUND CHECKS
1	California	A	43	•
2	Connecticut	A-	46	•
3	New Jersey	A-	45	•
4	Massachusetts	A-	50	•
5	Maryland	A-	27	•
5	New York	A-	48	•
7	Hawaii	A-	49	•
8	Illinois	B+	39	•
9	Rhode Island	B+	47	•
10	Washington	B	37	•

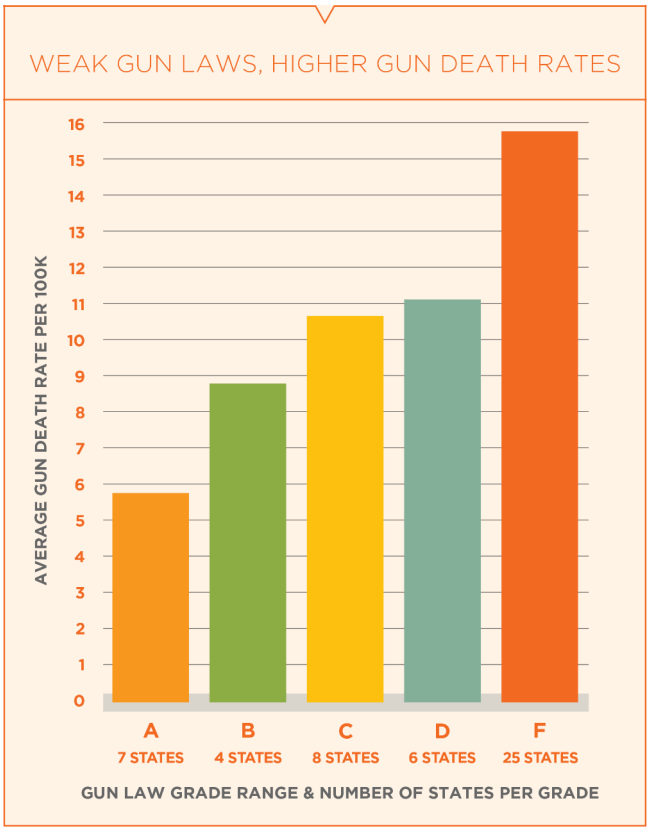
BACKGROUND CHECKS SAVE LIVES

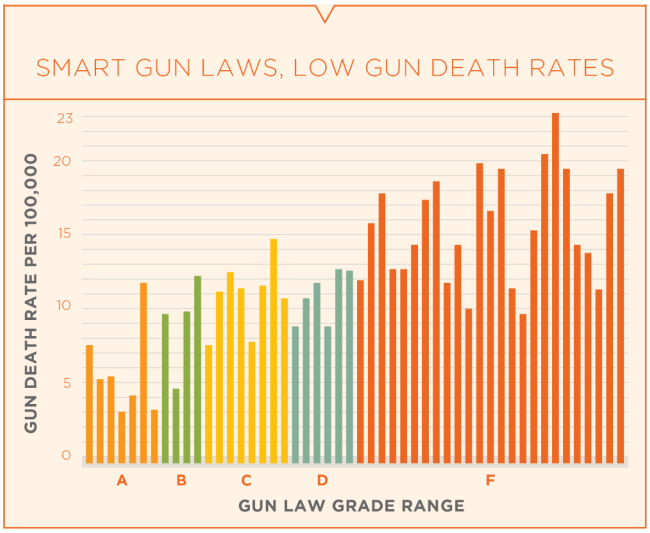
10 STATES WITH THE

LOWEST GUN DEATH RATE	STRONGEST GUN LAWS	
IOWA	CALIFORNIA	ILLINOIS
MINNESOTA	CONNECTICUT	MARYLAND
NEBRASKA	HAWAII	WASHINGTON
	MASSACHUSETTS	
	NEW JERSEY	
	NEW YORK	
	RHODE ISLAND	

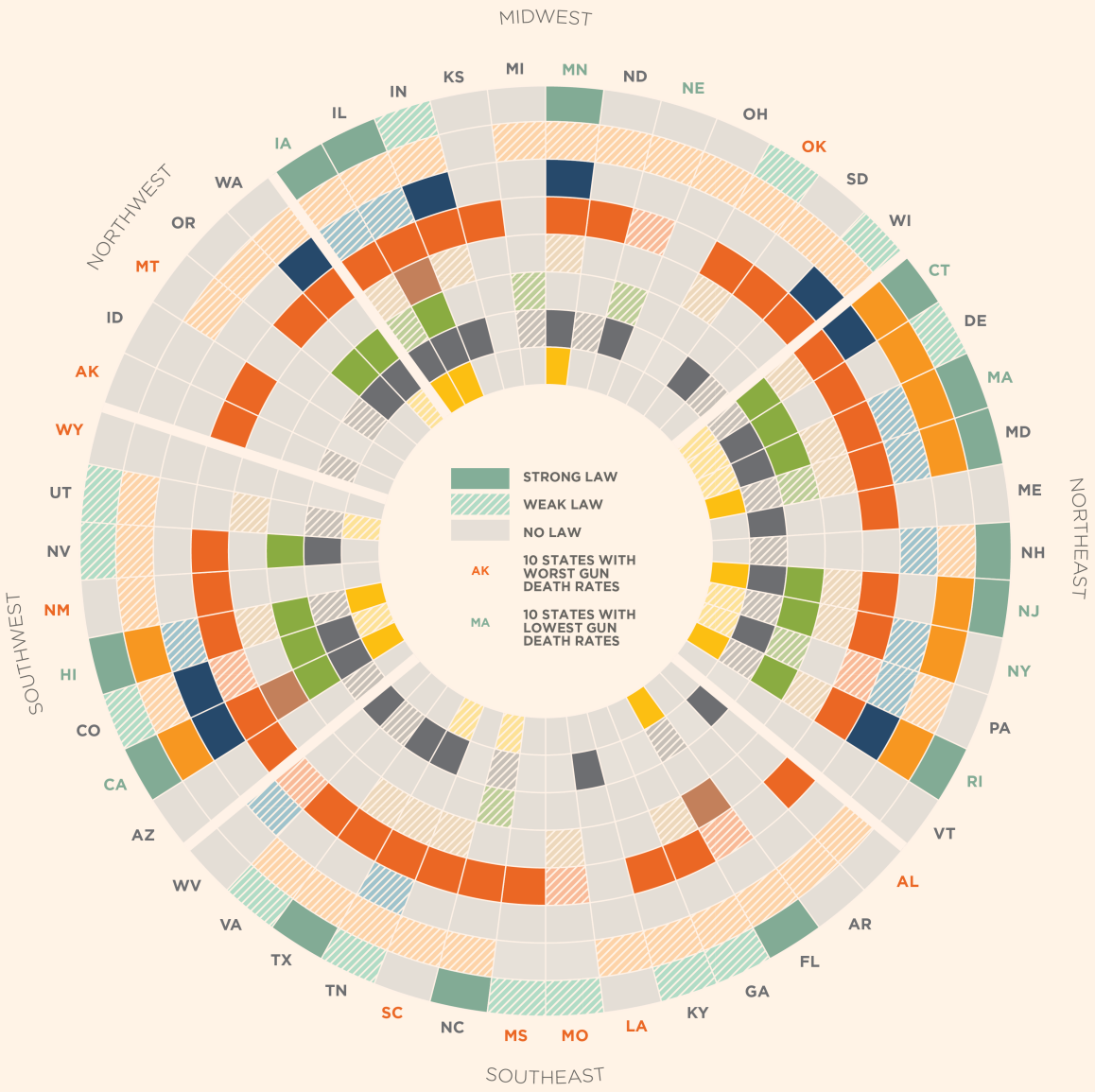
THESE STATES ALSO HAVE
PRIVATE SALE BACKGROUND CHECKS

11	Delaware	B	24	•
12	Minnesota	C+	44	
13	Pennsylvania	C	32	•
14	Colorado	C	22	•
15	Oregon	C	30	•
16	Iowa	C	42	•
16	Michigan	C	29	•
18	Nevada	C-	14	•
19	Wisconsin	C-	35	
20	Nebraska	D	41	•
21	Ohio	D	26	
21	Virginia	D	34	
23	New Hampshire	D	40	
24	Indiana	D-	21	
23	North Carolina	D-	23	•
26	Florida	F	25	
27	Oklahoma	F	8	
27	Tennessee	F	12	
29	Georgia	F	16	
29	New Mexico	F	7	
29	North Dakota	F	20	
29	South Carolina	F	10	
29	Utah	F	19	
34	Texas	F	28	
34	West Virginia	F	17	
36	Maine	F	36	
37	Alabama	F	3	
38	Arkansas	F	11	
38	Montana	F	6	
40	South Dakota	F	33	
41	Vermont	F	38	
42	Kentucky	F	13	
43	Louisiana	F	2	
44	Alaska	F	1	
45	Wyoming	F	4	
46	Idaho	F	15	
47	Arizona	F	18	
48	Kansas	F	31	
48	Missouri	F	9	
50	Mississippi	F	5	





FILLING THE GAPS: UNDERSTANDING GUN LAWS STATE BY STATE



CHILD ACCESS PREVENTION

- Imposes liability on people who negligently store firearms so minors can, or do, gain access.
- Imposes liability on people who intentionally, knowingly, or recklessly store firearms so minors can, or do, gain access.

CONCEALED CARRY REGULATIONS

- Licensing authority has some discretion to issue concealed carry permits.
- Licensing authority has limited or no discretion when issuing carry concealed permits.

DISARMING DANGROUS PEOPLE

- Allows family or law enforcement to petition to disarm a dangerous person and/or requires prohibited people to submit proof of gun relinquishment to a court.
- Requires that certain prohibited people relinquish their guns, but does not require proof.

MENTAL HEALTH RECORDS REPORTING

- Requires mental health records to be submitted to NICS.
- Authorizes agencies to report mental health records to NICS voluntarily.

OPEN CARRY REGULATIONS

- Prohibits open carry of all firearms.
- Prohibits open carry of some firearms or requires a permit to open carry some firearms.

PRIVATE SALE BACKGROUND CHECK

- Requires background checks on private sales of all firearms.
- Requires background checks on private sales of handguns only.

PROHIBITING ACCESS TO DOMESTIC ABUSERS

- Prohibits gun possession by both domestic violence misdemeanants and people subject to domestic violence protective orders.
- Prohibits gun possession by domestic violence misdemeanants or people subject to domestic violence protective orders, but not both.

WAITING PERIODS BEFORE GUN TRANSFERS

- Delays transfer of some or all firearms to provide a cooling-off period for purchasers and to provide additional time for a background check if needed.
- Delays transfer of a firearm only if additional time for background check is needed.

LEARN MORE AT
smartgunlaws.org

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, March 1, 2017 at 6:31pm with Council President Susan Sandberg presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
March 1, 2017

Roll Call: Sturbaum, Ruff, Chopra, Granger, Sandberg, Mayer, Piedmont-Smith, Rollo
Absent: Volan

ROLL CALL
[6:32pm]

Council President Susan Sandberg gave a summary of the agenda.

AGENDA SUMMATION
[6:32pm]

It was moved and seconded to approve the minutes of February 16, 2017.

APPROVAL OF MINUTES
[6:35pm]

The motion to approve the minutes was approved by voice vote.

February 16, 2017 (Special Session)

REPORTS

- COUNCIL MEMBERS
  [6:35pm]

Councilmember Chris Sturbaum encouraged people to talk less and do more.

Councilmember Andy Ruff spoke in memory of Toby Strout, former Director of Middle Way House and Bloomington resident, calling her a model citizen.

Councilmember Dorothy Granger also spoke in memory of Toby Strout, and described her as a mother hen who protected her chicks.

Councilmember Dave Rollo said it was an honor to serve with Toby Strout.

Councilmember Tim Mayer thanked people for their positive feedback to the Herald Times article on Valentine's Day.

Sandberg made an announcement regarding an Affordable Care Act (ACA) forum that was happening the following evening at the Monroe County Public Library. She also asked for a moment of silence in honor of the life and work of Toby Strout.

- The MAYOR AND CITY OFFICES
  [6:43pm]

Lauren Cowan, chair of the Commission on Aging, presented an annual report to the Council.

Councilmember Allison Chopra asked if the other members of the Commission could be recognized. She then asked if there had been any discussion of a community center.

Cowan said that a community center discussion had been a part of the Commission since its inception.

Ruff thanked the Commission and asked if there were plans to address the low ranking.

Cowan said there were plans to go through the data and address some of the flaws in the collection reports.

Councilmember Isabel Piedmont–Smith thanked the Commission and asked if there were plans to add advisory members.

Cowan said that they planned to look into it after they became more comfortable in their roles, since they were all fairly new to the Commission.

Piedmont-Smith pointed out that Cowan missed a member of the Commission who was on the other side of the room.

For Approval

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, March 8, 2017 at 6:31pm with Council President Susan Sandberg presiding over a Special Session of the Common Council.	COMMON COUNCIL SPECIAL SESSION March 8, 2017
Roll Call: Sturbaum, Ruff, Chopra, Granger, Sandberg, Mayer, Piedmont-Smith, Volan (6:37pm) Absent: Rollo	ROLL CALL [6:32pm]
Council President Susan Sandberg gave a summary of the agenda.	AGENDA SUMMATION [6:32pm]
It was moved and seconded to approve the minutes from February 15, 2017. The motion to approve the minutes was approved by voice vote.	APPROVAL OF MINUTES [6:34pm] February 15, 2017 (Regular Session)
It was moved and seconded to appoint Rhonda Gambill to the Human Rights Commission. The motion was approved by voice vote.	APPOINTMENTS TO BOARDS AND COMMISSIONS [6:35pm]
	LEGISLATION FOR FIRST READING
It was moved and seconded that Ordinance 17-07 be introduced and read by title and synopsis only. Deputy Clerk Martha Hilderbrand read the legislation by title and synopsis.	Ordinance 17-07 – An Ordinance to Amend Ordinance 16-26 and Ordinance 16-45, Which Fixed Salaries for Certain City of Bloomington Employees for the Year 2017 – Re: Changes in Job Titles and Job Grades within the Planning and Transportation Department, Legal Department, and Controller's Office to More Accurately Reflect the Nature and Grade of those Positions [6:35pm]
It was moved and seconded to cancel the internal work session scheduled for Friday March 10, 2017. The motion was approved by voice vote.	COUNCIL SCHEDULE [6:36pm]
The meeting was adjourned at 6:38pm.	ADJOURNMENT

For Approval

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ____ day of _____, 2017.

APPROVE:

_____
Susan Sandberg, PRESIDENT
Bloomington Common Council

ATTEST:

_____
Nicole Bolden, CLERK
City of Bloomington

Cowan asked Lei Gong to stand up, and said that she was a valued member of the team as well.

Granger said that she liked the name of the annual report.

Sandberg thanked the Commission for its participation in the affordable living committee.

Bethany Emenhiser, Program Manager in the Housing and Neighborhood Development department, read an Encomium for Marjorie Hudgins, honoring her for her years of service as a voting member of the Historic Preservation Commission.

Marjorie Hudgins spoke and thanked her colleagues on the Commission.

- COUNCIL COMMITTEES

There were no reports from Council Committees.

- PUBLIC [7:03pm]

Sandberg called for public comment.

Gerhard Glomm, Professor of Economics at Indiana University, spoke about the ACA panel planned for the following evening.

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:06pm]

It was moved and seconded to appoint Gavin Everett and Irasema Rivera to the Commission on Hispanic and Latino Affairs. The motion was approved by voice vote.

It was moved and seconded to reappoint Nancy Obermeyer and to withdraw the appointment of Ron Bronson to the Public Transportation Corporation. The motion was approved by voice vote.

It was moved and seconded to reappoint Margaret Fette to the Bloomington Urban Enterprise Association. The motion was approved by voice vote.

It was moved and seconded to appoint Mallory Rickbeil to the Bicycle and Pedestrian Safety Commission. The motion was approved by voice vote.

It was moved and seconded to appoint James Sanders to the Martin Luther King, Jr. Birthday Commission. The motion was approved by voice vote.

It was moved and seconded to appoint Judy Maki and Chris Etter to the Traffic Commission. The motion was approved by voice vote.

For Approval

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:09pm]

It was moved and seconded that Ordinance 17-05 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Nicole Bolden read the legislation by title and synopsis, giving the committee Do Pass recommendation of 8-0-0.

Ordinance 17-05 – To Amend Title 8 of the Bloomington Municipal Code, Entitled "Historic Preservation and Protection" To Establish a Historic District – Re: 1033 S. Ballantine Road Historic District (Nathan Silverstein House)

It was moved and seconded that Ordinance 17-05 be adopted.

Emenhiser presented the legislation to the Council, explaining that the property was being recommended for a historic designation as a "Contributing" structure under both historical and architectural criteria.

Eric Sandweiss, Petitioner, added his gratitude to the Council and the Historic Preservation Commission, and said that he was happy to answer any questions as needed.

Council Questions:

Councilmember Dave Rollo asked if the property was listed as a contributing structure in the previous year's legislation.

Emenhiser said that it was, but that it was not listed in the 2001 survey.

Rollo asked if the Commission reached out to other homeowners in the area to discuss historic designation.

Emenhiser said that it had been discussed but that it was in the early phases.

Sturbaum asked for an update on the re-survey project.

Emenhiser said they expected a final report in January 2018.

Piedmont-Smith asked for clarification as to whether the property was on the local listing or the CHARD.

Emenhiser said that it was only on the CHARD and was not on the 2001 listing.

Chopra asked if there were any conflicts of interest between the Historic Preservation Commission and Bloomington Restoration Incorporated.

Emenhiser said there were two advisory members who had left the room during discussions.

Council Comment:

Granger said she was excited that the homeowners brought the petition forward.

Sturbaum thanked the owners for bringing the petition forward.

Ruff also thanked the property owners, and said that he thought it would help increase public awareness of the historic value of homes.

Mayer thanked the property owners.

Chopra thanked the property owners and noted that, at one time, the property in question was outside city limits and considered suburban.

Piedmont-Smith said she had grown up in a house like the one being discussed and thought it was appropriate for the house to be the first in the neighborhood to achieve historic designation.

For Approval

Ordinance 17-05 (cont'd)

Sturbaum said that in 2001 the house was not old enough to be put on the survey but now it was, he predicted that it would be 15 years older in another 15 years.

Vote to adopt Ordinance 17-05 [7:25pm]

The motion to adopt Ordinance 17-05 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Ordinance 17-04 – To Amend the Zoning Maps from Planned Unit Development (PUD) to Commercial General (CG) – Re: 4021-4025 West 3rd Street (GMS-Pavilion Properties, Petitioner)

It was moved and seconded that Ordinance 17-04 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read Ordinance 17-04 by title and synopsis[1].

It was moved and seconded that Ordinance 17-04 be adopted.

Eric Greulich, Zoning Planner, presented the legislation to the Council.

Council Questions:

Rollo asked if there was a dialysis center on the Westside.
Greulich said he did not know.
Rollo asked if there were any medical waste concerns related to the proposed rezoning.
Greulich said there were not any zoning concerns, but the Health Department may have had some.

Council Comment:

Mayer thanked the staff for their work.

Vote to adopt Ordinance 17-04 [7:31pm]

The motion to adopt Ordinance 17-04 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Resolution 17-13 – Urging the United States Congress to Enact Revenue-Neutral Carbon Fee and Dividend Legislation [7:31pm]

It was moved and seconded that Resolution 17-13 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read Resolution 17-13 by title and synopsis.

It was moved and seconded that Resolution 17-13 be adopted.

Rollo read the full text of Resolution 17-13 out loud.

Marcia Veldman, Coordinator for Citizens' Climate Lobby (CCL), spoke about the importance of the Resolution and the history of the CCL.

David Mann, CCL, spoke in favor of the Resolution.

Richard Durisen, retired professor, spoke about the greenhouse effect, the proposed legislative approach of the CCL, and urged the Council to support the Resolution.

Council Questions:

Piedmont-Smith asked what would incentivize people receiving dividend checks to switch to greener methods of energy.
Durisen said that the money would have a net positive effect on the economy.
Piedmont-Smith said that the CCL website showed that, in Indiana, people would be getting less than they would spend.
Alex York, State Endorsement Coordinator for CCL, said that those who could not afford to pay came out ahead, but those who could afford to pay did not.
Rollo added that 60% of people would receive more money than they pay in their bill.

For Approval

[1] The committee Do Pass recommendation of 8-0-0, was not read out loud.

Resolution 17-13 (*cont'd*)

Ruff asked if the CCL really believed it was a nonpartisan issue.

York explained that CCL was a nonpartisan group, but that its mission was not necessarily a nonpartisan one.

Ruff asked if there were any other countries in which a similar fee and dividend structure was in place.

York said the closest example was in British Columbia, Canada, where it had adopted a carbon tax.

Ruff asked how tax refunds would manifest.

York explained that it would be a rebate to maintain competiveness with other countries that did not have carbon pricing.

Ruff asked where that refund would come from.

York said the money would come from the tariff fund.

Sandberg asked what the lobby date was for the CCL when it interacted with legislators.

York said that it was over Father's Day weekend in June of the previous year, and the CCL had another in November after the election.

Sandberg asked if it would be at the same time that year.

York said that the CCL planned to do its lobby weekend the second week of June.

Piedmont-Smith asked if the proposal would encourage companies to mine more coal and export it to countries that did not have a carbon fee.

York said yes, but exporting would still be more expensive than selling it domestically with a fee.

Piedmont-Smith asked about plastics companies, which made a lighter-weight product out of petroleum. She asked if there would be incentives built in so those companies would get a refund of the fee on that export.

York said that would be true to some extent, but that we would also be bringing goods into our economy, and that exporting was not bad.

Piedmont-Smith said that it decreased the incentive for companies to invest in green energy.

York said there was not a large international market for U.S. coal, and plastics production did not directly contribute to the carbon production issue.

Rollo asked about CCL's strategy and how citizens could be involved.

Veldman said the strategy was to have groups of constituents in every congressional district in the country. CCL intended to grow the chapters, connect with media, write letters to editors, connect with representatives, do outreach, get endorsements, and organize a grassroots movement. She encouraged people to join their local chapters.

Durisen said that phone calls and letters were very effective.

Piedmont-Smith asked if the carbon fee would be assessed by ton of CO2 emissions.

Durisen said it would be assessed by ton of CO2 emissions or an equivalent.

Piedmont-Smith asked if there were any controls, or if it would rely on industry to self-report.

York said that much of the information was already known, measured, reported, and available.

For Approval

Resolution 17-13 (*cont'd*)

Public Comment:

Jeff White spoke in favor of the resolution.

Rob Deppert, Democracy for Monroe County, spoke in favor of the resolution.

Alex York spoke in favor of the resolution.

Council Comment:

Granger said that it was a complex issue, but it was past time and thanked the co-sponsors for bringing it forward.

Chopra thanked everyone who spoke and who worked on the resolution.

Piedmont-Smith said that she emphatically supported the effort, and that she liked the approach.

Ruff echoed what Chopra had said, and added that seeing the mix of ages in the CCL made him feel hopeful.

Sandberg said that she was impressed by the comments and efforts. She agreed that Bloomington needed to lead and not flee.

Mayer noted the irony that the fossil-fueled power had failed twice that evening. He was pleased that Bloomington was the first city in the state to advocate for a carbon fee dividend system. Mayer thought the approach was a logical and reasonable one, and thanked his co-sponsor and staff.

Rollo thanked Mayer for co-sponsoring, the CCL for its work, and staff for their work. He said that he felt a growing sense of urgency to address climate change, and the CCL helped. He said that the resolution was a good step, and said that there was more to do.

Vote to adopt Resolution 17-13 [8:55pm]

The motion to adopt Resolution 17-13 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

LEGISLATION FOR FIRST READING [8:56pm]

It was moved and seconded that Appropriation Ordinance 17-01 be introduced and read by title and synopsis only. Clerk Bolden read the legislation by title and synopsis.

Appropriation Ordinance 17-01 – To Specially Appropriate from the General Fund Expenditures Not Otherwise Appropriated (Authorizing the Transfer of Funds to the City and the Appropriation of Such Funds from the General Fund to the Housing Development Fund)

For Approval

It was moved and seconded that Ordinance 17-03 be introduced and read by title and synopsis only. Clerk Bolden read the legislation by title and synopsis.

Ordinance 17-03 – To Amend Ordinance 95-75 Entitled "Establishing the Housing Trust Fund and its Board of Directors and Approving the Designated Housing Trust Fund Endowment Agreement," as Subsequently Amended (Revising and Updating the Housing Trust Endowment Fund Agreement with the Community Foundation of Bloomington and Monroe County and Terminating the City's Housing Trust Fund Board)

It was moved and seconded that Ordinance 17-06 be introduced and read by title and synopsis only. Clerk Bolden read the legislation by title and synopsis.

Ordinance 17-06 – To Amend Title 6 (Health and Sanitation) of the Bloomington Municipal Code – Re: Deleting Chapter 6.04 (Refuse and Yard Waste Collection by the City) and Replacing it with Chapter 6.04 (Sold Waste, Recycling and Yard Waste Collection by the City)

Sandberg called for additional public comment.

PUBLIC COMMENT
[9:02pm]

Terry Amsler spoke about participating and engaging in local government.

It was moved and seconded to hold a Special Session on Wednesday, March 8, 2017 to introduce Ordinance 17-07.

COUNCIL SCHEDULE
[9:07pm]

The motion was received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0 (Chopra out of the room).

The meeting was adjourned at 9:11pm.

ADJOURNMENT

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

APPROVE:

_____
Susan Sandberg, PRESIDENT
Bloomington Common Council

ATTEST:

_____
Nicole Bolden, CLERK
City of Bloomington

For Approval