



City of Bloomington Common Council

Legislative Packet

Thursday, 13 October 2016

Special Session

For legislation and background material regarding Appropriation Ordinance 16-04 through 16-06 and Ordinance 16-25 through 16-27 please consult the [28 September 2016 Legislative Packet](#).

Office of the Common Council
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Packet Material – Budget-Related Legislation

Memo

Agenda

Calendar

Notices and Agendas:

None

Minutes for Regular and Special Sessions

- September 21, 2016 (Regular Session - *forthcoming*)
- September 27, 2016 (Special Session)
- September 28, 2016 (Special Session)

Budget Legislation Scheduled for Second Reading at the Special Session on Thursday, October 13th:

Please see the [Weekly Legislative Packet](#) issued for the 27 September 2016 Special Session for the legislation, memos, and overview.

Three Salary Ordinances (for Police and Fire, AFSCME and Non-Union Positions, and Elected Officials) -

Contact: Caroline Shaw, Director of Human Resources at 349-3404 or shawcaro@bloomington.in.gov

- **Ord 16-25 (Salary Ordinance for Police Officers and Firefighters for 2017)**
- **Ord 16-26 (Salary Ordinance for Civil City for 2017)**
- **Ord 16-27 (Salary Ordinance for Elected Officials for 2017)**
 - **Am 01** – Raises City Clerk's Salary 5% to \$55,466 and includes Clerk and Council in upcoming City-wide salary study (Sponsors Chopra, Piedmont-Smith & Sturbaum)

Three Appropriation Ordinances (for Civil City, Utilities & Transit)

- **App Ord 16-06 (Civil City Budget for 2017)**
 - *Note: Change has been requested in light of proposed amendment to Salary Ordinance for elected officials*
 - Contact: Jeff Underwood, Controller, at 349-3412 or underwoj@bloomington.in.gov
(or reach the appropriate department director)*
- **App Ord 16-04 (Utilities Budget for 2017)**
 - *No Change from August*
 - Contact: Vic Kelson, Director, at 349-3650 or kelsonv@bloomington.in.gov*
- **App Ord 16-05 (Appropriations and Tax Rates for Bloomington Transit (2017))**
 - *No change from August*
 - Contact: Lew May, Director of Bloomington Transit at 332-5688 or lmay@bloomingtontransit.com*

Memo

Six Ordinances Ready for Second Reading at Special Session on Thursday, October 13th (Starting at 7:30 p.m.)

The City Council will meet on Thursday, October 13th in a Special Session to consider adoption of the annual budget legislation for 2017.

Amendments – Changes

The Council gave a positive Do Pass recommendation for an amendment that would increase the salary of the City Clerk 5% (to \$55,466) and include the City Clerk and Council in an upcoming City-wide salary study. This amendment is included in the packet. Please know that the amendment would also entail an increase in the appropriation ordinance (App Ord 16-06) which, under statute, may only be done if the recommended by the mayor. (IC 36-4-7-7[a]). The Controller tells me that should the Mayor recommend the increase, the changes would need to be made on State forms, which the Controller must submit to the State within 48 hours after adoption.

Please let me know if any other amendments are contemplated by the Council so that they may be prepared for consideration next Thursday.

NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL SPECIAL SESSION
7:30 P.M., THURSDAY, OCTOBER 13, 2016
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES:

September 21, 2016 (Regular Session) *forthcoming*

September 27, 2016 (Special Session)

September 28, 2016 (Special Session was proceeded by a Committee of the Whole)

IV. APPOINTMENTS TO BOARDS AND COMMISSIONS

V. LEGISLATION FOR SECOND READING AND RESOLUTIONS

1. Ordinance 16-25 – An Ordinance Fixing the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2017

Committee Recommendation: Do Pass: 9-0-0

2. Ordinance 16-26 – An Ordinance Fixing the Salaries of Appointed Officers, Non-Union and A.F.S.C.M.E. Employees for All the Departments of the City of Bloomington, Monroe County, Indiana, for the Year 2017

Committee Recommendation: Do Pass: 6-0-3

3. Ordinance 16-27 – To Fix the Salaries of All Elected City Officials for the City of Bloomington for the Year 2017

Committee Recommendation: As Amended: Do Pass: 8-0-1
Am 01: Do Pass: 8-0-1

4. Appropriation Ordinance 16-06 – An Ordinance for Appropriations and Tax Rates (Establishing 2017 Civil City Budget for the City of Bloomington)

Committee Recommendation: Do Pass: 8-0-1

5. Appropriation Ordinance 16-04 – An Ordinance Adopting a Budget for the Operation, Maintenance, Debt Service and Capital Improvements for the Water and Wastewater Utility Departments of the City of Bloomington, Indiana for the Year 2017

Committee Recommendation: Do Pass: 7-0-0

6. Appropriation Ordinance 16-05 – Appropriations and Tax Rates for Bloomington Transportation Corporation for 2017

Committee Recommendation: Do Pass: 7-0-0

VI. COUNCIL SCHEDULE

VII. ADJOURNMENT



**City of Bloomington
Office of the Common Council**

To Council Members
From Council Office
Re Weekly Calendar – 10-15 October 2016

Monday, 10 October

5:30 pm Bicycle and Pedestrian Safety Commission, Hooker Conference Room
5:30 pm Plan Commission, Chambers

Tuesday, 11 October

4:30 pm Commission on Aging, Hooker Conference Room
6:00 pm Bloomington Commission on Sustainability, McCloskey
6:30 pm Sister Cities International- Cuba, Dunlap
6:30 pm Sister Cities International- Postoltega, Kelly
7:30 pm Sister Cities International- Joint Meeting, Kelly

Wednesday, 12 October

12:00 pm Bloomington Urban Enterprise Association, McCloskey
4:30 pm Environmental Resources Advisory Council, Wapehani Mountain Bike Park
5:00 pm Bloomington Arts Commission, McCloskey
5:30 pm Commission on the Status of Black Males, Hooker Conference Room

Thursday, 13 October

4:00 pm Monroe County Solid Waste Management District, Courthouse
5:00 pm Bloomington Historic Preservation Commission, McCloskey
7:30 pm Common Council Special Session, Chambers

Friday, 14 October

1:30 pm Metropolitan Planning Organization- Policy Committee, Chambers

Saturday, 15 October

9:00 am Bloomington Community Farmers' Market, Showers Common, 401 N Morton St

*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, 07 October 2016

***** Amendment Form *****

Ordinance #: 16-27
Amendment #: 01
Submitted By: Councilmembers Chopra (District 3), Piedmont-Smith (District 5) & Sturbaum (District 1)
Date: September 28, 2016

Proposed Amendment:

1. Section I of Ord 16-27 shall be amended by increasing the salary for the City Clerk from \$53,882 to \$55,466 so that the section now reads:

SECTION I. Pursuant to I.C. § 36-4-7-2, the annual salaries of elected officials of the City of Bloomington for the year beginning January 1, 2017, and extending to December 31, 2017, shall be:

Mayor	\$103,333
Clerk	\$55,466
Council Members	\$15,501

2. Ord 16-27 shall be further amended by inserting a new Section II, which shall read as follows, and renumbering subsequent sections accordingly:

SECTION II: The City Human Resources Department shall contract with a compensation professional to conduct an independent review of the salaries of the Common Council and City Clerk and provide a report of the findings to the City Council in time for development of 2018 salary ordinance for elected officials.

Synopsis

This amendment is co-sponsored by Council Members Chopra, Piedmont-Smith, and Sturbaum and sets the increase in the City Clerk's salary for 2017 at 5% rather than the 2% increase allocated to other elected officials. This proposed higher increase is due to a preliminary review of city clerk salaries in other Class 2 cities in the State of Indiana. The amendment further requires that the City Human Resources department will contract with a compensation professional to conduct an independent review of the salaries of the Common Council and City Clerk and provide a report of the findings to the City Council in time for development of the 2018 salary ordinance for elected officials.

9/28/16 Committee Action: 8 – 0 – 1 (Mayer)

10/13/16 Regular Session Action: Pending

(September 28, 2016)

In the Nat U Hill Courtroom of the Monroe County Courthouse, Bloomington, Indiana on Wednesday, September 27, 2016 at 5:46pm with Council President Andy Ruff presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
September 27, 2016

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

ROLL CALL
[5:46pm]

Council President Andy Ruff gave a summary of the agenda.

AGENDA SUMMATION
[5:46pm]

It was moved and seconded to suspend the rules in order to allow Councilmember Susan Sandberg to preside over the meeting. The motion was approved by voice vote.

It was moved and seconded that Resolution 16-16 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.

LEGISLATION FOR SECOND
READING AND RESOLUTIONS
[5:48pm]

It was moved and seconded that Resolution 16-16 be adopted.

Resolution 16-16 – To Vote in Favor of a Monroe County Local Income Tax Council Ordinance Imposing a Local Income Tax Rate for Public Safety and Casting the City of Bloomington's 59 Votes in Favor of the Ordinance.

Resolution 16-16 was introduced by Philippa Guthrie, Corporation Council. She explained the background of the legislation, and explained the process for the Local Income Tax (LIT).

Councilmember Steve Volan asked what the total percentage was that would be taken off the top as a result of requests made for the dispatch and townships.

Council Questions:

Guthrie responded that it was 34.2%.

Councilmember Chris Sturbaum asked if the process would be done every year.

Guthrie responded that it would remain in place unless they wanted to change the percentage.

Sturbaum asked if they would need to meet in a large group again.

Guthrie responded that the group meeting was due to the time restraints for that year's passage. She said that it could be done one legislative body at a time, or that it could be done in a large group again in the future.

Councilmember Dorothy Granger asked about the \$50,000 allocation for Washington Township that was removed from their request because they were told that it was something they could not legally do. She suggested that the Council would be interested in re-allocating that money to Bloomington Township so they could put the funds toward property acquisition for building a new station, and asked if that was something that would be permissible in the future.

Guthrie replied that it was possible, but that it had to go to a fire station.

Councilmember Isabel Piedmont-Smith asked why the money could not be allocated to Washington Township since it was part of the fire territory.

Guthrie responded that the statute says fire department, not fire territory.

Piedmont-Smith noted that they were allowed to allocate funds to Bloomington Township.

Guthrie clarified that that money was for other things, and the money they wanted for Washington Township was supposed to be for a fire house.

Piedmont-Smith asked if part of a fire territory was not considered a provider of emergency services.

Guthrie responded that it was not, based on the way it was phrased in the statute.

Thomas Cameron, Assistant City Attorney, explained why the Washington Township distribution was taken out of the fire department distribution LOIT. He explained that at the time the request was made, the requesting entity was the township, not the fire department. He explained that when a fire territory was created, it also included terms for what happened when the territory dissolved. So, he explained, funding the township directly may not have solved that problem.

Piedmont-Smith asked if there were other ways for the money to be allocated to Washington Township.

Cameron clarified that he was hopeful there would be a proposal in the future that would allow funding outside of the LIT procedure.

Councilmember Allison Chopra asked what procedure would need to take place for Washington Township to get the money that was intended for them.

Cameron responded that it depended on what solution was identified.

Chopra asked if there was anyone from Washington Township present who could speak to the issue.

Guthrie replied that there had been discussion on the matter at a previous meeting, and that the money was still available, but could not be given to Washington Township.

Chopra asked if the money could be given to someone who was allowed to receive it on Washington Township's behalf, and if it could then be transferred.

Guthrie said that was one of the options, but they did not have a final solution yet.

Volan confirmed that the income tax council did not have to meet on a regular basis, and then asked the committee if they expected it to be the same allocation every year. The response was that it was not expected to be the same.

Sandberg called for public comment as part of the advertised public hearing for Resolution 16-16. There was no public comment.

Public comment:

Granger reiterated that the council wanted the money allocated to Washington Township to be distributed so the fire station could be built.

Council Comment:

Piedmont-Smith thanked everyone for their hard work on the process. She said that it was important to pass the tax because there were pressing public safety needs.

Councilmember Tim Mayer thanked Council staff, the mayor, and the city legal department.

Sturbaum said that the original meetings made it clear that the need was great.

Volan echoed the earlier comments, and thanked the county for hosting the meeting. He emphasized that the allocations should not be static, but should be revisited.

Sandberg thanked the other members of the sub-committee, and their cohorts in the LIT. She said that she looked forward to more City/County collaboration in the future.

Resolution 16-16 (cont'd)

The motion to adopt Resolution 16-16 received a roll call vote of Ayes: 9, Nays: 0

Vote to approve Resolution 16-16
[6:08pm]

The meeting was adjourned at 6:08pm.

ADJOURNMENT

APPROVE:

ATTEST:

Andy Ruff, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

For Approval

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, September 28, 2016 at 7:35 pm with Council President Andy Ruff presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
September 28, 2016

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

ROLL CALL
[7:35pm]

Council President Ruff gave a summary of the agenda.

AGENDA SUMMATION
[7:35pm]

It was moved and seconded to approve the minutes of September 7, 2016. The motion was approved by voice vote with Volan abstaining.

APPROVAL OF MINUTES
[7:38pm]

September 7, 2016 (Regular Session)

It was moved and seconded that Appropriation Ordinance 16-04 be introduced and read by title and synopsis only. Clerk Nicole Bolden read the legislation by title and synopsis.

LEGISLATION FOR FIRST READING
[7:39pm]

Appropriation Ordinance 16-04 – An Ordinance Adopting a Budget for the Operation, Maintenance, Debt Service and Capital Improvements for the Water and Wastewater Utility Departments of the City of Bloomington, Indiana for the Year 2017

It was moved and seconded that Appropriation Ordinance 16-05 be introduced and read by title and synopsis only. Clerk Bolden read the legislation by title and synopsis.

Appropriation Ordinance 16-05 – Appropriations and Tax Rates for Bloomington Transportation Corporation for 2017

It was moved and seconded that Appropriation Ordinance 16-06 be introduced and read by title and synopsis only. Clerk Bolden read the legislation by title and synopsis.

Appropriation Ordinance 16-06 – An Ordinance for Appropriations and Tax Rates (Establishing 2017 Civil City Budget for the City of Bloomington)

It was moved and seconded that Ordinance 16-25 be introduced and read by title and synopsis only. Clerk Bolden read the legislation by title and synopsis.

Ordinance 16-25 – An Ordinance Fixing the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2017

It was moved and seconded that Ordinance 16-26 be introduced and read by title and synopsis only. Clerk Bolden read the legislation by title and synopsis.

Ordinance 16-26 – An Ordinance Fixing the Salaries of Appointed Officers, Non-Union and A.F.S.C.M.E. Employees for All the Departments of the City of Bloomington, Monroe County, Indiana, for the Year 2017

It was moved and seconded that Ordinance 16-27 be introduced and read by title and synopsis only. Clerk Bolden read the legislation by title and synopsis.

Ordinance 16-27 – To Fix the Salaries of All Elected City Officials for the City of Bloomington for the Year 2017

There were no changes to the council schedule.

COUNCIL SCHEDULE

The meeting was adjourned at 7:41pm.

ADJOURNMENT

APPROVE:

ATTEST:

Andy Ruff, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

For Approval