

In the Council Chambers of the Municipal Building held on Wednesday, July 26, 1995 at 7:30 P.M. for a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
JULY 26, 1995

Roll Call; Sherman, Service, Swain, Pizzo, Kiesling, Cole, Hopkins, White, Bonnell.

ROLL CALL

Kiesling gave the agenda summation.

AGENDA SUMMATION

Mayor Allison reminded everyone of our Sister City visitors visiting our city this week.

MESSAGE FROM THE
MAYOR

She presented a budget overview, noting that in 1973 Governor Bowen imposed a property tax limit on Indiana cities to 5% per year and despite our fast growing population, we have been essentially undercapitalized with a tax base that is limited because of non taxable university properties and industries located outside the corporate limits. We have a tax revenue base comparable to a city of 40,000, not the 65,000 that we currently have. Of necessity we have been very frugal and very creative. Over the last 4 years there has been over \$6 million returned to citizens in the form of property tax relief(Homestead Tax Credit). Half of this went to city residents and another \$2 million is expected to be returned in 1996. Yes, we do tax at the maximum tax levy, but that is misleading, for the amount we actually raise we are among the most frugal cities while providing a generous property tax relief program.

Clerk Williams noted that this was a legally advertised public hearing on all the budget matters before the council.

LEGISLATION FOR
SECOND HEARING

It was moved and seconded that Ordinance 95-36 be introduced and read by title only. Clerk Williams read the legislation by title only.

ORDINANCE 95-36

It was moved and seconded that Ordinance 95-36 be adopted. The synopsis was given.

Doris Sims said that the increase is 3.1% over current salary rates for mayor, clerk and councilmembers.

The ordinance received a roll call vote of Ayes:9,Nays:0.

It was moved and seconded that Ordinance 95-37 be introduced and read by title only. Clerk Williams read the legislation by title only.

ORDINANCE 95-37

It was moved and seconded that Ordinance 95-37 be adopted. The synopsis was given.

Doris Sims said that this ordinance sets the rates for staff, union officials, fire and police department personnel.

The ordinance received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Resolution 95-24 be introduced and read by title only. Clerk Williams read the legislation by title only.

RESOLUTION 95-24

It was moved and seconded that Resolution 95-24 be adopted. The synopsis was given.

Doris Sims said this resolution is in response to Councilmember Bonnell's request last year that PERF benefits be extended to part time employees who work a minimum of 1,000 hours per year.

Bonnell thanked everyone who was willing to make this happen for our employees.

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The resolution received a roll call vote of Ayes:9,
Nays:0.

It was moved and seconded that Ordinance 95-38 be introduced and read by title only. Clerk Williams read the legislation by title only. ORDINANCE 95-38

It was moved and seconded that Ordinance 95-38 be adopted. The synopsis was given.

Doris Sims said this sets the rate for all civil city employees for 1996 at a 3.1% salary increase and includes various longevity increases as well as market adjustments for several professional offices.

The ordinance received a roll call vote of Ayes:9,
Nays:0.

It was moved and seconded that Ordinance 95-35 be introduced and read by title only. Clerk Williams read the legislation by title only. ORDINANCE 95-35

It was moved and seconded that Ordinance 95-35 be adopted. The synopsis was given.

Chuck Ruckman said that this fund was established in anticipation of expected federal cuts, for \$375,000 in 1996 revenues can be placed in that fund and appropriated as the need arises. Any expenditures would require budget approval by the council.

The ordinance received a roll call vote of Ayes:9,
Nays:0.

Pizzo read a statement saying that he felt that over the last year the council has gradually become estranged from the administration and city departments. An adversarial relationship inhibits a smooth overall government of our city. These particular resolutions and all their ilk over the past year are an insult to the administration and city workers. We seem to presume bad judgement if not malfeasance on the part of the administration and anticipate every negotiable factor that might arise. This is the height of political arrogance. He said he did not chose to support any of the resolutions about to be discussed and hoped that an atmosphere of cooperative efforts can be restored.

It was moved and seconded that Resolution 95-21 be introduced and read by title only. Clerk Williams read the legislation by title only. RESOLUTION 95-21

It was moved and seconded that Resolution 95-21 be adopted. The synopsis was given.

Bonnell said the issue is not trust, it is exercising our rightful authority as the fiscal body of this city and keeping our commitment to the citizens. This is an election year and this is the first time in 14 years that we do not have an incumbent running and so the ability to continue programs is unknown. After talking with the Mayor's Office, Redevelopment and various housing groups the guidelines were worked out. He read the resolution in its entirety.

Service disagreed with Pizzo's analysis of the resolutions and that a certain tension between the administration and the council is something of a normal state and was not sure that these resolutions were expressions of antagonisms but rather detailed points that would have been worked out, in advance, if time

would have allowed it. This is a large amount of money to be administered and there are some concerns of what the future process will be and this resolution spells that out. She asked if the money would be distributed in grants or loans. Bonnell said that trust funds that work have numerous components covering a broad range of funding opportunities. The interest on the money could be used for grants as opposed to loans. This also suggests that the foundation consider folding back all of the interest earned into the fund.

White thought that in the short time we have considered this, it has not been possible to put all the finishing touches on this item and so it isn't unreasonable to insure that some of this funding is going in the direction we want.

Hopkins supported the resolution and thought that the document contained the guidance needed to make it work.

Mayor Allison said that while not in favor of the resolution, she was in favor of hearing the comments of the council. During the budget process, criteria for this idea was discussed and in the end she urged the council to understand that these are ideas to be considered for the money will not be spent until properly appropriated. Listen to all voices addressing this concern and then bring it back to the council for public discussion and finally vote. It was never suggested that these funds would be out there without specific criteria.

Brett Morris, Housing Coalition member, urged the council to support this resolution and a dedicated revenue source would be a good next step to keep this all going.

Phil Stafford, Evergreen Project Coordinator, also urged support of this resolution to help move things forward.

Jeff Stone, Acting Director of Housing Solutions, also urged support of the resolution.

Dorothy Axsom, Coalition member, said this is an important first step and she thanked the council for listening.

Tim Sutherlin spoke in support of the resolution and thought a lot of this discussion was premature until we get into the numbers a bit more.

Kiesling said that there are no numbers, no board appointments and the process is still open for discussion.

Michael Jackson, from the Coalition, said everyone was concerned about this resolution and how the money could be used.

Bob Lewis said this fund would create jobs and bring in higher tax revenues. The housing trust fund is a permanent program rather than some of the short term programs currently in place.

Sherman said some of the whole discussion of an affordable housing trust fund has already taken place and was approved and this resolution is only discussing guidelines for what is already approved.

Pizzo said his objections had nothing to do with the trust fund, it's already in the budget. His objection is what is implied in this and it is a matter of trust and his statement is an expression of discomfort at what is an unnecessary exercise.

Swain agreed with Pizzo and said that these three resolutions cross the line and usurp the administrative function and do suggest a certain mistrust. He said he would not be supporting this resolution.

Cole supported the resolution and believed that the conditions suggested by Bonnell have been useful and well thought out.

Bonnell said that consensus was developed prior to bringing this resolution forward and after discussions with numerous people, it was reviewed by members of the administration and Tom Klein (Mayors Assistant) as well as other people involved in the issue.

Swain said that Tom Klein's acceptance was not complete and this statement of his support of this is not accurate or favorable.

Mayor Allison clarified and said the administration said that they would not oppose these resolutions as long as it was clear that they were to be considered and the final vote would come back to the council for public input and final vote...to be considered.

The resolution received a roll call vote of Ayes:5, Nays:2 (Pizzo, Swain), Abstain:2 (Sherman, Kiesling).

It was moved and seconded that Resolution 95-22 be introduced and read by title only. Clerk Williams read the legislation by title only.

RESOLUTION 95-22

It was moved and seconded that Resolution 95-22 be adopted. The synopsis was given.

Bonnell said that earlier this year a resolution was passed urging the community to look at job training and the city's funding of training as an important part of our economic development efforts. At the time it was made clear that there was no guarantee that there would be money appropriated. Funding through the Community Foundation Trust Fund would be a creative way to structure this program. Our contributions could be dedicated to specific programs even though the Lilly Match is not a dedicated money and cannot be part of a specified allocation, it is still a way of giving out annual grants based on the income interest earned on that money. Late in the process, the mayor suggested and asked that CALL operate this trust fund in cooperation with the foundation, and thus the recommendation guidelines were determined, in cooperation with the mayors office. He read the resolution in its entirety. He added we often leave labor representatives out of the decision making process and this tries to do this.

The resolution received a roll call vote of Ayes;6, Nays:2 (Swain, Pizzo), Abstain:1 (Kiesling).

It was moved and seconded that Resolution 95-23 be introduced and read by title only. Clerk Williams read the legislation by title only.

RESOLUTION 95-23

It was moved and seconded that Resolution 95-23 be adopted. The synopsis was given.

Bonnell stressed that these are recommended guidelines for the city, county and Bloomington Economic Development Corporation as they put together an interlocal agreement as well as the option terms for the city's total contribution of \$250,000 to be matched by a county contribution of the same amount, plus Build Indiana monies to build an industrial park. The whole purpose of this concept is to sell land at below market value and in exchange we have a right to expect certain salary levels and benefits as public monies are being used to finance the venture. In the long term we hope that competing industrial land costs will also be lowered to compete with us. Indianapolis has used wage thresholds to even apply for tax abatement and their minimum allowed wage is currently at \$9/hour. Companies do not even apply for abatement if the salary is not at that level. In other words, we if offer "you" public goods we have a right to determine some kind of tradeoff. He iterated conditions stated in the resolution.

Tim Sutherlin supported the resolution and thanked Bonnell for providing it. He highlighted the environmental standards statements in the resolution as being very valuable. He talked about "good character law" as defined by IDEM to determine if industries under consideration have violated environmental regulations. He talked at length about pollution prevention and community assurances that toxic waste is being properly disposed of.

Sherman asked members of the BEDC if they wished to comment.

Jim Murphy, President of the BEDC, agreed with Pizzo's concerns regarding micromanaging, disagreed with Sutherlins comments as adding to the mountains of regulations that already exist and briefly addressed the request of labor being involved as suggested in the resolution. Sherman said he could not support this resolution because one of the segments of participation in the decision making body for these guidelines does not agree with this resolution, and we are being asked to make a decision without it going through the process. He had a problem with this and could not support this resolution.

Hopkins said this simply says that industries locating in the park have to comply with normal environmental and affirmative action standards that have been expected in other communities. He said that labor is consistently left out of labor discussions when these are the very people we are trying to find jobs for.

Service said that business interests will be well represented as guidelines are established and the need for labor to be brought in is paramount. This is not a private industrial park but one that the public sector is supporting and we, as well as the industries that come in, have a responsibility to do it right. We, as a community, have been burned by irresponsible industrial behavior in the past.

Bonnell said it is important to keep in mind that this is public money, that we may be looking at land that is outside city boundaries or planning jurisdiction and there is the potential for conflict between the city and county environmental regulations and weak as we may think the city's regulations are, this is a partnership that

says there are agreed environmental standards.

Representatives of the White River Labor Council spoke in support of the resolution:

Keith Dayton thought specific guidelines were important and impacted the entire community.

Chuck Winkle also supported the resolution and said that labor wanted to fully participate in the process.

Todd Barnell also supported the resolution.

Rodney Ward said that the decision made effect labor and their participation is extremely important in this process.

The resolution received a roll call vote of Ayes:5, Nays:3 (Sherman, Swain, Pizzo), Abstain:1 (Kiesling).

It was moved and seconded that Appropriation Ordinance 95-4 be introduced and read by title only. Clerk Williams read the legislation by title only. APP. ORD 95-4

It was moved and seconded that Appropriation Ordinance 95-4 be adopted. The synopsis was given.

Chuck Ruckman said that the proposed budget is \$29.9 million dollars and represents about a 7% increase over this year's budget. The property tax levy is about \$8.2 million dollars representing about a 5% increase over this years levy, resulting in the average homeowner's increase of about 2.8%. A house assessed at \$15,000 would pay about \$30.50 a year for this year's city budget.

Swain thanked Ruckman and the other department heads for responding to all the council questions and concerns over the budget process.

Susan Fernandes said that members of the Elm Heights Neighborhood Associations are concerned about Code Enforcement and to maintain the older areas of the city, the code must be enforced rigorously. The loss of value and livability can be lost very quickly. She cited the many issues that Code Enforcement deals with and hoped that a staff person would be able to make this particular area a priority. Even though councilmembers seemed to support these concerns, the monies were not added to the budget and at best there is only a half time staff person at the current time. The older neighborhoods do not have systems or guidelines for enforcement that are going to be effective.

Sherman said that 75% of the concerns he is hearing about from constituents is about drainage. After looking at the areas with John Freeman and Mike Leavitt it was determined that just as we have other proactive programs, perhaps we should have a drainage program that have people working on the problems all the time.

He addressed the unfortunate election year rhetoric of simplistic sound bite solutions to the most serious and complex problems of the city. Picking one as an example is the Trash and Recycling Program and his thoughts run to the "gee, why didn't I think of..." The system works because recyclable are deflected from the landfill and in the long run that saves everyone money. The suggestions, as reported in a press conference article, is to get rid of the Deputy City Clerk and the Council Attorney and therby be able to get rid of the trash tag program would solve the sanitation problems. He asked where the other \$450,000 would come from.

He hoped this election would center on higher ideas than this.

White said that over the budget process he has voted against the of Police, Council and Parking Enforcement budgets. First, the council budget includes health insurance for councilmembers and he believes that as an elected representative, he was a part time employee that does not spend full time as a city employee. Being an elective representative is not a job, it is an honor that citizens select us for to serve and should not be looked at for permanent type benefits. This benefit represents, in total, with the 3% raise, about a 30% increase. This has become political over the weekend, with County Commissioner Tim Tilton saying this is mean spirited and nonsense. He said he was not saying that other part time employees did not deserve health insurance benefits, in fact he supported it, he is simply against elective representatives receiving them. Regarding the Police Department budget: he said this department and this plan does not recognize the problems our community faces. It does add two officers funded by a federal grant and we could easily add another officer. The Chief issued a manpower shortage alert in May. Community-Neighborhood Policing Partnerships are a way of solving some of our problems. It will be an expensive and time consuming process to do this as well as reorganizing our police department to add a lot more help. The budget does not allow the resources needed to do this. The Parking Enforcement budget included lights for the Showers Parking Lot and White said he was not in favor of the 63 decorative lights called for in the plan. Agreement with CFC and the architectural compatibility of the plan is important, but \$42 per light/per month is \$32,400/year to PSI to light a parking lot. After spending all this money, the city still does not own the lights. He said he contacted an electrical contractor and came up with a figure for the lights, the base, trenching, etc and PSIs numbers for maintenance and energy and came up with a total cost of \$241,000 compared to a ten year overall comparison of \$324,000 from PSI and their total proposal. He thought the management process within the city is behind the times. In thinking about points like this, we need to look at competition. He said he would not support the budget for these reasons.

Service said she agreed with Ms. Fernandes' comments and also hoped for more of a commitment regarding Code Enforcement and promises solidified a bit more. The insurance issue was finalized last year with the council decision that the benefit would start with a new council in 1996. She discussed the national health insurance crisis, that the federal and state governments have pretty much left it up to local government and employers. The arguments against it are arrogant and ignorant, presuming that all citizens should have full time jobs or have a member of their family providing full time health benefits is ludicrous. There are a lot of single people, single parents, part time jobs, full time jobs at minimum wage and to say that those people in those situations that are not normal enough to be on the city council is quite offensive. She said there were a lot of departments in addition to the police department that she would have liked greater funding for, however, the decisions were made after lengthy discussion and despite some of those shortfall she would still support the total budget.

Bonnell thanked everyone for their response and participation in the process. He thought it was a good budget, that programs were funded and a lot accomplished. Health insurance, community policing, increased emphasis on work force training, affordable housing, the community trust, and he asked that a memo dedicated to a half time intern in Code Enforcement be included in this budget record.

The ordinance received a roll call vote of Ayes:8, Nays:1 (White).

The council recessed for 10 minutes.

It was moved and seconded that Ordinance 95-33 be introduced and read by title only. Clerk Williams read the legislation by title only. ORDINANCE 95-33
It was moved and seconded that Ordinance 95-33 be adopted. The synopsis was given.

Doris Sims said this is the salary ordinance for employees of the Utilities Department representing a 3.1% pay increase that also includes longevity step pay plan increases.

The ordinance received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Appropriation Ordinance 95-3 be introduced and read by title only. Clerk Williams read the legislation by title only. APP. ORD. 95-3
It was moved and seconded that Appropriation Ordinance 95-3 be adopted. The synopsis was given.

Mike Phillips, Utilities Director, was present.

The ordinance received a roll call vote of Ayes:7, Nays:2 (Service, Hopkins).

It was moved and seconded that Ordinance 95-39 be introduced and read by title only. Clerk Williams read the legislation by title only. ORDINANCE 95-39
It was moved and seconded that Ordinance 95-39 be adopted. The synopsis was given.

Dave Gionet, BT Director, said that federal cuts of 44% were approved yesterday, by congress, for next year and he hoped that local elected officials will let federal officials know how devastating this is to local operations.

Pizzo asked why Gionet did not ask for a 2% levy increase, and Gionet said he thought they would be able to maintain service levels through next year with some fund transfers. The possibility of deeper cuts next year is very real and we might have to consider an increase at that time. It is a real possibility that fares will have to be increased next year.

The ordinance received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Resolution 95-16 be introduced and read by title only. Clerk Williams read the legislation by title only. RESOLUTION 95-16
It was moved and seconded that Resolution 95-16 be adopted. The synopsis was given.

Chuck Ruckman said that this year we are trying to consider the Capital Improvement Plan (CIP) as part of the regular budget process and in the future an annual update to the plan.

The resolution received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Resolution 95-25 be introduced and read by title only. Clerk Williams read the legislation by title only.

RESOLUTION 95-25

It was moved and seconded that Resolution 95-25 be adopted. The synopsis was given.

Steve Wolter said this resolution is a legal requirement to insure the purchase of land as approved by the Park Board for park land on the SE side of Bloomington adjacent to the new middle school site.

(40 ac at \$20,000/ac approximately) Infrastructure, ball fields, restrooms, etc. will be about \$3 million. There is not a plan at this time and he said they would want to involve the entire community in those decisions.

The resolution received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Appropriation Ordinance 95-5 be introduced and read by title only. Clerk Williams read the legislation by title only.

APP. ORD. 95-5

It was moved and seconded that Appropriation Ordinance 95-5 be adopted. The synopsis was given.

Chuck Ruckman these are basically appropriations from reserve funds. Joe Starry explained the fire wall as an in/out protection device for certain types of city records, so that the remainder can be part of Internet information resources.

The ordinance received a roll call vote of Ayes:9, Nays:0.

There was no legislation for first reading.

FIRST READING

It was announced that the council would meet one more time on Wednesday, August 2, 1995 before the annual council recess.

ANNOUNCEMENTS

Bonnell commended the Fountainblue Nursing Home for opening up their facilities to non-residents to come in during this excessive hot weather.

He also thanked the Bloomington Police Department for their assistance during a recent wave of vandalism in his neighborhood. He thanked Officer Beasley.

There were no comments from the public.

PUBLIC INPUT

The meeting was adjourned at 10:55 P.M.

ADJOURNMENT

APPROVE;

Iris Kiesling

Iris Kiesling, President
Bloomington Common Council

ATTEST;

Patricia Williams
Patricia Williams, CLERK
City of Bloomington