

In the Council Chambers of the Municipal Building held on Wednesday, September 23, 1992 at 9:35 P.M. with Council President Service presiding over a Special Session of the Common Council.

COMMON COUNCIL  
SPECIAL SESSION  
SEPTEMBER 23, 1992

Roll Call: Sherman, Swain, Miller, Fernandez, Service, Kiesling, White, Cole. Absent: Hopkins.

ROLL CALL

Service gave the agenda summation.

AGENDA SUMMATION

It was moved and seconded that Resolution 92-19 be introduced and read by title only. Clerk Williams read the resolution.

LEGISLATION FOR  
SECOND READING/VOTE  
RESOLUTION 92-19

It was moved and seconded that Resolution 92-19 be adopted. The synopsis and committee recommendation of Do-Pass 6-1 (Swain) was given.

(These are remarks from the preceding committee meeting).

Service provided some background information as to how this resolution was created by Chambers of Commerce across the state as well as IACT. There was a model resolution that we modified, but basically this is what chambers and communities across the state are supporting because of the critical financial pictures that local governments find themselves in. Local government supported the lottery because of the Build Indiana fund and those were promises made to the elected officials across the state. That has not happened.

Glenda Murray, Executive Director of the Chamber of Commerce addressed the resolution. She said that Monroe County was 19th in the state for lottery ticket sales and yet we are 4th from the bottom in actual Build Indiana allocations. As of May of this year we have received \$11,000 and there are 20 counties that have received over 1 million dollars. She said we do have commitments for other local projects.

Swain asked if the county was also considering a like resolution and how many other cities or counties have passed one.

Mayor Allison said that IACT has had a resolution like this every year since the lottery and stressed that if the money could simply come back to the local governments and not have to pass through the legislature and get stuck with whoever has the chair of the important committees and so it doesn't get down to the smaller communities who are so much in need.

White thought it was criminal that when after all the debate was going on and we all lobbied for and the legislature passed the Build Indiana legislation, the fund never materialized. We need to send a message to build support for these kinds of decisions.

Sherman said this is one of those "good faith" issues that everyone entered into, the state might not have a lottery if elected officials had not the assurance of the 25% return to their local entities.

Swain did not think common councils should be act as a group, but individually and urge other citizens to do the same. He said he had a problem with passing resolutions dealing with issues in which councilmembers are not chartered to do so, or have any impact. He did not think it was the council's business.

Service said there is an immediate relevance to this resolution as we deliberate budgets.

The resolution received a roll call vote of Ayes:7, Nays:1 (Swain).

It was moved and seconded that Resolution 92-21 be introduced and read by title only. Clerk Williams read the resolution by title only.

RESOLUTION 92-21

It was moved and seconded that Resolution 92-21 be adopted. The committee

report and Do-Pass recommendation of 6-0-1 (Swain) was given.

The committee meeting comments are incorporated into this presentation as well.

Matt Pierce, TCC expressed the urgency of this bill and communication with our federal delegation urging continued support and to override a presidential veto, if it happens. The gist of the legislation is millions of dollars have been spent by the cable industry lobbying against this bill and TV ads to convince consumers that the bill is bad. We are represented by TCI, the largest multi-system operator in the country with 14.3 million subscribers, with 12,000 in the Bloomington system and so it's difficult to get their attention in terms of consumer needs. He highlighted features of the bill, allowing the FCC to set rate regulations, provide a mechanism to petition the FCC for unfair rate policies, regulate rates on converter boxes, no negative options and customer service policies and other program scheduling and options. He said that Senator Lugar has voted NO each time, Coats has supported it, McCloskey has supported it as well. Hamilton voted in favor and Myers voted against it.

White said this issue has been discussed at several National League of Cities meetings, and this resolution is the way to go and we need to send it to our representatives immediately. (Note: Letters were sent to our representatives as well as the President).

Pierce said the profit margin for the cable industry is about \$6 billion, only 3% of the cable systems in the country have competition and those rates are about 20% cheaper than the others.

Swain, while in favor of the bill, said he would not support it for the reasons given in the earlier resolution discussion.

White disagreed, for if bodies such as us do not speak, then our own organizations like IACT just don't have clout. We will soon be negotiating our own cable refranchise and this federal legislation will help.

Service agreed with White stating that this directly affects us as it impacts our own citizens monies.

Swain urged citizens to communicate with their legislators.

The resolution received a roll call vote of Ayes:7, Nays:1 (Swain).

It was moved and seconded that Ordinance 92-32 be introduced and read by ORDINANCE 92-32 title only. Clerk Williams read the ordinance by title only.

It was moved and seconded that Ordinance 92-32 be adopted.

The synopsis was given.

It was moved and seconded that the ordinance be amended to set council salaries at \$6,585 reflecting a 4.6% raise rather than \$7,292.

White thought it was inappropriate to take a higher raise than other city employees receive this year.

Cole spoke in favor of the original council raise, noting that the recent budget hearing were over 20 hrs long, members devote a lot of quality time to the process and it's important to be able to recruit candidates from all areas of the community.

Kiesling also thought the council was a very conscientious group, that members give up a lot of personal time and if we are going to have responsible "average" people participating the future who give up part of their livelihood in order to participate, it will be hard to find people to serve.

We can't just ask people who can afford to serve.

Service thought that it could be justified at the end of this term.

The amendment received a roll call vote of Ayes:7, Nays:1 (Cole)  
The ordinance, as amended, received a roll call vote of Ayes:8, Nays:0.

It was moved and seconded that Ordinance 92-33 be introduced and read by title only. Clerk Williams read the ordinance by title. ORDINANCE 92-33  
It was moved and seconded that Ordinance 92-33 be introduced and read by title only. The synopsis was given.

It was moved and seconded that the ordinance be amended to reflect corrections/changes dealing with job families, employee certifications and pay.

Doris Sims said this recommendation was made by the consultants as our employees gain additional expertise in these specialized areas. Ted Rhinehart said that the consultant survey said that our inspectors were underpaid (about 18,000) as a 401 grade and said they should be at 21,000 at a 406 grade. We decided to go with a pay increase by way of the certification increase as recommended if they do the additional training. It's an incentive up front as they have to pay for it themselves.

The amendment received a roll call vote of Ayes:8, Nays:0.  
The ordinance, as amended, received a roll call vote of Ayes:8, Nays:0.

It was moved and seconded that Ordinance 92-34 be introduced and read by title only. Clerk Williams read the ordinance by title only. ORDINANCE 92-34  
It was moved and seconded that Ordinance 92-34 be adopted. The synopsis was given.

The ordinance received a roll call vote of Ayes:7, Nays:1 (Cole)

It was moved and seconded that Appropriation Ordinance 92-3 be introduced and read by title only. Clerk Williams read the ordinance by title only. APPROPRIATION  
ORDINANCE 92-3  
It was moved and seconded that Appropriation Ordinance 92-3 be adopted.

Chuck Ruckman said that city budget as originally presented was \$26,068,000 representing a 4.6% increase.

It was moved and seconded that the ordinance be amended so that Line Item 396 of the Human Resources budget, entitled "Grants" increases from \$5,775 to \$95,775. This amendment was recommended by the Mayor and adds \$90,000 in order to fund social services. The money is derived from lowering councilmembers salaries (6,363), franchise fees (18,637) and the Special Non-Reverting Improvement fund (65,000) and will be expended only upon approval of the council.

The Mayor also informed the council of how much we actually spend on social services now. The Human Resources Dept. was originally charged with addressing these needs in our community.

Sherman agreed with the Mayor in combining wisdom and compassion in helping to provide more monies to the Human Resources Department. Cole questioned how the money would be allocated. The Mayor responded that it will come in the form of an Appropriation Ordinance. The Council will decide how the money will be spent. Service commented that it could possibly also go through CDBG. Kiesling added that she would like to see the money go towards capital improvements but also as a leverage tool to overseeing projects. Fernandez thanked the Mayor for her cooperation with the Council in the area of social service funding. He spoke on the importance of the local communities to help fight these issues. He also spoke of the good work from

the local social service agencies. There was also a mention of the Controller's accounting system for future abilities of determining the exact uses for this money. He asked Ruckman about the impact on the property tax levy on the increase in the overall budget.

Ruckman responded that the property tax levy will not be affected.

White felt that it was unwise to begin a new form of entitlement program in which the city will have to make difficult allocation decisions. He stated that it would be easier to allocate \$100,000 towards fighting the present needs of our community.

Sherman thanked Fernandez for his efforts on this important matter.

Kiesling discussed her proposal concerning the CDBG fund.

Service thanked the Mayor for her willingness to work with the Council on this matter. Agreeing with the White she commented on allowing the money to be incorporate with the CDBG money for distribution.

Fernandez spoke of the strong support in the community for the Council to take the lead in this area. He stated he agreed with using the money to support operating costs of social service agencies.

Cole questioned the specific line in the budget strictly for social services.

Chuck Ruckman spoke of the new accounting system which will be arriving within a month and he felt confident that it would be included.

Toby Strout, Executive Director of the Middle Way House, commended the Council for their efforts.

Keith Dayton, Union Representative for United Way, thanked the Council for understanding the needs of the community.

Peg Stice, Executive Director of United Way, urged the Council to be creative in their funding procedures and not to take on another allocation process.

The amendment received a roll call vote of Ayes:8, Nays:0.

Ruckman asked for suggestions for next year's process and timetable.

Service said that the September budget hearings are not successful and even August would be better. Fernandez asked if the numbers, provided later were actually better. Ruckman said they are a little better, but not overwhelmingly so. Fernandez said he hoped that the public would have been more interested in the process. He criticized the media for their lack of coverage of budget hearings, BCAT excepted.

Ruckman said that tax rate is actually \$3.51 even though it was advertised at a higher rate.

Swain said he had problems with the Deputy Mayor position, not Mike Davis in particular and the approval of the budget is an approval of that position. He did not agree with the succession procedure if something were to happen to the mayor. He thought that even the temporary replacement should be an elected person, not appointed. He thought the ordinance should be deleted from our books.

The ordinance, as amended, received a roll call vote of Ayes:8, Nays:0.

It was moved and seconded that Appropriation Ordinance 92-4 be introduced APPROPRIATION and read by title only. Clerk Williams read the ordinance by title only. It ORD INANCE 92-4 was moved and seconded that Appropriation Ordinance 92-4 be adopted.

Mike Phillips was available for questions. Kiesling asked if there would be a rate increase in the near future. Dean Behnke said probably next year.

The ordinance received a roll call vote of Ayes:7, Nays:1 (Service).

It was moved and seconded that Ordinance 92-35 be introduced and read by ORD INANCE 92-35 titled only. Clerk Williams read the ordinance by title only. It was moved and seconded that Ordinance 92-35 be adopted.

Dave Gionet was available for questions and he discussed briefly the ADA considerations as they apply to us.

The ordinance received a roll call vote of Ayes:8, Nays:0


There were no petitions from the public.

PETITIONS

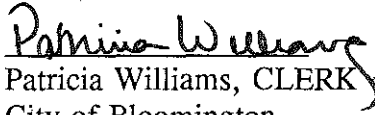
The meeting was adjourned at 11:05 P.M.

ADJOURNMENT

APPROVE;

  
Pam Service, President  
Bloomington Common Council

ATTEST;

  
Patricia Williams, CLERK  
City of Bloomington