

In the Council Chambers of the Municipal Building held on Wednesday, February 7, 1990, at 7:30 P.M. with Council President Kiesling presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
FEBRUARY 7, 1990

Roll Call: Register, Foley, Olcott, Kiesling, Service, White, Hogan. Absent: Fernandez, Young.

ROLL CALL

Kiesling gave the agenda summation.

AGENDA SUMMATION

The minutes of January 17, 1990 will be approved at the next Council meeting.

APPROVAL OF  
MINUTES

Service thanked the H-T for their recent editorial about the county's smoking ordinance. "They're on the right track with that one".

MESSAGES FROM  
COUNCILMEMBERS

White informed us all that February is Heart Month and there will be numerous activities culminating in the Heart Ball on February 23 and 24.

Foley volunteered to coach, organize, put together and star on the city's Super Strikes Team.

Kiesling reminded people to recycle and we are trying to address the issue of grass and leaves that cannot go to the landfill after March 1.

Mayor Allison talked about the ash disposal issue in regards to the incinerator. The city has the right to approve plans for ash disposal which includes the location under the consent decree.

MESSAGES FROM THE  
MAYOR

We will continue to exercise care and caution but there is some disagreement in who has authority in a special land fill situation. We will ask for an Attorney General opinion asking the role of the Hazardous Waste Siting Board in a special waste landfill.

It was moved and seconded that Resolution 90-3 be introduced and read by title only. Clerk Williams read the resolution title.

LEGISLATION FOR  
SECOND READING  
RESOLUTION 90-3

It was moved and seconded that Resolution 90-3 be adopted. There was no committee report.

This is a routine interlocal agreement with the PTC and the city for personnel, data processing and consulting from the controller and legal services.

The package has changed from year to year with some services such as payroll contracted independently.

Rex Hume was available for questions.

The resolution received a roll call vote of Ayes:7, Nays:0.

It was moved and seconded that the following ordinances be introduced and read for first reading by title only by the clerk. Clerk Williams read the ordinance titles.

LEGISLATION FOR  
FIRST READING

Ordinance 90-5 To Amend the Zoning Maps from RE, RH, and RL to RS and to Grant Outline Plan Approval and Designate PUD re: Property located on the north side of East 10th Street between Woodbridge III and Russell Road (Thomas Bucci, Petitioner).

ORDINANCE 90-5

Ordinance 90-6 To Amend the Zoning Maps from RS to RH re: Property Located at 1017 N. Jackson, 1019 N. Jackson, 1023 N. Jackson, 1230, N. Maple and the 700 block of 16th Street (Bloomington Vendors, Inc., Petitioner).

ORDINANCE 90-6

Don Sattler, President of White River Central Labor Council spoke about H.B. 1307 (Collective Bargaining Bill for Public Employees). He was concerned that the city's counsel testified against the bill. He was also concerned that IACT was lobbying against the bill. He asked the Council if they supported collective

PETITIONS AND  
COMMUNICATIONS

bargaining.

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Linda Runkle said that she testified before the appropriate legislative committee as president of the Indiana Municipal Lawyers Association. She said we are not opposed to the original H.B.1307 nor is the city opposed to collective bargaining with our employees, in fact we do bargain in good faith with three different unions. One point is in the event that the legislature mandates collective bargaining by local governments, we were concerned that current contracts would be honored until their expiration.

The major point of the testimony was that cities that do bargain be recognized and that current contracts be honored. We believe it is appropriate for the state to make those decisions for state employees; local governments, under the concept of home rule, should be able to make those determinations for themselves.

Robert Woodling also asked for support for the bill and discussed binding arbitration.

Peter Siebolt discussed voluntary participation in joining a union and no catastrophe will happen if people have the right to bargain. A recent analysis of employment facts for Monroe County say that the working poor are working 40 hours a week for substandard wages.

Mary Foster representing City of Bloomington workers said that union workers have been told that they are expendable employees, the working situation is not secure and other administrations may not be as fair.

Sam Hoggs, from Utilities, said they are the people who keep the water going and the lines open in freezing weather. It is not a cooperative effort when we are told we are not important and we can be replaced.

Dan Combs, Perry Twp. Trustee, supports the bill as it stands that includes all public employees. Not everyone is as benevolent as the City and often decisions are made that allow cities to keep up the level of services while cutting back on salaries.

Kevin Housel, a lineman for the City, supports the bill.

Mike Bower, from the Street Dept. hoped for fair employee treatment by management.

Tim Tilton, County Commissioner supported the discussion for collective bargaining saying it is a basic fundamental right to bargain. Secondly he expressed great concern about a special ash landfill for Washington Twp. He said it is difficult to imagine a landfill in that part of the county and thought it was incumbent upon all of us to consider if we are taking the right action on this thing. We will have a regular landfill in the NE part of the county, a hazardous landfill in Washington Twp. and an incinerator SW of the city. It's hard to think this is the kind of picture we want of Monroe County. It is very, very troubling. The Mayor has done well to get us as much local control as we have and it shows a strong appreciation of the situation at the time. The longer this goes on, he said he has become more skeptical that this is the right course and asked that should there not be a better policy and hoped that the EPA could consider another solution. There has to be a better way. Store it on site until a better way is found. He stressed that he was not criticising anyone, it's a problem no one asked for and it's time for another look.

Mayor Allison repeated her earlier comments.

Susan Baxter, a private sector employee said that she enjoys the privilege of bargaining and supported the current effort.

Diane Mitchell, a Washinton Twp. resident and nurse supports collective bargaining and also expressed concern about the proposed landfill. She was approached by a realtor offering to pay anything she

asked for her land.

Allison said that a 1985 state law says that when a special landfill is applied for, a committee is formed. The state appoints 5, the city appoints 2 and the county appoints 2; the state has a majority to site a hazardous landfill. Because of the consent decree we (the city) will be able to review that permit. In hazardous waste, local government does not have a say in the matter.

Carl Horn, AFT on campus, talked about the "NIMBY" reaction to collective bargaining.

Service asked Kathy Saunders about current contracts. Saunders said it provides an historical recognition clause. If a union goes to the PERB and requests that they be designated the bargaining unit for those employees, usually a competing union could come in and if there was employee interest, there could be an election. If there is an existing agreement less than 2 years old then a competing union cannot fight the historical recognition clause. We fall into that because we have contracts that are less than two years old, but it is not absolutely clear that these contracts are grandfathered in. That is an area of concern, that it be stated clearly and precisely.

Pat Williams, City Clerk urged everyone who is interested to contact your legislators. The bill changed after it left the house and that area needs to be carefully considered in a true bargaining position we must understand that change. The time line item is a very significant one, some aspects for both sides are very difficult to implement. Give and take is necessary but the basic philosophical position is one of support.

White said this is not a pro/con issue for this City because of our strong history of bargaining in good faith. We thought this bill was an insult, with the state telling us "We will do this." We are elected and entrusted to do what is best in a good faith manner. This legislation the state will pass and yet they won't help us do what we need to do. Our employees should be well compensated and if things don't run smoothly we are the first to hear about it. We want to make those decisions ourselves.

Dean Elliot from the letter carrier union said that they support the bill and that the support of 20,000 letter carriers are behind you.

Keith Dayton said that pride cannot buy food, shelter or medical services.

Kiesling said she supports collective bargaining but not necessarily H.B.1307.

The meeting was adjourned at 8:30 P.M.

ADJOURNMENT

APPROVE:

*Iris Kiesling*

Iris Kiesling, President  
Bloomington Common Council

ATTEST:

*Patricia Williams*

Patricia Williams, CLERK  
City of Bloomington