



**City of Bloomington
Office of the City Clerk**


CLERK'S CERTIFICATE

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

I, Nicole Bolden, being the duly elected, qualified and current Clerk of the City of Bloomington, Monroe County, Indiana, hereby do certify that I am the custodian of the records of the Bloomington City Council and the City of Bloomington, and that the attached copy of the minutes for the September 22, 2010 meeting of the Bloomington City Council is a full, true and complete copy of drafts of the minutes of that meeting and which is kept in this office in the normal course of business.

I affirm under the penalties for perjury that the foregoing representations are true.


IN WITNESS WHEREOF, I
hereunto set my signature as Clerk
of the City of Bloomington on the
date set forth below.



Nicole Bolden
City Clerk
City of Bloomington, Indiana

Date: 2 December 2020

The attached copy of the minutes for the September 22, 2010 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the 2nd day of DECEMBER, 2020.



Stephen Volan
President, Common Council
City of Bloomington, Indiana

In the Council Chambers of the Showers City Hall on Wednesday, September 22, 2010 at 7:30 pm with Council President Isabel Piedmont-Smith presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
September 22, 2010

Present: Mayer, Piedmont-Smith, Rollo (arrived at 8:38 pm), Sandberg, Satterfield, Sturbaum, Volan, Wisler
Absent: Ruff

ROLL CALL

Council President Piedmont-Smith gave the Agenda Summation.

AGENDA SUMMATION

There were no minutes to be approved at the meeting.

APPROVAL OF MINUTES

Councilmember Steve Volan spoke about his experience while touring several cities in the South Eastern U.S. He identifies these cities as college driven metropolitan areas. He stated that it was interesting to see their similarities and differences from Bloomington. Volan said he will be giving a full report on the trip in the future. He also visited several towns that come to mind when he hears "What would Bloomington be like without IU". Many people believe Bloomington would be a small town with low economic activity. Volan stated he has begun to ask the question of "What would IU be like without Bloomington."

REPORTS

- COUNCILMEMBERS

Councilmember Mike Satterfield noted the majority of the public attending the meeting were students. He welcomed the students, and reminded them of the proper Council Meeting etiquette.

Councilmember Susan Sandberg highlighted the article written in the Harold Times about the housing crisis in Bloomington. The article advertised an upcoming public forum called "There's No Place Like Home." The meeting will be targeted towards landlords in the City of Bloomington. The commission hopes to bust the myths surrounding Section 8 Housing, and inform the people that apply for Section 8 Housing. It is an anti-poverty based program, which focuses on empowering individuals and informing them on their different options. The forum will take place Tuesday, October 5th at 6:00 PM in the Council Chambers.

There were no reports from the mayor or city offices at this meeting.

- MAYOR and CITY OFFICES

There were no Council Committee reports at this meeting.

- COUNCIL COMMITTEES

David R Grubb spoke about public issues.

Bruce Anderson spoke about political issues.

Gabe Rivera spoke about ending the war on drugs.

There were no appointments to boards or commissions at this meeting.

BOARD AND COMMISSION APPOINTMENTS

Due to disturbance in the Council Chambers, President Piedmont Smith called for a three minute recess.

Satterfield moved and seconded that Resolution 10-14 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 7-0-2. Satterfield moved and seconded that Resolution 10-14 be adopted.

LEGISLATION FOR SECOND READING

Resolution 10-14 Adopting the Monroe County Multi-Hazard Mitigation Plan

Jim Comerford, Monroe County Emergency Management, spoke about the Hazard Mitigation Plan constructed by the planning team. The plan ensures that all of the communities in Monroe County are in compliance with the Disaster Mitigation Act of 2000. The plan allows the community to take advantage of several Hazard Mitigation Systems programs. The cycle allows for funds of different types to help communities in times of disaster. It helps the communities prepare for and prevent damage from disasters. The plan is to run for five years, and be re-evaluated in 2015. It requires all four of the governmental units in Monroe County to participate in and pass the resolution.

Volan asked for more information on the mitigation items for earthquakes, hazardous material releases, and inertial release.

Council Questions:

Comerford stated that inertial valves serve the purpose of shutting off gas and oil releases when activated by an earthquake.

Volan asked if Comerford recommended the construction of buildings to be earthquake proof.

Comerford stated that was beyond the scope of their current plan.

Andrea Roberts, Deputy Director of Public Works, stated that no buildings will actually be built for earthquakes, but buildings will be hardened.

Volan asked how buildings were hardened.

Comerford stated that there are several different ways to harden a building. One way is to use a glass that is not as likely to break. There are different structural techniques to retrofit existing buildings as well.

Volan stated that the synopsis of the full report described that only one mitigation item was to educate the local public on the potential danger of hazardous materials. Volan asked if Comerford could explain the other specific hazardous material action plans, such as speaking with hospitals and commodity flow studies.

Comerford stated that a commodity flow is a study to determine what kind, and how much, transportation passes through a community.

Volan asked if these were new to the community or updatings of previous plans.

Comerford stated they were updating and also working in unison with other plans. He said they were all inter-related.

Resolution 10-14 (cont'd)

Satterfield asked if the gas explosion in California had influenced the plans in anyway.

Comerford stated that the infrastructure in California was much older than Bloomington's.

Satterfield asked if it affected the plan.

Comerford stated that they will be looking at the plan over the next year. He said each year they meet with all the pipeline companies in the state of Indiana, where they all compare their safety procedures.

Satterfield asked if it was difficult to test.

Comerford said yes, but there are different testing procedures.

There were no public comments.

Public Comment:

Volan stated he was happy to have the extra time to discuss the resolution. He is happy that Bloomington is taking the steps to have a more coordinated response towards different kinds of emergency procedures. He encouraged everyone to look at the plan, stating that it was very detailed and thorough. He informed the public they could view the plan on the city website.

Council Comment:

Satterfield thanked Comerford and Roberts on their efforts on the plan. He stated that unfortunately, many times plans like these are not created or taken care of. He commented on the importance of the work, and how it is often done under the radar.

Mayer thanked everyone for their time and effort put into creating the plan.

The motion to adopt Resolution 10-14 received a roll call vote of Ayes: 7, Nays: 0 (Rollo had not yet arrived).

It was moved and second that Ordinance 10-14 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 9-0-0.

It was moved and seconded that Ordinance 10-14 be adopted.

Ordinance 10-14 To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration and Personnel" Re: Amending BMC 2.04.380 (Order of Business for Regular Sessions)

Council Attorney/Administrator Dan Sherman spoke to the ordinance. The ordinance came forward as a result of the report from the Rules Committee that was adopted on August 4, 2010. The Rules Committee focused on regulating public comment during non-agenda items at Regular Sessions. They included recommendations to amend the code, particularly the section that focused on that order of business. Almost all changes to the ordinance reflect existing practices that were vetted by

the Rules Committee and adopted by the Council.

It was moved and seconded that Amendment #1 to Ordinance 10-14 be adopted.

Piedmont-Smith stated that the amendment does not change any wording. The amendment places the details of public comment at the bottom of the page, rather than having them repeated throughout the document. She said it is a matter of clarification of the rules of public comment to the public.

There were no council questions.

There were no public comments.

There were no council comments.

The motion to adopt Amendment #1 to Ordinance 10-14 received a roll call vote of Ayes: 7, Nays: 0 (Rollo had not yet arrived).

Sherman stated that almost all of the changes, except for one, reflect existing practices of the Council. He gave a visual presentation to the Council of all the changes being made.

Sturbaum asked if the subject was discussed to limiting the public comment period to a single comment period.

Sherman stated that it took a while for the Rules Committee to produce the recommendation, which is that the public speak only once. He said the Committee considered several different alternatives, and they believe their recommendation will be valued by the public.

Sturbaum asked if the Committee considered when the privilege of the floor is abused.

Sherman stated the Council approved a report on August 4th, which included rules regarding public comment.

Sturbaum asked if the Council could make further changes if they found it necessary to go to a single comment period.

Sherman stated that the Council could limit the second time period. He said that it is now codified and could not be dispensed.

Sturbaum asked if a further amendment to the rules was possible. Sherman said that was correct.

Ordinance 10-14 (cont'd)

Amendment #1 to Ordinance 10-14
This amendment makes a few stylistic changes in the interest of clarifying the public comment requirement. It deletes the parenthetical public comment rules that were previously cited in both sections 2.04.380(4) (D) and 2.04.380 (8) and moves the rules to one section at the end of the Agenda, noted in the aforementioned provisions by way of asterisk. This amendment also slightly rewords the public comment rules.

Council Questions:

Public Comment:

Council Comment:

Council Questions:

Gabe Rivera stated that he appreciates that the Council allows the public to speak, and understands why they want to limit the time allowed to each person.

Public Comment:

Sandberg believes it is important to note the larger discussion that took place in August about the need to formulate a Rules Committee. She stated that often times, the privilege of the floor is not utilized by the public, and the meetings can go quite long. She said the comment period at the beginning and end of each meeting is for the public to voice their opinion. She said the amendment is not about limiting the public's access to making comments, but to make sure the comments are productive.

Council Comment:

Mayer thanked the committee members Councilmember Satterfield, Councilmember Wisler, Councilmember Volan, and Dan Sherman, for working on the amendment. He believes they have achieved an expectable outcome. He stated that there is no statutory law that required this body to provide public comment at the beginning or end, for items that are not on the agenda. Mayer said that many people have a mistaken notion that public comment is required by the law. He said that the Bloomington Council has always had a tradition of inviting the public to speak on items that are not on the agenda. He stated that the Council extensively discussed that when people come to the podium, they come with a message that may have great importance to the community. The Council believes that the best time for them to get their message out to the community is at the beginning of the meeting.

Sturbaum stated that he supports the idea of public comment at the beginning and the end of the meeting. He believes that limiting the people who have come to disrupt the meeting will take away the right of people who have very constructive things to say. He believes it is the duty of the councilmembers to accept the risks and abuse for the greater good. He stated that he will support the amendment.

Volan stated that free speech has limits. He stated that elections help decide who should speak and how long they should speak for. He said that within the scope of federal law that protects the right to free speech, there are a lot of different cities that do many different things for public comment. Volan said that unless the people want the loudest and most forceful to decide how meetings are run, the Rules Committee is the best place for decisions to be made. He said it has also been discussed to shorten the length of council meetings. He believes that the changes will not drastically shorten meetings. He said that councilmembers receive a lot of criticism for the length of the council meetings. He said that the councilmembers and the public use the same amount of time in making their remarks. He said the most time used is during the Question and

Answer portion of the meetings. Volan said the Council is working on solutions to shorten the meetings.

Ordinance 10-14 (cont'd)

Piedmont-Smith thanked the Rules Committee and stated that there are other rules and restrictions that could be considered in the future. She thanked all of the youth that made up the public at the meeting. She informed them that many times they discuss relevant legislation that relates to them.

The motion to adopt Ordinance 10-14 as amended by Amendment #1 received a roll call vote of Ayes: 7, Nays: 0.

Ordinance 10-14 as amended

There was no legislation for first reading.

LEGISLATION FOR FIRST
READING

It was moved and seconded that the rules be suspended in order to consider an item not on the agenda.

MOTION TO SUSPEND THE
RULES

The motion was approved by a voice vote.

It was moved and seconded that the Council cancel the Internal Work Session scheduled for Friday, September 24th.

MOTION TO CANCEL UPCOMING
MEETINGS

Piedmont-Smith noted that Council would have discussed a resolution in support for the Monroe County Community School Corporations Funding Referendum.

Volan asked Councilmember Piedmont-Smith and Councilmember Sandberg if they felt that there was no need to discuss the resolution at the Internal Work Session.

Council Questions:

Piedmont-Smith said she would like to hold the Internal Work Session.

Sandberg said she believed it worthy of discussion. She said there will be plenty of opportunities to discuss the resolution once it is introduced.

Volan asked if they could wait to discuss it at a work session after Oct. 6th.

Piedmont-Smith said the Internal Work Session on Sept. 24th was the most appropriate time to discuss the resolution.

Wisler asked if there is another Internal Work Session scheduled for Oct. 1st.

Dan Sherman said he did not believe so.

Wisler asked if there was another Internal Work Session between Sept. 24th and the date the resolution would be introduced.

Piedmont-Smith said no.

There were no council comments.

Council Comment:

The motion was approved by a roll call vote of Ayes: 6, Nays: 2 (Piedmont-Smith, Volan).

It was moved and seconded that the Council cancel the Committee of the Whole meeting scheduled for Wednesday, September 29th.

The motion was approved by a voice vote.

There was no public comment at this portion of the meeting.

ADDITIONAL PUBLIC COMMENT

The meeting was adjourned at 9:00 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Isabel Piedmont-Smith PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington