



**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 21, 2005 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.

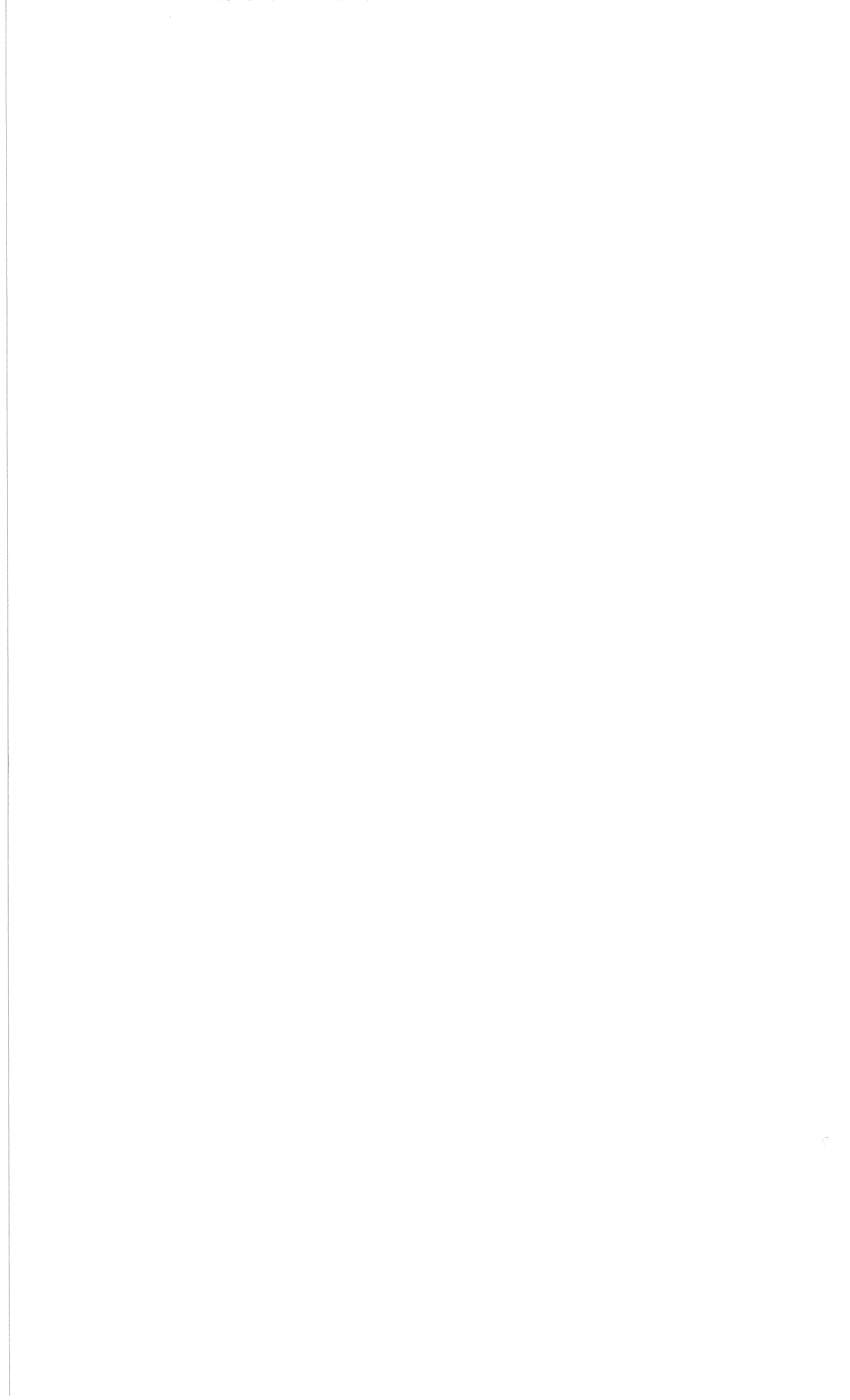
IN WITNESS WHEREOF, I
hereunto set my signature as Clerk
of the City of Bloomington on the
date set forth below.

Nicole Bolden
City Clerk
City of Bloomington, Indiana

Date: 2/3/21

The attached copy of the minutes for the September 21, 2005 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the 3rd day of February, 2021.

Jim Sims
President, Common Council
City of Bloomington, Indiana



In the Council Chambers of the Showers City Hall on Wednesday, September 21, 2005 at 7:30 pm with Council President Andy Ruff presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
September 21, 2005

Roll Call: Banach, Diekhoff, Ruff, Gaal, Rollo, Sturbaum, Volan, Sabbagh, Mayer

ROLL CALL

Council President Ruff gave the Agenda Summation

AGENDA SUMMATION

The minutes of September 7, 2005 were approved by a voice vote.

APPROVAL OF MINUTES

REPORTS:

- COUNCILMEMBERS

Chris Gaal said he couldn't let the Indiana Department of Resources Division of Forestry new strategic forest management plan pass without a comment, adding that the Daniels administration's plan was to increase logging of state forests to raise revenue for state government. Gaal noted the governor's claims of economic development and increase of private sector jobs clouded the fact that the government would be selling off assets owned by the public without a plan or opportunity for public input. Gaal stated that the fact that this was being done in the name of promoting biological diversity and forest health was a cynical manipulation of public opinion.

Gaal noted that the plan contained only two sentences pertaining to the environmental impact of this action, and that there was no mention of soil erosion, impacts of road building, harm to water quality, destruction of wildlife habitat, influx of invasive non-native plants, or other potential for environmental harm to the forests.

Gaal suggested that the state actually needs to protect and promote intact, developed, mature healthy forests on public land, and that it would be most beneficial to wildlife and economic activity in Monroe County and the rest of Southern Indiana.

He called for citizens to show their outrage for this short-sighted, misguided public policy quoting State Representative Matt Pierce's statement that it was ironic that the governor said he must cut down trees in order to save them.

Sturbaum gave a report on the Randolph County Courthouse in Winchester, Indiana that had been built in 1877. He noted that the Monroe County commissioners and council members, the Bloomington city council members and the mayor sent a letter to the Randolph County Commissioners urging them not to demolish the old courthouse against the wishes of their constituents, noting that Monroe County had been in a similar situation several years back and we were glad we chose to save our courthouse. Sturbaum told of the silver haired ladies of a bridge club that created a calendar to save the courthouse. The women posed without clothes (but with carefully placed porcelain courthouse replicas) for the calendar to raise attention and funds for the renovation. He reported that while the commissioners haven't totally changed their minds, they have considered plans for an addition to the courthouse.

Steve Volan said he would like to read into the record for this meeting a New York Times article. He prefaced his reading by noting that when people complain about 'the' government, they are missing a crucial notion about government; it is not a singular monolithic entity. Volan stated that there is no ONE government, but actually many governments and that their interests overlap and conflict. The following is a cautionary tale in dealing with other government entities, one that takes place in a town like ours, home to a large university, but with an airport that can land jet airplanes:

DATELINE: SEPTEMBER 20, WASHINGTON.

Council Comments (cont'd)

When people refer to battlegrounds in presidential races, they are not usually thinking of airport runways. But those people have probably not heard of runway 4/22 at the airport in Las Cruces, New Mexico. The runway, the airport's longest, has been closed since President Bush made a campaign stop in August of 2004. It has gouges six inches deep and a hundred yards long which the city says were put there by two Air Force cargo planes accompanying the president. Las Cruces put the damage at 2.1 million dollars.

The city said that airport officials warned the Air Force that the planes, a giant C-17 and a military version of the 757, were too heavy and that the hot asphalt would be too soft for landing that day. "When Bill Clinton paid a presidential visit he landed at Holloman Air Force Base nearby," said Terrence J. Kelly, a spokesman for the city of Las Cruces. When Senator John Kerry and Former Senator John Edwards, Democratic candidates for president and vice president visited, "they landed elsewhere," Mr. Kelly said.

After a year of discussion, the Air Force has offered \$600,000 for repairs. "It's open to dispute whether it was nice and pretty to begin with," said Major Ann Stefanick of the Air Force. Major Stefanick said the Air Force was acknowledging the damage but denying that it was warned before the landing.

The Las Cruces city council may discuss the settlement offer next month.

David Sabbagh said that he generally would agree with Councilmember Gaal's statement about logging in the forest: that Mother Nature could take care of it without human intervention. He said, however, that the new logging plan was supported by The Nature Conservancy and would like to investigate further before he agreed with Gaal.

Sabbagh reminded citizens about the Hoosiers Outrun Cancer event on the following Saturday at the Stadium. He noted a modest entry fee would be used for the Olcott Center and that folks could walk as well as run in the event.

Dave Rollo thanked everyone who contributed to the Simply Living Fair last weekend, and noted that four hundred citizens attended the keynote speech, "Peak Oil: the Challenge and Opportunities of Petroleum's Waning Days" given by Richard Heinberg. He said that the video would be available and rebroadcast by CATS. He also noted that citizens who were interested in the topic of energy scarcity and peak oil could visit the website www.bloomingpeak.org. He said the site was developing into a resource for people to communicate on this topic. He said our vulnerability in this area was revealed by the impact of the recent hurricane, Katrina. He showed slides that indicated production capacity and refining capacity in the gulf area, and said a direct hit by a new hurricane would be disastrous. He noted the lack of planning for our energy future, and said that centralized fossil fuel production was a prescription for disaster.

Tim Mayer, inspired by Volan's comment, told the story of the state aviation committee's "Ray Charles Emergency Extension." Mayer recounted Ray Charles's 1980's concert visit to Bloomington during which, while landing in a storm, his plane ran off the end of the runway.

Mayer noted that the Lotus Festival would take place during the coming weekend and invited everyone to participate in the 12th year of the World Music Festival.

Mayer thanked Mayor Kruzan for his address to participants following the day's Bloomington Economic Development Corporation's tour of development and job sites in the community. Mayer said it sent a clear message to the economic development community regarding the vibrancy of our community in this arena. Relatedly, Mayer noted a

press conference held at “inVenture,” a business incubator, to celebrate the occasion of their one year anniversary. Mayer said they have fostered six businesses there and will increase this next year. He noted that Brian Kleber, director of the incubator, stressed that without the cooperation of IU, the City of Bloomington, the Greater Bloomington Chamber of Commerce and the Bloomington Economic Development Corporation, this company would have not gotten off the ground.

Council Comments (*cont'd*)

President Ruff asked Parliamentarian Mayer to explain council procedures to about fifty new meeting attendees. Mayer outlined the legislative process, council protocol, and explained the nature of “comments” during council meetings.

Banach also noted that any lack of dialogue on the legislative items signified a lack of contention on the items, and also the fact that these items were discussed at length during the Committee of the Whole meeting the previous week. Mayer then outlined contact points for the council office and webpage.

Maren McGrane introduced Brian Wilson, Director of Training with the Risk Management Department. He noted that a safe and healthful work environment was the goal of his job and outlined training and in-service day procedures in which he would work along side sanitation, paving, and other workers to assess and recommend safe practices. He also added that continuing education credits for those who needed certificates were also offered.

▪ MAYOR and CITY OFFICES

Ron Walker, Director of Economic Development introduced Christy Steele, the new president of the Chamber of Commerce, noting that she had served as an intern with the Chamber as a student at IU. Steele spoke briefly noting that she was glad to be back in Bloomington.

Danise Alano, Assistant Director of Economic Development and Lotus Foundation Board Member noted that Lotus was offering free passes to folks who were in the area after being displaced by the hurricane Katrina. She also noted that volunteers from Hillel would be selling Mardi Gras beads for one dollar and Bloomingfoods would be donating all proceeds from their Lotus event concessions to Katrina Evacuation Relief effort.

Rollo, Gaal and Banach reported on the interview process for applicants to the new Sustainability Commission. They noted that several evenings were spent interviewing exceptional applicants, that they kept the goals of the commission in mind and that there was unanimous support for the twelve appointments that would be announced later in the meeting.

▪ COUNCIL COMMITTEES

David R. Grubb spoke about the environment, and spoke about the pension fund for the fire and police department. He said the environment needs to be cleaned up or there would be nothing left of the town, that water, water plants, green and slimy water needed to be corrected with simple common sense.

▪ PUBLIC INPUT

Chaim Julian showed a short presentation on the Downing Street Memos and asked the council to sign a petition asking Senator Evan Bayh to request that the Senate hold formal inquiry hearings regarding this memo.

It was moved and seconded that George Hegeman be appointed to the Tree Commission. The appointment was approved by a voice vote. Mayer noted that Hegeman was a retired biology professor and a bee-keeper and would make an excellent addition to the Tree Commission.

BOARD AND COMMISSION APPOINTMENTS

The initial appointments to the Sustainability Commission were made as follows:

It was moved and seconded that the following appointments be made by the council to this commission. The council appointments were approved by a voice vote.

Council Appointments for one year::

Dave Rollo (ex officio)
Bob Bent
Christine Glaser

Council Appointments for two years:

Keith Clay
John Hamilton
Toby Strout

President Ruff asked Rollo to read the following mayoral appointments:

Mayoral Appointments for one year:

Susan Brackney
Darryl Neher
John West

Mayoral Appointments for two years:

Cairril Mills
George Huntington
Catherine Stafford

Mayer thanked everyone involved in the interviews and initial processes surrounding the birth of this new commission, adding that these appointees will be doing new and bold work.

Rollo thanked the council for its support in creating the commission, thanked the interview committee for their work, and thanked the Mayor and Alano for support. He noted the new appointees included an economist, physicist, biologist, former IDEM official with banking experience, social service director, radio host, real estate developer, local business owner, and attorney and noted that it was a broad spectrum of the community.

Ruff recognized Rollo's effort in championing the Sustainability Commission and noted the great amount of collaboration between the council and mayor's offices. Ruff noted the volume of applicants, and said that while everyone couldn't be appointed at this time, he hoped the folks who were not appointed would find some way to participate and contribute to the Sustainability initiative.

It was moved and seconded that Ordinance 05-26 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Ordinance 05-26 be adopted.

Ron Walker, Director of Economic Development, noted that the vacant properties on West 14th Street would be developed as five single family affordable homes and would be eligible for tax abatements in the process that would include two ordinances and two resolutions. He said that each property would be designated as economic development target area (EDTA) and also an economic revitalization area (ERA) with this series of legislation, and that would allow taxes to be abated for five years for future owners of the homes. He noted the support from the Mayor's office in helping to remove barriers in home ownership.

Board and Commission Appointments
(cont'd)

LEGISLATION FOR SECOND READING

Ordinance 05-26 To Designate an Economic Development Target Area (EDTA) - Re: 1010, 1018, 1026, 1034 and 1042 W. 14th Street (City of Bloomington Housing and Neighborhood Development Department and (Habitat for Humanity of Monroe County, Inc., Petitioners)

Ordinance 05-26 (continued)

Susie Johnson, Director of Housing and Neighborhood Development, explained the partnership with the city, Habitat for Humanity and the South Central Community Action Program. She said that the homes would be for sale to families with no more than 70% of area median income. She said the abatement would waive approximately \$3300 for each household over the five year abatement.

She noted that Matt Wysocki and Todd Lare with the SCCAP were present for questions.

Sabbagh noted for the record that the abatement would go to the property owners. Johnson said that Redevelopment and Habitat currently own the lots and they are not on the tax roles, but that once the houses were built and sold, the abatements would be extended to the purchasers.

Mayer asked about architectural controls, exterior storage and clothes lines.

Sturbaum asked how persons would purchase these homes, to which Johnson noted that SCCAP or Habitat should be contacted. Answering the question from Sturbaum, Johnson also noted that 70% of area median income for a family of four is \$41,388.

Ruff called for public comment:

Matt Wysocki, the Housing Director for the South Central Community Action Program, said he was excited about this abatement that would be passed on to the homeowners. He added that the homes would have energy saving features of high "R" Value High Density Side Wall insulation and building sealing, compact fluorescent lighting, and uses only electric energy. He noted that these energy saving measures and reflect the philosophy that affordable housing is permanently affordable by reducing energy costs for owners.

Wysocki reported, also, that SCCAP employs 80 persons with a budget of \$4.5M and serves Monroe, Owen, Brown and Morgan counties with the Energy Assistance Program, Head Start, a Weatherization program, and other programs to help low income individuals in the region.

Mayer suggested that viewers and visitors to the council meeting review the council packet for background information regarding the tax abatement legislation. He also added that sustainable materials for the exterior of the homes would be money well spent. He recognized Todd Lare, new Executive Director of SCCAP, was present for the discussion and ended by noting that this was an example of good public policy. He also thanked city staff members who were instrumental in working on these affordable housing projects.

Sturbaum noted that affordable housing was a problem in Bloomington, and that the building of these homes would add to the bank of homes that HAND, through all its various programs, has worked to make affordable for citizens. He said this project was a good use of tax abatements and a great way to help families make it on their own. He challenged everyone to come forward with more ideas to increase the stock of affordable housing in the community.

Rollo noted that the sustainable aspect of these homes is commendable and forward thinking.

Ordinance 05-26 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Resolution 05-08 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Resolution 05-08 be adopted.

Ron Walker, Director of Economic Development, noted that this resolution was related to the previous one.

Susie Johnson recognized that Lisa Abbot was the Assistant Director of the Housing and Neighborhood Development Department and was directly responsible for much of the work on these affordable housing projects and all of the department's work.

Mayer thanked Lisa Abbot for her work.

Resolution 05-08 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Resolution 05-10 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Resolution 05-10 be adopted.

President Ruff asked if there were any questions from the council, comments from the public or further comments on this resolution as it was similar to the previous two. There was none, and quickly the question was called and the vote taken.

Resolution 05-10 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 05-25 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Ordinance 05-25 be adopted.

Councilmember Banach asked and got permission from President Ruff to speak about this ordinance. He noted to the student visitors at the meeting that this ordinance reflected a true lesson in public policy. Banach noted that about six years ago, the neighbors in his district approached him to help them with the process of obtaining a stop sign on North Dunn Street to help slow down speeding traffic. He noted that the police stepped up enforcement in that area, and in fact, this worked for a while to slow traffic. He said the neighborhood submitted a request for the city to study the traffic problem and develop a resolution to the problem. He continued the chronology noting that the city contracted with a private engineering firm to design a solution to the problems found in the report and also combine this solution with features of a greenways plan with multiuse paths. He said there was no money in the budget for the plan that was drawn up, however, so the neighborhood needed to wait a couple of years; the council districts were redrawn in the interim. He said that Dunn Street served as the dividing line not only between two council districts, but also divided those opposed to the project and those who favored the project.

Banach noted that the new mayor didn't want to spend the large amount of money necessary for the project, and so the plan went back to engineering. He said now, finally, all studies have been put aside for the simplest and cheapest solution of Stop Signs on North Dunn. He said that the process was followed, and everyone was willing to do so, but the neighborhood was a victim of circumstance with the changes in districts and administration.

Resolution 05-08 To Designate an Economic Revitalization Area, Approve a Statement of Benefits, and Authorize a Period of Tax Abatement - Re: 1010 1018 and 1026 W. 14th Street (Habitat for Humanity of Monroe County, Inc., Petitioner)

Resolution 05-10 To Designate an Economic Revitalization Area, Approve a Statement of Benefits, Authorize a Period of Tax Abatement, and Indicate Intent to Waive Certain Statutory Requirements - Re: 1034 and 1042 W. 14th Street (City of Bloomington Housing and Neighborhood Development Department, Petitioner)

Ordinance 05-25 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" - Re: Changes on North Dunn Street which Add Multi-Way Stop Signs at Saville Avenue and Tamarrack Trail (Section 15.12.010 - Schedule B) and Remove Authorization for Traffic Calming Devices (Section 15.26.040 - Schedule J-1)

Ordinance 005-25 (cont'd)

Justin Wykoff, Manager of Engineering Services, noted that most folks were happy with this plan. He added that a pathway on the east side of the street was being discussed with property owners and Corporation Counsel Kevin Robling.

Wykoff briefly discussed warrants that are considered in the criteria for Multi Way Stops.

Public Comment:

Carol Darling from Matlock Heights gave Banach an 'A+' on his Cliff Notes' version of the process. She said that making the area safer included safe exits from the subdivision, slowing traffic and planning for the widening of Matlock Road that included one of the roads that currently feeds into the bypass being closed off and becoming a cul-de-sac.

Mayer noted that Nancy Brinegar and Carol Darling were the true heroes of this issue and thanked them for providing a lesson in civil tenacity.

Ordinance 05-25 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Clerk Moore read the legislation by title and synopsis.

LEGISLATION FOR FIRST READING

Appropriation Ordinance 05-07 To Specially Appropriate from the Park Land Acquisition Fund Expenditures not otherwise appropriated (To Purchase Land Adjacent to the Griffy Lake Nature Preserve and Cascades Park)

Appropriation Ordinance 05-07

Ordinance 05-28 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic"(Amending Chapter 15.26 "Neighborhood Traffic Safety Program" in Order to Authorize Traffic Calming Devices on Graywell Drive and East Gentry Boulevard)

Ordinance 05-28

Dan Sherman, Council Attorney/Council Administrator, asked the council for permission to correct the incorrectly noted date for public hearing in the synopses of Resolution 05-08 and Resolution 05-10. It was moved and seconded that the Clerk be given permission to correct these dates in the synopsis portion of these two resolutions. The question was passed with a voice vote.

OTHER BUSINESS

There was not public comment at this time.

PUBLIC INPUT

The meeting was adjourned at 9:15 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Andy Ruff, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

