

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, April 20, 2022 at 6:30pm, Council President Susan Sandberg presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
April 20, 2022

Councilmembers present: Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger, Susan Sandberg, Sue Sgambelluri, Jim Sims, Ron Smith, Stephen Volan
Councilmembers present via Zoom: none
Councilmembers absent: none

ROLL CALL [6:31pm]

Council President Susan Sandberg summarized the agenda.

AGENDA SUMMATION [6:31pm]

There were no minutes for approval.

APPROVAL OF MINUTES [6:31pm]

Flaherty spoke about the Community Health Improvement Plan, including Indiana University Health, Monroe County Health Department, City of Bloomington Health Net, and Community Voices for Health, and listed upcoming community opportunities to participate in the group's think tank meetings.

REPORTS

- COUNCIL MEMBERS [6:35pm]

Rollo recognized Earth Day and humanity was drawing down on Earth's resources. He said that climate crisis was a symptom of the larger problem of expanding the human footprint that exceeds the regenerative capacity of the planet. He called for reducing impact and not relying on a growth paradigm.

Sandberg noted the passing of David Walter and discussed some of his contributions to Bloomington.

There were no reports from the Mayor or city offices.

- The MAYOR AND CITY OFFICES [6:38pm]

There were no council committee reports.

- COUNCIL COMMITTEES [6:38pm]

Antonia Matthew read a poem by Nancy Chen Long, from her book titled, "Light Into Bodies," in celebration of Poetry Month.

- PUBLIC [6:38pm]

Jim Shelton spoke about the Court Appointed Special Advocate (CASA) and upcoming training, application, and responsibilities. He explained the urgent need for additional CASAs.

Greg Alexander commented on the projects that were presented to the Plan Commission the previous week. He discussed problematic areas on Walnut Street and Walnut Street Pike.

Stephanie Hatton spoke about the risk at the intersection of Maxwell and Sheridan and the need to place a stop sign there.

There were no appointments to boards or commissions.

APPOINTMENTS TO BOARDS AND COMMISSIONS [6:54pm]

LEGISLATION FOR SECOND
READING AND RESOLUTIONS
[6:54pm]

Rollo moved and it was seconded that Ordinance 22-12 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Nicole Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation of Ayes: 8, Nays: 0, Abstain: 0.

Ordinance 22-12 – To Amend Title 9 of the Bloomington Municipal Code Entitled “Water” (Rate Adjustment) [6:55pm]

Rollo moved and it was seconded that Ordinance 22-12 be adopted.

Vic Kelson, Director of Utilities Service Center, presented the legislation and said that the legislation requested a decrease in the water rates due to a change in Indiana law. The decrease needed to be filed with the Indiana Utility Regulatory Commission by May 1. There would not be an impact to the service provided by Utilities.

There were no council questions.

Council questions:

There was no public comment.

Public comment:

Sandberg appreciated reducing taxes without impacting the budget.

Council comment:

The motion to adopt Ordinance 22-12 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 22-12 [6:58pm]

Rollo moved and it was seconded that Resolution 22-10 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis. There was no do pass recommendation.

Resolution 22-10 – Resolution in Support of the Indiana Graduate Workers Coalition-United Electrical Workers [6:59pm]

Rollo moved and it was seconded that Resolution 22-10 be adopted.

Sgambelluri recused herself from the discussion and vote on Resolution 22-10 due to her employment at Indiana University (IU).

Piedmont-Smith read Resolution 22-10. She thanked the IU Graduate Workers for their assistance on the legislation.

Rollo appreciated Flaherty and Piedmont-Smith for allowing him to be a cosponsor. He spoke about his time as a graduate student at IU, his support for organizing for collective bargaining for better wages, and the consideration of creating a commission on labor. He also spoke about the report from the College of Arts and Sciences Task Force and stipends, room and board, and the living wage calculator for Monroe County. He explained that IU attempted to remedy the issues but the efforts were minimal. Rollo provided additional details and some concerns facing graduate students. He stated that IU should recognize the union and bargain in good faith, and urged faculty to sign a neutrality statement and not participate in any sanctioning of graduate students that were striking.

There were no council questions.

Council questions:

Nora Weber spoke about the number of students in support of the union, and their desire to have appropriate compensation. She commented on the strike, and the history of attempting to work with IU’s administration for good faith bargaining.

Public comment:

Resolution 22-10 (cont'd)

Alex Goodlad supported Resolution 22-10 and appreciated the support from council. He thanked Mayor John Hamilton and Piedmont-Smith for attending the picket line.

Sabina Ali discussed the value of graduate students at IU and the difficulties they faced due to being paid a below-poverty wage. She explained the reason for unionizing and appreciated council's support.

Nathan Schmidt spoke about his experience as a graduate student and parent. He commented on the difficulties of raising a young child while in a doctoral program with low wages, and on the difficulties in effecting change at IU.

Sharif Wahal represented the international graduate student community and provided information on the duration of time spent at IU, the lower-than-living wages paid to them, and the extra fees that international students were required to pay. IU had the highest fees amongst the Big Ten schools, according to a 2022 study. He said that they were also restricted from obtaining additional jobs.

Denizhan Pak clarified some misconceptions about graduate students. He listed some efforts in the community by graduate students including the Adult Literacy program at the Monroe County Public Library (MCPL) and more. He hoped council would vote in support of Resolution 22-10.

[Inaudible] Tiang spoke about their efforts in communicating with faculty and departments about the union. They were grateful that many were standing with them. They said that educational funding from undergraduate students and donors, and how that funding was distributed, needed to be invested into students for practicum, travel for training, research, and conferences, and not on architecture for the tourists. It could also be used to support students for the two months out of the year that they were not paid.

Robert Deppert spoke about his father's experience in organizing the Communication Workers of America at IU. He explained that there was no reason for IU to deny the right to organize. Graduate students deserved the right to fair wages for their labor.

Piedmont-Smith stated that she worked in IU's French and Italian department and with graduate students who worked very hard. She said nearly all of the graduate students had to take a student academic appointment in order to afford living while pursuing their studies. The department relied almost entirely on graduate students to teach the basic language courses, and some advanced classes, and that the department would not exist without graduate students. They were very committed instructors and cared deeply about their students, despite the recent stress of the pandemic. She explained that about half of the graduate students were international and struggled paying their bills and additional fees which were concerning Piedmont-Smith stated that she had seen multiple times where IU formed task forces or did studies over the years and understood why the graduate students were taking the steps to unionize. She was pleased with their leadership, organizational skills, and their courage in forming the union.

Council comment:

Smith strongly supported the ability of graduate students to organize. He was stunned that IU would not recognize the union. He iterated the effectiveness of unions.

Rollo spoke about the unspoken policy of IU not providing sufficient housing for undergraduate students, which forced them to rent in the community. That drove costs of rent up which also affected graduate students. He believed that, in part, IU was responsible for some of those repercussions. It was important to raise the wage floor in the community and the union was one means of doing so. Recognizing the union and establishing fair wages was imperative. Resolution 22-10 (cont'd)

Sims congratulated those who were close to finishing or making progress in their academic studies. He was happy to support Resolution 22-10. Sims said that his parents were members of the United Automobile, Aerospace, and Agricultural Workers of America (UAW) union in Detroit, Michigan. He explained safety concerns on the line in the factories, and the creation of Occupational Safety and Health Administration (OSHA). He commented on this thirty-three years of working at IU as middle-management. He served on the IU Bloomington Professional Staff Council which he believed was put in place to inhibit staff from organizing. He commented on Indiana's laws regarding striking by CWA or UAW members. He hoped their efforts would be successful.

Rosenbarger valued the right to organize and collective bargain. She had worked for the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) for many years, post law school. She provided reasons on the effectiveness of organizing and its positive effects on the workplace, families, communities, and low-wage workers. She emphasized that the key focus was on working students, regardless of their background, who contributed to the community. She was hopeful and excited for the students to come out successful and not feel like second class residents of the city.

Volan commented on his experience as a graduate student. He said the problem was that universities assumed that students were children. He spoke about pursuing degrees, which should be considered work. The word student had a bias built into it, and saying that students were not laboring was unjust. That labor deserved a living wage. Without graduate students as Associate Instructors (AI), universities would have to hire instructors. He said in the English language students were perceived as children. If students were not adults, then perhaps IU was violating child labor laws. He noted that several public speakers referred to themselves as graduate workers, and not students. Volan also spoke about how the National Collegiate Athletic Association (NCAA) did not allow student athletes to make money off their likeness because that kind of work did not really count, though it was well known that it did. He said that the formation of a graduate workers union was long overdue. Volan supported Resolution 22-10.

Flaherty appreciated the comments of councilmembers and fully supported Resolution 22-10. He reflected on his tenure on council and an early conversation about improving conditions for the residents of Bloomington. He considered wages and costs, and noted council had policy tools to help facilitate improvements, but had a harder path with increasing wages. There were tax incentives for employers, and large economic partners, who could actively advocate for living wages and collective bargaining rights. It made sense for the mayor and council to support the right of all residents to organize and collective bargain. He said the private sector should also advocate for organizing and collective bargaining. He expressed his frustration with resolutions, which were only advisory, and that it would be ideal to have the Bloomington Economic Development

Corporation (BEDC) and the Greater Chamber of Commerce to also express support, though they had opted not to do so. It was clear where council stood, though there was a limit to what council could do. He encouraged others, including local business owners, to support the unionizing efforts and for good working conditions for all in Monroe County.

Resolution 22-10 (cont'd)

Sandberg stated that her parents were both teachers and that she came from a union family. She supported the graduate workers and their efforts to form a union and engage in collective bargaining. She was hopeful and encouraged IU not to terminate any organizer. Not only did graduate workers work at IU, they also participated in the community and she appreciated that.

The motion to adopt Resolution 22-10 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0 (Sgambelluri recused).

Vote to adopt Resolution 22-10 [7:51pm]

Rollo moved and it was seconded that Ordinance 22-13 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis giving the committee do-pass recommendation of Ayes: 6, Nays: 0, Abstain: 2. The do-pass recommendation for Amendment 01 received a roll call vote of Ayes: 5, Nays: 0, Abstain: 3.

Ordinance 22-13 - Authorizing the Issuance of the City of Bloomington, Indiana, General Obligation Bonds, Series 2022, to Provide Funds to Finance the Costs of Certain Capital Improvements, Including Costs Incurred in Connection With and On Account of the Issuance of the Bonds, and Appropriating the Proceeds Derived from the Sale of Such Bonds, All for the Purpose of Promoting Climate Change Preparedness and Implementing Equity and Quality of Life Improvements for all City Residents [7:52pm]

Rollo moved and it was seconded that Ordinance 22-13 be adopted.

Mayor John Hamilton presented the legislation. He said there were two proposed General Obligation bonds, with a small increase to city property tax rates, to support \$5 million dollar infrastructure improvement related to parks and public works with a continuation plan every five years. He summarized the improvements and investments in the community's infrastructure and noted benefits like equity and sustainability. He provided information regarding tax rates for Bloomington and comparisons, regionally. He welcomed questions and feedback, and thanked councilmembers for their consideration and collaborations.

Smith said two constituents had raised concerns about raising taxes resulting in them possibly leaving the city.

Council questions:

Hamilton said that if the bonds were approved, Bloomington would remain a moderate tax jurisdiction in a very low tax state. The improvements helped keep Bloomington a great place to live.

Smith asked what would happen to the funds if the project could not be completed because it was too expensive.

Hamilton said that the proposed list was purposefully larger than the funds that would be bonded and were listed in a priority order. The funds would be fully used. There was also a legal component about unused funds.

Beth Cate, Corporation Counsel, explained there was a special fund that would be created for the bonds. Any balance remaining in the project fund, after the project's completion, which was not required to meet unpaid obligations, might be used to pay debt service on the bond, or used as permitted by law. She noted that the administration would return to council in that case.

Piedmont-Smith moved and it was seconded to adopt Amendment 01 to Ordinance 22-13.

Amendment 01 to Ordinance 22-13

Amendment 01 Synopsis: This amendment is sponsored by Cm. Flaherty and Cm. Piedmont-Smith and would remove certain items from the list of projects eligible for funding with proceeds of the

proposed 2022 Bonds. It would also reorder the remaining items, increase the minimum cost estimate for one item, and insert language to make clear that the projects are listed in order of priority.

Amendment 01 to Ordinance 22-13 (cont'd)

Flaherty presented Amendment 01 and summarized the projects that would be struck and those that would remain. He explained the reason for Amendment 01 arose from budget conversations the previous year where councilmembers advocated an increase, on an annual basis, dedicated to sustainable transportation infrastructure. It was not an effort to discredit the other projects as unworthy or not important. He provided additional reasons for Amendment 01.

Rollo asked what other funding opportunities there were for the projects proposed for removal.

Council questions:

Flaherty said that the administration might be better able to answer, but that there were likely different mechanisms for each projects. He suggested guarantee-energy contracts for energy efficiency, other types of bonding or annual allocation of new revenue for fleet updates, and more. He explained that another item that was being considered that evening was an annual proposal for an increase in the Local Income Tax (LIT) rate to support climate action proposals. Flaherty believed that those types of expenditures provided savings which could be earmarked to create a feedback loop of investments on energy-efficiency.

Hamilton said that the list as presented reflected a detailed process that had identified and prioritized around plans and leveraged opportunities. The goal was to move forward on an alliance with department goals and capacities, as well as recognize council's feedback and potential reorganization of the projects.

Rollo said that some of the projects proposed to be removed would pay back over time, like composting yard waste, or energy retrofits for buildings. He asked what could be lost by not funding those types of projects.

Adam Wason, Director of Public Works, responded that there were cost savings that would be lost if not funded by the bonds, but that there were other possible funding mechanisms, as Flaherty stated. There were immediate needs and while staff did not want the projects to be removed, staff would figure out a solution.

Rollo said that the city paid for yard waste removal.

Wason clarified that the proposed facility project would not meet all of the city's needs right away, but would meet sanitation yard waste needs. The leafing program would need a larger facility up front. The city would continue to pay as had been done in the past.

Rollo stated the waste would not be landfill.

Wason confirmed that was correct.

Sims asked if the administration supported Amendment 01.

Hamilton stated that the administration had presented a balanced list of priority, but had also agreed to obtain feedback from council with the ability to change the proposal.

Rollo asked about the proposed High Street path and if there was sufficient right of way space.

Wason responded that there were areas that would need to be acquired.

Rollo stated that those areas would need to be purchased, and if they could not be, then eminent domain would be used.

Andrew Cibor, City Engineer, stated that right of way would absolutely be necessary. He could not speak to the specifics at the time but all would be explored during the design phase. It would

include robust public engagement. He clarified that in his tenure, the city had always been able to resolve disputes in a productive way. There was a defined process for a project like the proposed High St project.

Amendment 01 to Ordinance 22-13 (cont'd)

Rollo asked what role council would play in the implementation of the side path.

Cibor responded that staff would work with council on public engagement, and request feedback from council, and if code needed to be amended, then that would be sent to council.

Rollo asked if there would be an appropriation ordinance.

Cibor understood the proposed bond provided the local match and would go through the Metropolitan Planning Organization (MPO) and would not be part of a budget process.

Rollo said that council's consent would be complicit through the passing of Ordinance 22-13.

Jeff Underwood, Controller, stated that the legislation was the issuance of the bonds as well as the appropriation of the funding. Federal funding did not require council to consider an appropriation ordinance.

Volan asked for clarification on the specific project being discussed.

Cibor clarified that much of the multiuse path had been constructed, from Childs Elementary area to Arden Drive, but the project was still active. It was called Jackson Creek Phase II.

Piedmont-Smith asked if it was accurate, as Underwood stated, that appropriation ordinances were not needed because it was a local matching of federal funds, which was true for all of the projects on the list.

Underwood confirmed that was correct. There was specific language on how to spend the money once it was received.

Jean Simonian lived on High Street and pointed out that it had fully contiguous sidewalks on the east side from Childs Elementary to 3rd Street. The project required tearing up of those sidewalks. She did not support the project and provided her reasoning.

Public comment:

Piedmont-Smith said that she had grown up on High Street and there were monolithic sidewalks back then. The sidewalks were very old and not safe, and had a lot of high speed traffic. She said that replacing the sidewalk with a multiuse path would increase usage by all ages and abilities, and would make a positive impact on climate change mitigation. It had been a long standing problem that the long stretch of a very busy road way did not have a separated sidewalk or bicycle pathway. She supported Amendment 01.

Council comment:

Rollo said that the projects removed in Amendment 01 had a potential for paying back over time, and that for example, building efficiency, and composting yard waste were very important. He would not support Amendment 01.

Flaherty explained that the number of projects exceeded the \$5 million and all of the projects were worthy. It was a question of focusing on sustainable transportation infrastructure. He said that because other projects would be able to pay for themselves over time was precisely why other funding mechanisms made more sense. He recalled council's consideration of banning bicycles from sidewalk three years ago, and that then councilmember Andy Ruff had used High Street as an example of why bicycles needed to use the sidewalk. Ruff had said that the sidewalks were underused and the street was not safe. Flaherty explained that it was not an

ideological wish list but rather the city's adopted transportation plan as incorporated by reference to the Comprehensive Plan, which statutorily guide to land use and development.

Amendment 01 to Ordinance 22-13 (cont'd)

Sandberg stated that the administration compiled a good list of projects, but that buffers were needed because some projects would be more feasible or other funding might be ideal. She preferred to keep the list as presented in Ordinance 22-13 and would be voting against Amendment 01.

The motion to adopt Amendment 01 to Ordinance 22-13 received a roll call vote of Ayes: 5, Nays: 4 (Rollo, Sandberg, Sims, Smith), Abstain: 0.

Vote to adopt Amendment 01 to Ordinance 22-13 [8:29pm]

Stephen Lucas, Council Attorney, stated that the public comment period counted as the required public hearing because it was also an appropriation.

Joseph Wynia supported and appreciated the issuance of the bonds. He hoped that the city would continue to seek means to achieve sustainability improvements. He said that his remarks also applied to Ordinance 22-14 with the proposed LIT increase.

Public comment:

Volan asked for clarification on the actual costs and how funding of projects would proceed, like the High Street project.

Council comments:

Cibor responded that realistically, the High Street project could be done for \$2.5 million. It also depended on design and community feedback. He noted that, in the current construction bidding environment, it was extremely difficult to predict the costs.

Volan asked if there was a way to introduce a few different proposals for public review.

Cibor stated that it was key to present the different options with pros and cons with high-, medium-, and low-options.

Volan asked what would happen if there was a delay from when the cost was shown to the public and actual construction. He also asked when staff expected to begin the public process.

Cibor responded that staff would do their best to present its best estimate of construction costs with information they had, but know it was subject to change. Staff had been waiting to see what happened with the bonds, but that it would be about six months out at the earliest.

Underwood responded that for the High Street project and the possibility of it using all the funding, staff would hold on the other projects until there was confidence in the actual cost of the project. It was important to have a reserve for unknown construction complications.

Rollo appreciated the proposal but was troubled by the High Street project because approving Ordinance 22-13 circumvented further input from council. He had trepidations about the acquisition of property and the lack of resident involvement at the time. He recognized the inadequacy of the current sidewalk, but was troubled by the process. He would vote against Ordinance 22-13.

Volan stated that the consideration of the legislation was involving the public. He asked if it was only the residents immediately affected by the construction who should have a say. He reiterated that the meeting was the official public hearing for the bond.

Rollo said there were ambiguities and the affected residents may not be aware since the land needed had not been identified. He was

uncomfortable with that ambiguity as well as limiting council’s involvement with the projects in the future.

Ordinance 22-13 as amended
(cont’d)

Volan appreciated Rollo’s comments and shared the concern of limiting council’s involvement. He did not expect eminent domain to play a large role in the High Street project. He welcomed Rollo’s suggestion of a better process as this type of legislation had been done in the past and would be done in the future.

The motion to adopt Ordinance 22-13 as amended received a roll call vote of Ayes: 8, Nays: 1 (Rollo), Abstain: 0.

Vote to adopt Ordinance 22-13 as amended [8:42pm]

Rollo moved and it was seconded that Ordinance 22-14 be introduced and read by title and synopsis only. The motion was approved by a voice vote. Bolden read the legislation by title and synopsis giving the committee do-pass recommendation of Ayes: 4, Nays: 0, Abstain: 4. The do-pass recommendation for Amendment 01 received a roll call vote of Ayes: 4, Nays: 0, Abstain: 4.

Ordinance 22-14 – Approving the Issuance of the City of Bloomington, Indiana Park District Bonds, Series 2022, to Provide Funds to Finance the Costs of Certain Capital Improvements for Park Purposes, Including Costs Incurred in Connection With and On Account of the Issuance of the Bonds, All for the Purpose of Promoting Climate Change Preparedness and Implementing Equity and Quality Of Life Improvements for all City Residents [8:43pm]

Rollo moved and it was seconded to adopt Ordinance 22-14.

Beth Rosenbarger, Assistant Director of Planning and Transportation, summarized certain projects outlined in the bond including the goals and costs.

Tim Street, Operations and Development Division Director in Parks and Recreation, also summarized certain projects in the proposal.

Flaherty moved and it was seconded to adopt Amendment 01 to Ordinance 22-14.

Amendment 01 to Ordinance 22-14

Amendment 01 Synopsis: This amendment is sponsored by Cm. Flaherty and Cm. Piedmont-Smith and would remove certain items from the list of projects eligible for funding with proceeds of the proposed 2022 Bonds. It would also reorder the remaining items and insert language to make clear that the projects are listed in order of priority.

Flaherty explained the process for determining priorities including accessibility, safety of all road users and especially more vulnerable users, network connectivity, number of potential users, greenhouse gas reduction potential, and project phasing in adopted city plans. He summarized the proposed changes.

Volan asked for staff input.

Council questions:

Hamilton said that staff had presented a balanced and prioritized list and understood that council may have differing views.

Sgambelluri asked for clarification on the matching dollars in the proposal by staff, for example West 2nd Street.

Cibor stated that the number for West 2nd Street was a firm number.

Rollo asked that since Amendment 01 removed the phasing out of gas-powered equipment, if it was an impediment for upcoming legislation.

Alex Crowley, Director of Economic and Sustainable Development, stated that it was not an impediment.

There was no public comment.

Public comment:

Sgambelluri thanked the sponsors and the administration for its engagement with council. She was inclined to place a greater emphasis on the North Dunn Street project which was not served by public transit and was high density. She was satisfied with the West 2nd Street project with its matching funds. She looked forward to investments across the city and had long argued that the North Dunn area was underinvested in.

Amendment 01 to Ordinance 22-14 (*cont'd*)

Council comment:

The vote to adopt Amendment 01 to Ordinance 22-14 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 to Ordinance 22-14 [8:59pm]

Rollo asked staff to clarify why the North Dunn Street multiuse path project was challenging.

Council questions:

Beth Rosenbarger stated that it was specifically the topography and that half of the project needed to acquire right of way. The terrain by Griffy Lake was challenging.

Rollo asked if the path would be close to homes and if the project was feasible. He also asked if there would be crosswalks.

Beth Rosenbarger explained that the design-typical was to have a five foot tree plot between the street and the path, and a ten foot path. She noted that on the east side, the homes were very set back. She said that the project was feasible and that more information would be garnered in construction design. She provided additional considerations and said that crosswalks were typically included.

Sandberg asked staff when public engagement would begin.

Beth Rosenbarger stated that the Engineering Department led public engagement. There would likely be a neighborhood focused meeting, signage, and more, and council would also be included.

Cibor concurred and stated that council would be kept up to date.

Leslie Slone opposed the multiuse path on North Dunn and noted quality of life, safety, and security. She stated that "if you build it, they will come." She said that there was potential to greatly infringe on her property especially on the west side.

Public comment:

Sgambelluri was enthusiastic about the bonds and the projects. She looked forward to public engagement. She said that the design was critical to the success of the projects.

Council comments:

Smith said there were many great projects, but that the concerns were legitimate since there were many unknowns. He asked staff to take into consideration that there was more space on the east side of North Dunn Street.

The motion to adopt Ordinance 22-14 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 22-14 as amended [9:11pm]

Rollo moved and it was seconded that Resolution 22-09 be introduced and read by title and synopsis only. The motion was approved by a voice vote. Bolden read the legislation by title and synopsis. There was no do pass recommendation.

Resolution 22-09 – Resolution Proposing an Ordinance to Modify the Monroe County Local Income Tax Rate, Allocate the Additional Revenues to Economic Development and Cast Votes in Favor of the Ordinance [9:12pm]

Rollo moved and it was seconded that Resolution 22-09 be adopted.

Hamilton provided a brief summary of Resolution 22-09 since it had been greatly covered in previous meetings.

Sgambelluri asked about the interplay between the proposed expenditures for public safety and the Public Safety Local Income Tax (PSLIT).

Council questions:

Resolution 22-09 (cont'd)

Underwood stated there were three categories under the Local Income Tax (LIT); certified shares, economic development, and public safety. He explained the current rates. Each category had its own distribution methods. Underwood explained hypothetical funding distributions based on the unadjusted levy on each unit. He iterated the complexity of the distribution requirements and the impacts changes would have.

Sgambelluri asked if it would be less reliable to rely on PSLIT.

Underwood confirmed that was correct.

Volan stated that council received a letter from the Public Transit Corporation Board (PTCP) discussing the potential for funding from the LIT. He asked what leverage local dollars had over federal dollars.

John Connell, General Manager of Bloomington Transit (BT), said a bipartisan infrastructure bill passed in congress appropriating discretionary funding for a variety of public transportation projects. In order to secure that funding, there needed to be a local match.

Volan asked what the ratio was.

Connell explained that it was 80/20 match for capital projects.

Volan asked if that also applied to increasing service.

Connell said it would be under a different pot of money but could use up to 50% of federal funding. He said that money was formula based and the city could not exceed 50% of the cost.

Volan asked what percentage of the budget was federal funds. He also asked for further clarification about how many projects were capital expenses.

Connell said that with Coronavirus Aid, Relief, and Economic Security (CARES) Act monies, it was about 100%. He clarified that each project had capital component. He provided examples.

Volan asked if the cost included improvements to rights of way.

Connell responded no and explained some examples from the projects.

Volan stated that the city could do more if they received federal dollars matched locally.

Connell confirmed that was correct. He said if there were those dedicated revenues, the city's position was much stronger.

Sandberg read from the letter sent by PTCB and stated that there were many things required prior to initiating the projects.

Connell responded that the PTCB had met the previous evening and that the goal was to make it clear that some of the projects would take a significant amount of time to launch. There was a process in place to ensure that the projects were successful. He provided the example of purchasing a new vehicle which would take up to seventeen months to receive.

Piedmont-Smith understood from the PTCB letter that a long term commitment from the city would be helpful for developing the projects. She asked what mechanism the city could use to guarantee a multiyear commitment to PTCB, and if the administration was willing to commit to multiyear funding.

Underwood stated that for any multiyear agreement, there had to be language specifying that it was subject to appropriation.

Hamilton said that the administration would be happy to work with PTCB on service contracts. It was an extraordinary opportunity to raise the quality of service. The legal language was required in case funding was lost, but there would be negotiation in that instance.

Smith asked if it was prudent to wait to levy a tax if it took up to seventeen months to obtain a vehicle, for example.

Hamilton responded that the vehicle would not be ordered if the funding was not approved.

Rollo asked for further clarification on the east-west corridor express transit line since it had the largest project cost on the list.

Connell said that it was a successful project in other cities and provided high frequency service. The most successful routes were those with frequent, reliable service since it attracted choice riders. Part of the outreach program was to ensure routes for where riders wanted to go.

Sims asked if there was a consideration of extending routes to employment and education centers on the west side of the city.

Connell confirmed there was and that they were in the process of drafting strategic plans. Also, BT was in the process of obtaining a vendor to assist with the information gathering, including the limitations with the current service area. They would also consider alternative fuel options. They wanted to get public input.

Volan asked how demand was calculated or if a formula was used to determine how routes might induce demand. He asked if it was an arbitrary decision.

Connell stated that it was not an arbitrary decision and that staff looked at traffic generators, and where people were going to be. High density apartment complexes, commercial establishments, and places of employment were some examples. He said that surveying was part of the feasibility survey.

Volan asked how much it would cost for a third party to extend service outside of the city, towards Ivy Tech Bloomington, like with an interlocal agreement with Monroe County, for example.

Connell responded that there were two approaches; hourly cost, which was currently \$78 per hour, or a cost per mile calculation.

Volan asked for a rough number.

Connell said it was incremental and the cost depended on existing service routes or establishing a brand new route.

Sgambelluri asked how success was measured.

Connell explained that it was measured through ridership and provided some examples.

Sgambelluri asked if ridership expectations were measured differently for express routes.

Connell confirmed that they were and it was expected to have higher ridership.

Sgambelluri asked how long it would take for there to be enough data on ridership.

Connell said it would be at least one year.

Rollo said that Monroe County Councilor Marty Hawk had stated that the tax rate comparison with other counties was not accurate because LITs in other counties were used to offset property taxes. He was not suggesting to do so, but asked if that changed the tax rate comparison with other counties.

Underwood clarified the difficulty in making that comparison. He said that dollar-wise, Monroe County had the smallest rate. Two contiguous counties did not have property tax replacement as part of the LIT, while Morgan County had about 50% of the LIT funds offsetting property taxes. He provided some details.

Rollo asked if significantly impacted the ranking.

Resolution 22-09 (cont'd)

Underwood said that he had backwards-engineered the rate for some but not all the neighboring counties because it was complex to do.

Hamilton pointed out that Morgan County was collecting 2.72% from every taxpayer in the county and choosing that resource to rebate property taxes. Monroe County would be at a 1.345% rate and would choose to dedicate the vast majority of that income for services for all residents, like housing, police, public safety, transit, and more.

Sims appreciated Connell's presentation and response to questions. He noted that the goal was to have successful projects with sufficient information leading into it. Constituents appreciated having details for projects, and they also questioned the amount of money spent on counsel and experts. Sims understood that experts played a role in things like utilities.

Hamilton said that staff always tried to find efficient processes including using outside counsel and experts, for highly technical projects, and that information was available online. It was usually a short term need, and did not make sense to staff it when the counsel was for an area of particular expertise that the administration did not have.

Underwood pointed out that the administration vetted numerous factors on the decision to hire outside experts.

Cate said that was also the process in the Legal Department, especially when there was an area of high expertise with experts available who likely dealt with an exact issue regularly.

Smith asked if the city would commit to making ridership free for persons over sixty-five years of age.

Hamilton said that the city was very interested in that, but that it was ultimately up to the BTCB to decide that.

Connell said that individuals with disabilities, and those over sixty-five years of age, had a reduced fee of 50%. It was possible to explore more.

Sandberg commented on her experience as council observer in the Fraternal Order of Police (FOP) negotiations. She asked what would happen if the LIT did not pass, and if the contract would be honored.

Hamilton referenced council's urging to raise salaries, and said that the administration confirmed it could be done with American Rescue Plan Act (ARPA) funds in the short term, but could not be done long term without an ongoing, long term, and reliable revenue. He said the contract negotiations were substantial, with new investments and it would not be responsible to sign a contract without having a source of revenue identified. Without new revenue, there would be a need to dramatically reduce other expenses in the city, significantly impacting other city employees.

Sandberg asked if the contract had been signed.

Hamilton said it had not.

Sandberg stated that she was concerned about staffing issues and the wellbeing of the workforce. Sustained revenue was necessary. She asked what other source of funding could be used.

Hamilton agreed that new revenue was needed for a variety of services. PSLIT was an important tax that provided investments in public safety but was not to be used for personnel.

Sandberg asked if that could be changed to honor the contract.

Underwood said there was no available revenue streams to sufficiently fund the contract. Without new revenue, cutting other services would be required. He believed that all city employees were essential and extremely important. He provided additional

information about PSLIT funding. He noted that staffing was essential for all departments.

Rollo said it had been imperative to replace fire engines, and was done so with PSLIT. He asked what PSLIT would be needed for.

Underwood clarified that it was important to do replacements when they still had value. He commented on repair costs, growth of PSLIT, inflationary costs, and best value for equipment. He highlighted items not covered under the current PSLIT and the need to find funding for those items, including equipment.

Fire Chief Jason Moore commented on what he encountered six years ago at the start of his tenure. Tapping into the PSLIT would degrade the fire and police departments, and increase delay of service. He said there were no fire-related deaths and ten lives were saved in the recent past since PSLIT supported the fire department.

Rollo said it would be helpful to have the anticipated capital investments, five- and ten-year expenses, and projected life spans of equipment.

Moore explained that the information was provided during the budget process and he would follow up with Rollo.

Piedmont-Smith asked if the new fire stations were included in the PSLIT plans.

Moore said that a needs assessment was done and the expenses from the PSLIT was only to keep the facilities running and was not a long term plan. The PSLIT could not fund new facilities.

Piedmont-Smith said that the projected completion date was omitted due to the current PSLIT funding.

Moore confirmed that was correct, and why the request for LIT was now being presented.

Volan asked if the administration was willing to enter into long term agreements, despite needing to be approved every year.

Hamilton said that contracts would be negotiated, but that the facility improvements would likely be long term bonding financing or contracting.

Volan asked if federal funds were being leveraged and devoted to capital improvements with public safety.

Moore said that there was no federal funding for facilities like fire and police stations. There were smaller grants for improvements, but not for new construction or remodeling.

Police Chief Michael Diekhoff confirmed that there was no funding for new construction for a police department.

Volan asked if it was beneficial to have the fire and police stations together.

Diekhoff said he was not sure.

Volan said that one of the only departments that would not see an increase in dollars as a result of annexation was transit.

Underwood said there would be some benefits but the proportion of the property tax dollars was smaller because most of the funding came from the federal government.

Volan asked what portion of transit's budget came from the city.

Underwood explained that the city did not fund transit because it was a separate taxing body.

Connell said that the BTC was a separate municipal entity with its own taxing authority, so property tax portion went directly to it. He explained that the property tax portion of the budget was around 20% and the rest came from the state and federal funding, and fares which was about 21%, including IU.

Rollo asked if the Community Revitalization Enhancement District (CRED) funding could be used for police and fire headquarters.

Resolution 22-09 (cont'd)

Underwood explained that CRED had its restrictions on what the funding could be used for.

Rollo asked staff to figure out if CRED funds could be used.

Christopher Emge spoke about the Greater Chamber of Commerce survey results.

Public comment:

Jennifer Pearl discussed the BEDC's trends in feedback.

Jane Martin supported the tax increase and provided reasons.

Eddie Real Jr spoke in favor of the LIT increase.

Jordan Porter-Meche spoke in favor of the LIT increase but against providing funding to the Bloomington Police Department.

Geoff McKim spoke about the LIT, and other funding, and urged council to postpone voting.

Jordan Canada spoke in favor of the increase in LIT.

Emily Pike commented in favor of the proposed LIT increase.

Paul Post commented on the LIT as the President of Lodge 88 of the FOP.

Mark Figg opposed tax increases but supported the increase in LIT.

Rollo moved and it was seconded to postpone discussion of the legislation until a Special Session on April 27, 2022.

Motion to postpone Resolution 22-09

Volan stated that he would like to hear from his colleagues.

Council discussion:

Sgambelluri concurred with Volan.

Rollo moved to withdraw his motion.

Piedmont-Smith objected to the motion to withdraw.

There was brief council discussion.

The motion to postpone received a roll call vote of Ayes: 8, Nays: 1 (Volan), Abstain: 0.

Vote to postpone discussion of Resolution 22-09 [10:52pm]

There was no legislation for first reading.

LEGISLATION FOR FIRST READING [10:52pm]

There was no public comment.

ADDITIONAL PUBLIC COMMENT [10:52pm]

Lucas reviewed the upcoming council schedule.

COUNCIL SCHEDULE [10:53pm]

Rollo moved and it was seconded to cancel the Committee of the Whole scheduled for April 27, 2022. The motion was approved by a voice vote.

Rollo moved and it was seconded to cancel the Budget Advance on April 26, 2022. The motion was approved by voice vote.

Rollo moved and it was seconded to adjourn. The motion was approved by voice vote.

ADJOURNMENT [10:56pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ___ day of _____, 2023.

APPROVE:

ATTEST:

Sue Sgambelluri, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

For Approval