

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, September 07, 2022 at 6:30pm, Council President Susan Sandberg presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
September 07, 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]

Rollo moved and it was seconded to approve the minutes of April 07, 2021 and May 05, 2021. The motion was approved by a voice vote.

APPROVAL OF MINUTES [6:34pm]

April 07, 2021 (Regular Session)

May 05, 2021 (Regular Session)

Smith recognized Bloomington Police Department (BPD) for their response to a call he made regarding a person experiencing issues near Eastland Plaza.

REPORTS

- COUNCIL MEMBERS [6:34pm]

Volan appreciated council's empathy for his attendance via Zoom the previous meeting due to being ill. He commented on a series of tweets he made on Twitter regarding students and their right to vote. He noted the recent 2020 census.

Sims appreciated BPD and discussed an incident near his home that required officers to intervene. He also noted National Hispanic and Latinx Heritage month and wished his brothers and sisters of color well.

Sandberg reminded all of her upcoming joint constituent meeting with Rollo. She thanked the Citizens' Redistricting Advisory Committee (CRAC) for their work.

There were no reports from the mayor and city offices.

- The MAYOR AND CITY OFFICES [6:39pm]

There were no council committee reports.

- COUNCIL COMMITTEES [6:39pm]

Maggie Sullivan, Watershed Coordinator with Friends of Lake Monroe, discussed the watershed management plan to improve and protect the water quality. She spoke about sediment, nutrients, E. coli, source water, Lake Monroe Day, and the importance of maintaining the lake as the drinking water source. She discussed several other upcoming events.

- PUBLIC [6:40pm]

Flaherty moved and it was seconded to remove Emily Alford and to appoint Noelle Conyer to seat C-7 on the Community Advisory on Public Safety Commission. The motion was approved by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS [6:43pm]

Sims moved and it was seconded to make the following appointment(s):

- To appoint David Jennings to seat C-4 on the Commission on Aging
- To appoint Felisa Spinelli to seat C-2 on the Bloomington Urban Enterprise Association

–To appoint Herbert Caldwell to seat C-2 on the Commission Status of Black Males

APPOINTMENTS TO BOARDS AND COMMISSIONS (cont'd)

The motion was approved by voice vote.

LEGISLATION FOR SECOND READING AND RESOLUTIONS [6:46pm]

Rollo moved and it was seconded that Resolution 22-16 be introduced and read by title and synopsis only. The motion was approved by a voice vote. Clerk Nicole Bolden read the legislation by title and synopsis.

Resolution 22-16 – A Resolution Expressing Support for the Extension of Bloomington Transit Services Outside the City Boundaries for Bus Service to Daniels Way [6:46pm]

Rollo moved and it was seconded that Resolution 22-16 be adopted.

Volan presented Resolution 22-16 and explained that the Monroe County Council had a new funding mechanism for transit services provided by the city. He summarized the extension including access to Daniel’s Way by Ivy Tech Community College.

Smith thanked Volan and asked what the estimate would be for the extension.

Council questions:

Volan said that Bloomington Transit (BT) estimated the cost of the corridor, during the Local Income Tax (LIT) conversation, at \$1.7 million per year, and that a quarter of that would be \$400,000 or so. He said that he believed the cost would be closer to less than \$300,000 for the county.

Sims also thanked Volan and said he believed that the Monroe County Council and Bloomington City Council had fundamentally agreed on extending the route. He asked about Route #3 and the Express line and if it was cost-effective to have any overlap.

Volan said that it would take about two or three years for the Express line to be realized while Route #3 could be extended as soon as the mayor and county commissioners make an agreement. BT would have to provide additional details too.

Sims said he was very familiar with the area and knew many residents who used Route #3 regularly. He wanted to ensure that there would not be any disruption.

Volan said he did not foresee BT changing Route #3 and the Express line would be an added benefit.

Sgambelluri thanked Volan and asked for clarification on the costs.

Volan explained that there was a marginal cost, but was not a per mile cost.

Smith said that the marginal cost to the county would be \$75,000-100,000 for the extension of Route #3.

David Wolfe Bender supported Resolution 22-16 and spoke about access to equity and how transit facilitated success. He provided additional reasons in support.

Public comment:

Christopher Emge, Greater Bloomington Chamber of Commerce, supported the expansion of BT services.

Piedmont-Smith supported Resolution 22-16 and the expansion out to Ivy Tech. She would support the legislation.

Council comment:

Sandberg supported Resolution 22-16 in an effort to make progress with the extension of the route.

Resolution 22-16 (cont'd)

Volan said he drafted the legislation in an effort to demonstrate the city's dedication to expand services. He urged the mayor and county commissioners to come to an agreement in the near future.

The motion to adopt Resolution 22-16 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Resolution 22-16 [7:09pm]

LEGISLATION FOR FIRST READING [7:09pm]

Rollo moved and it was seconded that Ordinance 22-23 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.

Ordinance 22-23 – To Vacate A Public Parcel – Re: Two, 12-Foot Wide Rights-of-Way in the Lone Star Addition Within A Triangular-Shaped Block Bordered by West Cottage Grove on the North, West 10th Street on the South, and North Monroe Street on the West (Solomon L. Lowenstein, Jr. and Julia G. Beerman, Petitioners) [7:09pm]

Sandberg referred Ordinance 22-23 to the Committee of the Whole to meet on September 14, 2022.

Piedmont-Smith moved and it was seconded that the Council discharge the Committee of the Whole from considering Ordinance 22-23.

Council discussion:

Piedmont-Smith noted that since the Committee of the Whole (COW) did not require a narrative record of its meetings, that it was more appropriate to move the legislation to a second reading. She noted that it could even be sent to a third reading.

Flaherty added that much of the substantive discussion, including the presentation of legislation, occurred at the COW but was not kept in narrative minutes as a record.

Smith said that he did not see how council could consider all legislation without a COW meeting. He said that there was nothing preventing council from having a narrative record like was done for Regular Sessions.

Bolden noted that there would be additional costs as well as use of staff's time to prepare narrative minutes of committee meetings. She suggested that council and clerk discuss the topic. She explained that there were legally required records for all council meetings, and the memo listed the date, time, location, room, attendance, motions, and actions taken. She clarified that narrative minutes were a courtesy, and custom, and not legally required.

Rollo said that while there was not a formal record of COW meetings, there was a complete archive on Community Access Television Services (CATS). The public was welcome to review and contact councilmembers prior to a final vote.

Volan commented that there were several councilmembers who appreciated the COW because all councilmembers could attend. Though it was clear to him that not all councilmembers wanted to hear what he had to say.

Rollo said that Volan's understanding was not correct, and that he wanted to hear from all councilmembers.

Ordinance 22-23 (cont'd)

Sandberg stated that she had always appreciated the buffer between first reading and final action. She appreciated the questions and discussion that occurred at the COW, even without official minutes. Councilmembers were often contacted by members of the public after a first reading and before final action. She noted that council was always able to send legislation to a third reading. She did not believe that the COW was not necessary, or a waste of time and resources, and believed instead that it was another opportunity for the public to see what council was considering. She commented on the council schedule.

Piedmont-Smith said that the buffer was naturally built into the council schedule, whether there was a COW or not, and that sending legislation to a third reading provided yet another buffer. She commented that the idea of respecting the process was really more about precedent because COW meetings had been the way council did business. She noted that in other municipalities, COW was not often used. She felt that the process did not serve the public, and did not follow Robert's Rules for COWs. She believed that moving legislation to a second reading was almost always appropriate.

Volan spoke about the council schedule and committees in the recent past, which had been eliminated. He said that Special Sessions could be scheduled instead of the COW and narrative minutes would be on the record. He noted that there were ways to schedule legislation so as to have weeks after a first reading. He clarified that the way council currently used COW meetings was a misunderstanding of Robert's Rules and the intent for COW meetings.

Rollo discussed council processes including first readings, which had no debate or presentation, and said that having a COW meeting provided for two hearings. He favored a COW meeting as opposed to a smaller group of councilmembers presenting to the full council.

Piedmont-Smith stated that legislation should be sent to a second hearing at a Regular Session instead of a COW meeting which better respected staff's time. Otherwise staff would be presenting twice.

Rosenbarger concurred with Piedmont-Smith and said that another reason to reconsider COW meetings was because if staff had presented already at the COW meeting, then they might not present again at a second reading. She said that it was important to have the presentations in the record. She also concurred with Volan that if there was a need to have a Special Session, they could do so, on a Wednesday evening between Regular Sessions. She believed it was important not to create a sense of urgency with legislation. She also stated that it was not easy to understand the difference between COW and Regular or Special Sessions.

The motion received a roll call vote of Ayes: 4 (Rosenbarger, Volan, Flaherty, Piedmont-Smith), Nays: 5 (Sims, Sgambelluri, Sandberg, Rollo, Smith), Abstain: 0. FAILED

Vote to discharge Ordinance 22-23
[7:32pm]

There was no public comment.

ADDITIONAL PUBLIC COMMENT

Stephen Lucas, Council Attorney, reviewed the upcoming council schedule and possible legislation. He provided council with options with its schedule to receive the CRAC recommendation for redistricting.

COUNCIL SCHEDULE [7:33pm]

Rollo moved and it was seconded to schedule a Special Session to be held on Wednesday, September 14, 2022 at 6:30pm with a Committee of the Whole to immediately follow.

There was brief council discussion regarding the possibility of a Special Session and if a motion was needed to schedule it.

Rollo withdrew the motion to schedule a Special Session to be held on Wednesday, September 14, 2022 at 6:30pm.

There was brief council discussion regarding the upcoming Work Session that week.

Sandberg scheduled a Special Session to be held on Wednesday, September 14, 2022 at 6:30pm with a Committee of the Whole to immediately follow.

Rollo moved and it was seconded to adjourn. Sandberg adjourned the meeting.

ADJOURNMENT [7:49pm]

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