

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, November 02, 2022 at 6:30pm, Council President Susan Sandberg presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
November 02, 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]

APPROVAL OF MINUTES [6:34pm]

Rollo moved and it was seconded to approve the minutes of May 04, May 05, May 06, May 12, and May 13 of 2021. The motion was approved by voice vote.

May 04, 2021 (Special Session)
May 05, 2021 (Special Session)
May 06, 2021 (Special Session)
May 12, 2021 (Special Session)
May 13, 2021 (Special Session)

Piedmont-Smith urged community members to vote, and spoke about recent elections, misinformation with voter fraud, and those who did not believe President Joe Biden truly won the recent presidential election.

REPORTS

- COUNCIL MEMBERS [6:35pm]

Rosenbarger mentioned her upcoming constituent meeting.

Smith reported on constituent feedback regarding traffic backups on East Third Street. It was an Indiana Department of Transportation street and suggested community members contact that agency.

Volan said it was the anniversary of the Cubs win. He discussed the Parking Commission which had voting, and non-voting, members and provided a history and roles of commissioners. Volan also suggested rescinding the recent appointments and other steps.

Sims concurred with Piedmont-Smith's plea for community members to vote. He reported on the Committee of the Whole's (COW) do-pass recommendation of 5-1-0 for Ordinance 22-31.

Sgambelluri reminded all of her upcoming constituent meeting.

Pedro Ramirez, Commissioner on the Commission on Hispanic and Latino Affairs (CHLA), presented the Annual Report. CHLA worked to identify and address issues that impacted the Hispanic and Latino population in Bloomington in the areas of health, education, public safety, and cultural competency. CHLA had participated in an all-Spanish language COVID-19 vaccine clinic at the convention center. Commissioners had also met with Monroe County Community School Corporation (MCCSC) Superintendent Dr. Jeff Hauswald on issues at the schools like transportation for Dual Language Program students. They also met with students from the Amigos Club from both local high schools. Commissioners were involved in the Black y Brown Arts Festival which celebrated African and Latino creative arts and artists. CHLA was involved with the Fiesta del Otoño 2021 and El Mercado, which worked to create an inclusive city and make resources available to underserved communities. There was brief council discussion on the CHLA, its work and upcoming events, and a current vacancy.

- The MAYOR AND CITY OFFICES [6:46pm]

Jackie Scanlan, Development Services Manager in the Planning and Transportation department, gave a report on Plexes/Accessory Dwelling Units (ADUs) per Ordinance 21-23. She summarized the reporting requirement, and zones where plexes were conditionally permitted. She provided information on applications and conversations staff had with community members on plexes. One duplex had been approved and there were two more that would be heard by the Board of Zoning Appeals (BZA). There was brief council discussion regarding plexes, process, and caps for ADUs.

- The MAYOR AND CITY OFFICES (*cont'd*)

There were no council committee reports.

- COUNCIL COMMITTEES [7:00pm]

Jennifer Crossley spoke about the Community Justice Response Committee (CJRC) and the proposed new jail, decriminalizing mental health and homelessness, and collaborative efforts. She urged councilmembers, and the community, to attend the meetings.

- PUBLIC [7:00pm]

Kevin Weinberg appreciated Crossley's comments. He also said it was important to carefully consider the jail on Fullerton Pike and spoke about Care Not Cages' work.

Jim Allison noted his concerns on gerrymandering and appreciated the work done by council and the redistricting committee.

Renee Miller spoke about Indigenous People's History Month and acknowledged the indigenous lands and people. She also appreciated Crossley's comment.

Marc Haggerty discussed the history of local government and voting, including write-in candidates. He said that in the last election there were long lines and three hour plus waits.

There were no appointments to boards and commissions.

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:12pm]

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:13pm]

Rollo moved and it was seconded that Ordinance 22-28 be introduced and read by title and synopsis only. The motion was approved by voice vote. Chief Deputy Clerk Sofia McDowell read the legislation by title and synopsis.

Ordinance 22-28 – Final Approval to Issue Economic Development Revenue Notes and Lend the Proceeds for the Renovation of Affordable Housing – Re: Country View Apartments, 2500 S. Rockport Road, Bloomington, Indiana (Country View Housing, LP, Petitioner) [7:13pm]

Rollo moved and it was seconded that Ordinance 22-28 be adopted.

Alex Crowley, Director of Economic and Sustainable Development (ESD) department, introduced the individuals presenting on the legislation.

Larry Allen, Assistant City Attorney, explained the economic development bonds, and said that the city was lending its tax exempt status but did not bear any liability. He provided additional details including the process that had been taken, and the payment in lieu of taxes (PILOT) which was part of Ordinance 22-29.

Adam Richter, Executive Vice President and General Counsel for Glick Philanthropies, petitioner, explained the philanthropic efforts of the Glick Housing Foundation (GHF), a nonprofit whose mission was to preserve quality, affordable housing and to improve the lives

Ordinance 22-28 (cont'd)

of residents via the service coordinator program. GHF focused on, and improved, properties that were at risk and maintained them as affordable, quality housing. He commented further on GHF's efforts.

Jeanine Betsy, Director of Tax Credit Development, GHF, spoke about Country View. She discussed the two hundred and six units, nearby resources, renters with vouchers, agreement with Shalom Center for housing referrals, improvements, hotel vouchers for residents while improvements were made, and American with Disabilities Act (ADA) compliance.

Stephen Taft, on-site Services Coordinator, discussed his work in the city including Shalom Center, Crawford Apartments, and the COVID-19 winter shelter. He appreciated GHF and their efforts and said that the improvements were great. He noted that in the Country View Apartment community, there was even a pet food pantry for those in need of pet food.

Crowley said the goal was to have quality, affordable housing, especially in a neighborhood where there was upcoming development. He explained the PILOT details and reinvesting in Country View, social services programming, and ongoing maintenance and repairs. The public investment was about \$15,000, per unit. He commented on other projects with public investments.

Volan asked if it was correct that the petitioner would have had to pay \$4.5 million in taxes, over thirty years, but that the PILOT would fix the tax rate and would not increase. He asked if it was like a tax abatement.

Council questions:

Crowley responded that with the PILOT, the current tax liability would remain, and the city would forego the incremental increase in assessed value over thirty years. He said that tax abatements were limited to ten years, and the PILOT was for thirty years.

Piedmont-Smith asked if Country View was an economic development facility. She also asked what was meant by "of benefit to the health and general welfare of citizens of the issuer."

Allen confirmed that it was and that the city was the "issuer" and Country View was the borrower.

Piedmont-Smith asked about the City Clerk's role regarding the selling of the notes, as per the legislation.

Allen clarified that the City Clerk was not responsible for the selling of the notes/bonds. The Common Council was authorizing the bonds in the name of the city and the City Clerk was acting as the representative of the city.

Sgambelluri asked for more information on the housing vouchers, the additional 10% set aside, and how that would be maintained.

Betsy said that the tax credit program required accepting housing choice vouchers, and that there was word-of-mouth communication amongst voucher holders. She noted that rents in Country View were about \$150 below the average in the city.

Sandberg asked Taft about being the onsite social services coordinator, and if he would be making referrals for individuals to other services.

Taft stated that he would, and that his connections would help with the referrals.

Sandberg asked about meeting with residents to deliver services.

Taft said he would meet residents in their homes, as well as scheduled meetings. The role was somewhat new to Country View,

and previously had not been welcomed, but was now. Taft looked forward to working with residents.

Ordinance 22-28 (cont'd)

Smith asked how the PILOT benefitted the mission of the GHF.

Richter explained that Country View would not become market-rate units and would be kept affordable. The goal was not money-driven. He also discussed construction costs and said that GHF would have zero profit, which private companies would never agree to. GHF had bought the property in November of 2021 and would invest in it. If everything went well, there would not be a loss.

Volan asked what grocery store was one mile away.

Taft said that it was the Dollar General which was less than one mile away.

Sandberg asked about amendments that were recently considered.

Allen said the amendments added details, like suite numbers, as well as how the PILOT was memorialized.

Judy Sharp, Monroe County Assessor, explained her role and said that large, commercial property owners always contested their assessed value. She commented on the GHF's properties and said that they had asked for a decrease in the assessed values in the past. Sharp discussed the public good that GHF did for their properties and her experience in visiting their properties. She talked about the joy that residents had with their improved neighborhood. She provided additional details and supported the PILOT.

Public comment:

Volan commented that it was a shame that more outcomes like the GHF's could not be done independently as a city, due to restrictions by the state. He would support the proposal.

Council comment:

Piedmont-Smith thanked GHF and staff for their work on the important proposal being considered. She commented on bus services for residents.

Smith thanked everyone and was happy to support the proposal.

Sandberg thanked the GHF and stated the proposal was important for the community and residents. She would support the project.

The motion to adopt Ordinance 22-28 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 22-28 [8:11pm]

Rollo moved and it was seconded that Ordinance 22-29 be introduced and read by title and synopsis only. The motion was approved by voice vote. McDowell read the legislation by title and synopsis.

Ordinance 22-29 – Ordinance Authorizing and Approving a Payment in Lieu of Taxes ("PILOT") Agreement With Country View Housing Limited Partnership for Country View Apartments [8:12pm]

Rollo moved and it was seconded that Ordinance 22-29 be adopted.

Piedmont-Smith asked what the impact of the PILOT was on other taxing units.

Council questions:

Allen stated that it would fix the rate which was capped at a certain amount, so the taxing units would still have the same percentage.

There was no public comment.

Public comment:

Volan clarified that the money that would have been collected in taxes would be redirected to the property itself. He believed it was worth doing.

Council comment:

Sandberg said that it was a community benefit to approve the PILOT for the project to move forward.

The motion to adopt Ordinance 22-29 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 22-29 [8:16pm]

Rollo moved and it was seconded that Ordinance 22-31 be introduced and read by title and synopsis only. The motion was approved by voice vote. McDowell read the legislation by title and synopsis, giving the do-pass recommendation of Ayes: 5, Nays: 1, Abstain: 0.

Ordinance 22-31 – To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” – Re: Amending Section 15.12.010 (Stop Intersections) to Change a Stop Intersection Location to a Multi-Stop Intersection Location [8:16pm]

There was brief council discussion regarding the report.

Rollo moved and it was seconded that Ordinance 22-31 be adopted.

Council discussion:

Flaherty asked for staff’s input on the proposal.

Sims asked Stephen Lucas, Council Attorney, to provide information regarding the previous week’s Committee of the Whole (COW).

Lucas stated that city code called for the chair of the COW to report the committee’s recommendation which was what Sims had done. He provided additional details regarding input from sponsors and staff.

Flaherty commented that it was concerning that staff was not invited to the previous week’s COW specifically because the proposal pertained to an engineering and traffic issue.

Lucas explained that staff’s position regarding Ordinance 22-31 was communicated by a memo and was included in the packet.

Rollo summarized Ordinance 22-31 which would add a four-way stop at Sheridan Road and Maxwell Lane. He discussed traffic concerns at the intersection.

Stephanie Hatton, community member, presented the traffic concerns at the intersection. She discussed processes, safety concerns at the intersection, reasons supporting the request for a four-way stop, sidewalks in the area, unique features of the intersection, pedestrian safety, crashes, alternatives to the proposal, and civic engagement.

There was brief discussion by the sponsors of Ordinance 22-31 in support of the proposal.

Sgambelluri asked staff for their input.

Council questions:

Andrew Cibor, Director of Engineer, referenced the memo presented to the Traffic Commission which represented the Engineering department’s conclusion and analysis of the proposal. He noted the discussion in the recent Traffic Commission’s meeting resulting in a 5-2 vote supporting the engineering report and not the proposal. He commented on safety, concerns on the intersection, and metrics with recommended guidelines which were not met, in regards to the intersection. Some examples included zero reported crashes, the speed limit that allowed for slowing or stopping to avoid a crash, his experience in observing traffic patterns at the intersection. He noted that staff received many requests across the city and it was important to be mindful in selecting which ones to

address. He highlighted the importance of justifying why addressing that intersection as opposed to the many others that also had safety concerns. Cibor stressed the need to evaluate all requests from residents with some metrics as a standard. Ordinance 22-31 (cont'd)

Flaherty thanked Hatton for her presentation. He asked about the criteria for adding a four-way stop, and staff's report that noted that the criteria had not been met.

Cibor explained that the engineering report focused on the recommended considerations in the Manual on Uniform Traffic Control Devices (MUTCD) for all-way stops, as well as guidance for where to place yield or stop signs.

Flaherty asked for clarification on left turn conflicts and why it was not applicable.

Cibor clarified that there were certain intersection configurations where left turns conflicted with traffic going in opposite directions. He said that all left turns were possible at Sheridan and Maxwell, and there were no conflicts so that particular criteria was not met.

Sims asked if staff supported or did not support Ordinance 22-31.

Cibor stated that he intended to be neutral but that the Traffic Commission had voted to not support an all-way stop. He recognized that there were some unique considerations in that area.

Sims asked if there were other options that had been considered.

Cibor responded that staff had discussed options with residents in the area including reconstructing the intersection and traffic calming alternatives.

Sandberg asked if a four-way stop at that intersection would make it less safe.

Cibor reiterated that safe was a complex term because anytime a car was on the road, there was potential for accidents, et cetera. Since there had been no reported crashes at that intersection he hesitated to say what was safer. He did not have significant concerns about the intersection having a four-way stop, but was concerned about the immediate time period following the installation since it altered traffic patterns.

Sandberg appreciated metrics and thresholds. She asked if staff also considered residents' experience with dangerous situations in that intersection, despite there being no reported crashes.

Cibor said that residents' experience mattered and also urged the public to report crashes when they occur.

Rollo noted the potential short-term crash risk following a change in traffic patterns and asked Cibor if that was technically true for all new installations, including the recent Seven Line which removed stop signs. He also asked if there were ways to mitigate that short-term risk.

Cibor responded that was correct and said that if Ordinance 22-31 passed, then staff would do all that they could to make drivers aware of the change, including advanced signs, flags on the stop signs, and possibly using electronic message signs.

Piedmont-Smith asked about the neighborhood traffic calming program through the Planning and Transportation (PT) department. She noted that Hatton had indicated that she had originally pursued that route, but then found it to not be as useful as a four-way stop.

Scott Robinson, Director of PT, confirmed that was correct and that resident-led requests, like Hatton's, needed to meet a threshold, which Hatton's request had not met. He noted the many efforts staff

Ordinance 22-31 (cont'd)

had done to address the various concerns in the area near the intersection.

Piedmont-Smith asked if it was correct that the resident-led request was rescinded because there had not been enough resident buy-in from neighbors.

Robinson believed that was correct.

Hatton said that out of the forty-eight affected household units, she would have only needed fourteen signatures. She could have done that but it became apparent that the neighbors did not want traffic calming options, like speed bumps, though staff indicated that was the only option. She provided additional details on the process.

Piedmont-Smith asked for clarification on vertical impediments being the only option, per staff.

Robinson explained that the options were suggested by staff due to costs process and timing to design an improved intersection, and more. Traffic calming options immediately address residents' concerns, and staff did not indicate that other options were not possible.

Hatton clarified that the residents' request was to stop traffic, not to calm it, and provided some information on costs.

Rosenbarger spoke about safety and traffic in the area of the intersection, including young elementary students crossing on Clifton, one block west of High Street and about four blocks east of the proposed four-way stop. She asked how a four-way stop sign would impact that route for elementary school students.

Cibor said that he did not expect that it would affect crossing about four blocks away. He noted that was an example prioritizing the installation of a stop sign in one intersection versus another.

Rosenbarger asked what would be the best way to help people cross the street in that area.

Cibor stated that the best way to make pedestrians feel safe crossing the street along a long corridor, was to consider corridor traffic calming options, which the city had a process for.

Rosenbarger read from the engineering report about stop signs, which were not an effective tool for reducing speeds and only stopped traffic at a specific intersection. She noted that the report said that drivers tended to increase their speed in between stop signs. She asked if that would be of concern for pedestrians in that corridor and the intersections around the four-way stop.

Cibor said that specific intersection did not cause him concern, and that the concern was setting a bad precedent. It was important to prioritize project based on standards, criteria, and thresholds. He noted that there were already controlled stops in that corridor.

Flaherty asked about alternatives with meeting the goals of the residents, especially regarding safe crossing, including flexible delineator posts to decrease turn radii and crossing distances. Both were lower cost options.

Cibor said that those options were discussed, but they were more of a temporary, short-term fix prior to a long-term improvement. He noted that prioritizing improvements mattered when considering intersections with safety concerns. There were many other locations in the city that had safety issues with pedestrian crossing or even a lack of pedestrian facilities entirely. Some met the thresholds and criteria more than the intersection in question.

Robinson concurred with Cibor that those options were short term. He also highlighted challenges with maintenance for those options. Residents also were concerned with aesthetics and did not always like those types of tactical urbanism.

Volan asked about restoring the faded crossing stripes on Sheridan.

Cibor stated that he did not have an exact cost, and explained what was involved as well as challenges with maintenance. He believed it would be somewhere around \$1000.

Volan asked how much it would cost to properly add signage to address the short term risks of a change in a traffic pattern.

Cibor referenced the cost estimate provided in the memo, which was around \$1000.

Volan spoke about the narrowing of the road on Third Street and Mitchell, which changed Third Street from two lanes to one in that area. He asked what the cost was, as well as details on the process.

Cibor explained the reason for that traffic pattern change which was due to predictable and regular crashes one block west of Mitchell on Third Street and Swain. He provided additional details. He said the goal had been to take incremental steps which proved to be ineffective. He believed the cost was around \$5000-\$10,000.

Flaherty asked for clarification on the concerns of installing a four-way stop, and learned non-compliance such as a false sense of security, drivers not complying with the stop sign, and speeding up between stop signs.

Cibor discussed controlled stops and requests that came in to the city. He noted concerns regarding drivers not obeying a four-way stop and residents' not wanting four-way stops. He also noted that there was a psychology to drivers obeying traffic laws, especially when implementing new traffic patterns.

Flaherty asked for more information on drivers speeding up in between stop signs.

Cibor responded that he had not analyzed behavior regarding new stop signs, but he had learned from other city engineers that new stop signs lowered the speed in the immediate vicinity only.

Rollo referenced data on the intersection from the engineering report, like the number of cars that passed through, and asked if it would be a reality for drivers not to obey the stop sign.

Cibor stated that there was a fair amount of traffic there but that it was not a large amount.

Rollo said that the amount of traffic indicated to him that drivers would not disobey a stop sign.

Volan commented on different possibilities for improving the intersection, and noted the many differing opinions. He asked what would make the intersection the safest given that there were zero crashes, et cetera.

Cibor said that there were many options if there were unlimited resources for the city. He explained that the hill was the biggest issue because it limited sight distance. He listed additional types of improvements.

Volan asked what would be needed to narrow the road.

Cibor discussed options like sidewalk, storm water drains and curbs, and other things that would narrow the road. The cost would be significant.

Volan asked for clarification on resident-led traffic calming projects.

Robinson provided history on the previous traffic safety program, and summarized the current program. He also noted that the council's Sidewalk Committee discussed the corridor near Sheridan and Maxwell. He listed costs and resources for improving it.

Volan asked why painting parking spots had not been done.

Robinson said it had been discussed and recalled that there were not cars that needed to park there. He explained that residents were not always receptive to on-street parking in their neighborhood.

Volan asked if vertical impediments were the only option.

Ordinance 22-31 (cont'd)

Robinson clarified that he was not able to give specifics on all the options because there were many factors to consider, like cost and utilities, and more.

Cibor said there was not anything that precluded other options, but that vertical impediment were fairly new and were mainly speed humps. He commented on prioritization.

Tomi Allison spoke in favor of Ordinance 22-31.

Public comment:

Chuck Livingston provided reasons in favor of Ordinance 22-31.

Jim Allison supported Ordinance 22-31.

Lisa Thomison discussed her concerns with the intersection.

Virginia Metzger commented in favor of Ordinance 22-31.

Wendy Bernstein opined her support for a four-way stop.

Hunter Rackley discussed his support for Ordinance 22-31.

Teresa Swift urged council to pass Ordinance 22-31.

Natalia Galvan spoke in favor of Ordinance 22-31.

Geoffrey Bingham commented in support of the proposal.

William Coulter supported a four-way stop.

Kerry Thomson discussed her experience with the intersection.

Renee Miller believed stop signs would be useful at that intersection.

Eric Ost supported Ordinance 22-31.

Martha Harsanyi spoke in favor of Ordinance 22-31.

Betty Rose Nagle provided reasons in support of the proposal.

Greg Alexander named other intersections with safety concerns.

Babk Seradjek commented in favor of Ordinance 22-31.

Jeff Richardson discussed safety and his support for the proposal.

Rosenbarger asked if the engineering report considered costs and resources, and if another option was still recommended.

Council comment:

Cibor said that ideally, other options would be more useful, but that the costs for those options would be significant. It would not be appropriate to apply those resources to that intersection.

Volan asked for clarification on crash reports.

Cibor said that staff looked at police generated crashes, and not the hospital data.

Volan asked about signage and why No Turn on Red signs had not been installed for a long time despite legislation passing long ago.

Cibor stated that the signs were currently being installed.

Volan asked if Ordinance 22-31 passed, should the residents of that area expect to wait.

Cibor discussed the installation of the No Turn on Red signs, which was more complicated than a stop sign. The installation of stop signs would be conducted by Public Works and would not take as long.

Volan commented on how staff worked with city departments to install signage.

Cibor discussed the different factors involved with staffing and other resources and the process the city takes.

Volan said that a four-way stop at the intersection would allow for pedestrians and bicycles to cross and asked why that was not sufficient reason to install stop signs.

Cibor reiterated that it was complex because with that logic, then every intersection needed a stop sign.

Volan noted that it was a city engineer's job to make the entire city safer and not just one intersection. He asked Cibor to explain why he was not able to only focus on the intersection in Ordinance 22-31 so that the public better understood.

Cibor understood residents' concerns but reiterated the complexity of city planning and urban intersections. He commented on the need for criteria, and to be fair across the city regarding requests from residents.

Volan asked if there was a fiscal impact statement for Ordinance 22-31, and if not, why not.

Rollo stated that there was not and estimated that the cost for a stop sign was around \$1000 but that there were additional costs.

Volan confirmed that the sponsors did not bother to draft an impact statement despite council having debated the need for them. He asked why the sponsors had not invited staff to the COW.

Rollo explained that he had not invited staff because he had not believe it would be needed. He said it might have been an oversight, and that he took responsibility for it.

Rollo stated that the intersection was hazardous and appreciated that staff had met with the sponsors. He commented on costs, alternatives, priorities, and urged support for Ordinance 22-31.

Flaherty thanked the sponsors, public, and staff. He shared the goal of improving safety on streets and had fought for funding for doing so, resulting in significant resistance from councilmembers and the administration. The decision to not support Ordinance 22-31 was a difficult one, for reasons relating to equity and process, and safety. He commented on process including the resident-led program as well as the ordinance before council. He discussed city engineering and urged the public to not substitute their opinion over staff's expertise regarding traffic safety. He reviewed safety concerns with stop signs, and also referenced staff's input via the engineering report. Flaherty commented on council's role in city engineering and provided examples.

Rosenbarger said that she originally supported the idea when Hatton first reached out to her, until she reviewed the engineering report. She stated that she was not an expert on city engineering and relied on staff's expertise. Traffic calming efforts were a better way to force drivers to abide by the speed limit. She commented on residents' and staffs' somewhat conflicting concerns. She supported Vision Zero where the goal was to have no traffic deaths. She spoke about a recent death on North Walnut, bike lanes, and working towards solutions. She would not support Ordinance 22-31.

Piedmont-Smith commented on the difficult decision and believed that planners' and engineers' expertise was important. She

expressed concerns with drivers disregarding stop signs and a false sense of safety, as well as speeding between stop signs. She was also concerned with some problems in the processes available to residents. She noted that not all neighborhoods had advocates like Hatton and provided the metaphor of the 'squeaky wheel getting the grease' which was not the best way to govern. Piedmont-Smith spoke about her experience with the intersection. She would vote in favor of Ordinance 22-31.

Ordinance 22-31 (cont'd)

Sims thanked everyone for the discussion. He said that there were many other intersections that needed to be addressed in an equitable way. He spoke about process, approaches for solutions, safety at intersections, warning signs for an upcoming stop sign, and provided an invitation for other neighborhoods to come before council with concerns in their area. Sims noted that staff had not attended the COW and said that three councilmembers were also not in attendance.

Volan commended Hatton and commented on how he had been mocked as she had been. He discussed his intense interest in process and procedure, his entrance into local government, consensus, engaging in dialogue, and Ordinance 22-31's process. He addressed not attending COW meetings, but indicated that was not an opinion on legislation. He questioned why Hatton was given an unlimited amount of time to present, there being no time limits on council questions and comments, and why the request for a third reading had been negated. He hoped that the public saw how complicated city issues were. He noted that the majority of councilmembers in favor of Ordinance 22-31 appeared to not consider other options. Staff's expertise had been mocked by the public. He expressed his disdain for the councilmembers in support of the proposal, who rejected the minority's opinion of seeking better solutions. He noted that Cibor followed the legal definition of safety. There were three pedestrians killed at intersections in his district in the past two years and fortunately the city improved those intersections. He concluded by discussing traffic calming options, process, and consensus. He would be abstaining that evening.

Sgambelluri agreed that the solution was complex. She applauded the residents who worked towards a solution. She was concerned that staff did not attend the previous week's COW but believed it was an unintentional oversight, and likewise that there was no impact statement. She commented on changing traffic patterns and the immediate risk with the change and said the city would need to take appropriate actions to mitigate risk. She spoke about safety and making the city safer, and listening to and working with constituents. She would support Ordinance 22-31.

The motion to adopt Ordinance 22-31 received a roll call vote of Ayes: 6, Nays: 2 (Flaherty, Rosenbarger), Abstain: 1 (Volan).

Vote to adopt Ordinance 22-31 [11:11pm]

There was brief council discussion about the options for the rest of the meeting, considering the 10:30pm rule.

Michael Cordaro, Peerless Development, noted that his petition was on the Board of Public Works (BPW) agenda on November 7, 2022. If Ordinance 22-15 was postponed that evening, then they would need to reschedule the meeting with BPW.

Ordinance 22-15 – To Vacate a Public Parcel – Re: A 12-Foot Wide Alley Segment Running East/West between the B-Line Trail and the First Alley to the West, North of 7th Street and the South of 8th

Lucas provided options for council action.

The Common Council did not make a motion to take Ordinance 22-15 from the table to be considered that evening.

Street (Peerless Development, Petitioner) [11:11pm]

LEGISLATION FOR FIRST READING [11:12pm]

Rollo moved and it was seconded that Ordinance 22-33 be introduced and read by title and synopsis only. The motion was approved by voice vote. McDowell read the legislation by title and synopsis.

Ordinance 22-33 – To Amend Title 10 of the Bloomington Municipal Code Entitled “Wastewater” (Rate Adjustment) [11:12pm]

Sandberg referred Ordinance 22-33 to the Regular Session to meet on November 16, 2022.

Rollo moved and it was seconded that Ordinance 22-34 be introduced and read by title and synopsis only. The motion was approved by voice vote. McDowell read the legislation by title and synopsis.

Ordinance 22-34 – To Amend Title 10 of the Bloomington Municipal Code Entitled “Wastewater” (Stormwater Rate Adjustment) [11:16pm]

Sandberg referred Ordinance 22-34 to the Regular Session to meet on November 16, 2022.

Christopher Emge, Greater Bloomington Chamber of Commerce, discussed the beautification of Bloomington and the value of the Waldron Arts Center and the Buskirk Theater. He also talked about planters around the city and the Community Revitalization Enhancement District funds that could be used to beautify the city.

ADDITIONAL PUBLIC COMMENT [11:18pm]

Lucas reviewed the upcoming schedule. There was brief council discussion.

COUNCIL SCHEDULE [11:23pm]

Rollo moved and it was seconded to cancel the COW on November 09, 2022. The motion was approved by voice vote.

Vote to cancel Committee of the Whole [11:27pm]

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

ADJOURNMENT [11:30pm]

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