

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, April 12, 2023 at 6:30pm, Council President Sue Sgambelluri presided over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
April 12, 2023

Councilmembers present: Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger, Susan Sandberg, Sue Sgambelluri, Jim Sims, Ron Smith, Stephen Volan (arrived at 6:31pm)  
Councilmembers present via Zoom: none  
Councilmembers absent: none

ROLL CALL [6:30pm]

Council President Sue Sgambelluri gave a land and labor acknowledgement and summarized the agenda.

AGENDA SUMMATION  
[6:30pm]

There were no minutes for approval.

APPROVAL OF  
MINUTES [6:32pm]

Smith reported on the petitions at the recent Plan Commission's meeting.

REPORTS [6:33pm]  
• COUNCIL MEMBERS

Rollo requested the total expenditures for annexation.

Piedmont-Smith spoke about the Middle Way House luncheon, and noted that April was Sexual Assault Awareness Month. She expressed her appreciation for Representatives Justin Jones and Justin Pearson, who had been expelled by the Tennessee legislature, in a racist act for their protest against gun violence.

Sgambelluri acknowledged work done by the Alternative Public Safety Outreach Committee, a subset of the Community Advisory on Public Safety (CAPS) commission at a town hall event.

Mayor John Hamilton stated that more detailed information on costs, and public feedback, pertaining to annexation was forthcoming. The total cost to date was \$1.33 million. He noted that half of the annexation costs were due to the Indiana General Assembly (IGA) illegally pausing annexation in 2017. The Indiana Supreme Court found in favor of Bloomington and against IGA. He said it had been twenty years since any annexations were done. Hamilton provided numerous reasons in support of annexation. He briefly discussed Project 46.

• The MAYOR AND  
CITY OFFICES  
[6:44pm]

There was brief discussion regarding annexation costs, litigation, next steps, and the timeline. There was additional discussion regarding Tax Incremental Financing (TIF) funds and Redevelopment Commission (RDC) projects.

Council discussion:

Piedmont-Smith moved and it was seconded to extend the time limit on Reports from the Mayor and City Offices until 7:25pm. The motion was approved by a voice vote.

Vote to extend time  
limit [7:04pm]

Devta Kidd, Innovation Director, thanked council for the participation in the Sidewalk Innovation project. She described the process, problems that were identified, barriers that blocked sidewalks, solutions and ideas, recommendations, and next steps.

There was discussion regarding alternative materials for sidewalks, trash and recycling bins on sidewalks, community feedback, and funding for sidewalks.

There were no reports from council committees.

• COUNCIL  
COMMITTEES  
[7:25pm]

Greg Alexander spoke about sidewalks and his work on the Traffic Commission (TC). He discussed his comments on social media that instigated a motion to remove him from the TC.

• PUBLIC [7:26pm]

Caroline Wilder commented on her project at Indiana University (IU), as a student, and asked how best to engage with councilmembers.

• PUBLIC (cont'd)

Travis Washington noted his goal of planting over one hundred trees in the city in an effort to bring people together regardless of their background.

Piedmont-Smith provided background on the motion to remove Luke Swain at a prior Regular Session. Final action was postponed until the current Regular Session. There were unsuccessful efforts from council staff and Planning and Transportation (PT) staff to contact Swain.

APPOINTMENTS TO  
BOARDS AND  
COMMISSIONS  
[7:34pm]

Piedmont-Smith moved and it was seconded to remove Luke Swain from seat C-3 on the Environmental Commission due to non-attendance pursuant to Bloomington Municipal Code 2.08.020, paragraph 4. The motion was approved by a voice vote.

Vote to remove  
commissioner  
[7:37pm]

LEGISLATION FOR  
SECOND READING  
AND RESOLUTIONS  
[7:37pm]

Rollo moved and it was seconded that Appropriation Ordinance 23-02 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.

Appropriation  
Ordinance 23-02 – To  
Specially Appropriate  
Funds from the  
General Fund for  
Construction of the  
Trades District Tech  
Center and Associated  
Construction  
Management Services  
[7:38pm]

Rollo moved and it was seconded that Appropriation Ordinance 23-02 be adopted.

Pat East, Executive Director, The Mill, gave a brief summary of the proposal presented at the previous council meeting.

Volan asked why Tax Incremental Financing (TIF) funds were not selected instead of the Community Revitalization Enhancement District (CRED) funds. He asked what the total TIF funds were.

Council questions:

Cheryl Gilliland, Director of Auditing and Financial Systems, Office of the Controller, said TIF funding was \$26 million. TIF funds supported many projects, though the primary one was Hopewell. It was estimated to cost \$25 million. TIF funds were about \$17 million per year. Staff would provide council with additional details.

Sgambelluri asked for clarification on the tracking of CRED funds.

Gilliland said the CRED funds in the general fund could be tracked.

Volan asked why the administration believed it was not necessary to spend CRED funds in the district from which they were collected.

Alex Crowley, Director of Economic and Sustainable Development (ESD) department, clarified how the city collected CRED funds. It was a benefit for the whole city and was not required to be spent in the district.

Volan explained that he had voted for the CRED with the assumption that the funds would be spent in the district.

Crowley clarified that the district no longer existed so the funds were not restricted to the district. The Thompson CRED expired in 2019 and the downtown CRED expired in 2022. Significant amounts of funds were spent prior to the expirations.

Volan disagreed that the funds did not need to be spent in the district. He asked what some of the expenditures were.

Crowley gave examples of some expenditures.

Sandberg asked what the district was, its boundaries and recipients.

Crowley described the Thompson CRED and the downtown CRED areas. The funding was collected through state sales tax, and payroll tax, and then redistributed by the state. He gave additional details.

Appropriation Ordinance 23-02  
(cont'd)

Rollo asked how much had been spent from the CREDs.  
Crowley said staff would research that and let council know.

Council questions:

Sandberg asked if the downtown merchants were ever consulted on what the funds could be spent on.

Crowley reiterated that the downtown merchants did not contribute to the CRED funds. Sales tax and payroll tax was collected by the state and then shared with the city, by the state. Merchants did not pay into the CRED.

Volan asked if there was a CRED report.

Crowley said a report could be generated from the accounting system.

Flaherty noted that all the information being discussed that evening had been included in a packet from the previous Regular Session.

Crowley stated there was information, but that there was not line item information. Specific council questions had been addressed in the memo.

Flaherty followed up and referenced the previous week's packet that listed the spending of CRED funds.

Piedmont-Smith asked if there was going to be sub accounting of the CRED funds. She said that the systems referenced were not easily available to councilmembers so a report would be useful.

Gilliland reiterated that staff could track CRED fund expenditures without it having to be a sub account. She said a report would be generated for council.

Sandberg asked about plans for the remaining funds.

Crowley stated there were no plans at the time.

Sgambelluri asked if the funding source for expenditures could be identified.

Gilliland stated that staff could differentiate between sources of funds.

Sims asked if it was correct that for any appropriation in the future, staff would prepare the sources of funding.

Crowley confirmed that was correct and was ideal.

Jennifer Pearl, President, Bloomington Economic Development Corporation (BEDC), spoke in favor of the proposal.

Public comment:

Christopher Emge, Greater Bloomington Chamber of Commerce, supported using CRED funds in the project as an economic development project.

Volan commented that the downtown CRED funds were supposed to be used in the downtown and referenced some of the expenditures. He planned to propose a downtown circulator. He regrets not having paid more attention to the CRED funds, and discussed problems with process.

Council comments:

Piedmont-Smith was excited about the proposal and said the building would activate the Trades District. She was pleased with the sustainable design of the building, resulting in a Leadership in Energy and Environmental Design (LEED) certification. She discussed concerns with the process, and said she would have preferred a separate budget process for CRED funds.

Rollo sympathized with Volan's concerns. He expressed concerns with funding for the Showers West plans for public safety offices.

Flaherty noted his support for the proposal and understood councilmembers' concerns about the CRED funds. He referenced expenditures from the CRED

and the remaining \$10 million. He listed some options council could take regarding future appropriations.

Appropriation Ordinance 23-02  
(cont'd)

Smith believed the proposal was a great project. He believed councilmembers had made good points that evening too.

Council comments:

Sandberg agreed that the proposal was important and worthy. She was concerned about transparency and noted that there were funds earmarked for public safety that were not CRED funds. She now understood that CRED funds could be used throughout the community. She wanted a fiscal analysis of the Showers West purchase and collocating public safety.

Rosenbarger supported the proposal and expressed sympathy for Volan's concerns. She noted other projects in the city. She was pleased that Trades District was more than just technology, and appreciated having that space. She said there could be subsidies in the district.

Sims spoke about transparency in the appropriation process. Once a CRED district expired, the rules changed. He supported the proposal and suggested that some of the funding be used for sidewalks.

Volan believed the proposal was worthy. He still believed that the proposal could have been funded by the TIF and not CRED. He reiterated his concerns regarding the use of CRED funds.

Sgambelluri believed the proposal was solid, and would support it, but she share councilmembers' concerns.

The motion to adopt Appropriation Ordinance 23-02 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 1 (Volan).

Vote to adopt Appropriation Ordinance 23-02  
[8:43pm]

Rollo moved and it was seconded that Resolution 23-06 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.

Resolution 23-06 - To Approve the "Project 46" Southern Indiana Regional Climate Alliance [8:43pm]

Rollo moved and it was seconded that Resolution 23-06 be adopted.

Crowley presented the legislation and gave brief details on the project including uniting the regional communities to address the climate crisis.

Sims asked for clarification on the participants and cost.

Council questions:

Crowley said it was Bloomington, Monroe County, Nashville, Columbus, Brown County, and Bartholomew County, if they all approved legislation. Bloomington would contribute \$42,500, annually, from ESD.

Volan asked if there were other participants.

Crowley said Ellettsville could participate. The cost would not be duplicated by incorporated cities.

There was no public comment.

Public comment:

Piedmont-Smith said the project was a great first step for regional climate action. She gave reasons in support and noted her recent interactions with participating elected officials.

Flaherty believed there was opportunity for knowledge-sharing, with the goal of setting targets, regionally. He thanked staff for the work on the proposal.

Sandberg agreed the proposal was a good first step. She noted the Lake Monroe Watershed summit and said regional partnerships were essential.

Sims concurred that the proposal was a good first step, and said that a regional collaboration was crucial.

Resolution 23-06  
(cont'd)

Volan and Rosenbarger agreed with councilmembers' comments.

Council comments:

The motion to adopt Resolution 23-06 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt  
Resolution 23-06  
[8:57pm]

LEGISLATION FOR  
FIRST READING  
[8:57pm]

Rollo moved and it was seconded that Ordinance 23-04 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Ordinance 23-04 - To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code - Re: Technical Corrections Set Forth in BMC 20 [8:57pm]

Sgambelluri referred Ordinance 23-04 to the Regular Session to meet on April 19, 2023.

Rollo moved and it was seconded that Ordinance 23-05 be introduced and read by title and synopsis only. The motion was approved by voice vote with a dissent from Volan. Bolden read the legislation by title and synopsis.

Ordinance 23-05 - To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code - Re: Amendments and Updates Set Forth in BMC 20.03; 20.05; And 20.07 [8:58pm]

Sgambelluri referred Ordinance 23-05 to the Regular Session to meet on April 19, 2023.

Rollo moved and it was seconded that Ordinance 23-06 be introduced and read by title and synopsis only. The motion was approved by voice vote with a dissent from Volan. Bolden read the legislation by title and synopsis.

Ordinance 23-06 - To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code - Re: Amendments and Updates Set Forth in BMC 20.04 [8:59pm]

Sgambelluri referred Ordinance 23-06 to the Regular Session to meet on April 19, 2023.

Rollo moved and it was seconded that Ordinance 23-07 be introduced and read by title and synopsis only. The motion was approved by voice vote with a dissent from Volan. Bolden read the legislation by title and synopsis.

Ordinance 23-07 - To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code - Re: Amendments and Updates Set Forth in BMC 20.06 [9:00pm]

Sgambelluri referred Ordinance 23-07 to the Regular Session to meet on April 19, 2023.

Volan moved and it was seconded that Ordinance 23-05, Ordinance 23-06, and Ordinance 23-07 be referred to the Regular Session to meet on May 03, 2023.

There was brief council discussion on the motion including the Plan Commission's unanimous recommendation of the legislation.

Volan withdrew his motion after brief discussion.

Withdrawal of motion  
[9:05pm]

Dave Askins, Be Square Bulletin, asked about the motion to remove Greg Alexander from the Traffic Commission.	ADDITIONAL PUBLIC COMMENT [9:05pm]
Rollo withdrew his motion from March 29, 2023 to remove Greg Alexander from the Traffic Commission.	Withdrawal of motion [9:08pm]
Lucas reviewed the upcoming council schedule.	COUNCIL SCHEDULE [9:08pm]
Sgambelluri adjourned the meeting with no objections.	ADJOURNMENT [9:10pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVE:

ATTEST:

\_\_\_\_\_  
Isabel Piedmont-Smith, PRESIDENT  
Bloomington Common Council

\_\_\_\_\_  
Nicole Bolden, CLERK  
City of Bloomington

For Approval