

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, August 16, 2023 at 6:30pm, Council President Sue Sgambelluri presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
August 16, 2023

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

ROLL CALL [6:30pm]

Council Vice President Isabel Piedmont-Smith gave a land and labor acknowledgement and Council President Sue Sgambelluri and summarized the agenda.

AGENDA SUMMATION
[6:31pm]

Rollo moved and Piedmont-Smith seconded to approve the minutes of November 16, 2022. The motion was approved by a voice vote.

APPROVAL OF MINUTES
[6:33pm]

Sandberg mentioned her and Rollo's upcoming constituent meeting. She thanked the administration for the written responses to her questions from the previous meeting pertaining to the budget and Shower's West.

REPORTS [6:33pm]
• COUNCIL MEMBERS

Smith reported on the recent Plan Commission meetings and the proposals the commission considered.

Devta Kidd, Innovation Director, gave the State of Innovation report with details on the program background, equipment and mechanical projects, technology and data analysis projects, new services, and growth by department. She noted innovation project initiators like the administration, directors, managers, and staff. She gave additional information on improving current processes, nurturing a culture of innovation, preparing the organization for the future, and future recommendations.

• The MAYOR AND CITY
OFFICES [6:41pm]

Rollo asked if the suspension of the leaf collection service was an innovation project, and about its cost savings.

Kidd said yes and it was both one-time and recurring savings of about \$400,000 per year.

Sims asked for an example of human-centered design and risks for trying new things.

Kidd explained that human-centered design was thinking about multiple perspectives by centering the end users and solving problems with them. Risks included failing and wasting money.

Piedmont-Smith asked about trash and recycle bins blocking sidewalks.

Kidd said that was slated for 2025 but there were ongoing conversations on solutions considering all the variables.

Volan asked for the breakdown of the total numbers.

Kidd stated that she would send that information to council.

Piedmont-Smith asked what the iLab was.

Kidd said that it was office space in property owned by the Redevelopment Commission.

There were no reports from council committees.

• COUNCIL
COMMITTEES
[7:01pm]

Jim Shelton spoke about Court Appointed Special Advocates (CASA) for children and upcoming training.

• PUBLIC [7:02pm]

Eric Spoonmore, Greater Bloomington Chamber of Commerce, expressed appreciation for the Board of Public Works and the Parks Board Commissioners [sic] for their support for legislation against blocking the city's right of way.

Sandberg noted the Special Interview Committee's meeting to consider applicants to the Capital Improvement Board.

Sandberg moved and Rollo seconded to appoint Doug Bruce to seat C-1 on the Capital Improvement Board. The motion was approved by voice vote.

Rollo moved and Piedmont-Smith seconded that Resolution 23-15 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.

Rollo moved and Piedmont-Smith seconded that Resolution 23-15 be adopted.

Joe VanDeventer, Director of Street Operations, Public Works, presented Resolution 23-15 and highlighted the reasoning behind the request.

Stephen Lucas, Council Attorney, explained that the request was for a capital expenditure that was not in a previously approved plan and was in excess of \$100,000.

Sandberg asked for information on the milling machine.

VanDeventer said it removed one and a half inch off of the road and then put one and a half inch back on the road. It maintained curb and driveway compatibility with roads. He said the removed portion was sold to EB Road Surfacing for \$6 per ton.

Piedmont-Smith asked if the original plan to purchase a truck would be done the following year.

VanDeventer said the truck was still needed and would hopefully be purchased with end of year funding.

Sims asked if the rental fees for the milling machine would go towards purchasing it.

VanDeventer said yes, it was like rent to own.

Rollo asked about the longevity of the milling machine.

VanDeventer said approximately twelve years.

There was no public comment.

There were no council comments.

The motion to adopt Resolution 23-15 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Rollo moved and Piedmont-Smith seconded that Ordinance 23-16 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Rollo moved and Piedmont-Smith seconded that Ordinance 23-16 be adopted.

• PUBLIC (cont'd)

APPOINTMENTS TO
BOARDS AND
COMMISSIONS [7:07pm]

LEGISLATION FOR
SECOND READING AND
RESOLUTIONS [7:08pm]

Resolution 23-15 – To Review an Expenditure of \$100,000 or More within a Covered Fund Under Ordinance 18-10 (Additional Fiscal Oversight by the Common Council) – Re: Expending in Excess of \$100,000 in Street Department Capital Funds for the Procurement of a New Milling Machine [7:08pm]

Council questions:

Public comment:

Council comments:

Vote to adopt Resolution 23-15 [7:15pm]

Ordinance 23-16 – To Amend Title 7 of the Bloomington Municipal Code Entitled "Animals" - Re: Updating and Harmonizing Chapters 01, 26, 40, 54 and 56 of

Virgil Sauder, Director, Animal Care and Control, explained the recommendations from the Animal Control Commission (ACC) and the Monroe County Animal Management Commission (MCAMC). He gave details pertaining to the dangerous animal section, the ban on feeding deer, enforcement, changes to fees, and habitual offender provisions.

Title 7 of the
Bloomington Municipal
Code [7:15pm]

Volan asked about adoption fees and about monitoring a dangerous animal.

Council questions:

Sauder explained the fees which were based on type of animal and its age. He clarified how dangerous animals were monitored including signs, enclosures, and routine visits.

Volan asked who declared an animal dangerous.

Sauder said the ACC and Animal Care and Control staff would bring the information to the commission.

Volan asked if there was an appeal process for the declaration of an animal being dangerous.

Sauder said yes, and the animal's human could present information at an ACC meeting, and also in civil court.

Rollo asked if animals that were surrendered from outside Monroe County were from individuals or shelters.

Sauder said it was individuals, because the city shelter did not have room for animals from other shelters.

Rollo asked about nonlethal control of city deer, and about the need for a count. He asked about tick borne diseases.

Sauder agreed that counting deer was an ideal first step. He clarified that reducing the deer population did not coincide with tick populations. Tick borne diseases were monitored by the Monroe County Health Department.

Sims asked if the cost for monitoring dangerous animals was adequate.

Sauder said the actual cost was higher than the fee.

Sims asked about microchipping the dangerous animal for monitoring.

Sauder said the cost varied depending on who microchipped and that the individual was responsible for it.

Sims asked if removing animals went through the court process.

Sauder said that the first contact was with the owner and if there were problems, then a warrant would be issued.

Piedmont-Smith asked when the adoption fees last increased.

Sauder said it was around 2010 or 2012.

Rosenbarger asked for clarification on bird feeders being exempt and about feeding birds directly on the ground.

Sauder said it was an ongoing conversation and bird feed on the ground was excluded.

Smith asked if continual barking from dogs was addressed in the legislation.

Sauder said that there was a noise violation code in Title VII that included barking. He gave additional information.

Julie Gray spoke in favor of the ban on feeding deer and provided reasons.

Public comment:

Rosenbarger supported the legislation and looked forward to discussions on feeding wildlife on the ground.

Council comments:

Piedmont-Smith thanked ACC, Sauder, and staff for their work. She urged neighbors to talk to each other regarding concerns with feeding deer.

Rollo supported the legislation, and was concerned with deer population and tick borne diseases. Deer increased the risk of Lyme disease so it was important to count the number of deer. He commented on overgrazing by deer and land that might not recover.

Piedmont-Smith moved and Rollo seconded to adopt Amendment 01 to Ordinance 23-16.

Amendment 01 to Ordinance 23-16

Amendment 01 Synopsis: This amendment is sponsored by Cm. Piedmont-Smith. It replaces instances of gendered pronouns with the gender neutral pronoun “they” or “their.”

There were no council questions.

Council questions:

There was no public comment.

Public comment:

There were no council comments.

Council comments:

The motion to adopt Amendment 01 to Ordinance 23-16 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 to Ordinance 23-16 [7:51pm]

Sims maintained that uncontrolled deer were a public hazard. He shared that he had gotten Lyme disease from a tick, and was treated very early and was well. It was necessary to reduce risks by managing deer population in the city. It was important to know the population and travel patterns.

Council comments:

Volan supported the fee increases. He commented on the definition of wildlife and said that the city needed to educate the public on the importance of not feeding wildlife.

The motion to adopt Ordinance 23-16 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 23-16 as amended [7:58pm]

There was no legislation for first reading.

LEGISLATION FOR FIRST READING [7:58pm]

There was no additional public comment.

ADDITIONAL PUBLIC COMMENT [7:58pm]

Lucas reviewed the upcoming council schedule.

COUNCIL SCHEDULE [7:59pm]

Sgambelluri adjourned the meeting without objection.

ADJOURNMENT [8:00pm]

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