

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, August 02, 2023 at 6:30pm, Council President Sue Sgambelluri presided over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
August 02, 2023

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

ROLL CALL [6:30pm]

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

AGENDA SUMMATION  
[6:31pm]

Piedmont-Smith moved and it was seconded to approve the minutes of October 20, 2021, October 12, 2022 (revised), October 19, 2022, and November 02, 2022. The motion was approved by voice vote.

APPROVAL OF MINUTES  
[6:33pm]

- October 20, 2021 (Regular Session)
- October 12, 2022 (Special Session)
- October 19, 2022 (Regular Session)
- November 02, 2022 (Regular Session)

Sims congratulated Shatoyia Moss for being selected for the inaugural cohort of former President Barack Obama's Foundation Leaders USA Program consisting of one hundred emerging changemakers. He noted Moss's work in the Community and Family Resources department at the city and in the community.

REPORTS [6:34pm]

- COUNCIL MEMBERS

Piedmont-Smith, council representative on Monroe County's Justice Fiscal Advisory Committee, reported on recent meetings. She spoke about "intercepts" including prevention, reentry, funding, and Intercept Zero. She mentioned the committee's upcoming meeting.

Volan commented on the public library, Community Access Television Services (CATS), and council meetings from decades ago.

Sgambelluri extended an invitation to her upcoming constituent meeting.

Shawn Miya, Assistant Director for Sustainability, Economic and Sustainable Development (ESD) department, introduced Earthkeepers, and owners Andrea Conway and Ryan Conway.

- The MAYOR AND CITY OFFICES [6:40pm]

Ryan Conway, member of the Shawnee tribe, appreciated the land and labor acknowledgement. He presented the Composting Up Down Town program, funded by ESD, which focused on reducing restaurant food waste. He gave a background on the program, objectives, COVID-19 impacts, and waste reduction and its benefits. He noted ReFED (a national consultancy group on food waste), tracking and hauling waste, and sustainable goals and economic benefits for restaurants and employees. Conway explained that by reducing waste, struggling restaurants could improve their bottom line and recover costs. It would also be action against the climate crisis. He explained the program launch, key incentives, and acknowledged partnerships with Downtown Bloomington, Inc. (DBI), Bloomington Economic Development Corporation (BEDC), and the Greater Bloomington Chamber of Commerce. He spoke about onboarding the first cohort of restaurants and training kitchen staff, as well as waste audits identifying types of waste. He highlighted results, data, successes, challenges, and recommendations like reducing waste as opposed to waste diversion.

Volan thanked the Conways and said he looked forward to reviewing the report.

- The MAYOR AND CITY OFFICES (cont'd)

Piedmont-Smith was the council representative on the Monroe County Solid Waste Management District board which was seeking to continue the pilot program practices.

Council discussion:

Piedmont-Smith moved and it was seconded to extend the time period for reports until 7:30pm. The motion was approved by a voice vote. Volan voted no.

Vote to extend time limit [7:07pm]

Jason Michálek, Nejla Routsong, and Kamala Brown-Sparks, Community Advisory on Public Safety (CAPS) commission members, presented work done in committees, and in the community. Brown-Sparks noted public events like a partnership with the Monroe County History Center on how to conduct Black genealogy to better understand peoples' history. CAPS also conducted research resulting in the Student Agile Response Team (START) to gain insight on improving access to housing. Routsong highlighted work done by the Alternative Public Safety Outreach Special Committee which held town halls, drafted reports, and identified marginalized and the most at-risk community members. They commented on conflict resolution amongst CAPS commissioners. Michálek reported on key recommendations like designing a community-focused approach on public safety with a new city department of Community Safety and Resilience that would prioritize upholding community safety. Some needed recommendations included a feasibility study, a new division of public safety to handle non-emergency situations, and a citywide and coordinated approach to public safety. That would also allow the police and fire departments to focus on emergencies. They expressed a commitment to CAPS's goals and looked forward to working with the city and council.

Piedmont-Smith thanked the commissioners. She appreciated the report on Alternatives to Public Safety committee.

There was a brief discussion on the next steps for CAPS commission.

There were no reports from council committees.

- COUNCIL COMMITTEES [7:31pm]

Charlotte Zietlow appreciated CAPS and their work, and endorsed their efforts.

- PUBLIC [7:32pm]

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

Christopher Emge discussed Earthkeepers, CATS, Capital Improvement Board (CIB) appointments, and the community survey.

Nicholas Voyles, Executive Director, Indiana Recovery Alliance spoke in representation of those who were not able to speak for themselves. He noted various debilitating problems like incarceration, drug misuse, mental illness, and homelessness which were all treatable or curable problems. He supported the work done by the CAPS commission.

Donna Storm, Middle Way House, asked council to read the personal stories in the CAPS report. She supported the work done by CAPS commission.

Sims moved and it was seconded to reappoint Emma Williams to seat C-1 and Byron Bangert to seat C-2 on the Human Rights Commission. The motion was approved by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:44pm]

Volan moved and it was seconded to appoint Kathleen Fields to seat C-2 on the Traffic Commission. The motion was approved by voice vote.

APPOINTMENTS TO  
BOARDS AND  
COMMISSIONS (cont'd)

Piedmont-Smith moved and it was seconded to appoint Karen Duffy to seat C-3 on the Historic Preservation Commission. The motion was approved by voice vote.

LEGISLATION FOR  
SECOND READING AND  
RESOLUTIONS [7:47pm]

Piedmont-Smith moved and it was seconded that Ordinance 23-14 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.

Ordinance 23-14 – To Amend Title 6 of the Bloomington Municipal Code Entitled “Health and Sanitation” - Re: Updating and increasing fees for service and harmonizing Chapters 4 and 5 of Title 6 of the Bloomington Municipal Code [7:47pm]

Piedmont-Smith moved and it was seconded that Ordinance 23-14 be adopted.

Adam Wason, Director, Public Works (PW), gave a background on the consideration of different rate structures.

Michael Large, Operations Manager, highlighted the increase in costs for solid waste, recycling, and operations. He noted the impacts of the increase like not being able to keep up with needed investment in truck replacements. He provided information on successes from the sanitation modernization. Large noted proposals to adjust service fees, General Fund support for the Sanitation Division, and working with councilmembers on the rate adjustment to a more equitable model.

Wason explained that the new rate structure would be implemented over six years with a corresponding reduction in the General Fund subsidy. He clarified how the proposed rate structures were calculated and the number of households, referred to as accounts, using the services.

Volan asked for clarification on a single unit having multiple carts.

Council questions:

Wason said it could be large families or multiple units in one building.

Sims asked if there were multiple units, if that was considered one account. He asked about the carte exchange fee.

Wason responded that it could be one account, or each could have their own account. The cart exchange fee was reduced was from \$50 to \$25. It paid for staff’s labor and for fuel. Inventory was also a component.

Smith asked if there were conversations about reducing operating costs, in order to avoid raising rates.

Wason said that staff was very prudent with costs and explained that some costs that were out of staff’s control, like processing fees, cost for fuel, labor, and cart and software maintenance. He provided examples.

Piedmont-Smith asked if it was correct that the rate increase was spread out over six years, but that the first year was significantly larger.

Wason confirmed that was correct and clarified that it was an effort to not raise the General Fund subsidy rate. It addressed the increase in costs.

Sims asked for clarification on worker’s compensation savings.

Wason explained that worker’s compensation was not budgeted and was handled by risk management. He provided additional information on the fluctuation for worker’s compensation.

Sims asked what methods were considered for addressing the rising cost of hauling waste.

Wason said that was another item that was out of PW's control. Staff could not reduce the waste that households put out each week. He said the initial increase in waste corresponded with COVID-19 with people getting carry out food, et cetera. Staff encouraged composting and recycling to the best of their ability.

Ordinance 23-14 (cont'd)

Council questions:

There was brief discussion on exchanging cart sizes, the standard fee for the exchange, cart inventory, and the rental turnover in August every year.

David Sabbagh spoke about generating waste and cart sizes.

Public comment:

Christopher Emge discussed essential city services like sanitation and subsidizing for the purpose of a public good.

Dave Askins, Be Square Bulletin, opined about the General Fund subsidy, and the rate increase, and purchasing trucks.

Volan asked about a rebate for those who did not put trash and recycling out every week.

Council comments:

Wason explained that cart management was the primary reason for not providing a rebate program. There was also an administrative burden on tracking household waste amounts. He explained the difficulty of having a program like that.

There was additional discussion about the use of carts.

Piedmont-Smith asked about financial assistance for those unable to pay the significant increase.

Wason said there was an assistance program through Utilities.

Sims thanked staff for their work. He noted services that the city provided for those who needed physical assistance with their carts. He understood the need to recover costs and that trash removal was a basic, essential city service. He commented on reprioritizing services in the budget, and the nature of conflicting components like not recycling styrofoam and it then becoming waste.

Rosenbarger said that she believed the proposal was a good first step. She appreciated staff's efforts and would support Ordinance 23-14.

Piedmont-Smith recognized that Ordinance 23-14 contained more than the proposed rate increase including the removal of the leaf collection program and more. She commented on renters, including those who lived in buildings with more than four units which were excluded from city sanitation services, but still paid into the fund via rent. It was ideal to have those using the service, pay for the service, and for the city to move away from subsidizing sanitation service. She supported the legislation.

Smith could not support Ordinance 23-14 because the Local Income Tax (LIT) was passed in order to support city services. He was concerned about making Bloomington an even more expensive place to live. Muncie, Indiana paid for sanitation services via property taxes and he wished Bloomington would do the same.

Volan said that, among other things, there was a climate related reason for addressing the issue. He explained problems with using trash stickers and discussed cart sizes. The reduction of trash needed to be incentivized. He also discussed options for properly incentivizing households to reduce waste, and what the cost would be for collecting that data.

There was a brief discussion on possible council actions that evening.

Volan moved and Smith seconded to postpone the discussion of Ordinance 23-14 until the next Regular Session.

Ordinance 23-14 (cont'd)

Wason preferred that there be a vote that evening on the legislation as presented.

Council comments:

The motion to postpone the discussion of Ordinance 23-14 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote to postpone [8:49pm]

Piedmont-Smith moved and it was seconded that Ordinance 23-15 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

LEGISLATION FOR FIRST READING [8:50pm]

Sgambelluri referred Ordinance 23-15 to the Regular Session to meet on August 09, 2023.

Ordinance 23-15 – To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel”- Re: Amending 2.76.040 Entitled “Boundaries” to Expand the Service Area of the Bloomington Public Transportation Corporation [8:50pm]

There was no additional public comment.

ADDITIONAL PUBLIC COMMENT [8:50pm]

Lucas reviewed the upcoming council schedule.

COUNCIL SCHEDULE [8:51pm]

Piedmont-Smith moved and it was seconded to hold a Council Work Session on August 11, 2023 at 12:00pm in order to discuss potential jail sites.

The motion received a roll call vote of Ayes: 5, Nays: 2 (Sims, Volan), Abstain: 0.

Vote to schedule Council Work Session [8:52pm]

Sgambelluri adjourned the meeting without objection.

ADJOURNMENT [8:53pm]

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