In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, July 26, 2023 at 6:30pm, Council President Sue Sgambelluri presided over a Regular Session of the Common Council.

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

ROLL CALL [6:31pm]

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

AGENDA SUMMATION [6:31pm]

Rollo moved and it was seconded to approve the minutes of January 19, 2022, August 03, 2022, August 17, 2022, and September 07, 2022. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

APPROVAL OF MINUTES [6:35pm]
- January 19, 2022 (Regular Session)
- August 03, 2022 (Regular Session)
- August 17, 2022 (Regular Session)
- September 07, 2022 (Regular Session)

Volan explained that council gave a land and labor acknowledgement in the name of those who were pushed out, or could not speak for themselves. He commented on the proposed closure for the Cascades Park and on equity highlighting the need for safe walking and biking access to Bloomington High School North.

REPORTS [6:35pm]
- COUNCIL MEMBERS

Deputy Mayor Mary Catherine Carmichael explained the purpose of the City of Bloomington 2023 Resident Survey.

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

Jade Arocha, Director of Survey Research, Polco, presented the survey results. She explained the benchmarking database including 500 comparison communities to Bloomington. The Bloomington Resident Survey had been done for four years. She highlighted the methodology, the three hundred and sixty seven responses (13%), and statistically weighted data. She noted some results including the quality of life in Bloomington that was rated as "excellent" or "good," education, community characteristics, challenges in the city like homelessness, and key items that were liked least about Bloomington. There was a decline in ratings for safety and public safety services. Other key findings related to community engagement, internet, quality and performance of government services, and interactions with city staff.

Volan moved and it was seconded to extend the time period for reports until 7:30pm. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to extend time limit [7:03pm]

Volan asked what the response scale was, about students, and comparable cities.
    Arocha said the response scale was "excellent," "good," "fair," and "poor," and "I don't know." The parameters for comparable cities were college towns with similar Area Median Income (AMI) to Bloomington. Students in dorms did not have a high response volume for surveys, so they were not included.

Council discussion:

Sims asked for clarification about the benchmarking database.
    Arocha said there were fifty million residents in more than five hundred comparison communities.

Sims asked how the randomly selected households were statistically weighted so that they reflected Bloomington's entire population. He asked about demographics like income, cultural background, and race.

Arocha explained that there were demographic questions in the survey and census data was also used. They used software to weigh the responses and included demographic information to balance the results.

Piedmont-Smith asked when the full report would be available.

Carmichael said that all four survey results would be posted online the next day.

Carmichael noted that it was her last time to address council as the Deputy Mayor and thanked council for her time working with the city.

Volan thanked Carmichael for her service to the city.

Scott Robinson, Director, Planning and Transportation department, reported on the Lower Cascades and Old State Road 37 project. He gave background information, an overview of the Cascades area pedestrian and bicycle network, city plans and policies, and showed a flyover video of the area. He noted information on average car speeds in the area, and information from the pilot program road closure in Lower Cascades. He outlined options for the area including sidewalk connections, a new path, one-way road and path, or a roadway conversion. All options would comply with the Americans with Disabilities Act (ADA), may need utility upgrades, and would need streamside stabilization. Staff recommended converting the road to a multi-use trail with no change to the parking areas or existing facilities because it was cost-effective and would be inclusive and consistent with ADA access.

Piedmont-Smith asked about emergency vehicle access and barriers.

Robinson said it would be similar to access for the B-Line or Switchyard park. Without a design process, it was difficult to speculate on barriers.

Volan asked for clarification on ADA compliance.

Robinson said that the final decision would be in compliance with ADA and included parking spaces and more.

Volan moved and it was seconded to extend the time period for reports by five minutes. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Smith said that residents had been told that the road closure at Cascades Park was in the Transportation Plan, but actually was not. He asked for clarification.

Robinson agreed that the specific road closure was not in the Transportation Plan. The feasibility aspect that considered all options showed that there were many constraints on that road.

Smith said that council had voted against closing the road and asked why it was being brought back for consideration.

Robinson said that it had not come before council before but there had been a pilot study done with closing the road.

Flaherty commented that council had never voted on what facility should go into Cascades Park. He asked if there would be a recommendation from the administration on appropriating funds for the area.

Robinson confirmed that was correct and referenced the Comprehensive Plan. He planned to obtain feedback from councilmembers and gave details on potential options.

Rosenbarger asked about traffic in the area and about Indiana University (IU) game days.

Robinson said there was not a noticeable change on game days during the pilot program when staff reviewed traffic patterns.

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

Council discussion:

Council discussion:

Vote to extend time limit [7:30pm]

There were no reports from council committees.

<div style="float:right">• COUNCIL
COMMITTEES
[7:36pm]</div>

Daryl Ruble spoke about keeping roads open, traffic calming items, and more.

<div style="float:right">• PUBLIC [7:36pm]</div>

Dave Huber presented on Downtown Bloomington, Inc.'s strategic ideation workshop with many community members and some resulting ideas.

Dave Canfield, Carole Canfield, Al Carpenter, Crystal Henry, Bonnie Maxwell, Peter Dorfman, Alex Cartwright, Susan Graves, Deidre Todd, Charles Dixon, spoke against the road closure at Cascades.

Mary Morgan spoke about Heading Home of South Central Indiana.

Volan moved and it was seconded to extend the public comment time period for an additional fifteen minutes. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

<div style="float:right">Vote to extend time
limit [8:05pm]</div>

Joe Davis preferred spending the $3 million for a new roadway and talked about public safety and homelessness.

Greg Alexander spoke about his experience with biking at Cascades Park and in favor of closing the road at Cascades Park.

Jeremy Crosby Schneider discussed reasons in favor of closing the road at Cascades Park.

Stephen Lucas, Council Attorney, read a comment submitted via Zoom chat by Sam Dove about the heatwave and cooling stations in the city.

Flaherty moved and it was seconded to appoint Megan Bankowski to seat C-2 on the Traffic Commission. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. (Smith out of the room)

<div style="float:right">APPOINTMENTS TO
BOARDS AND
COMMISSIONS
[8:25pm]

LEGISLATION FOR
SECOND READING
AND RESOLUTIONS
[8:30pm]</div>

Rollo moved and it was seconded that <u>Resolution 23-13</u> be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Chief Deputy Clerk Sofia McDowell read the legislation by title and synopsis.

<div style="float:right"><u>Resolution 23-13</u> –
Resolution on the
Hazards of Artificial
Intelligence [8:30pm]</div>

Rollo moved and it was seconded that <u>Resolution 23-13</u> be adopted.

Rollo presented <u>Resolution 23-13</u> and thanked Lucas and Abbi Knipstine, Assistant Administrator/Legal Research Assistant, for their work on the legislation. He provided specific concerns pertaining to artificial intelligence (AI) and referenced the Future of Life Institute's open letter calling for a six-month moratorium on certain AI development.

Sims asked for clarity on the alignment from human values and wellbeing given humanity's history.
    Rollo responded that humans were still evolving and spoke about attaining a fair and equitable society for everyone. Having a machine, with humanity's welfare in mind, was concerning. He gave additional reasons.
    Sims asked about regulating AI and about the call for elected officials to become familiar with AI and its concerns for regulating purposes.

Rollo said that experts had stated that the industry could not self-regulate. He had been very surprised at the alarming rate of technology and AI advancement.

Volan asked if there were other localities in the country that had passed similar legislation.
Rollo stated that he did not know of any, but that the call from experts was for everyone to be involved in the discussion. He had selected artificial general intelligence because it was the most concerning.

Sgambelluri asked Rollo about consulting with IU's technology branches or local businesses involved with the technology.
Rollo said he had not specifically discussed the legislation with IU or other technology businesses in the city. He believed there was an immediate danger.
Sgambelluri believed it was an important opportunity to have those talks. She asked about the duration of the moratorium and when being in alignment would be achieved.
Rollo stated that he was unsure but was relying on experts who believed there was an ability to achieve being in alignment with human wellbeing.

Jen Pearl, President, Bloomington Economic Development Corporation (BEDC), spoke about the importance of having the discussion with other entities in the city. Engaging in the conversation was a chance to lead and not just call for a moratorium.

Peter Dorfman commented on his experience with AI and spoke about developers that designed goals for AI. He said AI was an increasingly large tool that could be used against others but would not be a sentient, intelligent being.

Luke Judd believed that resolutions were a waste of time and that the legislation was focused on cherry-picked, fear-mongering.

Alex Cartwright spoke against AI because if machines were able to take over decision-making, then it could be harmful for humanity.

Volan mentioned several works of science fiction and agreed that it would be less ideal to have future, reactionary legislation due to a terrorist event using AI. A larger concern were things like inequitable and biased decision making. He noted other states that were addressing AI in some form. He believed that the legislation was vague and could be more specific, and for that reason and more, he would not support Resolution 23-13.

Sandberg appreciated Resolution 23-13. She believed that getting ahead of future problems was ideal and that a moratorium was needed. She noted the economic impact of AI replacing writers, for example. The resolution was sounding the alarm and would allow Bloomington to be a leader in the discussion.

Sims believed that the legislation could be improved. He agreed with the concept of the legislation. He believed that IU and technology entities in the city needed to be involved in the discussion. He spoke about the importance of equity and nonbiased decision making.

Rosenbarger believed it was best to have additional conversations with local experts. She would not support Resolution 23-13.

Piedmont-Smith was undecided about Resolution 23-13 and spoke about other resolutions passed by council. She wanted to take time to learn more about the issue and what could be done locally. It was important to have additional conversations in the community pertaining to the issue.

Resolution 23-13 (*cont'd*)

Council questions:

Public comment:

Council comments:

Rollo stated that there were over eleven hundred experts in the field that were calling for the moratorium. He noted reporting in the New York Times and Forbes on the matter. The conversation about the concerns with AI had the potential for collaboration. He said that AI could program itself through recursive adaptation. He reiterated the purpose of the legislation.

Rollo moved and it was seconded to withdraw Resolution 23-13. The motion was passed unanimously and without objection.

Rollo moved and it was seconded that Resolution 23-14 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. McDowell read the legislation by title and synopsis.

Rollo moved and it was seconded that Resolution 23-14 be adopted.

Volan presented Resolution 23-14 and noted Deborah Myerson's, and Michael Shermis', participation in drafting the legislation. He highlighted updates to the Comprehensive Plan as well as the process in drafting the legislation.

Rollo asked about a financial impact in the future.
   Volan responded that updates to the Comprehensive Plan were not codified, but acknowledged city values and policy. Currently, people with mobility issues were not formally included in transportation and mobility policy in the city. He said it was a human rights issue.

Sims asked for clarification on requiring the Plan Commission to act on something that was nonbinding. He noted that there would be five councilmembers not returning for a next term, so he did not understand the extension of three hundred days.
   Volan explained that council could use a resolution to start a process, like updating the Comprehensive Plan via the Plan Commission.

Smith asked if Shermis was in agreement with the legislation.
   Volan said that Shermis assisted in drafting the legislation.
   Smith stated his support for Resolution 23-14.

There was no public comment.

Piedmont-Smith thanked Volan, Shermis, and Myerson for their work on the legislation. She believed that the accessibility and mobility principles should have been included in the drafting of the original Comprehensive Plan.

Volan highlighted reasons from the legislation which validated the need for updates to the Comprehensive Plan.

The motion to adopt Resolution 23-14 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Resolution 23-13 (*cont'd*)

Council comments:

Withdrawal of Resolution 23-13 [9:33pm]

Resolution 23-14 – To Initiate Amendments to the City's Comprehensive Plan Re: Accessible Transportation and Mobility Principles [9:34pm]

Council questions:

Public comment:

Council comments:

Vote to adopt Resolution 23-14 [9:50pm]

LEGISLATION FOR FIRST READING [9:51pm]

Rollo moved and it was seconded that <u>Ordinance 23-14</u> be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 1 (Smith), Abstain: 0. McDowell read the legislation by title and synopsis.

<u>Ordinance 23-14</u> – 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 [9:51pm]

Christopher Emge, Greater Bloomington Chamber of Commerce, commented on the groundbreaking ceremony at Hopewell, housing, and about the Convention Center expansion.

ADDITIONAL PUBLIC COMMENT [9:52pm]

Lucas welcomed councilmembers back from the recess and noted there were no council schedule issues to note.

COUNCIL SCHEDULE [9:55pm]

Sgambelluri adjourned the meeting without objection.

ADJOURNMENT [9:56pm]

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

APPROVE: ATTEST:

_____   _____
Isabel Piedmont-Smith, PRESIDENT   Nicole Bolden, CLERK
Bloomington Common Council   City of Bloomington