

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, June 21, 2023 at 6:30pm, Council President Sue Sgambelluri presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
June 21, 2023

Councilmembers present: Isabel Piedmont-Smith (arrived at 6:32pm), Dave Rollo, Susan Sandberg, Sue Sgambelluri, Ron Smith, Stephen Volan
Councilmembers present via Zoom: Kate Rosenbarger
Councilmembers absent: Matt Flaherty, Jim Sims

ROLL CALL [6:31pm]

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

AGENDA SUMMATION
[6:31pm]

Rollo moved and it was seconded to approve the minutes of January 12, 2022, June 15, 2022, and July 20, 2022. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

APPROVAL OF MINUTES
[6:36pm]

- January 12, 2022
(Regular Session)
- June 15, 2022
(Regular Session)
- July 20, 2022
(Regular Session)

Rollo spoke about his concerns about the advance of large language models and artificial general intelligence.

REPORTS [6:37pm]

- COUNCIL MEMBERS

Volan commented on the Salt Creek Township Trustee's report on the difficult impacts of housing costs, and growth, in the Bloomington metropolitan area.

Sgambelluri noted her upcoming constituent meeting.

Larry Allen, City Attorney, discussed Urban Station's tax abatement and CF-1 form including employment and assessed value. Economic and Sustainable Development (ESD) department recommended that the council pass a resolution that waived noncompliance and continued the abatement.

- The MAYOR AND CITY OFFICES [6:50pm]

Piedmont-Smith asked if the fifteen affordable housing units were still in place.

Council questions:

Allen stated that the Housing and Neighborhood Development (HAND) department confirmed that they were.

There were no council committee reports.

- COUNCIL COMMITTEES [6:55pm]

Carole Canfield noted an upcoming town hall meeting concerning Cascades Park.

- PUBLIC [6:55pm]

[Unknown] spoke about the American flag, unborn babies, and refused to state his name.

Sgambelluri recessed the meeting at 7:00 pm. Sgambelluri reconvened the meeting at 7:11 pm.

Daniel Olsson discussed recruitment and staffing issues with police officer and other first responders across the nation.

Piedmont-Smith moved and it was seconded to appoint Heidi Dowding to seat C-4 on the Commission on Sustainability. The motion was approved by a voice vote. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

APPOINTMENTS TO
BOARDS AND
COMMISSIONS [7:22pm]

Volan moved and it was seconded to appoint Eliza Carey to seat C-1 on the Commission on the Status of Women, and to appoint Sophia Amos to seat C-1 on the Community Advisory on Public Safety Commission. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

APPOINTMENTS TO
BOARDS AND
COMMISSIONS (cont'd)

LEGISLATION FOR
SECOND READING AND
RESOLUTIONS [7:22pm]

Rollo moved and it was seconded that Resolution 23-11 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0. Clerk Nicole Bolden read the legislation by title and synopsis.

Resolution 23-11 – To
Waive Non-Compliance
of New Urban Station,
LLC Concerning a
Previously Approved
Real Property Tax
Abatement [7:22pm]

Rollo moved and it was seconded that Resolution 23-11 be adopted.

Allen described the requirements for tax abatements, compliance with the terms and conditions, and referenced state code. Urban Station had filed the required CF-1 one month late. He said that despite the late filing, Urban Station was still in compliance and provided details on employment and assessed value. Allen clarified that there were differences from previous years' filings because of new ownership. He also noted options for council action.

Rollo asked if representatives from Urban Station were invited to the meeting.

Council questions:

Allen said they were, but it had been difficult to reach the appropriate representative. Stephen Lucas, Council Attorney, had put out a formal notice.

Rollo said that no representative was present was concerning.

Sgambelluri asked if Urban Station explained why they filed the CF-1 late.

Allen believed it was an oversight by their accounting department. The new owner did not have other tax abatements or a process in place for the CF-1. He described ESD's process for reminding entities of the annual requirement.

Volan asked how staff confirmed affordable housing compliance.

Allen said HAND staff had confirmed that Urban Station was in compliance with the affordable housing requirement and briefly described the monitoring.

There was no public comment.

Public comment:

Volan expressed his concern with Urban Station's lack of concern regarding the late filing of the CF-1 and not having a representative attend the meeting.

Council comments:

Rollo agreed with Volan, and appreciated city staff's efforts in the robust attempt of reaching out to Urban Station.

Sgambelluri would vote against Resolution 23-11 and provided reasons why.

Volan also recognized staff's efforts in contacting Urban Station.

Rosenbarger concurred that Urban Station not following the proper process was inappropriate and would vote against Resolution 23-11.

Smith asked what the fiscal impact would be.

Allen did not know, but there was a calculation based on a percentage of the assessed value.

Volan stated it was roughly \$15,000.

Rollo asked if it was a ten year abatement.
Allen confirmed that was correct.

Resolution 23-11
(cont'd)

There was brief council discussion about the inappropriateness of Urban Station's late filing and lack of explanation via a representative.

Council comments:

The motion that Resolution 23-11 be adopted received a roll call vote of Ayes: 0, Nays: 7, Abstain: 0. FAILED

Vote to adopt Resolution 23-11 [7:48pm]

Rollo moved and it was seconded that Resolution 23-12 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 0, Nays: 7, Abstain: 0. Bolden read the legislation by title and synopsis. FAILED

Resolution 23-12 – To Rescind Resolution 16-11, Resolution 16-12 and Resolution 17-26 and Terminate Tax Deduction For Improvements To Real Estate Re: 405 S. Walnut Street; 114, 118, and 120 E. Smith Avenue; and 404 S. Washington Street (New Urban Station, LLC, Owner) [7:49pm]

Rollo moved and it was seconded to take Ordinance 23-10 from the table. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Ordinance 23-10 – To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code – Re: Amendments and Updates Set Forth in BMC 20.03 and 20.04 [7:49pm]

Jackie Scanlan, Development Services Manager, Planning and Transportation (PT) department, said that the legislation went to the Parking Commission. The PC considered a memo to support the ordinance accepting the three uses that were increased, but were not able to come to a quorum agreement.

Piedmont-Smith moved and it was seconded to adopt Amendment 01 to Ordinance 23-10. She presented Amendment 01 and gave reasons in support.

Amendment 01 to Ordinance 23-10

Amendment 01 Synopsis: This amendment is sponsored by Cm. Piedmont-Smith and reverts the maximum vehicle parking allowance for restaurants to the current amount of 10 spaces per 1,000 sq. ft. GFA. As there is currently no different parking maximum for a restaurant located near public parking than for a restaurant with no nearby public parking, the increase in maximum proposed by staff may not be appropriate in all areas. If the property owner of a restaurant can make a good case for additional surface parking beyond the current maximum (for example, if there is no public parking nearby), they can still request a variance.

Rollo asked for staff's opinion on Amendment 01.
Scanlan said staff did not oppose Amendment 01.

Council questions:

Christopher Emge, Greater Bloomington Chamber of Commerce, spoke in favor of Ordinance 23-10 and against Amendment 01. He provided reasons.

Public comment:

Volan provided information regarding the consideration of Ordinance 23-10 by the Parking Commission and Plan Commission. He supported Amendment 01 and did not believe it was a drastic change.

Council comments:

Rollo asked about the Plan Commission's, and staff's recommendation to increase parking spaces, but staff now opposed it.

Scanlan said the decrease to ten spaces could work and staff did not oppose Amendment 01. Staff had proposed fifteen spaces for restaurants

that were not located near shared or street parking. She said it was dependent on the size of the restaurant and provided additional details.

Rollo asked about public input at Plan Commission meetings.

Scanlan said there was not many members of the public at the meetings.

Amendment 01 to
Ordinance 23-10 (cont'd)

Council comments:

Volan asked how many variance requests there were.

Scanlan said three. There had not been many new builds or restaurant development, and openings, under the new rules so the number was high.

Volan expressed concern for additional pavement, over greenspace, given the climate crisis.

Scanlan said the change allowed for new asphalt, or repurposing existing asphalt. It was a balance between the need for parking, and greenspace.

Smith said the goal was to help businesses in the city.

Rollo asked if the requested variances had been granted by the Board of Zoning Appeals (BZA).

Scanlan said they were and described how businesses showed a need for the variance.

Piedmont-Smith reiterated the rationale for Amendment 01 including the location of restaurants being near public parking or not. The goal was to err on the side of less parking to avoid unnecessary paving at restaurants near public parking. She said those not near public parking could request a variance.

Rollo supported Amendment 01 and preferred to have less impervious surface.

Volan believed Ordinance 23-10 questioned the way parking had been done in the city. It was important to find ways to make the city more compact and decrease parking needs. Supporting businesses was good but it was not the primary goal of the city. He appreciated the discussion that evening. He supported Amendment 01 and provided reasons why.

The motion to adopt Amendment 01 to Ordinance 23-10 received a roll call vote of Ayes: 5 (Rosenbarger, Piedmont-Smith, Sgambelluri, Rollo, Volan), Nays: 2 (Sandberg, Smith), Abstain: 0.

Vote to adopt
Amendment 01
[8:15pm]

Piedmont-Smith moved and it was seconded to adopt Amendment 02 to Ordinance 23-10. She presented Amendment 02 and described the changes specific to stadiums.

Amendment 02 to
Ordinance 23-10

Amendment 02 Synopsis: This amendment is sponsored by Cm. Piedmont-Smith. It decreased the maximum vehicle parking allowance for stadiums to 1 space per 8 seats from the proposed maximum of 1 space per 4 seats. Comparisons with stadiums in other cities show that 1 space per 4 seats is more than necessary. Also, the City should encourage structured parking in place of surface parking in situations where a lot of parking is required, in order to reduce permeable surface coverage and thus curb the urban heat island effect and potential stormwater runoff issues in an era of climate change.

Scanlan stated that staff did not oppose Amendment 02. She noted that there had been typos in the previous presentation. She described the proposed changes. Staff believed that Amendment 02 was reasonable and it supported the Comprehensive Plan's goals relating to land use.

Volan commented on stadium parking and asked why the change was minimal.

Piedmont-Smith stated that she believed that decreasing it by half was sufficient. She commented on stadiums in other examples which had much less parking to seating ratios.

Amendment 02 to Ordinance 23-10 (cont'd)

There was no public comment.

Council questions:

Public comment:

Volan spoke about stadiums downtown perhaps across from the Convention Center. He believed the decrease could be greater.

Council comments:

The motion to adopt Amendment 02 to Ordinance 23-10 as amended received a roll call vote of Ayes: 5 (Rosenbarger, Piedmont-Smith, Sgambelluri, Rollo, Volan), Nays: 2 (Sandberg, Smith), Abstain: 0.

Vote to adopt Amendment 02 [8:25pm]

There were no council questions.

Council questions:

There was no public comment.

Public comment:

Volan believed that the proposal was an ideal change because it put limits where there had not been before, pertaining to parking maximums.

Council comments:

The motion to adopt Ordinance 23-10 as amended received a roll call vote of Ayes: 5 (Rosenbarger, Piedmont-Smith, Sgambelluri, Rollo, Volan), Nays: 2 (Sandberg, Smith), Abstain: 0.

Vote to adopt Ordinance 23-10 as amended [8:27pm]

Rollo moved and it was seconded that Ordinance 23-12 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Ordinance 23-12 – An Ordinance To Amend Ordinance 22-26, Previously Amended By Ordinance 22-40, Which Fixed the Salaries of Appointed Officers, Non-Union, and A.F.S.C.M.E. Employees for All the Departments of the City of Bloomington, Monroe County, Indiana for the Year 2023 – Re: To Reflect Updates Needing Implementation in 2023 [8:27pm]

Rollo moved and it was seconded that Ordinance 23-12 be adopted.

Emily Fields, Interim Director, Human Resources, gave a brief presentation on the proposed changes in Ordinance 23-12. She referenced her more robust presentation the previous week.

Piedmont-Smith moved and it was seconded to adopt Amendment 01 to Ordinance 23-12. She presented the proposed changes.

Amendment 01 to Ordinance 23-12

Amendment 01 Synopsis: This amendment is sponsored by Cm. Piedmont-Smith and would delete the proposed increase in the number of Community EMT / Community Paramedic positions within the Fire Department. There are currently 4 such positions, and the ordinance would add 3 more. This amendment deletes that change to the salary ordinance. After discussion with Chief Moore and feedback from firefighters, it was determined that the City should not take on the \$243,432 annual fiscal impact of the additional 3 EMTs at this time.

Fire Chief Jason Moore said staff requested Amendment 01 in order to address firefighters' concerns.

There were no council questions.

Council questions:

Shaun Huttenlocker, Union Secretary/Treasurer, described firefighters' concerns with the proposal including the timing and prioritization of the funding. There was a staffing crisis that needed addressed first.

Amendment 01 to Ordinance 23-12 (*cont'd*)

Public comment:

There were no council comments.

Council comments:

The motion to adopt Amendment 01 to Ordinance 23-12 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 [8:35pm]

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 Ordinance 23-12 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 23-12 as amended [8:36pm]

Rollo moved and it was seconded that Ordinance 23-13 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Ordinance 23-13 – An Ordinance to Amend Ordinance 22-25, Which Fixed the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana for the Year 2023 - Re: To Reflect Increases in Compensation to Certain Firefighters [8:37pm]

Rollo moved and it was seconded that Ordinance 23-13 be adopted.

Fields presented Ordinance 23-13 and highlighted the proposed changes, and referenced her presentation at the previous meeting.

Moore pointed out that the proposal had been a collaborative approach labor and management on how to address the staffing crisis. He noted there had been compromises.

Piedmont-Smith moved and it was seconded to adopt Amendment 01 to Ordinance 23-13. She described the correction to Section I I regarding recruitment incentives.

Amendment 01 to Ordinance 23-13

Amendment 01 Synopsis: This amendment would add a new section to the ordinance to provide for a \$5,000 recruitment incentive for newly-hired firefighters.

Moore stated staff requested Amendment 01 and said that it was a recruiting incentive via a hiring bonus that was already budgeted for.

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 23-13 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 [8:44pm]

Piedmont-Smith moved and it was seconded to adopt Amendment 02 to Ordinance 23-13. She presented Amendment 02.

Amendment 02 to Ordinance 23-13

Amendment 02 Synopsis: This amendment is sponsored by Cm. Piedmont-Smith and would remove the proposed Assistant Chief of Operations position in the Fire Department from the ordinance. After discussion with

Chief Moore and feedback from firefighters, it was determined that the City should not take on the \$118,000 annual fiscal impact of the additional position at this time.

Amendment 02 to Ordinance 23-13 (cont'd)

Moore explained that it was a vital position, and would be an internal hire. He discussed the difficulty in filling the position during the hiring crisis, and planned to work with staff to determine a better process.

There were no council comments.

Council comments:

There was no public comment.

Public comment:

There were no council comments.

Council comments:

The motion to adopt Amendment 02 to Ordinance 23-13 as amended received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote to adopt Amendment 02 [8:47pm]

There were no council questions.

Council questions:

There was no public comment.

Public comment:

Volan said it was a privilege to discuss the legislation with staff, firefighters, union, and fire administration. He looked forward to future efforts with the positions.

Council comments:

Sandberg appreciated the tone the amendments set forth and the recognition that there was a staffing crisis with the Fire department, Police department, and American Federation of State, County and Municipal Employees (AFSCME) workers. She believed that council had been a good sounding board and urgent action was needed.

Piedmont-Smith thanked the Chief Moore and the firefighters and acknowledged that it had been difficult time with the staffing shortage. She was pleased with the recently hired firefighters.

The motion to adopt Ordinance 23-13 as amended received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 23-13 as amended [8:52pm]

Rollo moved and it was seconded that Resolution 23-10 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 6, Nays: 0, Abstain: 0 (Smith out of the room). Bolden read the legislation by title and synopsis.

Resolution 23-10 – A Resolution Requesting an Appropriation Recommendation to Establish Additional Bus Routes Circulating the Greater Downtown of Bloomington [8:52pm]

Rollo moved and it was seconded that Resolution 23-10 be adopted.

Volan presented Resolution 23-10 which created a downtown circulator shuttle bus service. He noted Community Revitalization Enhancement District (CRED) funds and potential infrastructure projects, parking, meters, rationale for the downtown shuttle, and alternative modes of transportation like scooters. He described potential service routes, frequency, capital investment in battery-electric bus, operating costs, funding the service, collaboration with Indiana University (IU), state and federal funding, revenue from meters, the Food and Beverage Tax, and decisions council could take that evening.

Rollo asked if the fare would be free, and about extensions to the stadium.

Council questions:

Volan said it would be free. He said that any extensions would have to be funded by IU.

Rollo asked if there were examples from other cities where meters varied in price and did so successfully without confusing the public.

Volan said yes, there was differential or dynamic pricing.

Resolution 23-10
(cont'd)

Council questions:

Smith favored the shuttle, but questioned the number of riders that would use it. He thought extending it to IU was ideal, and if it was possible to run an extension to the College Mall too.

Volan gave a brief history of routes to the mall. People tended to want to park right where they were going and a shuttle service could help alleviate that.

Smith asked about people going from downtown to the mall.

Volan said Smith was reimagining Bloomington Transit (BT) as a whole. The proposed circulator served a different purpose. He provided examples.

Sgambelluri asked about steps to gather feedback and create awareness.

Volan said BT had experience with advertising including signs, and other entities could help share the information.

Volan asked for council feedback on frequency of routes, distances, and stops.

Piedmont-Smith believed that a frequency of ten minutes was ideal. She spoke about adjusting the route towards IU with contributing funding. She commented on the inclusion of Hopewell in the future. She preferred one route as opposed to two because people likely preferred not changing buses.

Volan asked about hours of operation, including late night hours and early mornings, and weekends.

Rollo said that it was ideal to have a smaller route with greater frequency, but he would defer to BT. He believed it was necessary to adjust accordingly.

Volan responded that was BT's preference. He said that demand for parking was greater on Fridays and Saturdays.

Sandberg asked if Volan had conversations with the administration about the CRED funds since the funds had been moved to the General Fund.

Volan said that Resolution 23-10 was the first step in working with the administration.

Rosenbarger asked what Volan's goal was for the meeting that evening. She said a maximum frequency should be ten minutes. It was also important to have night time service. She noted the tragic killing of an IU student riding a scooter by a drunk driver and asked what happened with the "Drunk Bus" service that existed previously, and who operated it.

Volan commented on the recent death of the student, who was legally operating a scooter and was not intoxicated. He said that daytime and nighttime service were equally important. BT could conduct a study, with a contractor, as it was doing with the 3rd Street corridor. He was also willing to postpone and have amendments to the legislation.

Sandberg said Resolution 23-10 would send a message of support for the circulator by council.

Volan said that council's discussion indicated to BT that frequency was more important than distance.

Piedmont-Smith asked if there was a timeline to note, including the budget process.

Volan said he did not know and did not have adequate information to make an educated guess. The legislation was a signal to BT and the administration of council's support for a downtown circulator.

Sgambelluri appreciated the discussion. She asked about the hours of operation. She commented on the IU Auditorium's shuttle. She wondered about having late nights only during events.

Volan reiterated that in order to do expand, IU would have to fund it.

Resolution 23-10
(cont'd)

There was additional discussion on actions council could take that evening.

Christopher Emge spoke in support of using CRED funds in the district.

Public comment:

Rollo noted that Volan had been advocating a circulator for fifteen years. He believed it was a good proposal and was in favor of Resolution 23-10.

Council comments:

Piedmont-Smith supported the proposal and appreciated Volan's efforts. Late night service could be done in a variety of ways.

Volan appreciated council's consideration of the proposal and acknowledged some challenges regarding funding, hours, routes, and more. He commented on potential next steps should the legislation pass.

The motion to adopt Resolution 23-10 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote to adopt Resolution 23-10 [9:54pm]

There was no legislation for first reading.

LEGISLATION FOR
FIRST READING
[9:54pm]

Christopher Emge commented on sanitation services and its rates.

ADDITIONAL PUBLIC
COMMENT [9:55pm]

Lucas noted council's recess and the schedule upon returning. He mentioned other events like the City of Bloomington Capital Improvement board meeting.

COUNCIL SCHEDULE
[9:56pm]

Sgambelluri adjourned the meeting without objection.

ADJOURNMENT
[9:58pm]

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