

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, March 06, 2024 at 6:30pm, Council President Isabel Piedmont-Smith presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
March 06, 2024

Councilmembers present: Isak Nti Asare, Courtney Daily, Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger, Andrew Ruff, Hopi Stosberg, Sydney Zulich
Councilmembers present via Zoom: none
Councilmembers absent: none

ROLL CALL [6:30pm]

Council President Isabel Piedmont-Smith gave a land and labor acknowledgment and summarized the agenda.

AGENDA SUMMATION [6:31pm]

Piedmont-Smith welcomed Daily to her first meeting, representing District V.

Stosberg moved and Ruff seconded to suspend the rules to consider the minutes for approval. The motion was approved by voice vote.

APPROVAL OF MINUTES [6:34pm]

- September 27, 2023 (Special Session)
- October 11, 2023 (Special Session)
- October 18, 2023 (Regular Session)
- February 14, 2024 (Regular Session)

Stosberg moved and Ruff seconded to approve the minutes of September 27, 2023, October 11, 2023, October 18, 2023 as corrected, and February 14, 2024. The motion was approved by voice vote.

Daily thanked everyone for welcoming her to the meeting, and noted her upcoming constituent meeting.

REPORTS

- COUNCIL MEMBERS [6:35pm]

Stosberg mentioned the upcoming Plan Commission meetings as well as her constituent meeting.

Piedmont-Smith invited the public to her constituent meeting.

John Connell, General Manager, Bloomington Transit (BT), gave an update on the Economic Development Local Income Tax (EDLIT) projects pertaining to BT. The city and BT had an interlocal agreement, committing \$3.8 million per year for five years for BT projects. He reported on the status of the projects including the east-west express, rapid bus transit system, micro-transit, service frequency improvements, Sunday service, fare subsidy program, and service expansion outside of city.

- The MAYOR AND CITY OFFICES [6:38pm]

Report from Bloomington Transit

Rollo asked about criteria for land acquisition.

Connell said BT was working with a consulting firm to identify suitable parcels. He detailed what BT requested for the consultants to focus on. It was ideal to move all operations to a new facility.

Council questions:

Stosberg asked for an update on electric buses, including any problems and maintenance.

Connell said that there were many problems at first, but new technology remedied most of them. Cold weather affected both the electric and diesel buses because they were stored outdoors. A new facility would have closed storage. The maintenance and transition schedule were going well and battery technology had improved.

Asare thanked Connell for his work and asked about the status of a downtown circulator bus route.

Connell said that BT believed there was merit to it, especially with the Convention Center expansion. He said funding was needed.

Asare asked what the next steps were, especially for council. Connell stated that new service had to be needed in order to ensure success. BT would then determine the cost, and a funding source would need to be determined.

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

Council questions:

Zulich asked for demographic data on the late night bus service.

Connell said that there was confidential data. Voucher usage increased while Indiana University (IU) was in session.

Piedmont-Smith asked about problems with hiring drivers.

Connell said the process was improving. There were challenges with retention, and others like seniority, per union agreements.

Zulich asked if there had been discussion with IU about extending the late night program to campus.

Connell said there had not.

Rollo asked if the electric buses had cut fuel usage.

Connell said there was increased ridership with more buses being used. That resulted in another bus and driver being sent out to help manage at-capacity buses. BT could use sixty-foot articulated buses, too. With articulated buses, the cost would be cut in half, but better facilities would be required.

Piedmont-Smith noted that BT was seeking a letter of support from council and asked Connell to send that information to council staff.

Piedmont-Smith extended the period for reports until 7:21pm with no objections from the council.

Clerk Nicole Bolden discussed council-appointed board and commission appointments, which were facilitated by clerk staff. She spoke about clerk certifications including the Indiana League of Municipal Clerks & Treasurers' (ILMCT) Indiana Accredited Municipal Clerk (IAMC) and the Indiana Accredited Municipal Clerk Advanced (IAMCA). Additionally, the International Institute of Municipal Clerk (IIMC) had two certifications; Certified Municipal Clerk (CMC) and the Master Municipal Clerk (MMC). She explained the lengthy process for clerks to be certified. She noted that Chief Deputy Clerk Sofia McDowell recently earned her IAMC. Deputy Clerk Susan Stoll and Deputy Clerk Jennifer Crossley were in the process of obtaining their IAMC. Bolden reminded everyone of the upcoming Women's History Month Luncheon. Her "Read, Watch, Listen" picks were "The Vice President's Black Wife" by Dr. Amrita Chakrabarti Myers, "The Woman King," and "Badass: Tales of Resilience" hosted by Marabai Rose.

Report from City Clerk

Asare stated that the city was fortunate to have a qualified and outstanding clerk and it should be said regularly.

Council discussion:

Piedmont-Smith thanked Bolden for her work and for nurturing the professional development of her deputies.

Mayor Kerry Thomson welcomed Daily to her first meeting. She noted the first official traveling town hall at Summit Elementary School, cohosted by Piedmont-Smith. She discussed how the public could provide feedback and ask questions. The city was working with other entities to establish public safety measures during the eclipse on April 08, 2024, since Bloomington was in the path of totality. She commented on the pilot program at the Bloomington Police Department (BPD) involving tasers. She gave an update on

Report from the Mayor

the Hopewell Advisory team and its efforts in determining the right type of housing, incentives, and more. Thomson announced that David Hittle had accepted the position of Director of Planning and Transportation (PT), which was contingent on the Plan Commission’s approval.

- The MAYOR AND CITY OFFICES (cont’d)

Asare asked Thomson to send council her plans for the first one hundred days.

Council questions:

Thomson said that she would send, and mentioned the upcoming State of the City event.

Piedmont-Smith asked about financial audits of the city.

Thomson said there were three underway, including a full audit of financial processes in the city, and would share the results with council. She wanted to have discussion on the budget process prior to some audits.

There were no reports from council committees.

- COUNCIL COMMITTEES [7:16pm]

Eric Spoonmore noted an upcoming event, held by Michelle Walsh of the Garden Group, focusing on diversity, equity, and inclusion strategy for all in Monroe County.

- PUBLIC [7:17pm]

Louise Schlesinger spoke against the cease-fire in Gaza legislation proposed by residents the previous week.

Ralph Gaebler commented on Israel’s need for war in self-defense and provided reasons.

David Szonyi discussed council’s role in suggesting a cease-fire in Gaza and spoke against Hamas.

Sharon Wainshilbaum urged council to not consider a cease-fire resolution and gave reasons why.

Gale Nichols said that Bloomington was a welcoming community and spoke against a cease-fire resolution.

Günther Jikeli said that the controversial topic of the Israel-Gaza war was being foisted on council and that Israel should not be demonized.

Stephen Volan spoke about the downtown circulator bus route and referenced Resolution 23-10. He gave details on the potential route.

Mark Haggerty said that an officer had used a taser which killed James Borden in the Monroe County jail. He spoke about being sent to Vietnam in 1968 and the need for veterans to have dental care.

[Unknown] Huber stated that he had drafted a petition pertaining to the Hopewell project signed by one hundred and sixteen residents. Putting a road through the site was not ideal and it was better to focus on pedestrians.

Piedmont-Smith appointed Daily to Interview Committee Team B and to serve on the Jack Hopkins Social Service Funding Committee.

- APPOINTMENTS TO BOARDS AND COMMISSIONS [7:42pm]

LEGISLATION FOR SECOND
READING AND RESOLUTIONS
[7:45pm]

Stosberg moved and Ruff seconded that Resolution 2024-04 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.

Resolution 2024-04 - A Resolution Opposing the LEAP Pipeline Water Diversion Project [7:45pm]

Stosberg moved and Ruff seconded to adopt Resolution 2024-04.

Ruff noted Rollo was a cosponsor. He presented Resolution 2024-04 and discussed many concerns with the project. There was an insufficient amount of water to support industries in the area. The plan was to divert and pipe up to one hundred-million gallons per day from aquifers in Tippecanoe County. He gave additional reasons against the project, and introduced David Sanders.

David Sanders, Councilmember At-Large, West Lafayette, Indiana, thanked council for the opportunity to participate in the discussion. He noted the history of the project, and discussed how to protect city resources. There was a lack of accountability and planning with the project, and spoke of the vast cost and negative environmental impacts. Sanders discussed the efforts to protect the land by the community in the area and said it was not a partisan issue and had united the community. A version of Resolution 2024-04 had been passed by twenty local governments.

Mayor Larry Grant, Attica, Indiana, echoed Sanders' statements. He explained that many cities and town were built around the Wabash river because of the resources there. He was concerned for the impacts on those cities and towns if the project moved forward.

Former councilmember Stephen Volan spoke about his efforts concerning the project. He read a passage from "Indiana University (IU) Midwestern Pioneer" by Thomas Dionysius Clark in 1970, regarding the perennial problem of needing a sufficient water supply for the city and university. He explained that the state had determined where IU would be located without taking into account the need for a water supply source. Volan commented on the city's daily water consumption, and the history of the Monroe reservoir. In 2006, former county councilor Beurt SerVaas had proposed a development that would use ninety-million gallons per day. It had been opposed by the community and former Mayor Mark Kruzan, and ultimately failed. He discussed additional concerns.

Rollo added that the scale of the proposal was concerning and would quadruple the city's normal water usage. He referenced a New York Times article noting a decline with aquifers. A water policy was needed at the state level. With the project, there would be a concerning level of electricity usage, resulting in environmental costs. He asked who would pay for the pipeline and its maintenance, and he did not appreciate the secretive nature of the process.

Mayor Kerry Thomson said that the pipeline was paused for further studies, and urged council to table the legislation. The LEAP project had not been secretive and she described the process. The project would help with jobs, growth, and economic development in the city. She asked that council consider a comprehensive water plan for the state rather than simply opposing a pipeline. She noted that the city relied on a single source of water and that there needed to be

options, like possibly building a pipeline. She said that if legislation moved forward, it needed to clarify that the city council opposed the project and not the city of Bloomington. Another option was for council to write a letter in opposition. She commented further on the timing of the legislation.

Resolution 2024-04 (cont'd)

Flaherty asked the sponsors for clarification on the timing of Resolution 2024-04. He also wanted to hear more about planning for water resiliency from Utilities.

Council questions:

Sanders said that the original studies were under the purview of the Indiana Economic Development Corporation (IEDC) which had no experience with water issues. He noted that the aquifers were not attached to the Great Lakes which was cause for concern. The pause was a result of the many resolutions around the state, causing the governor to have another entity supervise the studies.

Flaherty asked if there was an anticipated impact with passing the legislation either that evening, or on another date.

Sanders said there was an urgency to getting resolutions passed around the state and was not sure about delaying.

Asare thanked everyone for their discussion. He asked about any direct engagement with the IEDC.

Ruff stated that he had not engaged with the IEDC and there had not been an opportunity to do so.

Asare stated that the Secretary of Commerce had been at the Bloomington Economic Development Corporation (BEDC) annual meeting and there had been discussion about the proposed project. He and Stosberg had been in attendance. He contacted the IEDC who were surprised that Bloomington was considering legislation opposing the project without engaging with them at all. He noted the good relationship that Bloomington had with the IEDC and said it was deficient to not engage with all stakeholders. He urged council to table the legislation in order to hear from all stakeholders.

Rollo asked Sanders about the open nature of the IEDC and the public's inability to obtain answers to questions and concerns.

Sanders said that the IEDC had been repeatedly invited to Tippecanoe County but had refused each invitation. He reiterated that the pause resulted from resolutions passed around the state.

Ruff stated that the IEDC had not reached out to certain counties, and had declined invitations to attend public engagement events.

Asare asked if the governor and a senator had gone to West Lafayette to discuss the concerns.

Sanders confirmed that was correct, but after the resolutions.

Flaherty asked if it was correct that there were no formal comments from Utilities. He asked if Utilities had received the materials.

Thomson confirmed that was correct.

Stephen Lucas, Council Attorney, stated that the legislation had been shared with Utilities, the mayor, and the Legal department, with an invitation to share feedback.

Margie Rice, Corporation Counsel, stated that the Utilities Service Board had also not had a chance to weigh in yet.

Jen Pearl, BEDC, agreed that protecting water was important. BEDC was concerned with the legislation and Pearl gave reasons why.

Public comment:

Tina Peterson, President and CEO, Community Foundation of Bloomington and Monroe County, urged council to table the legislation and gave reasons in support of doing so.

Christopher Emge agreed that the legislation should be tabled.

Resolution 2024-04 (cont'd)

Ruff stated that Resolution 2024-04 opposed the LEAP pipeline and did not disparage the IEDC. He commented on the process of publicizing material, including legislation in packets. He appreciated the intent of reaching out to other stakeholders.

Public comment:

Ruff moved and Rollo seconded that Resolution 2024-04 be postponed until the next Regular Session of the Common Council on March 27, 2024.

Council comments:

There was brief council discussion regarding actions that council could take that evening, and future discussions with stakeholders.

Council discussion:

The motion to postpone Resolution 2024-04 received a roll call vote of Ayes: 8, Nays: 1 (Asare), Abstain: 0.

Vote to postpone Resolution 2024-04 [8:48pm]

LEGISLATION FOR FIRST READING [8:49pm]

Stosberg moved and Ruff seconded that Ordinance 2024-02 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 2024-02 - To Amend Title 8 of the Bloomington Municipal Code, Entitled "Historic Preservation and Protection" to Establish a Historic District - Re: Lower Cascades Park (Bloomington Historic Preservation Commission, Petitioner) [8:49pm]

Piedmont-Smith noted that the legislation would be discussed at the Regular Session on March 27, 2024.

ADDITIONAL PUBLIC COMMENT [8:51pm]

Christopher Emge thanked Scott Peterson for his work at Twin Lakes. He congratulated Daily for winning District V's seat. He spoke about a city survey and its data.

Lucas reviewed council's upcoming schedule.

COUNCIL SCHEDULE [8:54pm]

Rosenbarger noted that she was the councilmember that had highlighted the community survey at a previous meeting and not her white, male colleague. She said that far too often women did not get the proper credit.

Piedmont-Smith adjourned the meeting with no objections.

ADJOURNMENT [8:55pm]

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