

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, March 27, 2024 at 6:30pm, Council President Isabel Piedmont-Smith presided over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
March 27, 2024

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

ROLL CALL [6:31pm]

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

AGENDA SUMMATION [6:32pm]

Stosberg moved and Ruff seconded to suspend the rules to consider the minutes for approval. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

APPROVAL OF MINUTES [6:35pm]

February 20, 2002 (Regular Session)  
April 16, 2008 (Regular Session)  
September 17, 2008 (Regular Session)  
November 5, 2008 (Regular Session)

Stosberg moved and Ruff seconded to approve the minutes of February 20, 2002, April 16, 2008, September 17, 2008, and November 5, 2008. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Flaherty appreciated the safety improvements on 3<sup>rd</sup> Street near Indiana University (IU), especially for bicycles.

REPORTS

- COUNCIL MEMBERS [6:37pm]

Ruff spoke about council's ability to pass resolutions that were beyond the scope of the city. The city had a long history of passing advocacy resolutions such as undocumented immigrant matters, supporting marriage equality, expansion of Medicaid, opposing construction of a new terrain I69 interstate, not invading Iraq, support for employee free choice act, support for Planned Parenthood, opposing the privatization of Social Security, and asking congressional delegation to work towards single-payer universal healthcare. Legislation was developed in partnership with community members and organizations. Another example addressed the concerns of the federal government closing Crane Naval Base in 2008, via Base Realignment and Closing. He stressed the importance of council taking action through resolutions for items that were larger than just Bloomington.

Rosenbarger read an excerpt from a New York Times article regarding affordable housing. It highlighted the housing crisis due to high costs, for both renting and owning, and households spending up to more than half of their income on housing. The article listed various solutions like plexes, smaller lots, accessory dwelling units, and more in both Republican and Democratic states. Much of the hindrance for additional, and more affordable housing rested with local governments who regulated zoning laws.

Piedmont-Smith commented that she and Rollo were cosponsoring a resolution calling for humanitarian aid for Gaza.

Leslie Davis, Chair of the Council for Community Accessibility (CCA), gave a brief history of the advisory organization that worked to ensure that people with disabilities were included in the decision making process in the city. She gave examples of their advocacy. She referenced the CCA 2023 Annual Report. About 25% of individuals had a disability, whether visible or not, that impacted one or more major life activities. She urged council to include people with

- The MAYOR AND CITY OFFICES [6:51pm]

disabilities in policies within the city including transportation, housing, disaster preparedness, and more. Bloomington could be a more accessible and inclusive city.

- The MAYOR AND CITY OFFICES (cont'd)

Karin Willison, CCA member, Co-President of Mobility Aids Lending Library (MALL), spoke about the complications with obtaining necessary mobility equipment. MALL worked to ensure individuals had the needed mobility equipment. There were free canes, walkers, crutches, and rollators. One could also obtain wheel chairs, power wheel chairs, mobility scooters, shower chairs, and more. There was no due date for returning the equipment. She provided examples of MALL assisting residents. She encouraged those who had equipment that they no longer needed to donate the equipment to MALL.

Deborah Myerson, chair of the Transportation and Mobility Committee, CCA, discussed accessibility, transportation equity, and transportation and mobility principles. She spoke about her experience in navigating the city with her son who had special needs. The transportation and mobility principles were designed to enhance greater involvement of people with disabilities in discussions regarding transportation. The principles included involving people with disabilities in decision making, developing equitable access, providing safe and functional mobility, and ensuring accountability. She urged elected officials to include individuals with disabilities.

Stosberg asked about sidewalks that were inaccessible, and some that were designated as historical and could not be changed. She asked about plans to make them more accessible for all individuals.

Council questions:

Myerson responded that she knew of some sidewalks but was not aware of any plans and would like to learn more about it.

Piedmont-Smith asked about trash and recycling bins blocking sidewalks and if there were ideas on addressing that issue.

Michael Shermis, staff liaison for the CCA, Human Rights Director, and Americans with Disability Act (ADA) Coordinator, stated that there had been discussions but nothing had been finalized.

Rosenbarger said that she had met with Adam Wason, Director of Public Works, regarding the problematic sidewalk on South Dunn. There was an offer to move it to the History Museum, but the Historic Preservation Commission (HPC) opposed the offer. She planned to bring forward legislation to un-designate that sidewalk to make it accessible. She asked if CCA was consulted on the proposed historic designation of Lower Cascades Park.

Shermis stated they were not.

There were no reports from council committees.

- COUNCIL COMMITTEES [7:07pm]

Piedmont-Smith extended the period for public comment to 45 minutes with no objections from the council.

- PUBLIC [7:08pm]

Bob Arnove noted his Jewish heritage and spoke in favor of social justice and peace. He supported an immediate and complete cease fire in Gaza as well as exchange of hostages.

Kay Weinberg discussed the difference between anti-Semitism and anti-Zionism. He talked about historical racism in the United States.

David Maenner, Chair of the Commission on Sustainability, said that the commission was having trouble with quorum. He urged council to prioritize appointments and improve the process.

- PUBLIC (*cont'd*)

Lisa Miller Maldi said it was a peace action to join the Gaza cease fire pilgrimage, which was an international effort of walking for twenty five miles, the length of Gaza. She believed it was important for Christians to speak against the war against Palestine.

Souheil Haddad appreciated the land and labor acknowledgement. He discussed the need to call for a cease fire in Gaza.

Nate Johnson, Trinity Episcopal Church's Commission for Compassion, Peace, and Reconciliation, spoke in favor of an immediate and permanent cease fire in Gaza. He noted the importance of not singling one entity out because it was divisive.

Aneps Azzouni was a Palestinian American and urged council to pass the resolution for an immediate and permanent cease fire in Gaza. He noted his experience as a child in Gaza during wartime.

Beverly Stoeltje, Citizen for a Just Peace in Palestine Israel, spoke in favor of a permanent and immediate cease fire. She discussed the need for just peace and the groups' efforts and partnerships.

Anna Greene urged council to support a resolution for a permanent and immediate cease fire. She called for the end of US funding for weapons that maintained the war, and the restoration of funding of United Nations Relief and Works Agency (UNRWA).

David Szonys urged council to include a clause asking that Hamas give up political and military power in Gaza. He gave examples of Hamas's terrorist actions.

Rachid Maldi was born in Algeria during wartime. He supported the cease fire and provided reasons why.

Bryce Greene discussed the need to stop providing weapons and for a cease fire.

Jamie Sholl commented on the meeting for the greenway in Barclay Gardens. She said the meeting had not been properly organized with many neighbors not knowing about the meeting. She spoke against the greenway.

Susan Seizer was a member of the Council on Community Accessibility (CCA) and co-President of the Mobility Aids Lending Library (MALL). She referenced an email thanking MALL for their assistance. She expressed severe concern for the people in Gaza and urged council to support an immediate cease fire.

Noah Stothman stated that a cease fire resolution was not what council should be focusing on. He spoke against the tragedy but did not support the resolution.

Aidan Khamis said he was Palestinian and that despite the war being far away it was extremely violent. He discussed the atrocities occurring there being a plausible genocide, bombardment of hospitals, systemic sexual violence against Palestinians, occupation and colonialism. He called for an end to armament from the US, starvation of children, and for a cease fire.

Kaitlyn Henderson spoke in favor of a cease fire and said it was important for cities to pass resolutions in support.

- PUBLIC (cont'd)

John Linnemeier discussed his experience in other countries during wartime.

Bilal Mozaffar commented on the number of people killed in Palestine and other violence during the attack by Israel. He called for a permanent cease fire, though the legislation did not address the West Bank and decades of illegal occupation.

Sabina Ali urged council to pass an immediate and permanent cease fire resolution. It needed to include funding for UNWRA. She was Jewish and not all Jewish people supported Zionism. She spoke about the well documented, violent occupation of Palestine. She noted the connection to land through council's land and labor acknowledgement.

Hana Vargas spoke as a Taíno, Chicana, Indigenous person. She noted being on Miami land and spoke about the occupation of Puerto Rico by the US for one hundred and twenty five years, similar to what was occurring in Palestine. She explained that native lands still belonged to native peoples and Palestinian people had rights.

Piedmont-Smith extended the period for public comment for 10 minutes with no objections from the council.

Carl Weinberg read from Hamas's founding covenant which included anti-Semitic language. He urged council keep the word "Hamas" in any resolution pertaining to a cease fire because Hamas provoked a military response from Israel and was responsible for the death and destruction in Gaza.

Allison Strang spoke about her experience visiting the West Bank in Israel, in 2003, and with six city residents, to witness what life under Israeli occupation was like. They met with Israeli nonprofits working to end the occupation and build cultural bridges, and Palestinian organizations working to maintain some sense of order for displaced people. There were checkpoints and other restrictions for Palestinians, as well as further displacement of people and land.

Nejla Routsong, Community Advisory on Public Safety (CAPS) commission, read a letter from the commission to council which connected safety in the city with safety in Gaza. She specified the US made weapons and gave examples of connections to the region.

Kamala Brown-Sparks, CAPS, finished reading the letter from the commission. The letter urged council to support an immediate and permanent cease fire.

Piedmont-Smith moved and Stosberg seconded that Daily be appointed to the Metropolitan Planning Organization. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

APPOINTMENTS TO BOARDS AND COMMISSIONS [8:06pm]

LEGISLATION FOR SECOND  
READING AND RESOLUTIONS  
[8:07pm]

Stosberg moved and Ruff seconded that Ordinance 2024-02 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Clerk Nicole 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) [8:07pm]

Stosberg moved and Ruff seconded to adopt Ordinance 2024-02.

Noah Sandweiss, Historic Preservation Program Manager, presented the legislation and gave a history of Cascades Park. He described the Lower Cascades Park area, the historic and architectural criteria, and referenced language in the national registry nomination. He noted contributing and non-contributing features, as well as James Coffman’s thesis titled, “Cascades Park; a preservation and recreation development plan, Bloomington, Indiana.” Cascades Park exemplified the cultural, political, economic, social, and historic heritage of the community.

Stosberg asked if the Parks Department had been involved.

Council questions:

Sandweiss said there had been communication throughout the process involving boundaries and impacts on Parks resources.

Stosberg asked if staff had been aware of the historic features within Cascades Park since Parks had been maintaining the area.

Tim Street, Director of Parks and Recreation department, said yes and measures were taken regarding care and maintenance.

Stosberg asked if Parks had any plans in place that might substantially threaten or affect the historic features within the park.

Street said there were no plans that threatened the contributing features. There were areas where the creek had degraded the limestone walls which needed to be addressed. Other factors included erosion, heavy rainfall, and climate crisis. He said that staff recognized the importance of Cascades Park as the oldest park.

Stosberg asked what additional processes might be in place if the legislation passed.

Street said it would be a departmental collaboration with Utilities and Public Works and gave examples. Some additional coordination with the Historic Preservation Commission (HPC) too.

Daily asked how a designation would affect the public’s interaction with the park, like a road closure.

Sandweiss said it would impact construction or alteration of structures in the park. There might need to be Certificate of Appropriate (COA) and more.

Asare noted that historical designation was a policy tool and asked what the intended outcome was.

Sandweiss said there were no plans that would affect the historic resources in the park. Future administrations might have different plans. The HPC was hoping to promote usage and protection of the park.

Asare asked what resources would be needed to bring awareness to the park, and if there were other examples of park designations.

Sandweiss stated that Seminary Square was designated. He noted the various concerns of residents like use of the road.

Rosenbarger asked if the HPC had consulted the CCA about accessibility.

Council questions:

Sandweiss clarified that he had only recently began working for the city, so he did not know specifics about prior conversations, though there had been discussions about accessibility. He noted that in historic conservation policy, it was understood that ADA compliance took prioritization, as best as possible.

Rosenbarger stated that the CCA had not been contacted. She said that the current picnic tables were not accessible and asked if they would remain that way.

Sandweiss said there could be new picnic tables, or a paved path. If the legislation passed, then any new paved paths would go through the COA process.

Ruff asked if there was an expedited process for the COA if a tornado caused a lot of destruction in the park.

Sandweiss explained that if something was going to be replaced with the same design, then a COA process was not necessary. The city could take action if there were safety concerns.

Ruff asked Parks staff had any concerns.

Street said no, the proposal was in alignment with how staff would maintain the park and its structures, et cetera.

Flaherty referenced code and highlighted that it did not apply appropriately to a park. He asked if any new paving in the park would have to go through the COA process.

Margie Rice, Corporation Counsel, said not everything would have to go through that process. She gave examples.

Flaherty was concerned that hypothetically, a multiuse path that did not affect historical features would trigger a COA.

Rice anticipated that a multiuse path could be built near a historical structure, which might require a COA.

Flaherty asked if the HPC's decision was final or if there was an appeals process.

Rice referenced state code stating that a final decision could be appealed subject to judicial review.

There was additional discussion on when the COA process could be triggered.

Rollo asked if the designation could be used for grant applications.

Sandweiss said the national registry could, but was not sure about the local designation.

Piedmont-Smith asked why the designation was necessary.

Rice believed the intention was to protect the structures. It was an added layer of protection.

Sandweiss said it was a local designation and agreed that local code used language more applicable to buildings and not a park.

Stosberg asked Street if staff was clear on what would trigger the COA process.

Street said yes, and staff was already using that process for the Banneker Center, and would rely on the list of contributing features.

Stosberg asked if the softball field was included in the proposal.

Street said staff would continue to maintain the park and would rely on the contributing features, and collaborate with the HPC and other staff as needed.

Stosberg referenced code stating that any change to an exterior appearance had to be approved and asked for clarification.

Sandweiss clarified that it would depend on the change, and gave examples.

Stosberg expressed concern with the ambiguity of the proposal. Rice clarified code addressing change to an exterior appearance and gave examples.

Ordinance 2024-02 (cont'd)

Council questions:

Asare asked if staff supported the proposal and its validity.

Street said staff valued the historical parts of the park and was not opposed to the designation. If the legislation passed then staff would adjust maintenance accordingly.

Flaherty asked about the pedestrian bridges and ADA compliance.

Sandweiss said the bridges were included based on the national registry application which had broader categorization. Changes to the bridges would require a COA. However, city code called for addressing safety and accessibility.

Rice said the city carefully balanced accessibility with the need to protect historic structures. Staff took ADA compliance seriously.

Piedmont-Smith asked if the boundaries were the same for the national registry and local designation.

Sandweiss said the national designation boundaries were larger.

Rice noted that the legal definition included parcel numbers.

Street clarified that the local boundary only included Lower Cascades.

Sandweiss explained how the maps were drafted and the timeline.

Carol Canfield spoke in favor of the designation.

Public comment:

Kathy Koontz gave reasons of support for the legislation and opening the road through the park.

Maxwell Sturbaum supported the legislation.

[Unknown] urged council to vote in favor of the designation.

Richard Lewis spoke in favor of the historic designation.

Paul Kern supported protecting the park.

Greg Alexander noted that the road and parking lots were not included as contributing. The issue pertained to traffic. There was still not a foot path to Bloomington High School North (BHSN). He commented on inequities and problems with historic preservation.

Chris Sturbaum gave reasons in support of protecting the park and said that the road through Cascades Park was historic. He noted the history of protecting parks in the city.

Karen Duffy was a council appointed, non-voting member on the HPC. The HPC unanimously voted to approve the proposal. She gave examples of protecting parks, and more, around the nation.

Patrick Murray spoke in favor of giving Lower Cascades park historic designation and gave reasons why.

Glenda Murray supported the legislation in order to protect the depression era structures. It needed additional protections.

Jan Sorby said it was important to designate the park as historic and protect its structures for the next generation. She stated that T.C. Steele had painted in the Lower Cascades park.

Jami Sholl commented in favor of the historic designation of the park and keeping the road open.

Ordinance 2024-02 (cont'd)

Duncan Campbell was a council appointed, non-voting member of the HPC and historic preservation consultant. He pointed out the hundreds of structures in the city that were protected.

Public comment:

Stosberg asked about the difference between the local and national designations, and noted that the grant opportunities came with the national registry and not the local designation.

Council comments:

Sandweiss explained the differences and highlighted the key point that any significant changes to structures would have to go through the demolition delay process. It would go through the HPC.

Stosberg understood that if the national registry listed the park, any large changes would have to go through a public process.

Sandweiss confirmed that was correct. He also could not think of any local grant funding that would apply to the park.

Piedmont-Smith asked if the park did not get the national historic designation, but was eligible for it, any significant changes would have to go under review.

Sandweiss said yes; demolition delay.

Piedmont-Smith asked if there would be a guideline committee for the structures in the park, and for Seminary Square.

Sandweiss stated that he would need to check the legal aspects because those committees were typically resident driven.

Duncan Campbell said the national designation was done by the National Park Service by way of a state. He gave examples of what could and could not be done to those structures.

Stosberg asked for clarification on the process any significant changes would have to go through.

Sandweiss explained that any significant changes to, or demolition of a property that was on the registry or was eligible to be, would have to go through demolition delay.

Rosenbarger did not support the ordinance primarily due to the lack of engagement with accessibility advocates and its flawed process. Some of the structures were not accessible. She commented on the non-contributing features. She referenced the city survey with many supporting the closure of the road. She did not understand why only two of the three shelter houses were included in the proposed area. She understood that individual structures could be designated as historic. She gave examples of the HPC's actions in the city.

Flaherty would not support the legislation because it was not needed. There was no risk of significant changes to the park or the way it was maintained. He noted that the HPC only looked at the history of a property, and not things like equity and accessibility. The Transportation Plan called for a multiuse path that provided a safe route to places like BHSN. He took the city's goals seriously. He noted that the road closure had been well received.

Asare thanked everyone for the discussion. He appreciated Cascades park and understood resident's concerns regarding the road closure. He agreed that a local historic designation was not the best tool to accomplish the intended goal. He would not support the legislation. It was important to consider other policy tools.

Stosberg said that she loved Cascades park and talked about her experience there. She appreciated that the national registry



nomination was being pursued. She noted her experience as an Outdoor Recreation Coordinator in a parks department where she spent a lot of time in parks. She recognized the city’s Parks department who had maintained the park and its structures properly. She believed any significant changes in the future to the park would be reviewed properly. She would not support the legislation because it added an unnecessary layer of protection.

Ordinance 2024-02 (cont’d)

Council comment:

Rollo appreciated the HPC for their work with protecting structures around the city. He referenced the book, “Bloomington Then and Now.” He believed that Cascades park was in danger and needed to be protected and gave reasons why. He did not believe that the HPC would hoard control over changes to the park if the legislation passed. He would vote yes for the legislation.

Ruff had worked with three administrations during his time on council. He said that Legal and Parks staff stated they did not take issue with the legislation. He would support the legislation. He commented on his experience in the park as a child. It was absurd to assume that former council member Chris Sturbaum had enriched himself through the HPC and his work restoring homes.

The motion to adopt Ordinance 2024-02 received a roll call vote of Ayes: 3 (Daily, Rollo, Ruff), Nays: 6 (Asare, Flaherty, Piedmont-Smith, Rosenbarger, Stosberg, Zulich), Abstain: 0. FAILED

Vote to adopt Ordinance 2024-02 [10:17pm]

Piedmont-Smith called a two (2) minute recess.

Recess [10:20pm]

Stosberg moved and Piedmont-Smith seconded that Resolution 2024-06 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Resolution 2024-06 – Requesting the Food and Beverage Tax Advisory Commission to Make a Recommendation for Expenditure of Food And Beverage Tax Revenues [10:22pm]

Stosberg moved and Zulich seconded to adopt Resolution 2024-06.

Stephen Lucas, Council Attorney, noted that the legislation was a step required by state code.

Jeff Underwood, Capital Improvement Board (CIB) Controller and Assistant Treasurer, presented the initial budget for 2024 that was part of the approved 2024 budget. He explained the fees and noted that further along in the process, additional funds may be required. In that case, the request would come before council.

There were no council questions.

Council questions:

There was no public comment.

Public comment:

Flaherty mentioned the history of the Food and Beverage tax and the expansion of the Convention Center. It was important for council to engage in a more structured way with the CIB. He would not support connecting buildings to fossil fuels or a public subsidy for a hotel or a parking garage. That would have an impact on the design of the expansion and needed to be considered. There were more pressing issues to address in the city. He commented on the proposed new jail and its location.

Council comments:

Rosenbarger concurred with Flaherty and said she did not support an expansion of the Convention Center without having more information. She hoped to have a work session on the topic. However, she would vote in favor of the legislation.

The motion to adopt Resolution 2024-06 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Resolution 2024-06 [10:32pm]

Stosberg moved and Ruff seconded that Resolution 2024-04 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Resolution 2024-04 - A Resolution Opposing the LEAP Pipeline Water Diversion Project [10:32pm]

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

Ruff briefly summarized the legislation which expressed opposition to the LEAP project.

Rollo spoke about the impact of diverting a large amount of water, as proposed on the LEAP project.

Stosberg moved and Ruff seconded to adopt Amendment 01 to Resolution 2024-04. Stosberg presented Amendment 01.

Amendment 01 to Resolution 2024-04

Amendment 01 Synopsis: This amendment inserts two additional Whereas clauses to highlight the issue of water resource management within the State, as well as adds a new Section 2 to encourage the Indiana General Assembly establish a state-wide comprehensive water management plan.

Ruff asked for feedback from the Citizens Action Coalition (CAC), who were in attendance.

Council questions:

Dave Askins, B Square Bulletin, commented on adding "to" to the amendment.

Public comment:

Steve Volan supported the amendment and believed it was a missing piece of the legislation. He supported a water management plan.

Piedmont-Smith asked for feedback from the CAC.

Kerwin Olson stated that CAC supported Amendment 01.

Council comments:

Stosberg moved and Flaherty seconded to amend Amendment 01 to Resolution 2024-04 by adding the word "to" after "involvement" and before "establish." The motion to amend Amendment 01 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to amend Amendment 01 to Resolution 2024-04 [10:47pm]

Council comments:

There were no council comments.

The motion to adopt Amendment 01 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 as amended to Resolution 2024-04 [10:48pm]

Ruff asked CAC for additional feedback.

Council questions:

Olson said the proposal had enormous implications and had a complete lack of water management planning for the future. He spoke about water policy, affordability of energy and utility services in the state, the subsidy from rate payers for the project, and the non-transparent and unregulated nature of the Indiana Economic Development Corporation (IEDC). He said water rate payers would inevitably fund the project. He noted the strained electric grid and the many canceled solar energy projects. He gave additional examples of regressive projects like LEAP and others that would

reestablish Coal energy. CAC was not opposed to economic development but were opposed to back room deals.

Resolution 2024-04 (cont'd)

Council questions:

Rollo stated that the CAC website contained valuable information. He noted that electric rates had tripled in the last twenty years with Indiana having the twelfth highest electric bill in the country. The project would disproportionately affect low income households.

Olson concurred and said people were in energy and utility poverty. There were no statewide programs to assist people with their energy and utility bills. There was testimony from township trustees indicating that 60-100% of their funding went towards utility and energy assistance. That money was funneled to companies that had healthy earnings.

Piedmont-Smith asked the sponsors if they had spoken with the Indiana Finance Authority (IFA) or the IEDC.

Ruff stated he spoke with Vincent Ash at IEDC. He said Ash was willing to speak about the IEDC in general but not about the LEAP project. The IFA was not doing a study on the LEAP project but had incorporated prior data into the regional water study. There would not be a study on the impact related to the LEAP project.

Ruff understood that residents' primary concern was that since the project had been paused in order to obtain feedback from the public, why pass a resolution at the time.

Olson explained that the pause was not for the entire project, but more as a response to public outrage as well as the passage of resolutions like Resolution 2024-04. He believed it was also an effort to keep the contentious project out of the Republican primary, election issue. It also was not clear that the project was actually paused. Those involved with LEAP were still pursuing organizations without knowing how the water, energy, and wastewater would be managed in order to support the new infrastructure.

Ruff asked if the public outcry and resolutions were effective.

Olson confirmed that it was effective.

Asare asked what the resolution opposed, specifically.

Olson stated it opposed the IEDC making decisions about water policy from the supply side, and the lack of transparent decision making processes that would use \$1 billion taxpayer monies.

Asare asked if there was a clear water policy plan, if that would change the opposition on the LEAP pipeline.

Olson said it was possible, if a robust water analysis and management plan was done, it would likely guide where to put the new infrastructure. It was not ideal to put the new infrastructure in prime farmland, where the economic development was planned.

Asare noted that Bloomington had one viable water source, and that there had been discussions about a contingency plan if water was needed to be piped to the city. He asked if there were positive externalities with that type of infrastructure development.

Olson hoped it would not be necessary to transport water or energy over long distances. But the main point was to have transparent processes especially with projects funded by taxpayers.

Flaherty asked if the administration had input.

Mayor Kerry Thomson added a side note acknowledging Clerk Nicole Bolden's achievement of the Master Municipal Clerk (MMC). She did not see the need for council to pass a resolution expressing its opinion on an issue that did not directly impact Bloomington. She would spend time only on issues where she could effect change directly. She suggested having council draft a letter addressing a

particular issue. She stated she would not sign any resolutions that did not directly impact the city.

Resolution 2024-04 (cont'd)

Public comment:

Clark Griner, Bloomington Economic Development Corporation (BEDC), commented on economic development, jobs, and collaboration with the IEDC. If the legislation passed, it might send a negative message to prospective employers. He said it might be best to table the resolution until the study concluded.

Steve Volan supported the resolution but stated that as a former council member, he had considered drafting a letter instead of a resolution. He spoke about the history of water supply in the city and around the state.

Rick Myelin spoke against the many LEAP projects especially since it was not known where the IEDC would have projects. The effects were also unknown and the study would not clearly show how to sustainably support new infrastructure. He urged council to pass Resolution 2024-04.

David Sanders, City Councilor, West Lafayette, thanked the sponsors and urged support for the legislation. There was a lack of planning at the state level that significantly affected local communities. The project increased the use of carbon-based energy.

Jami Sholl talked about the importance of access to water and electricity. She supported Resolution 2024-04.

Grant Smith, CAC Consultant, spoke about successes with water conservation and water systems like Las Vegas. He said reserves could occur with water conservation via policies. There were no conservation policies like that in the state. There were an estimated 25% of pipes with leaks.

Lucas read a comment submitted via Zoom chat from Rose stating her appreciation of support from Bloomington via the resolution.

Rollo asked if the IFA was conducting a water study.

Council comments:

Ruff responded that the IFA was not doing a study of the LEAP water pipeline and its implications in the Tippecanoe area. It was a long term, multiregional study of water resources. Older data was being incorporated into the study.

Rollo believed it was a local issue and it was important to care about other communities in the state. Democracy was at stake, and he feared that low income households were an afterthought. He expressed concern for local communities and their water supply, as well as the lack of transparency of the IEDC. It was important for many communities to come together to voice their concerns. To have such a large project that would affect aquifers required the public's awareness and feedback.

Stosberg would support Resolution 2024-04 and believed that the project would have local impacts. Local government impacted residents the most, but state issues also affected local communities. She appreciated that BEDC considered things like utilities and climate related issues. She did not believe that the IEDC would not work with the city if the resolution passed.

Asare was conflicted because it was somewhat unclear what was being opposed. Not having a water management plan was the most

concerning issue discussed. He hoped to have a discussion in a different forum, where specifics could be analyzed. He was concerned that the mayor stated she would not sign the legislation. Flaherty understood the difficulty with council passing an advocacy resolution that the mayor may not agree with. A letter may have been a better tool. He discussed better ways to use council tools. He commented on council's ability to, for example, address every Coal plant around the state and questioned that notion. He believed legislation needed to have some nexus to Bloomington.

Ruff thanked everyone for the discussion. He understood the mayor's perspective regarding resolutions, but council, the legislative branch was able to use that tool. He was open to drafting letters for other types of issues. He gave examples of resolutions that had passed and were signed by previous mayors. He noted the importance of doing advocacy resolutions. The resolution was focused on opposing the LEAP pipeline water diversion.

The motion to adopt Resolution 2024-04 as amended received a roll call vote of Ayes: 5 (Daily, Piedmont-Smith, Rollo, Ruff, Stosberg), Nays: 0, Abstain: 4 (Asare, Flaherty, Rosenbarger, Zulich).

There was not legislation for first reading.

David Keppel, Bloomington Peace Action Coalition, thanked council for the important discussions. He urged council to pass a resolution calling for a cease fire and humanitarian aid to Palestine. He clarified that the point of the legislation was to stop a humanitarian catastrophe and not to determine the political future of Palestine.

Daniel Siegel, Jewish Voice for Peace Indiana, appreciated the democracy that occurred that evening. He concurred with Keppel and highlighted the importance of humanitarian aid and a cease fire in Gaza. He urged people to reread Martin Luther King, Jr.'s Letter from Birmingham Jail where he said injustice anywhere matters.

Adam Martinez spoke about pedestrian safety on South Walnut and between Winslow and Rhorer road where there were gaps in sidewalks. He noted the median income in the area was \$27,000 so many people walked or biked. He suggested a protected path as a temporary solution.

Sharon Weinshelbaum played an audio clip by someone who called themselves the Son of Hamas, who discussed the problems with prisoner exchanges between Israel and Palestine. She urged council to put a clause into the resolution to disarm Hamas.

Babak Seradjeh commented on the cease fire resolution, genocide, attacks by Hamas, and the atrocious attack on October 7<sup>th</sup>. He was pro-peace, pro-Israel, and pro-Palestine. Many in the city feared that October 7<sup>th</sup> could happen again. He believed that if a cease fire were called for, it would be akin to telling Israel to not protect its people.

Herb Fertig was Jewish American, and a child of Holocaust survivors. He said the October 7<sup>th</sup> attack by Hamas was reminiscent to the kinds of experiences his parents and that generation lived through. He believed excluding a call for the disarmament of Hamas from the legislation was detrimental.

Resolution 2024-04 (cont'd)

Council comments:

Vote to adopt Resolution 2024-04 as amended [11:58pm]

LEGISLATION FOR FIRST READING [11:59pm]

ADDITIONAL PUBLIC COMMENT [11:59pm]

Lucas reviewed the upcoming council schedule and noted a potential change.

COUNCIL SCHEDULE [12:14pm]

Stosberg moved and Ruff seconded to move the budget advance meeting from April 25, 2024 to April 24, 2024 at 6:30pm. The motion received a roll call vote of Ayes: 7, Nays: 2 (Stosberg, Asare), Abstain: 0.

Vote to move budget advance meeting [12:19am]

Rosenbarger moved and Stosberg seconded to hold a Council Work Session to discuss the convention center on April 5, 2024 at noon. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to schedule work session [12:22am]

Stosberg moved and Asare seconded to adjourn the meeting.

ADJOURNMENT [12:23am]

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

For Approval