

In Bloomington, Indiana on Wednesday, September 22, 2021 at 6:30pm, Council President Jim Sims presided over a Special Session of the Common Council. This meeting was conducted electronically via Zoom.

COMMON COUNCIL  
SPECIAL SESSION  
22 September 2021

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

ROLL CALL [6:33pm]

Council President Jim Sims summarized the agenda. He noted that all of the ordinances had been previously amended at the May 19, 2021 meeting and that Ordinance 17-12 had been further amended at the August 31, 2021 meeting.

AGENDA SUMMATION [6:34pm]

Sims announced that the rules for discussion would remain the same as they were in the previous week.

Philippa Guthrie, Corporation Counsel, made a brief statement on behalf of the administration, noting that the administration would not present each ordinance that evening, but would be available for questions. She said that the administration believed the areas were appropriate for annexation and asked the council to consider each one and annex them with the exception of area seven.

LEGISLATION FOR SECOND  
READING AND RESOLUTIONS  
[6:37pm]

Flaherty moved and it was seconded that Ordinance 17-10 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 17-10 - An Ordinance of the City of Bloomington, Monroe County, Indiana, Annexing Territory to the City of Bloomington, Placing the Same within the Corporate Boundaries thereof, and Making the Same a Part of the City of Bloomington – South-West B Bloomington Annexation

Flaherty moved and it was seconded to adopt Ordinance 17-10.

There were no questions from the council.

Council questions:

Jaimmie Ford spoke in opposition to the legislation based on the change in the fiscal plans.

Public comment:

Margaret Clements spoke in opposition to annexation.

Phil Argenti spoke in opposition to the legislation.

Sgambelluri asked for Steve Unger to respond to public concerns about updating fiscal plans.

Council comments:

Steve Unger, outside counsel from Bose, McKinney, and Evans, explained that the city was allowed to update the fiscal plan throughout the annexation process. He noted that the city followed state statute exactly, and that it was regular, consistent, and permissible under case law and annexation statute to update the fiscal plan.

Flaherty asked if city staff knew the population density of Area 1 and what state statute said about population density requirements.

Unger answered that density became an issue during the remonstrance process, and explained the different tests for urbanized areas. He said that one was three persons per acre, one was zoning, and one was if it was at least 60% sub-divided and how they could apply. He said that in area one they met all three of the test criteria.

Flaherty asked if it was any of the three tests that had to be met or all three of the three tests.

Unger said that it was any of the three.

Flaherty asked if the tests were pretests for annexation or only applied in the remonstrance process

Unger said it only applied in remonstrance.

Volan asked for clarification that the three persons per acre was only for residential areas, and not for commercial or industrial areas.

Unger said that was correct, and that it was an attempt to look at what was urbanized.

Volan said it could not be the responsibility of the rest of the community know what one person was buying in an area that might become part of the community. He noted that the council represented the population of the community, that cities grow, and that the annexation was righting a long-standing oversight. He said he had not heard a persuasive argument against annexation.

Piedmont-Smith said that she saw annexation as a way for people who already had a connection with the city due to their proximity to Bloomington become fully a part of the city. She listed what annexation would and would not mean for people who were in the annexed areas. She noted that she would be voting in favor of the ordinance.

Rollo expressed concern about extending public services when the city was not in a position to do so. He noted that the city was in a deficit of sworn officers at the time, and he did not want to vote to expand the duties of the police department when they were already working mandatory overtime without a convincing plan. He said he took the concerns of the county commissioners seriously, thought an incremental approach would have been better, and that he was concerned about sprawl. Last, he said he did not think an evaluation of the impact on low income residents had been made. For those reasons, he planned to vote no.

Flaherty spoke about his view that waivers were a type of time-lag voluntary annexation. He discussed that different areas have different characteristics and not every proposed annexation area would have a uniform character, but he thought that geographic proximity and continuity in city boundaries made sense. He expressed concern that the county commissioners were opposed to annexation, but noted that the county council was not opposed. He agreed with Rollo that an incremental process would have been preferable, but noted that the changing laws made that inadvisable. Flaherty discussed decisions by the county that had impacted the city.

Ordinance 17-10 (cont'd)

Rosenbarger thanked everyone who had commented, spoken, or reached out during the annexation process. She said that for folks who had waivers in exchange for service, annexation was going to come at some point and that time was now. She said she looked at annexation from a holistic viewpoint, and considered density, housing, development, and the climate.

The motion to adopt Ordinance 17-10 received a roll call vote of Ayes: 6, Nays: 3 (Smith, Sandberg, Rollo), Abstain: 0.

Vote to adopt Ordinance 17-10 [7:21pm]

Flaherty moved and it was seconded that Ordinance 17-11 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.

Ordinance 17-11 - An Ordinance of the City of Bloomington, Monroe County, Indiana, Annexing Territory to the City of Bloomington, Placing the Same within the Corporate Boundaries thereof, and Making the Same a Part of the City of Bloomington - South-West C Bloomington Annexation

Flaherty moved and it was seconded to adopt Ordinance 17-11.

Council questions:

There was no presentation from the administration related to the legislation.

Public comment:

There were no questions from the council.

Whitney Gates spoke in opposition to the legislation due to the shortage of police officers.

Margaret Clements spoke in opposition to annexation and addressed some of the council comments.

Jaimmie Ford spoke in opposition to the legislation.

Mary Born spoke in opposition to annexation and questioned the housing shortage.

Rita Barrow, Van Buren Township Trustee, told the council that they did not hear from many of the residents in the proposed annexation areas. She was opposed to annexation.

Jacquelyne Porter spoke in opposition to annexation and noted that county residents did not always use city services that often. She also spoke about the homeless population and police.

Piedmont-Smith said she had been concerned about Area 1 because it was a Habitat for Humanity neighborhood and had more people on the lower income levels. She said that she spoke to the director of Habitat, Wendy Goodlett, who said that the residents had signed remonstrance waivers as part of their neighborhood agreements, but if they found financial difficulties based on the increased property taxes they could appeal to Habitat for a renegotiation or modification of their mortgages. She said that she felt better about annexation in that area after her discussion with Ms. Goodlett. Piedmont-Smith said that she was concerned about the police compensation as well, and noted that their contract was up for negotiation in 2022 and that she expected the compensation rate to be improved by 2023. She thought that the city would be able to scale up recruitment of officers and have them in place by 2024 in order to provide public safety in the annexation areas. She said she would support the ordinance.

Volan discussed the history of the city council and how it impacted the development of the city. He said that the remedy for people who were concerned about the management and mismanagement of the city was at the ballot box. He noted that the annexation laws were passed through a democratic process. He said that there were no communities that remained static over the course of 50 years, and that communities were built over time.

Rollo said that even if a police contract were signed soon there was not enough time to build up the police force needed to take on the annexation areas and the city would be diluting the police they already had. He said he did not see a way to make it work and anything else was wishful thinking.

The motion to adopt Ordinance 17-11 received a roll call vote of Ayes: 6, Nays: 3 (Smith, Sandberg, Rollo), Abstain: 0.

Flaherty moved and it was seconded that Ordinance 17-12 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.

Flaherty moved and it was seconded to adopt Ordinance 17-12.

Flaherty moved and it was seconded to adopt Amendment 06 to Ordinance 17-12.

Ordinance 17-11 (cont'd)

Council comments:

Vote to adopt Ordinance 17-11 [7:54pm]

Ordinance 17-12 - An Ordinance of the City of Bloomington, Monroe County, Indiana, Annexing Territory to the City of Bloomington, Placing the Same within the Corporate Boundaries thereof, and Making the Same a Part of the City of Bloomington – South-East Bloomington Annexation

Amendment 06 to Ordinance 17-12

Amendment 06 Synopsis: This amendment updates Ordinance 17-12 to remove parcels from the map and legal description that were previously amended out of Ordinance 17-12 via Amendments 02 and 03. It also updates the acreage total contained in the fifth whereas clause of the preamble to Ordinance 17-12. *Note: This amendment was revised after release in the September 15, 2021 Legislative Packet but before introduction by the Council to revise the corrected acreage total from 2,758 acres to 2,755.15 acres.*

Amendment 06 to Ordinance 17-12 (*cont'd*)

Flaherty introduced the amendment, saying that he was sponsoring it on behalf of the administration, that it had been in the packet the previous week, and that it was largely a housekeeping amendment.

Mike Rouker, City Attorney, explained that the proposed amendment was necessitated by the adoption of amendments two and three, which modified which parcels were part of annexation area two, and resulted in the modification of the maps, legal descriptions for area, and the acreage total.

There were no council questions on Amendment 06 to Ordinance 17-12.

Council questions:

There was no public comment on Amendment 06 to Ordinance 17-12.

Public comment:

There was no council comment on Amendment 06 to Ordinance 17-12.

Council comments:

The motion to adopt Amendment 06 to Ordinance 17-12 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 06 to Ordinance 17-12 [8:01pm]

Smith asked for information on the eligibility of Area 2 with regard to density should the issue go into remonstrance.

Council questions:

Unger said that he thought they would defend the remonstrance on grounds that it was still urbanized under a hybrid approach similar to other areas.

Smith asked what the fairly calculated equitable exchange was for the annexed areas.

Unger clarified that Smith was referring to language in the statute that said that every annexation should include terms and conditions that were fairly calculated, and then explained that one way was through the provision of services outlined in the fiscal plan, another tool was the effective date of annexation, and another was including additional funds. Overall, he thought the city met the statutory requirement.

Bart Farrell spoke in opposition to the legislation based on transparency, staffing changes, timing, and lack of follow through.

Public comment:

Mark Riggins spoke about his opposition to the legislation, and discussed his and his wife's preference for a rural area with their own trash removal choices.

Maddie Andry spoke in opposition to the legislation based on the shortage of police officers.

Matt Andry spoke in opposition to annexation and said that it was irresponsible for the council to take on additional areas when they could not provide services already.

Jaimmie Ford discussed Volan's comments related to democracy and voting.

John Donatiello spoke in opposition to annexation and expressed concerns about development, housing, water, job creation, and employment.

Jane Donatiello spoke in opposition to annexation, and discussed the need to maintain the character of the area.

Julie Thomas, Monroe County Commissioner, discussed the negative financial impact annexation would have on the county. She said that annexation would lead to a lawsuit and bad feelings for the residents of the community. She asked the council to vote no.

Jenny Noble-Kuchera, a resident in the area, spoke about how she welcomed annexation.

Dirk Olton spoke in opposition to annexation, but asked that if it was approved that it be delayed for an additional couple of years to allow for more time to plan for additional police.

Bruce Myers said he was opposed to seeing the council act against the will of the people.

Colby Wicker said that he thought it was important for the council to listen to the people and that he opposed annexation.

Susan Brackney spoke about redistricting, voting, and elections as a result of annexation.

Rollo said that annexation implied an extension of city services and therefore undeveloped land, and that would encourage sprawl. He said that discouraging sprawl was a good reason to vote down Area 2, and encouraged his colleagues to vote no on the ordinance.

Flaherty said that he thought the exact opposite of Rollo. He said that the county had been pursuing poorly connected, low density suburban developments outside of the city that were by definition sprawl. He said that the city had better land use policies than the county when it came to compact urban form and sprawl avoidance. He noted that it was his professional field and that he spent time reading research from what experts in housing policy climate emissions land use had to say about the issue.

Ordinance 17-12 (cont'd)

Public comment:

Council comments:

Sgambelluri discussed the myths surrounding annexation and said that the only way she knew how to dispel them was to be consistent and persistent in sharing accurate information. She spoke of the obligation as a homebuyer to ask questions and hold her real estate brokers and attorneys accountable for sharing information. She rejected the notion that the council was not listening to the people who spoke in opposition to annexation because they had decided to move forward with the process. Sgambelluri said that the annexation decisions would have been made in 2017 if the state legislature had not unconstitutionally intervened. She said the council had an obligation to move forward with government business, and thanked everyone who made it possible to continue during the pandemic. She discussed the comments she heard that evening and elsewhere about community, vision, inclusion, and planning. She described Bloomington and the surrounding area as an ecosystem, a network of interconnected resources and people. She said she would support the ordinance.

Ordinance 17-12 (cont'd)

Council comments:

Volan responded to some of the public commenters. He said that the city should address the issue of recruitment and retention of police officers, and trusted that it would happen in due time. He said that people would likely get a faster response from police and fire in the city than in the county if they had a need. He said the city was following the democratically passed laws, and what would be undemocratic would be to say the laws passed in 2019 should be applied to Bloomington, which had applied for annexation in 2017, and the state then illegally and unconstitutionally intervened, specifically to stop Bloomington's annexation. He said the city should be judged on what the law was when they first filed for annexation. Volan discussed the timeline of the annexation, and said that the administration had done the best they could with the application of the proposal, up to and including the date. He said that some neighborhoods were only possible because the city extended services to them. He said that low density use of land was sprawl. He noted that he had a duty to the residents in district six, which he represented, and that he needed to make sure that people in the outlying areas were not taking advantage of the city without paying their fair share. He urged people to read more about the history of cities, said that he understood their strong feelings, and said that he thought supporting the legislation was the right thing to do.

Smith said he did not see the benefit of annexing Area 2, which seemed to be mostly rural with little chance of industrial development. He did not think the residents were going to get an equitable exchange, and he did not think that all of the services that would need to be provided would occur in an orderly and equitable fashion.

Rollo said that expanding the coverage area for law enforcement would increase stress on an already stressed department and dilute services for current residents. He said that sprawl had been an evolving topic over the last few decades, and that annexing would give the area room to sprawl.

Ordinance 17-12 (cont'd)

Council comments:

Flaherty said that dense urban development around the city was not sprawl. He said the suburban development of the county over the last decades had been sprawl. He noted that Bloomington was a growing, desirable community that needed various strategies to house people. He said that the county planning commission, with Ms. Clements who had been a part of that body, as well as the commissioners, had been denying and turning down the types of development that included parent patio homes and other types of attached housing that were more affordable by definition. He said that you had to look at the entire system, and that people from the bedroom communities were already commuting to Bloomington now. He said the county had pursued a policy perspective that was unquestionably harmful to the community, and that experts in this field would see it the same way.

Volan said that rural needed to be defined. He discussed the number of commuters to the community, Smith's concerns about the value of services provided, and the responsibility of the council to represent the people in their districts. He said that he found his colleagues' positions naïve at best and a contradiction of their jobs at worst.

The motion to adopt Ordinance 17-12 as amended received a roll call vote of Ayes: 6, Nays: 3 (Smith, Sandberg, Rollo), Abstain: 0.

Vote to adopt Ordinance 17-12 as amended [9:14pm]

Flaherty moved and it was seconded that Ordinance 17-13 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.

Ordinance 17-13 - An Ordinance of the City of Bloomington, Monroe County, Indiana, Annexing Territory to the City of Bloomington, Placing the Same within the Corporate Boundaries thereof, and Making the Same a Part of the City of Bloomington – North Island Bloomington Annexation

Flaherty moved and it was seconded to adopt Ordinance 17-13.

Council questions:

There was no presentation from the administration related to the legislation.

There were no questions from the council.

Public comment:

Margaret Clements spoke in response to council comments said the city council did not understand county planning and that was a further argument for why they should not be stewards of the county.

Rita Barrow thanked Sandberg, Rollo, and Smith for their consideration of the annexation legislation.



Julie Thomas asked the council to listen to residents. She thanked Sandberg, Smith, and Rollo for their votes.

Ordinance 17-13 (cont'd)

Public comment:

Colby Wicker spoke in opposition to the annexation and addressed some of the councilmembers comments.

Lee Jones, Monroe County Commissioner, spoke about the remonstrance process.

Council comments:

Volan responded to the comments made by Clements, and said that the councilmembers held their jobs because they believed in the inherent merit of the city, regardless of their opinion on any given ordinance. He wished annexation had proceeded differently, that the city had not stopped indexing in 2004, and noted that the decisions they made would impact city and county residents alike.

Sandberg said that it had been her intention to vote for the annexation of the islands because it made sense to her from a geographic standpoint. However, because of her grave disappointment in the process and poor communication with the county she was going to vote no on all of the parcels. Sandberg explained that she respected the attorneys who worked on the annexation, and the consultants, but felt it was poorly managed. She thought the process should have been more collaborative.

Flaherty said that when he first spoke to Mayor Hamilton about annexation he asked if he had spoken with county elected officials, and that Hamilton confirmed he had spoken with most other than a couple who refused to speak to him. Flaherty said that communications were a two way street. He said that the commissioners and county council had a diversity of opinions, just like the city council, but he wanted to make sure that everyone noted it was complicated and the blame could be shared all around.

The motion to adopt Ordinance 17-13 received a roll call vote of Ayes: 6, Nays: 3 (Smith, Sandberg, Rollo), Abstain: 0.

Vote to adopt Ordinance 17-13  
[9:38pm]

Smith asked Flaherty for clarification on the rules of debate according to Robert's Rules of Order.

Flaherty said they should focus on ideas and actions rather than character and motives. He said they should be able to have robust discussion and debate of ideas and actions and that was his advice in discussing the merits of various proposals. He added that they should address the chair, not each other, but had not reached that level of formality.

Smith thanked Flaherty and said he asked as a preventative measure because he worried about the councilmembers going over the line.

Sims added that much of what they heard that evening were rebuttal comments, and asked people to treat each other with civility and respect.

Flaherty moved and it was seconded that Ordinance 17-14 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.

Flaherty moved and it was seconded to adopt Ordinance 17-14.

There was no presentation from the administration related to the legislation.

Piedmont-Smith asked when the increased property taxes would need to be paid by the residents in the annexed areas.

Unger explained that they would have to pay in May and November of 2025.

Adam Nance spoke in opposition to the legislation.

Jacquelyne Porter spoke in opposition to annexation and reminded the council that the increased costs could force some residents out of their homes.

Susan Brackney spoke about the benefit of low density in the area, and her opposition to the legislation.

Lisa Peay asked the council to vote no on the legislation.

Jaimmie Ford spoke in opposition to the legislation.

Rita Barrow questioned whether the council was listening to the public comments and encouraged them to listen with empathy.

Jami Scholl discussed her annexation concerns and said that she saw it as a political act of aggression.

Margaret Clements spoke about the bipartisan effort to stop annexation and told residents that she and others would be available to help with remonstrations.

Julie Thomas said that residents deserved to be thanked for their efforts and said that the annexation had unified the residents in an interesting way.

Colby Wicker said that everyone who was involved in the anti-annexation effort should be commended and spoke about future remonstrations efforts.

Flaherty stated that it was easy to feel like people were not listening but that there was a tendency to conflate being listened to with being agreed with. He reassured folks that they were listening and had been listening for several months. Flaherty spoke about the annexation process. He reminded people that he was available to talk at his monthly constituent meetings.

Ordinance 17-14 - An Ordinance of the City of Bloomington, Monroe County, Indiana, Annexing Territory to the City of Bloomington, Placing the Same within the Corporate Boundaries thereof, and Making the Same a Part of the City of Bloomington - Central Island Bloomington Annexation

Council questions:

Public comment:

Council comments:

Rollo said that growth could be managed, and that annexation created a lot of interest. He said that in the beginning of the process he looked at the area as something that should be annexed but began to change his mind as time went on because it was an island that had livestock, residents with fixed incomes, and possible urban agriculture. He said that vibrant cities were not monolithic and that considering areas for their character was an important consideration. He said that he would be voting no on the legislation.

Ordinance 17-14 (cont'd)

Council comments:

Piedmont-Smith said that the whole process had been difficult and that she had wrestled with the question of annexation the whole summer. She said that she took no joy in voting in a different way from the majority of the public comments that she had received but she thought it was time to make up for the errors of the past, which included extending sewer service to areas outside of the city without them being annexed and not having any annexations pursued since 2004. She said that the recent state legislation regarding waivers was illegal because the state could not invalidate a contract. She said that just because an area was annexed did not mean that it would be zoned in a particular manner, and that it could be zoned as an agricultural zone. She said that the area was surrounded by Bloomington and should become a part of the city and part of its long range planning.

Rollo said that if the area were annexed the agricultural use would cease to exist unless the council changed the rules governing livestock in the city, which would be difficult to do in a specific area in the city.

The motion to adopt Ordinance 17-14 received a roll call vote of Ayes: 6, Nays: 3 (Smith, Sandberg, Rollo), Abstain: 0.

Vote to adopt Ordinance 17-14  
[10:29pm]

Flaherty moved and it was seconded that Ordinance 17-15 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.

Ordinance 17-15 - An Ordinance of the City of Bloomington, Monroe County, Indiana, Annexing Territory to the City of Bloomington, Placing the Same within the Corporate Boundaries thereof, and Making the Same a Part of the City of Bloomington - South Island Bloomington Annexation

Flaherty moved and it was seconded to adopt Ordinance 17-15.

There was no presentation from the administration related to the legislation.

Council questions:

There were no questions from the council.

Flaherty stated that while public comment was welcome on the ordinances, members of the public should refrain from directing comments to a particular constituency, the public, or a political campaign.

Margaret Clements spoke in opposition to annexation and told residents that she and others would be available to help with remonstrations.

Ordinance 17-15 (cont'd)

Public comment:

Julie Thomas responded to councilmember comments, said that she did not view things as city versus county, and hoped to help members of the public moving forward.

Colby Wicker spoke about the remonstrations process and said that he would be available to help anyone who needed it.

Mark Furnish, a resident in Area 5, spoke in opposition to annexation.

Rita Barrow spoke in opposition to the legislation.

Jacquelyne Porter spoke in opposition to annexation.

Jaimmie Ford asked if it was possible to see the property waivers.

Jami Scholl discussed urban agriculture rules and what they meant for annexation.

Sims asked if Rouker could answer Ford's question about seeing the property waivers.

Council comments:

Rouker said that the city had shared copies with local media and the county, and that they were online in various locations. He also noted that a public records request to the city legal department was also available.

Volan said city council was a representative democracy, with authority granted to annex by the Indiana code. He thanked everyone for their endurance for the long and difficult process. He expressed appreciation to the commissioners for not disparaging any elected officials in the course of their objections to the city's actions.

Sandberg said that she thought it was problematic and bordering on irresponsible to make major decisions, including annexation, during a pandemic. She thought that part of an elected official's responsibility was the public safety and health of their community. She said there were things the council could do as legislators to make it so residents in the surrounding areas might find it appealing to be a part of the city of Bloomington. She said that she listened respectfully and made her decisions accordingly. Sandberg said that citizens in Bloomington had a right to be upset with some of the decisions made by the Indiana general assembly that interfered with home rule, but that she hoped the city did not become known going forward for not playing well with others. She said it had been shameful and wrongheaded and that was why she had voted no on all of the ordinances.

Piedmont-Smith clarified that livestock was allowed per the unified development ordinance based on the amount of property owned, how much land, and whether it was for livestock to live on. She said that she thought it was safe to make the decision during covid as long as people wore masks. She expressed puzzlement about the idea of keeping rural areas rural and urban areas urban, because it suggested that growth could only occur in urban areas. She said that Areas 3, 4, and 5 were surrounded by the city and could most benefit the residents of the area and the rest of the city by becoming a part of the community.

Ordinance 17-15 (cont'd)

Council comments:

Flaherty said as a follow up to his earlier comment that if it was a general public comment period, sharing any information would be appropriate. But during public comments specific to an ordinance he thought it was out of order to rally positions and speak to a base of political campaigning. He pointed out that he said political small "p", not partisan. Flaherty stressed that all parties should strive to keep their comments constrained to issues relevant to the merits of the ordinance being discussed. He said he supported the rights of commenters to engage in campaigns as a matter of the democratic process.

Smith thanked the public, staff, and council for the robust discussion. He said he opposed the annexation because it was flawed, too large, and not incremental. He said that it could have been smaller, more targeted, and voluntary. He said his decision was informed by the comments from the public who did not want annexation. He thanked everyone for a great exploration of the issue.

Rollo said that proceeding with an annexation during a pandemic was an unfortunate time to proceed. He thought that with a controversial subject that required a lot of public input and assembly, just hearing voices on a meeting with many people not having access to the computer was suboptimal. Rollo said his biggest fear was that the city was not up to the task of providing public safety services for the community when it was already at the breaking point and thought it should be fixed before they proceeded to expand. He thought it was very hazardous bordering on reckless.

Volan said that those who were concerned about making big decisions during a pandemic could have voted no upon introduction of the legislation. He asked if his colleagues would reconsider taking for granted that they have tools to accomplish some of their goals in the future.

Sims said the city council had a responsibility to periodically review city boundaries, but that did not necessarily mean they had to annex or to not include certain areas. He said he understood why people were disheartened with the process. He thought the issues with the waivers were problematic, but there was a process for dealing with them. He said that the votes that evening were a culmination of the annexation process. He said that just because he did not agree with people did not mean that he was not listening to them. Sims noted that he was concerned with the public safety issues as well, particularly with staffing at the police department. He said he was trusting the mayor to follow through with his promises with regard to the annexation.

Ordinance 17-15 (cont'd)

Council comments:

Vote to adopt Ordinance 17-15 [11:25pm]

The motion to adopt Ordinance 17-15 received a roll call vote of Ayes: 6, Nays: 3 (Smith, Sandberg, Rollo), Abstain: 0.

Rouker requested that the council vote no on a motion to introduce Ordinance 17-17. He said that by voting no the council would end the annexation of Area 7. The administration expressed their opposition to any motion to introduce any ordinance to annex Area 7.

Ordinance 17-17 - An Ordinance of the City of Bloomington, Monroe County, Indiana, Annexing Territory to the City of Bloomington, Placing the Same within the Corporate Boundaries thereof, and Making the Same a Part of the City of Bloomington – North Bloomington Annexation

Sims asked what would happen if it was not introduced.

Rouker explained that if it was not introduced within 60 days from the date that the public hearing was closed and the annexation of Area 7 would not be possible.

Stephen Lucas, Council Attorney, said there were two actions the council could take that evening to eliminate Area 7 and that not introducing it was probably the most expedient option.

Flaherty moved and it was seconded that Ordinance 17-17 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 0, Nays: 9, Abstain: 0. FAILED

Motion to introduce Ordinance 17-17 [11:28pm]

Lucas reviewed the upcoming council schedule.

COUNCIL SCHEDULE


Sims adjourned the meeting.


ADJOURNMENT [11:22 pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 8 day of March, 2023.

APPROVE:

ATTEST:

  
Sue Sgambelluri, PRESIDENT  
Bloomington Common Council

  
Nicole Bolden, CLERK  
City of Bloomington