



City of Bloomington Common Council

Legislative Packet

Containing legislative materials related to:

Wednesday, 19 February 2025

Regular Session at 6:30pm



CITY OF BLOOMINGTON COMMON COUNCIL

AGENDA AND NOTICE:
REGULAR SESSION
Wednesday | 6:30 PM
19 February 2025

*Council Chambers (#115), Showers Building, 401 N. Morton Street
The meeting may also be accessed at the following link:*

<https://bloomington.zoom.us/j/81713665143?pwd=hkiHpClvbcw1S3FtGnnbJnHhPv7aHp.1>

1. **ROLL CALL**
2. **AGENDA SUMMATION**
3. **APPROVAL OF MINUTES**
 - October 1, 2024 – Regular Session
 - October 30, 2024 – Special Session
 - November 6, 2024 – Regular Session
4. **REPORTS** *(A maximum of twenty minutes is set aside for each part of this section).*
 - A. Councilmembers
 - a. Extension of Deadline Established in Resolution 2024-25
 - b. Approval of Job Description of Council Administrator/Attorney
 - B. The Mayor and City Offices
 - a. Report from the Controller Regarding the CRED
 - C. Council Committees
 - D. Public*
5. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
 - A. Memo from Deputy Clerk Crosley
 - B. Appointment to Merit Commission
 - C. Creation of Fiscal Committee and Budget Task Force
6. **LEGISLATION FOR FIRST READINGS**
 - A. Appropriation Ordinance 2025-02 – To Additionally Appropriate from the Opioid Settlement Funds for the Downtown Outreach Grant Program
 - B. Ordinance 2025-08 – Ordinance Re-Establishing Cumulative Capital Development Fund

*Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment opportunities. Individuals may speak at one of these periods, but not both. Speakers are allowed up to three minutes.

Auxiliary aids are available upon request with adequate notice. To request an accommodation or for inquiries about accessibility, please call (812) 349-3409 or e-mail council@bloomington.in.gov.

Posted: February 14, 2025

7. LEGISLATION FOR SECOND READINGS AND RESOLUTIONS

- A. Ordinance 2025-05 – To Amend the Following Titles of the Bloomington Municipal Code Regarding Resident Boards and Commissions: Title 2.12 “Boards, Commissions and Councils”, Title 2.19 “Housing and Neighborhood Development”, Title 2.23 “Community and Family Resources Department”, and Title 2.20 “Bloomington Board of Park Commissioners”
- B. Resolution 2025-02 – To Update the Established Interview Standing Committees

8. ADDITIONAL PUBLIC COMMENT * *A maximum of twenty-five minutes is set aside for this section.*

9. COUNCIL SCHEDULE

10. ADJOURNMENT

*Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment opportunities. Individuals may speak at one of these periods, but not both. Speakers are allowed up to three minutes.

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Posted: February 14, 2025



**City of Bloomington
Office of the City Clerk**

Minutes for Approval

1 October 2024 | 30 October 2024
6 November 2024

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Tuesday, October 01, 2024 at 6:30pm, Council President Isabel Piedmont-Smith presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
October 01, 2024

Councilmembers present: Isak Nti Asare (arrived at 6:32pm), Courtney Daily, Matt Flaherty, Isabel Piedmont-Smith, Kate Rosenbarger, Andy Ruff, Hopi Stosberg, Sydney Zulich
Councilmembers present via Zoom: none
Councilmembers absent: Dave Rollo

ROLL CALL [6:31pm]

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

AGENDA SUMMATION [6:33pm]

Stosberg moved and Ruff seconded to amend the normal order of business at that night's meeting to include agenda item number 6, council debrief from consensus-building activities, which would be limited to a total of twenty minutes. The motion was approved by voice vote.

Vote to amend order of business
[6:35pm]

Stosberg moved and Zulich seconded to approve the minutes of March 27, 2024 and September 25, 2024. The motion was approved by voice vote.

APPROVAL OF MINUTES [6:35pm]

March 27, 2024 (Regular Session)
September 25, 2024 (Regular Session)

Daily mentioned her upcoming constituent meeting.

REPORTS

Piedmont-Smith discussed a city and county meeting with elected officials about design revisions to the Convention Center expansion.

- COUNCIL MEMBERS
[6:36pm]

Jeff Jackson, Transportation Demand Manager, reported on micro-mobility. The Board of Public Works (BPW) had accepted staff's recommendation to approve the application from Bird for an e-scooter and e-bike license and reject the one from Lime. Veo did not apply. Lime's application was rejected due to requesting changes to the indemnification language, and paying less for the one-time fee of \$10,000, and more.

- The MAYOR AND CITY OFFICES [6:37pm]

Council discussion:

Asare asked about demand for micro-mobility devices given that there would only be one company in the city.

Jackson explained that companies wished to be the only provider in an area. Bird was excited about the new opportunities and were going to meet with staff to ramp up operations.

Daily asked if Bird would increase the number of scooters.

Jackson said yes.

Stosberg asked if there would be scooters and bicycles.

Jackson said yes with a 35% ratio requirement for e-bikes.

Piedmont-Smith asked about e-scooters blocking sidewalks.

Jackson stated it would be easier to address the problem with only one company. He monitored uReports and contacted the company when e-scooters blocked sidewalks. They had two hours to address the issue. The downtown corrals had been effective.

Piedmont-Smith said most of the complaints she had heard were in neighborhoods.

Jackson said the goal was to replicate the downtown corrals in neighborhoods. He gave details on the plans.

Asare asked about geofencing and if injuries were tracked.

Jackson said geofencing was used with the corrals. It was still a new process so final details on other solutions were forthcoming. He did not believe there was a specific report on injuries, but he was confident that there would be in the near future. It was important for the companies to provide appropriate safety training for users.

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

Council discussion:

Stosberg asked if the company was fined when an uReport was made.

Jackson confirmed that Public Works enforced the fines when the ordinance was violated. He would follow up with additional details.

Asare asked if Bird was sharing data on usage and more.

Jackson said yes and it would be more robust since there would be only one company. It had been difficult with multiple companies.

Piedmont-Smith asked if Bird had employees within the city, and what the company paid to the city.

Jackson said yes; that was part of the requirements. There were license fees of \$0.30 per trip. There would also be a \$30,000 fee if there was only one company.

Piedmont-Smith asked if the annual fee and per-ride fees would cover the cost of new corrals and enforcement.

Jackson confirmed that was correct.

Stosberg reported from the Hiring Committee, who had hired Council Attorney Lisa Lehner, and welcomed her to council staff.

- COUNCIL COMMITTEES [6:50pm]

Joe Davis, candidate for Monroe County Councilor, At-Large, spoke against the Convention Center expansion, based on feedback he had received from community members.

- PUBLIC [6:51pm]

Greg Alexander spoke about the joint Capital Improvement Board (CIB) and council meeting. He appreciated Piedmont-Smith's question on connectivity to the B-Line which had appeared to be an afterthought. He noted the city's desire to build a parking garage. He spoke about problems with the longer wait time for buses.

Christopher Emge, Greater Bloomington Chamber of Commerce, believed the joint CIB and council meeting was successful and positive. Some people wanted a larger Convention Center. He mentioned upcoming chamber events featuring the District 62 highly competitive statehouse race, and District 3 county commissioners. He mentioned a white paper on the happenings of the county.

Piedmont-Smith announced the formation of an ad hoc committee to discuss elected officials' salaries to be comprised of councilmembers Flaherty, Rosenbarger, Stosberg, and Zulich.

Stosberg asked if she would appoint a chair.

Piedmont-Smith preferred that the committee make that appointment at its first meeting.

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:01pm]

Piedmont-Smith reported on the consensus building activities (CBAs), in August and September, that were facilitated by the Community Justice and Mediation (CJAM) Center to discuss street homelessness with members of the public. There were group conversations, extensive notes, and feedback from the public.

COUNCIL DEBRIEF ON CONSENSUS BUILDING ACTIVITIES [7:02pm]

Council discussion:

Zulich found it helpful to narrow in on legitimate feedback on solving homelessness. Her group discussed allowing single room

occupancy into the Unified Development Ordinance (UDO) as well as updating the definition of a “family.”

COUNCIL DEBRIEF ON
CONSENSUS BUILDING
ACTIVITIES (*cont'd*)

Stosberg appreciated the high level of organized community engagement. It was difficult to translate it into legislation.

Council discussion:

Daily appreciated the public’s involvement; they were readily willing to work with council. There was a benefit to hearing from the public directly and it motivated her to follow through with items that were discussed. She wished more members of the public were aware of the CBAs.

Ruff stated that the CBAs were refreshing and different from a formal council meeting. It was like a giant focused, constituent meeting. The in person interaction was valuable. He believed there had not been a robust diversity of groups in the community. He noted that downtown businesses were not represented.

Asare appreciated that councilmembers listened more than spoke, given that it was a difficult topic. There were actions council could take, and it was good to get feedback from the public.

Piedmont-Smith asked councilmembers for their thoughts on following through on ideas that came out of the CBAs. She noted that one step was to work with Planning department staff on the UDO.

Rosenbarger said there were some councilmembers already working on updates to the UDO, like allowing single room occupancy (SRO) especially in walkable areas of the city. There was a range of effort from councilmembers, from zero to doing a lot of work. She had just met with Planning staff and she described considerations like setbacks, and more. It was important to hold councilmembers accountable to follow up on ideas.

Ruff recognized Piedmont-Smith’s work on the first two CBAs.

Stosberg said she too had been having discussions with staff on the UDO. There were many updates and improvements to the UDO like allowing SROs, changing the definition of “family,” things that impacted developments, affordability, and what was allowed.

Piedmont-Smith believed the CBAs were useful but learned that there was a level of misunderstanding by the public on what council could do versus what the public wanted. Part of the solutions fell under the purview of the mayor and not council. She described items that council could take action on like SROs. She hoped to change the name of the CBAs because consensus was difficult to obtain, was idealized, and made dissent hard to voice. Perhaps calling the meetings Public Deliberation Meetings was better. Piedmont-Smith asked about next steps.

Flaherty said it was necessary to fund and staff CBAs if they were to be done well. That idea was related to the budget, elected officials’ salaries, and the capacity of council based on council’s and the public’s expectations. Councilmembers were not always subject matter experts and outside entities might be needed. He discussed council schedule including things like CBAs.

Stosberg asked if there was one more CBA in November.

Piedmont-Smith said yes and noted it was important to efficiently decide on topics and guide staff that might be involved.

Stosberg moved and Ruff seconded that Appropriation Ordinance 2024-08 be introduced and read by title and synopsis only. The motion was approved by voice vote (Zulich out of the room). Clerk Nicole Bolden read the legislation by title and synopsis.

Piedmont-Smith referred the legislation to a second reading at the Regular Session on October 16, 2024, and noted that date would also serve as the public hearing.

Stosberg moved and Zulich seconded that Appropriation Ordinance 2024-03 be introduced and read by title and synopsis only. The motion was approved by voice vote (Flaherty out of the room). Bolden read the legislation by title and synopsis.

Stosberg moved and Zulich seconded to adopt Appropriation Ordinance 2024-03.

Adam Wason, Director of Public Works, presented the legislation. There had been an oversight during the salary ordinance process, where typically an appropriation ordinance accompanied the salary ordinance. He described the position that would be funded, the fiscal impact, and a plan to replenish the temporary, part-time budget line item that had been paying for the full-time position.

Piedmont-Smith asked if the request was for part-time employees.

Wason said it was salary for the full-time position, from June onward and for replenishing the part-time funds that had been used for the full-time position. He briefly described the part-time jobs planned for later in the year.

Deputy Attorney Ash Kulak said the public comment period was a continuation of the public hearing held on September 18, 2024.

Joe Davis expressed concern on hiring personnel outside of the salary process.

Stosberg thanked Wason for addressing her concerns the previous day.

Piedmont-Smith responded to a public comment and said that the position had been approved in a public process in May, and at the time the fiscal impact had been considered. It had been done in a public and appropriate manner.

The motion to adopt Appropriation Ordinance 2024-03 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Stosberg moved and Ruff seconded that Ordinance 2024-18 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Stosberg moved and Zulich seconded to adopt Ordinance 2024-18.

LEGISLATION FOR FIRST
READING [7:24pm]

Appropriation Ordinance 2024-08
- To Additionally Appropriate
From the Clerk's Office General
Fund for Personnel Expenditures
[7:24pm]

LEGISLATION FOR SECOND
READING AND RESOLUTIONS
[7:25pm]

Appropriation Ordinance 2024-03
- To Additionally Appropriate
From the Public Works General
Fund for Personnel Expenditures
[7:25pm]

Council questions:

Public comment:

Council comments:

Vote to adopt Appropriation Ordinance 2024-03 [7:34pm]

Ordinance 2024-18 – To Amend
Title 8 of the Bloomington
Municipal Code, Entitled “Historic
Preservation and Protection” To
Establish a Historic District – Re:
Green Acres Conservation District
[7:34pm]

Piedmont-Smith noted that council had received a letter from the petitioner withdrawing the legislation.

Kulak stated that the petitioner was not able to attend that evening.

Noah Sandweiss, Historic Preservation Program Manager, Housing and Neighborhood Development (HAND) department, said that the petitioners from the Green Acres Conservation District Development committee had submitted a letter requesting the withdrawal of the legislation. He read the letter on behalf of the petitioners. Their goal was to strengthen support for the conservation district from residents.

Ruff moved and Daily seconded to call the question on Ordinance 2024-18. The motion to call the question on Ordinance 2024-18 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Ordinance 2024-18 (cont'd)

Vote to call the question [7:40pm]

The motion to adopt Ordinance 2024-18 received a roll call vote of Ayes: 0, Nays: 8, Abstain: 0. FAILED.

Vote to adopt Ordinance 2024-18 [7:41pm]

Stosberg moved and Zulich seconded to suspend the rules to allow for public comment on items on the agenda. The motion to amend the rules received a roll call vote of Ayes: 5, Nays: 3 (Daily, Rosenbarger, Ruff), Abstain: 0. FAILED.

Vote to amend rules [7:43pm]

James Bohrer, Partner at Clendening, Johnson & Bohrer, said that petitioners for a historic designation could not be comprised of one or two individuals. He suggested that the petitioners be held to the same standard as neighbors as the decertification process of eliminating the historic designation. The threshold for certifying a historic designation should require similar support as decertifying a historic designation.

ADDITIONAL PUBLIC COMMENT [7:41pm]

Terry Amsler spoke on CBAs and appreciated their purpose. The CBAs encouraged more public participation, trust in local government, and allowed for a variety of meeting types.

Mary Sutherland was one of the owners and property managers of an office near Wheeler Mission. It was not possible to rent or sell the property due to the unhoused individuals around the area. She spoke about a planned fence and a lack of greenspace. She was asking the city what options she had.

Michael Johnson hoped there was a way for those attending the meeting on Zoom to interact with councilmembers that evening, regarding the Green Acres historic designation.

Caylan Evans discussed the demolition delay permit process. He expressed concern that the permits were delayed for many weeks so that the Historic Preservation Commission (HPC) could eventually deny the permits. He noted that city staff had recommended approval of the permits, but the HPC was anti-development. He urged council to check on the HPC.

Kulak read a comment submitted by Sam Dove via Zoom chat regarding the upcoming Hopewell Neighborhood update meeting.

Kristen Woodworth noted that there had not been an opportunity to make public comment on the Green Acres legislation.

Tim Ballard said that public engagement on proposals like Green Acres was crucial. He appreciated that members of the public had stayed at the meeting that evening.

ADDITIONAL PUBLIC COMMENT
(cont'd)

Sarah Alexander said the process of designating neighborhoods as worthy of distinction was undemocratic. City zoning decisions were to be made by council, but for historic designation, proposals could be submitted to the HPC by anyone. She expressed disdain for the process and gave details. She spoke about the unfair process that Maple Heights had undertaken where seven residents had successfully voted yes on a designation and fifty three had voted no.

Piedmont-Smith reviewed the upcoming council schedule; the civil city budget, a Regular Session, and a Special Session.

COUNCIL SCHEDULE [8:03pm]

Rosenbarger said it was unfortunate that there had not been deliberation on the Green Acres proposal, and it was not possible to have an informal meeting, with Zoom open, after the meeting. Councilmembers could meet with residents separately.

Zulich suggested that councilmembers meet with residents separately after the meeting and noted her city contact information.

Flaherty said there were quorum and Open Door Law issues and agreed that councilmembers could meet with residents separately.

Stosberg said it was disappointing that deliberation and public comment on the Green Acres proposal had not been allowed at the meeting.

Daily explained that council was going to vote against the Green Acres proposal, in its current format, at the request of the petitioner. She was available to meet with residents separately.

Piedmont-Smith stated she was available to meet to discuss the Green Acres proposal with residents, separately.

Piedmont-Smith adjourned the meeting.

ADJOURNMENT [8:13pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ____ day of _____, 2025.

APPROVE:

ATTEST:

Hopi Stosberg, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

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

COMMON COUNCIL
SPECIAL SESSION
October 30, 2024

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

ROLL CALL [6:31pm]

Piedmont-Smith summarized the agenda and gave a land and labor acknowledgement.

AGENDA SUMMATION [6:32pm]

LEGISLATION FOR SECOND
READING AND RESOLUTIONS
[6:35pm]

Stosberg moved and Zulich seconded that Resolution 2024-18 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.

Resolution 2024-18 – To Approve and Authorize the Execution of a Collective Bargaining Agreement Between the City of Bloomington and the Bloomington Metropolitan International Association of Fire Fighters, Local 586 [6:35pm]

Stosberg moved and Zulich seconded to adopt Resolution 2024-18.

Margie Rice, Corporation Counsel, described the negotiation process for the collective bargaining agreement. It had been productive and constructive. The city and union representatives had mutual goals including hiring and retaining career firefighters.

Flaherty asked how the decision was made for salary increases.

Council questions:

Rice said union representatives had researched salaries in Indiana. Staff analyzed where firefighters left the city for.

Flaherty asked if there was quantitative data regarding staff turnover or retention challenges.

Fire Chief Roger Kerr said over the last year and a half there were thirty one vacancies. Four positions were being filled, and because of the pending agreement, two retirees ended up not retiring. Other firefighters who were going to another jurisdiction stayed. It was important to have competitive salaries.

Stosberg discussed holiday pay which currently only included Christian holidays. She asked for inclusion of other religions.

Rice said local code required the city to follow the state holidays. She commented on floating holidays and other options.

Asare asked about sustainability and any impact from annexation.

Rice clarified that with annexation, fire coverage was not expanded because of the fire territory district boundaries, but police would serve those areas.

Jessica McClellan, Controller, discussed factors like full-time salaries and a reduction in overtime pay. Staff believed it was fully sustainable going forward.

Piedmont-Smith asked for clarification on the \$1.2 million payment from Utilities.

McClellan said the city had an interlocal agreement with Utilities. Utilities had to pay for all of their expenses and some expenses were incurred by the city, so Utilities reimbursed the city.

Rice clarified it was actually an interdepartmental agreement which did not need to go before council.

Piedmont-Smith asked what the city paid into retirement funds. McClellan said it had to be at least 18% but was currently 21.2%. That information came from the state.

Piedmont-Smith asked about the \$500 clothing allowance and what the department would pay for.

Kerr said most everything was covered by the department, but if uniforms were required, the state mandated a clothing allowance.

Piedmont-Smith asked about the increase to pension payment.

Rice explained that the pension was always based on officer first class plus twenty years, so increasing base pay increased pensions.

Kerr gave additional details on the formula.

Dave Askins wondered if any councilmembers attended the negotiations as allowed by local code.

Wes Martin, Bloomington Firefighter, noted the union's support for the agreement. He thanked Deputy Mayor Gretchen Knapp, Rice, McClellan, and Mayor Kerry Thomson. He commended the city and the negotiation process.

Zulich said she was willing to attend negotiation meetings. She noted her recent experience with the Fire Department and firefighters.

Asare thanked firefighters for their service. He commented on his conversation with Battalion Chief Scott McKnight who noted his son, Tony McKnight, was also a firefighter.

Stosberg was pleased that negotiations went well that year. She urged the city to keep the Area Median Income (AMI) in mind when determining salaries for professionals.

Piedmont-Smith appreciated the mutual respect and trust during the negotiation process. She was proud of the new headquarters. She said there should be a competition to name the Dalmatian sculpture outside of the station. It was important to honor Indigenous Peoples' Day and she found it not ideal to say Columbus day in the agreement.

The motion to adopt Resolution 2024-18 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Stosberg moved and Zulich seconded that Resolution 2024-19 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.

Stosberg moved and Zulich seconded to adopt Resolution 2024-19.

Rice presented the legislation. The negotiation process was reopened to provide for 3% raises as well as a \$12,000 base pay increase for Officer First Class and Senior Police Officer. Adjustments were made to other positions to avoid compression in salaries.

Flaherty asked if there were issues with staffing, retention, and recruitment.

Rice said yes and added that being understaffed cost the city more through overtime pay.

Police Chief Mike Diekhoff noted that the state changed the residency requirements. Officers could live anywhere and travel to

Resolution 2024-18 (cont'd)

Council questions:

Public comment:

Council comments:

Vote to adopt Resolution 2024-18 [7:06pm]

Resolution 2024-19 – To Approve and Authorize the Execution of an Amended Collective Bargaining Agreement Between the City of Bloomington and the Fraternal Order of Police, Don Owens Memorial Lodge 88 [7:07pm]

their place of work. Hiring sworn officers saved training time; there would be new officers soon.

Resolution 2024-19 (cont'd)

Council questions:

Stosberg asked how many vacancies there were and what happened if those positions were not filled.

Diekhoff said there were sixteen.

McClellan said there were funds for overtime pay and new officer salaries. It would be problematic to continue to pay for overtime in the long term.

Deputy Mayor Gretchen Knapp noted that had been discussed. There would be some time where overtime pay would be expensive until the positions were filled.

Stosberg asked about a recruitment plan.

Diekhoff said police staff was working with Human Resources (HR) on a marketing plan.

Rollo asked where Bloomington ranked with other cities.

Rice did not know but would find out.

Paul Post, President of the Fraternal Order of Police 88 (FOP), did not have the exact number. He believed the city was 68th at the time.

Asare asked how the negotiation process had gone and if there was anything council could do to support the process.

Knapp clarified that the firefighter agreement process was different since it was up for renewal. The police agreement did not have a full negotiation process. There was a focus on problem solving of recruitment and retention issues.

Piedmont-Smith asked about the police headquarters.

Rice said facilities mattered for recruitment and retention. There were ongoing discussions on collaboratively addressing the police headquarters. Allowing take-home vehicles helped too.

Post said brief math indicated that the city would rank 36th. He appreciated the efforts made by the administration including the salary ordinance, Taser program, and the take-home vehicle program. He thanked those who supported the Bloomington Police Department (BPD). He was pleased that there was a unanimous vote in support of the agreement by union members.

Public comment:

Geoff McKim, Monroe County Council, hoped council would support the proposal. He noted the county would have to address the Sheriff Department's salaries in order to be competitive and retain highly qualified officers. He thanked the administration for their work.

Christopher Emge, Greater Bloomington Chamber of Commerce, said the chamber supported the proposal. He praised BPD officers. He gave reasons in support of the legislation.

Rollo thanked the administration and union for the productive negotiation process. He would support the legislation.

Council comments:

Asare appreciated BPD officers and their families. It was important to focus on the people, and the effects of overtime work on officers. He praised those involved in the process.

Stosberg reiterated it was important to have competitive salaries, and attract and retain high quality officers. She was concerned with the high cost of overtime pay and stress associated with overtime work.

Piedmont-Smith supported the amended collective bargaining agreement. She spoke about city employees who could not afford to live in the city. She urged drafters of city documents use the pronoun “they” and not “his/her.”

Resolution 2024-19 (cont’d)

Council comments:

The motion to adopt Resolution 2024-19 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. (Ruff not onscreen)

Vote to adopt Resolution 2024-19 [7:34pm]

Stosberg moved and Zulich seconded that Ordinance 2024-19 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. (Ruff not onscreen). Bolden read the legislation by title and synopsis.

Ordinance 2024-19 - An Ordinance Fixing the Salaries of Officers and Employees of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2025 [7:35pm]

Stosberg moved and Zulich seconded to adopt Ordinance 2024-19.

Rice presented the legislation and noted the budget process was prescribed by the state. She gave a brief description and noted the last step in the process of bringing a salary ordinance to council.

Sharr Pechac, Director of HR, said the legislation would place all the fire and police department positions into the new salary ordinance. There were recommended grade changes as a result of the salary study and the collective bargaining agreement. Dispatch employees could also train new dispatchers and be compensated for that.

Piedmont-Smith moved and Asare seconded to adopt Amendment 01 to Ordinance 2024-19. Pechac briefly presented the amendment.

Amendment 01 to Ordinance 2024-19

Amendment 01 Synopsis: This amendment is sponsored by [CM sponsor needed] [sic] and is being brought forward at the request of city staff to fix three typographical errors in the ordinance.

There were no council questions.

Council questions:

There was no public comment.

Public comment:

There were no council comments.

Council comments:

The motion to adopt Amendment 01 to Ordinance 2024-19 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 [7:44pm]

Stosberg asked for clarity on a paramedic and an office manager having the same job grade.

Council questions:

Pechac said the process had the department head or their designee evaluate the position with a rubric for the salary study.

Kelsey Gregory, HR consultant, said the proposal relied on the work done by Crowe and the salary study. She gave additional details on the refinement of the salary study and job grading. Job grades contained very different jobs, and varying compensation. She noted state data and medians.

Stosberg asked if Bloomington’s AMI and high cost of living was included in the analysis.

Gregory said yes, but more reliance was on the medians.

Piedmont-Smith asked about “differential” for fire stations.

Kerr gave examples of the differences like the downtown fire station setting up barricades, festivals, and more.

Piedmont-Smith asked about the category called “Other” and the chart, reassignment pay, and off duty pay.

Rice said that applied to the sworn contractual positions, and some administration positions.

Kerr said that the reassignment pay was a \$10 stipend for being reassigned to another station and taking gear.

Diekhoff stated that the off-duty pay related to overtime pay and had a two hour minimum.

Knapp said it was for attending court or doing paperwork.

Piedmont-Smith asked about grades assigned to officers who were actually contractual workers and did not have job grades.

Pechac clarified that was for the purpose of the salary ordinance and the new pay structure.

There was an additional discussion on grades and compensation.

Stosberg asked what Community Specialists did.

Diekhoff said they responded to minor calls for service.

Shaun Huttenlocker, Secretary-Treasurer, Firefighters Local 586, read a testimonial from a firefighter in support of the salary ordinance. The testimonial included a robust list of improvements to the Fire Department.

Jordan Canada, President, Firefighters Local 586, read testimonials thanking the city and administration for the improvements to the Fire Department, and compensation.

Piedmont-Smith supported the increase to fire and police salaries.

The motion to adopt Ordinance 2024-19 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Stosberg moved and Zulich seconded that Ordinance 2024-22 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.

Stosberg moved and Zulich seconded to adopt Ordinance 2024-22.

Bolden presented the legislation and described the process of drafting the ordinance.

Zulich moved and Asare seconded to adopt Amendment 01 to Ordinance 2024-22. Zulich presented Amendment 01. Bolden added an explanation of the two types of certifications.

Amendment 01 Synopsis: This amendment is sponsored by Cm. Zulich and would insert a new section into the ordinance to compensate the appointed deputies and employees of the Bloomington City Clerk commensurate with their advanced certifications. There are two types of certifications that appointed deputies and employees within this ordinance are able to receive, one from the Indiana League of Municipal Clerks & Treasurers (ILMCT), and one from the International Institute of Municipal Clerks (IIMC). Within each of those organizations, there are more basic and more advanced forms of the certification. Pursuant to the ILMCT's rules, the Advanced certification (IAMCA) replaces the Clerk certification (IAMC), and that later designation is dropped. Pursuant to the IIMC's rules, the Master certification (MMC) replaces the Certified certification (CMC), and that later designation is dropped. Should a deputy or employee receive a more advanced certification during the year for which they were already compensated for the less advanced certification, the deputy or employee is entitled to receive the difference between the two

Ordinance 2024-19 (cont'd)

Council questions:

Public comment:

Council comments:

Vote to adopt Ordinance 2024-19 as amended [8:15pm]

Ordinance 2024-22 - To Fix the Salaries of Appointed Deputies and Employees of the Bloomington City Clerk for the City of Bloomington, Monroe County, Indiana for the Year 2025 [8:15pm]

Amendment 01 to Ordinance 2024-22

amounts. The maximum amount a deputy or employee can receive under this new section is \$3500.

Amendment 01 to Ordinance 2024-22 (cont'd)

Asare asked if the certification needed to be maintained or once attained, nothing further was needed.

Council questions:

Bolden said there were ongoing educational requirements and gave examples.

Piedmont-Smith asked if the deputy clerks received the compensation when they obtained the certification, or every year thereafter. She asked if that needed to be added to the amendment.

Lisa Lehner, Council Attorney/Administrator, believed that the amendment as written was sufficient.

Bolden said language could be added to include the requirement to maintain the certification.

Zulich moved and Daily seconded to amend Amendment 01 to Ordinance 2024-22 to include language regarding maintaining the certification. There was brief council discussion.

Flaherty asked if council was allowed to bring an amendment regarding compensation, given that state code granted the authority of fixing the salaries of clerk staff to the clerk.

Lehner stated that the amendment was brought forth by the City Clerk, and was sponsored by a councilmember.

Bolden clarified that there was a discussion on certification pay for deputy clerks during the budget process.

Flaherty asked if Clerk Bolden consented to the amendment since it was under her purview to fix salaries.

Bolden confirmed yes.

Flaherty asked if the amendment would stand if the clerk disagreed with the proposal.

Bolden clarified that the current motion on the table was to amend Amendment 01.

There was no public comment.

Public comment:

There were no council comments.

Council comments:

The motion to amend Amendment 01 to Ordinance 2024-22 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to amend Amendment 01 [8:32pm]

Piedmont-Smith asked how the certification pay was determined.

Council questions:

Bolden responded that it was based off of another second class city, Mishawaka. There was great variance of pay in Indiana.

Knapp stated that Amendment 01 and certification pay was very contentious. No other employee received certification pay except union members, and was intensely negotiated. It was not proper to single out three employees that worked closely with council. She urged council to be impartial. It was inequitable to offer only clerk's staff certification pay.

Public comment:

Rice said the administration had discussed salaries and certification pay and if the deputy clerks were city employees or clerk employees. While the clerk was a separate elected official, Rice opined that the deputy clerks were city employees since the city covered HR, information technology (IT) services, and more. She felt it was a last minute amendment for something that had not been discussed.

Bolden clarified the question of having certification pay was first raised in August by a councilmember. She had met with the administration to clarify what authority was granted, by state code, to the three separate branches of local government. She had agreed to work with the administration by going through the Workforce Evaluation and Realignment Committee (WERC) process in addition to fixing the salaries of her staff. It was not a last minute amendment and she had discussions with the administration on her authority based on state code. Bolden stated it would not be a good use of city funds for clerk staff to use different HR and IT services.

Amendment 01 as amended
(*cont'd*)

Council discussion:

Pechac respected the request for certification pay for clerk staff but echoed Knapp and Rice due to concerns about equity across the city. She stated that she had to obtain and maintain certifications and did not receive certification pay.

Ash Kulak, Deputy Attorney/Administrator, read a statement submitted via Zoom chat by an unnamed resident regarding job grades and pay.

Public comment:

Rollo asked when the administration became aware of the amendment.

Council comments:

Knapp said it was when the packet addendum was released.

Zulich said she was in favor of compensating employees for their educational attainments. She reiterated that council could not increase salaries but the clerk could. She noted inequities between the corporation counsel's and department head job grades of thirteen and fourteen, while council's attorney was graded at twelve. The assistant city attorneys' were graded at twelve and eleven, while council's assistant attorney was graded at ten.

Flaherty appreciated the discussion. There were public meetings in August where the issue was discussed and the administration was in attendance. Amendments were often drafted for consideration during the time legislation was being discussed, and sometimes even submitted via an addendum. That was council's duty; to consider, pass, and amend legislation. Stating that the amendment was last minute was irrelevant. He reiterated that the clerk's office was distinct since the clerk was an independently elected official. Council also used the city's HR and IT services, though councilmembers were separately elected officials. He preferred deference to the clerk to run her office as she saw fit. He did not believe the clerk's office was the same as other departments. He would support the proposal. He said some of the characterizations and unspoken implications about council and others were unwarranted and some were false, and he rejected them.

Stosberg said certifications were important and should be compensated. That it was not done across the city was odd and maybe should be reconsidered by the administration. It could help with staff retention. She discussed the current certification pay for firefighters and police. She felt she did not know enough about the certifications and she was leaning towards voting no. She understood that the clerk's office was different and deserved different consideration.

Rollo believed he was lacking information about what the proper compensation should be. He was distressed that it appeared that there had not been discussions on the topic with the administration. It appeared to be favoritism by council. While he was not opposed to

certification pay, he believed more discussion was needed. He would not support the amendment.

Amendment 01 as amended
(cont'd)

Daily stated that it was not fair to assume that supporting the amendment implied that councilmembers were not impartial. It was what was before council's consideration at the time. It was important to reward education and certifications. She agreed it was important to have equity across departments. Salary discussions were difficult. She regretted certification pay for all city employees was not the issue at hand. She hoped to revisit certification pay for all staff in 2025. She would support the amendment.

Council comments:

Zulich pointed out that Bolden had been discussing certification pay since March. It was important to reward people's work. She hoped to discuss certification pay for all city staff.

Asare said it was problematic to say that clerk and clerk's staff were city employees because they used city services. It was important to not create divides about city branches of government. He noted that the clerk and deputy clerks had all received certifications and during the budget hearings, the question was raised about certification pay. He supported certification pay but did not believe that an amendment was the appropriate mechanism. He did not see a clear outcome with the proposal.

Piedmont-Smith said certifications were important. It had been a good discussion earlier that year when it was noted that all clerk staff had been certified. Council did not receive reports from other departments about staff certifications. She would not support the amendment. She noted that the clerk's office was different but she was concerned about equity for other employees with certifications.

Bolden thanked council for the thoughtful discussion. In response to councilmembers who did not understand the certifications, she explained some details like one certification taking at least two years to attain. She had requested to report to council about her staff's certifications because there was no natural place for clerk reports per council's agenda; there was space for the mayor and city offices. There was not a natural space for reports from the clerk. Bolden had to ask for time during a meeting while other departments always had time on the agenda. She agreed that all city staff should be able to receive certification pay and reiterated that the administration set the salaries for city staff, and the clerk fixed salaries for her staff. It was problematic for the clerk to defer to HR for setting clerk staff's salaries and other compensation. Doing so was akin to asking another branch of government to assume authority over the clerk's office, going against state code. She appreciated council's discussion especially during an already lengthy meeting.

Stosberg understood that it took time to obtain certifications but it was not explicitly stated in the amendment.

Rollo clarified that he intended to say that a broader discussion on certification pay for all city staff was needed, not that HR should set the compensation for clerk staff.

Flaherty said if the administration's believed having certification pay in some departments and not others was inequitable, then that went against practice since the city chose to negotiate with unions.

It was a specious argument and he did not believe it was inequitable.

Amendment 01 as amended
(cont'd)

The motion to adopt Amendment 01 as amended to Ordinance 2024-22 received a roll call vote of Ayes: 4 (Daily, Flaherty, Rosenbarger, Zulich), Nays: 4 (Asare, Piedmont-Smith, Rollo, Stosberg), Abstain: 0. FAILED (Ruff not onscreen)

Vote to adopt Amendment 01 as amended to Ordinance 2024-22
[9:09pm]

There were no council questions.

Council questions:

There were no public comments.

Public comment:

Stosberg asked about the maximum base salary and if the actual salary could be lower than what was listed.

Council comments:

Bolden explained the base salaries and longevity pay.

Stosberg asked if it should just say salary or if there was staff turnover, then the salary would be lower.

Bolden said it was applied to all positions and said for new staff it would be lower.

The motion to adopt Ordinance 2024-22 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0. (Ruff not onscreen, Daily out of the room)

Vote to adopt Ordinance 2024-22
[9:14pm]

Stosberg moved and Zulich seconded that Ordinance 2024-20 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. (Ruff not onscreen). Bolden read the legislation by title and synopsis.

Ordinance 2024-20 - An Ordinance to Fix the Salaries of Appointed Officers, Non-Union, and A.F.S.C.M.E. Employees for All the Departments of the City of Bloomington, Monroe County, Indiana for the Year 2025
[9:15pm]

Stosberg moved and Zulich seconded to adopt Ordinance 2024-20.

Pechac presented the legislation and said there was an amendment.

Asare moved and Stosberg seconded to adopt Amendment 02 to Ordinance 2024-20.

Amendment 02 to Ordinance 2024-20

Amendment 02 Synopsis: This amendment is sponsored by [CM sponsor needed] [sic] and is being brought forward at the request of city staff and the administration to reflect changes in pay grades for certain positions after the corresponding department appealed the initial determinations of grades and Human Resources investigated the appeals.

Flaherty asked about the administration's process for the recommended changes.

Council questions:

Pechac said the new administration continued the salary study that began under the previous administration. First a rubric was determined, then department heads evaluated themselves. Knapp also evaluated them. Next, department heads evaluated the positions in their department. Erica DeSantis, Director of Compensation and Benefits, then analyzed the resulting data and determined if the grades were appropriate. An independent consultant, Kelsey Gregory, reviewed the information too. The administration had meetings with department heads for a final check. Additionally, there was an appeal process.

Knapp added the grading process was based on the current job description and used the rubric created by Crowe. There was a lot of thoughtful discussions prior to the original salary ordinance. Current job descriptions and department organization (org) charts did not correctly reflect many departments. Tenure was a factor as

well. The next step was to analyze org charts, job descriptions, direct reports, grading, and more.

Stosberg asked about a change that lowered a job grade.

Gregory said it had been recommended by the department head. She noted there were internal evaluations comparing jobs within the city. There was the opportunity to do more external evaluations with jobs outside of the city.

Zulich asked when the amendment was submitted.

Pechac stated that it was that day.

Zulich noted that it was sent to council along with Amendment 01 to Ordinance 2024-22, which had been perceived as last minute by some councilmembers and some members of the administration.

Pechac said she did not know when the amendment was sent to councilmembers but that staff had started working on it that day.

Zulich asked why it was acceptable for HR to submit amendments the day of a council meeting, but not for councilmembers.

Pechac believed it was a fair question and noted she had followed the appropriate process.

Flaherty asked if it was correct that there were appeals relating to fifty jobs, and that only five were in the amendment. He asked if there were appeals pending and if so, what the timeline was.

Pechac said that was correct; five were in the amendment. She said it was more accurate to view the other appeals as updating a job description first and then going through the WERC process.

Flaherty asked if it was concerning that only 10% of appeals were addressed in the amendment. He appreciated the process and efforts for equity, but expressed concern that so few appeals were included in the amendment.

Pechac said the administration believed the process had been equitable and fair, but not perfect. Staff believed the results were as expected. She reiterated that next steps included updating job descriptions, which would address many appeals.

Flaherty asked about the timeline for the next steps.

Pechac said it would be after the first of the year; possibly within the first six months. DeSantis was currently working on the schedule. Pechac noted that it was a priority.

Stosberg said that meetings with department heads ended in early October and asked about the timeline of appeals.

Pechac stated the meetings had ended in late September and appeals were to be submitted by October 25 at 5:00pm. There had been one request to appeal, and in order to ensure equity, an appeals process was created for all department heads. That was communicated to department heads by October 21st or 23rd.

Stosberg said that October 25th was the previous Friday, and noted that was not a lot of time for department heads to process. She asked for clarification on the appeals process and the low number of appeals that were included.

Pechac clarified that staff had received appeals throughout the month of October with about twenty more when department heads were reminded of the appeals opportunity.

Gregory added that she had thoroughly reviewed all the appeals. She was passionate about that type of work and had experience with things like compensation structure overhaul. Employees benefitted from that work. She gave some details.

Amendment 02 to Ordinance 2024-20 (cont'd)

Council questions:

There was no public comment.

Public comment:

Stosberg would support the amendment but believed the timeline for appeals was short and appeared flawed.

Amendment 02 to Ordinance 2024-20 (*cont'd*)

Zulich would support the amendment and encouraged the administration to hold the same standard for department heads as councilmembers regarding amendment timelines.

Council comments:

The motion to adopt Amendment 02 to Ordinance 2024-20 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. (Ruff not onscreen)

Vote to adopt Amendment 02 to Ordinance 2024-20 [9:46pm]

Rosenbarger moved and Stosberg seconded to adopt Amendment 03 to Ordinance 2024-20. She presented the amendment and gave reasons in support of the proposed changes.

Amendment 03 to Ordinance 2024-20 [9:46pm]

Stosberg cosponsored the amendment because she had worked with the Planning and Transportation (PT) department as the councilmember on the Plan Commission. She gave reasons in support of the proposed changes.

Amendment 03 Synopsis: This amendment is sponsored by Cms. Rosenbarger and Stosberg and proposes a set of "rightsized" pay grades that would position the Planning and Transportation Department to compete with peer cities for planning talent, and would better align staff pay grades with the grades of comparable positions in peer city departments as well as comparable positions across the City of Bloomington's departments - achieving departmental pay equity. In addition, by bolstering staff retention, these "right-sized" pay grades would increase department performance across its full range of activities, functions and duties. This amendment is supported primarily by comparing Bloomington's Planning and Transportation Department compensation figures with those of a wide variety of regional peer cities' planning departments, and also with similar positions in peer City of Bloomington departments.

David Hittle, Director of PT, appreciated the support of Rosenbarger and Stosberg and for bringing the amendment for consideration. He was somewhat uncomfortable singling out PT but believed the pay grade recommendations were appropriate. He did not believe that PT staff was compensated appropriately.

Rosenbarger understood that Hittle had believed it was zero-sum so in order to increase some paygrades, others had to be reduced.

Stosberg clarified that some jobs had been recommended by HR to be graded at level nine, but were reduced to eights due to a misunderstanding, and the appeal requested that they return to the recommended level nine grade. The appeal had been denied.

Pechac stated appeals had been received for about one month, and she could provide that information to council. She was not clear where the data pertaining to Amendment 03 came from. She urged council to trust HR and the consultants. The recommendations were in the best interest of the city. The administration did not want any employees to feel undervalued.

Piedmont-Smith asked about the timeline for the Bicycle and Pedestrian Coordinator position and if it was the only position brought up with Hittle

Pechac believed it was discussed during the initial department head meeting in late September. She did not recall if it was the only position discussed but there were comprehensive discussions.

Daily asked about the timeline for updating job descriptions.

Pechac believed it would be in the first six months of 2025, for all departments.

Daily asked when the changes would take effect.

Pechac stated it could take effect in 2025 or later.

Amendment 03 to Ordinance 2024-20 (cont'd)

Council questions:

Rollo asked what the cost was for the changes in pay grades.

Stosberg noted that information was shared with council and totaled \$140,000.

Rollo asked if the sponsors had evaluated other departments.

Rosenbarger explained that no market research was done for departments that were already done. She had asked department heads about the pay grades.

Stosberg added that the amendment was drafted based on the appeal submitted by Hittle. She said council was told that the lowest grades would be addressed first, due to budget constraints.

Pechac said they did not currently know the exact cost of the study at the time.

Gregory said all positions in PT, except the office manager, were recommended to increase at least one grade. She gave details on the current job grades. It was important to use aggregated data when doing salary comparisons. There were other factors to use including cost of living and city sizes. She and staff had looked at Bureau of Labor Statistics Indiana Median for senior planning jobs.

Lehner asked if Amendment 03 sought to change grades or salary.

Rosenbarger stated it was grades, compensation had not been set.

Rice noted that by changing job grades, compensation would then also change. She said an additional appropriation could be done to reallocate funds for the study. There was a November 1st deadline for the salary ordinance, per state law.

Asare asked Rosenbarger and Stosberg if all fifty appeals had been reviewed and why only PT was included in the amendment.

Rosenbarger said no, that she had reached out to department heads and most were fine with their staff's job grades. She reiterated that she read the packet and had a conversation with Hittle who noted he was appealing the recommendations.

Asare asked if the sponsors believed it was council's role to evaluate the appeals.

Rosenbarger preferred that it would have been handled by HR and Crowe, and council could review the recommendations.

There was additional discussion on actions council could take regarding job grades, the salary ordinance, the administration's recommendations, and jobs within PT.

Jackie Scanlan, Development Services Manager in PT, commented on PT's salary study, and appeals which were not handled properly. The department's jobs were graded very low and the professionals in those jobs were not appropriately compensated for their work, despite working with every construction project in the city. She noted that she and Ryan Robling immediately identified issues with the job grades recommended by the administration. They were told it was too late to change them, though the Bicycle and Pedestrian Coordinator grade was changed. That was not equitable. She explained that PT staff were not going to raise concerns because their pay would increase regardless. She noted the peer cities in the amendment were the same ones submitted by the coordinator, whose appeal was granted. Fifteen of the fifty appeals had come from PT. She loved her job and only wanted to help make the

Public comment:

department, and therefore the city, better. Urban Planning was a professional field and should be treated as such.

Amendment 03 to Ordinance 2024-20 (cont'd)

Ryan Robling, Planning Services Manager, echoed Scanlan. He said the Long Range Planner in PT was three grades lower than her male counterpart; the Bicycle and Pedestrian Coordinator. He had supervised both positions and the jobs were tasked identically. It was inequitable to only change the coordinator position. He described flaws with the process including that the only approved appeal was for a young, white male and not for others.

Public comment:

Knapp reiterated that the current proposal in the legislation was not the last step with salary reviews. There were other departments that had also appealed. She stated that it was odd that Rosenbarger had zeroed in on only one department and noted that her sister used to work in PT. She said that former employee was also Flaherty's wife.

Flaherty made a point of order that speculating on councilmembers motivations and rationale was not appropriate, it was out of order, and he rejected Knapp's assertion.

Mayor Kerry Thomson said she was advised that if the salary ordinance passed with an amendment, she could not sign the legislation because it was in violation of the code. In that case, the city would revert back to the 2024 salary ordinance for all staff. She said it was her counsel's opinion that the amendment was not legal.

Kulak read a comment submitted by an unknown resident via Zoom chat regarding the discussion that evening.

Flaherty asked for clarification on the legality of the amendment as well as an amended salary ordinance.

Council comments:

Lehner said she was not entirely sure nor was she able to point to case law regarding job grade changes and amendments brought by council.

Rollo asked for the administration's response to a staff member's concerns about possible gender and race discrimination.

Pechac said the administration did not agree that there was discrimination. The review had looked at the positions, not the person. There was also an external consultant who did not know city staff. She noted there had not been opportunity to review equity across the city but looked forward to doing so.

Rosenbarger asked if the administration would sponsor the amendment since there were questions about council doing so.

Knapp said no because it singled out one department. The updates would be brought to council including all departments.

Flaherty noted the difference with PT, referencing Rosenbarger's conversations with department heads, and the number of appeals that had come from PT. The memo from Hittle was compelling and while the process was imperfect, there were other opportunities to make improvements. The downgrading of positions due to a misunderstanding, as well as the administration's refusal to correct the error, was concerning. He believed the mayor's signature of the ordinance clarified the legal ambiguity. He discussed the administration's dismissal of low morale, staff turnover, and other inequities within PT. The ordinance was better with the amendment than without.

Zulich said she would vote against the amendment because she did not want to revert salaries to 2024 levels. She expressed concern for those who felt they were underserved with the salary study.

Amendment 03 to Ordinance 2024-20 as amended (*cont'd*)

Council comments:

Asare appreciated Rosenbarger's and Stosberg's efforts with the amendment. He concurred with Flaherty and stated that it was difficult to have discussions about salaries and potentially disgruntled staff. He appreciated Scanlan for her comments. He did not believe amendments were the proper process. He wanted to trust the process taken by the administration. He would vote no.

Rollo said he would vote no because he was unclear about the legality of it. He noted that Mayor Thomson stated she would veto the ordinance. He said compensation could be worked on.

Stosberg clarified that the ordinance set a job grade and salary range, not a specific salary. She understood how the salary range would be utilized, with longevity and other factors. She reiterated the legislation did not prescribe how the administration would use the salary range. She noted problems with the appeals process and gender or race inequities. It was important to analyze inequities in all processes.

Daily believed everyone wanted the best outcome. She thanked Rosenbarger and Stosberg for their effort. She understood it was demoralizing for PT to not be fully staffed. She believed the administration would make the proper corrections in 2025. She would vote against Amendment 03 because she did not want to risk other salaries. She agreed that PT was undervalued and the city was at risk of losing excellent staff. She recognized that there was anger and mistrust that evening, and wanted to reset the tone.

Rosenbarger appreciated the discussion and council's comments. She understood that some councilmembers believed that there was legal ambiguity. She agreed with Stosberg that the amendment did not set compensation, so it was an option for council to use. An amendment was the only way to address the concerns at the time. The process had been rushed and could have been done better by increasing salary in 2024 and then adjusting pay grades through the end of the year. The administration could have brought the legislation when it was properly ready or could have sponsored the amendment to avoid any legal ambiguity. She apologized to Scanlan for her having to explain that urban planning was a profession. Rosenbarger's father was a planner for New Albany, IN for forty seven years so she understood the lack of respect and proper compensation for planning staff. She apologized to PT staff for being paid substantially less than their counterparts in other cities and other Bloomington staff, especially since the cost of living in Bloomington was so high. She expressed disdain for Knapp's comments regarding Rosenbarger's sister, who had worked in PT for ten years and accomplished great work.

Piedmont-Smith agreed the job grades were incorrect in PT. Having the discussion the day before the due date of November 1st was not ideal. She would have preferred that the administration bring the ordinance sooner. She did not believe that it was council's role to do HR's job because HR were the experts. She noted that PT came to council's attention for various reasons but other departments had also appealed. She would not support Amendment 03.

Rosenbarger withdrew Amendment 03 with no objections.

Withdrawal of Amendment 03

Daily moved and Rosenbarger seconded to adopt Amendment 01 to Ordinance 2024-20. Daily presented the legislation.

Amendment 01 to Ordinance 2024-20 as amended (*cont'd*)

Amendment 01 Synopsis: This amendment is sponsored by Cms. Rosenbarger and Daily and would increase the grade levels of Common Council positions. The intent behind this amendment is to establish more parity between the grade levels of the attorneys and researcher in the Common Council's Office with attorney and research positions in other city offices. The adjustment makes the grade levels of the positions commensurate with the job duties that are currently performed by Council staff.

Daily asked if the administration would sponsor the amendment in order to avoid any legal ambiguity.

Knapp said no.

There was brief discussion on council's ability to determine compensation or pay grades for city employees.

Rosenbarger said it appeared that the administration was not allowing council to debate increasing council staff salary. In the past, salary adjustments were done in collaboration with the administration, which was in the process of being done with the former Council Attorney, Stephen Lucas.

Daily withdrew Amendment 01 with no objections.

Withdrawal of Amendment 01

There were no council questions.

Council questions:

Bolden, speaking as a city resident, understood the salary study process was going to be imperfect. She appreciated that there was an appeals process and noted that the clerk's office had not been made aware, otherwise they would have appealed. She was highly disappointed with the dog-whistling, and impugning of people's motives, character, and competence. There was opportunity to do better.

Public comment:

Kulak read a comment submitted via Zoom by an anonymous person stating that their department, Utilities, had not been made aware of the appeals process.

Kulak noted that council was allowed to hire attorneys and legal assistants so perhaps a separate piece of legislation was ideal.

Stosberg said that the ordinance was a good start. She was disappointed with PT's results but understood the salary study was a huge undertaking. It was sad that the city paid employees poverty wages, so the legislation was a start at correcting that. She commented on grades, compensation, and job responsibilities. She believed that the administration's efforts were good and improvements could be done.

Council comments:

Asare noted there were many positive outcomes from the study and highlighted some examples. It was important to build upon those.

Rollo wished Asare a happy birthday and would support the legislation. He appreciated council's and the administration's efforts.

Piedmont-Smith said that the salary study occurred when the council attorney position was vacant. She evaluated the Deputy Attorney/Administrator and Legal Researcher/Assistant Administrator. Corporation Counsel Rice evaluated the Council

Attorney/Administrator. She was disappointed by the outcome. She stated that council's Deputy Attorney/Administrator should be at the same grade as assistant City Attorneys and gave reasons in support. She would upgrade the job description for review in January. She noted that department heads were graded at thirteen or fourteen yet the Council Attorney/Administrator was graded at twelve. Additionally, the Legal Researcher/Assistant Administrator had received a recommendation of seven, but was a five in the ordinance. She had submitted an appeal for the Legal Researcher/Assistant Administrator which was denied. She said that councilmembers had legislative priorities that needed legal research and council staff was undervalued. Council might lose one or two staff members. She hoped the administration would address the issues as soon as possible.

The motion to adopt Ordinance 2024-20 as amended received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. (Ruff not onscreen)

Piedmont-Smith reviewed the upcoming council schedule.

Piedmont-Smith adjourned the meeting.

Ordinance 2024-20 as amended
(cont'd)

Council comments:

Vote to adopt Ordinance 2024-20
as amended [11:48pm]

COUNCIL SCHEDULE [11:48pm]

ADJOURNMENT [11:49pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ____ day of _____, 2025.

APPROVE:

ATTEST:

Hopi Stosberg, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

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

COMMON COUNCIL
REGULAR SESSION
November 06, 2024

Councilmembers present: Courtney Daily, Matt Flaherty, Isabel Piedmont-Smith, Kate Rosenbarger, Hopi Stosberg, Andrew “Andy” Ruff

ROLL CALL [6:30pm]

Councilmembers present via Zoom: Isak Nti Asare (arrived at 6:34pm)

Councilmembers absent: Dave Rollo, Sydney Zulich

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

AGENDA SUMMATION [6:31pm]

Stosberg moved, and Ruff seconded to approve the minutes of June 12, 2024, as presented, and the minutes of August 21, 2024, and October 16, 2024, as revised. The motion was approved by voice vote.

APPROVAL OF MINUTES [6:31pm]

June 12, 2024 (Regular Session)
August 21, 2024 (Regular Session)
October 16, 2024 (Regular Session)

Daily mentioned her upcoming constituent meeting.

REPORTS

- COUNCIL MEMBERS [6:33pm]

Asare referenced the letter of support submitted by council for the Economic Development District zone for three counties. Governor Eric Holcomb had also submitted a letter of support. The process was progressing, but the next submission had not yet been made to the Economic Development Administration (EDA).

Stosberg moved, and Ruff seconded to authorize the Council Administrator/Attorney as followed:

1. To represent, defend, and act on behalf of Common Council in all aspects of litigation, including but not limited to preparing and filing pleadings; engaging in discovery; entering into settlement negotiations; appearing and arguing in court; communicating with opposing parties; and taking other appropriate action in the discretion of the Attorney; and
2. To communicate with the Council President regarding such litigation at the discretion of the Attorney in addition to periodically reporting to Council.

Motion to authorize Council Administrator/Attorney

The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote to authorize Council Administrator/Attorney [6:38pm]

Flaherty commented on the Deputy Mayor Gretchen Knapp’s alleged violation of the Robert’s Rules of Order sections No. 4 and 43, through her words to the Council at the Special Meeting. He noted that he had acknowledged the Deputy Mayor’s behavior at the time and identified possible consequences the Parliamentarian or Chair could have taken as outlined in Section 61. Flaherty suggested that if the behavior was repeated, Council should consider consequences.

Phillipa Guthrie, President of the Board of Directors, Canopy Bloomington, gave a report on the non-profit social impact of Canopy Bloomington, and its work with the city to enhance and maintain the city’s tree canopy.

- The MAYOR AND CITY OFFICES [6:41pm]

Sarah Mincie, Vice President, Canopy Bloomington, spoke about future canopy cover assessments for the city and Canopy Bloomington’s equity focus.

Ava Hartman, Executive Director, Canopy Bloomington explained the priority areas for canopy based on environmental and socio-economic variables and the trees that were planted. There was brief council discussion following the report.

On behalf of Zulich, Stosberg reported on the Ad Hoc Salary Committee, noting that Crowe was engaged to facilitate discussions on salaries. Committee meetings were scheduled in person for Thursday, November 7, 2024, and Friday, November 8, 2024, at 8:30am and the public was welcome to attend.

There was brief discussion about attendance at the meetings by councilmembers who were not on the committee. Council Attorney Lisa Lehner would confirm if it would be considered meetings of council.

Piedmont-Smith noted that Mayor Kerry Thomson wished to speak.

Daily moved, and Ruff seconded to amend the agenda to insert a report from the Mayor’s Office following Council Committees. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Mayor Kerry Thomson gave an update on her appointment to the Historic Preservation Commission (HPC) noting that the candidate declined the appointment due to the unwelcoming nature of the initial appointment process. She was working to provide an appointment and encouraged members of the public who were interested in history to apply.

Joe Davis spoke on the alleged harassment he has experienced from the City of Bloomington. He handed out materials that he wished to be submitted to the record.

Stosberg moved and Flaherty seconded to appoint Corry Smith to seat C-2 on and Christopher Moore to seat C-1 on the Commission on the Status of Black Males. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Stosberg moved and Ruff seconded that Ordinance 2024-24 be read by title and synopsis only. The motion was approved by voice vote. Clerk Nicole Bolden read the legislation by title and synopsis.

Piedmont-Smith referred the legislation for a second reading at the Regular Session to be held on November 20, 2024.

Stosberg moved and Ruff seconded that Resolution 2024-22 be read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

- The MAYOR AND CITY OFFICES (cont’d)

- COUNCIL COMMITTEES [6:59pm]

Vote to amend agenda [7:05pm]

Report from the Mayor

- PUBLIC [7:07pm]

- APPOINTMENTS TO BOARDS AND COMMISSIONS [7:13pm]

LEGISLATION FOR FIRST READING [7:14 pm]

Ordinance 2024-24 To Authorize the Issuance of the City of Bloomington, Indiana General Obligation Bonds, Series 2024, for the Purpose of Providing Funds to Pay for Certain Capital Projects of the City and Expenses Incurred in Connection with the Issuance of the Bond

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:16pm]

Resolution-2024-22 - To Approve an Update to the City of Bloomington’s Americans with

Michael Shermis, Human Rights Director, Americans with Disabilities Act (ADA) Coordinator, and staff liaison for the Council for Community Accessibility (CCA), presented the legislation. He noted that the Transition Plan needed to be updated every two years. It was not substantially different from the 2022 version. The city’s Digital Accessibility Strategic Plan, currently under development, would be considered for the next Transition Plan.

Disabilities Act Transition Plan
[7:16pm]

Piedmont-Smith asked about the mobility options listed in the ADA Standards and Guidelines section of the Transition Report. She asked for details on the tactile map.

Council questions:

Shermis said that the city owned a golf cart and minibus, and he would confirm whether the all-terrain wheels had been received by the city. He anticipated that the city had selected the tactile map vendor, and the tactile map would be available in early spring of 2025. He confirmed that the first tactile map would be placed in Switchyard Park.

Stosberg asked about the timeline of the planned improvement on Kinser and how the city planned to accommodate for changing traffic demands in that area.

Andrew Cibor, Director, Engineering Department, was unsure of the timeline and would follow up.

Flaherty asked for details on the ten inaccessible park facilities.

Shermis stated that the city did not have an adequate survey of park accessibility. Shermis and Tim Street, Parks Director, would consider the use of the ADA compliance software platform called BlueDAG for the development of a superior parks inventory in the coming year.

There was no public comment.

Public comment:

Piedmont-Smith referenced the in-depth sidewalk assessment from Public Works (PW) Director Adam Wason that was provided via email. The contract, scope, and cost of the assessment would be presented to the Board of Public Works (BPW) for their approval at their next meeting. The inspection data would be available in quarter one of 2025.

Council comments:

Flaherty appreciated the presentation and for following the policy of updating the plan on a two-year cycle.

Piedmont-Smith thanked the CCA members for volunteering their time and Shermis for his work on the Accessibility Plan.

The motion to adopt Resolution 2024-22 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote to adopt Resolution 2024-22
[7:30pm]

Stosberg moved and Ruff seconded that Resolution 2024-21 be read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Resolution 2024-21 - Resolution of the Common Council of the City of Bloomington, Rejecting the Establishment of a Merit System for the Bloomington Police Department [7:31pm]

Stosberg moved and Ruff seconded that Resolution 2024-21 be adopted.

Christopher Wheeler, Assistant City Attorney, presented the legislation. Under State law, a merit system would automatically be established for eligible police departments within Indiana by January 01, 2025, unless the governing body adopted a resolution rejecting the establishment of such. The Police Department’s

unofficial poll rejected the merit system. If council adopted the resolution, then it would be voted on by the active, full-time, paid members of the Bloomington Police Department (BPD).

Resolution 2024-21 (cont'd)

Police Chief Mike Diekhoff stated that the Board of Safety existed and performed many of the same functions of a merit system. The department was not in support of a merit system board.

Asare asked if the resolution passed, if the city could never adopt the merit system.

Council questions:

Wheeler noted that statutory steps could be taken to reverse the resolution and adopt the merit system.

Stosberg asked if the resolution was rejected, if state statute required that it be periodically reconsidered by council.

Wheeler said there was no requirement or time frame for review.

Piedmont-Smith asked about the benefits of a merit system and the reasoning for the state's requirement for it. She asked if a representative from the Fire Department would be presenting their views on the merit system.

Wheeler was uncertain of the history of the state legislation's related to the merit system. One benefit was to give BPD a voice in decisions on hiring, firing, and compensation since it had two appointments to the merit system board. He stated that the Fire Department had indicated that they supported a merit system, so the board would automatically be established on January 1, 2025. He commented on the city's efforts toward establishing the Fire Department merit board.

Joe Davis spoke about his concerns regarding BPS's decision not to establish the merit system and reviewed the benefits of a merit system.

Public comment:

Stosberg stated that council should respect the wish of BPD regarding the merit system.

Council comments:

The motion to adopt Resolution 2024-21 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote to adopt Resolution 2024-21 [7:48pm]

Stosberg moved and Ruff seconded that Ordinance 2024 -23 be read by title and synopsis only. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Ordinance 2024-23 – To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic"-Re: Amending Section 15.12.010 (Stop Intersections) to remove one stop intersection on Seventh Street from Schedule A and add one multi-stop intersection on Seventh Street to Schedule B [7:49pm]

Stosberg moved and Ruff seconded that Ordinance 2024-23 be adopted.

Flaherty presented the legislation which would codify the all-way stop at the intersection of Dunn Street and Seventh Street. It would initiate a collaborative process to explore design or traffic control interventions for the Seventh Street corridor that aligned with the city's goals.

Stosberg added that the whereas clause in the legislation supported continued discussion on measures other than a multi-stop intersection, to reduce the possibility of collisions along the Seventh Street corridor while maintaining its effectiveness as a priority transit and bicycle corridor. She reviewed options for consideration to slow traffic and increase awareness of crossway traffic.

Flaherty highlighted city goals to guide the Seventh Street corridor design and reviewed the differences in the approaches taken in the past between council and the city Engineer regarding traffic design. The next step was to coproduce solutions that better met the city's goals and had greater agreement.

Ordinance 2024-23 (cont'd)

Ruff asked if the city had data to indicate a dramatic net increase in bicycle traffic on the Seventh Street corridor or an increase in bicycle traffic overall.

Council questions:

Cibor said there had been a significant increase in bicycle traffic on Seventh Street following the improvements. He was unsure if the increase was caused by a diversion of traffic from other routes or an overall increase in traffic.

Stosberg said that increased traffic was positive due to transportation mode shift and diversion from other streets.

Flaherty commented that the city would still have made a positive step forward even if the ride was safer on Seventh Street for the same number of riders. Research in other jurisdictions indicated an increase in the number of new riders as an outcome of the infrastructure improvements similar to the Seventh Street corridor.

Daily asked about the traffic calming measures, and data regarding the effectiveness of crosswalk signs in reducing speed.

Stosberg agreed that traffic calming measures may or may not make a difference in speed, but it was worthy of discussion.

Cibor stated that other traffic calming measures could be considered but they may not impact crash patterns. He recommended the use of stop signs based on his confidence that they reduce the number of crashes. He noted that the Engineering Department was open to discussing other measures.

Ruff asked if there was data that showed a reduction in bicycle accidents resulting from the Seventh Street corridor. He asked if there was an increase in pedestrian crashes, pedestrian trips, or diverted pedestrians. He asked why the stop signs on Seventh Street were removed.

Cibor said there was inadequate data on bicycle or pedestrian accidents due to their infrequency on which to draw strong conclusions. Following the all way stop installation at Seventh Street and Dunn, the crash rate per user was lower but the crash rate total was approximately on par with that prior to the installation.

Stosberg noted a reduction in incapacitated injuries following the improvements which reflected a reduction in severity of crashes.

Cibor stated that the number of pedestrian crashes was essentially the same as prior to the improvements but there were more pedestrians crossing Seventh Street. He added that the reason for removing the stop signs on Seventh Street was due to an increase in vehicle crashes.

Ruff asked if Cibor could make the presentation he was prevented from giving to council during a meeting early in 2024, that evening.

Cibor said that the purpose for his attendance at the meeting was to answer questions.

Joe Davis stated that pedestrians should be warned of bicycles, scooters, and skateboarders; not just cars.

Public comment:

Chris Sturbaum spoke in support of four way stop signs, noting that the data indicated four-way stops were the simplest and safest solution.

Steve Bowen spoke in support of the legislation as it codified the stop sign at Seventh and Dunn which had strong support. He spoke to the few accidents caused by bicycles involving death and serious injuries.

Ordinance 2024-23 (cont'd)

Public comment:

Ruff commented on the costs of the improvement on Seventh Street and the need for data to support the investment. He asked Cibor to find and circulate to council a thesis study conducted by a student of Texas A & M that examined the safety of separate bike lanes.

Council comments:

Stosberg thanked Cibor for the presentation and her fellow councilmembers for their support in order to move forward on the conversation about the corridor. She noted there were two signs on the corridor warning bicycles to yield to pedestrians. She said it was important to balance city goals and safety for all users.

The motion to adopt Ordinance 2024-23 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 24-23
[8:49 pm]

Christopher Emge, Greater Bloomington Chamber of Commerce, commented a previous council meeting and urged council to work together and focus on governance.

ADDITIONAL PUBLIC COMMENT
[8:50pm]

Flaherty spoke on personal privilege related to Emge’s comment. His previous comments about the deputy mayor’s behavior was with respect to the integrity of the council’s process.

Piedmont-Smith called a Special Session of the Common Council on Wednesday November 13, 2024, at 5:30 pm in Executive Session regarding pending litigation. She reviewed the upcoming council schedule.

COUNCIL SCHEDULE [8:53pm]

Piedmont-Smith adjourned the meeting.

ADJOURNMENT [8:55pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ____ day of _____, 2025.

APPROVE:

ATTEST:

Hopi Stosberg, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington



POSITION DESCRIPTION CITY OF BLOOMINGTON, INDIANA

POSITION: Council Administrator/Attorney
DEPARTMENT: Council
JOB GRADE: 12
FLSA: Exempt

Serves as legal counsel and administrator for the Common Council, supporting members of the Council and supervising Council staff.

1. DUTIES

This job description is illustrative only and is not a comprehensive listing of all job functions performed. The following are essential duties for this position, performed with or without reasonable accommodation:

Essential (primary)

Advises Common Council regarding federal, state and local laws, anticipated or threatened litigation, potential liability and risks, and various legal circumstances and situations.

Reviews all legislation before the Common Council to ensure that the Council remains within its legal authority and that the legislation complies with applicable law and is consistent with the stated desires of Council. Assists the Council in reviewing the proposed city budget. Informs Council members of pertinent changes in local, state and federal legislative actions and laws affecting the City.

Drafts ordinances, resolutions, contracts and legal documents for action by Common Council, including legal research as assigned by Council.

Prepares and distributes legal documents, legislation and related legislative materials for Common Council meetings, including agendas, and ensures that Council meetings are conducted in accordance with state and local law and with proper notice for the public. Attends and assists

in the management of all Common Council meetings and provides legal advice during meetings as required by Council. Communicates and meets with various City departments to resolve issues as needed.

Conducts legal research and prepares court cases and represents the Council in litigation and in various legal proceedings.

Represents the Council on various City committees and serves on City's collective bargaining team upon request of the Council. Represents Common Council at public meetings, as requested by members of the Council, and responds to citizen and media inquiries.

Refers constituent complaints to the appropriate department and determines whether the matter has been satisfactorily resolved.

Supervises the development, submission and execution of the department budget.

Performs annual review of department activities and services, and prepares and submits report.

Supervises and directs the Deputy Administrator/Attorney, Assistant Administrator/Legal Research Assistant and interns as described below.

Non-Essential (secondary)

Answers telephone, greets office visitors, determines nature of call, responds to inquiries and/or routes caller to appropriate person or department.

Performs related duties as assigned.

Takes all reasonable steps to maintain a safe work environment.

2. JOB REQUIREMENTS:

J.D. degree, licensed attorney in the State of Indiana.

Knowledge of local, state and federal laws, regulations, and codes and ability to apply that knowledge to various special circumstances that pertain to the City.

Ability to direct and supervise others and provide guidance for Council members.

Working knowledge of budget preparation, administration and execution.

3. LEVEL OF SUPERVISION AND RESPONSIBILITY:

Received

Reviews major policy issues with the Council on a continuing basis. Reports directly to the Council and work is reviewed only to ensure conformance with their overall objectives.

Exercised

Works independently of direct review. Independent judgment is used in executing responsibilities. Administers the Council Office within general supervisory objectives and boundaries.

Directs work of Council Deputy Administrator/Attorney and Council Assistant Administrator/Legal Research Assistant and any Council Interns.

At the incumbent's discretion, exercises the authority: to solicit, recruit, interview and hire applicants for positions; to negotiate and extend offers of employment; to draft, revise and post job descriptions of positions of subordinates, including but not limited to the positions of Deputy Administrator/Attorney and Council Assistant Administrator/Legal Research Assistant and Council Interns; to create and define new positions; to conduct annual appraisals; to supervise, direct and evaluate subordinates; to discipline subordinates and terminate employment after conferring with the President of Common Council. In exercising such authority, the incumbent shall utilize the City's policies and procedures then in effect in consultation with the Department of Human Resources.

4. DIFFICULTY OF WORK:

Applies a broad scope of laws, rules and regulations to devise unique approaches for dealing with unusual and/or unresolved problems. Legal and policy recommendations have a significant impact upon City operations. Errors in judgment are not immediately apparent through supervisory review and may result in substantial loss of time in other units, substantial loss of monies, and inconvenience to the public.

Provides a balanced perspective when conveying information to members of the Council.

Incumbent may be called on to work evenings and/or weekends as necessary for time sensitive completion of tasks and to address unforeseen complications. Work also requires attendance at scheduled evening meetings and events.

Work environment is a modern office with no unusual physical demands.

5. PERSONAL WORK RELATIONSHIPS:

Maintains frequent contact with officials, petitioners, local, state and federal agencies, and the general public in often unpredictable circumstances, making significant policy and legal recommendations. Must maintain professional working relationships with all department heads.

Contacts often require incumbent to utilize tact and the use of persuasion to gain cooperation in the face of differences of opinion.

Budget Performance Report - General Fund - CRED Departments

Department	Account Name	Budget	YTD Transactions + Encumbrances	Unspent Balance	% Budget Used
Department 04 - Economic & Sustainable Dev	Grants	1,300,000.00	1,282,151.75	17,848.25	99
Department 07 - Engineering	Other Capital Outlays	1,200,000.00	830,714.31	369,285.69	69
Department 13 - Planning	Other Capital Outlays	2,000,000.00	445,436.00	1,554,564.00	22
Department 20 - Street	Other Capital Outlays	5,534,000.00	5,534,000.00	0	100
Department 26 - Parking	Other Capital Outlays	1,875,000.00	1,769,513.88	105,486.12	94
		12,075,000.00	9,861,815.94	2,213,184.06	

CRED Department Expenditures 2024

Planning

<u>Project Name</u>	<u>Vendor</u>	<u>Amount</u>
Downtown Street Maintenance Project	19278 - Milestone Contractors, LP	\$445,436
Total		\$445,436

Engineering

<u>Project Name</u>	<u>Vendor</u>	<u>Amount</u>
Longview Greenway	Crider And Crider, INC	\$ 549,433.45
Thornton-Arden Greenway	E&B Paving, INC	\$ 263,461.59
Downtown Street Maintenance Project	Milestone Contractors, LP	\$ 17,819.27
Total		\$ 830,714.31

Public Works - Street

<u>Project Name</u>	<u>Vendor</u>	<u>Amount</u>
MioVision detection for 2 intersections	Carrier & Cable	\$55,600.00
Smart City Project	TCC	\$545,211.00
PED Pushbuttons for Traffic Signals	TCC	\$21,600.00
20-Addendum #1 - 2024 Sidewalk Grinding Contract	Precision Concrete	\$95,000.00
Downtown Paving Project (Street not paying for all)	Milestone Contractor	\$1,417,864.55
Downtown Paving Project (Street not paying for all) - Retainage	Milestone Contractor	\$74,624.45
Downtown Street Paving Maintenance (Change Order #5 & #7)	Milestone Contractor	\$49,612.28
Downtown Street Paving Maintenance (Change Order #5 & #7), Retainage	Milestone Contractor	\$2,556.57
MioVision detection for 5 intersections	Carrier & Cable	\$130,250.00
Downtown Alley Resurfacing #1	Milestone Contractor	\$111,540.75
Downtown Alley Resurfacing #2	Case Construction	\$164,320.43
Centrac Traffic signal control system	Traffic Control Corp.	\$306,067.40
Pavement/Sidewalk Condtion Analysis and Traffic Sign Assessment Project	IMS	\$227,416.00
Wave Pushbuttons	Traffic Control Corp.	\$163,576.00
MioVision detection for 5 intersections	Carrier & Gable	\$101,290.00
Sidewalk Saw Cutting	Precision Concrete	\$34,000.00
W. 3rd Street - Paving Project (CCMG 2024-1)	E&B Paving	\$530,100.00
Downtown Paving Project - Change Order #1 and #2	Milestone Contractors	\$36,549.47
Kinser & Grant Street Paving Project	Milestone Contractors	\$540,099.75
Community Crossing Matching Grant (2024-2)	Milestone Contractors	\$351,148.35
Paving Project (Smith Road, Kingston Drive, Hagan Street)	E&B Paving	\$375,573.00
Street Improvements Consulting (Kirkwood Avenue to Pine Street)	Kimley-Horn and Assoc., Inc.	\$94,450.00
Consulting Design Services (Grimes Lane at Walnut Street Signal)	Kimley-Horn and Assoc., Inc.	\$105,550.00
Total		\$5,534,000.00

Public Works - Parking

<u>Project Name</u>	<u>Vendor</u>	<u>Amount</u>
4th St. Garage Elevator Board Upgrade	KONE	\$10,609.01
Morton St. Parking Garage - Barrier Strand Replacement	Parksco	\$4,200.00
Walnut St. Garage - Exit Gate Box Replacement	Evens Time	\$4,919.20
4th St. Garage Expansion Joint Assessment and Report	CE Solutions	\$3,936.25
Morton St. Garage Barrier Cable Assessment	CE Solutions	\$11,068.00
Morton St. Garage temporary office electrical removal	Ann Kriss	\$600.00
Morton St. Garage temporary office demo/removal	Ann Kriss	\$2,200.00
Walnut St Garage & Morton St. Garage Mechanical Assessment #1 3/29/24	Applied Engineering	\$8,775.00
Walnut St Garage & Morton St. Garage Mechanical Assessment #2 5/28/24	Applied Engineering	\$7,225.00
Walnut Street Garage Assessment - Bid Invitation 5/13/2024	CE Solutions	\$29,200.00
S Pay on Foot Lost ticket Function 4th st garage	Evens Time	\$6,143.64
N Pay on Foot Lost ticket Function 4th st garage	Evens Time	\$6,143.65

Walnut St. Garage Structural Assessment and Bid invitation 6/11/2024	CE Solutions	\$1,000.00
New credit card readers and software installation/labor	Evens Time	\$19,189.52
Elevator closure signage - Walnut Street Garage	Fast Signs	\$115.56
Banners, magnets and rolls signs for elevator	Fast Signs	\$2,921.32
Safety wayfinding signage - 4th Street Garage	Fast Signs	\$3,175.56
Walnut St. Garage A/C unit replacement	Sierra Heating & Cooling	\$6,350.00
Installed splitter HVAC line at Walnut St. Garage	Ann Kriss	\$2,870.00
Card reader software upgrade - second payment	Evens Time	\$19,189.53
Walnut St. Garage - removal/install PVC drain lines	Ann Kriss	\$17,000.00
Installation of Morton St. Garage pedestrian safety mirror	Fast Signs	\$369.00
Walnut St. Garage Preventative Maintenance 9/30/2024	Browning & Chapman	\$104,571.25
Walnut St. Garage Repairs and Construction 10/21/2024	Browning & Chapman	\$13,510.00
Morton and Walnut Garages Maintenance and Waterproofing (2025)	CE Solutions	\$44,684.20
Installation of new Exit Signs and emergency lighting at Walnut St. Garage	Cassady	\$1,450.00
Relocate solar equipment at the Morton St Garage	Cassady	\$2,700.00
Walnut St. Garage Preventative Maintenance 10/31/2024	Browning & Chapman	\$88,065.00
Walnut St. Garage Elevator Replacement-retainage	KONE	\$9,227.51
Walnut St. Garage Elevator Replacement	KONE	\$175,322.69
Walnut St. Garage Elevator Preventative Maintenance-retainage	Browning & Chapman	\$10,138.75
Morton St. Garage Elevator Replacement	KONE	\$348,650.00
Morton St. Garage Elevator Replacement - Retainage	KONE	\$18,350.00
Morton St. Garage repairs and Morton and Walnut Deck waterproofing 2025-retainage	Browning & Chapman	\$19,870.00
Morton St. repairs and Morton and Walnut Deck waterproofing 2025	Browning & Chapman	\$377,530.00
CE Solutions Morton and Walnut Contract 2025	CE Solutions	\$23,215.80
Installation of (6) six electric vehicle chargers for Morton and Walnut St. Garages	EV Connect	\$30,657.18
Replaced all water lines at Morton St. Garage	Mann Plumbing	\$16,000.00
Replaced all fire lines at Walnut St. Garage	Multicraft	\$14,500.00
Replaced all fire lines at Morton St. Garage	Koorsen	\$34,530.00
Parking Rate Study	Walker Consultants	\$32,500.00
Tennant Deck Scrubber and sweeper with powerwasher for all garages	Tennant Company	\$75,574.29
Cameras for new garage elevators Walnut & Morton St. garages	Presidio	\$14,676.76
Skywalk painting and tile cleaning and grout cleaning	Ann Kriss	\$4,230.20
4th Street Garage IT Room Repairs	Browning Chapman	\$19,600.00
EV Fast Charger Installation -Trades District Garage	EV Connect	\$91,758.09
Bollards to protect new storm drains & parking spaces-Walnut St.garage	Ann Kriss	\$4,786.00
Skywalk heating unit-4th St. Garage	HFI	\$20,500.00
Drop Ceiling Tile repair-Skywalk	Ann Kriss	\$600.00
Signage for Elevator Replacement	Fast Signs	\$5,115.92
Total		\$1,769,513.88
Economic & Sustainable Development		
<u>Project Name</u>	<u>Vendor</u>	<u>Amount</u>
Solar, Energy Efficiency, and Lighting Program	MPI Solar	\$300,000.00
2024 Outdoor Dining Program administration	Amazon Business, Mr. Copy, Cassady Electric, Diego Manansala, Uptown, Orbit, Metalworks	\$20,000.00
Small Business Technical Assistance Program:	Retail Strategies	\$50,000.00
DT Strategic Plan	DBI	\$55,000.00
Marketing Grants	DBI	\$20,000.00

STARTedUp Teacher Support	STARTedUP Foundation	\$65,000.00
Zing Train Customer Service and Leadership Training	Chamber of Commerce	\$40,000.00
Jumble Arborist	MUM, LLC	\$5,600.00
2025 Outdoor Dining Administration & Grant Program	DBI	\$20,000.00
Guaranteed Ride Home \$10,000		\$10,000.00
Other Try It Incentives \$30,000		\$30,000.00
Printing & Graphic Design \$12,000	1818 Apparel Co., Inc; BadkneesTs	\$12,000.00
Promo Events \$19,000	Moved to TDM	\$19,000.00
Operating Grant	Music Industry Creatives Operations Grant for Burning Couch Festival	\$3,000.00
Remaining Funds in Arts budget	Moved to ARTS	\$2,000.00
Climate Resilience - Beat the Heat Pool Program	City of Bloomington	\$45,000.00
Buskirk-Chumley Operational Expenses, 2025 - 2026	BCT Management	\$25,000.00
Trades District 1% for the Arts Project OT 987	Milestone	\$53,800.00
Constellation Stage and Screen Operations Grant through Dec. 2027	Constellation Stage and Screen	\$220,275.00
Arts Grant	Music Industry Creatives Operations Grant for Burning Couch Festival	\$3,000.00
Arts Grant	Granfalloon	\$9,600.00
Arts Grant	Orbit headphone grant	\$5,000.00
Public Art Consulting	Christina Elem	\$25,000.00
Public Art and Placemaking Consultion	Lauren Day	\$5,000.00
Duke Substation Mural	Big Boys Moving Co	\$6,731.00
Duke Substation Mural	Sunbelt	\$276.75
Duke Substation Mural	Sherwin Williams	\$3,821.73
Duke Substation Mural	Amazon - paint markers	\$25.98
Total		\$1,054,130.46
Grand Total		\$9,633,794.65

Planning & Transportation Department 2024 CRED Funds Narrative

Downtown Street Maintenance Project: This project, led by the Engineering Department, includes asphalt resurfacing, restriping, curb ramp modifications, and stormwater infrastructure updates on portions of 4th Street, 6th Street, College Avenue and Walnut Street; installation of new accessible parking spaces in the downtown area; and sign, pavement marking, and parking meter post maintenance activities related to parking spaces in the downtown area. CRED funds supporting this project have been housed in the Planning & Transportation, Engineering, and Public Works Departments.

Engineering Department 2024 CRED Funds Narrative

Longview Greenway: This project will construct neighborhood greenway improvements along Longview Ave from Pete Ellis Dr to Glenwood Ave E, along Glenwood Ave E from Longview Ave to Morningside Dr, and along Morningside Dr from Glenwood Ave E to Smith Rd. This work includes installation of a multiuse path between Pete Ellis Dr and Kingston Dr, short sections of new sidewalk, accessible pedestrian curb ramps, traffic calming, signs, and pavement markings.

Thornton-Arden Greenway: This project will construct neighborhood greenway improvements on multiple streets of the Thornton/Arden Greenway route connecting from the intersection of Hillside Drive at Olive Street to the intersection of High Street at Arden Drive. Work includes the installation of traffic calming, accessible pedestrian curb ramps, signs, and pavement markings.

Downtown Street Maintenance Project: This project includes asphalt resurfacing, restriping, curb ramp modifications, and stormwater infrastructure updates on portions of 4th Street, 6th Street, College Avenue, and Walnut Street; installation of new accessible parking spaces in the downtown area; and sign, pavement marking, and parking meter post maintenance activities related to parking spaces in the downtown area.

Public Works Department - Street Division 2024 CRED Funds Narrative

Signal Modernization

- Purchasing 12 new Miovision video detection systems for traffic signals at intersections throughout the city. These include the following locations:
 - a. 2nd Street. & College Mall Road - completed
 - b. Walnut Street & Winslow Road - completed
 - c. Walnut Street & Old State Road 37 - completed
 - d. 3rd Street & Patterson Drive - completed
 - e. 3rd Street & Woodcrest Drive - completed
 - f. 3rd Street & Cory Lane - will be installed in summer 2025
 - g. Rockport Road & Tapp Road - will be installed in summer 2025
 - h. Country Club Drive & Rogers Street - will be installed in 2025

- i. Winslow Road & Henderson Street - will be installed in 2025
 - j. 3rd Street & Eagleson Avenue - will be installed in 2025
 - k. 2 units kept in reserve stock inventory in case of emergency replacement needs
- Purchased the Econolite Centracs System, which is a Smart City project initiative that will combine the controls for all traffic signals into a remote, centralized location. This will essentially create a secure control center for the City's traffic signal operations. Project completion is anticipated by the end of 2025.
 - Wave hands-free pedestrian pushbutton installations on traffic signals at 28 intersection locations. These installations replace existing pedestrian pushbuttons that are either damaged or inoperable, plus brings older ones up to current Americans with Disabilities Act standards.
 - Consulting engineering services for designing a new traffic signal at the Grimes Lane and Walnut Street intersection.

Street Paving

- Sidewalk saw cutting and grinding projects that will remove trip hazards for increased non-motorized transportation safety and accessibility in 2025 throughout the community. Also using ARPA funding in addition to CRED funding to complete further sidewalk saw cutting and grinding projects as well. The ARPA funded projects will only be completed at locations within low and moderate income qualified census tract boundaries.
- A downtown paving project that includes asphalt resurfacing, restriping, curb ramp modifications, and stormwater infrastructure updates on portions of 4th Street, 6th Street, College Avenue and Walnut Street; installation of new accessible parking spaces in the downtown area; and sign, pavement marking, and parking meter post maintenance activities related to parking spaces in the downtown area. This project has been completed.
- Downtown alley resurfacing of 2 downtown alleys. These alley locations include the following:
 - a. Location #1: east/west alley from Grant Street/Dunn Street and the North/South Alley from Kirkwood Avenue/6th Street.
 - b. Location #2: east/west alley from the mid-block of Lincoln Street/Grant Street to Indiana Avenue and the north/south alley mid-block from 4th Street to the east/west alley.
- INDOT Community Crossing Matching Grant for the W. 3rd Street resurfacing project from Patterson Drive to Franklin Road. This project was completed in 2024 and final closing activities will be occurring soon.
- INDOT Community Crossing Matching Grant - 2024 Round 2. This project will consist of resurfacing, installation of ADA ramp upgrades, repair of broken sidewalk panels, replacing short sections of curb/gutter and adjusting inlet castings to grade on Winslow Road from Allendale Drive to the Rogers/High Street roundabout; Rogers Road from the Rogers/High Street roundabout to just east of Somerset Place. This project is anticipated to be completed in the spring and summer of 2025.

- Street pavement resurfacing projects on Kinser Pike and Grant Street. These projects are anticipated to be completed in the spring and summer of 2025.
 - a. N. Kinser Pike resurfacing from W. 17th Street to the 45/46 Bypass and the 45/46 Bypass to W. Acuff Road.
 - b. W. Briarcliff Drive resurfacing from N. Kinser Pike to W. Winding Way.
 - c. W. Winding Way resurfacing from N. Valleyview Drive to N. Kinser Pike
 - d. N. Grant St resurfacing from E 3rd Street to E 10th Street.
- Street pavement resurfacing on Smith Road, Kingston Drive and Hagan Street. These projects are anticipated to be completed in the spring and summer of 2025.
 - a. N. Smith Road resurfacing from E. Moores Pike to E. 3rd Street.
 - b. E. Hagan Street resurfacing from N. Smith Road to S. Park Ridge Road.
 - c. S. Kingston Drive resurfacing from E. 3rd Street to End-of-City road maintenance (970' from E. 3rd Street).
- Pavement, sidewalk, sidepath and traffic signage asset condition real-time field collection and data reporting project. This project is anticipated to be completed in 2025, with full data reports in late 2025 or early 2026.
- Engineering and design consulting for street improvements to W. Kirkwood Avenue, from Pine Street to Rogers Street.

Public Works Department - Parking Division 2024 CRED Funds Narrative

Garage Repair or Improvement Projects

- **Walnut Street Garage**
 - Replaced elevator
 - Purchase of electric vehicle charging stations (3 stations)
 - Replaced all fire safety lines
 - Waterproofing applied to parking decks spring 2025 - will protect for 25 years
 - Mechanical, engineering and plumbing study
 - Replaced Traffic Coating
 - All preventative maintenance low to high priority completed
 - Replaced all Emergency Exit signs and lighting
 - Installed a mini split for heating and A/C at Walnut garage office (safer, more cost effective)
- **Morton Street Garage**
 - Replaced elevator
 - Purchase of electric vehicle charging stations (3 stations)
 - Removed the trailer building that served as the former Garage Manager's office
 - Replaced all fire safety lines
 - Removed and Replaced all water lines to PEX lines to prevent pipes from freezing and busting, hydrants installed on every level.
 - Waterproofing applied to parking decks spring 2025 - will protect for 25 years
 - Safety barrier strand replacement
 - All preventative maintenance low to high starting spring 2025

- **4th Street Garage**
 - Adding a skywalk heating unit
 - Skywalk painting and maintenance repairs
 - IT server room repairs and renovations
 - Elevator repairs (upgraded board replacement)
 - Expansion joint assessment and report

Other Major CRED Projects and Purchases for Parking Facilities

- Parking Rate Study and Comprehensive Review to be completed by a consultant in 2025
- Purchased a parking deck scrubber and sweeper that has an attached powerwasher for use in cleaning all of the garages
- Card reader software installation and upgrades
- Security cameras purchased and installed for all new garage elevators
- EV fast charging station purchased for the Trades District Garage

Public Works Department - ESD 2024 CRED Funds Narrative

In 2024, CRED funding was used to support solar installations at qualifying small businesses and nonprofits as part of ESD's Solar, Energy Efficiency, and Lighting Program.

CRED funding supported initiatives aimed at revitalizing Bloomington's downtown small business economy; promotion of Transportation Demand Management efforts; deployment of solar installations at qualifying small businesses and nonprofits; as well as arts and placemaking in the downtown area. Below are summaries for each program:

- **Retail Strategies**—\$50,000—Small Business Support Technical Assistance Partnership, which provides on-demand training, worksheets, workbooks, and templates to entrepreneurs in a “go at your own pace” format. Unlimited local businesses will have access to this training for twelve months.
- **Downtown Action Plan**—\$55,000—To improve the downtown Bloomington economy to support DBI
- **Stay Cool Bloomington at City Pools**—\$45,000—The Parks and Recreation Department received funding to support the City's “Stay Cool Bloomington at City Pools” program. This program provides free access to the city pools during extreme heat days throughout the summer. It ensures access for all community members, reduces heat-related illnesses, and increases resilience to climate change.
- **Marketing Grants** (in partnership with DBI, Inc.)—\$20,000—Up to \$2,000 in Marketing Assistance Grants will be awarded to businesses negatively impacted by construction projects in 2024.
- **2024 Outdoor Dining Program Grants and Administration**—\$20,000 (\$10,000 parklet beautification, \$10,000 program admin) Funding for directly assisting businesses to beautify their parklets and project administration, including equipment and maintenance.

- **2025 Outdoor Dining Administration & Grant Program**—\$20,000—(encumbered from 2024 funds) assisting businesses to beautify their parklets and project administration
- **STARTedUp's Innovation Educator Fellowship Program**—\$65,000—Professional development program that enables educators to teach innovation and foster real-world problem-solving in the classroom
- **Zing Train Customer Service and Leadership Training**—\$40,000—Will support the Greater Bloomington Chamber of Commerce's efforts to improve workforce development in customer service.
- **Jumble Arborist Training Program**—\$5,600—This program provides textbooks and written materials to help incarcerated and justice-served individuals become ISA Certified Arborists.
- **Guaranteed Ride Home**—\$10,000—The city has an Interlocal Agreement with Bloomington Transit to use their contract with Uber for Go Bloomington's Guaranteed Ride Home program called Go Home. When you log your first non-SOV trip on your Go Bloomington website www.gobloomington.org dashbaord you will automatically receive a \$10 Uber voucher by email. You will receive an additional \$10 voucher for each additional trips that are logged on your dashbaord up to \$50.
- **Other Try It Incentives**—\$30,000—This is for promotional matrials to promote you registering for Go Bloomington. E.g., Go Hoosiers Go Bloomington t-shirts for IU Athletic events, \$5 Concession vouchers for Assembly Hall, Go Bloomington t-shirts and caps for tabling at local employers, etc.
- **Printing & Graphic Design**—\$12,000—Printing marketing materials, e.g., rack cards, Go Bloomington posters, event posters, street banners, promitional signage, etc.
- **Promo Events**—\$19,000—Earth Day event cost for live entertainment, venue fees, security, event planner contractor, face painter, Upland Brewery cash bar service, etc. We hire local NIL students from IU Athletics, local bands for events, use local printers and t-shirts companies, etc.
- **2025–2026 Operational funds to Buskirk Chumley Theater (BCT)**- \$25,000- funds to Buskirk Chumley Theater Management to manage city-ownedBCT as part of their renewed 2025-2027 lease agreement
- **Arts Operational Grants**
 - **2025-2027 Operational grant to Constellation Stage & Screen**—\$190,000- funds to Constellation Stage & Screen to manage city-owned John Waldron Arts Center as part of their renewed 2025-2027 lease agreement
 - **Music Industry Creatives Operations Grant for Burning Couch Festival**—\$3000—The grant provided funds for IU-based student group Music Industry Creatives to rent Swithyard Park Stage and Pavillion to host their 2024 Burning Couch Music festival
 - **2024 Operational Grant to Granfalloon**—\$9,600—Funds to support the annual music festival in downtown Bloomington.
 - **2024 Grant to Orbit Room**—\$5000—Funds to supply earplugs to service workers at music venues across Bloomington

- **Trades District 1% for the Arts Project OT 987**—\$53,800—funds to Milestone to pour concrete foundation for 1% for the Arts Installation OT 987
- **Public Art and Placemaking Consultation**
 - **Public Art Contract with Christina Elem**—\$25,000—funds to consult on City-funded public art projects in 2025
 - **Public Art Contract with Lauren Day**- \$5,000- funds to Lauren Day conduct focus groups and research to develop design of City's artist studio space
- **Duke Substation Mural**
 - **Big Boys Moving Co Service Work**- \$6,731-Funds to Big Boys Moving Co to assist in apply primer and anti-graffiti layers of paint on Duke Substation mural
 - **Sunbelt Equipment Rental**- \$276.75- funds to Sunbelt to provide boomcrane for Duke Mural installation
 - Sherwin Williams supply purchase- \$3821 - funds for paint and supplies for Duke mural project
 - Amazon supply purchase- \$26 - funds for paint and supplies for Duke mural project



CLERK NICOLE BOLDEN

CITY OF BLOOMINGTON

401 N Morton St, Ste. 110
Bloomington, IN 47404

OFFICE OF THE CITY CLERK

812.349.3408
clerk@bloomington.in.gov

To: Members of the Common Council

From: Clerk Nicole Bolden

Date: 13 February 2025

Re: Interview Committee Recommendations for Board and Commissions

The council interview committees have made the following recommendations for appointment to the following boards and commissions:

Interview Committee Team C Recommendations:

- For the Commission on Sustainability - to reappoint Tara Dunderdale to seat C-1 and Justin Vasel to seat C-2.
- For the Commission on the Status of Children and Youth - to appoint Eyeri Morales Traviesp to seat C-2 and Sierra Draughn to seat C-4.

Contact

Clerk Nicole Bolden, 812-349-3408, clerk@bloomington.in.gov

Jennifer Crossley, Deputy Clerk of Communications and Outreach, 812-349-3403, jennifer.crossley@bloomington.in.gov

To: Bloomington Common Council

From: Council President Hopi Stosberg

Regarding: Special Fiscal Committee and Budget Task Force

Date: February 14, 2025

Fiscal Committee:

As president, per [BMC 2.04.240](#), a new special committee, the Fiscal Committee, will be established on February 19, 2025. This committee will follow established procedure for council committees as detailed in [Bloomington Municipal Code](#).

Initially the Fiscal Committee will:

- Consist of four councilmembers, with 1 member also serving on the Budget Task Force (see below)
- Meet at least quarterly.
- Work Closely with the Controller to:
 - o Create a timeline and activity framework for the yearly budgeting calendar
 - o Track progress of the yearly budget and report back to the whole council.
 - o Track fund balances (esp. TIF, CRED, Bonds, etc.)
 - o Recommend scheduling of specific budget related discussions, presentations, and education for the full council.
- Be responsible for supporting Council Staff with the 2026 Council Budget and presentation of that budget.
- Continue the work started by the Ad-Hoc Salary Committee to fine-tune the Elected Salary Framework. The Special Fiscal Committee will be responsible for bringing forward the Elected Salary Ordinance for FY2026.
- Explore and recommend improvements to the budgeting process.

Budget Task Force

On June 5, 2024, Bloomington City Council adopted [Resolution 2024-12](#) to implement outcome based budgeted. Part of this resolution stated:

Section 1: The Council will work with the Office of the Mayor to establish a Task Force on the Budgeting Process, consisting of council members and city staff. This Task Force will be charged with exploring and recommending improvements to Bloomington's budgeting process, ensuring that the city employs the most effective, transparent, and community-aligned budgeting practices available.

Section 2: The Council will work with the Office of the Mayor and City Controller to develop a framework for implementing the recommendations of the Task Force on Budgeting Processes, including the possibility of implementing outcome-based budgeting or a hybrid approach within the City of Bloomington by the time the budget is being developed for budget year 2026.

The Task Force will have the following membership, roles, and responsibilities:

- Four (4) member Task Force, consisting of Deputy Mayor Gretchen Knapp, City Controller Jessica McClellan, and 2 City Council Members (1 of whom also serves on the Fiscal Committee)
- Applicable city staff will be pulled in, as needed, for specific information/tasks.
- This task force will be a short term transition to an improved budgeting process.
- Outcome based budgeting is based on a shared understanding of what the desired outcomes are. This Task Force will work on identifying and documenting those big picture goals. Documented goals will need to be approved by the full City Council and Office of the Mayor.
- This group will develop a framework for how the different departmental responsibilities can be aligned with the desired outcomes.
- The group will make recommendations to process and budget formats for FY2026.



MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Lisa Lehner, Council Administrator/Attorney

Date: February 14, 2025

Re: Appropriation Ordinance 2025-02 - To Additionally Appropriate From the Opioid Settlement Funds for the Downtown Outreach Grant Program

Synopses

Appropriation Ordinance 2025-02: This appropriation ordinance funds the Downtown Outreach Grant program in the Opioid Settlement Restricted Fund and Opioid Settlement Unrestricted Fund for the Community and Family Resources Department for the year 2025 for \$250,000.

Relevant Materials

- Appropriation Ordinance 2025-02
- Staff Memo from Controller Jessica McClellan

Summary

Indiana Code 36-4-7-8 provides that the legislative body may, on the recommendation of the city executive, make further or additional appropriations by ordinance, unless their result is to increase the tax levy set under IC 6-1.1-17. IC 36-4-7-9 requires that an appropriation ordinance specify, by items, the amount of each appropriation and the department for which it is made.

As a member of the City Executive, the Controller has recommended to Council as the legislative body that the additional appropriation occur. Appropriation Ordinance 2025-02 specifies the amount of each appropriation and the department for which it is made, as required by statute. Given the requirements of IC 36-4-7-8, it would be advisable that Council confirm that the additional appropriation will not increase the City's tax levy.

Contacts

Jessica McClellan, Controller, 812-349-3412, jessica.mcclellan@bloomington.in.gov

APPROPRIATION ORDINANCE 2025-02

TO ADDITIONALLY APPROPRIATE FROM THE OPIOID SETTLEMENT FUNDS
FOR THE DOWNTOWN OUTREACH GRANT PROGRAM

WHEREAS, in 2024, the City Council appropriated \$250,000 from the Parking Meter Fund for the Downtown Outreach Grant Program administered by the Community and Family Resources Department and

WHEREAS, in 2024, the Downtown Outreach Grant Program supported the work of these Bloomington and Monroe County service agencies: Amethyst House, INC; Beacon, INC; Centerstone of Indiana, INC; Community Kitchen of Monroe County, INC; Courage to Change Sober Living, INC; Hotels for Hope, INC; Monroe County Humane Association, INC; New Hope Family Shelter, INC; New Leaf/New Life, INC; Sojourn House, INC; and Wheeler Mission Ministries, INC; and

WHEREAS, the City wishes to continue the Downtown Outreach Program in 2025, and presented a 2025 budget for the program in the Parking Meter Fund during the August 2024 budget hearings. City Ordinance 13-13 establishes the Parking Meter Fund and the allowable uses of that fund. Appropriations to support local public service non-profit agencies are not an allowable expense in Ordinance 13-13.

WHEREAS, the City looked into using the Opioid Settlement Unrestricted Fund, but the current balance is insufficient to support the program. The City also considered the Opioid Settlement Restricted Fund; however, the restrictions on opioid abatement outlined by the Indiana Attorney General’s Office are narrow. The City needs to develop an application process for the Restricted Fund to ensure that applicants meet the necessary eligibility criteria for funding.

WHEREAS, the City desires to appropriate funding from allowable sources, such as the Opioid Settlement Restricted Fund, to continue the support to local non-profit organizations that support our residents in the community.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY INDIANA THAT:

SECTION 1: For the expenses of the City the following additional sums of money are hereby additionally appropriated and ordered set apart from the funds herein named and for the purposes herein specified, subject to the laws governing the same:

<u>Opioid Settlement Unrestricted 2256-09</u>	
Services and Charges Category	\$50,000
<u>Opioid Settlement Restricted 2257-09</u>	
Services and Charges Category	\$200,000
Total:	\$250,000

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of March, 2025, by the City of Bloomington Common Council.

Hopi Stosberg, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of January, 2025.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED AND APPROVED by me this _____ day of March, 2025.

Kerry Thomson, Mayor
City of Bloomington

SYNOPSIS

This appropriation ordinance funds the Downtown Outreach Grant program in the Opioid Settlement Restricted Fund and Opioid Settlement Unrestricted Fund for the Community and Family Resources Department for the year 2025 for \$250,000.



TO: City Council members
FROM: Controller Jessica McClellan,
CC: Mayor Kerry Thomson, Deputy Mayor Gretchen Knapp, Community and Family
Resources Director Shatoyia Moss, and Council Administrator Lisa Lehner
DATE: February 10, 2025
SUBJECT: 2025 Downtown Outreach Grant Additional Appropriation

Appropriation Ordinance 2025-02 additionally appropriates a budget in the Opioid Settlement Funds for the Downtown Outreach Grant program.

Since 2018, the City has administered the Downtown Outreach grant program. The grant application states: The City of Bloomington Downtown Outreach (DTO) grants are enabled by City of Bloomington taxpayer dollars and strive to fund projects that will improve the human condition of Bloomington residents who are unhoused or who are at risk of homelessness. The City's Community and Family Resources Department is responsible for the distribution and administration of this grant.

In 2024, the Downtown Outreach Grant Program supported the work of these Bloomington and Monroe County service agencies: Amethyst House, Beacon, Centerstone of Indiana, Community Kitchen of Monroe County, Courage to Change Sober Living, Hotels for Hope, Monroe County Humane Association, New Hope Family Shelter, New Leaf/New Life, Sojourn House, and Wheeler Mission Ministries, INC.

Since its inception in 2018, the Downtown Outreach Grant total funding has been \$250,000. The funding source was the Parking Meter Fund. The grant program is not an eligible expense in the Parking Meter Fund.

The City proposes utilizing the Opioid Settlement Restricted Fund and Unrestricted Fund for this purpose. Using the Opioid Restricted Fund will require additional eligibility requirements be met, as described by the Indian Attorney General. The recipients of Opioid Restricted Settlement Funds must fall into one of two categories:

1. The organization must be a nonprofit entity registered as a 501(c)3 or 501(c)19 working to combat substance use disorder.
 - i. Examples of approved abatement uses are:
 - ii. Prevention programs
 - iii. Expanding syringe service programs
 - iv. Treatment of Opioid Use Disorder
 - v. Treatment for incarcerated population
 - vi. Expansion of warm hand-off programs and recover services
 - vii. Medication assisted treatment distribution and other opioid related treatment
2. Be an individual that meets the criteria to be a certified addiction peer recovery coach I or II, and is seeking funding for both training and testing.

MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Lisa Lehner, Administrator/Attorney for Common Council

Date: February 14, 2025

Re: Ordinance 2025-08 – An Ordinance Re-establishing Cumulative Capital Development Fund

Synopsis

This Ordinance reauthorizes the Municipal Cumulative Capital Development Fund for taxes assessed in the year 2025 and payable in the year 2026 and authorizes collection of property tax at the rate of \$0.05 per \$100 of valuation; the fund may be used for the purposes set out in IC 36-9-15.5 et seq.

Relevant Materials

- Ordinance 2025-08
- Staff Memo and Attachments from Jessica McClellan, Controller

History

The Staff Memo and Ordinance 2025-08 summarize the relevant history of the Cumulative Capital Development (“CCD”) Fund.

Summary

This Memo gives an overview of the relevant laws and Council’s role as legislative and fiscal body in re-authorizing the CCD Fund.

[Section 36-9-15.5 of the Indiana Code](#) governs municipal cumulative capital development funds. Section 36-9-15.5-2 states that Council as the legislative body of a municipality may establish a cumulative capital development fund under [IC 6-1.1-41](#) et seq. Section 6-1.1-41 et seq. sets forth certain procedures to follow in establishing the CCD Fund, including notice of the tax proposal to affected taxpayers, a public hearing, publication requirements, and a 30-day objection period, among other things. The Staff Memo identifies concrete dates to satisfy this procedure.

Pursuant to IC 36-9-15.5-2, Council as legislative body may establish the CCD Fund to provide money for any purpose for which property taxes may be imposed within the municipality under the authority of:

[IC 8-16-3](#);
[IC 8-22-3-25](#);
[IC 14-27-6-48](#);
[IC 14-33-14](#);
[IC 16-23-1-40](#);
[IC 36-8-14](#);
[IC 36-9-4-48](#);

[IC 36-9-16-2](#);
[IC 36-9-16-3](#);
[IC 36-9-16.5](#);
[IC 36-9-17](#);
[IC 36-9-26](#);
[IC 36-9-27-100](#);
[IC 36-10-3-21](#); or
[IC 36-10-4-36](#).

The above statutes support various purposes for which the CCD Fund may be used, including but not limited to bridge construction/reconstruction, the construction, improvements, and equipping of buildings, among other things. The Staff Memo summarizes a more descriptive list of these purposes.

IC 36-9-15.5 et seq. continues, stating that Council as the City's fiscal body may provide money for the CCD Fund by levying a tax on the taxable property in the City of Bloomington, not to exceed the maximum property tax rate as described in IC 36-9-15.5-6. The Staff Memo and [Ordinance 2025-08](#) identify the proposed tax rate as not to exceed \$0.05 on each \$100 of assessed valuation, beginning with taxes for 2025 payable in 2026. It would be advisable for Council to confirm that this rate does not in fact exceed the maximum property tax rate.

IC 36-9-15.5-8 requires that the tax money collected shall be held in a special fund known as the "Cumulative Capital Development Fund".

Although Section 1 of [Ordinance 2025-08](#) contemplates that Council determine "that a need now exists" to establish the CCD Fund for all of the purposes identified above, IC 36-9-15.5 does not explicitly state that a finding of "need" be made, but it states that the legislative body may use the CCD Fund for the purposes set forth above. It appears that the language of [Ordinance 2025-08](#) comes from a template provided by the Department of Local Government Finance, as referenced in the DLGF Memo provided by the Controller. However, as a legal matter, this finding of need does not seem inconsistent with the statute's purposes, if Council agrees with the purposes identified above.

In addition to the identified purposes of IC 36-9-15.5-2, Section 1 of [Ordinance 2025-08](#) also states that the CCD Fund is re-established for the purposes set forth in IC 36-9-15.5-8(c). Per IC 36-9-15.5-8(c), the CCD Funds may be spent for purposes "other than the purposes stated" in IC 36-9-15.5-2 if:

"the purpose is to protect the public health, welfare, or safety in an emergency situation that demands immediate action or to make a contribution to an authority established under [IC 36-7-23](#). Money may be spent under the authority of this subsection only after the executive of the municipality:

(1) issues a declaration that the public health, welfare, or safety is in immediate danger that requires the expenditure of money in the fund; or

(2) certifies in the minutes of the municipal legislative body that the contribution is made to the authority for capital development purposes.”

It appears that the “authority” in (c)(2) above refers to a multiple jurisdiction infrastructure authority established under IC 36-7-23 above.

In short, the Indiana Code permits that CCD Funds be spent for purposes not identified above in certain situations if the executive complies with the statutory requirements of IC 36-7-23 et seq.

Contact

Jessica McClellan, Controller, 812-349-3412, jessica.mcclellan@bloomington.in.gov

ORDINANCE 2025-08

ORDINANCE REESTABLISHING CUMULATIVE CAPITAL DEVELOPMENT FUND

Under Indiana Code 36-9-15.5

WHEREAS, Indiana Code 36-9-15.5 provides for the establishment of a Municipal Cumulative Capital Development Fund; and

WHEREAS, said fund may be used for any purpose for which property taxes may be imposed under the authority of Indiana Code 36-9-15.5-2; and

WHEREAS, the City of Bloomington established a Cumulative Capital Development Fund by adoption of [Ordinance 84-28](#) for a three year period ending December 31, 1987, and reauthorized said fund as provided by statute with the adoption of [Ordinance 87-24](#), [Ordinance 90-33](#), [Ordinance 93-38](#), [Ordinance 12-15](#), and [Ordinance 18-02](#); and

WHEREAS, pursuant to Indiana Code 36-9-15.5-6, the municipal fiscal body may provide money for the Cumulative Capital Development Fund by levying a tax in compliance with Indiana Code 6-1.1-41;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. The Bloomington Common Council of Monroe County, Indiana hereby determines that a need now exists for the re-establishment of a Cumulative Capital Development Fund for all purposes set out in Indiana Code 36-9-15.5 and Indiana Code 36-9-15.5-8(c), and said fund is hereby re-established.

SECTION 2. The City Council shall adhere to the provisions of Indiana Code 36-9-15.5. The proposed fund will not exceed \$0.05 on each \$100 of assessed valuation. Said tax rate will be levied beginning with taxes for 2025 payable 2026.

SECTION 3. Proofs of publication of the public hearing held on the 5th day of March, 2025, and a certified copy of this ordinance shall be submitted to the Department of Local Government Finance of the State of Indiana as provided by law. This Cumulative Fund is subject to the approval of the Department of Local Government Finance.

SECTION 4. Said Fund shall be held in a special fund as provided in Indiana Code 36-9-15.5-8(a) and shall be used in accordance with the provisions of Indiana Code 36-9-15.5 et seq. and all other applicable provision of law. The City shall adhere to all related provision of the Indiana Code.

SECTION 5. Expenditures from this fund shall be made only after annual appropriation by the common Council of the City of Bloomington and approval by the Indiana Department of Local Government Finance.

SECTION 6. Severability. If any section, sentence or provision of the ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 7. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval by the Mayor and after all statutory procedures are followed.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this
_____ day of _____, 2025.

Hopi Stosberg, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this
_____ day of _____, 2025.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED AND APPROVED by me this _____ day of January, 2025.

Kerry Thomson, Mayor
City of Bloomington

SYNOPSIS

This Ordinance reauthorizes the Municipal Cumulative Capital Development Fund for taxes assessed in year 2025 and payable in year 2026 and authorizes collection of property tax at the rate of \$0.05 per \$100 of valuation; the fund may be used for the purposes set out in IC 36-9-15.5 et seq.



MEMO FROM CONTROLLER MCCLELLAN:

To: Members of the Common Council

From: Jessica McClellan, Controller

Date: 2-5-2025

Re: Ordinance 2025-08 – Reestablish Cumulative Capital Development Fund

This Ordinance reauthorizes the Municipal Cumulative Capital Development Fund for taxes assessed in year 2025 and payable in year 2026 and authorizes collection of property tax at the rate of \$0.05 per \$100 of valuation; the fund may be used for the purposes set out in IC 36-9-15.5 et seq.

Under past versions of Indiana Code, the Cumulative Capital Development (CCD) Fund typically had to be reestablished by a city or county every three years. This requirement was set to ensure local governments had regular opportunities to review and adjust their use of the fund, allowing for flexibility in how they allocated resources for capital projects. The expiration of the CCD Fund every three years was tied to a provision that required local legislative bodies to periodically affirm the fund's existence and its tax rates, a process that ensured the fund remained responsive to changing needs.

The provision that required the Cumulative Capital Development Fund to be reestablished every three years was **repealed** as part of the reforms in **2022**. Specifically, Senate Enrolled Act 376 (2022) was the legislation that eliminated the three-year expiration requirement. Under the new law, once a city or county reestablishes the CCD Fund, it does not need to be reestablished again unless the state changes the rates or other significant provisions related to the fund.

To summarize:

- **Before 2022:** The CCD Fund expired every three years and had to be reestablished by local governments.
- **After 2022:** The three-year expiration requirement was repealed. Once reestablished, the CCD Fund remains in place unless the state changes related rates or other legal provisions.

Summary of Department of Local Government procedure to establish or reestablish a cumulative fund:

- Publish notice of hearing on proposed reestablishment twice, ten days and three days before hearing, 7 days apart. Notice was published February 21 and February 28 2025 in the Herald Times.
- Adoption of ordinance/resolution by adopting body (consolidated cities require city council).



City of Bloomington Indiana

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- Publish notice of adoption once within 30 days of city council adoption. Notice will be published March 10th, 2025 in the Herald Times.
- Begin 30 day remonstrance period. Taxpayers who are city residents and city property owners may file a remonstrance with the County Auditor until noon on April 9th, 2025.
- Submit to the DLGF the adopted ordinance, the Auditor's Certificate of No Remonstrance, and the DLGF's Procedure Checklist.

This packet contains:

1. Indiana Code Citation of CCD Fund uses and a summary of the code citations.
2. DLGF Memo Feb 5, 2024: Establishing Cumulative Capital Fund Procedures
3. Notice to Taxpayers of Reestablishment of Cumulative Capital Development Fund; published Feb 21 and Feb 28, 2025.
4. Notice of Adoption of the Cumulative Capital Development Fund; to be published March 10, 2025.

1. IC 36-9-15.5-2 Authorization of fund; purpose

Sec. 2. The legislative body of a municipality may establish a cumulative capital development fund under IC 6-1.1-41 to provide money for any purpose for which property taxes may be imposed within the municipality under the authority of:

IC 8-16-3; IC 8-22-3-25; IC 14-27-6-48; IC 14-33-14; IC 16-23-1-40; IC 36-8-14; IC 36-9-4-48; IC 36-9-16-2; IC 36-9-16-3; IC 36-9-16.5; IC 36-9-17; IC 36-9-26; IC 36-9-27-100; IC 36-10-3-21; or IC 36-10-4-36.

CUM CAP DEV Fund uses:

- Bridge: construction, reconstruction, approach, new or improved traffic service; maintain, repair, engineering, equipment, land acquisition, materials, contract/bond interest.
- Building: construction, enlargement, improvement, remodeling, repair, equipment of airport buildings, structures, runways, facilities.
- Public buildings: purchase, construction, equipping, land acquisition for public purposes.
- Public ways/sidewalks: land acquisition, construction, maintenance, sanitary/storm sewers, utility acquisition (purchase/lease), park/recreation land acquisition, vehicle purchase (police/fire), retire GO Bonds (for property improvements).
- Public ways/sidewalks: construction, reconstruction, improvement, repair (sidewalks, curbs, gutters, sewers, drains).
- Public ways/sidewalks: construction, reconstruction, improvement, repair (sidewalks, curbs, gutters, sewers, drains).
- Park/recreation: building remodeling, repair, land acquisition.



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- Sewage/stormwater: planning, construction, remodeling, repair, extension of disposal plants/sewers.
- Levees: gates, pumping stations, facility improvements.
- Channel improvements: levees, water retarding/impoundment structures.
- County hospital.
- Fire department: purchase, construction, renovation, building additions, equipment purchase.
- Buses: acquisition, planning, route/schedule establishment and maintenance.
- Public transportation: non-consumable personal property purchase, vehicle/equipment for illuminating public ways, computer hardware/software/maintenance, communication systems, employee technology training, body armor.

STATE OF INDIANA

DEPARTMENT OF LOCAL GOVERNMENT FINANCE



INDIANA GOVERNMENT CENTER NORTH
100 NORTH SENATE AVENUE N1058(B)
INDIANAPOLIS, IN 46204
PHONE (317) 232-3777
FAX (317) 974-1629

TO: All Political Subdivisions

FROM: Fred Van Dorp, Budget Director

DATE: February 5, 2024

SUBJECT: Procedures for the Establishment and Reestablishment of Cumulative Funds

The Department of Local Government Finance (“Department”) issues this memorandum, which applies to the following Cumulative Funds established under the procedures outlined in Ind. Code § 6-1.1-41, and which supersedes all previous memoranda on the subject. This memo does not take the place of Indiana law. The Department and all local units of government are bound to due dates and responsibilities as outlined in the law. In the event any part of this memorandum conflicts with Indiana law, Indiana law governs.

Please note that House Enrolled Act 1427-2021 (“HEA 1427”) amended the process for establishing or reestablishing cumulative funds. This includes the Department’s review of the unit’s proposal. With a few exceptions, HEA 1427 did not change the process for a unit to establish or reestablish a cumulative fund prior to submitting the proposal to the Department. This memorandum incorporates the changes made by HEA 1427 as well as describing the statutory requirements under Ind. Code § 6-1.1-41 and related statutes.

Please also note that House Enrolled Act 1260-2022 (“HEA 1260”) eliminates the requirement that tax rates for certain cumulative funds be adjusted to reflect increases in assessed value in the unit due to reassessment or annual adjustments. The tax rates will no longer be adjusted starting with taxes payable in 2024. A list of cumulative funds no longer subject to adjustments can be found at the end of this memorandum. This does not prohibit units from adopting lower tax rates for the cumulative fund in Table 3.

A political subdivision (“unit”) desiring a new cumulative fund or to increase the property tax rate for an existing cumulative fund must establish or reestablish the fund. The unit may only establish or reestablish a cumulative fund for which it has authority to establish under the statutes referenced at the end of this memorandum in Table 1. Templates for each step may be found in the companion document with this memo.

1. Procedure Checklist
 - The checklist can be found in **Appendix A** of the companion document.
2. Adopted resolution/ordinance of adopting body.
 - For most units, the resolution/ordinance template can be found in **Appendix C** of the companion document.

- For municipalities and counties establishing a cumulative capital development fund, the resolution/ordinance template can be found in **Appendix D** of the companion document.
 - For fire protection territories, the resolution/ordinance template can be found in **Appendix E** of the companion document.
3. County auditor's Certificate of No Remonstrance
- If no taxpayer remonstrance has been filed, the county auditor will be able to provide the appropriate certificate.
 - Additional information related to submitting the Certificate of No Remonstrance can be found later in the memo.

All units seeking to establish or reestablish a cumulative fund with the Department must submit the following documents to the Department by **May 31, 2024**.

Submissions and questions regarding the cumulative fund procedures should be sent directly to your [Budget Field Representative](#). Units may submit these documents electronically.

In addition to complying with the budget, tax rate, and tax levy requirements of Ind. Code § 6-1.1-17, the following steps must be taken when establishing a cumulative fund or increasing the rate of an established fund. A tax to finance the fund may not be levied in the ensuing year if

- following a hearing on a taxpayer remonstrance, the establishment of a fund is found not to be in compliance with Ind. Code § 6-1.1-41 and other relevant statutes; or
- the tax rate is not certified in conformity with Ind. Code § 6-1.1-41.

PUBLICATION OF NOTICE TO TAXPAYERS

The hearing must be publicized through a Notice to Taxpayers in accordance with Ind. Code § 5-3-1-2(f). The hearing must describe the tax levy to be imposed and must be published two (2) times, at least seven (7) days apart, with the first publication being at least ten (10) days before the public hearing and the second publication at least three (3) days before the public hearing. Per Ind. Code § 6-1.1-41-3(d) as amended by HEA 1427, the notice of the public hearing must be in the form prescribed by the Department. **Appendix B** contains a template for this notice.

The notice must be published in two (2) newspapers published within the unit, as applicable, in accordance with Ind. Code § 5-3-1-4. A unit may post the notice on its website in accordance with Ind. Code § 5-3-5.

If the fund is for a Cumulative Voting System (Ind. Code § 3-11-6) or Cumulative Channel Maintenance (Ind. Code § 8-10-5-17), a notice of the proposal and the public hearing must also be posted in three public places within the unit.

PUBLIC HEARING & ADOPTION OF RESOLUTION/ORDINANCE

The adopting body for the unit must conduct a public hearing on the proposed cumulative fund on the date, time, and location as indicated in the Notice to Taxpayers. At this hearing, taxpayers of the affected taxing district(s) have the right to be heard. After the public hearing, the adopting body can vote to pass a resolution/ordinance adopting the proposed cumulative fund and rate as

presented, or at a lower tax rate. **Appendices C through E** contain templates for this resolution/ordinance. Use of these templates is not required.

Units should pay close attention to whether the enabling statute requires the unit's fiscal body or legislative body to establish a cumulative fund.

For units seeking to adopt a new cumulative capital development fund, the Department offers both **Appendices C and D**. However, **Appendix D** is provided to adopt a phase-in of the maximum allowable rate as allowed by Ind. Code § 36-9-14.5-6 (for counties) and Ind. Code § 36-9-15.5-6 (for municipalities).

PUBLICATION OF NOTICE OF ADOPTION

The unit must publish a Notice of Adoption to the affected taxpayers. Per Ind. Code § 6-1.1-41-3(e), this notice must be published in a manner prescribed by the Department. **Appendix F** contains a template for this notice. The unit must publish the Notice of Adoption one (1) time within 30 days after the date of the adoption in two newspapers published within the unit, as applicable, in accordance with Ind. Code § 5-3-1-4. If the fund is for a Cumulative Voting System (Ind. Code § 3-11-6) or Cumulative Channel Maintenance (Ind. Code § 8-10-5), the notice must also be posted in three public places in the political subdivision.

The publication of this Notice begins a 30-day remonstrance period for the taxpayers affected by the cumulative fund. Taxpayers who are affected by the proposed cumulative fund may file an objection petition with the county auditor, not later than noon 30 days after the publication of the Notice of Adoption, setting forth their objections to the proposed fund. Pursuant to Ind. Code § 6-1.1-41-6, and as changed by HEA 1427, signatures from at least **twenty-five (25)** taxpayers are required for a valid objection.

Exceptions to the 30-day remonstrance period are limited to the Cumulative Building and Capital Improvement Fund (Ind. Code § 36-9-16-5) and the Cumulative Building for Hospitals Fund (Ind. Code § 16-22-5-4). Only these two funds require a ten-day remonstrance period.

Pursuant to Ind. Code § 6-1.1-41-3(e), the Department prescribes the manner in which the Notice of Adoption must be published.

The county auditor must immediately certify the objection petition(s) to the Department by verifying all of the following:

1. The number of taxpayers on the petition and counterparts who are property owners within the taxing district(s) where the proposed cumulative fund will be levied.
2. The proper number of qualified signatures appears on the petition and counterparts.
3. The petition(s) was filed within the proper number of days after the publication of the Notice of Adoption.

TAXPAYER REMONSTRANCE & HEARING

If a petition is certified by the county auditor to the Department, the Department must fix a date for a hearing within a reasonable time after receipt of the objection. The Department is **not** required to hold a public hearing on a taxpayer remonstrance unless the petition alleges by

reasonable statements of fact that the unit failed to comply with the procedural requirements under 1) Ind. Code § 6-1.1-41; 2) Ind. Code § 5-3-1; or 3) the enabling act for the cumulative fund. A hearing will be conducted by a hearing officer of the Department, at which time all affected taxpayers will have the right to be heard. As permitted by Ind. Code § 6-1.1-41-7, this hearing may be held through electronic means or in-person.

Notice of the hearing, under the signature of the Commissioner of the Department, must be given to the county auditor and the first ten (10) taxpayers whose names appear on the petition at least five (5) days before the date of the hearing. This notice must be sent by mail with prepaid postage at least five (5) days before the hearing date. This notice will indicate whether the hearing will be held electronically or in-person.

At the hearing, testimony will be accepted from those in opposition to, as well as those in favor of, the proposed cumulative fund. The hearing officer will submit a report on the hearing to the Commissioner. The Department must certify approval, disapproval, or modification of the proposal to the county auditor. The Department may only disapprove a cumulative fund upon a finding that the unit did not comply with the procedural requirements under 1) Ind. Code § 6-1.1-41; 2) Ind. Code § 5-3-1; or 3) the enabling act for the cumulative fund. The action of the Department with respect to the proposed fund is final.

SUBMISSION TO THE DEPARTMENT

A unit that adopts a proposed cumulative fund pursuant to Ind. Code § 6-1.1-41 must submit the adopted ordinance/resolution to the Department for approval **on or before May 31** of the year preceding the year in which the proposed levy takes effect. The following must be submitted to the Department:

- Procedure Checklist (**Appendix A**).
- Adopted resolution/ordinance of adopting body (**Appendix C, Appendix D, or Appendix E** as applicable).
- County auditor's Certificate of No Remonstrance, when available* (**Appendix F**, as applicable).

*While Ind. Code § 5-3-1-2(i) requires a Notice of Adoption to be published within 30 days of the date of adoption, Ind. Code § 6-1.1-41-4 requires that a proposal be submitted to the Department on or before May 31. The proposal must include a Certificate of No Remonstrance so that the Department is aware that no remonstrance has been filed prior to certifying the tax rate. However, a unit that adopts a cumulative fund in mid-May will not have a full 30 days to publish the Notice of Adoption before having to submit the proposal. In such a case, it would not be possible to have a Certificate of No Remonstrance both on or before May 31 **and** once the 30-day remonstrance window has expired. A unit may submit a Certificate of No Remonstrance after the May 31 deadline under the following conditions:

- The Notice of Adoption was published before May 31.
- The remonstrance period cannot end on or before May 31.
- All of the other required documents have been submitted to the Department on or before May 31.

The Department will not proceed with certifying the tax rate until the Certificate of No Remonstrance is received.

Ind. Code § 5-3-1-4, as presently written, does not distinguish between paper and electronic versions of newspapers. As more and more newspapers are moving entirely to an electronic format, some units may not have newspapers that publish paper editions in their jurisdiction. The unit should attempt, in compliance with Ind. Code § 5-3-1, to publish its notices in paper editions.

REVIEW BY THE DEPARTMENT

If no taxpayer remonstrance has been filed pursuant to Ind. Code § 6-1.1-41-6: The Department will verify that the tax rate for the cumulative fund as stated in the adopting ordinance does not exceed the tax rate that is permitted by the statute that allows the levy for the cumulative fund. A list of statutes and tax rates can be found in Table 2. The Department will certify the rate adopted by the unit, not to exceed the statutory maximum rate for the cumulative fund. If a submission is not filed on or before May 31, the Department has discretion not to certify the rate.

If a taxpayer remonstrance has been filed pursuant to Ind. Code § 6-1.1-41-6: After a hearing on the objections, the proposal will be reviewed by the Department for compliance with procedural requirements and whether the adopted rate does not exceed what is permitted by statute. If the adopted rate exceeds what is permitted by statute and the proposal is otherwise proper, the Department will approve the rate at the lesser of the adopted rate and the statutory maximum rate.

INCLUDING THE CUMULATIVE FUND IN THE UNIT'S BUDGET

An established cumulative fund may be levied beginning with the first annual tax levy imposed following approval of the proposal or in the year stated in the Department's order. Cumulative funds, with the exception of the Cumulative Building or Cumulative Capital Improvement Fund (Ind. Code § 36-9-16-4), do not expire and may be levied from year to year as long as they are advertised annually with the annual budget or are not time-limited by the establishing resolution/ordinance.¹ **Please note that if a unit adopts a rate for a cumulative fund as part of its budget adoption that is less than the rate at which the fund had been initially established, the unit will be held to that lesser rate the following year unless the unit reestablishes the fund at a higher rate. Again, to levy a tax in 2025, the fund must be properly adopted in 2024 and the petition timely submitted to the Department in 2024 (a unit seeking to levy a cumulative fund tax starting in 2025 should not adopt the cumulative fund until 2024).**

If the appropriate fiscal body wishes to increase the rate in subsequent years, the fund must be reestablished and presented to taxpayers (a unit establishing a municipal or county cumulative development fund may adopt three years' rates upon the establishment of such fund). The fund must also be reestablished if the use of the cumulative fund is changed. The tax rate may not exceed the rate specified by the statute authorizing the fund. The Department will apply the rate cap calculations to all cumulative funds as listed in this memorandum.

¹ Cumulative funds established under IC 16-22-5-2 and IC 16-23-1-40 also expire by statute, but they are not governed by IC 6-1.1-41.

ADDITIONAL GUIDANCE ON CUMULATIVE FUNDS

1. A tax to finance the fund may not be levied in the ensuing year if:
 - following a hearing on a taxpayer remonstrance, the establishment of a fund is found not to be in compliance with Ind. Code § 6-1.1-41 and other relevant statutes; or
 - the tax rate is not certified in conformity with Ind. Code § 6-1.1-41.
2. With the elimination of adjusting rates in accordance with Ind. Code § 6-1.1-18-12 starting with taxes payable in 2023, the Department will not accept any submissions to reestablish a cumulative fund from a local unit where the cumulative fund tax rate was certified by the Department at the statutory maximum for the current budget year. For example, if the Department certified a county's cumulative capital development fund tax rate at \$0.0333 for pay-2024, the Department will not accept a submission from the county to reestablish that cumulative fund's tax rate at \$0.0333 for pay-2025. This is because the tax rate is already at the maximum rate allowed by statute and is no longer subject to adjustment under Ind. Code § 6-1.1-18-12, therefore reestablishment and certification would be unnecessary. The county may, for pay-2025, adopt a lower tax rate for the cumulative fund and then for pay-2026 reestablish the cumulative fund at a higher tax rate.
3. Taxes collected for a cumulative fund must be deposited in that same fund and may only be used for the purposes authorized by the corresponding statute and the resolution/ordinance as adopted. All funds must be appropriated before expenditure. The Department must approve all appropriations, except for those involving the Cumulative Bridge Fund or Cumulative Levee Fund. Appropriations may be included in the unit's annual budget or may be performed through the additional appropriation process under Ind. Code § 6-1.1-18-5. Levies and rates, however, must be approved in the annual budget process.
4. If the unit establishing the fund decides that the need for which the fund was established has been satisfied or no longer exists or the unit rescinds the tax levy for the fund, the fiscal body shall, pursuant to Ind. Code § 36-1-8-5, order the balance of the fund to be transferred as follows, unless a statute provides that it be transferred otherwise:
 - (1) funds of a county, to the general fund or rainy-day fund of the county;
 - (2) funds of a municipality, to the general fund or rainy-day fund of the municipality;
 - (3) funds of a township for the redemption of township assistance obligations, to the township assistance fund of the township or rainy-day fund of the township; and
 - (4) funds of any other political subdivision, to the general fund or rainy-day fund of the political subdivision.
5. State Board of Accounts ("SBOA") has taken the position that transfers from cumulative funds are governed by the specific statutory language and SBOA would take exception to cumulative funds under Ind. Code § 6-1.1-41 being transferred to the rainy-day fund. SBOA would not take exception to the transfer of funds if the purpose for which the fund was established had been accomplished, the need for the fund no longer existed, or the unit rescinded the tax levy.

6. Fire Protection Territory Equipment Replacement Fund is subject to both Ind. Code § 36-8-19-8.5 and Ind. Code § 6-1.1-41. Thus, the legislative bodies of each participating unit must adopt an ordinance (if the unit is a county or municipality) or a resolution (if the unit is a township), and the following requirements must be met:
 - (1) The ordinance or resolution is identical to the ordinances and resolutions adopted by the other participating units.
 - (2) Before adopting the ordinance or resolution, each participating unit must comply with the notice and hearing requirements of Ind. Code § 6-1.1-41-3.
 - (3) The ordinance or resolution authorizes the provider unit to establish the fund.
 - (4) The ordinance or resolution includes at least the following:
 - a. The name of each participating unit and the provider unit.
 - b. An agreement to impose a uniform tax rate upon all of the taxable property within the territory for the equipment replacement fund.
 - c. The contents of the agreement to establish the fund.
 - (5) A Notice of Adoption is published in accordance with Ind. Code § 5-3-1-4, which begins a 30-day remonstrance period.
 - (6) Objection petitions are processed as described on pages 2 and 3 of this Memorandum.
 - (7) All materials are submitted to the Department on or before May 31.

See Ind. Code § 36-8-19-8.5 for more information. **Appendix D** features a template ordinance/resolution.

7. Before a Cumulative Firefighting Building and Equipment Fund may be established by a Fire Protection District, the county legislative body that appoints the trustees of the District must approve the establishment of the fund.

Special note on CCD fund tax rates for counties & municipalities

Ind. Code § 36-9-14.5-6 provides for a maximum rate of \$0.0333 for counties with a local income tax (LIT) in effect as of January 1 of the year then the levy would be imposed. Counties without a LIT in effect as of January 1 can have a maximum rate of \$0.0233.

Ind. Code § 36-9-15.5-6 provides for a maximum rate of \$0.05 for municipalities located in a county with a local income tax (LIT) in effect as of January 1 of the year then the levy would be imposed. A municipality in a county without a LIT in effect as of January 1 can have a maximum rate of \$0.04.

Table 1: Statutory Authority for Common Cumulative Funds

<u>Fund</u>	<u>Fund Number</u>	<u>Statutory Authority</u>
Cumulative Voting System Fund	0191	IC 3-11-6
Cumulative Channel Maintenance Fund	0990	IC 8-10-5-17
Cumulative Bridge Fund	0790	IC 8-16-3-1
Major Bridge Fund	0792	IC 8-16-3.1-4
Airport Cumulative Fund	2190	IC 8-22-3-25
Cumulative Levee Fund (Vanderburgh Co.)	0901	IC 14-27-6-48
Cumulative Improvement Fund	2390	IC 14-33-21-2
Cumulative Hospital Sinking Fund		IC 16-22-4-1
Cumulative Hospital Fund		IC 16-22-8-41
Cumulative Fire Fund (Fire District) ²	8691	IC 36-8-14-2
Cumulative Fire Fund (Township)	1190	IC 36-8-14-2
Cumulative Fire Fund (Municipality)	1191	IC 36-8-14-2
Cumulative Transportation Fund	8090	IC 36-9-4-48
Cumulative Courthouse Fund	0590	IC 36-9-14
Cumulative Capital Development (County Unit)	2391	IC 36-9-14.5
Cumulative Jail Fund	1192	IC 36-9-15
Cumulative Capital Development (Municipality)	2391	IC 36-9-15.5
Cumulative Building and Capital Improvement Fund	1092	IC 36-9-16
Cumulative General Improvement Fund	2392	IC 36-9-17
Cumulative Township Vehicle and Building Fund	1090	IC 36-9-17.5
Cumulative Bldg. Fund for Municipal Sewers	6290	IC 36-9-26
Cumulative Drainage Fund	0991	IC 36-9-27-100
Cumulative Park Fund (County and Municipality)	1390	IC 36-10-3-21
Cumulative Park Fund (Certain Cities)	1390	IC 36-10-4-36
Township Cumulative Park Fund	1390	IC 36-10-7.5-9
Fire Protection Territory Equipment Replacement Fund ³	8692	IC 36-8-19-8.5
Cumulative Public Safety Officer Survivor's Health Coverage Fund	0193	IC 36-8-8-14.2

² Before this fund may be established by a Fire Protection District, the county legislative body that appoints the trustees of the District must approve the establishment of the fund.

³ The process for establishing a Fire Protection Territory Equipment Replacement Fund is governed by both IC 36-8-19-8.5 and IC 6-1.1-41.

Table 2: Cumulative Fund Maximum Rates

<u>Fund</u>	<u>Fund Number</u>	<u>Indiana Code Citation</u>	<u>Maximum Rate</u>
Cumulative Voting System Fund	0191	IC 3-11-6	\$0.0167
Cumulative Channel Maintenance Fund	0990	IC 8-10-5-17	\$0.0333
Cumulative Bridge Fund	0790	IC 8-16-3-1	\$0.10
Major Bridge Fund	0792	IC 8-16-3.1-4	\$0.0333
Airport Cumulative Fund	2190	IC 8-22-3-25	\$0.0167
Cumulative Levee Fund (Vanderburgh Co.)	0901	IC 14-27-6-48	\$0.0067
Cumulative Improvement Fund	2390	IC 14-33-21-2	\$0.0333
Cumulative Hospital Sinking Fund ¹		IC 16-22-4-1	
Cumulative Hospital Fund		IC 16-22-8-41	\$0.0667
Cumulative Fire Fund (Fire District)	8691	IC 36-8-14-2	\$0.0333
Cumulative Fire Fund (Township)	1190	IC 36-8-14-2	\$0.0333
Cumulative Fire Fund (Municipality)	1191	IC 36-8-14-2	\$0.0333
Cumulative Transportation Fund	8090	IC 36-9-4-48	\$0.0667
Cumulative Courthouse Fund	0590	IC 36-9-14	\$0.1667
Cumulative Capital Development (County Unit) ²	2391	IC 36-9-14.5	\$0.0333
Cumulative Jail Fund ¹	1192	IC 36-9-15	
Cumulative Capital Development (Municipality) ³	2391	IC 36-9-15.5	\$0.05
Cumulative Building and Capital Improvement Fund	1092	IC 36-9-16	\$0.33
Cumulative General Improvement Fund	2392	IC 36-9-17	\$0.1667
Cumulative Township Vehicle and Building Fund	1090	IC 36-9-17.5	\$0.0167
Cumulative Bldg. Fund for Municipal Sewers	6290	IC 36-9-26	\$1.00
Cumulative Drainage Fund	0991	IC 36-9-27-100	\$0.05
Cumulative Park Fund (County and Municipality)	1390	IC 36-10-3-21	\$0.0167
Cumulative Park Fund (Certain Cities)	1390	IC 36-10-4-36	\$0.0333
Cumulative Park Fund (Township)	1390	IC 36-10-7.5-19	\$0.0167
Fire Protection Territory Equipment Replacement Fund	8692	IC 36-8-19-8.5	\$0.0333
Cumulative Public Safety Officer Survivor's Health Coverage Fund	0193	IC 36-8-8-14.2	See Note 4

¹ Where the "Maximum Rate" column is blank, there is no maximum statutory rate for that fund.

² There is a two-year phase-in of the rate. A newly established county CCD fund will have a maximum rate of \$0.0167 in its first year and \$0.0333 for every year thereafter, subject to trending under IC 6-1.1-18-12.

³ There is a three-year phase-in of the rate. A newly established municipality CCD fund will have a maximum rate of \$0.0167 in its first year, \$0.0333, in its second year, and \$0.05 for every year thereafter, subject to trending under IC 6-1.1-18-12.

⁴ The maximum allowable rate is the rate necessary to pay the annual cost of the health coverage that the unit is obligated to pay under IC 36-8-14.1(h). The unit must include information supporting the proposed rate when submitted the proposal to the Department for certification.

Table 3: Cumulative Funds Subject to IC 6-1.1-18-12 Rate Cap Adjustment

<u>Fund</u>	<u>Fund Number</u>	<u>Subject to Adjustment</u>
Cumulative Voting System Fund	0191	No
Cumulative Channel Maintenance Fund (Counties & Port Authorities)	0990	No
Cumulative Bridge Fund	0790	No
Major Bridge Fund	0792	No
Airport Cumulative Fund	2190	No
Cumulative Levee Fund (Vanderburgh Co.)	0901	No
Cumulative Improvement Fund	2390	No
Cumulative Hospital Sinking Fund		No
Cumulative Hospital Fund		No
Cumulative Fire Fund (Fire District)	8691	No
Cumulative Fire Fund (Township)	1190	No
Cumulative Fire Fund (Municipality)	1191	No
Cumulative Transportation Fund	8090	No
Cumulative Courthouse Fund	0590	No
Cumulative Capital Development (County Unit)	2391	No
Cumulative Jail Fund	1192	No
Cumulative Capital Development (Municipality)	2391	No
Cumulative Building and Capital Improvement Fund	1092	No
Cumulative General Improvement Fund	2392	No
Cumulative Township Vehicle and Building Fund	1090	No
Cumulative Bldg. Fund for Municipal Sewers	6290	No
Cumulative Drainage Fund (County)	0991	No
Cumulative Drainage Fund (Municipality)	0991	No
Cumulative Park Fund (County and Municipality)	1390	No
Cumulative Park Fund (Certain Cities)	1390	No
Cumulative Park Fund (Township)	1390	No
Fire Protection Territory Equipment Replacement Fund	8692	No
Cumulative Public Safety Officer Survivor's Health Coverage Fund	0193	No
Cumulative Conservancy Improvement Fund	2393	No

**NOTICE TO TAXPAYERS OF HEARING ON PROPOSED
REESTABLISHMENT OF THE CUMULATIVE
CAPITAL DEVELOPMENT FUND**

Notice is hereby given to the taxpayers of the City of Bloomington, Monroe County, Indiana, that the Bloomington Common Council will consider at Council Chambers, 401 N Morton St, Bloomington IN 47404 at 6:30 pm on March 26, 2025, the reestablishment of the Cumulative Capital Development Fund under the provisions of Indiana Code 36-9-15.5 for all purposes set out in Indiana Code 36-9-15.5.

The tax will be levied on all taxable real and personal property within the taxing district and will not exceed \$0.05 per \$100 of assessed valuation. The proposed fund will be levied beginning with taxes due and payable in the year 2026. Taxpayers appearing at such hearing shall have the right to be heard thereon. The proposed tax rate for the Cumulative Capital Development Fund is subject to certification by the Department of Local Government Finance.

Within 30 days after the date of the adoption of the cumulative fund by the Bloomington Common Council, the City of Bloomington will publish a Notice of Adoption.

Upon publication of the Notice of Adoption, 25 or more taxpayers in the taxing district may file a petition with the County Auditor not later than noon 30 days after the publication of the Notice of Adoption setting forth their objections to the proposed fund.

Dated this _____ day of _____, 2025.

Jessica McClellan, City of
Bloomington Controller

Herald Times:

Please publish Notice two times. Friday March 14 and Friday March 21

Send Invoice and Affidavit to:

City Controller's Office. Account # 552305 City –Controller
401 N Morton St Ste 240 Bloomington IN 47404

NOTICE OF ADOPTION

To the taxpayers of the City of Bloomington, Indiana.

You are hereby notified that on _____, 2025, the City of Bloomington, Monroe County, Indiana, pursuant to notice heretofore given, and under and by virtue of IC 36-9-15.5, duly adopted a plan whereby a Cumulative Capital Development Fund was reestablished to provide for all uses set forth in IC 36-9-15.5.

The fund will be provided for by a property tax rate of \$0.05 per one hundred dollars (\$100.00) of taxable real and personal property within the taxing unit beginning in 2025 payable 2026 and thereafter, continuing until reduced or rescinded.

Twenty-five or more taxpayers in the taxing unit who will be affected by the tax rate and corresponding levy may file a petition with the Monroe County Auditor not later than noon 30 days after the publication of this Notice setting forth their objections to the proposed cumulative fund. Upon the filing of the petition, the County Auditor shall immediately certify the same to the Department of Local Government Finance, at which point the Department will fix a date for and conduct a public hearing on the proposed cumulative fund before issuing its approval, disapproval, or modification thereof.

Dated this _____ day of _____, 2025.

Jessica McClellan, Controller
City of Bloomington

Herald Times:

Please publish Notice one time. Tuesday April 1

Send Invoice and Affidavit to:

City Controller's Office. Account # 552305 City –Controller
401 N Morton St Ste 240 Bloomington IN 47404

Controller – Notify Auditor of remonstrance period, requirements of signers, DLGF procedure.

Materials for Ordinance 2025-05:

Ordinance 2025-05 – To Amend the Following Titles of the Bloomington Municipal Code Regarding Resident Boards and Commissions: Title 2.12 “Boards, Commissions and Councils,” Title 2.19 “Housing and Neighborhood Development,” Title 2.23 “Community and Family Resources Department,” and Title 2.20 “Bloomington Board of Park Commissioners”

Synopsis

This ordinance is sponsored by Councilmember Piedmont-Smith and is a result of the work done by the Special Committee on Council Processes in 2024 (which she chaired). It brings forward revisions to Bloomington Municipal Code related to thirteen resident boards and commissions in order to update and clarify the duties of each entity, require an annual written report by each entity to the Common Council and the Mayor, and to make other revisions which came up during the Special Committee’s review of BMC and discussions with staff liaisons which serve the boards/commissions referenced.

Relevant Materials

- Sponsor Memo from Councilmember Piedmont-Smith
- Ordinance 2025-05
 - Attachment 1 – changes to Title 2.12
 - **NOTE:** This item was amended after the legislative packet was released on January 31, 2025, but before the item will be read for first reading on February 5, 2025. The change was to keep the word “city administration” instead of the word “mayor” in Title 2.12.100(8)(B) governing the Bloomington Commission on Sustainability’s Powers and Duties, and adding the words “and community resilience” at the end of that subsection.
 - Attachment 2 – changes to Title 2.19
 - Attachment 3 – changes to Title 2.23
 - Attachment 4 – changes to Title 2.20
- [*New Material*] Proposed Amendment 01 and memo, sponsored by Cm. Stosberg

Contact

Councilmember Isabel Piedmont-Smith, 812-349-3409, piedmoni@bloomington.in.gov

To: Members of the Common Council
Office of the Mayor

From: Councilmember Isabel Piedmont-Smith
District 1

Date: January 31, 2025

Subj: Ordinance 2025-05, Title 2 revisions related to resident boards and commissions

Ordinance 2025-05 brings forward recommendations for revisions to Title 2 of the Bloomington Municipal Code (BMC) related to boards and commissions that the Special Committee on Council Processes approved at its meeting on November 12, 2024. These revisions intend primarily to accomplish two goals:

- 1) Update and clarify the purposes, powers, and duties of boards and commissions
- 2) Require all boards and commissions to submit an annual written report to the mayor and the common council

The ordinance includes revisions to 13 entities: 12 commissions plus the Board of Housing Quality Appeals.

In 2021, then-mayor John Hamilton's administration engaged the Novak Consulting Group to study the many boards and commissions convened by the city, and in January 2022 that consultant issued a report entitled "City of Bloomington Organizational Assessment – Boards and Commissions." The common council formally began to review the Novak report via the Special Committee on Council Processes (SCCP), created by the council president in January 2023 (and renewed for 2024). In the course of this review, the Committee decided to go further than the Novak report and examine the BMC language of all non-statutory boards and commissions. See page four of this memo for a list of entities not covered in Ordinance 2025-05.

Ordinance 2025-05 follows through on one of the ten recommendations by Novak: *Require a brief annual report to the Mayor and City Council from each board and commission to ensure the work aligns with the City goals.* Some boards and commissions already had this requirement in BMC, but others did not. Ordinance 2025-05 makes this requirement clear for all 13 entities. Note that, in late 2023, the Committee discussed two different sorts of annual reports and came up with draft templates. The Committee decided that most commissions should submit a report on their activities, while for a few other entities (such as the Board of Housing Quality Appeals) it would make more sense to report on trends, since their activities are similar year after year.

The below paragraphs summarize the substantive revisions in Ordinance 2025-05 other than the annual reporting requirement.

ATTACHMENT 1

2.12.010 Animal Care and Control Commission

Addition to *Powers and Duties*:

“In carrying out its duties, consider public health and the safety of residents, as well as ecosystem health and services.”

Proposed by: SCCP

SCCP’s reasoning: To empower the commission to make recommendations in regard to the control of wild animals such as deer in addition to their usual domain of domesticated animals

2.12.020 Bloomington Arts Commission

More details under *Public Policy and Purpose* and *Powers and Duties*

Proposed by: Some initial changes proposed by SCCP, these were rephrased and added to by the Bloomington Arts Commission

SCCP’s reasoning: Add inclusion and equity language

2.12.050 Environmental Quality and Conservation Commission

Change name to Environmental Commission; substantial revision of purpose and powers/duties sections; deletion of Definitions as they are no longer needed

Proposed by: SCCP, with further input from the Environmental Commission

SCCP’s reasoning: Update the language to a more modern, expansive conception of environmental protection; remove language about hiring employees; remove language focused on pollution prevention and enforcement

2.12.090 Martin Luther King Jr.’s Birthday Celebrations Commission

Greater detail in purpose language.

Proposed by: MLK Jr. Birthday Commission

2.12.100 Bloomington Commission on Sustainability

Rephrasing of purpose, with reference to the UN Sustainable Development Goals; deletion of responsibility to provide an annual sustainability assessment

Proposed by: SCCP and BCOS

SCCP’s reasoning: Better reflect commission’s role as advisory to city government practices and policies; place role in context of adopted Climate Action Plan and Sustainability Action Plan

2.12.120 Community Advisory on Public Safety Commission

Reduce number of members from 11 to 9

Proposed by: SCCP

SCCP’s reasoning: Make it easier to fill all spots on the commission

ATTACHMENT 2

2.19.040 Board of Housing Quality Appeals

Addition of annual reporting requirement only (trends)

ATTACHMENT 3

2.23.050 Commission on the Status of Children and Youth

Expand upon goals (g) and (h)

Proposed by: SCCP

SCCP's reasoning: Clarify vague goals

2.23.060 Commission on the Status of Women

Delete specific mention of working with the human rights commission and the League of Women Voters; delete mention of advising mayor and common council on hiring personnel

Proposed by: SCCP

SCCP's reasoning: Eliminate specific, largely irrelevant goal of close working relationships with these two groups

2.23.070 Bloomington Commission on the Status of Black Males

Eliminate requirement for "action committees;" preface work on problems affecting this population with identification of such problems; delete reference to specific other civic groups to work with

Proposed by: SCCP

SCCP's reasoning: Allow flexibility in method of work (rather than "action committees"); identify problems before trying to address them; generalize which groups the commission should partner with rather than naming specific civic groups

2.23.080 Committee on Hispanic and Latino Affairs

Change Latino to Latiné (non-gendered); eliminate requirement for "action committees;" preface work on problems affecting this population with identification of such problems; delete reference to specific other civic groups to work with

Proposed by: SCCP, with additional changes by the commission

SCCP's reasoning: Use more inclusive, non-gendered language; allow flexibility in method of work (rather than "action committees"); identify problems before trying to address them; generalize which groups the commission should partner with rather than naming specific civic groups

2.23.090 Commission on Aging

Eliminate requirement for "study committees;" delete reference to specific other civic groups to work with

Proposed by: SCCP

SCCP's reasoning: Allow flexibility in method of work (rather than "study committees"); generalize which groups the commission should partner with rather than naming specific civic groups

ATTACHMENT 4

2.20.150 Tree Commission

Update terms, assist with grants rather than applying for them directly; remove duty of assisting with tree inventory, emphasis on advocacy and education

Change number of appointments from 8 voting members to 7 voting members; change the urban forester from a non-voting member to a staff liaison.

Proposed by: Tree Commission and urban forester

OTHER BOARDS AND COMMISSIONS

The Special Committee on Council Processes did not consider revisions to the following boards and commissions for the reasons indicated below.

These three commissions are being considered for integration into a new Advisory Transportation Commission

- Bicycle and Pedestrian Safety Commission
- Parking Commission
- Traffic Commission

Bloomington Digital Underground Advisory Committee – very limited scope

Bloomington/Monroe County Human Rights Commission – joint commission with the County

City of Bloomington Capital Improvement (CBCI) – specific capital development purposes

Council for Community Accessibility – volunteers, not appointed

Under the auspices of Parks & Recreation Department

1. Board of Park Commissioners
2. Cascades Golf Course Advisory Council
3. Environmental Resources Advisory Council
4. Farmers' Market Advisory Council

Defined by state statute

1. Board of Public Safety
2. Board of Public Works
3. Board of Zoning Appeals
4. Firefighters Pension Board
5. Police Pension Board
6. Historic Preservation Commission

ORDINANCE 2025-05

TO AMEND THE FOLLOWING TITLES OF THE BLOOMINGTON MUNICIPAL CODE REGARDING RESIDENT BOARDS AND COMMISSIONS: TITLE 2.12 “BOARDS, COMMISSIONS AND COUNCILS,” TITLE 2.19 “HOUSING AND NEIGHBORHOOD DEVELOPMENT,” TITLE 2.23 “COMMUNITY AND FAMILY RESOURCES DEPARTMENT,” AND TITLE 2.20 “BLOOMINGTON BOARD OF PARK COMMISSIONERS”

WHEREAS, in January 2022, a report was issued by the Novak Consulting Group to Mayor Hamilton’s administration entitled “Organizational Assessment – Boards and Commissions;” and

WHEREAS, the president of the common council created the Special Committee on Council Processes in January 2023 to review the Novak report and to make recommendations to improve the processes of the Common Council; and

WHEREAS, the Special Committee on Council Processes was renewed in January 2024 by the new Common Council president to continue its work;

WHEREAS, subsequent to its review of the Novak Report, the Committee reviewed the Bloomington Municipal Code (BMC) sections related to resident boards and commissions, consulted with those entities and their staff liaisons, and made recommendations for revisions to BMC language largely, but not solely, focused on the powers/duties/purposes of each entity; and

WHEREAS, the Committee’s recommended revisions also aim to require an annual written report to the Common Council and the Mayor from each board and commission considered;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY THAT:

Section 1. Chapter 2.12 (“Boards, Commissions and Councils”) of the Bloomington Municipal Code (BMC) shall be amended by incorporating the changes indicated in Attachment 1 of this ordinance. Attachment 1 deals with the following entities:

- 2.12.010 Animal Care and Control Commission
- 2.12.020 Bloomington Arts Commission
- 2.12.050 Environmental Quality and Conservation Commission
- 2.12.090 Martin Luther King, Jr.’s Birthday Celebrations Commission
- 2.12.100 Bloomington Commission on Sustainability
- 2.12.120 Community Advisory on Public Safety Commission

Section 2. Chapter 2.19 (“Housing and Neighborhood Development”), section 040 (“Board of Housing Quality Appeals”) of the BMC shall be amended by incorporating the changes indicated in Attachment 2 of this ordinance.

Section 3. Chapter 2.23 (“Community and Family Resources Department”) of the BMC shall be amended by incorporating the changes indicated in Attachment 3 of this ordinance. Attachment 3 deals with the following entities:

- 2.23.050 Commission on the Status of Children and Youth
- 2.23.060 Commission on the Status of Women
- 2.23.070 Bloomington Commission on the Status of Black Males
- 2.23.080 Commission on Hispanic and Latino Affairs
- 2.23.090 Commission on Aging

Section 4. Chapter 2.20 (“Bloomington Board of Park Commissioners”), section 150 (“Tree Commission”) of the BMC shall be amended by incorporating the changes indicated in Attachment 4 of this ordinance.

Section 5. If any section, sentence or provision of this ordinance, or application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions or application of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 6. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2025.

HOPI STOSBERG, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2025.

NICOLE BOLDEN, Clerk,
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2024.

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This ordinance is sponsored by Councilmember Piedmont-Smith and is a result of the work done by the Special Committee on Council Processes in 2024 (which she chaired). It brings forward revisions to Bloomington Municipal Code related to thirteen resident boards and commissions in order to update and clarify the duties of each entity, require an annual written report by each entity to the Common Council and the Mayor, and to make other revisions which came up during the Special Committee’s review of BMC and discussions with staff liaisons which serve the boards/commissions referenced.

2.12.010 Animal care and control commission.

The commission shall be composed of six members.

- (1) Appointments. Three members shall be appointed by the mayor, two by the common council, and one by and representative of the Monroe County board of commissioners.
- (2) Qualifications. One of the mayor's appointees shall be a licensed veterinarian who is a resident of Monroe County and one shall be a member of the Monroe County Humane Association. The representative from the Monroe County board of commissioners must reside in Monroe County.
- (3) Meeting. Regular meetings shall be held once every month as called by the chairperson.
- (4) Powers and Duties. The commission's powers and duties include, but are not limited to the following:
 - (a) Formulate, adopt, and implement policies, principles, and standards for humane treatment and control of all animals in the city;
 - (b) Review the decisions and actions of the director of the animal care and control ~~department~~ division and any animal care and control officer in any matter related to the enforcement of this chapter, if a written request for a hearing is received from the complaining animal owner within ten days after that action is taken; and
 - (c) Make recommendations to the mayor ~~and of~~ the city-common council as to necessary ordinances concerning the care, treatment and control of animals; and
 - (d) In carrying out its duties, consider public health and the safety of residents, as well as ecosystem health and services; and
 - (e) Submit an annual report, in writing, to the mayor and common council.-

(Ord. 97-03 § 3, 1997; Ord. 83-6 § 2 (part), 1983).

(Ord. No. 14-11, §§ 12, 13, 7-2-2014)

2.12.020 Bloomington Arts Commission.

- (a) Public Policy and Purpose. The city of Bloomington recognizes that the arts are an important part of the culture and economy of the community, and that the city has a responsibility to foster an environment conducive to the community's participation in the arts. The conservation and development of the city's artistic resources are essential to the social, educational, and economic ~~growth-vitality~~ of the city. Artists, works of art, and artistic institutions contribute to the quality of life and the general welfare of the citizens of Bloomington. The BAC seeks to provide inclusive and equitable opportunities to all artists and community members, especially those who have been under-served.
The Bloomington Arts Commission strives to develop and enhance the Bloomington arts community by:
 - (1) Supporting local artists and artist groups;
 - (2) Engaging Bloomington residents in arts across genres;
 - (3) Facilitating connections between City of Bloomington staff, artists, and artists groups; and
 - (1)(4) Commissioning public arts works by local, regional, and national artists.
- (b) Definitions. As used in this section unless the context clearly requires otherwise:
 - (1) "Commission" means the Bloomington Arts Commission as created in this section.

-
- (2) "Public art project" means an original work of high quality art of any medium, which is created by an artist or artists, which belongs and is accessible to the public.
- (c) Appointments. The commission shall consist of eleven members. Six members shall be appointed by the mayor and five by the common council.
- (d) Qualifications. All members of the commission shall have a demonstrated commitment to the arts. To the extent possible, priority shall be given first to ensuring a broad representation of professional artists from the disciplines of the visual, performing and literary arts and then to arts administrators and arts consumers and to representatives from the education and business communities.
- (e) Terms. Members shall serve terms of three years. Members having served two consecutive three-year terms may not be reappointed until one year has passed from the end of the second term. Terms shall be staggered, with four members' first term ending within one year; three members' first term ending within two years, and four members' first term ending within three years after their initial appointment, so that no more than five members will leave the commission at the end of each term, which will be the thirty-first day of January.
- (f) Powers and Duties. The commission's powers and duties include, but are not limited to, the following:
- (1) ~~Develop and present to the city a public art plan, which is a list of potential public art projects to be coordinated by the commission and produced as a collaborative effort by the city and/or other civic entities~~Adopt administrative rules and regulations, adopt procedures, conduct activities and form committees necessary to conduct the commission's business;
 - (2) Develop, ~~and administer,~~ and promote programs to achieve the commission's purpose;
 - (3) Inform and advise the common council, city administration, and city boards and commissions on current arts issues and large-scale strategic planning projects for the arts, ~~and offer policy recommendations and advice;~~ and,
 - (4) ~~Adopt administrative rules and regulations, adopt procedures, conduct activities and form committees, necessary to conduct the commission's business.~~Submit an annual report, in writing, to the mayor and common council.

(Ord. No. 11-04, § 2, 4-6-2011; Ord. No. 14-11, §§ 14—16, 7-2-2014)

Editor's note(s)—Ord. No. 11-04, adopted April 6, 2011, repealed § 2.12.020 and enacted a new section as set out herein. The former § 2.12.020 pertained to the community arts commission and derived from Ord. No. 83-6, § 2 (part), 1983; and Ord. No. 97-11, § 1, 1997.

2.12.050 Environmental ~~Quality and Conservation~~ Commission.

- (1) Purpose. It is declared to be the public policy of the City of Bloomington and the purpose of this section to ~~achieve and maintain such levels of environmental quality as will protect human health and safety, and to the greatest degree practicable, prevent injury to plant and animal life and property, foster the comfort and conveniences of the people, promote the economic and social development of Bloomington and facilitate the enjoyment of the natural attractions of the City of Bloomington.~~promote the stewardship and preservation of the city's environment and natural resources by seeking out and responding to emerging issues, addressing them with sound long-term policy recommendations, and increasing local environmental awareness and engagement.
- ~~(2)—Definitions. As used in this section unless the context clearly requires otherwise:~~
- ~~(a)—"Environment" means the sum total of the physical, chemical and biological factors affecting the populace of the City of Bloomington and the surrounding community.~~

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- ~~(b) "Pollution" means the presence in the environment of one or more contaminants, or noise, in such quantities, characteristics or duration as is or tends to be injurious to human health or welfare, or property, or would interfere with the enjoyment of life or property.~~
- ~~(c) "Commission" means the Bloomington Environmental Quality and Conservation Commission, as created in this section.~~
- ~~(d) "Person" means any individual, partnership, co-partnership, firm, company, public or private corporation, association, trust, estate, or any agency, board, department or bureau of the city or any other legal entity.~~
- ~~(e) "Bloomington" means the City of Bloomington, its corporate limits, and any areas within its legal purview.~~
- (3) Appointments. The commission shall consist of twelve members, six appointed by the mayor and six appointed by the common council.
- (4) Qualifications. Preference for appointments shall be given to persons with expertise in ~~one or more areas of physical sciences, biological sciences, engineering, business, sanitation, public health, conservation, and recreation.~~environmental fields.
- (5) Meetings. The Commission shall meet a minimum of once each month.
- (6) Powers and Duties. The Commission shall have the following powers and duties:
- (a) To adopt administrative rules and regulations for the conduct of its business.
- ~~(b) To hold hearings relating to any aspect of or matter in the administration of this section and in cases of non-compliance request the city legal department to take legal action.~~
- ~~(c) To retain, employ, provide for, and compensate, within appropriations available thereof, such consultants, assistants, deputies, clerks, technical and other employees, on a full or part time basis as may be necessary to carry out the provisions of this section and prescribe the times at which they shall be appointed, the duration of their appointments and their powers and duties.~~
- ~~(d) To secure necessary scientific, technical, administrative and operational services including laboratory facilities, by contract or otherwise with any educational institution, experiment station, or any board, department, or other agency of any subdivision of state or the federal government.~~
- ~~(e) To determine by means of field studies and sampling the degree of pollution in Bloomington.~~
- ~~(b)f) To encourage, and conduct, synthesize, and report on studies, investigations, and research relating to pollution and its causes, effects, prevention, abatement and control emerging issues in Bloomington, and make recommendations to the appropriate public and private bodies with respect thereto.~~
- ~~(g) To classify contaminant sources, which in the commission's judgment may cause or contribute to pollution.~~
- ~~(h) To prepare and develop a comprehensive plan or plans for the prevention, abatement and control of pollution in Bloomington.~~
- ~~(i) To encourage voluntary cooperation by persons and affected groups to achieve the purposes of this section.~~
- ~~(c)j) To collect and disseminate information through outreach efforts that encourage engagement and personal commitment to strengthening Bloomington's environmental health and conduct educational and training programs relating to pollution and environmental quality and conservation.~~
- ~~(d)k) To advise, consult, contract and cooperate with other agencies of the State and the City of Bloomington, other local governments, industries, other states, interstate or interlocal agencies, and~~

~~the federal government, and with interested persons or groups. To collaborate with all departments and governmental branches of the city concerning the impacts of their operations and policies on the city's environment and natural resources, through the development and distribution of reports, memos, and resolutions.~~

- ~~(e)~~ To ~~work with city staff to~~ apply for, ~~provide input on~~, accept, receive and administer grants or other funds or gifts from public or private ~~agencies including the state and federal governments~~ for the purpose of carrying out any of the provisions or purposes of this section. Such funds received by the commission pursuant to this subdivision shall be deposited in accordance with the administrative regulations of the commission. ~~The commission is authorized to promulgate such rules and regulations or enter into contracts as it may deem necessary for carrying out the provisions of this subdivision.~~
- ~~(f)~~ To ~~make appropriate inquiry into and give constructive consideration to the operations and policies of all departments and governmental branches of the City of Bloomington concerning their adherence to a commitment for environmental quality and the conservation of natural resources. To cooperate with partners or groups within or outside of Bloomington on matters of environmental well-being such as responsible stewardship of biodiversity, air and water quality, and land use.~~
- ~~(g)~~ ~~Submit an annual report, in writing, to the mayor and common council. To prepare reports and recommendations to the mayor, common council, board of public works, and the planning commission as needed.~~

(Ord. 83-6 § 2 (part), 1983).

(Ord. No. 14-11, §§ 20—23, 7-2-2014)

2.12.090 Martin Luther King, Jr.'s birthday celebrations commission.

- (1) Appointments. The Martin Luther King, Jr.'s birthday celebrations commission shall consist of seven members, with three appointed by the mayor, three appointed by the common council, and one appointed by the National Association for the Advancement of Colored People.
- (2) Qualifications. Preference for appointments shall be given to persons belonging to local religious organizations, the Bloomington human rights commission, Monroe County Government, local community school corporations, and the National Association for the Advancement of Colored People.
- (3) Powers and Duties. ~~To promote and honor Martin Luther King, Jr.'s birthday and legacy in our community, with a focus on fostering diversity, inclusivity, and advancing racial equity and justice for historically marginalized communities. The commission may appoint volunteers and associates committed to these goals. To promote and celebrate Martin Luther King, Jr.'s birthday and the acceptance of diversity in our community. In the pursuit of these purposes the commission may appoint additional volunteers and commission associates.~~ The commission shall submit an annual report, in writing, to the mayor and common council.

(Ord. 93-2 § 1, 1993).

2.12.100 Bloomington Commission on Sustainability.

- (1) Public Policy and Purpose. The purpose of the Bloomington Commission on Sustainability is to promote and advance sustainable policies and practices in Bloomington across environmental, social, and economic dimensions. Broadly, sustainability can be seen as a community or society meeting its needs without compromising the ability of future generations to meet their needs. The United Nations Sustainable Development Goals (SDGs) provide a more detailed and comprehensive framework for organizing and

prioritizing sustainability goals and actions. The SDGs shall guide the commission's work, along with sustainability components of relevant city plans, including the Comprehensive Plan, Climate Action Plan, and Sustainability Action Plan. A sustainable community seeks to enhance the socio-environmental-economic well-being of the community while taking precautions not to compromise the quality of life of future generations. Toward that end, it reduces its use of nonrenewable natural resources and its production of wastes, while at the same time improving livability. The mission of the Bloomington Commission on Sustainability is to promote sustainable socio-environmental-economic well-being of Bloomington and all its inhabitants.

- (2) General. This section is subject to the general provisions of Section 2.08.020 of the Bloomington Municipal Code.
- (3) Appointments and Residency. The commission shall consist of fourteen members. Six of the members shall be appointed by the mayor and six shall be appointed by the common council. No more than two of the mayor's appointments and no more than two of the common council appointments may be citizens who live outside the corporate city limits of Bloomington and within Monroe County. One of the six common council appointments shall be a member of the common council. One of the members shall be appointed by the Monroe County Commissioners from Monroe County government. And, the Director of the Indiana University Office of Sustainability or his/her designee shall serve as the ex-officio member from Indiana University. All members shall have a vote and shall serve without compensation.
- (4) Qualifications. Sustainability is an interdisciplinary concept. As such, the commission's membership shall reflect environmental, social and economic perspectives, unified by the common interest of sustainability. The commission shall draw its members from government, business, academia, not-for-profits and neighborhood associations.
- (5) Officers. Officers shall be selected by vote of the commission members annually.
- (6) Meetings. The commission shall meet one time each month, every month of the year, unless it decides to cancel the meeting.
- (7) Staffing. The city's sustainability coordinator shall serve as staff liaison to the commission. The liaison will research and pursue funding opportunities for sustainable development, engage in education and outreach, and identify "best practices." The city administration shall provide general administrative support for the commission.
- (8) Powers and Duties. The commission shall have the following powers and duties:
 - (A) To coordinate ongoing and to propose and promote new sustainability initiatives among residents, businesses, governmental, nongovernmental agencies-organizations and educational organizations institutions, including through education and outreach, research, and education programs;
 - (B) To advise and make recommendations to the Bloomington common council, city administration, and city boards and commissions on policies and programs that infuse the work of city government with an operating philosophy based on sustainability and community resilience;
 - (C) To determine~~provide recommendations for assessing, or provide an assessment of, Bloomington's current and future sustainability status, in cooperation with city staff and other city boards and commissions as appropriate, Bloomington's current and future sustainability status by developing and monitoring a set including through the potential use of sustainability indicators or based on the goals of existing plans;~~
 - (D) ~~To provide, in cooperation with other city boards and commissions, an annual "sustainability assessment" based on said indicators. The assessment shall be included in an annual report and provided to the common council, mayor and the public;~~

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- (DE) To advise, consult and cooperate with other agencies, boards and commissions of the city of Bloomington, the state, other local governments, industries, other states, interstate or interlocal agencies, and the federal government, and with interested persons or groups on matters of sustainability;
 - (EF) To adopt administrative rules and regulations for the conduct of its business; and,
 - (EG) To research and apply for grants or other funds or gifts from public or private agencies for the purpose of carrying out any of the provisions or purposes of this section.
 - (G) To submit an annual report, in writing, to the mayor and common council.

(Ord. 08-02 § 1, 2008; Ord. 05-15 § 1, 2005).

(Ord. No. 09-20, § 1, 11-4-2009; Ord. No. 14-11, §§ 32—35, 7-2-2014)

2.12.120 Community advisory on public safety commission.

- (a) Establishment and Purpose. There shall be established a community advisory on public safety commission ("commission"), which shall:
 - (1) Perform research and gather data on the perceptions and preferences about public safety from community members, with specific focus on perceptions and preference data gathered from minority community members, individuals who are disabled, and other often marginalized community members; and
 - (2) Research evidence-based alternatives to traditional policing; and
 - (3) Identify best practices in public safety globally and evaluate the efficacy of such practices for implementation in Bloomington.
 - (4) Make recommendations to the common council, the board of public safety, and/or the mayor or the mayor's designee on policies and programs that enhance public safety for all community members.
- (b) General. This commission is subject to the general provisions of Section 2.08.020 of the Bloomington Municipal Code.
- (c) Appointments. The commission shall be composed of ~~eleven~~nine voting members appointed by the common council. Each member shall have one vote and shall serve without compensation.
- (d) Qualifications. Citizen appointments to the commission must be at least eighteen years of age and reside within the City of Bloomington. Strongly encouraged to apply are residents who are historically underrepresented in local government. Such groups may include, but are not limited to residents:
 - (1) Who are Black;
 - (2) Who are Latin~~x~~xé;
 - (3) Who are people of color;
 - (4) With disabilities;
 - (5) Who are experiencing or who have experienced mental health challenges;
 - (6) Who express non-binary gender identity or are non-cisgender;
 - (7) Who are experiencing or who have experienced homelessness;
 - (8) Who are experiencing or who have experienced domestic violence;

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- (9) Who have a previous record of incarceration;
 - (10) With addictions; and
 - (11) Who have a demonstrated background of empowering historically disadvantaged groups and working to further racial, social, and economic equity.
- (e) Officers. Officers shall be selected by a vote of the commission members annually.
 - (f) Meetings. The commission shall meet one time each month, every month of the year, unless it decides to cancel the meeting. At least four meetings shall be held each year.
 - (g) Staffing. The common council staff shall provide general administrative support for the commission.
 - (h) Terms. The initial terms of five city resident appointments shall expire on January 31, 2022. The term of the remaining initial six city resident appointments shall expire on January 31, 2023. Thereafter, all terms of city resident appointments shall be for two years and expire on January 31.
 - (i) Powers and Duties.
 - (1) In its actions, the commission shall seek to promote transparency, accountability, a collaborative spirit, long-term and strategic thinking, and effective risk management.
 - (2) The commission shall:
 - (A) Gather data about perceptions and preferences regarding public safety, specifically from: racial minority; economically disadvantaged; and marginalized residents of Bloomington.
 - (B) Research evidence-based approaches to public safety focusing on those approaches outside the scope of traditional policing, including, but not limited to:
 - (i) The establishment of an alternate crisis response phone number;
 - (ii) Investments in mental health care, addiction treatment, community centers, and/or job training to mitigate the causes of crime; and
 - (iii) All other innovative approaches.
 - (C) Explore best practices in socially and racially just public safety measures in cities across the U.S. and worldwide, and to examine which ideas may best be implemented in Bloomington;
 - (D) Make recommendations to the Bloomington Common Council, the board of public safety, and the mayor's administration on policies and programs that enhance public safety for all community members;
 - (E) Promote a broader view of public safety through education and outreach programs;
 - (F) Provide an annual report of its activities to the common council, mayor and the public.

(Ord. No. 20-20, § 3, 11-18-2020)

2.19.040 Board of housing quality appeals.

- (1) Purpose. The purpose of this board is to hear the appeal of any person who is the subject of, or directly impacted by, a ruling or decision of the enforcing officer or any administration official, in any matter relative to the interpretation or enforcement of any of the provisions of Title 16 of the Bloomington Municipal Code, hereinafter referred to as the "property maintenance code" of the city. The board is authorized to make investigations relative to the appeal and may overrule the decisions of any administrative officer including the neighborhood development division.
- (2) Appointments. The board shall be composed of seven members, four appointed by the mayor and three appointed by the council.
- (3) Qualifications. Members shall be residents of the city. Members may be, but are not required to be, persons who are elected, appointed, or otherwise employed by the city, but such members shall not constitute a majority of the board. Consideration shall be given for appointment to the board to tenants, owners, and persons with experience in the area of building, managing, and leasing housing.
- (4) Rules of Procedure. The board of housing quality appeals shall establish its own rules of operating procedure which may be amended from time to time by a majority of the membership; provided, however, that a petitioner seeking a variance from the property maintenance code shall always be required to make a showing that the variance requested shall not harm the safety, health, or welfare of the occupants as well as provide a reasonable explanation of why the variance is needed.
- (5) Powers and Duties. The powers and duties of the board of housing quality appeals shall be to:
 - (A) Hear and determine appeals from any order, requirement, decision or determination made by an administrative official charged with the enforcement of any regulation or restrictions set forth in the property maintenance code;
 - (B) Permit and authorize variances in particular situations specified in the property maintenance code;
 - (C) Hear and authorize variances to the terms of the property maintenance code upon which the board is required to act under this section;
 - (D) In exercising its powers, the board of housing quality appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from as in its opinion ought to be done in the premises, and to that end shall have all the powers of the officer from which the appeal is taken.
 - (E) Report to the mayor and common council annually on trends related to housing quality appeals.
- (6) Jurisdiction. The board of housing quality appeals shall have jurisdiction to hear the appeal of any person directly affected by a decision, notice, or order of the director or an administrative officer of the housing and neighborhood development department related to the property maintenance code.
- (7) Granting Variances—Requirements. The board of housing quality appeals shall not grant any variance unless it first finds in each individual case that the following conditions are present:
 - (A) That the value of the property to which the variance is to apply will not be adversely affected;
 - (B) That the variance is consistent with the intent and purpose of the housing code and promotes public health, safety, and general welfare.
- (8) Appeals. A person may file an appeal with the board of housing quality appeals by submitting a written appeal to the board of housing quality appeals, accompanied by a filing fee of \$20.00. The appellant shall list the names of the occupants of the premises in the appeal.

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- (9) Board Action on Appeal. Within thirty days after the filing, the board shall investigate the petition and schedule a public hearing. Notice of the hearing shall be served at least ten days before the hearing date on the appellant, the person having possession of the premises and the owner of the premises, if the owner is not in possession. The occupants of the premises shall be allowed to participate in the public hearing.
- (10) Board Decision. Four concurring votes are required for a board determination. No member shall vote on any question in which result the member is immediately and particularly interested. When the board has decided any question, any member voting on the prevailing side may move a reconsideration of the vote thereon before adjournment of the session of the board at which the vote is taken. Concurrence of a majority shall be sufficient to order reconsideration of a vote, but if a motion to reconsider is lost, it shall not again be entertained. Except in those matters irrevocable by nature or circumstance and except inasmuch as contractual or vested rights may have been established pursuant thereto, a decision of the board once made may be rescinded only by a subsequent decision.

Not more than ten days after such hearing the board shall make its findings, reasons for the decision, decision and recommendations in writing to the neighborhood development manager.

- (11) Notice of Decision. A copy of the board of housing quality appeals' written findings and decision shall be mailed to the person having possession of the premises, the owner of the premises, if the owner is not in possession, and the appellant, if a different party. In addition, the board of housing quality appeals shall make a detailed report of all its proceedings, setting forth its reasons, the vote of each member participating and the absence or abstention from voting of a member. Such record shall be open to public inspection in the offices of the housing and neighborhood development department.
- (12) Appeal from Board Decision. The written decision of the board of housing quality appeals constitutes a final administrative decision, and may be appealed to any court of competent jurisdiction.

(Ord. 97-06 §§ 3—8, 1997; Ord. 86-19 §§ 20—23, 1986; Ord. 84-20 § 1, 1984; Ord. 83-6 § 2 (part), 1983).

(Ord. No. 21-11, § IX, 4-7-2021)

2.23.050 Commission on the status of children and youth.

There is created within the City of Bloomington's community and family resources department a commission on the status of children and youth. The purpose of the commission shall be to promote connections in our community which empower, enhance and nurture children and youth. The commission will access resources and information to make recommendations to people and organizations with authority to create and support systems that encourage healthy development of children and youth.

- (1) Aims and Goals.
 - (a) Identify and assess needs, resources and services relating to children and youth;
 - (b) Encourage collaboration between local agencies, schools, businesses and individuals;
 - (c) Monitor legislative developments relating to children and youth;
 - (d) Encourage local, state and federal legislation that will improve the lives of children and youth;
 - (e) Empower children and youth to have a stronger voice in our community;
 - (f) Empower children and youth to reach their full potential;
 - (g) Report assessments and make recommendations to the common council, the mayor, and the public; and
 - (h) Celebrate successes in the field of children/youth development and/or among children and youth in our community.
- (2) Appointments. The commission shall consist of nine members, five to be appointed by the mayor and four by the common council.
- (3) Qualifications. To the extent possible, members of the commission should include representatives of agencies that work with children and youth, low-income people and social service providers. To the extent possible, preference will be given to people with experience working with children and youth advocacy groups, direct knowledge of children and youth needs and community resources, and/or knowledge of legislative and policy-making processes.
- (4) Procedure. The commission may adopt and amend rules and regulations to effectuate the purpose of this section and may create procedures deemed necessary for the orderly and equitable compliance with this section. New rules, regulations and guidelines may be adopted by the commission after a public hearing by a majority of the commission. The rules and regulations of the commission will be available to the public at the office of the commission and on the city's website.
- (5) Powers and Duties. The commission's powers and duties include the following:
 - (a) The commission shall make two appointments to the city's citizen advisory committee (CAC) for community development block grants. One of the commission appointments shall serve on the CAC social service subcommittee and one shall serve on the CAC physical improvement subcommittee;
 - (b) To gather and distribute information and to issue such publications and educational information as in its judgment will further the purposes and intent of this section;
 - (c) To apply for any appropriate grants, appropriations or gifts upon approval of the community and family resources department director in order to carry out the purposes of this section;
 - (d) To cooperate with any department, division, board, bureau, commission or other agency of the government to carry out the purposes of this section.

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- (e) To refer people to appropriate governmental units or private organizations as necessary, and
 - (f) To report in writing on its activities to the common council and the mayor annually.
- (6) Educational Programs. The commission may prepare educational programs to advance and promote the cause of children and youth among various entities and individuals in the city and to further goodwill and cooperation between and among such interested parties.

(Ord. 04-29 § 2, 2004).

(Ord. No. 12-06, § I, 4-4-2012)

Editor's note(s)—Ord. No. 12-06, § I, adopted April 4, 2012, amended the Code by repealing former § 2.23.050 and adding a new § 2.23.050 as set out herein. The former § 2.23.050 pertained to the establishment of the community and family resources commission, and derived from Ord. No. 04-29, § 2, 2004.

2.23.060 Commission on the status of women—~~Establishment.~~

There is created within the community and family resources department a commission on the status of women. The purpose of this commission is to assure that women and men have equal opportunity to function fully and optimally as citizens of the city, as equal participants in the economy, in politics and government, in education, in social development, in the system of justice, and in all other facets of life.

- (1) Aims and Goals. It shall be the aim and goal of the commission:
 - (a) To identify the needs of women in the city, available resources and services meeting the needs of women in the city, and gaps in existing services;
 - (b) To monitor and review federal, state and local policy for its impact on city women and to make recommendations regarding those policies to the community and family resources department for appropriate action to assure women's equity;
 - (c) To stimulate and encourage legislation for the development of social services of particular benefit to women in the city and the state;
 - (d) To issue publications, educational materials and results of research, legislative review and investigations in order to educate the entire community as to the aims and goals of this commission;
 - ~~(e) To establish and maintain a close working relationship with, and to support the efforts of, the Bloomington human rights commission and the Bloomington league of women voters;~~
 - ~~(ef)~~ To maintain close liaison with other women's commissions throughout the state; state women's advocacy groups; and other local, state or federal programs that relate to the needs, problems and opportunities of women;
 - ~~(fg)~~ To maintain close liaison with federal efforts in programs affecting women to insure appropriate city participation in such programs and to consolidate those federal programs for maximum efficient uses of federal efforts at the local level;
 - ~~(gh)~~ To enter into contracts and accept grants for the administration of research projects, as may contribute to the strengthening and refinement of a coordinated program, upon approval of such contracts by the mayor and, when appropriate, the common council;
 - ~~(hi)~~ To assure a coordinated city-wide effort ~~in achieving a comprehensive women's program~~ to improve opportunities for women of the community.

(2) Appointments. The Bloomington commission on the status of women shall be composed of nine members. Five members shall be appointed by the mayor, and four members shall be appointed by the common council.

(3) Qualifications. The members of the Bloomington commission on the status of women shall be representative of the diverse educational, employment, economic, business and community service elements of the community. Preference for appointments shall be given to persons with experience working for women's issues, knowledge of legislative and policy making processes, and direct knowledge and experience working with women's needs and community resources.

In order that the concerns of the total community be adequately represented on the commission, commission membership may include both women and men.

(4) Procedure—Rules and Regulations. The commission may adopt substantive rules and regulations to effectuate the purposes of this section and to make more specific the procedures deemed necessary for orderly and equitable compliance with this section.

New rules, regulations, and guidelines may be adopted by the commission after a public hearing by a majority vote of the commission.

The rules, regulations, and guidelines of the commission shall be available to the public at the office of the commission.

(5) Powers and Authority. The commission shall have the power and authority to carry out the aims and goals as defined in this chapter, including but not limited to the following:

- (a) ~~To make recommendations to the mayor, the common council, and the public; To advise the mayor, and where appropriate, the common council, on the hiring of personnel necessary to the implementation of this section; all such personnel shall be employees of the community and family resources department and shall be subject to supervision and direction by the director of community and family resources;~~
- (b) To hold hearings and undertake any other activities which may be necessary, desirable, or proper to carry out the purposes of this section;
- (c) To gather and distribute information and to issue such publications and educational information and the results of such investigations and research as in its judgment will further the purposes and intent of this section;
- (d) To report in writing on its activities to the common council and the mayor ~~quarterly~~annually;
- (e) To apply for any federal, state, local or private grants, appropriations or gifts upon approval of the community and family resources department director in order to carry out the purposes of this section;
- (f) To cooperate with, and secure the cooperation of, any department, division, board, bureau, commission or other agency of the state, federal and local government to facilitate properly the execution of the powers and duties of this commission;
- (g) To enter into a working relationship with the city human rights commission to perpetuate the mutual objectives set forth in this section and the Bloomington human rights commission section;
- (h) To propose other ordinances in order to carry out this section and to propose additions or amendments to this section as deemed necessary and appropriate to insure the effectiveness of this section; and

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- (i) To refer persons to the appropriate governmental unit or private organizations which can adequately deal with their problem.
 - (6) Education Program. The commission may prepare educational programs in order to support and emphasize the purpose and intent of this section among the various groups and individuals in the city and to further goodwill among such groups and individuals; to publicize and encourage participation in this and other boards and commissions.
 - (7) Intragovernmental Cooperation. All boards, councils, commissions and departments of the government of the city of Bloomington are directed to give full cooperation to the city of Bloomington commission on the status of women.

(Ord. 08-03 § 1, 2008; Ord. 97-05 § 8, 1997; Ord. 83-6 § 2 (part), 1983).

2.23.070 Bloomington Commission on the Status of Black Males—~~Establishment.~~

There is created in the community and family resources department the Bloomington commission on the Status of Black Males.

- (1) Members. The Commission shall be composed of seven members.
- (2) Appointments. Three members shall be appointed by the Mayor, two by the Common Council and one each by the Bloomington/~~Monroe County~~ Human Rights Commission and the Bloomington Martin Luther King, Jr., Birthday Celebrations Commission.
- (3) Qualifications. Commission members shall be residents of Monroe County. Preference for appointments may be given to people with expertise in, or representing, one or more of the following areas: education, health, employment, criminal justice, black history, the faith community and the social service community.
- (4) Terms. The terms of all members of the commission shall be for two years.
- (5) Purpose and Duties. The commission's ~~purpose and duties shall do the~~include the following:
 - (a) ~~Develop action committees addressing problems of black males in education, health, criminal justice and employment~~Study which challenges Black males face in the realms of education, health, criminal justice and employment; and
 - (b) Serve as a catalyst to promote positive public and private remedies to the multi-faceted problems confronting ~~B~~black males in our community and the resulting effects on the entire community; and
 - (c) Organize and convene community forums and neighborhood-based focus groups to discuss the status of ~~B~~black males; and
 - (d) Network with ~~like-minded~~other civic groups ~~such as the Indiana Commission on the Social Status of Black Males, the African American Male National Council and local commissions throughout the state~~focused on the challenges faced by Black males, sharing ideas, information, data and plans.
- (6) Reporting Requirement. The commission shall submit identical written reports to the mayor and the common council office by the end of February of each year describing the activities of the commission in the previous calendar year as well as future plans. Any issues or concerns regarding the commission itself, its organization or its purpose shall also be addressed in this report.

(Ord. 06-25 §§ 1, 2, 2006; Ord. 03-26 § 1, 2003; Ord. 01-03 § 1, 2001).

2.23.080 Commission on Hispanic and Latiné affairs—~~Establishment.~~

There is created in the community and family resources department the commission on Hispanic and Latiné affairs:

- (1) Members. The commission shall be composed of seven members.
- (2) Appointments. Four members shall be appointed by the mayor and three by the common council.
- (3) Qualifications. Commission members shall be residents of Monroe County who represent organizations serving Bloomington's Hispanic/Latiné residents or who have expertise and/or interest in quality of life issues as they relate to the Hispanic/Latiné community.
- (4) Terms. The initial terms of one mayoral and one council appointment shall expire on January 31, 2008. The terms of the remaining initial appointments shall be for two years and shall expire on January 31, 2009. Thereafter, all terms shall be for two years and shall expire on January 31st.
- (5) Purpose and Duties. The commission's ~~purpose and duties include shall do~~ the following:
 - ~~(a) —Develop action committees addressing the challenges of members of the Hispanic and Latino population in the areas of education, health, employment and public safety; and~~
 - ~~(ab) Examine and represent the experiences, needs, and challenges of the Hispanic and Latiné communities across all areas, including but not limited to education, health, employment and public safety; and~~
 - ~~(b) Serve as a catalyst to promote positive public and private remedies-solutions to the multi-faceted issues confronting Latinos and the Hispanic and Latiné s-in our community (identified in section a) and the resulting effects on the entire community; and~~
 - ~~(c) Network with like-minded other state and local groups such as the Indiana Commission on Hispanic/Latino affairs, Su Casa Columbus, Indiana University Latino Cultural Center (La Casa) and local organizations formed to represent and/or celebrate Hispanic and Latiné populations, to share ideas and information and to collaborate on projects where appropriate; and~~
 - ~~(d) Celebrate Latino and Hispanic and Latiné history and contributions to the Bloomington community and in-to the United States.~~
- (6) Reporting Requirement. The commission shall submit identical written reports to the mayor and the common council office by the end of February of each year describing the activities of the commission in the previous calendar year as well as future plans. Any issues or concerns regarding the commission itself, its organizations or its purpose shall also be addressed in this report.

(Ord. 07-21 § 1, 2007).

2.23.090 Commission on aging.

The Bloomington Commission on Aging is hereby established.

- (a) Members. The commission shall be composed of nine members.
- (b) Appointments. Five members shall be appointed by the mayor and four by the common council.
- (c) Qualifications. Commission members shall be residents of Monroe County. Preference for appointments shall be given to people with expertise in, or representing, one or more of the following areas: senior issues, health and wellness, recreation, employment, social services, transportation and affordable housing.

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- (d) Terms. The terms of the appointments shall be in accordance with BMC 2.08.020(2).
- (e) Purpose and Duties. The commission-~~'s purpose and duties include~~~~may do~~ the following:
- (1) ~~Develop study committees addressing~~Assess the concerns of seniors in health and wellness, housing, transportation, employment, social services and recreation; ~~and~~
 - (2) Encourage the development of programs of particular benefit to senior citizens; ~~and~~
 - (3) Apply for grants as may contribute to the strengthening and refining of a coordinated program to benefit senior citizens, upon approval of such grant applications by the appropriate city official (s); ~~and~~
 - (4) Serve as a catalyst to promote positive public and private remedies to the multi-faceted challenges confronting seniors in our community (see section 1 above) and the resulting effects on the entire community; ~~and~~
 - (5) Network with ~~like-minded groups such as the AARP, Active Aging Coalition, Area 10 Council on Aging, RSVP, and other relevant local agencies~~other groups dealing with matters of aging and older populations, sharing ideas, information, data and future plans; ~~and~~
 - (6) Celebrate the contributions seniors make to the Bloomington community; and
 - (7) In the pursuit of these purposes, the commission may appoint additional volunteers and commission associates.
- (f) Procedure—Rules and Regulations. The commission may adopt rules, regulations and by-laws for the conduct of its affairs, which are consistent with the purpose of this section. Such rules, regulations and by-laws and amendments thereto may be adopted by the commission after a public hearing by a majority vote of the commission. The rules, regulations and by-laws of the commission shall be available to the public at the office of the commission.
- (g) Reporting Requirement. The commission shall submit identical written reports to the mayor and the common council office by the end of December of each year describing the activities of the commission in the previous calendar year as well as future plans. Any issues or concerns regarding the commission itself, its organization or its purpose also shall be addressed in this report.

(Ord. No. 09-24, § 1, 12-16-2009; Ord. No. 14-26, § 6, 12-10-2014)

2.20.150 Tree commission.

- (1) Purpose ~~and~~—Duties. The tree commission shall serve in an advisory capacity regarding the care of trees within the city of Bloomington ("City"). It shall be the responsibility of the tree commission to:
 - (a) Advise the Bloomington board of park commissioners in formulating policies and practices of urban forestry as set forth in the Bloomington Municipal Code Chapter 12.24 entitled "Trees and ~~Other Vegetation~~Flora";
 - (b) Promote public education on the proper selection, planting, and care of trees by assisting the city with the publication of the city of Bloomington Tree ~~Work~~Care Manual;
 - (c) Assist the city in its efforts to fund urban forestry projects ~~by assisting the urban forester in finding grants, and through the application process;~~through donations and grants;
 - (d) Advise ~~the mayor, the common council, and any board,~~the plan commission, ~~or committee~~ on tree-related matters as necessary, and submit an annual report, in writing, to the mayor and common council;
 - ~~(e) Provide information and advice to the Bloomington board of park commissioners on cases before it regarding trees; and~~
 - ~~(f) Assist the city's urban forester in the compilation and maintenance of an inventory of all trees and tree spaces within the public streets. This inventory should record the location, species, size, condition, and planting and maintenance history of these trees.~~
 - (e) Advocate for the urban forest by promoting current best management practices, or new emerging practices that would be beneficial to the urban forest;
 - (f) Advocate for the urban forest by attending public meetings, public outreach events, urban forest-related events, and other such functions agreed upon by the commission and the staff liaison.
- (2) Appointments. The tree commission shall consist of ~~eight~~seven members. ~~Seven shall be appointed,~~ serving for three-year terms. Two shall be appointed by the mayor, two by the common council, one by the Bloomington board of park commissioners, one by the board of public works, and one by the environmental commission. The urban forester shall serve ~~on the commission as an advisory nonvoting member~~as the staff liaison to the commission. Appointed members of the tree commission serve at the pleasure of their respective appointing body which has the ability to remove a member at any time for any reason deemed sufficient to that body. Members of the tree commission shall serve without compensation.
- (3) Meetings ~~and~~—Procedures. The commission shall meet as needed, electing a president and vice-president annually and keeping a written record of its proceedings. In any event the commission shall meet no less than six times per calendar year and shall advertise those meeting times and places in accordance with the law.

(Ord. 08-05 § 2, 2008).

To: Common Council
From: Councilmember Stosberg
Date: February 14, 2025
RE: Amendment 01 to Ordinance 2025-05

My proposed amendment makes additional minor changes to Title 2.12 Boards, Commissions, and Councils and Title 2.19 Community and Family Resources Department.

Section 1 updates the Bloomington Human Rights Commission to Bloomington/Monroe County Human Rights Commission.

Section 2 reduces complexity of language but doesn't change content and specifies council staff support to regularly scheduled meetings of the Community Advisory on Public Safety Commission.

Section 3 allows Monroe County residents, instead of only City of Bloomington residents, to serve on the Commissions on the status of children and youth and the status of women.

Section 4 aligns reporting requirements for the Commission on the Status of Black Males, Hispanic and Latiné Affairs, and the Commission on Aging to reporting requirements of other commissions. Notably, it removes specific timeline requirements for their submissions of annual reports.

Section 5 aligns the lines in this section with the rest where the "and" was struck.

Amendment Form

Ordinance #: 2025-05
Amendment #: 01
Submitted by: Councilmember Stosberg
Date: February 19, 2025
Proposed Amendment:

1. Attachment 1, referenced within Section 1, of Ordinance 2025-05 shall be amended by changing the reference from the “Bloomington human rights commission” to the “Bloomington/Monroe County Human Rights Commission” within Section 2.12.090(2) of the Martin Luther King, Jr.’s Birthday Celebrations Commission, such that that section shall read as follows:

(2) Qualifications. Preference for appointments shall be given to persons belonging to local religious organizations, the Bloomington/Monroe County Human Rights Commission, Monroe County Government, local community school corporations, and the National Association for the Advancement of Colored People.

2. Attachment 1, referenced within Section 1, of Ordinance 2025-05 shall be amended by amending subsections (f) and (g) of Section 2.12.120 governing the Community Advisory on Public Safety Commission, such that those subsections now read as follows:

(f) Meetings. The commission shall meet monthly, unless canceled by the commission, with a minimum of four meetings per year.

(g) Staffing. The common council staff shall provide general administrative support for the regularly scheduled monthly meetings.

3. Attachment 3, referenced within Section 3, of Ordinance 2025-05, shall be amended by adding a requirement that commission members be residents of Monroe County within the qualifications section of Section 2.23.050(3) governing the Commission on the Status of Children and Youth and Section 2.05.060(3) governing the Commission on the Status of Women, such that those sections shall now read as follows:

2.23.050 Commission on the status of children and youth.

...

(3) Qualifications. Commission members shall be residents of Monroe County. To the extent possible, members of the commission should include representatives of agencies that work with children and youth, low-income people and social service providers. To the extent possible, preference will be given to people with experience working with children and youth advocacy groups, direct

knowledge of children and youth needs and community resources, and/or knowledge of legislative and policy-making processes.

2.23.060 Commission on the status of women.

...

(3) Qualifications. Commission members shall be residents of Monroe County. The members of the Bloomington commission on the status of women shall be representative of the diverse educational, employment, economic, business and community service elements of the community. Preference for appointments shall be given to persons with experience working for women's issues, knowledge of legislative and policy making processes, and direct knowledge and experience working with women's needs and community resources.

4. Attachment 3, referenced within Section 3, of Ordinance 2025-05, shall be amended by changing the reporting requirement for the Commission on the Status of Black Males, the Commission on Hispanic and Latiné affairs, and the Commission on Aging to simply require an annual report, in writing, to the mayor and common council, such that Section 2.23.070(6) governing the Commission on the Status of Black Males, Section 2.23.080(6) governing the Commission on Hispanic and Latiné affairs, and Section 2.23.090(g) governing the Commission on Aging shall now read as follows:

2.23.070 Bloomington Commission on the Status of Black Males.

...

(6) The commission shall submit an annual report, in writing, to the mayor and common council.

2.23.080 Commission on Hispanic and Latiné affairs.

...

(6) The commission shall submit an annual report, in writing, to the mayor and common council.

2.23.090 Commission on aging.

...

(g) The commission shall submit an annual report, in writing, to the mayor and common council.

5. Attachment 3, referenced within Section 3, of Ordinance 2025-05, shall be amended by striking the word "and" after the second to last clause within subsection (e) (purpose and duties) of Section 2.23.090 governing the Commission on Aging, such that subdivision (6) now reads as follows:

2.23.090 Commission on aging.

...

(e) Purpose and Duties. The commission's purpose and duties include the following:

. . .

(6) Celebrate the contributions seniors make to the Bloomington community;

Synopsis

This amendment, sponsored by Cm. Stosberg, would make additional minor changes to Title 2.12 and Title 2.23 governing several City commissions. The changes include grammatical corrections, updated references to the Bloomington/Monroe County Human Rights Commission, more simplified reporting requirements, clearer language, and a Monroe County residency requirement for Commissions on the status of children and youth and the status of women.

Regular Session Action (2/19/2025):

Pending

Materials for Resolution 2025-02:

Resolution 2025-02 – To Update the Established Interview Standing Committees

Synopsis

This Resolution is sponsored by Councilmember Stosberg and updates the Standing Interview Committee board and commission assignments. It also provides guidance for handling future changes to City boards and commissions.

Relevant Materials

- Sponsor Memo from Councilmember Stosberg
- Resolution 2025-02

Contact

Councilmember Hopi Stosberg, 812-349-3409, hopi.stosberg@bloomington.in.gov

To: Bloomington Common Council

From: Councilmember Hopi Stosberg

Regarding: Resolution 2025-02 Interview Committee Changes

Date: February 14, 2025

Resolution 2025-02 makes necessary updates to the standing interview committees. It uses language similar to [Resolution 22-02](#) that originally established the interview committees.

Resolution 2025-02 updates the list of boards and commissions as they currently exist within the City, notably incorporating [Ordinance 2025-04](#), which established the Transportation Commission and removed the Traffic, Bicycle-Pedestrian, and Parking Commissions. It also adds the Fire Merit Commission, established pursuant to [I.C. 36-8-3.5-5.5](#), and adds the Monroe County Capital Improvement Board (CIB), established by the Monroe County Commissioners by [Monroe County Ordinance 2023-24](#). It also removes the [Telecommunications Council](#) from the list of Committee team B assignments because it was repealed by [Ordinance 21-11](#), which repealed Bloomington Municipal Code Section [2.12.060](#) in its entirety and without replacement.

Additionally, Resolution 2025-02 recommends updating these assignments, by resolution, at the first meeting of the year at which the Council will conduct legislative business, in years following an election year. It also allows the Council President to make changes to the Interview committee board and commission assignments without needing to update with a new resolution in the case of newly added or dissolved boards or commissions.

Please reach out if you have any questions or concerns. Thank you for your consideration.

RESOLUTION 2025-02

TO UPDATE THE ESTABLISHED INTERVIEW STANDING COMMITTEES

- WHEREAS, the City of Bloomington Common Council (“Council”) has an interest in the efficient governance of the City; and
- WHEREAS, predictability and accessibility in the legislation process is desirable for all involved, including city departments, city residents, and the various petitioners that come before the Council; and
- WHEREAS, BMC 2.04.210 provides that the Council may, by resolution, establish standing committees and define the duties and responsibilities of each committee; and
- WHEREAS, in 2022, Resolution 22-02 established three (3) Standing Interview Committees (“A”, “B”, and “C”) for the purpose of reviewing and making recommendations to the full Council regarding the appointment of citizens to the City’s boards and commissions; and
- WHEREAS, on February 5, 2025, the Common Council adopted Ordinance 2025-04, which dissolved the Traffic Commission, Bicycle Pedestrian Safety Commission, and Parking Commission, and established a new Transportation Commission; and
- WHEREAS, on January 1, 2025, the Bloomington Fire Merit Commission was created pursuant to state law (Indiana Code 36-8-3.5-5.5(d)); and
- WHEREAS, on July 5, 2023, the Board of Commissioners of Monroe County adopted Monroe County Ordinance 2023-24, which created the Monroe County Capital Improvement Board (CIB) that has one seat to be appointed by the Council; and
- WHEREAS, on April 7, 2021, the Common Council adopted Ordinance 21-11, which dissolved the Bloomington Telecommunications Council; and
- WHEREAS, these commission changes need to be reflected in the Interview Committee assignments; and
- WHEREAS, the Council needs to have legislative flexibility to reassign Interview Committee Assignments when there are changes to established boards and commissions;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1: Re-establishment of Interview Standing Committees. The Council hereby establishes the following, three-member standing committees, whose purpose is to review and make recommendations to the full Council regarding the appointment of citizens to the City’s boards and commissions. The three Interview Committees shall be named and shall divide responsibilities in the following manner:

(a) Committee “A” shall be responsible for the following Boards and Commissions:

- Animal Control Commission
- Bloomington/Monroe County Human Rights Commission
- Board of Zoning Appeals
- Commission on Aging
- Commission on the Status of Black Males
- Housing Quality Appeals Board
- Monroe County Capital Improvement Board (CIB)
- Public Transportation Corporation
- Urban Enterprise Association

(b) Committee “B” shall be responsible for the following Boards and Commissions:

- Bloomington Digital Underground Advisory Committee
- Commission on the Status of Women
- Community Advisory on Public Safety (CAPS)
- Environmental Commission
- MLK Commission

- Transportation Commission
- Utilities Service Board

(c) Committee “C” shall be responsible for the following Boards and Commissions:

- Bloomington Commission on Sustainability
- Bloomington Community Arts Commission
- Commission on the Status of Children and Youth
- Commission on Hispanic and Latiné Affairs
- Fire Merit Commission
- Historic Preservation Commission
- Redevelopment Commission
- Tree Commission

SECTION 2: To keep assignments current, it is advised that in the year following its election, the Council should reevaluate the Interview Standing Committee board and commission assignments at its first meeting of the new term at which it is going to conduct legislative business, by considering and taking final action on an updated resolution reflecting updated assignments. Between resolutions, the current Council President shall be granted the authority to adjust board and commission assignments as might be necessary to account for newly created or dissolved boards or commissions.

SECTION 3: If any section, sentence or provision of this resolution, or application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or application of this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared to be severable.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day or _____, 2025.

HOPI STOSBERG, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2025.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2025

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This Resolution is sponsored by Councilmember Stosberg and updates the Standing Interview Committee board and commission assignments. It also provides guidance for handling future changes to City boards and commissions.