

Bloomington Common Council-Regular Session Memorandum
Bloomington City Hall, Council Chambers, 401 N. Morton Street, Bloomington, Indiana
Wednesday, December 03, 2025, 6:30pm

CALL TO ORDER [6:30pm]

Council President Hopi Stosberg called the meeting to order.

1. ROLL CALL (* indicates participation via Zoom) [6:30pm]

Members:

Isak Nti Asare	At-Large
Courtney Daily	District 5, Council Parliamentarian
Matt Flaherty	At-Large
Isabel Piedmont-Smith	District 1, Council Vice President
Dave Rollo	District 4
Kate Rosenbarger (absent)	District 2
Andy Ruff	At-Large
Hopi Stosberg	District 3, Council President
Sydney Zulich (absent)	District 6

City staff, officials, and guests present:

Colleen Williamson	Deputy Clerk
Jennifer Crossley	Deputy Clerk
Lisa Lehner	Council Attorney
Kari Bennett	Deputy Council Attorney
Shawn Miya	Economic & Sustainable Development (ESD), Assistant Director of Sustainability
Christopher Wheeler*	Legal, Assistant City Attorney
Cheryl Gilliland	Deputy Controller
Enedina Kassamanian	Legal, Assistant City Attorney
Katherine Zaiger	Utilities, Director
Steven Stanford	Utilities, Pretreatment Program Coordinator
David Hittle	Planning & Transportation, Director

2. AGENDA SUMMATION [6:34pm]

Stosberg spoke about gerrymandering. Indiana state legislators convened a special session to redistrict the congressional maps, which was normally done once every ten years during the census. She urged the public to contact their state representatives. She summarized the agenda and explained the process of the voluntary annexation.

3. APPROVAL OF MINUTES [6:37pm]

Daily moved and Piedmont-Smith seconded to approve the minutes from September 10, 2025. The motion was approved by voice vote.

4. REPORTS [6:38pm]

4.1. Councilmembers

Rollo expressed disappointment that the Redevelopment Commission considered donating the property at the Bunger Robertson location for the purpose of a hotel. He gave reasons why.

4.2. The Mayor and City Offices

Shawn Miya, Assistant Director of Sustainability, Economic and Sustainable Development (ESD), presented the Climate Action Plan (CAP) Implementation Update. She discussed solar installations across the city, Donovan Energy's energy audits and resulting recommendations, and City Hall's light-emitting diode (LED) lighting retrofit project, completed in 2025. She gave an update on the Buskirk-Chumley Theater grant from the Indiana Office of Energy Development, totaling \$508,000 with the city matching \$213,316. She spoke about the Bloomington Green Home Improvement Program and the thirty-four awardees in 2025. The city was awarded a \$250,000 grant for the Bloomington Energy Works to promote energy efficiency and renewable energy. There would be free energy audits for commercial,

manufacturing, colleges and universities, and nonprofit building owners to develop a list of energy efficiency and solar projects in need of funding. She provided details on climate resilience like tree planting, hazardous tree and limb removal, and bus stop shelters. Miya discussed the Stay Cool Bloomington program including free admission to city pools and distribution of cooling kits. Project 46, the Southern Indiana Regional Climate Alliance, had approved bylaws and the organization's structure, and memberships for the Advisory Committee. She encouraged the public to visit the CAP dashboard.

Stosberg asked about council's role with Project 46. Miya said there would be one council representative from each region, gave details, and referenced the website. Piedmont-Smith asked about the progress on achieving the city's CAP goals. Miya said specific goals were difficult to measure, but the annual greenhouse gas inventory was a good indicator, as well as the level of electric vehicle adoption. Stosberg asked about the Stay Cool Bloomington and the air conditioner distribution program. Miya said there had been great success with landlords making the improvements themselves and there were air conditioners installed by the city. Miya urged council to highlight the Bloomington Energy Works to constituents.

4.3. Council Committees

There were no council committee reports.

4.4. Public

There was no public comment.

5. APPOINTMENTS TO BOARDS AND COMMISSIONS [6:53pm]

There were no appointments to boards and commissions.

6. LEGISLATION FOR FIRST READINGS [6:53pm]

6.1 Ordinance 2025-46

To Amend The Bloomington Zoning Maps And Zone Property Currently In the Monroe County Jurisdiction To Residential Medium Lot (R2) In Anticipation Of Voluntary Annexation Re: 2005 W. Cory Drive (William Wamathai, Petitioner)

Daily moved and Piedmont-Smith seconded that Ordinance 2025-46 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Colleen Williamson read the legislation by title and synopsis.

6.1. Ordinance 2025-47

To Amend Title 8 Of The Bloomington Municipal Code, Entitled "Historic Preservation And Protection" To Establish A Historic District Re: The Ivan Adams House Historic District (Bloomington Historic Preservation Commission, Petitioner)

Daily moved and Piedmont-Smith seconded that Ordinance 2025-47 be introduced and read by title and synopsis only. The motion was approved by voice vote. Williamson read the legislation by title and synopsis.

6.2. Ordinance 2025-43

An Ordinance Annexing Certain Real Estate To The City Of Bloomington, Monroe County, Indiana

Daily moved and Piedmont-Smith seconded that Ordinance 2025-43 be introduced and read by title and synopsis only. The motion was approved by voice vote (Ruff out of the room). Williamson read the legislation by title and synopsis.

Clerk's Note: This portion of the meeting was the public hearing as required by state law.

Jay Nelson opposed the voluntary annexation due to its negative impacts on his family's property next door. He believed there were karst features, long-standing pooling, foundation and ground instability, and erosion worsened by any potential development there. He provided additional information.

Leslie Ruiz was concerned about the proposal because karst studies had not been conducted and other issues, like drainage, had not been addressed. It was important to know if the land could support a structure there, especially since flooding was already a problem. She discussed safety concerns.

7. LEGISLATION FOR SECOND READINGS AND RESOLUTIONS [7:04pm]

7.1. Resolution 2025-19

Adopting A Fiscal Plan For the Annexation of Property Contiguous To The City of Bloomington, Indiana

Daily moved and Piedmont-Smith seconded that Resolution 2025-19 be introduced and read by title and synopsis only. The motion was approved by voice vote. Williamson read the legislation by title and synopsis.

Daily moved and Piedmont-Smith seconded to adopt Resolution 2025-19.

Chris Wheeler, Assistant City Attorney, presented the fiscal plan. City departments stated there would not be a negative impact to their services should the voluntary annexation pass. Rollo asked about taxes since the potential structures were still to be determined. Wheeler said the property owner intended to build a duplex whether in the city or the county. They were seeking voluntary annexation in order to connect to the city's water and sewer lines. The other residents in the area had connected to city water and sewer, but current rules did not allow the petitioner to connect unless they were in the city. Piedmont-Smith asked if the cost of connecting would be borne by the property owner, and Wheeler confirmed it would; there would be no cost to the city. Ruff asked about connected, neighboring properties. Wheeler said every developed property on that street was connected to the city's water and sewer. Stosberg asked about public safety concerns and Wheeler stated there were no concerns from fire and police. Asare said passing the fiscal plan legislation did not automatically pass the voluntary annexation and Wheeler said that was correct. Asare asked for clarification on the water/sewer connections. Wheeler clarified that it was an undeveloped property so there were no connection to the main lines on the city street. Ruff asked if sewer or septic was more feasible. David Hittle, Planning & Transportation, Director, said it was not yet known how the karst feature would impact development on the property.

Piedmont-Smith asked if Public Works would be responsible for the road. Wheeler was not sure, and Hittle confirmed it was a private road. There was discussion on the property as undeveloped and potential taxes in the coming years, possible karst features, and structures that could be built there.

Jay Nelson spoke against development on the property.

Paul Post, resident and police officer, gave reasons against the annexation.

Paul Rousseau discussed septic tanks in karst features, and in favor of annexation.

Leslie Ruiz gave reasons against the annexation of the property.

Flaherty believed that a septic system could not be put into the property due to state regulations. Wheeler was not certain and would research further. Flaherty asked about not having a detailed fiscal impact statement per department. Wheeler stated it was not necessary because it was a small parcel. Rollo asked about connections to city sewer, and Wheeler stated only homes within the city could connect. Piedmont-Smith believed the fiscal impact would be nominal and she would vote yes. Stosberg and Rollo concurred. Rollo added that his vote was not an indicator of future rezoning. Ruff commented on city growth.

The motion to adopt Resolution 2025-19 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

7.2. Appropriation Ordinance 2025-39

To Specially Appropriate from the General Fund, Parks And Recreation General Fund, Motor Vehicle Highway Fund, CC Jack Hopkins Fund Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Parks & Recreation General Fund, Motor Vehicle Highway Fund, Local Road and Street Fund, Public Safety LIT Fund, Solid Waste Fund, and Fleet Maintenance Fund)

Daily moved and Piedmont-Smith seconded that Appropriation Ordinance 2025-14 be introduced and read by title and synopsis only. The motion was approved by voice vote. Williamson read the legislation by title and synopsis.

Daily moved and Asare seconded to adopt Appropriation Ordinance 2025-14.

Cheryl Gilliland, Deputy Controller, presented the legislation which was the year-end appropriation request. She referenced staff memos and said there was no net impact on the General Fund. She summarized the appropriation and transfers. There was discussion on the port-a-let at Seminary Square and its longevity, higher than expected cost for liability insurance and best estimates during the budget preparation, risk management, and some purchases.

The motion to adopt Appropriation Ordinance 2025-14 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

7.3. Ordinance 2025-44

To Amend Title 10 of The Bloomington Municipal Code Entitled "Wastewater" (Septic Hauler Rate Adjustment)

Daily moved and Piedmont-Smith seconded that Ordinance 2025-44 be introduced and read by title and synopsis only. The motion was approved by voice vote (Rollo out of the room). Williamson read the legislation by title and synopsis.

Daily moved and Piedmont-Smith seconded that Ordinance 2025-44 be adopted.

Katherine Zaiger, City of Bloomington Utilities (CBU), Director, presented the legislation and introduced Stephen Stanford, Pre-Treatment Coordinator, and Kelsey Thetonia, Assistant Director-Environmental, both with CBU, and Jennifer Wilson, Crowe LLP. Zaiger highlighted Stanford's, Thetonia's, and Wilson's robust experience and credentials. There had been a reevaluation for waste hauler charges, which had not been adjusted since 2000. Direct sewer customers had undergone multiple rate increases; 168% since 2000. In 2024, Crowe LLP had been commissioned to analyze operating and financial reports to calculate an appropriate rate to charge to domestic septic haulers who deposited waste at CBU's treatment facilities. The current charges were severely insufficient to cover the cost of treating the highly concentrated waste. Zaiger referenced Indiana statute for sewage works and rates and said CBU serviced customers in the city and county. Stanford said CBU received 4.5-5.5 million gallons of hauled waste; 91% was domestic septage, of which 44% was from Monroe County, and 56% from registered haulers from Indianapolis, and even several cities in Ohio. Stanford gave details on the cost of treatment, current billing rates, and the new rate proposal. Of the 26,388 customers, 2,467 were water-only meaning they likely had septic. He discussed grease waste customers, and the cost to the customer.

Asare moved and Daily seconded that Amendment 01 to Ordinance 2025-44 be adopted. Asare presented the amendment.

Amendment 01 Synopsis: This amendment removes the "Out of County Waste" surcharge for hauled waste from Bloomington Municipal Code 10.08.120 subsection (b) and incorporates Attachment A to reflect the changes made by this ordinance.

Rollo asked if CBU was required to accept customers outside of Monroe County. Zaiger said there was a direct benefit to the utility with accepting septic since the drinking water source was in the watershed, and outside the county. There was discussion on the customers in and out of the county, the watershed, and rates. The current low rates incentivized haulers from far away.

Courtney Medley, Medley Septic Service, spoke about local haulers and where the waste came from.

Jeff Todd, Todd Septic, discussed county waste and out of county waste.

Paul Rousseau commented on waste and rates.

Council discussed the surcharge for non-county waste, elimination of the surcharge, and types of waste. Rollo appreciated the discussion but would not support the amendment. Stosberg said it was important to monitor hauling to see if the new rate discouraged haulers with non-county waste from using CBU.

The motion to adopt Amendment 01 to Ordinance 2025-44 received a roll call vote of Ayes: 5, Nays: 2 (Rollo, Piedmont-Smith), Abstain: 0.

Asare asked if CBU haulers would change their behavior and Stanford said no. For CBU, it would be beneficial if the high-concentration waste decreased. There was discussion on the proposed, incremental rate increase, why there had not been a rate study for twenty-five years, timeliness of pumping septic systems, a voucher program through the Friends of Lake Monroe and the Lake Monroe Water Fund, and inspections conducted by the Health Department. When asked, Wilson described how the cost of treatment was determined. Zaiger added that the resulting proposal was reasonable, and incremental, and reduced rate shock. Wilson clarified that accepting waste from outside the county was not the norm. Council discussed other ways of charging haulers, aside from per tank, given that they were not always full. Flaherty asked about the legal obligation of the rate to be based on cost of service. Wheeler explained the legal aspects, and how to legally, incrementally implement the new rate. Flaherty asked how the difference in cost was paid, and Wheeler said other customers subsidized the difference. Zaiger said it was paid by other customer classes. Ruff asked about the urgency on updating the rate and Wheeler said there were not new mandates, but the current rate was out of skew and needed to be corrected.

Jeff Todd commented on the impact of the increase to the rate.

Malcolm Webb urged a slower implementation of the rate increase.

Chris Berg was concerned about the increase. He was the owner of two campgrounds with holding tanks.

Jerry Jackson, Whispering Wilderness private campground, commented on the difference in sludge amounts with different holding tanks and impacts on the increase.

Kay Phippen, Owen Septic, discussed how hauling was currently charged and pricing to customers.

Maggie Sullivan, Friends of Lake Monroe, noted the complexity of the proposal, and the good discussion. She spoke about holding tanks around the lake, sticker shock, and the voucher program.

Courtney Medley said the current rate was flawed and the increase would make the problems worse. She spoke about the impacts of not pumping septic systems, due to costs, like contaminated ground water and more.

Steve [unknown last name] spoke about failing septic systems, usage, and the lack of inspections.

Flaherty noted the difference between septic systems and waste data, and asked about having different rates depending on the type of waste; sewer versus high-concentrate waste. Zaiger said CBU was open to different rates. There was brief discussion on postponing the proposal in order to conduct further studies, potentially using real data. Zaiger explained the ideal way of billing for waste hauling. Rollo appreciated the work done on the proposal, but expressed concern with fairness for rate payers and preferred a more incremental increase. Asare stated that it was best to distinguish between the types of septage. Ruff appreciated the work but believed the city should take the time it needs to incrementally increase the rate. Piedmont-Smith stated that previous administrations should have considered a rate study, and that other ratepayers should not be subsidizing the cost of septage processing. She noted various ideas on improving the proposal. Flaherty reiterated the importance of having accurate cost of service and not using the EPAs data. He believed more time was needed. Daily recognized the work done on the proposal. Stosberg was generally in favor of raising the rates, but did not know enough about regional rates and the type of waste and septic system. She was in favor of voting the proposal down.

The motion to adopt Ordinance 2025-44 as amended received a roll call vote of Ayes: 0, Nays: 7, Abstain: 0. FAILED

7.4. Ordinance 2025-19

To Amend Title 15 of The Bloomington Municipal Code Entitled "Removal And Impound of Vehicles" Re: Chapters 15.48 and 15.52 – Updating Permissible Towing and Storage Charges for Authorized Towing Services

Daily moved and Piedmont-Smith seconded that Ordinance 2025-19 be introduced and read by title and synopsis only. The motion was approved by voice vote. Williamson read the legislation by title and synopsis.

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Daily moved and Piedmont-Smith seconded that Ordinance 2025-19 be adopted.

Enedina Kassamanian, Assistant City Attorney, and highlighted reasons for updating towing fees. She referenced the Bloomington Municipal Code (BMC), public safety concerns, and reasons for the increase in operating costs for tow companies that were on the police rotation list. The city rates differed from Monroe County and Indiana University (IU). Towing was a public safety tool in order to ensure that emergency vehicles and school buses were able to navigate through the city. She explained some of the negative impacts of having stagnant towing fees, for the city and towing companies.

Piedmont-Smith moved and Daily seconded that Amendment 01 to Ordinance 2025-19 be adopted. Piedmont-Smith presented the amendment.

Amendment 01 Synopsis: This amendment, sponsored by Councilmember Piedmont-Smith, makes typographical corrections and moves the text regarding the \$450 surcharge for a heavy tow from 15.52.070 to 15.48.030 and 15.52.060 for full transparency. It deletes Section 4 of or Ordinance 2025-19, removing any revisions to 15.52.070. Thus, no specific terms are added for Bloomington Police Department's towing contracts for non-consensual tows, since the contract would have to follow BMC 15.52.060 anyway.

There were no council questions. There was no public comment. There were no council comments.

The motion to adopt Amendment 01 to Ordinance 2025-19 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Daily moved and Piedmont-Smith seconded that Amendment 02 to Ordinance 2025-19 be adopted.

Stosberg passed the gavel to Piedmont-Smith. Stosberg presented Amendment 02.

Amendment 02 Synopsis: This amendment, sponsored by Councilmember Stosberg, amends the time period after which storage fees may be charged from twelve to twenty-four hours and eliminates the additional storage fee for pickups made outside of business hours.

Ruff asked who was authorized to pick up a towed vehicle. Kassamanian said it was the registered title holder of the vehicle. Council Attorney Lisa Lehner said the owner of a lien could too. Flaherty asked if eliminating the fee for picking up a vehicle outside of business hours meant that vehicles could not be picked up after-hours. There was discussion on when a vehicle could be picked up from a tow company. Kassamanian referenced state code pertaining to after-hour pickups of towed vehicles.

Ken Parish, Ken's Westside Service and Towing, believed the twenty-four hour grace period made sense. He discussed business hours and after-hour fees, and not having staff on location twenty-four hours per day. He had to pay staff to release cars after-hours.

Chad Stephens, Bland's Wrecker Service, reiterated that tow companies were not open, but provided service, twenty-four hours per day. He gave examples of late night releasing of cars and supported having a fee.

Jacob Padawan, Tow Time Towing and Recovery, favored having a fee for after-hours pick up.

Cameron Mizell, Bland's Wrecker Service, said the business hours were posted and appreciated having the after-hours fee to compensate late night car releases.

Daily inquired about keeping the after-hours fee. Stosberg commented on predatory towing and the need for having defined business hours. There was discussion on fees and hours, potentially amending Amendment 02, police-initiated tows and contracts. Jacob Hunter, Bloomington Police Department (BPD), Sergeant, said BPD was in the process of drafting a new contract for towing, due to changes in state law. Business hours could be determined in the contract. It was noted that the BMC was silent on after-hours' fees. There was more discussion on towing fees, hours, Amendment 02, and postponing the legislation.

Daily withdrew the motion to adopt Amendment 02 to Ordinance 2025-19.

Stosberg moved and Rollo seconded to postpone Ordinance 2025-19 as amended to the December 17, 2025 Regular Session meeting.

The motion to postpone Ordinance 2025-19 was approved by a voice vote with Asare voting no.

Piedmont-Smith passed the gavel back to Stosberg.

There was brief council discussion regarding the requirement of a two-thirds majority vote to introduce legislation after 10:30pm.

7.5. Ordinance 2025-20

To Amend Chapter 4.32 of The Bloomington Municipal Code Entitled “Non-consensual Towing Business” Re: Updating Towing License Requirements and Permissible Towing and Storage Fees for Nonconsensual Towing Services under Chapter 4.32

Daily moved and Piedmont-Smith seconded that Ordinance 2025-20 be introduced and read by title and synopsis only.

The motion to introduce Ordinance 2025-20 received a roll call vote of Ayes: 5, Nays: 2 (Asare, Rollo), Abstain: 0. FAILED. Clerk’s Note: Per Bloomington Municipal Code 2.04.420(b), the motion failed. No legislation may be introduced for council action after 10:30pm local time without a two-thirds vote of the members of the council.

8. ADDITIONAL PUBLIC COMMENT [11:13pm]

There was no additional public comment.

9. COUNCIL SCHEDULE [11:14pm]

Stosberg reviewed the upcoming council schedule.

10.ADJOURNMENT [11:15pm]

Stosberg adjourned the meeting.

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 04 day of March, 2026.

APPROVE:

ATTEST:

Isak Nti Asare, COUNCIL PRESIDENT

City Clerk Nicole Bolden

Clerk’s Note: The above memorandum summarizes the motions passed and issues discussed at the meeting. It is not a verbatim copy of every word spoken. Bloomington City Council meetings are available for watching on the following websites:

- Community Action Television Services (CATS) – <https://catvstv.net>
- YouTube – <https://youtube.com/@citybloomington>

Background materials and packets can be found at <https://bloomington.in.gov/council>