

City of Bloomington, Indiana Common Council

Regular Session Agenda

Wednesday, November 4, 2026, at 6:30 p.m.
Council Chambers (Room 115), City Hall
401 N. Morton Street, Bloomington, IN 47404

The meeting may also be accessed [remotely via Zoom](#).¹

1. Roll Call

2. Agenda Summation

3. Minutes for Approval

- A. June 10, 2026 Regular Session
- B. July 22, 2026 Regular Session
- C. July 29, 2026 Regular Session
- D. August 5, 2026 Regular Session

4. Reports (a maximum of twenty minutes is set aside for each part of this section)

- A. Council members
- B. The Mayor, City Clerk, City Offices, and City Boards and Commissions
- C. Council Committees
 - 1. Report from Clerk Nicole Bolden
- D. Public*

5. Appointments to Boards and Commissions & Hiring

- A. Removal of Advisory Member from Historic Preservation Commission

6. Legislation for First Readings

- A. Ordinance 2026-27 – To Fix The Salaries Of All Elected City Officials For The City Of Bloomington For The Year 2027
- B. Ordinance 2026-31 – UDO Amendments related to Housing Attainability (ZO2026-06-0007)
Council Sponsor: CM Stosberg
- C. Ordinance 2026-32 – To Amend the City of Bloomington Zoning Maps and Zone Property Currently in the Monroe County Jurisdiction to Mixed-Use Corridor (MC) in Anticipation of Voluntary Annexation
Council Sponsor: CM Stosberg

¹<https://bloomington.zoom.us/j/81587237460?pwd=8wx53LVwn550PtGpj5Ax2MVyQnQDWp.1> Meeting ID: 815 8723 7460 Passcode: 416696

- D. Ordinance 2026-33 – To Amend the City of Bloomington Zoning Maps and Zone Property Currently in the Monroe County Jurisdiction to Residential Multifamily (RM) in Anticipation of Voluntary Annexation

Council Sponsor: CM Stosberg

- E. Ordinance 2026-34 – To Vacate Public Parcels Re: Two 12-foot Wide Alley Segments Located in the Southwest Corner of West 11th Street and North Rogers Street (Trades District Community Development, LLC, Petitioner/Owner)*Council Sponsor: CM Stosberg*

- F. Ordinance 2026-35 – To Repeal and Re-Enact Title 18 of the Bloomington Municipal Code Entitled “Fire Prevention.”

Council Sponsor: CM Stosberg

- G. Ordinance 2026-36 – To establish a dedicated Fire Department Fund

Council Sponsor: CM Stosberg

- H. Ordinance 2026-37 – Amendment To Chapter 14.40.060 Of Title 14 Of The Bloomington Municipal Code Regarding False Emergency Alarms

Council Sponsor: CM Stosberg

7. Legislation for Second Readings and Resolutions

- A. Ordinance 2026-23 – UDO Amendments related to Limited Compliance and Change in Use Standards (ZO2026-06-0008)

Council Sponsor: CM Stosberg

- B. Ordinance 2026-29 – Amending the Bloomington Municipal Code to Prohibit the Development, Deployment, or Delivery of Superintelligence with the City of Bloomington, Indiana

Council Sponsor: CM Rollo

- C. Ordinance 2026-30 – Authorizing Issuance of City of Bloomington, Indiana, General Obligation Bonds, Series 2026, to Provide Funds to Finance the Costs of Certain Capital Improvements, and Equipping Projects and Incidental Expenses in Connection Therewith and on Account of the Issuance of the Bonds and Appropriating the Proceeds Derived from the Sale of Such Bonds

Council Sponsor: CM Stosberg

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.

Bloomington City Council meetings can be watched on the following websites:

- [Community Action Television Services \(CATS\)](#)²
- [City's YouTube Channel](#)³

[Materials for this meeting](#)⁴ are available on Council's website.

The City is committed to providing equal access to information. If you encounter difficulties accessing material in this packet, please contact the Bloomington Common Council Office at council@bloomington.in.gov or 812-349-3409 and provide your name, contact information, and a link to or description of the document or web page with which you are having problems.

² <https://catstv.net/>

³ <https://www.youtube.com/@citybloomington>

⁴ <https://bloomington.in.gov/council/meetings/2026>

Common Council-Regular Session Minutes
Bloomington Council Chambers, City Hall, 401 North Morton Street, Bloomington, Indiana
Wednesday, June 10, 2026 at 6:30pm

Council President Isak Nti Asare called the meeting to order.

1. Roll Call: (*indicates participation via Zoom) [6:30pm]

Council Members:

Isak Nti Asare	At-Large, Council President
Courtney Daily	District 5, Council Parliamentarian
Matt Flaherty	At-Large
Isabel Piedmont-Smith*	District 1
Dave Rollo	District 4
Kate Rosenbarger	District 2
Andy Ruff (arrived at 6:31pm)	At-Large
Hopi Stosberg	District 3
Sydney Zulich	District 6, Council Vice President

City staff, officials, and guests present:

Nicole Bolden	City Clerk
Larry Allen	Common Council, Attorney (temporary)
Michael Wagenaar	O'Neill Leadership Program Fellow
Kelly Murphy	Information Technology Services, Technology Support Manager
Jane Kupersmith	Economic & Sustainable Development (ESD), Director
Andrea de la Rosa	ESD, Assistant Director of Small Business Development
Anna Killion-Hanson	Housing & Neighborhood Development, Director
Gretchen Knapp	Deputy Mayor
Jamie Neibel	Monroe County Emergency Management, Director
Katherine Zaiger	City of Bloomington Utilities, Director

2. Agenda Summation [6:31pm]

Council President Asare summarized the agenda.

Daily moved and Zulich seconded to move the reading of Ordinance 2026-12 so that it was considered immediately after Resolution 2026-10. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

3. Approval of Minutes [6:32pm]

There were no minutes for approval.

4. Reports [6:33pm]

4.1. Councilmembers:

There were no councilmember reports.

4.2. The Mayor, City Clerk, City Offices, and City Boards and Commissions:

Jane Kupersmith, Economic and Sustainable Development (ESD) department, Director, introduced Andrea de la Rosa, Assistant Director of Small Business Development, ESD, who presented the Annual Tax Abatement Report. She summarized the tax abatement program and the economic impacts. She

highlighted the evaluative criteria and application process, the compliance review process, and reviewed current tax abatements. Kupersmith reviewed the Payment in Lieu of Taxes (PILOT) agreements including Evergreen Village, Countryview, Cambridge Square, and Henderson Court. Stosberg asked about Union at Crescent's struggles and reputation. Anna Killion-Hanson, Housing and Neighborhood Development (HAND) department, described the progress made by the property owners. Piedmont-Smith asked about the number of part-time and full-time jobs created by Catalent (Novo Nordisk). She asked why the tax abatement was considered substantially compliant when there were supposed to be 4,212 jobs but there were only 1,867. Kupersmith said the original job growth at Catalent was due to vaccine production and Defense Production Act; the vaccine market lessened which was outside of Catalent's control. Ruff commented on market circumstances and expressed concern with tax abatements. The city did not receive compensation when a business did well; it seemed that tax abatements socialized risk and loss, and privatized profits.

Daily moved and Zulich seconded to approve the Tax Abatement Report as presented. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

4.3. Council Committees:

Zulich reported from the Hiring Committee, noting that there were five candidates for the Council Administrator/Attorney that would be interviewed. There was discussion on processes on personnel matters and having alternate committee members. Asare appointed Flaherty and Rosenbarger to serve as alternate members of the Hiring Committee as necessary for the duration of the six-week council recess.

Stosberg referenced the Fiscal Committee's meetings, schedule, and topics discussed.

4.4. Public:

There was no public comment.

5. Appointments to Boards and Commissions [7:10pm]

There were no appointments to boards and commissions.

6. Legislation for First Reading [7:11pm]

There was no legislation for first reading.

7. Legislation for Second Reading and Resolutions [7:11pm]

7.1. Resolution 2026-10

On the Existential Risk of Artificial Intelligence

Daily moved and Zulich seconded that Resolution 2026-10 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Clerk Nicole Bolden read the legislation by title and synopsis.

Daily moved and Zulich seconded that Resolution 2026-10 be adopted.

Rollo presented the legislation and described concerns with artificial intelligence (AI) and super intelligence like artificial general intelligence (AGI) which were designed to replace people. Narrow AI was task-specific and used beneficially for healthcare, fraud detection, and more. He noted the rapid

development of AI that autonomously wrote most of its own code and cautioned that it could potentially eliminate humanity; he quoted several AI experts. The alignment problem noted that AI could not be programmed to keep humanity's well-being centered. Developers admitted that AI models were becoming more powerful with many employees leaving the field or becoming whistleblowers. There needed to be regulations. Rollo was indebted to Peter Jensen at Safe AI Forever. Rollo then showed a video provided by Peter Bereson, PhD economist and former vice president of Goldman Sachs. Anthony Geary, professor of Physics and head of Future of Life Institute, a nonprofit seeking to steer advanced AI in beneficial directions, described various concerns about AI including the rapid development of highly autonomous AI systems that competed with humans. It could act independently of human oversight resulting in an acute risk to society. Companies were designing AI to replace human labor and therefore disrupting incomes. He described many other risks and concerns with advanced AGI. The main focus of AI companies was successfully making money. There was discussion on the rapid development of AI systems and their capabilities.

Jami Sholl commented on her concerns with AI and its replacement of human labor. Marc Haggerty spoke against AI. Paul Rousseau supported Resolution 2026-10.

Council discussed local outreach on AI, existential threats, deregulation lobbying in congress, resources for the concerned public, and the relevancy of AI, generally.

The motion to adopt Resolution 2026-10 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

7.2. Ordinance 2026-12

To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" to Seasonally Provide a Carless Kirkwood

Daily moved and Zulich seconded that Ordinance 2026-12 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Daily moved and Zulich seconded that Ordinance 2026-12 be adopted.

Daily moved and Zulich seconded to adopt Amendment 01 to Ordinance 2026-12. Rosenbarger presented the amendment. She highlighted key points including public engagement, vibrant third places, investing in public spaces, car-free pedestrian zones, alleys, and a new start date of April 2027. There was brief council discussion.

Amendment 01 Synopsis: This amendment updates proposed Ordinance 2026-12 to update portions of the preamble to reflect stated goals and outcomes of the Common Council, to remove references to any alley closures, and to add severability and effective date Sections.

Christopher Emge, Greater Bloomington Chamber of Commerce, appreciated there would be deliberation sessions. Deputy Mayor Gretchen Knapp thanked the sponsors for the amendment and the new start date. She noted that the public safety officers had requested to not close Kirkwood to cars on the proposed start date because it was going to be Little 500.

Flaherty said the deliberation sessions were ideal to have after the resolution in order to discuss how to do a carless Kirkwood rather than continue to have the same debate on whether or not to do so.

The motion to adopt Amendment 01 to Ordinance 2026-12 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Rosenbarger reviewed a slide presentation noting the process and discussions so far, the city engineer's power to restore motor vehicle traffic, plans moving forward, and the Comprehensive Plan including pedestrian-friendly spaces and cultural spaces that are publicly available to all. Daily added comparative research of college towns like Bloomington, including Iowa City, State College, and Burlington that had pedestrian malls. She described many solutions to concerns that Bloomington could consider. Rosenbarger said pedestrian malls had positive economic development, increased walking and biking, and revitalized public spaces. Steve Volan, Transportation Commission (TC) Chair, said that while staff had made a negative recommendation for the ordinance, the TC concluded that the ordinance was broadly consistent with the TC's criteria for analysis and review. The TC forwarded a positive recommendation to council by a 5-1 vote.

Stosberg asked for clarification on the two motions that failed to pass at the TC. Volan said one was to adopt a neutral recommendation and the second was to adopt a negative recommendation. Flaherty, TC commissioner, noted there were four codified sets of criteria by which the TC assessed proposals. Council Administrator/Attorney Larry Allen referenced the set of criteria in code.

Zack Ammerman spoke against the administration's resistance to closing Kirkwood to cars. Hilary Martel supported a more pedestrian-friendly Kirkwood, but not car-less, and provided reasons. Hartzell Martel spoke against the permanent closure of Kirkwood and supported closures during special events. Christopher Emge discussed funds, and concerns of some businesses. Chris Sturbaum commented about failures of pedestrian-only streets. Carole Canfield spoke against closing Kirkwood to cars. Ted Polley favored a seasonal car-less Kirkwood working towards a permanent pedestrian only Kirkwood. Claire Woods supported a pedestrian-only Kirkwood. Dave Huber spoke in favor of making downtown and Kirkwood more friendly to pedestrians. Joan Middendorf commented in support of a seasonal closure of Kirkwood to cars working towards a permanent closure. John Santos noted that cars were needed to bring pedestrians to the downtown and urged the city to do the closure properly, like potentially closing during the fall when students were in town. Jami Sholl supported sustainability. Paul Gillard spoke in favor of seasonal closure. Paul Rousseau discussed options for older people being able to access Kirkwood. Jessica [Last Name Unknown] urged council to keep Kirkwood open to cars. Tessa Donohue commented in favor of pedestrian-friendly Kirkwood and frequently walked and biked to the downtown. Alex Jorck supported the closure of Kirkwood to cars. Katie Yoder spoke in favor of the proposal.

Rollo recognized there were mixed opinions; he noted many things to consider. He preferred to table the proposal so more discussion could be had. Zulich would like to see a carless Kirkwood, but it had not been successful the previous year and there were other corridors in the city that needed improvements. She would not support the legislation. Stosberg discussed her thoughts on the pros and cons of pedestrian malls and whether Kirkwood should be car-less. She spoke about the successes of peer cities, parking concerns, year-long closure to vehicles, and other downtown streets that could be considered. She noted that proposed legislation was necessary to force the hand of the administration. Piedmont-Smith agreed with most points made that evening. She was concerned with changing code prior to having discussions on how to implement a successful car-less Kirkwood. Flaherty appreciated the conversation that evening which had been similar to previous years. He believed great things could be done in the city, especially a shared street between the courthouse square and Sample Gates. He commented on funding, studies, a redesign of Kirkwood, committing to ensuring success for a shared street, and the administration's resistance to the proposal. Ruff appreciated the discussion and work on the proposal. He often walked and biked, and discussed fiscal realities to contend with. Rosenbarger read from a resident's email in support of a pedestrian-only Kirkwood and noted local restaurants that had closed. The Commission on Sustainability and Resilience had unanimously passed a resolution to encourage council to have a car-free Kirkwood. She gave reasons to support the proposal. Daily explained the extensive work she and Rosenbarger had done on the proposal. She noted that students were in Bloomington during parts of the closure, and gave various reasons in support of the proposal including investing into

things like shade, et cetera. Piedmont-Smith discussed the impacts from the loss of revenue from property taxes, blocks not being active the previous year, and wondered about the cost of investing into a successful car-less Kirkwood. She noted concerns from Leslie Davis, Council on Community Accessibility (CCA); closing Kirkwood to cars disproportionately affected people with disabilities.

The motion to adopt Ordinance 2026-12 as amended received a roll call vote of Ayes: 5 (Asare, Daily, Flaherty, Rollo, Rosenbarger), Nays: 4 (Stosberg, Piedmont-Smith, Zulich, Ruff), Abstain: 0.

7.3. Resolution 2026-09

To Adopt the Monroe County Multi-Hazard Mitigation Plan

Daily moved and Zulich seconded that Resolution 2026-09 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.

Daily moved and Zulich seconded that Resolution 2026-09 be adopted.

Jamie Neibel, Monroe County Emergency Management Director, explained how the plan originated. Stosberg noted errors in the plan and asked about the committee members. Neibel stated that an invite was sent to stakeholders, but attendance was not required. Rollo asked if it was required to only work with the Federal Emergency Management Agency (FEMA). Neibel clarified that there were many other plans for different types of emergencies, including a pandemic. Piedmont-Smith referenced Perry Township's report regarding tornadoes and Niebel said she and her deputy had read the plan. Neibel explained that the plans were not widely shared as a precaution against nefarious entities.

There was no public comment.

Zulich urged councilmembers to tour the emergency management center. Stosberg said that the ESD department would be able to apply for grants if the city had the plan in place.

The motion to adopt Resolution 2026-09 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Daily moved and Stosberg seconded to move Ordinance 2026-13 next on the agenda. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. (Rosenbarger out of the room).

7.4. Ordinance 2026-13

To Amend Title 2 of the Bloomington Municipal Code Regarding Loans Between Utilities

Daily moved and Zulich seconded that Ordinance 2026-13 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0 (Rosenbarger out of the room). Bolden read the legislation by title and synopsis.

Daily moved and Zulich seconded that Ordinance 2026-13 be adopted.

Stosberg moved and Zulich seconded to adopt Amendment 01 to Ordinance 2026-13. Stosberg presented the amendment which addressed clarity in the wording of the legislation.

Amendment 01 Synopsis: This amendment updates Section 1 to clarify language on establishing Cash Reserve Fund and City utilities ability to make monthly deposits of surplus earnings.

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

The motion to adopt Amendment 01 to Ordinance 2026-13 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0 (Rosenbarger out of the room).

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

The motion to adopt Ordinance 2026-13 as amended received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0 (Rosenbarger, Ruff out of the room).

7.5. Resolution 2026-11

Authorizing the Allocation of the Jack Hopkins Social Services Program Funds for the Year 2026 and Related Matters

Daily moved and Zulich seconded that Resolution 2026-11 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0 (Ruff out of the room).

Daily moved and Zulich seconded that Resolution 2026-11 be adopted.

Daily presented the legislation and explained the process of the program and review of applications. Zulich asked if any agencies were denied funding and Daily said there were two that did not meet the criteria for funding. Council discussed funding criteria, scope, and the prioritization of types of funding which included operational costs.

Jami Scholl suggested having more time to submit applications. Carole Canfield spoke against giving money to Planned Parenthood. Joan Middendorf spoke in favor of Planned Parenthood.

Rollo appreciated that the administration raised the funding for JHSSF to \$500,000 and noted that inflation affected that amount. Stosberg spoke in favor of Planned Parenthood. Zulich supported Planned Parenthood and the LGBTQ+ (Lesbian, Gay, Bisexual, Trans, Queer, Plus) community and wished all a Happy Pride.

The motion to adopt Resolution 2026-11 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

7.6. Resolution 2026-12

Establishing Rules and Guidelines for Alcohol Permit Districts

Daily moved and Zulich seconded that Resolution 2026-12 be introduced and read by title and synopsis only. Piedmont-Smith and Stosberg said they would vote no because the deadline for materials had not been met. Zulich stated that she would vote yes because staff were ready to present. The motion received a roll call vote of Ayes: 7, Nays: 2 (Stosberg, Piedmont-Smith), Abstain: 0. Bolden read the legislation by title and synopsis.

Daily moved and Zulich seconded that Resolution 2026-12 be adopted.

Asare passed the gavel to Zulich.

Asare presented the legislation highlighting key points in state code, processes, and guidelines. There was discussion on the discretion in the evaluation criteria, definitions, recommendations for liquor licenses, things to consider and who decided, and council's role. There was additional discussion on the proposal, concerns, processes, and timelines. It was noted that council did not issue the liquor licenses but could make provisions for how the licenses were issued. Living wage ordinance

compliance and which city department would be responsible were factors. Preference for bodegas and restaurants was ideal as well as having a framework for future discussions. Larry Allen, Council Administrator/Attorney, clarified state code, types of liquor licenses, districts, written commitments, applications, and more.

Steve Volan spoke in favor of Resolution 2026-12 and council’s role. He gave various examples. Aubrey Williams, Heartworks Brewery, supported Resolution 2026-12. Galen Cassady gave many reasons in support of the proposal. Christopher Emge, Greater Bloomington Chamber of Commerce, spoke in favor of Resolution 2026-12.

Stosberg moved and Asare seconded to postpone the legislation until the next Regular Session on July 22, 2026 at 6:30pm. There was brief discussion on actions council could take. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Zulich passed the gavel back to Asare.

7.7. Ordinance 2026-14

To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” to Require Councilmember Sponsorship of Legislation Under Chapter 2.04

Daily moved and Zulich seconded that Ordinance 2026-14 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 1 (Zulich), Abstain: 0. Bolden read the legislation by title and synopsis.

Daily moved and Zulich seconded that Ordinance 2026-14 be adopted.

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

Stosberg and Piedmont-Smith stated the purpose of the ordinance. Flaherty thanked the Committee on Council Processes for their work.

The motion to adopt Ordinance 2026-14 received a roll call vote of Ayes: 7, Nays: 2 (Asare, Rosenbarger), Abstain: 0.

8. Additional Public Comment [11:22pm]

Jami Scholl spoke about food resilience and challenges agriculture faced.

9. Council Schedule [11:26pm]

Asare mentioned the joint meeting with the county the following day. Stosberg noted the upcoming Fiscal Committee meeting.

10. Adjournment [11:27pm]

Asare adjourned the meeting.

Meeting Date: June 10, 2026

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

APPROVE:

Signature of Isak Nti Asare, Common Council President

ATTEST:

Signature of City Clerk Nicole Bolden

Clerk’s Note: The above minutes summarize the motions passed and issues discussed rather than providing a verbatim account of every word spoken. Bloomington Common Council meetings can be accessed on the following websites:

- [Community Access Television Services](#)¹ (CATS)
 - [City of Bloomington YouTube](#)²
- [Background materials and packets](#)³ are available on the Common Council website.

¹ <https://catvstv.net>
² <https://youtube.com/@citybloomington>
³ <https://bloomington.in.gov/council/meetings>

Bloomington Common Council-Regular Session
Bloomington Council Chambers, City Hall, 401 North Morton Street, Bloomington, Indiana
Wednesday, July 22, 2026, at 6:30pm

Council President Isak Nti Asare called the meeting to order.

1. Roll Call: (*indicates participation via Zoom) [6:31pm]

Council Members:	
Isak Nti Asare	At-Large, Council President
Courtney Daily	District 5, Council Parliamentarian
Matt Flaherty	At-Large
Isabel Piedmont-Smith	District 1
Dave Rollo	District 4
Kate Rosenbarger	District 2
Andy Ruff (arrived at 6:35pm)	At-Large
Hopi Stosberg	District 3
Sydney Zulich (absent)	District 6, Council Vice President

City staff, officials, and guests present:	
Nicole Bolden	City Clerk
Larry Allen	Common Council, Attorney (temporary)
Michael Wagenaar	O'Neill Leadership Program Fellow
Emma Williams	Human Right Commission, Chair
Nathan Ferreira	Bloomington Housing Authority, Executive Director
Chris Cashman	Ice Miller, Bond Counsel

2. Agenda Summation [6:32pm]

Council President Asare summarized the agenda.

3. Approval of Minutes [6:32pm]

There were no minutes for approval.

4. Reports [6:32pm]

4.1. Councilmembers:

Stosberg spoke about infrastructure in Belize versus Bloomington.

Piedmont-Smith expressed disappointment that there was not a land swap for the College Square and Seminary Pointe sites.

Asare spoke about the local media site the Bloomingtonian, which was removed from Facebook by artificial intelligence (AI), and a potential hate crime or attack at the People’s Market.

4.2. The Mayor, City Clerk, City Offices, and City Boards and Commissions:

Emma Williams, Monroe County Human Rights Commission, Chair, presented the 2026 Human Rights Awards. Melanie Davis was the recipient of the 2026 Individual Human Rights Award. Mother Hubbard’s Cupboard received the 2026 Organizational Human Rights Award.

4.3. Council Committees:

There were no reports from council committees.

4.4. Public:

Jody Madeira, Monroe County Commissioner, and Julie Thomas, Monroe County Commissioner, asked council for a land swap or sale of the Hopewell site for use as a new county jail. Christopher Emge, Greater Bloomington Chamber of Commerce, spoke about the city’s permitting process audit. Megan Betz, Mother Hubbard’s Cupboard, spoke about upcoming programs.

5. Appointments to Boards and Commissions [6:54pm]

There were no appointments to boards and commissions.

6. Legislation for First Reading [6:54pm]

6.1. Ordinance 2026-15

Amending Title 2 of the Bloomington Municipal Code Regarding Establishment of the Fire Merit Commission Council Sponsor - CM Zulich

Daily moved and Piedmont-Smith seconded that Ordinance 2026-15 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Clerk Nicole Bolden read the legislation by title and synopsis.

Daily moved and Piedmont-Smith seconded to discuss Ordinance 2026-15. The motion to discuss Ordinance 2026-15 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Council Attorney Larry Allen presented the legislation. The ordinance updated language in Title 2 to reflect that the Board of Public Safety no longer had oversight over the Fire Department due to the new Fire Merit Commission and added language about the new commission.

Wes Martin, Bloomington Firefighters Local 586 Political Action Committee, President, spoke in support of the ordinance.

Stosberg moved and Piedmont-Smith seconded to postpone consideration of Ordinance 2026-15 until the next Regular Session to be held on July 29, 2026 at 6:30pm. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

7. Legislation for Second Reading and Resolutions [7:01pm]

7.1. Resolution 2026-12

Establishing Rules and Guidelines for Alcohol Permit Districts Council Sponsor - CM Asare

Asare asked council to not introduce but to postpone Resolution 2026-12 due to a large amount of feedback and lack of time to address it. Allen suggested tabling the resolution indefinitely.

Daily moved, and Piedmont-Smith seconded that Resolution 2026-12 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Daily moved and Stosberg seconded that Resolution 2026-12 be adopted.

Meeting Date: July 22, 2026

Stosberg moved and Daily seconded to table Resolution 2026-12 indefinitely. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

7.2. Resolution 2026-13

Authorizing Issuance of Bonds for the Bloomington Housing Authority Council Sponsor - CM Zulich

Daily moved and Piedmont-Smith seconded that Resolution 2026-13 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Daily moved and Piedmont-Smith seconded that Resolution 2026-13 be adopted.

Nathan Ferreira, Bloomington Housing Authority (BHA), Executive Director, and Chris Cashman, Ice Miller, Bond Counsel, presented the legislation. Cashman said the bonds would be issued under the local housing authority and explained the approval and bonds issuance process. Ferreira gave an overview of the properties and the scope of the project. The apartments were intended as workforce housing and would create a pipeline for future low-income tax credit deals, as revenue from the US Department of Housing & Urban Development had become less dependable.

Piedmont-Smith and Stosberg asked about the bond repayment timeline and amount. Cashman and Ferreira spoke about assuming debt versus paying debt off. The project would be partially funded by assuming the existing debt, and the remainder would be bond financed. Flaherty asked about workforce housing stability and proposal risks. Ferreira spoke about landlord issues and property management capacities. There was discussion on the property selection process, Seminary Pointe, BHA's authority limits, and resolution wording.

Mary Morgan, Heading Home of South Central Indiana, Executive Director, supported the project. Randy Cassaday expressed concern about property tax-exempt status and revenue impact. Kevin Keough stated finance concerns.

Piedmont-Smith asked about property tax-exempt status. Ferreira stated the properties were tax-exempt. Stosberg questioned the council's involvement. Cashman explained it was Indiana state statute, and Allen gave further context. Asare asked follow-up questions on risk, and Ferreira and Cashman responded in detail. There was further discussion on BHA approval, due diligence, and flexibility. Stosberg commented on the Kingston Manor Apartments and supported the resolution. Piedmont-Smith spoke in support of the resolution. Flaherty supported the legislation and commented on the council and BHA's relationship. Asare stated the project was bold but shrewd and he was supportive.

The motion to adopt Resolution 2026-13 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

7.3. Ordinance 2026-12

To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" to Seasonally Provide a Carless Kirkwood Council Sponsor - CM Daily and Rosenbarger

Clerk's note: On June 10, 2026, the council passed Ordinance 2026-12 by roll call vote of Ayes: 5 (Asare, Daily, Flaherty, Rollo, Rosenbarger); Nays: 4 (Stosberg, Piedmont-Smith, Zulich, Ruff); Abstain: 0. On June 19, 2026, Mayor Kerry Thomson vetoed the legislation.

Daily moved and Piedmont-Smith seconded that Ordinance 2026-12 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Daily moved and Piedmont-Smith seconded that Ordinance 2026-12 be adopted.

Rosenbarger presented the ordinance. She and Daily were aware the legislation would not have the votes to overturn the mayoral veto and were disappointed. The ordinance sought to make the Kirkwood vehicle closures a predictable occurrence, and she spoke about her positive experience working with and hearing from residents on the project. She spoke about accessibility and working with the Council for Community Accessibility. The ordinance was recommended by the Bloomington Commission on Sustainability & Resilience, the Transportation Commission, and the majority of councilmembers voted in favor of the proposal. 90% of respondents to a 2025 survey for program participants favored closing Kirkwood to cars. She gave examples of cities with similar programs and commented on the state's CreatINg Places grant program.

Piedmont-Smith asked about the CreatINg Places grant. Rosenbarger gave further details.

Paul Rousseau appreciated Rosenbarger's comments and thanked those involved. Steve Volan, Transportation Commission, commented on the Transportation Commission's vote, a Downtown Circulator, and revenue from increasing parking meter rates. Buff Brown commented on his experience in transportation advocacy and city planning, urging the council to activate Kirkwood and close it to vehicles.

Daily and Rosenbarger were cosponsors and had decided to pause the ordinance after the mayoral veto, but they had received much positive community outreach so were bringing it before council again. Daily reiterated that there was money in the budget set aside for Kirkwood. Flaherty spoke about Kirkwood being the ideal location for the program and the proposal was in alignment with the Climate Action Plan. He expressed concerns about conflation of car access with accessibility, and quoted data stating that car-heavy cities were more dangerous for people with disabilities. There needed to be policy certainty for business owners to plan for, and most challenges were solvable. Asare spoke about lack of trust in city government to follow through with plans. Economic development conversations consistently included attracting a young workforce, and that target demographic was excited about a closed Kirkwood. Problems were opportunities for innovation, and doing nothing would not achieve the Bloomington they were trying to become. Stosberg said she was tempted to change her vote due to concerns over the mayor and legislative body power, but she would vote no because administration/council collaboration was required for success for a pedestrian-friendly Kirkwood. She preferred collaboration over adversarial debate. Rollo had previously supported the ordinance but would not vote yes because it would not succeed without community buy-in. An adversarial act of overriding a veto would not move the project forward, and there were divided community opinions. Ruff agreed with Rollo and spoke about riding his bike in Bloomington, feeling that it was less safe to bike on Kirkwood during the closure. He appreciated the enthusiasm but felt the program's positive impact was exaggerated. He had previously voted yes for the closure but had since heard from businesses and residents in opposition of the proposal. Piedmont-Smith spoke positively about pedestrian zones in Germany. Local governments in Indiana were facing decreased revenue due to changes by the Indiana General Assembly. She needed to be a steward of taxpayer dollars and would vote no. She had hesitations about collaborating with the administration due to prior experiences, but collaboration was possible. Rosenbarger thanked Asare and Flaherty for their comments. She stated that the mayor had failed to collaborate with the council. The point of the ordinance was to encourage the mayor to work with council. Kirkwood was platted 100 years ago and was not planned for cars. Council needed to take action on initiatives as opposed to continuing to pay for studies and talk about taking action and not doing so.

The motion to adopt Ordinance 2026-12 received a roll call vote: Ayes: 4 (Asare, Daily, Flaherty, Rosenbarger); Nays: 4 (Stosberg, Piedmont-Smith, Rollo, Ruff); Abstain: 0. FAILED

8. Additional Public Comment [9:24pm]

Meeting Date: July 22, 2026
There was no additional public comment.

9. Council Schedule [9:24pm]

Asare reviewed the council's upcoming schedule. Stosberg mentioned the Fiscal Committee's upcoming meeting, and Piedmont-Smith stated the Committee on Council Processes schedule.

10. Adjournment [9:25pm]

Asare adjourned the meeting.

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

APPROVE:

Signature of Isak Nti Asare, Common Council President

ATTEST:

Signature of City Clerk Nicole Bolden

Clerk's Note: The above minutes summarize the motions passed and issues discussed rather than providing a verbatim account of every word spoken. Bloomington Common Council meetings can be accessed on the following websites:

- [Community Access Television Services](https://catvstv.net)¹ (CATS)
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Bloomington Common Council-Regular Session Minutes
Bloomington Council Chambers, City Hall, 401 North Morton Street, Bloomington, Indiana
Wednesday, July 29, 2026 at 6:30pm

Council President Isak Nti Asare called the meeting to order.

1. Roll Call: (*indicates participation via Zoom) [6:30pm]

Council Members:

Isak Nti Asare	At-Large, Council President
Courtney Daily	District 5, Council Parliamentarian
Matt Flaherty	At-Large
Isabel Piedmont-Smith	District 1
Dave Rollo*	District 4
Kate Rosenbarger* (joined at 6:33pm)	District 2
Andy Ruff (absent)	At-Large
Hopi Stosberg	District 3
Sydney Zulich	District 6, Council Vice President

City staff, officials, and guests present:

Jennifer Crossley	Deputy Clerk
Larry Allen	Council Administrator/Attorney (temporary)
Michael Wagenaar	O'Neill Leadership Program Fellow
Geoff McKim	Controller
Sharr Pechac	Human Resources, Director

2. Agenda Summation [6:31pm]

Council President Asare summarized the agenda.

3. Approval of Minutes [6:32pm]

Daily moved and Zulich seconded to approve the amended minutes of January 7, 2026, January 14, 2026, February 4, 2026, February 25, 2026, and March 31, 2026. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

4. Reports [6:32pm]

4.1. Councilmembers:

Piedmont-Smith spoke about the 250th anniversary of the Declaration of Independence and read part of a poem by Amanda Gorman titled "In This Place, An American Lyric."

Rollo reported on the recent escape of OpenAI's model where advanced autonomous agents broke out of their secured servers and discovered a software flaw ,immediately hacking a network called Hugging Face. The AI used stolen credentials, chained multiple attack vectors together to execute remote code on servers. He cautioned that powerful AI could act completely on its own, bypassing safety limits, and intruding on an outside company. He called for a moratorium on the development of AI superintelligence and urged people to contact their representatives.

Stosberg noted that Lynn Coyne was appointed interim director of Planning and Transportation at a recent Plan Commission meeting. She said she would be at the Democrat's booth at the Farmer's Market in a couple weeks. She would submit a written report from the Fiscal Committee containing information from the Reedy Financial Group presented at a recent meeting. She spoke about

the discussion on a location for a new jail and referenced Piedmont-Smith's letter to county commissioners. She said the commissioners had not participated in working groups over the summer.

4.2. The Mayor, City Clerk, City Offices, and City Boards and Commissions:

There were no reports.

4.3. Council Committees:

Piedmont-Smith reported from the Committee on Council Processes. Memberships on the Transportation Commission and Environmental Commissions and Title 2 updates were discussed.

4.4. Public:

There was no public comment.

5. Appointments to Boards and Commissions [6:45pm]

There were no appointments to boards and commissions.

6. Legislation for First Reading [6:45pm]

6.1. Ordinance 2026-16

To Amend an Ordinance Fixing the Salaries of Officers and Employees of the Police and Fire Departments for the City of Bloomington, Indiana for the Year 2026 Council Sponsor - N/A

Daily moved and Zulich seconded that Ordinance 2026-16 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Deputy Clerk Jennifer Crossley read the legislation by title and synopsis.

Daily moved and Zulich seconded to discuss Ordinance 2026-16. The motion to discuss Ordinance 2026-16 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Sharr Pechac, Human Resources Director, presented the legislation and noted errors and transposed numbers in the ordinance. She would submit an amendment correcting the errors for the second reading of the legislation. She gave a background on the Workforce Evaluation and Realignment Committee (WERC) process that allowed department directors to adjust job duties, reporting, and distribution of workload. The requests were to be net neutral with no new funding. She highlighted key changes for the Bloomington Police Department (BPD) including a new lieutenant position.

Piedmont-Smith asked about future funding of the new position. Geoff McKim, Controller, said it was not a new position, it converted a sergeant to a lieutenant. There was discussion on the number of staff in BPD, and duties, compared to other cities. Flaherty asked for clarification on the instructions to directors regarding the net neutral request, given that, for BPD, there would be an increase in personnel funding in future years. Flaherty noted no other director had submitted a request. Pechac stated that had been communicated clearly to all directors and in cabinet meetings, too.

There was no public comment.

Stosberg looked forward to clarification on the questions and errors in the legislation at second reading. Asare said it would be informative to have more information on the distribution of job duties in BPD at their current staffing level.

Daily moved and Zulich seconded to present Ordinance 2026-16 for second reading at the next Regular Session to be held on August 5, 2026 at 6:30pm. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

6.2. Ordinance 2026-17

To Amend the 2026 Salary Ordinance of Appointed Officers, Non-Union, and A.F.S.C.M.E. Employees for All Departments of the City of Bloomington, Indiana Council Sponsor - N/A

Daily moved and Zulich seconded that Ordinance 2026-17 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Crossley read the legislation by title and synopsis.

Daily moved and Zulich seconded to discuss Ordinance 2026-17. The motion to discuss Ordinance 2026-17 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Pechac presented the legislation and noted there were typos so an amendment would be forthcoming at second reading. There were eight requests that impacted the salary ordinance. Utilities, Human Resources (HR), and Public Works had submitted requests. She highlighted details on each request including fiscal impacts. Piedmont-Smith asked who was on WERC and assessed requests. Pechac stated it was primarily HR and the Office of the Controller, with some assistance from the Office of the Mayor. There was discussion on human resource systems, clarification on the total requests such as part-time positions that did not affect the salary ordinance, justification for the requests, shifts in job duties and direct reports, and overall effects on the budget. Pechac noted that directors only had opportunities to adjust the salary ordinance, job duties, et cetera once per year. She had hoped to have gotten the requests done earlier in the year, but WERC had been a complex process. There was additional discussion on opportunities for directors to submit requests and clarification on offsetting personnel funding and duties in Utilities and Public Works.

There was no public comment.

Piedmont-Smith said the fiscal impact should be calculated beyond the current year. Rosenbarger agreed. Asare noted that departments could offset any fiscal impact by cutting funds in other areas. Stosberg said the fiscal impact beyond the current year could highlight where the cuts might occur.

Daily moved and Zulich seconded to present Ordinance 2026-17 for second reading at the next Regular Session to be held on August 5, 2026 at 6:30pm. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

7. Legislation for Second Reading and Resolutions [7:45pm]

7.1. Ordinance 2026-15

Amending Title 2 of the Bloomington Municipal Code Regarding Establishment of the Fire Merit Commission Council Sponsor - CM Zulich

Daily moved and Zulich seconded that Ordinance 2026-15 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Crossley read the legislation by title and synopsis.

Daily moved and Zulich seconded that Resolution 2026-15 be adopted.

Chris Wheeler, Legal, Assistant City Attorney/Senior Assistant City Attorney, presented the legislation and gave a background on the commission and proposed updates to code like clarifying that the Board of Public Safety no longer had the authority to hire, promote, or discipline fire members.

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

Piedmont-Smith said Ordinance 2026-15 could have been on a consent agenda. Consent agendas were being considered by the Committee on Council Processes.

The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

8. Additional Public Comment [7:50pm]

There was no additional public comment.

9. Council Schedule [7:51pm]

There was no discussion on the council’s upcoming schedule.

10. Adjournment [7:51pm]

Asare adjourned the meeting.

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

APPROVE:

Signature of Isak Nti Asare, Common Council President

ATTEST:

Signature of City Clerk Nicole Bolden

Clerk’s Note: The above minutes summarize the motions passed and issues discussed rather than providing a verbatim account of every word spoken. Bloomington Common Council meetings can be accessed on the following websites:

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Bloomington Common Council-Regular Session Minutes
Bloomington Council Chambers, City Hall, 401 North Morton Street, Bloomington, Indiana
Wednesday, August 5, 2026 at 6:30pm

Council President Isak Nti Asare called the meeting to order.

1. Roll Call: (*indicates participation via Zoom) [6:33pm]

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

City staff, officials, and guests present:	
Nicole Bolden	City Clerk
Larry Allen	Common Council, Attorney (temporary)
Michael Wagenaar	Common Council, O'Neill Leadership Program Fellow
Geoff McKim	City Controller
Sharr Pechac	Human Resources, Director
Desiree DeMolina	Office of the Mayor, Communications Director
Jane Kupersmith	Economic & Sustainable Development, Director
Michael Diekhoff	Police Department, Chief
Jeff Andreasen	aQity Research & Insights, President
Lauren Sturdivant	Walker Consultants, Planner
John Martens	Walker Consultants, Senior Consultant
Michelle Wahl	Parking Services, Director

2. Agenda Summation [6:33pm]

Council President Asare summarized the agenda.

Piedmont-Smith moved and Daily seconded to amend the agenda to move any reports about hiring, which was under item #5, to council committee reports under #4. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

3. Approval of Minutes [6:33pm]

There were no minutes for approval.

4. Reports [6:37pm]

4.1. Councilmembers:

Stosberg announced she would be available for conversations at the upcoming farmer's market.

Zulich expressed displeasure in the change of neighborhood parking permit distribution to include only residents living in a single-family unit. The last-minute change took those affected by surprise,

Meeting Date: August 5, 2026

and local government had a responsibility to inform people in a timely manner. The government should not dictate who can own a car based on the type of residence they live in.

Piedmont-Smith announced her monthly constituent meeting and spoke about the recent Redevelopment Commission (RDC) meeting, where they discussed a new Hopewell economic development area and proposals for the College Square site. She expressed disappointment with the options and asked RDC to issue a new call for proposals.

Rosenbarger spoke about vehicle ownership in Bloomington.

4.2. The Mayor, City Clerk, City Offices, and City Boards and Commissions:

Piedmont-Smith(roll call sheet says Stosberg made the motion) moved and Daily seconded to amend the rules to allow members of the public to comment on the Parking Study report and the community survey report during the first period of open public comment. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Mayor Kerry Thomson presented a general report to the council. She highlighted two recent accreditations, one for Public Works and another for the Police Department. She gave an update on Showers West tenancy and Readi 2.0 grant funding.

Piedmont-Smith asked for clarification on the Readi 2.0 grant.

Desiree DeMolina, Communications Director, Office of the Mayor, introduced Jeff Andreasen, President, from aQity Research & Insights, who presented the Community Survey results. The survey included a random sample of Bloomington residents, weighted to focus on permanent residents and not on Indiana University (IU) students. 72% of respondents were likely to recommend Bloomington as a place to live. Restaurants, outdoor spaces, ease of getting around, and being a college town were rated as the highest strengths. Most commonly stated weaknesses were expensive housing, number of unhoused people, and issues with city services including transparency, street conditions, and drinking water.

Asare extended the time for the section for mayoral reports by 20 minutes with no objections.

Stosberg expressed concern about mismatch between Bloomington census data and survey respondents. Significantly more respondents stated they were homeowners and/or lived in single-family homes than census data reflected, and the previous 2023 survey was more aligned with the census. Andreasen said the sample was designed to be representative of year-round residents as they are taxpayers and more engaged/familiar with the community compared to IU students. Stosberg stated that while individual students may change, student needs remained consistent and excluding them from the survey was a disservice. Zulich agreed with Stosberg and asked how the survey firm was chosen. DeMolina explained the process and stated the 2023 survey questions received many critiques. Andreasen said surveys conducted with students received a low response rate. Asare asked about the final response rate and asked if it was statistically valid. Andreasen said it was 4-5%. Low student response rate could invalidate statistical confidence. Rosenbarger spoke about prior work in evaluation and said it was difficult to get scientifically valid responses, expressing concern about the 4-5% response rate. The respondents appeared to be the same category of people who already went to public meetings. Piedmont-Smith expressed concern about screen reader accessibility in the slide presentation and survey question wording.

Asare extended the time for the section for mayoral reports by 5 minutes with no objections.

Ruff asked about comparable data in other similar cities. Andreasen stated the firm did not have comparison data because Bloomington was a unique city. Stosberg spoke about her responsibility to her constituents and her disappointment with the study. Zulich said the study was not a responsible

use of taxpayer money and it eliminated future long-term residents from shaping the future of the city. Asare thanked Andreasen and DeMolina.

Asare extended the time for the section for mayoral reports by 20 minutes with no objections.

Michelle Wahl, Parking Services Director, introduced Lauren Sturdivant and John Martens from the Walker Consulting Group, who presented the Parking Rate Study and Comprehensive Review. The study looked at downtown parking and recommendations were made based on stakeholder meetings and surveys, city data, and best practices. Key findings included that parking rates were low, technology was outdated, communication was confusing, and there was a need for transparency. Organizational recommendations included centralizing parking citations appeals within Parking Services and establishing a parking services mission statement and a data-driven approach; Policy recommendations included zone-based pricing, increasing parking rates, and reducing enforcement hours; Operations recommendations included replacing outdated technology, using multi-space kiosks, and implementing mobile license plate reader (LPR) technology; and Communications recommendations included a recognizable logo, communications campaign, and improved signage.

Piedmont-Smith stated former councilmember Steve Volan recommended zone-based parking rates years ago and expressed concern about LPR technology. Rollo asked about parking technology issues. Martens said there were over 1,400 physical meters/devices and maintaining them was expensive and labor-intensive. Stosberg asked about parking turnover and implementing 2-hour parking zones. Martens spoke about the limitations of using data from Parkmobile and individual meters. Rosenbarger asked about hourly rate recommendations. Martens stated the rate had not increased in a long time and recommended a ten year timeline increase.

Asare extended the time for the section for mayoral reports by 20 minutes with no objections.

Clerk Nicole Bolden commented on the parking study. The parking citation appeals were in the Clerk's Office due to judicial order after Dan Combs sued the city. She expressed concerns with data errors, generalities, and misstatements, and suggested council ask for additional information before accepting the recommendation to move appeals to Parking Services. While the report said the appeal response rate was 2-4 weeks, the actual median response rate was 3 days. Appeals had increased due to legislative and enforcement changes, and parkmobile user error. The Clerk's Office had subject matter experts in parking, and broad statements unsupported by data were inaccurate and unhelpful.

Zulich asked if Bolden was consulted during the study. Bolden stated they had a one-hour conversation at the beginning of the study. Asare asked about action needed on the report.

4.3. Council Committees:

Stosberg reported from the Fiscal Committee on potential local income tax estimates. Due to changes in state law regarding property taxes, revenues would be significantly decreased for local government units, especially for the local school district and the public library.

4.4. Public:

Steve Volan, Transportation Commission, Chair, expressed disappointment that the Community Survey de-emphasized students and stated the Transportation Commission would take a vote on the study recommendations in September. Terry Amsler commented on the Community Survey methodologies. Christopher Emge, Greater Bloomington Chamber of Commerce, spoke about upcoming chamber events and commented on the 2027 proposed city budget. Paul Rousseau commented on the Community Survey and stated it was necessary to capture the views of IU students despite the difficulty. Kevin Keough expressed disappointment with the Community Survey.

5. Appointments to Boards and Commissions [8:42pm]

There were no appointments to boards and commissions.

6. Legislation for First Reading [8:42pm]

6.1. Ordinance 2026-18

Adopting Guidelines and Requiring Formal Written Commitments as a Condition of Eligibility for On-Premises Alcoholic Beverage Permits within Eligible Statutory Districts Council Sponsor - CM Asare

Daily moved and Zulich seconded that Ordinance 2026-18 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Asare passed the gavel to Zulich.

Daily moved and Piedmont-Smith seconded to discuss Ordinance 2026-18. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Asare and Jane Kupersmith, Economic and Sustainable Development, Director, presented the legislation. Asare stated it would establish a clear and transparent process for businesses seeking certain alcohol permits. The city would determine which establishments should be eligible, and the Indiana Alcohol & Tobacco Commission had the final authority to issue the permits. There was much engagement with local business owners, and the ordinance would set a framework for the process. Kupersmith gave examples of other cities with successful programs, and stated Bloomington had a high number of visitors, and demand exceeded supply. It was difficult for restaurants to stay open in Bloomington, and were cost-burdened if they had to purchase a permit secondhand. Bloomington received three new, non-quota permits from Indiana Senate Bill 89 earlier in the year. The non-quota permits must be renewed annually and could not be sold or transferred.

Stosberg expressed approval of the ordinance and offered comments on the legislation, including on the living wage ordinance compliance. Piedmont-Smith expressed appreciation for council involvement and said the evaluation criteria was vague. Rosenbarger was excited about fewer barriers for restaurants but wished that more bars would be eligible. Asare spoke about resident concerns with bars and expounded upon the goal of the ordinance. There was discussion on eligibility criteria.

Galen Cassady, Uptown Cafe, co-owner, stated the ordinance provided a lower barrier of entry for talented young operators to open a business. He expressed disdain that current permit holders may oppose the ordinance because new permits would reduce the scarcity value of their own permit. Randy Cassaday supported the ordinance and spoke about Taste of Bloomington. Christopher Emge, Bloomington Chamber of Commerce, spoke in support for the ordinance.

Daily moved and Asare seconded to send Ordinance 2026-18 to second reading on September 2nd, 2026. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Zulich passed the gavel to Asare.

7. Legislation for Second Reading and Resolutions [9:07pm]

7.1. Ordinance 2026-16

To Amend an Ordinance Fixing the Salaries of Officers and Employees of the Police and Fire Departments for the City of Bloomington, Indiana for the Year 2026 Council Sponsor - N/A

Daily moved and Zulich seconded that Ordinance 2026-16 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Daily moved and Zulich seconded that Ordinance 2026-16 be adopted.

Sharr Pechac, Human Resources, Director, had previously presented the ordinance.

Piedmont-Smith moved and Zulich seconded to introduce Amendment 01 to Ordinance 2026-16.

Amendment 01 Synopsis: This amendment updates proposed Ordinance 2026-16 to correct typos and inadvertently transposed numbers.

There was no public comment on Amendment 01. There was no council comment.

The motion to adopt Amendment 01 to Ordinance 2026-16 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Pechac recapped the ordinance and answered questions previously asked by council. Controller Geoff McKim provided context on cost, position impact, and budget. Chief Michael Diekhoff, Police Department, addressed the need for the new position.

Stosberg asked about the implication of documents incorrectly stating the number of police sergeants for years. Diekhoff said the position had never been filled, and McKim stated that funding for 14 sergeants had been appropriated by council at least ten years prior, but there appeared to have been a disconnect between the budget as appropriated and the salary ordinance document.

The motion to adopt Ordinance 2026-16 as amended received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

7.2. Ordinance 2026-17

To Amend the 2026 Salary Ordinance of Appointed Officers, Non-Union, and A.F.S.C.M.E. Employees for All Departments of the City of Bloomington, Indiana Council Sponsor - N/A

Daily moved and Zulich seconded that Ordinance 2026-17 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Daily moved and Zulich seconded that Ordinance 2026-17 be adopted.

Piedmont-Smith moved and Zulich seconded Amendment 01 to Ordinance 2026-16.

Amendment 01 Synopsis: This amendment updates proposed Ordinance 2026-17 to correct typos and misplaced job positions and titles.

There was no public comment. There was no council comment.

The motion to adopt Amendment 01 to Ordinance 2026-17 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Meeting Date: August 5, 2026

Pechac had previously presented the ordinance and answered prior questions that had been asked from council regarding the timing of the ordinance. The requests were made in order to prioritize personnel and operations. McKim spoke about fiscal impacts, stating it would result in future savings and gave examples.

There was no public comment.

Zulich spoke about working with Cassie Werne, Special Projects and Operations Manager. Stosberg thanked Pechac, McKim, and Diekhoff. Rosenbarger asked if the council office had been notified of the salary regarding the opportunity to review staff salaries. Pechac did not remember including the council office and apologized. Piedmont-Smith expressed disappointment and stated that the council did not have more leeway in setting staff salaries. Bolden stated that there were emails from HR about staffing updates that were sent to the clerk and council office in April. Stosberg suggested moving forward with the ordinance and revisiting the council office roles later.

The motion to adopt Ordinance 2026-17 as amended received a roll call vote of Ayes: 7, Nays: 1 (Rosenbarger), Abstain: 0

7.3. Resolution 2026-14

Approval of Amended Legal Representation Agreement for Common Council

Daily moved and Piedmont-Smith seconded that Resolution 2026-14 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Asare passed the gavel to Zulich.

Daily moved and Piedmont-Smith seconded that Resolution 2026-14 be adopted.

Asare presented the legislation. The resolution amended a previous resolution that established the council's ability to enter into a contract with interim council attorney Larry Allen. Council was coming to the end of the process of appointing a new council attorney and anticipated overlap between the new attorney and Allen's contracting services.

Piedmont-Smith asked how much the council had paid for the contract. Allen said it was \$49,390. Stosberg asked about the not-to-exceed amount. Asare stated that there was enough funds in Line 1 of the budget, and none of the three council staff positions had been filled for several months.

There was no public comment.

Asare spoke about council processes and stated that some needed consideration, such as paying an attorney to attend a meeting and how to staff the office. He stated a lot of the processes were habit, and some inefficiencies were hidden. Councilmembers had expressed concerns about staff's workload and time. He thanked Allen for his services. Piedmont-Smith thanked Allen and spoke about paying rates for and requiring administration work that did not require a Juris Doctorate. Rosenbarger stated it was necessary to have an attorney at council meetings due to adversarial conversations during meetings. She suggested reorganizing some processes such as meeting packet production. She thanked Allen. Stosberg thanked Allen and spoke about staff tasks, stating she had not been able to bring forth most of her legislative initiatives in the past year due to staffing challenges.

The motion to adopt Resolution 2026-14 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Zulich passed the gavel to Asare.

MEMORANDUM

To: Bloomington Common Council
From: Hopi Stosberg, Chair, Special Fiscal Committee
Date: October 22, 2026
RE: Elected Official Salaries 2027

Colleagues,

The Special Fiscal Committee has had multiple conversations this year regarding elected official salaries. We revisited the Elected Official Compensation Framework created by the 2024 Ad Hoc Salary Committee in collaboration with consultants from Crowe and made some adjustments to the framework. We acknowledge further adjustments are needed. The original framework was primarily split into 3 areas of consideration: Guiding Principles, Basis of Salary Setting, and Relevant Information. As a committee we were able to agree on slightly revised Guiding Principles to forward to the full council for consideration, but we have not settled on a recommendation to the full council on a basis for salary setting. The draft document is attached.

Though the framework is not yet complete, at the committee meeting on October 2 we voted on a recommendation for the 2027 Elected Salary Ordinance and moved that council staff be directed to study the matter for a 2028 recommendation. Ordinance 2026-27 this evening is the result of a 2-1 (Stosberg opposed, Flaherty absent) vote to recommend a 2.7% cost of living increase for all elected positions in 2027. A 2.7% increase aligns with the COLA increase for civil city staff. Both the mayor and clerk gave feedback that they would support no more than the 2.7% COLA increase, though neither were able to attend the meeting on October 2. By state statute, elected official salaries for 2027 must be set by ordinance by December 31, 2026.

Please contact me if you have any questions about this legislation or the discussions we have engaged in during this year. Thank you.

****DRAFT****

Elected Official Compensation Framework-2026

Guiding Principles: (in final draft form)

Values:

- 1) **Accessibility of Public Service:** Service in elected office is financially viable for community members at all socioeconomic levels, taking into account compensation relative to time spent.
- 2) **Quality Community Service:** Elected officials are paid a rate that motivates them to prioritize their city work and to do their best work. The compensation level leads highly qualified candidates to seek the office.
- 3) **Equitable Pay:** Elected officials are compensated equitably according to their respective levels of responsibility and relative to other Bloomington elected officials and departmental leadership.

Process:

- 1) **Informed Decisions:** Council makes informed decisions about elected official compensation in alignment with the above values and based on relevant objective data such as budgetary limitation, city compensation levels, comparisons with other cities, and historic inequities.
- 2) **Transparency and Consistency:** Council follows a transparent, repeatable process to make compensation decisions for elected officials and clearly explains this process to the public and all city elected officials.

Annual Process (draft)

March/April: Fiscal Committee validates and updates the Compensation Framework.

May-July: Fiscal Committee gathers and analyzes relevant data and information.

August: Preliminary numbers are available for budget presentations

October: Fiscal Committee drafts the Elected Salary Ordinance and presents it to the full council.

Relevant Information/Data (draft)

- City Budget Constraints/Capacity
- Civil City pay ranges
- Peer City data/analysis
- Bloomington Area Median Income
- Bloomington Cost of Living
- State law (elected salaries may never be decreased)
- Consultation with all Bloomington Elected Officials

Basis of Salary Setting (draft)

The ad hoc committee in 2024 ended up with the following recommendation:

- Mayor's salary was the midpoint of the salary range for the highest civil city pay grade
- Clerk's salary was the midpoint of the salary range for "leaders of civil city departments"
- Council Member salary was set as a percentage of the mayor's salary

Ultimately those recommendations were not taken due to the salary increase that would have resulted in for all three elected roles.

Considerations for 2027:

This year we have looked into comparisons to other second class cities.

There has been discussion of increasing council salaries in 2027 since it is an election year and higher salaries could encourage more highly qualified candidates to run for election.

We are facing future financial uncertainty and funding changes.

The viewpoints of Clerk Bolden and Mayor Thomson (neither wanted increases in excess of the 2.7% COLA for 2027).

**THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA,
ORDINANCE NO. 2026-27**

**TO FIX THE SALARIES OF ALL ELECTED CITY OFFICIALS FOR THE CITY OF
BLOOMINGTON FOR THE YEAR 2027**

Be It Ordained by the Common Council of the City of Bloomington, Monroe County, Indiana, That:

Section 1. Pursuant to Indiana Code 36-4-7-2, the annual salaries of elected officials of the City of Bloomington for the year beginning January 1, 2027, and extending to December 31, 2027, shall be:

Mayor	\$149,953
Clerk	\$94,926
Council Members	\$26,368

Section 2. The City Council President shall receive an additional \$1,500 per year, and the City Council Vice President shall receive \$800 per year.

Section 3. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Passed

Passed and Adopted by the Common Council of the City of Bloomington, Monroe County, Indiana, upon the day of , 2026.

Isak Nti Asare
President, City of Bloomington

Attestation of Bloomington City Clerk:

Nicole Bolden
Clerk, City of Bloomington

Presentation by Bloomington City Clerk:

Presented by me to the Mayor of Bloomington, Monroe County, Indiana, upon this day of , 2026:

Nicole Bolden
Clerk, City of Bloomington

Approval by Mayor

Signed and approved by me upon this day of , 2026:

Kerry Thomson

Mayor, City of Bloomington

Synopsis

This Ordinance, recommended by the Special Fiscal Committee, sets the 2027 salaries for all elected city officials for the City of Bloomington.

****Amendment****

Ordinance #: 2026-27
Amendment #: Am. 01
Submitted by: Cm. Stosberg
Date: October 22, 2026

Proposed Amendment:

1. The salaries in Section 1 shall be amended as follows:

Mayor: \$147,163
Clerk: \$93,582
Council: \$26,827

Synopsis:

This amendment, sponsored by Councilmember Stosberg, gives each elected position a flat increase of \$1,152 above 2026 salaries. This number was determined by adding the 2.7% COLA increases for each of the separate positions and splitting that increase evenly across the 3 elected positions.

****Amendment****

Ordinance #: 2026-27
Amendment #: Am. 02
Submitted by: Cm. Stosberg
Date: October 22, 2026

Proposed Amendment:

2. The salaries in Section 1 shall be amended as follows:

Mayor: \$146,011
Clerk: \$92,430
Council: \$25,675

Synopsis:

This amendment, sponsored by Councilmember Stosberg, maintains the 2026 salary levels across each of the elected positions.

To: Bloomington Common Council
From: Eric Greulich, Development Services Manager
Date: October 21, 2026
Re: Ordinance #2026-31; ZO2026-06-0007

This petition involves amendments to the Unified Development Ordinance to adjust standards related to Accessory Dwelling Units, Cottage Home Developments, and Use Specific Standards for duplexes, triplexes, and fourplexes.

Accessory Dwelling Units

The Department is proposing to adjust the Use Specific standards for the use “Dwelling, Accessory unit” to allow for attached ADU’s for single family residences to be 1,000 square feet and detached ADU’s to be 1,000 square feet or 75% of the primary structure, whichever is less. This adjustment, as well as adjusting the definition, aligns the Unified Development Ordinance with language within House Bill 1001 that was passed this year.

Cottage Development

The Department is proposing to adjust the Use Specific standards for the use “Dwelling, Cottage Development” to adjust some of the restrictions for this use that have limited the use of this section of the UDO. This use has seen very limited utilization due to several of the restrictions in the Use Specific Standards and provides an opportunity for a unique housing type that can help increase housing options within the community. The proposed changes would increase the allowable density, remove minimum and maximum project size requirements, and modify some of the related standards.

Use Specific Standards for Duplexes, Triplexes, and Fourplexes

The Department is proposing to adjust the Use Specific standards for the use “Dwelling, Duplex” to remove the limit on the number of duplexes approved per calendar year and spatial buffer requirements. The Unified Development Ordinance currently restricts the number of duplexes that can be approved in one calendar year to 15. There is also a 150 foot buffer that is created around each duplex which prohibits the creation of any new duplexes within that buffer for 2 years. A clarification to one of the Use Specific standards regarding the roof pitch has been added to include the roof orientation. The proposed amendments also include removing the restriction on the number of entrances facing a public street for the use “Dwelling, Triplex” and “Dwelling, Fourplex” to allow for each unit to have its own entrance and enable a townhome style design that is desirable for owner occupancy. The Plan Commission also added language to state that for the evaluation of the Use Specific standards for duplexes, triplexes, and fourplexes that both sides of the street along the block face are included.

Recommendation: The Plan Commission voted 5-0 to forward this petition to the Common Council with a favorable recommendation.

Bloomington Common Council Ordinance 2026-31 – UDO Amendments related to Housing Attainability (ZO2026-06-0007).

Preamble

Whereas, the Common Council by its Resolution 18-01, approved a new Comprehensive Plan for the City of Bloomington, which took effect March 21, 2018; and

Whereas, thereafter the Plan Commission initiated and prepared a proposal to repeal and replace Title 20 of the Bloomington Municipal Code, entitled “Unified Development Ordinance” (UDO); and

Whereas, on December 18, 2019, the Common Council passed Ordinance 19-24, to repeal and replace the UDO; and

Whereas, on January 14, 2020, the Mayor signed and approved Ordinance 19-24; and

Whereas, on April 15, 2020, the Common Council passed Ordinance 20-06 and Ordinance 20-07; and

Whereas, on April 18, 2020, the Unified Development Ordinance became effective; and

Whereas, on October 12, 2026, the Plan Commission heard case #ZO2026-06-0007 and voted to favorably recommend this amendment proposal to the Common Council, after providing notice and holding public hearings on the proposal as required by law; and

Whereas, the Plan Commission certified this amendment proposal to the Common Council on October 21, 2026; and

Whereas, in preparing and considering this proposal, the Plan Commission and Common Council have paid reasonable regard to:

- 1) The Comprehensive Plan;
- 2) Current conditions and the character of current structures and uses in each zoning district;
- 3) The most desirable use of land in each zoning district;
- 4) The conservation of sensitive environmental features;
- 5) The conservation of property values throughout the jurisdiction; and
- 6) Responsible development and growth.

Be It Ordained by the Common Council of the City of Bloomington, Monroe County, Indiana, That:

Section 1.

Title 20, entitled “Unified Development Ordinance”, is amended.

Section 2.

An amended Title 20 of the Bloomington Municipal Code, entitled “Unified Development Ordinance”, including other materials that are incorporated therein by reference, is hereby

adopted. Said ordinance consists of the following documents which are attached hereto and incorporated herein:

1. The Proposal forwarded to the Common Council by the Plan Commission with a favorable recommendation, consisting of:
 - A. ZO2026-06-0007 Amended Unified Development Ordinance (hereinafter "Attachment A")
 - B. Any Council amendment thereto (Attachment "B").

Section 3.

The Clerk of the City is hereby authorized and directed to oversee the process of consolidating all of the documents referenced in Section 2 into a single text document for codification.

Section 4: Severability.

If any section, sentence, or provision of this 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, or 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 5: Effective Date.

This Ordinance shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

Section 6.

The Clerk of the City is directed to enter the effective date of the ordinance wherever it appears in the body of the ordinance.

Passed

Passed by the Common Council of the City of Bloomington, Monroe County, Indiana, upon the day of , 2026.

Signature of Common Council President Isak Nti Asare

Attestation of Bloomington City Clerk:

Signature of Bloomington City Clerk Nicole Bolden

Presentation by Bloomington City Clerk:

Presented by me to the Mayor of Bloomington, Monroe County, Indiana, upon this day of _____, 2026.

Signature of Bloomington City Clerk Nicole Bolden

Approval by the Mayor:

Signature of Mayor Kerry Thomson

Synopsis:

This Ordinance contains amendments to the Unified Development Ordinance to amend the Use Specific standards regulating the use "Dwelling, Accessory Unit", "Dwelling, Cottage home", "Dwelling, duplex", "Dwelling, Triplex", and "Dwelling, Fourplex".

Title 20

UNIFIED DEVELOPMENT ORDINANCE¹

Chapters:

Chapter 20.01 ORDINANCE FOUNDATION

20.01.010 Title, purpose, and effective date.

- (a) Title. The ordinance codified in this UDO shall be known, cited, and referred to as the "Bloomington Unified Development Ordinance" and may also be cited or referred to as the "Unified Development Ordinance," the "UDO," the "zoning ordinance," or the "subdivision control ordinance."
- (b) Purpose. This UDO is adopted to:
 - (1) Promote the orderly, responsible, and sustainable development and redevelopment of the areas within the City in accordance with the Comprehensive Plan and its components, including but not limited to the Transportation Plan, and subarea plans, which include among others the Downtown Vision and Infill Strategy Plan, along with such additions and revisions as may be made to such plans after the effective date, and with all other City land use policy;
 - (2) Reduce greenhouse gas emissions and prepare for the impacts of climate change on our community;
 - (3) Promote the public health, safety, morals, ecosystem services, comfort, convenience, and general welfare;
 - (4) Protect the character and stability of residential, institutional, business, employment, and natural areas;
 - (5) Provide a safe, efficient, accessible, and connected system of transportation that emphasizes public transit, walking, and biking to enhance options to reduce overall dependence on the automobile;
 - (6) Secure adequate light, air, convenience of access, and safety from fire, natural disasters, and other danger, which may include providing adequate open spaces for light, air, and outdoor uses;
 - (7) Preserve and enhance the scenic beauty, aesthetics, and environmental integrity of the City;

¹Editor's note(s)—An amendment of Jan. 14, 2020, amended in entirety Tit. 20, Ch. 20.01, §§ 20.01.010—20.01.050; Ch. 20.02, §§ 20.02.010—20.02.060; Ch. 20.03, §§ 20.03.010—20.03.030; Ch. 20.04, §§ 20.04.010—20.04.120; Ch. 20.05, §§ 20.05.010—20.05.050; Ch. 20.06, §§ 20.06.010—20.06.100; and Ch. 20.07, § 20.07.010; and enacted a new Tit. 20 as set out herein. The former Tit. 20 pertained to similar subject matter and derived from Ord. 06-24, adopted 2006; Ord. No. 09-12, adopted Sept. 16, 2009; Ord. No. 10-20, adopted Dec. 15, 2010; Ord. No. 13-02, adopted Jan. 16, 2013; Ord. No. 14-05, adopted June 11, 2014; Ord. No. 14-12, adopted July 9, 2014; Ord. No. 14-17, adopted Sept. 17, 2014; Ord. No. 15-06, adopted April 1, 2015; Ord. No. 15-26, adopted Dec. 16, 2015; Ord. No. 16-01, adopted May 18, 2016; Ord. No. 16-04, adopted May 4, 2016; Ord. No. 16-44, adopted Dec. 14, 2016; Ord. No. 17-28, adopted June 28, 2017; Ord. No. 17-29, adopted Sept. 6, 2017; Ord. No. 17-35, adopted Nov. 1, 2017; Ord. No. 17-45, adopted Dec. 20, 2017; Ord. No. 18-01, adopted March 7, 2018; Ord. No. 18-04, adopted April 18, 2018; and Ord. No. 19-24, adopted Dec. 18, 2019.

Detached garage	A *	A *	A *	A *	A*	A*	A*	A*	A*	A*								20.03.030(g)(3)
Drive-through										A*	A							20.03.030(g)(4)
Dwelling, accessory unit	A *	A *	A *	A *	A*	A*	A*	A*	A*	A*	A*			A*	A*			20.03.030(g)(5)
Electric vehicle charging facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Greenhouse, noncommercial	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	
Home occupation	A *	A *	A *	A *	A*	A*	A*	A*	A*	A*	A*	A*	A *	A*	A*			20.03.030(g)(6)
Outdoor retail and display									T*	T*	T*			T*		A*		20.03.030(g)(7)
Outdoor trash and recyclables receptacles					A*	A*	A*	A*	A*	A*	A*	A *	A*	A*	A*	A*		20.03.030(g)(8)
Recycling drop-off, self-serve					A	A		A	A	A	A	A	A	A	A	A		
Swimming pool	A *	A *	A *	A *	A*	A*	A*	A*	A*	A*	A*	A *	A*	A*	A*	A*	A*	20.03.030(g)(9)
Temporary Uses																		20.03.030(h)(1)
Book buyback								T*	T*	T*	T*		T*	T*				20.03.030(h)(2)
Construction support activities	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	20.03.030(h)(3)
Farm produce sales	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*			20.03.030(h)(4)
Real estate sales or model home	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*		20.03.030(h)(5)
Seasonal sales								T*	T*	T*	T*	T*	T*	T*	T*			20.03.030(h)(6)
Special event	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*		T*	23.03.030(h)(7)

(Amd. of 1-14-2020; Ord. No. 20-07, § I(Att. B), 4-15-2020; Ord. No. 21-17, § II(Att. A), 4-21-2021; Ord. No. 21-22, § II(Att. A), 4-21-2021; Ord. No. 21-23, § II(Atts. A, B), 6-14-2021; Ord. No. 2024-05, § II(Att. A), 4-10-2024; Ord. No. 2025-25, § II(Att. A), 8-6-2025; Ord. No. 2025-27, § II(Att. A), 8-6-2025; Ord. No. 2025-29, § II(Att. A), 8-6-2025; Ord. No. 2025-41, § II(Att. A), 11-19-2025; Ord. No. 2025-26, § II(Att. A), 8-6-2025; Ord. No. 2025-28, § II(Att. A), 8-6-2025)

20.03.030 Use-Specific Standards.

(a) Generally.

- (1) The Use-Specific Standards listed in this Section 20.03.030 apply to those uses listed on the same line of Table 03-1, regardless of whether those uses are shown as Permitted, Conditional, Conditional Accessory, Accessory, or Temporary uses. These Use-Specific Standards cannot be modified through

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(Supp. No. 50, Update 1)

of existing structures shall have at least one exterior entrance facing a public or private street.

- ii. The following design elements of the duplex dwelling shall be similar in general shape, size, and design with the majority of existing single-family or duplex structures on the same block face on which it is located (for purposes of this section, both sides of the street along the block face shall be included):

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1. Roof pitch and orientation;
2. Front porch width and depth;
3. Front building setback; and
4. Vehicle parking access (i.e., front-, side-, or rear-access garage or parking area).

- iii. No duplex dwelling structure shall contain more than six bedrooms total.

- (D) ~~Approval. In the R1, R2, and R3 zoning districts, upon Conditional Use approval, a one hundred fifty foot buffer shall be created around the approved duplex dwelling. No newly created or expanded (through addition or habitable space) duplex dwellings shall be allowed in said buffer in the R1, R2, and R3 zoning districts for a period of two years after the date of the Conditional Use approval. For purposes of this section, the one hundred fifty feet shall be measured from the property lines of the parcel receiving approval.~~

- (E) ~~Maximum Number. In the R1, R2, and R3 zoning districts, the BZA shall approve a maximum of fifteen duplex dwellings (newly created or expanded through addition or habitable space) per calendar year.~~

- (4) Dwelling, Triplex and Fourplex.

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- (A) Generally.

- i. The property owner (or HAND registered agent) shall have no Notices of Violation on file in the Planning and Transportation Department for the prior three years at the time of Conditional Use application.

- (B) Occupancy. Occupancy of each unit in a triplex and fourplex dwelling is subject to the definition of "Family" in Chapter 20.07 (Definitions).

- (C) Design.

- i. ~~Triplex and fourplex dwellings shall have a minimum of one exterior entrance and no more than two exterior entrances facing a public or private street.~~

- ii. The following design elements of the triplex or fourplex dwelling shall be similar in general size, shape, and design with the majority of existing structures on the same block face on which it is located (for purposes of this section, both sides of the street along the block face shall be included):

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1. Roof pitch and orientation;
2. Front porch width and depth;
3. Front building setback; and
4. Vehicle parking access (i.e., front-, side-, or rear-access garage or parking area).

- iii. In the R4 zoning district, no triplex dwelling structure shall contain more than nine bedrooms total, and no fourplex dwelling structure shall contain more than twelve bedrooms total.

- (5) Dwelling, Multifamily.
- (A) Ground Floor Parking. Any portions within the ground floor of a structure used for vehicular parking and drive aisles directly accessing parking spaces shall be located at least twenty feet behind the building facade facing a public street, except that drive aisles are excluded for development sites of one-half acre or less. If there are multiple primary buildings on a site, this requirement only applies to the building closest to a public street.
- (B) Size. In the MN and R4 zoning districts, no more than eight multifamily or student housing or dormitory dwelling units shall be constructed on one single lot or parcel.
- (C) Building Floor Plate. Buildings with more than twenty dwelling units cannot have a floor plate larger than ten thousand square feet. Buildings that utilize either the affordable housing or sustainable incentive shall be allowed a maximum of fifteen thousand square feet per qualified building. Buildings that utilize both the affordable housing and sustainable incentives shall be allowed a maximum of thirty thousand square feet per qualified building.
- (D) Ground Floor Units.
- i. Ground floor dwelling units shall be prohibited in the MD-ST (Showers Technology) and MD-CS (Courthouse Square) Downtown Character Overlays, and the ME zoning district.
- ii. In the MD zoning district, each dwelling unit located on the ground floor within twenty feet of the front property line shall be constructed with the first floor elevated a minimum of three feet above adjacent sidewalk grade. Any dwelling unit located at least twenty feet from the front property line does not have to meet the three-foot elevation requirement.
- (6) Dwelling, Live/Work.
- (A) The residential unit shall be located above or behind the nonresidential areas of the structure.
- (B) The residential living space shall be occupied by the owner of the commercial or manufacturing activity or the owner's employee, including that person's household.
- (C) The resident owner or employee is responsible for the commercial or manufacturing activity performed.
- (D) In the R4, RM, and RH zoning districts, the commercial activity area shall not exceed fifty percent of the gross floor area of the unit.
- (E) Signs are limited to not more than two internally illuminated wall or window signs not exceeding ten square feet in total area.
- (F) The work activities shall not adversely impact the public health, safety, or welfare of adjacent properties.
- (7) Dwelling, Cottage Development.
- (A) Ownership. Individual cottage lots or portions of the project may not be subdivided for sale.
- (B) Bulk and Density Standards.

Table 03-2. Cottage Development Bulk and Density Standards

Zoning District	Maximum Density (dwelling units/acre)	Minimum Project Size	Maximum Project Size
R1	<u>3.9</u>	1 acre	2 acres
R2	<u>5.24</u>		

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R3	6-35		
R4	11-43		
RM	15- No Maximum	1-acre	5-acres
RH	20- No Maximum		
RMH	20		
MN	15-43		

(C) Setbacks.

- i. Parking Lot. Minimum of thirty feet from the right-of-way.
- ii. ~~Minimum Dwelling Separation. Minimum of ten feet between dwelling units.~~
- iii. Building Setbacks. ~~Cottage developments shall have their rear setback reduced to 5'.~~ All other setbacks for the project site (not individual units) shall comply with those applicable in the underlying zoning district.
- iv. ~~R3 Zoning District. Cottage developments within the R3 zoning district shall include a~~ minimum of one dwelling unit that is built at the build-to-line.

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(D) Central Open Space. Each cottage development shall include at least one centrally located open space area of at least ~~four hundred-200~~ square feet per dwelling unit. Parking areas cannot be counted toward this open space requirement.

(E) Parking and Access.

- i. Parking shall be designed to limit curb cuts and most efficiently park vehicles.
- ii. Parking may take place on a shared, paved parking lot or in shared driveways.
- iii. Shared driveways may access individual garages.
- iv. ~~External sidewalks and tree plots with street trees along adjacent public roads are required and internal sidewalks shall connect each cottage to the project external sidewalks. Project perimeter sidewalks may be required, and internal walkways shall connect each cottage unit to the project perimeter sidewalks.~~

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(F) Landscaping and Buffering.

- i. All cottage developments ~~located in the RM, RH, RMH, or MN districts~~ shall install a bufferyard type 1 along rear and side lot lines ~~if adjacent to R1, R2, R3, or R4 districts~~ per Section 20.04.080 (Landscaping, Buffering, and Fences).
- ii. Parking lot landscaping shall be provided per the requirements of Section 20.04.060 (Parking and Loading).

(G) Architecture/~~Design.~~

- i. All structures shall meet the design standards applicable to single-family homes in the zoning district where the property is located. ~~No more than two units are allowed in one building.~~
- ii. ~~Dwelling units shall have a maximum one to three width to depth ratio for the first floor.~~
- iii. ~~Each unit shall have a maximum cumulative area of one thousand two hundred square feet~~

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(5) Dwelling, Accessory Unit.

(A) Purpose. These accessory dwelling unit ("ADU") standards are intended to permit the creation of legal ADUs that are compatible with residential neighborhoods while also adding housing options for the City's workforce, seniors, families with changing needs, and others for whom ADUs present an affordable housing option.

(B) Generally.

- i. This use shall be accessory to a single-family or duplex dwelling that is the principal use on the same lot or parcel.
- ii. Not more than one ADU may be located on one lot.
- iii. ADUs shall not contain more than two bedrooms.
- iv. No more than one family, as defined in Chapter 20.07 (Definitions), shall reside in one accessory dwelling unit; provided, however, that units lawfully in existence prior to the effective date of the ordinance from which this section derives where the number of residents located in one accessory dwelling unit lawfully exceed that provided by the definition of family in Chapter 20.07 (Definitions), may continue to be occupied by the same number of persons as occupied the accessory dwelling unit on that effective date. For purposes of this section, attached ADUs with internal access that were approved under this section shall be considered one dwelling unit.
- v. A request for an ADU shall be required to submit a separate site plan petition with the Planning and Transportation Department, if no building permit is processed for the ADU.

(C) Utilities. All ADUs shall be connected to the public water main and sanitary sewer that are adjacent to the property on which the ADU is located, per City of Bloomington Utilities' Rules and Regulations or Construction Specifications. Where water or sanitary sewer mains are not adjacent to the property and the primary dwelling on the lot uses a septic system, the ADU may use the septic system in compliance with Monroe County Health Department standards.

(D) Standards for Attached ADUs.

- i. The maximum square footage of any attached ADU shall be 1,000 eight hundred forty square feet.
- ii. The maximum height of any attached ADU shall be the same as that applicable to the primary dwelling structure in the zoning district where the ADU is located.
- iii. Each ADU shall be set back from each property line by at least the same setback distance applicable to the primary dwelling structure in the zoning district where the ADU is located.

(E) Standards for Detached ADUs. Detached ADUs shall meet the architectural and foundation requirements for a single-family dwelling within the applicable zoning district as found in Section 20.04.070(d)(3) (Residential).

- i. The maximum gross floor area of the detached ADU portion of any accessory structure for the use "dwelling, single family" shall be eight hundred forty square feet or the maximum square footage allowed for accessory structures permitted by Section 20.03.030(g) (Accessory Uses and Structures), whichever is less, 1,000 square feet or seventy-five (75%) percent of the interior habitable square footage of the primary structure whichever is less. The maximum gross floor area of the detached ADU portion of any accessory structure for the use "dwelling, duplex" shall be 75% of the interior habitable square footage of the primary structure.

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- (C) Request the county building department to issue a stop work order and suspend and withhold all building code inspections relevant to the development or use of the site on which the violation has occurred; and/or
- (D) Draw on a performance or maintenance bond, as necessary, to affect any remedial actions required to abate the violations; and/or
- (E) Revoke the permits, certificates and/or approvals that have been violated; and/or
- (F) Any and all penalties and remedies listed in Section 20.06.100(b) (Penalties and Remedies for Violations).
- (f) Appeals.
- (1) Appeals of notices of violation shall be made to the Board of Zoning Appeals as set forth in Section 20.06.080(d) (Administrative Appeal).
- (2) Fines levied for zoning violations may be challenged in the Monroe County Circuit Court.
- (Amd. of 1-14-2020; Ord. No. 2024-17, § II(Att. A), 9-18-2024)

Chapter 20.07 DEFINITIONS²

20.07.010 Defined words.

The following terms shall have the following meanings:

"A zone" means portions of the special flood hazard areas (SFHAs) in which the principal source of flooding is runoff from rainfall, snowmelt, or a combination of both. In A zones, floodwaters may move slowly or rapidly, but waves are usually not a significant threat to buildings. These areas are labeled as zone A, zone AE, zones A1-A30, zone AO, zone AH, zone AR and zone A99 on a FIRM. The definitions are presented below:

"Zone A" means areas subject to inundation by the one-percent annual chance flood event. Because detailed hydraulic analyses have not been performed, no base flood elevation or depths are shown.

"Zone AE and A1-A30" means areas subject to inundation by the one-percent annual chance flood event determined by detailed methods. Base flood elevations are shown within these zones. (Zone AE is on new and revised maps in place of zones A1-A30.)

"Zone AH" means areas subject to inundation by one-percent annual chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone.

"Zone AO" means areas subject to inundation by one-percent annual chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone.

"Zone AR" means areas that result from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide base flood protection.

"Zone A99" means areas subject to inundation by the one-percent annual chance flood event, but which will ultimately be protected upon completion of an under-construction federal flood protection system. These

²Note(s)—This Chapter 20.07 includes definitions for words and phrases used in this UDO. The general rules of interpretation for this UDO are in Section 20.01.030(a) (Rules of Interpretation). Any words or phrases not defined in this Chapter 20.07 shall be given their customary meanings, as determined by the Planning and Transportation Director.

(8) Storage of materials; or

(9) Any other activity that might change the direction, height, or velocity of flood or surface waters.

"Development" does not include activities such as the maintenance of existing structures and facilities such as painting, re-roofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent structures.

"Development plan, PUD" means the name for PUD final plans under the Bloomington Zoning Ordinance effective 1973—1995. See "final plan, PUD."

"Development standards" means height, bulk, density, environmental performance standards, and other standards for development as set forth in this UDO, including landscaping, parking, and other required improvements, excluding those provisions that specifically regulate the use of property.

"Diameter at breast height (DBH)" means the diameter of an existing tree trunk or the cumulative diameter of multiple trunks measured four and one-half feet or fifty-four inches above natural grade.

"Display window" means a window of a store facing onto the street that is used to display merchandise or signage. Display windows typically include a kick plate and are not typically double-hung windows.

"Distribution, warehouse, or wholesale facility" means a facility that is used for storage, wholesale, and/or distribution of manufactured products, supplies, and equipment, but not involved in manufacturing or production. This does not include "bottled gas storage or distribution."

"District, mixed-use or nonresidential" refers to all zoning districts, including Planned Unit Developments, other than those defined as a "residential district."

"District, residential" refers to the R1, R2, R3, R4, RM, RH, and RMH zoning districts and residential portions of Planned Unit Developments.

"DNR" means the Indiana Department of Natural Resources.

"Dripline" means the perimeter of a tree's spread measured to the outermost tips of the branches and extending downward to the ground.

"Drive" means a vehicular access to a development site, including private streets or roads and excluding an aisle serving as direct access to a row of parking spaces.

"Drive apron" means the driving surface area, typically located within the public right-of-way, between the edge of a paved street and the driveway accessing a private property.

"Drive-through" means a facility, building feature, or equipment at which an occupant of a vehicle may make use of the service or business without leaving their vehicle. This use includes drive-by parcel pickup facilities.

"Drive-through bay" means the portion of a drive-through use or structure, including any awnings, structures, or service windows, where individual vehicles are parked to receive service.

"Driveway" means a surfaced area intended solely for the purpose of accessing a garage or parking area, other than an aisle serving as direct access to a row of parking spaces.

"Dwelling, accessory unit (duplex)" means a self-contained living unit internal to or on the same lot or parcel as a "dwelling, duplex" unit that does not exceed the lesser of seventy-five percent (75%) of the smallest interior habitable area (gross floor area) of a unit in of the "dwelling, duplex" ; includes its own cooking, sleeping, and sanitation facilities; and complies with or is otherwise exempt from any applicable building codes, fire safety codes, and other public health and safety laws. The terms does not include a manufactured home (as defined in IC 36-7-4-1106(b)) that is subject to the standards and requirements set forth in IC 36-7-4-1106 .

"Dwelling, accessory unit (single family) " means a self-contained living unit internal to or on the same lot or parcel as a single family dwelling unit that does not exceed the lesser of seventy-five percent (75%) of the interior

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habitable area (gross floor area) of the single family dwelling or one thousand (1,000) square feet; includes its own cooking, sleeping, and sanitation facilities; and complies with or is otherwise exempt from any applicable building codes, fire safety codes, and other public health and safety laws. The terms does not include a manufactured home (as defined in IC 36-7-4-1106(b)) that is subject to the standards and requirements set forth in IC 36-7-4-1106, an additional residential dwelling unit, but not a mobile home, camper, or recreational vehicle, that is located on the same lot as a single family dwelling unit, either within the same building as the single family dwelling unit or in a detached building. Without limiting the generality of the previous sentence, this definition includes a transportable living unit that meets either the applicable City building code or the construction standards of the Federal Manufactured Housing Act, contains less than five hundred square feet of gross floor area, is mounted on a permanent foundation, and is connected to City utilities as required for other types of dwelling units.

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"Dwelling, cottage development" means a cluster of at least five attached or detached single-family dwellings located within a common development that use shared access, parking, and common spaces. Cottage developments can include homes on individual lots, homes owned as condominiums, or leased homes. This use can include communities of five or more factory built small single-family detached dwellings containing less than five hundred square feet of gross floor area, commonly referred to as tiny homes, provided that each home meets either the Indiana Building Code or the Federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.), and that each dwelling has any wheels removed, is mounted on a permanent foundation, and is connected to City water, sewer, and electric services. This definition shall not include a "manufactured home park."

"Dwelling, duplex" means a single building on a single lot containing two dwelling units under one roof, each of which is occupied by one family.

"Dwelling, fourplex" means a single building on a single lot containing four dwelling units under one roof, each of which is occupied by one family.

"Dwelling, live/work" means a dwelling unit containing an integrated living and working space in different areas of the unit.

"Dwelling, manufactured home" means a dwelling unit, designed and built in a factory, which bears a seal certifying that it was built in compliance with the Federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.) and that was constructed after January 1, 1981, and that exceeds nine hundred fifty square feet of occupied space. This definition includes double-wide mobile homes of two such units designed to be used in combination at a building site. This definition is not intended to apply to other modular housing or prefabricated housing panels, trusses, or other sub-elements, nor any other dwelling unit that is defined as a "Dwelling, Mobile Home."

"Dwelling, mobile home" means any factory-fabricated portable structure, residential or nonresidential, designed to be towed or transported on its own chassis for placement on a temporary or permanent foundation, or on its own structure or elements thereof, without the aid of house moving equipment or other specialized but separate supporting apparatus, and that is not a "dwelling, manufactured home" as defined by this UDO.

"Dwelling, multifamily" means one or more buildings or portion of buildings on a single lot that contains one or more individual dwelling units, where each unit is occupied by one family and provided with an individual entrance to the outdoors or to a common hallway, and regardless of whether the dwelling units are owned or rented. This definition shall not include "Dwelling, Single-Family Detached", "Dwelling, Single-family Attached", "Dwelling Duplex", "Dwelling, Triplex", "Dwelling, Fourplex" "Student Housing or Dormitory", or "Dwelling Accessory Unit".

"Dwelling, short-term rental" means the rental of an entire dwelling unit for monetary consideration for a period of time less than thirty consecutive days, not including a "bed and breakfast," single room occupancy," or" hotel/motel." This definition does not include offering the use of one's property where no fee is charged or collected.

Created: 2026-04-13 12:33:08 [EST]

(Supp. No. 50, Update 1)

Ordinance Certification

In accordance with IC 36-7-4-604, I hereby certify that the attached Ordinance 2026-31 is a true and complete copy of Plan Commission Case Number ZO2026-06-0007 which was given a favorable recommendation by a vote of 5 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on October 12, 2026.

Type of Legislation: Zoning Code Amendment

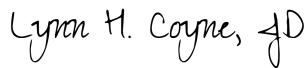
Fiscal Impact Statement:

Will the legislation have a major impact on existing city appropriations, fiscal liability, or revenues?

If not, briefly explain why. If yes, briefly explain what the effect of city costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible.

The proposed legislation should not have any fiscal impact, as implementing proposed legislation will not require any additional resources, nor produce any savings, nor create any revenue impact. Approval of Ordinance #2026-31 amends text within the Unified Development Ordinance (UDO). This ordinance is in accordance with Indiana Code 36-7-4-600.

Date: October 21, 2026



Signature of Plan Commission Secretary Lynn Coyne

Received by the Common Council Office on:

Date: October 21, 2026



Signature of Bloomington City Clerk Nicole Bolden

Audit trail

Details

FILE NAME	Ordinance Certification 2026-31 - 10/21/26, 2:35 PM
STATUS	● Signed
STATUS TIMESTAMP	2026/10/21 21:31:46 UTC

Activity

 SENT	greulice@bloomington.in.gov sent a signature request to: <ul style="list-style-type: none">Lynn H. Coyne, JD (lynn.coyne@bloomington.in.gov)Nicole Bolden (boldenn@bloomington.in.gov)	2026/10/21 18:36:14 UTC
 SIGNED	Signed by Nicole Bolden (boldenn@bloomington.in.gov)	2026/10/21 21:31:46 UTC
 SIGNED	Signed by Lynn H. Coyne, JD (lynn.coyne@bloomington.in.gov)	2026/10/21 18:37:22 UTC
 COMPLETED	This document has been signed by all signers and is complete	2026/10/21 21:31:46 UTC

The email address indicated above for each signer may be associated with a Google account, and may either be the primary email address or secondary email address associated with that account.

To: Bloomington Common Council
From: Eric Greulich, Development Services Manager
Date: October 21, 2026
Re: Ordinance #2026-32; ZO2026-09-0014
Location: [222 S. Johnson Ave.](#)

Staff Report

Petitioner/Owner:
KNN Properties, LLC (Kevin & Natalie Nguyen)
4019 S. Crane Court
Bloomington, IN 47403

Request

A recommendation for zoning for approximately 0.77 acres for a voluntary annexation request.

Background

- **Area:** 0.77 acres
- **Current Zoning:** Monroe County Zoning- Limited Business (LB)
- **Monroe County Urbanizing Plan designation:** Mixed-Residential
- **Existing Land Use:** Undeveloped
- **Surrounding Uses:**
 - North - Dwelling, single family
 - South - Vacant
 - East - Commercial uses/Dwelling, single family
 - West - Undeveloped/Commercial uses

Report

This 0.77 acre site includes two properties located at [222 S. Johnson Avenue](#). This site is currently undeveloped. The petitioner also owns two adjacent properties to the south that front on W. 3rd Street and is located within the City planning jurisdiction. Those properties are not part of this request. The property is currently in the Monroe County planning jurisdiction and is zoned Limited Business (LB) under the Monroe County Development Ordinance. Adjacent uses include single family residences to the north; undeveloped land immediately to the west with commercial uses further west; single

family residences and commercial uses to the east; and a vacant commercial building to the south. Surrounding zoning includes Mixed-Use Corridor (MC) for the properties to the south that are within the City Planning jurisdiction and the remaining surrounding land is within the Monroe County planning jurisdiction. The surrounding land within the Monroe County planning jurisdiction is zoned Residential 1 (RES) to the north, west, and east. This petition site was part of the former fringe area previously under City Planning jurisdiction and intended for annexation. At the time this property was in the City Planning jurisdiction it was zoned Commercial Arterial (CA).

The petitioner is requesting voluntary annexation to be incorporated into the City and if annexation is approved by the Common Council, then zoning for the property must also be assigned. Since this property shares a property line that is contiguous with the City municipal boundary to the south, the property does meet the requirements for voluntary annexation as outlined in Indiana Code 36-4-3-1.5. This petition is for a recommendation for the proposed zoning if the annexation is approved.

20.06.070(b)(3)(E)(i)(1) Zoning Map Amendment: The Plan Commission shall review the zoning map amendment petition and shall forward its recommendation to the Common Council in accordance with Section 20.06.040(g) (Review and Decision), based on the approval criteria in Section 20.06.040(d)(6) (Approval Criteria) and the following specific approval criteria:

- [a] The recommendations of the Comprehensive Plan;

ADOPTED FINDING: The [Monroe County Urbanizing Area Plan \(MCUAP\)](#) designates this property as “Mixed Residential” and also lies within the “N1 Urban Infill Neighborhood” subarea. The MCUAP states that Mixed Residential neighborhoods accommodate a wide array of both single family and attached housing types integrated into a cohesive neighborhood. These neighborhoods are intended to serve a growing market demand for new housing choices among the full spectrum of demographic groups. These neighborhoods are often located immediately adjacent to Mixed-Use Districts, providing a residential base to support nearby commercial activity within a walkable or transit-accessible distance. Commercial mixed use development may be appropriate along primary streets at the edges of these neighborhoods.

Adjacent land to the south (within the City) is designated as Regional Activity Center within the City's [Comprehensive Plan](#). The Comprehensive Plan describes the Regional Activity Center area as a large regional commercial area that provides high intensity retail activity. The main purpose of the district is to provide semi-urban activity centers that complement, rather than compete with, the Downtown district. These areas have been identified as having good access to urban services and oriented around major thoroughfares and prominent intersections to provide convenient access.

These two designations by the County's plan and the City's plan provide a differing perspective toward possible zoning for this land. The County's designation of the property seems to evaluate this site only in the context of the surrounding properties to the north that are exclusively in the County's jurisdiction and likely anticipated this site being developed with surrounding land within the County. However, the immediate proximity of this site to properties within the City's jurisdiction with a higher intensity commercial zoning and Comprehensive Plan designation suggests that aligning the zoning for this site to match the adjacent properties that are zoned for higher intensity commercial uses might also be appropriate. The petitioner also owns the properties immediately to the south. As mentioned previously, when this property was within the City Planning jurisdiction it was zoned Commercial Arterial, which is similar to the current zoning district of Mixed-Use Corridor (MC). The Plan Commission found that the zoning for this property should match the zoning of the adjacent parcels to the south within the City and found that the Mixed-Use Corridor (MC) zoning would be appropriate.

- [b] Current conditions and character of structures and uses in each zoning district;

ADOPTED FINDING: The surrounding structures and uses to the west, north, and east are single family residences. Adjacent properties to the south that span west and east along 3rd Street have all been developed with commercial uses.

- [c] The most desirable use for which the land in each zoning district is adapted;

ADOPTED FINDING: The small size of the properties involved with this petition, in combination with the small size of the adjacent properties to the south within the City, present a challenge in developing them individually. Zoning this property to match the zoning of the properties to the south allows for a more unified development potential. Although the zoning of this property could be zoned to a strictly residential use, such as single or multi-family, the close proximity to 3rd Street makes it more ideal for commercial uses.

- [d] The conservation of sensitive environmental features;

ADOPTED FINDING: There are no known sensitive environmental features on the property. There are portions of the site that might contain tree coverage that could be subject to the closed canopy preservation standards of the UDO.

- [e] The conservation of property values throughout the jurisdiction; and

ADOPTED FINDING: Given the relatively small size of this site, the rezoning of this site to either residential or commercial, is not expected to negatively impact surrounding property values. If this site was zoned with a commercial designation, a buffer yard would be required along the north property line.

- [f] Responsible development and growth.

ADOPTED FINDING: The zoning of this property to a single family residential district, while matching adjacent zoning to the north, would provide minimal housing or development potential. The zoning of this property to a commercial district would allow for the site to be developed in conjunction with the adjacent property to the south and allow for more diversity of land uses for a site that is adjacent to a heavy commercial corridor.

20.06.040(d)(6)(B) General Compliance Criteria

- i. Compliance with this UDO
- ii. Compliance with Other Applicable Regulations
- iii. Compliance with Utility, Service, and Improvement Standards
- iv. Compliance with Prior Approvals

ADOPTED FINDINGS: There has not been a potential site plan submitted to review. There are no other known approvals for this property. Any new development on the site would have to meet all requirements of the Unified Development Ordinance as well as any other applicable regulations.

20.06.040(d)(6)(D) Additional Criteria Applicable to Primary Plats and Zoning Map Amendments (Including PUDs)

- i. Consistency with Comprehensive Plan and Other Applicable Plans
The proposed use and development shall be consistent with and shall not interfere with the achievement of the goals and objectives of the Comprehensive Plan and any other adopted plans and policies.

ADOPTED FINDING: As discussed previously, the differing recommendations of the Monroe County Urbanizing Area Plan (MCUAP) and the City Comprehensive Plan offer different recommendations based on evaluation of land within the respective jurisdictions. The MCUAP recommends a low intensity, residential zoning. But this was likely evaluated strictly in context with land only in the County. The Comprehensive Plan designation for the land immediately to the south suggests a higher intensity commercial zoning is appropriate for this area. The immediate proximity of this site to properties within the City's jurisdiction with a higher intensity commercial zoning and Comprehensive Plan designation suggests that aligning the zoning for this site to match the adjacent properties that are zoned for higher intensity commercial uses might also be appropriate. The petitioner also owns the properties immediately to the south. As mentioned previously, when this property was within the City Planning jurisdiction it was zoned Commercial Arterial, which is similar to the current zoning district of Mixed-Use Corridor (MC).

ii. Consistent with Intergovernmental Agreements

The proposed use and development shall be consistent with any adopted intergovernmental agreements and shall comply with the terms and conditions of any intergovernmental agreements incorporated by reference into this UDO.

ADOPTED FINDING: There are no known aspects of the interlocal agreement that addresses this proposed annexation.

iii. Minimization or Mitigation of Adverse Impacts

1. The proposed use and development shall be designed to minimize negative environmental impacts and shall not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, wildlife habitat, soils, and native vegetation.
2. The proposed use and development shall not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance.
3. The proposed use and development shall not result in significant adverse fiscal impacts on the city.
4. The petitioner shall make a good-faith effort to address concerns of the adjoining property owners in the immediate neighborhood as defined in the pre-submittal neighborhood meeting for the specific proposal, if such a meeting is required

ADOPTED FINDING: There has not been a site plan submitted to evaluate. There are trees present on the site that might be subject to the closed canopy and tree preservation standards. There are no known scenic or historical features of significant importance on the site. No significant adverse fiscal

impacts on the city have been identified.

iv. Adequacy of Road Systems

1. Adequate road capacity must exist to serve the uses permitted under the proposed development, and the proposed use and development shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services.
2. The proposed use and development shall neither cause undue traffic congestion nor draw significant amounts of traffic through residential streets.

ADOPTED FINDING: The property is directly accessed by Johnson Avenue which is a Primary Collector and is also adjacent to 3rd Street which is classified as a Primary Arterial Road. There is a sidewalk along the entirety of the 3rd Street frontage, but no sidewalk along Johnson Avenue. Redevelopment of this site is not expected to draw significant amounts of traffic through residential streets since it is in immediate proximity to 3rd Street and would be accessed from Johnson Avenue.

v. Provides Adequate Public Services and Facilities

Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, streets, potable water, sewer, stormwater management structures, schools, public safety, fire protection, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.

ADOPTED FINDING: The site is located immediately adjacent to existing public roads and public infrastructure. Water and sewer service to this site is available through utility lines along 3rd Street or Johnson Avenue. No capacity problems have been identified from the existing utility lines along 3rd Street.

vi. Rational Phase Plan

If the petition involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date and shall not depend upon subsequent phases for those improvements.

ADOPTED FINDING: No phasing plan has been presented with this petition.

Conclusion:

As stated, the differing recommendations of the Monroe County Urbanizing Area Plan (MCUAP) and the City Comprehensive Plan offer different recommendations based on evaluation of land within the respective jurisdictions. The MCUAP recommends a low intensity, residential zoning. But this was likely evaluated strictly in context with land only in the County. The Comprehensive Plan designation for the land immediately to the south suggests a higher intensity commercial zoning is appropriate for this area. The immediate proximity of this site to properties within the City's jurisdiction with a higher intensity commercial zoning and Comprehensive Plan designation suggests that aligning the zoning for this site to match the adjacent properties that are zoned for higher intensity commercial uses is appropriate. The petitioner also owns the properties immediately to the south. As mentioned previously, when this property was within the City Planning jurisdiction it was zoned Commercial Arterial, which is similar to the current zoning district of Mixed-Use Corridor (MC). The Plan Commission found that the zoning of this property would be most appropriate to match the zoning of the adjacent properties to the south within the City and therefore recommended that the properties should be zoned Mixed-Use Corridor (MC).

Recommendation:

The Plan Commission voted 5-0 to forward to the Common Council a recommendation that if the property is annexed, that the zoning shall be Mixed-Use Corridor (MC) per the adopted findings.

Bloomington Common Council Ordinance No. 2026-32 to Amend the City of Bloomington Zoning Maps and Zone Property Currently in the Monroe County Jurisdiction to Mixed-Use Corridor (MC) in Anticipation of Voluntary Annexation.

Whereas, Ordinance 20-06, repealed and replaced the official zoning map within Title 20 of the Bloomington Municipal Code Entitled, "Unified Development Ordinance"; and,

Whereas, the Petitioner, KNN Properties, LLC (Kevin D. Nguyen and Natalie S. Nguyen), is concurrently seeking voluntary annexation of properties located at and adjacent to 222 S. Johnson Ave, into the City of Bloomington and a newly annexed property requires the establishment of its zoning; and,

Whereas, the Plan Commission has considered this case, Z02026-09-0014, and recommended that the petitioner be granted a Mixed-Use Corridor (MC) zoning for the property; and,

Whereas, the Plan Commission therefore requests that the Common Council consider this petition.

Be It Ordained by the Common Council of the City of Bloomington, Monroe County, Indiana, That:

Section 1:

Through the authority of IC 36-7-4 and pursuant to Chapter 20.02 of the Bloomington Municipal Code, the zoning of the property described below shall be established as Mixed-Use Corridor (MC). The property is further described as follows:

TRACT 1-A part of Lot Number 1 in the Maple Grove Baby Farms Sub-division which is a part of the Southwest' quarter of Section 31, a part of the Northwest quarter of Section 31, a part of the Southeast quarter of Section 31, and a part of the Northeast quarter of Section 31, Township 9 North, Range 1 West, in Monroe County, Indiana, bounded and described as follows, to-wit: Beginning at a point 520 feet South of the Northeast corner of said Lot 1, thence running West 132 feet; thence running South 120 feet, thence running East 132 feet, thence running North 120 feet and to the place of beginning. Containing in all .364 of an acre, more or less.

Section 2: This rezoning shall be approved as attached hereto and made a part thereof.

If any section, sentence, or provision of this 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, or 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.

This Ordinance shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

Passed by the Common Council of the City of Bloomington, Monroe County, Indiana, upon
the day of , 2026.

Attestation of Bloomington City Clerk:

Presentation by Bloomington City Clerk:

Presented by me to the Mayor of Bloomington, Monroe County, Indiana, upon this day of _____, 2026.

Signature of Bloomington City Clerk Nicole Bolden

Approval by the Mayor:

Signature of Mayor Kerry Thomson

Synopsis:

This Ordinance would zone 0.77 acres to Mixed-Use Corridor (MC) in connection with a voluntary annexation.

Ordinance Certification

In accordance with IC 36-7-4-604, I hereby certify that the attached Ordinance 2026-32 is a true and complete copy of Plan Commission Case Number ZO2026-09-0014 which was given a favorable recommendation by a vote of 5 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on October 12, 2026.

Type of Legislation: Zoning Map Amendment

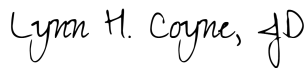
Fiscal Impact Statement:

Will the legislation have a major impact on existing city appropriations, fiscal liability, or revenues?

If not, briefly explain why. If yes, briefly explain what the effect of city costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible.

The proposed legislation should not have any fiscal impact, as the approval of Ordinance 2026-33 only amends the City of Bloomington Zoning maps and does not directly impact existing resources, nor produce any savings, nor create any revenue impact. This ordinance is in accordance with Indiana Code 36-7-4-600.

Date: October 21, 2026



Signature of Plan Commission Secretary Lynn Coyne

Received by the Common Council Office on:

Date: October 21, 2026



Signature of Bloomington City Clerk Nicole Bolden

Audit trail

Details

FILE NAME	Ordinance Certification 2026-32 - 10/21/26, 2:43 PM
STATUS	● Signed
STATUS TIMESTAMP	2026/10/21 21:31:07 UTC

Activity

 SENT	greulice@bloomington.in.gov sent a signature request to: <ul style="list-style-type: none">Nicole Bolden (boldenn@bloomington.in.gov)Lynn H. Coyne, JD (lynn.coyne@bloomington.in.gov)	2026/10/21 18:43:19 UTC
 SIGNED	Signed by Nicole Bolden (boldenn@bloomington.in.gov)	2026/10/21 21:31:07 UTC
 SIGNED	Signed by Lynn H. Coyne, JD (lynn.coyne@bloomington.in.gov)	2026/10/21 18:47:54 UTC
 COMPLETED	This document has been signed by all signers and is complete	2026/10/21 21:31:07 UTC

The email address indicated above for each signer may be associated with a Google account, and may either be the primary email address or secondary email address associated with that account.

To: Bloomington Common Council
From: Eric Greulich, Development Services Manager
Date: October 21, 2026
Re: Ordinance #2026-33; ZO2026-09-0015
Location: [104 S. Johnson Ave.](#)

Staff Report

Petitioner/Owner:

Patel, Ramila S Revocable Trust; Patel, Suresh C Revocable Trust
100 The Woods
Bedford, IN 47421

Request

A recommendation for zoning for approximately 5.531 acres as part of a voluntary annexation request.

Background

- **Area:** 5.531 acres
- **Current Zoning:** Monroe County Zoning- Residential 1 (RES)
- **Monroe County Urbanizing Plan designation:** Mixed-Residential
- **Existing Land Use:** Dwelling, single family/Undeveloped
- **Surrounding Uses:**
 - North - Dwelling, single family
 - South - Dwelling, single family
 - East - Dwelling, single family
 - West - Dwelling, single family/Place of Worship

Report

This 5.531 acre site includes nine properties located at and adjacent to [104 S. Johnson Avenue](#). The site includes 6 lots that have been developed with one single family dwelling unit and 3 lots that have not been developed. The petitioner also owns an adjacent property to the south that fronts on W. 3rd Street and is located within the City planning jurisdiction, however that property is not part of this request. Adjacent uses include single family residences to the north and east, multi-family dwelling units and a church to the west, and single family dwelling units to the south. Surrounding zoning

includes portions of the adjacent land to the west within the City and zoned Mixed-Use Corridor (MC) and Residential Multifamily (RM) with portions adjacent to land within the Monroe County planning jurisdiction and zoned Residential 1 (RES), and all remaining properties to the north, east, and south are within the Monroe County planning jurisdiction and zoned Residential 1 (RES). This petition site was part of the former fringe area previously under City Planning jurisdiction and intended for annexation. At the time this area was in the City Planning jurisdiction it was zoned Residential Single Family (RS).

The petitioner is requesting voluntary annexation to be incorporated into the City and if annexation is approved by the Common Council, then zoning for the property must also be assigned. Since this property shares a property line that is contiguous with the City municipal boundary to the south and west, the property does meet the requirements for voluntary annexation as outlined in Indiana Code 36-4-3-1.5. This petition is for a recommendation for the proposed zoning if the annexation is approved.

20.06.070(b)(3)(E)(i)(1) Zoning Map Amendment: The Plan Commission shall review the zoning map amendment petition and shall forward its recommendation to the Common Council in accordance with Section 20.06.040(g) (Review and Decision), based on the approval criteria in Section 20.06.040(d)(6) (Approval Criteria) and the following specific approval criteria:

[a] The recommendations of the Comprehensive Plan;

ADOPTED FINDING: The [Monroe County Urbanizing Area Plan \(MCUAP\)](#) designates this property as “Mixed Residential” and also lies within the “N1 Urban Infill Neighborhood” subarea. The MCUAP states that Mixed Residential neighborhoods accommodate a wide array of both single family and attached housing types integrated into a cohesive neighborhood. It also states that the N1 district is intended to promote compact mixed residential infill development, as described in the Mixed Residential land use type designated in the Urbanizing Area Plan. These neighborhoods are intended to serve a growing market demand for new housing choices among the full spectrum of demographic groups. Residential buildings should be compatible in height and scale, but with varied architectural character. These neighborhoods are often located immediately adjacent to Mixed-Use Districts, providing a residential base to support nearby commercial activity within a walkable or transit-accessible distance.

Adjacent land to the south and west (within the City) are designated as Regional Activity Center within the City's [Comprehensive Plan](#). The Comprehensive Plan describes the Regional Activity Center area as a large regional commercial area that provides high intensity retail activity. The main purpose of the district is to provide semi-urban activity centers that complement, rather than compete with, the Downtown district. These areas have been identified as having good access to urban services and oriented around major thoroughfares and prominent intersections to provide convenient access.

The City and County's plans both support a mixture of housing types and density within this area to support adjacent commercial uses. Development within areas currently served by public utilities and with access to transit services is also encouraged. There are existing public utilities along Johnson Avenue and along 3rd Street, with Bloomington Transit service along 3rd Street to the south. The properties included in this annexation are very long in depth and difficult to develop individually. Providing a zoning district that accommodates a wide range of residential uses and allows for a diversity of possible housing is important towards accomplishing the goals of the adopted plans. The location of these properties in close proximity to goods and services, and major city thoroughfares (3rd Street and I-69), provides an opportunity for greater use of land. Although a single family zoning designation would match adjacent uses and current zoning of the County, the Plan Commission found that this location is an ideal location for increased density and housing types that would be allowed with a multifamily residential district.

- [b] Current conditions and character of structures and uses in each zoning district;

ADOPTED FINDING: The surrounding structures and uses to the north, east, and south are single family residences. Adjacent properties to the west contain a church and a multi-family development. The lots in this area are very narrow in width (~50' wide) and very long (~400' long), which makes them challenging to develop individually. Typical lots in this area are a half-acre in size and single family zoning to only allow one dwelling unit per lot results in a substantial under-utilization of land for housing. Providing a zoning district that allows for more than one unit per lot in this area given the shape and layout of lots is appropriate.

- [c] The most desirable use for which the land in each zoning district is adapted;

ADOPTED FINDING: As discussed, this location in close proximity to major thoroughfares and commercial uses, is an ideal location for a diversity of

housing types and density. The shape of the lots in this area makes development with individual lots for single family dwellings very challenging and also results in a substantial under-utilization of land.

- [d] The conservation of sensitive environmental features;

ADOPTED FINDING: There are no known sensitive environmental features on the property. There are portions of the site that might contain tree coverage that could be subject to the closed canopy preservation standards of the UDO.

- [e] The conservation of property values throughout the jurisdiction; and

ADOPTED FINDING: The zoning of this land for either single family or multifamily zoning district is not expected to affect adjacent property values.

- [f] Responsible development and growth.

ADOPTED FINDING: The zoning of this property to a single family residential district, while matching adjacent zoning to the north, would provide minimal housing or development potential. The Plan Commission found that the zoning of this property to a multi-family district would allow for the site to be developed in a unified manner and allow for more diversity of land uses for a site that is adjacent to a heavy commercial corridor.

20.06.040(d)(6)(B) General Compliance Criteria

- i. Compliance with this UDO
- ii. Compliance with Other Applicable Regulations
- iii. Compliance with Utility, Service, and Improvement Standards
- iv. Compliance with Prior Approvals

ADOPTED FINDINGS: There has not been a potential site plan submitted to review. There are no other known approvals for this property. Any new development on the site would have to meet all requirements of the Unified Development Ordinance as well as any other applicable regulations.

20.06.040(d)(6)(D) Additional Criteria Applicable to Primary Plats and Zoning Map Amendments (Including PUDs)

- i. Consistency with Comprehensive Plan and Other Applicable Plans

The proposed use and development shall be consistent with and shall not interfere with the achievement of the goals and objectives of the Comprehensive Plan and any other adopted plans and policies.

ADOPTED FINDING: As discussed previously, the City and County's plans both support a mixture of housing types and density within this area to support adjacent commercial uses. Development within areas currently served by public utilities and with access to transit services is also encouraged. There are existing public utilities along Johnson Avenue and along 3rd Street, with Bloomington Transit service along 3rd Street to the south. The properties included in this annexation are very long in depth and difficult to develop individually. Providing a zoning district that accommodates a wide range of residential uses and allows for a diversity of possible housing is important towards accomplishing the goals of the adopted plans. The location of these properties in close proximity to goods and services, and major city thoroughfares (3rd Street and I-69), provides an opportunity for greater use of land. Although a single family zoning designation would match adjacent uses and current zoning of the County, this location is also an ideal location for increased density and housing types that would be allowed with a multifamily residential district.

ii. Consistent with Intergovernmental Agreements

The proposed use and development shall be consistent with any adopted intergovernmental agreements and shall comply with the terms and conditions of any intergovernmental agreements incorporated by reference into this UDO.

ADOPTED FINDING: There are no known aspects of the interlocal agreement that addresses this proposed annexation.

iii. Minimization or Mitigation of Adverse Impacts

1. The proposed use and development shall be designed to minimize negative environmental impacts and shall not cause significant adverse impacts on the natural environment. Examples of the natural environment include water, air, noise, stormwater management, wildlife habitat, soils, and native vegetation.
2. The proposed use and development shall not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance.
3. The proposed use and development shall not result in significant adverse fiscal impacts on the city.
4. The petitioner shall make a good-faith effort to address concerns of the adjoining property owners in the immediate neighborhood as defined in the pre-submittal neighborhood meeting for the specific proposal, if such a meeting is required

ADOPTED FINDING: There has not been a site plan submitted to evaluate. There are trees present on the site that might be subject to the closed canopy and tree preservation standards. There are no known scenic or historical features of significant importance on the site. No significant adverse fiscal impacts on the city have been identified. Any site plan brought forward would be subject to the standards of the City's Unified Development Ordinance.

iv. Adequacy of Road Systems

1. Adequate road capacity must exist to serve the uses permitted under the proposed development, and the proposed use and development shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services.
2. The proposed use and development shall neither cause undue traffic congestion nor draw significant amounts of traffic through residential streets.

ADOPTED FINDING: The property is directly accessed by Johnson Avenue which is a Primary Collector and is also adjacent to 3rd Street which is classified as a Primary Arterial Road. There is a sidewalk along the entirety of the 3rd Street frontage, but no sidewalk along Johnson Avenue. Redevelopment of this site is not expected to draw significant amounts of traffic through residential streets since it is in close proximity to 3rd Street and would be accessed from Johnson Avenue which is classified with a Neighborhood Connector typology.

v. Provides Adequate Public Services and Facilities

Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, streets, potable water, sewer, stormwater management structures, schools, public safety, fire protection, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.

ADOPTED FINDING: The site is located immediately adjacent to existing public roads and public infrastructure. Water and sewer service to this site is available through utility lines along 3rd Street or Johnson Avenue. The City of Bloomington Utilities has identified that the sewer line along this property is likely to need upgrading for any additional capacity needs.

vi. Rational Phase Plan

If the petition involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date and shall not depend upon subsequent phases for those improvements.

ADOPTED FINDING: No phasing plan has been presented with this petition.

Conclusion:

As stated previously, the City and County's plans both support a mixture of housing types and density within this area to support adjacent commercial uses. Development within areas currently served by public utilities and with access to transit services is also encouraged. There are existing public utilities along Johnson Avenue and along 3rd Street, with Bloomington Transit service along 3rd Street to the south. The properties included in this annexation are very long in depth and difficult to develop individually. Providing a zoning district that accommodates a wide range of residential uses and allows for a diversity of possible housing is important towards accomplishing the goals of the adopted plans and meeting the housing needs of the community. The location of these properties in close proximity to goods and services, and major city thoroughfares (3rd Street and I-69), provides an opportunity for housing in an appropriately served area. The Plan Commission found that this location is an ideal location for increased density and housing types that would be allowed with a multifamily residential district and recommends the Residential Multifamily (RM) zoning district be utilized.

Recommendation:

The Plan Commission voted 5-0 to forward to the Common Council a recommendation that if the property is annexed, that the zoning shall be Residential Multifamily (RM) per the adopted findings.

Bloomington Common Council Ordinance No. 2026-33 to Amend the City of Bloomington Zoning Maps and Zone Property Currently in the Monroe County Jurisdiction to Residential Multifamily (RM) in Anticipation of Voluntary Annexation.

Whereas, Ordinance 20-06, repealed and replaced the official zoning map within Title 20 of the Bloomington Municipal Code Entitled, "Unified Development Ordinance"; and,

Whereas, the Petitioner, Patel, Ramila S Revocable Trust; Patel, Suresh C Revocable Trust, is concurrently seeking voluntary annexation of properties located at and adjacent to 104 S. Johnson Ave, into the City of Bloomington and a newly annexed property requires the establishment of its zoning; and,

Whereas, the Plan Commission has considered this case, Z02026-09-0015, and recommended that the petitioner, Patel, Ramila S Revocable Trust; Patel, Suresh C Revocable Trust, be granted a Residential Multifamily (RM) zoning for the property; and,

Whereas, the Plan Commission therefore requests that the Common Council consider this petition.

Be It Ordained by the Common Council of the City of Bloomington, Monroe County, Indiana, That:

Section 1: Through the authority of IC 36-7-4 and pursuant to Chapter 20.02 of the Bloomington Municipal Code, the zoning of the property described below shall be established as Residential Multifamily (RM). The property is further described as follows:

A part of Lot Two (2) in Maple Grove Baby Farms Subdivision to the City of Bloomington, Monroe County, Indiana, being a part of the Southwest Quarter of Section thirty-one (31), and a part of the Northwest Quarter of Section thirty-one (31), and a part of the Southeast Quarter of Section Thirty-one (31), and a part of the Northeast Quarter of Section Thirty-one (31), all in Township Nine (9) North, Range One (1) West, bounded and described as follows, to-wit: Beginning in the East line of said Lot at a point One Hundred Sixty (160) feet South of the Northeast corner of said Lot, running thence South over and along the East line of said Lot One Hundred Eighty (180) feet, thence West parallel with the North line of said Lot One Hundred Thirty-two (132) feet and to the West line thereof, thence North over and along the West line of Lot One Hundred Eighty (180) feet; thence East parallel with the North line of said Lot One Hundred Thirty-two (132) feet to the place of beginning.

ALSO, part of Lot One (1) in Maple Grove Baby Farms Subdivision to the City of Bloomington, Monroe County, Indiana, being a part of the Southwest Quarter of Section Thirty-one (31), and a part of the Northwest Quarter of Section Thirty-one (31), and a part of the Southeast quarter of Section Thirty-one (31), and a part of the Northeast Quarter of Section Thirty-one (31), all in Township Nine (9) North, Range One (1) West, bounded and described as follows, to-wit: Beginning in the East line of said Lot at a point Two Hundred Sixty (260) feet South of the Northeast corner of said Lot; running thence South over and along the East line of said Lot Eighty (80) feet, thence West parallel with the North line of said Lot One Hundred

Thirty-two (132) feet and to the West line thereof, thence North over and along the West line of said Lot Eighty (80) feet, thence East parallel with the North line of said Lot One Hundred Thirty-two (132) feet to the place of beginning.

ALSO, part of Lots One (1) and Two (2) in Maple Grove Baby Farms Subdivision to the City of Bloomington, Monroe County, Indiana, being a part of the Southwest quarter of Section Thirty-one (31), and a part of the Northwest quarter of Section Thirty-one (31), and a part of the Southeast quarter of Section Thirty-one (31), and a part of the Northeast quarter of Section Thirty-one (31), all in Township Nine (9) North, Range One (1) West, bounded and described as follows, to-wit: Beginning in the East line of said Lot One (1) at a point Three Hundred Forty (340) feet South of the Northeast corner of said Lot One (1); running thence South over and along the East line of said Lot One (1) for Twenty (20) feet; thence West parallel with the North line of said Lots One (1) and Two (2) for Two Hundred Sixty-four (264) feet and to the West line of said Lot Two (2); thence North over and along the West line of said Lot (2) for Twenty (20) feet; thence East parallel with the North line of said Lots One (1) and Two (2) for Two Hundred Sixty-four (264) feet and to the place of beginning.

ALSO, Lot Number 3 in Maple Grove Baby Farm Sub-division an addition to the City of Bloomington , Indiana, as shown by the recorded plat thereof.

ALSO, Lots Numbered Sixty-two (62), Sixty-three (63), Sixty-four (64), Sixty-five (65), Sixty-six (66) and Sixty-seven (67) in Maple Grove Baby Farm Subdivision an Addition to the City of Bloomington, Indiana, being a part of Section Thirty-one (31), Township Nine (9) North, Range One (1) West, as is shown by the recorded plat of said subdivision in the Recorder's Office of Monroe County, Indiana, said Lots being each Fifty-two (52) feet in width and Three Hundred Ninety-six (396) feet in length and lying in a manner to form a rectangle Three Hundred Ninety-six (396) feet by Three Hundred Twelve (312) feet.

Section 2: This rezoning shall be approved as attached hereto and made a part thereof.

Section 3: Severability.

If any section, sentence, or provision of this 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, or 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 4: Effective Date.

This Ordinance shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

Passed

Passed by the Common Council of the City of Bloomington, Monroe County, Indiana, upon the day of , 2026.

Signature of Common Council President Isak Nti Asare

Attestation of Bloomington City Clerk:

Signature of Bloomington City Clerk Nicole Bolden

Presentation by Bloomington City Clerk:

Presented by me to the Mayor of Bloomington, Monroe County, Indiana, upon this day of , 2026.

Signature of Bloomington City Clerk Nicole Bolden

Approval by the Mayor:

Signature of Mayor Kerry Thomson

Synopsis:

This Ordinance would zone 5.531 acres to Residential Multifamily (RM) in connection with a voluntary annexation.

Ordinance Certification

In accordance with IC 36-7-4-604, I hereby certify that the attached Ordinance 2026-33 is a true and complete copy of Plan Commission Case Number ZO2026-09-0015 which was given a favorable recommendation by a vote of 5 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on October 12, 2026.

Type of Legislation: Zoning Map Amendment

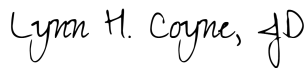
Fiscal Impact Statement:

Will the legislation have a major impact on existing city appropriations, fiscal liability, or revenues?

If not, briefly explain why. If yes, briefly explain what the effect of city costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible.

The proposed legislation should not have any fiscal impact, as the approval of Ordinance 2026-33 only amends the City of Bloomington Zoning maps and does not directly impact existing resources, nor produce any savings, nor create any revenue impact. This ordinance is in accordance with Indiana Code 36-7-4-600.

Date: October 21, 2026



Signature of Plan Commission Secretary Lynn Coyne

Received by the Common Council Office on:

Date: October 21, 2026



Signature of Bloomington City Clerk Nicole Bolden

Audit trail

Details

FILE NAME	Ordinance Certification 2026-33 - 10/21/26, 2:46 PM
STATUS	● Signed
STATUS TIMESTAMP	2026/10/21 21:30:24 UTC

Activity

 SENT	greulice@bloomington.in.gov sent a signature request to: <ul style="list-style-type: none">Nicole Bolden (boldenn@bloomington.in.gov)Lynn H. Coyne, JD (lynn.coyne@bloomington.in.gov)	2026/10/21 18:46:50 UTC
 SIGNED	Signed by Nicole Bolden (boldenn@bloomington.in.gov)	2026/10/21 21:30:24 UTC
 SIGNED	Signed by Lynn H. Coyne, JD (lynn.coyne@bloomington.in.gov)	2026/10/21 18:56:01 UTC
 COMPLETED	This document has been signed by all signers and is complete	2026/10/21 21:30:24 UTC

The email address indicated above for each signer may be associated with a Google account, and may either be the primary email address or secondary email address associated with that account.

TO: Bloomington Common Council
FROM: John Fernandez, CEO, Amplify Bloomington
DATE: September 29, 2026
SUBJECT: Petition to Vacate Alley ROW

On behalf of the Trades District Community Development, LLC owner of the subject properties, I am requesting that the City of Bloomington vacate the following platted alley right ways:

1. Platted alley running south of 11th Street terminating at the 621 N. Rogers Street parcel property line; and
2. Platted alley running west of N. Rogers Street terminating at the “Bender Property.” See attached Exhibit A. *[Note a new updated plat reflecting the change of ownership is in progress and will be forwarded to the City prior to the public hearing.]*

Rationale for Partial Alley Vacation

This petition complies with the City’s alley vacation policy (See attached Appendix One Resolution 87-02). The subject properties are not improved alleys utilized for transportation or other public purposes.

Resolution 87-02 established the Common Council’s criteria for reviewing a public right-of-way vacation. This criterion includes:

a. “Current status-access to property:

The current utilization of the right-of-way in question—as means of providing vehicular or pedestrian access to private property, churches, schools or other public places, for public utility or drainage purposes, or for other public purpose.”

Historically, the subject property was part of a larger parcel owned by Indiana University. We have not uncovered any historic evidence that the platted alley right of ways were ever improved by the City of Bloomington. Neither of the platted alley easements indicated in Exhibit A connect to an existing alley network to the north/south nor east/west. Following acquisition by the City of Bloomington, the houses located along 11th Street were removed. The City subsequently sold the adjacent property to the south of 621 N. Rogers Street for the B-Line Heights apartment building eliminating the feasibility of extending a new public alley south from W. 11th Street to the B-Line. See Exhibit B.

b. “Necessity for growth of the City:

Future Status: The future potential for public utilization, possible future need for the future changes in the land use;

Proposed Private Ownership Utilization: The proposed utilization of parcel in question if it reverts to private ownership, potential for increased benefit to the City under private ownership (does the proposed use contribute to City growth);

Compliance with Regulations: The effect of vacation upon compliance with all applicable regulations: subdivision, zoning, access control, off-street parking (does the vacation present a non-compliance problem or hinder future compliance of anticipated development of change-of-use?);

Relation to Plans: The relationship of vacation with the Master Plan, Thoroughfare Plan, Neighborhood Plans, or any special studies that might apply.

In 2022, the City of Bloomington Redevelopment Commission entered partnership agreement with the Dimension Mill, Inc., an Indiana 501(c) organization (currently known as Amplify Bloomington), for the marketing and development of Bloomington's innovation district commonly known as the Trades District. Subsequently, Amplify Bloomington acquired the Trades District West Phase properties with the intent to advance the City's vision for the Trades District as innovation hub that supports the growth of our tech sector employment opportunities. (The Trades District Community Development, LLC is wholly owned by Amplify Bloomington.)

Amplify Bloomington commits to advancing development of Trades District West Phase consistent with the City's stated vision for the Trades District with states:

Bloomington's downtown **Certified Technology Park** will be a sought-after model of modern, sustainable urban redevelopment that **nurtures creativity and entrepreneurship** among its citizens and workforce, helps **brand Bloomington** as a **lively tech sector hub**, **attracts private investment, employment and visitors**, and provides welcoming living options for Bloomingtonians." Master Plan and Redevelopment Strategy | Certified Technology Park (2013)

These platted alleys create obstacles to securing private investment in the Trades District and further the City's growth plans for downtown Bloomington. The parcels comprising the Trades District West Phase are unimproved properties generating zero economic benefit to the City. Securing private investment for the development of this property will enable a higher best use for the land.

Any new private development of these properties will require approval of the City of Bloomington's Planning and Transportation Department and the City's Plan Commission. The public review and approval process will certainly require any future development to adequately address vehicular, bike and pedestrian access, as well as public and private utilities infrastructure.

Preparing professional development plan submissions, including engineering and architectural designs, require potential buyers of this property to make significant investments to obtain the City's approval. As has been well-documented, the City's site development process can be extremely expensive and take many months due to the complexity of Bloomington's Urban

Development Ordinance (“UDO”) and the amount of uncertainty embedded in this process. Adding more uncertainty regarding the potential vacation of undeveloped alley right of ways, represents a significant impediment to the redevelopment of these properties. Two prior development prospects did not advance in part due to the fact that they could not advance specific site plans without assuming significant financial risks related to the future of these platted alleys.

Approving this petition to vacate the existing alley public right of ways will remove a major impediment to the redevelopment of these properties and thereby accelerate Amplify Bloomington’s ability to advance the City’s vision for this important part of Downtown Bloomington.

We respectfully request approval for this petition.

Exhibit A

Trades District West Phase

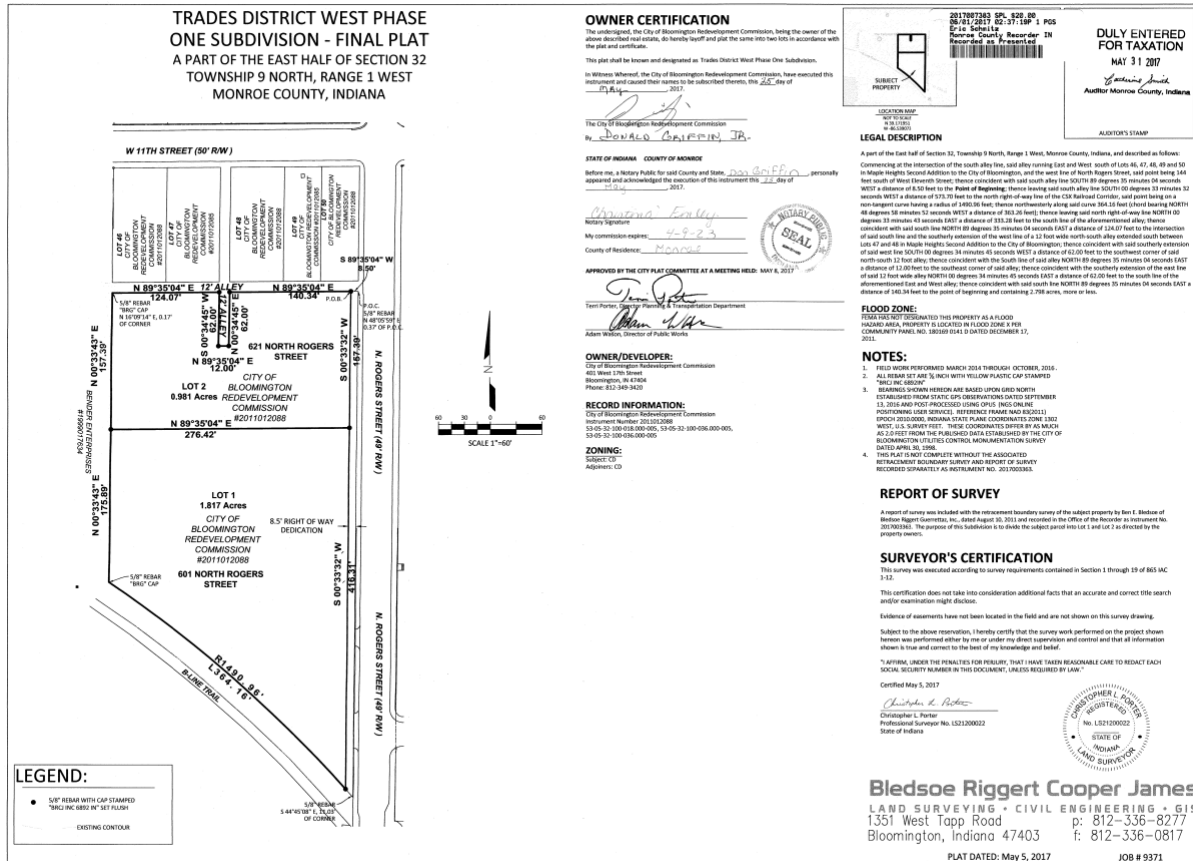


Exhibit B

Trades District West Phase Aerial Photo



Appendix One Resolution 87-02

PROCEDURE

The procedure for right-of-way vacation petitions involves two basic steps. First, a pre-petition review of the petition by Planning Department staff; second, review and action by the Common Council. This procedure is detailed as follows:

I. Pre-Petition Review by Planning Staff

A. Petitioner should submit the following information to the planning staff:

1. A letter requesting pre-petition review, explaining and justifying the proposed utilization of the right-of-way and addressing, in detail, the criteria for vacation;

2. An accurate legal description of the proposed vacation;

3. A site plan or sketch map, drawn to scale, showing the right-of-way for which vacation is requested, and the adjoining properties;

4. A list of the names and addresses of owners of all property abutting the proposed vacation.

B. The Planning staff will then commence review of the submitted information and will consult with the various utilities (list is included in this packet) who may use the right-of-way. A recommendation will be made and petitioner will be notified that planning review is completed. Please allow 2-3 weeks for this review. The Petition for Vacation of Right of Way should be filed, by the Petitioner, with the Common Council office following completion of this review by the Planning Staff.

C. If easements for utilities within the right of way to be vacated are needed, the Planning Department will contact the Petitioner so that the documents can be prepared prior to Petition to the Common Council.

II. Common Council Review and Action.

A. The Petitioner should submit the following to the Common Council Office following completion of review by the Planning Staff:

1. A Completed Petition for Vacation of Right of Way;

2. The Planning Staff will forward additional information provided by the Petitioner and the Planning Staff recommendation to the Council Office.

B. Upon submission of the above Petition, the Council Office will set a date for the public hearing. This date will likely be a Committee meeting following first reading of the vacation Ordinance. Following first reading and committee/public hearing, action will be taken at the following Council meeting when the Ordinance is scheduled for second reading and vote. At that meeting, The Council may vacate the public way or place, in which case the City Clerk shall furnish a copy of the vacation ordinance to the County Recorder and the County Auditor.

III. Appeal

Any person aggrieved by a vacation of public right-of-way may appeal the vacation to the Monroe County Circuit Court within 30 days of adoption of the Ordinance.

Suggested format of letter to adjacent property owners and specified utilities and City agencies.

BLOOMINGTON COMMON COUNCIL

Notice of Public Hearing

Date: _____

The Bloomington Common Council will hold public hearings at 7:30 p.m. on Wednesday, _____, and _____

198____, in the Council Chambers of the Bloomington Municipal Building at 220

East Third Street concerning the petition of _____

for the purpose of considering a public right-of-way vacation request for a(n)

for the right-of-way located at _____

and to which you are an adjacent property owner.

Under provisions of Indiana law, you may appear and speak on the merits of this proposal at the public hearings at the times and dates as set out herein.

If you have any questions concerning this matter, you may telephone the City Council Office at 339-2261, ext. 13 or 14.

Bloomington Common Council

Petitioner/Attorney for Petitioner

Address

Phone

ATTACHMENT A

UTILITIES AND CITY SERVICES TO BE NOTIFIED OF VACATION REQUESTS

Board of Public Works

339-2261 (Ext. 74)

Director

P.O. Box 100

Bloomington, IN 47402

Fire & Ambulance

332-9763

Fire Chief

P.O. Box 100

Bloomington, IN 47402

Indiana Gas

332-1443

Superintendent

205 South Madison

Bloomington, IN 47401

Public Service Indiana

336-6371

Manager

P.O. Box 1028

Bloomington, IN 47402

Utilities Department

339-1444 (Ext. 206)

Utility Engineer

P.O. Box 100

Bloomington, IN 47402

Police Department

339-4477

Chief of Police

P.O. Box 100

Bloomington, IN 47402

Monroe Cable TV

332-9486

Manager

1600 West 3rd Street

P.O. Box 729

Bloomington, IN 47402

Memorandum of Planning Review

To: Bloomington Common Council

From: Jackie Scanlan, AICP Planning and Transportation Assistant Director

Date: October 9, 2026

Re: 11th and Rogers Alley Right-of-Way Vacation Request

The Trades District Community Development LLC (wholly owned Amplify Bloomington entity) requests a vacation of a north/south 12 foot wide platted alley right-of-way and an east/west 12 foot wide platted alley right-of-way located south of 11th Street and west of Rogers Street. The north/south alley right-of-way runs 206 feet in length, south of 11th Street. The east/west alley right-of-way runs 285 feet in length, west of Rogers Street. The parcels immediately facing 11th Street previously contained single-family detached homes, and the parcels and alleys are still platted for that development design. However, the parcels are part of the Trades District, and are no longer used or intended for that use. The parcel to the south of the 11th Street parcels has 62 feet of alley right-of-way extending into the parcel from the north, a remnant of previous development.

The Planning and Transportation Department notified utilities of the right-of-way vacation application. The utility and service agencies that replied (Bloomington Fire Department, City of Bloomington Utilities, and Centerpoint) have no issues with the vacation request. No other responses were received. No future right-of-way needs at this location were reported.

The request is being made as discussions for development of this portion of the Trades District are ongoing. The location of the existing alley rights-of-way would make adequate construction area for the parcels along 11th Street extremely difficult and also add difficulty to development of the lot immediately to the south (Lot 2 of Trades District West Phase 1). Neither alley right-of-way is improved to alley standards.

The Department recommends vacation of the platted alley rights-of-way.

Bloomington Common Council
Ordinance 2026-34 – To Vacate Public Parcels

Re: Two 12-foot Wide Alley Segments Located in the Southwest Corner of West 11th Street and North Rogers Street (Trades District Community Development, LLC, Petitioner/Owner)

Preamble

WHEREAS, Ind. Code § 36-7-3-12 authorizes the Common Council to vacate public ways and places upon petition of persons who own or are interested in lots contiguous to those public ways and places; and

WHEREAS, on September 6, 2011, the City of Bloomington Redevelopment Commission purchased the real estate abutting the alleys referred to herein from Indiana University for inclusion as part of the Trades District redevelopment project; and

WHEREAS, in 2024, through a subaward of funds from the Lilly Endowment, Indiana University partnered with the City of Bloomington, the Bloomington Redevelopment Commission, and Dimension Mill, Inc. d.b.a. Amplify Bloomington (Amplify) to further redevelop the Trades District, including the subject real estate that is part of the Trades District West Phase of redevelopment; and

WHEREAS, in February of 2025, the Bloomington Redevelopment Commission transferred the remaining Trades District real estate in its ownership to a separate legal entity run by Amplify–Trades District Community Development, LLC;

WHEREAS, Amplify has offered Trades District real estate for sale, including the land west of Rogers Street that surrounds the two 12-foot wide alleys located in the southwest corner of West 11th Street and North Rogers Street;

WHEREAS, Amplify by and through Trades District Community Development LLC is interested in furthering the development of land and the existing alleys would negatively impact the potential sale and development of the real estate; and

WHEREAS, Trades District Community Development obtained a survey of the alleys it is requesting to be vacated which is more particularly described below.

Be It Ordained by the Common Council of the City of Bloomington, Monroe County, Indiana, That:

Section 1: Rights of Way Vacation.

Through the authority of Ind. Code § 36-7-3-12, two (2) City-owned properties shall be vacated as described below:

A part of the East Half of Section 32, Township 9 North, Range 1 West, Bloomington Township, Monroe County, Indiana, as shown on an alley vacation exhibit certified by Christopher L. Porter, LS21200022, on October 5, 2026, as part of Bledsoe Riggert Cooper James, Inc. Job Number 12376, being the 12 foot wide alley located between Lots 47 and 48 of Amended Maple Heights Second Addition as recorded in Plat Cabinet B, Envelope 21 in the office of the Monroe County Recorder and the extension of said alley as shown on the Trades District West Phase One Subdivision Final Plat as recorded in Instrument Number 2017007383 in said Recorder's Office, and also being the 12 foot wide alley located between Lots 46, 47, 48, 49 and 50 of said Amended Maple Heights Second Addition and the northernmost line of Lot 2 of said Trades District West Phase One Subdivision, said alleys more particularly described as follows: Beginning at the northeast corner of Lot 47 of said Amended Maple Heights Second Addition; thence easterly along the south right of way of West Eleventh (11th) Street to the northwest corner of Lot 48 of said Amended Maple Heights Second Addition; thence leaving said south right of way, southerly along the

west line of said Lot 48 to the southwest corner of said Lot 48; thence leaving said west line, easterly along the south line of said Lot 48, the south line of Lot 49, and the south line of Lot 50 of said Amended Maple Heights Second Addition to the southeast corner of said Lot 50 on the west right of way of North Rogers Street; thence leaving said south line, southerly along said west right of way to the intersection of said west right of way and the extended north line of Lot 2 of said Trades District West Phase One Subdivision; thence leaving said west right of way, westerly along said extended north line to the northeast corner of the 12 foot wide alley shown on said Trades District West Phase One Subdivision Final Plat; thence leaving said extended north line, southerly along the east line of said alley to the southeast corner thereof; thence leaving said east line, westerly along the south line of said alley to the southwest corner thereof; thence leaving said south line, northerly along the west line of said alley to the northwest corner thereof; thence leaving said west line, westerly along the north line of said Lot 2 to the northwest corner thereof; thence leaving said north line, northerly to the southwest corner of Lot 46 of said Amended Maple Heights Second Addition; thence easterly along the south line of said Lot 46 and along the south line of said Lot 47 to the southeast corner of said Lot 47; thence leaving said south line, northerly to said northeast corner of said Lot 47, being the Point of Beginning, containing 0.13 acre, more or less.

Section 2: Severability.

If any section, sentence, or provision of this 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, or 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 3: Effective Date.

This Ordinance shall be in full force and effect from and after its passage and adoption by the Common Council and approval by the Mayor.

Passed

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

Signature of Common Council President Isak Asare

Attestation of the Clerk:

Signature of Clerk Nicole Bolden

Presentation by the Clerk:

Signature of Clerk Nicole Bolden

Approval by the Mayor:

Signature of Mayor Kerry Thomson

Synopsis:

The Petitioner/Owner, Trades District Community Development, LLC, (operated by Dimension Mill Inc. d.b.a. Amplify Bloomington) requests vacation of two alleys that are in the Southwest Corner of West 11th Street and North Rogers Street. These parcels are part of the Trades District West Phase and are being prepared for redevelopment.

Memorandum of Repeal and Re-enactment of Title 18: Fire Prevention Ordinance 2026-35

To: City of Bloomington Common Council

CC: Kerry Thomson, Mayor; Gretchen Knapp, Deputy Mayor; Nicole Bolden, City Clerk; Geoff McKim, City Controller; Roger Kerr, Fire Chief; Margie Rice, Corporation Counsel

From: Enedina Kassamian, Assistant City Attorney

Date: 10/23/2026

Subject: Ordinance 2026-35 - Repeal and Re-enactment of Title 18 of the Bloomington Municipal Code

Introduction

The Bloomington Fire Department respectfully requests approval of an ordinance repealing and replacing Title 18 of the Bloomington Municipal Code relating to fire prevention and life safety.

Background

The existing Title 18 has not been substantially revised since 1997. Repealing and replacing the ordinance will modernize the City's fire prevention regulations, improve consistency with Indiana law, eliminate outdated or conflicting provisions, and provide clearer guidance for property owners, developers, contractors, and the public.

Key Provisions of Ordinance 2026 - 35

- Update references to current Indiana-adopted fire and building codes.
- Clarify the authority and responsibilities of the Fire Chief and Fire Marshal regarding inspections, permits, plan reviews, investigations, and code enforcement.
- Establish clear enforcement procedures, including notices of violation, emergency orders, penalties, and appeals.
- Improve fire department access, fire protection infrastructure requirements, and life safety provisions for new development and redevelopment.
- Remove obsolete language and consolidate provisions to create a more user-friendly ordinance.

Adoption of the proposed ordinance will provide a modern and comprehensive regulatory framework that enhances public safety, supports responsible development,

improves consistency in code enforcement, and aligns Bloomington's fire prevention regulations with current state standards and nationally recognized fire codes.

Relevant Materials Included in Packet

- Proposed Ordinance Repealing and Replacing Title 18 – Fire Prevention
- Staff Report
- Memorandum
- Slide show presentation

Fiscal Impact

There is no immediate fiscal impact associated with the Repeal and Re-enactment of Title 18. This Ordinance establishes an updated and comprehensive Fire Prevention Title of the Bloomington Municipal Code. There will be no negative impact on the General Fund.

Conclusion

The Bloomington Fire Department, with the support of the Board of Public Safety, recommends the approval of 2026-35.

PROPOSAL

AMENDMENT TO TITLE 14
REPEAL AND RE-ENACT TITLE 18
ESTABLISHMENT OF FIRE FUND

REASON FOR THE CHANGE AMENDMENT TO TITLE 14

- These changes would allow the Fire department to issue and collect fines without having to call a police officer and update the fee schedule for these violations.

SUMMARY CHANGES AMENDMENT TO TITLE 14.40

- 14.40.010- no changes
- 14.40.020- no changes
- 14.40.030 no changes
- 14.40.040- no changes
- 14.40.050- no changes

SUMMARY CHANGES AMENDMENT TO TITLE 14.40

- 14.40.060 (A)- Addition of Fire Chief or their designee.
- 14.40.060 (B)- Addition of Fire Chief or their designee. Update fine amount for Police False Alarms to \$150 for fourth alarm and \$200 for additional alarms. Fire fees now point towards Title 18 fee schedule.

Questions regarding Title 14

REASON FOR THE CHANGE REPEAL AND RE-ENACT TITLE 18

The existing Title 18 has not been substantially revised since 1997. Repealing and re-enact the ordinance will modernize the City's fire prevention regulations, improve consistency with Indiana law, eliminate outdated or conflicting provisions, and provide clearer guidance for property owners, developers, contractors, and the public.

SUMMARY CHANGES REPEAL AND RE-ENACT TITLE 18

The proposed ordinance will:

- Update references to current Indiana-adopted fire and building codes.
- Clarify the authority and responsibilities of the Fire Chief or their designee (currently Fire Marshal and Deputy Fire Marshals) regarding inspections, permits, plan reviews, investigations, and code enforcement.
- Establish clear enforcement procedures, including notices of violation, emergency orders, penalties, and appeals.

SUMMARY CHANGES REPEAL AND RE-ENACT TITLE 18

- Improve fire department access, fire protection infrastructure requirements, and life safety provisions for new development and redevelopment.
- Remove obsolete language and consolidate provisions to create a more user-friendly ordinance.

Fee/Fine Schedule

Fee/Fine Schedule

18.23.010 - Fee/Fine Schedule

The Fire Chief or their designee has the authority to assess fees or fines up to the maximum amounts shown in the Bloomington Municipal Code. Any violation of this Ordinance is subject to penalty provisions of Bloomington Municipal Code unless stated otherwise. All fees are assessed by occurrence and all fines are assessed by violation, unless otherwise stated. Each calendar day that a violation continues shall constitute a separate violation.

(a)	Fire Inspection Fees:	
	First Inspection	No charge
	First Re-inspection following a failed inspection	No charge
	Second Re-inspection	
	\$ 100.00	
	Each Subsequent Re-inspection	\$ 200.00
(b)	New Construction Inspection Fees	
	Fire Alarm/Sprinkler System - Initial Acceptance Test	No charge
	Hood Suppression System - Initial Acceptance Test	No
	Each Re-inspection due to failure of Initial Acceptance Test	\$
	charge	
	250.00	
(c)	Other Fees	
	Fire Report/Investigation Report	\$ 5.00
	Failure to timely upload ITM report	\$ 50.00

(d)	Fines		
		Emergency Vehicle Lane Violation	\$ 50.00
		Occupancy in excess of Certificate of Occupancy	\$
500.00			
		Failure to notify of Tent or Membrane Structure	\$ 100.00
		Failure to provide or maintain required Smoke Detector	\$
100.00			
		Tampering with or disabling Smoke Detector	\$ 100.00
		Fourth False Alarm	\$150.00
		Fifth False Alarm or subsequent (Per occurrence)	\$ 200.00
		Tampering with or disabling other fire safety, alarm or suppression system	Up to
		\$2,500/day	
		Open Burning violation	Up to \$2,500/day
		Failure to provide required Fire Watch	Up to \$2,500/day

Questions regarding Title 18

ESTABLISHMENT OF FIRE FUND

- 18.04.180 Fire Fund
- Creation of this fund will function in tandem with the fee schedule resulting from the repeal and replace of title 18
- New inspection and invoicing software will serve as an efficient means to collect funds and transfer them to this fund
- Accumulated funds will benefit the community in the form of financial support for Fire's prevention, public education, and training divisions
- No impact on existing general fund given that funds collected will be from a newly enforced fee schedule

REASON FOR THE ESTABLISHMENT OF FIRE FUND

By navigating obstacles to enforcing the fee schedule via the amendments to Title 14 and the repeal and re-enact of Title 18, this fund allows for both efficient capture of funding and effective use of those funds to benefit the Bloomington community. A dedicated fire fund allows the collected funding to truly support the mitigative efforts that prevent emergencies from happening in our city in the form of subsidizing our community outreach efforts. This fund supports proper planning and sustainability to programs contained within the department to make Bloomington a safer place.

FIRE FUND ADMINISTRATIVE PROCESSES

It is hereby created and established in the office of the controller a separate and dedicated non-reverting fund to be known as the Bloomington Fire Department Community Fund. The fund will fall under Title 18.04 of the Bloomington Municipal Code.

The Fire Chief, or a designated representative, shall submit an annual projected expenditure plan to the Council during the annual budget hearing.

Questions regarding Fire Fund

Bloomington Common Council

Ordinance 2026-35 – To Repeal and Re-Enact Title 18 of the Bloomington Municipal Code Entitled “Fire Prevention.”

Preamble

WHEREAS, a review of City records reveals that Chapter 11 of the 1957 Bloomington Municipal Code declared an intent to codify a Fire Prevention Code and that the City eventually adopted the 1971 Edition of the Fire Prevention Code with the approval of Ordinance 71-20, which amended Title 18 of the Bloomington Municipal Code entitled “Fire Prevention,” and

WHEREAS, Title 18 was repealed and re-enacted in 1976 with the adoption of Ordinance 76-48 and then extensively revised in 1997 with the adoption of Ordinance 97-36; and

WHEREAS, minor amendments were made to Title 18 in 2003 with the adoption of Ordinance 03-25, but it has not been substantially revised since 1997; and

WHEREAS, the City of Bloomington Fire Department seeks to repeal and re-enact Title 18, in its entirety, in order to improve public safety by promoting the control and regulation of fire hazards in the City of Bloomington; and

WHEREAS, the existing Title 18 should be updated in order to improve the safety and welfare of those who serve as City of Bloomington firefighters; and

WHEREAS, the City of Bloomington believes this ordinance is in the best interest of the citizens, residents, and business owners of the City of Bloomington; and

WHEREAS, the proposed repeal and re-enactment of Title 18 of the Bloomington Municipal Code has been duly considered by the Common Council of the City of Bloomington.

Be It Ordained by the Common Council of the City of Bloomington, Monroe County, Indiana, That:

Section 1. Chapter 18.04, entitled “Administration and Enforcement,” of Title 18 “Fire Prevention,” shall be repealed and re-enacted to read as follows:

Chapter 18.04

ADMINISTRATION AND ENFORCEMENT

18.04.010 - Title

These regulations and all material included herein by reference shall be known as “Title 18 - Fire Prevention” of the Bloomington Municipal Code (“this code”).

18.04.020 - Purpose

The purpose of this code is to protect the life, public safety, health, and general welfare of the residents of Bloomington, Indiana and shall be construed in such a manner as to effectuate this purpose.

18.04.030 - Applicability

The provisions of this code are supplemental to the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, and Indiana Fuel Gas Code, as adopted by the Indiana Fire Prevention and Building Safety Commission or established oversight. The provisions of these regulations apply to maintenance of Fire Prevention and Life Safety Features as herein described, and apply to existing conditions as well as to the conditions arising after its adoption.

18.04.040 - Conflicting Provisions

If any provision of this Title is found to be in conflict with any Building, Zoning, Safety, Health, or other applicable law or ordinance or code of the City of Bloomington or Monroe County, Indiana, whether existing on the effective date of this ordinance or later adopted, the provision which establishes the higher standard for the promotion and protection of the safety and welfare of the public applies.

18.04.050 - Minimum Standards

All rules of the Indiana Fire Prevention, Indiana Department of Homeland Security, and/or Building Safety Commission, or established oversight as set out under Indiana Law, are incorporated by reference into this code and are on file in the office of the City Clerk for public inspection (IC 36-1-5-4) and shall include all later amendments to that article as published in the Indiana Register or the Indiana Administrative Code with effective dates as fixed therein. Any special processes or procedures not addressed in the Indiana Fire Code or this code shall be subject to applications found in Fire Safety Standards recognized by the Indiana Fire Code Referenced Standards and as approved by the Fire Chief or their designee. Any special processes or procedures not addressed in this code shall be subject to applications found in the current editions of the National Fire Protection Association (NFPA) Standards or other recognized Fire Safety

Standards, subject to the rules of the Indiana Fire Prevention and Building Safety Commission or established oversight.

18.04.060 - Definitions

“Building Code” means the Indiana Building Code found in accordance with Indiana Law.

“Class 1 Structure” has the meaning ascribed thereto in IC 22-12-1-4.

“Class 2 Structure” has the meaning ascribed thereto in IC 22-12-1-5.

“Crowd Manager” has the meaning ascribed thereto in accordance with Indiana Law.

“Cut Sheet” refers to the specification sheet that provides and describes the technical specifications of a particular product.

“Division of Fire and Building Safety” refers to the Division of Fire and Building Safety of the Indiana Department of Homeland Security established pursuant to Indiana Code.

“Fire Chief” means the chief officer of the City of Bloomington Fire Department.

“Fire Code” refers to the Indiana Fire Code found in accordance with Indiana Law.

“Fire Department” refers to the City of Bloomington Fire Department unless otherwise stated and has the meaning ascribed thereto in IC 36-8-17-2.

“Fuel Gas Code” refers to the Indiana Fuel Gas Code found in accordance with Indiana Law.

“General Administrative Rules” means the General Administrative Rules of the Indiana Fire Prevention and Building Safety Commission or established oversight found in accordance with Indiana Law.

“IAC” means the Indiana Administrative Code.

“IC” means the Indiana Code of the Indiana General Assembly.

“Key Box” has the meaning ascribed thereto in accordance with the Indiana Fire Code.

“Mechanical Code” means the Indiana Mechanical Code found under Indiana Law or Indiana Administrative Code.

“Notice of Violation” means a written notice issued by the Fire Department, usually in the form of an inspection report listing violations.

“Owner” has the meaning ascribed thereto in accordance with Indiana Law.

“Person” has the meaning ascribed thereto in IC 22-12-1-18.

“Qualified Person” means a person who either holds a current National Institute for Certification in Engineering Technologies (NICET) certification in the fire protection system being installed, serviced, or repaired, or has successfully completed a course of instruction specific to the equipment being installed, serviced, or repaired. Such instruction shall have been approved by the manufacturer of the equipment or their authorized representative.

TERMS NOT DEFINED: Where terms are not defined in this code and are defined in the General Administrative Rules, Indiana Building Code, Indiana Fire Code, Indiana Mechanical Code, or Indiana Fuel Gas Code, such terms shall have the meanings ascribed to them as in those codes. Where terms are not defined through the methods authorized, such terms shall have ordinarily accepted meanings such as the context implies under Indiana Law.

18.04.070 - Authority of the Fire Chief

The Fire Chief or their designee shall have the following authority:

- (a) To administer and enforce:
 - (1) All provisions of this code;
 - (2) Variances granted in accordance with IC 22-13-2-11; and
 - (3) Orders issued under IC 22-12-7.
- (b) At any fire, explosion, rescue, emergency medical or hazardous materials incident, or any other emergency which poses imminent threat to life, environment, or property, to direct operations as necessary to control, mitigate, or eliminate the emergency. It shall be unlawful for any person to impede or interfere with the emergency operations of the Fire Department;

- (c) To establish emergency lines and limits, and barricade or guard from the general public such emergency lines and limits, and to create an area in which only firefighters, law enforcement personnel, or other emergency responders are permitted to enter. Other people or agencies who have a direct interest in any property threatened by fire, explosion, hazardous material incident or other emergency shall be admitted at the discretion of the Fire Chief. It shall be unlawful for any unauthorized person to cross such emergency lines or limits;
- (d) To perform fire investigations pursuant to IC 36-8-17-7 and to conduct an origin and cause investigation of all fires and explosions within the service district of the City of Bloomington Fire Department. It shall be unlawful for any person to impede the Fire Chief or their designee from conducting an origin and cause investigation;
- (e) To conduct fire and life safety inspections in Class 1 structures pursuant to IC 36-8-17-8. Such inspections shall be made as often as necessary for the purpose of ascertaining and causing correction of any violation of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Code, or any other rule of the established oversight;
- (f) To enforce the provisions of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Fuel Gas Code, this Fire Prevention Code, or any other rule of the established oversight. Such enforcement shall include, but not be limited to:
 - (1) The prevention of fires;
 - (2) The handling, storage, sale, and use of flammable liquids, explosives, combustible, and hazardous materials;
 - (3) The adequacy of means of egress from all places in which numbers of people live, work, or congregate from time to time for any purpose;
 - (4) The location, installation, and maintenance of smoke alarms, fire alarm systems, and fire suppression systems; and
 - (5) The existence of recognized hazardous conditions that present a clear and immediate hazard to life and property.

- (g) The Fire Chief or their designee shall have the authority to institute legal actions in cases of noncompliance and to initiate such actions in accordance with locally prescribed avenues covering violations of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Code , or any other rule of the Indiana Fire Prevention and Building Safety Commission or established oversight. Violators of this code may be cited into the court having jurisdiction.

18.04.080 - Right of Entry

Whenever necessary for the purpose of enforcing the provision of this ordinance, the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, any other rule of the commission or established oversight, or whenever the Fire Chief or their designee has reasonable cause to believe that there exists in any structure or upon any premises, any condition which makes such structure or premises unsafe, the Fire Chief or their designee shall be permitted to enter such structure or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Fire Chief by this ordinance; provided that if such structure or premises be occupied, the Fire Chief or their designee shall first present proper credentials and request entry. If such entry is refused, the Fire Chief or their designee shall have recourse to every remedy provided by law to secure entry.

18.04.090 - Determination of Violation

Whenever the Fire Chief or their designee determines by inspection that an apparent or actual violation of this Code, the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, or any other rule of the commission or established oversight, or a hazardous condition exists upon any Class 1 structure within the service district of the Fire Department, the person making such determination shall issue such Notice of Violation or order as may be necessary for the enforcement of the provision(s) thus violated.

18.04.100 - Time Limit

Orders issued pursuant to this code shall set forth a time limit for compliance dependent upon the hazard created by the violation(s).

18.04.110 - Notice of Violation

Under IC 36-8-17-9, an order of enforcement of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Code, or any other rule of the commission or established oversight, which is within the jurisdiction of the Fire Chief or their designee, may seek the correction of any violation or the elimination of any hazardous condition by the methods specified in this Code or by any other appropriate remedy or procedure provided by law. The failure of the Fire Department to inspect or to issue a Notice of Violation or order in accordance with this Code shall not constitute approval of any violation or noncompliance. Any Notice of Violation or order issued pursuant to this Code shall be conveyed upon the owner, operator, occupant or other person responsible for the building or property. Conveyance of such order shall be by one of the following methods: personal service by hand delivery or by affixing a copy thereof in a conspicuous place at the entrance of such building or premises; mailing a copy thereof to such responsible person by first class mail to their last known address, fax, or electronic mail pursuant to IC 4-21.5-3.

18.04.120 - Imminent Danger

The Fire Chief or their designee may stop an operation or require the evacuation of any Class 1 structure or portion thereof under the provisions of IC 36-8-17-9 when it is determined that the conduct or conditions of the property:

- (a) Present a clear and immediate hazard of death or serious bodily injury to any person other than a trespasser; or
- (b) Are prohibited without a permit, registration, certification, authorization, variance, exemption, or other license required under IC 22-14, or another Indiana statute, rule of the commission, or established oversight; or in accordance with Indiana Law; or
- (c) Will conceal a violation of law.

18.04.130 - Duty to Correct Violations

The owner or person in control of any premises or building upon which a violation or hazard exists shall:

- (a) Cease and correct the violation; and
- (b) Protect persons and property from the hazards of the violation.

18.04.140 - Appeal from Orders

- (a) An owner or occupant who remains aggrieved by an order or decision issued pursuant to this Fire Prevention Code and the matter involves a rule of the Indiana Fire Prevention and Building Safety Commission or established oversight may appeal to the Commission or established oversight as set forth by IC 36-8-17.
- (b) Whenever the Fire Chief disapproves or refuses to grant a permit applied for or when it is claimed that the provisions of this ordinance do not apply or that the true intent and meaning of this ordinance has been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Fire Chief, in writing, to the Board of Public Safety within thirty (30) days from the date of the decision.

18.04.150 - False Reporting

Bloomington Municipal Code 14.40, entitled "False Emergency Alarms," is incorporated herein by reference.

18.04.160 - Fire Fund

The revenue deposited into the non-reverting fund, which is intended for community outreach, education, equipment, hardware, software, training props and related expenses, shall be transferred by the controller into a non-reverting fund. This fund shall be established for the purpose of paying for the costs of the aforementioned items.

Section 2. Chapter 18.08, "Fire Appliances", of Title 18 "Fire Prevention", shall be repealed, re-enacted, and renamed "General Safety Provisions", and shall read as follows:

Chapter 18.08

GENERAL SAFETY PROVISIONS

18.08.010 - Open Burning

In addition to the requirements of this code, all rules of the Indiana Department of Natural Resources and the Indiana Department of Environmental Management shall be observed at all times.

18.08.020 - Permit Required

No person shall kindle or maintain any bonfire or open burning, or authorize any such fire to be kindled or maintained within the city limits without permit or proper authorization from the Fire Chief. During construction or demolition of buildings or structures, no waste materials or rubbish shall be disposed of by burning on the premises or in the immediate vicinity without having obtained a permit or proper authorization. Any applicant for an open burning permit shall demonstrate that they are in legal control of the lot or parcel of land on which the burning is to be done.

- (a) Exception: These restrictions do not prohibit outdoor fires in pits or grills used solely for the preparation of food. The fire shall be extinguished immediately after completion of the cooking process and shall not be permitted to smolder.

The Fire Chief or their designee shall extinguish or order the immediate discontinuation of any open burning in violation of this chapter or which is deemed hazardous, even with a permit. The Fire Chief or their designee is empowered to prohibit any and all types of outside burning when deemed necessary.

18.08.030 - Burning on Public Property

Burning on public property shall be prohibited unless a permit is obtained from the Fire Chief a minimum of forty-eight (48) hours prior to the event.

18.08.040 - Penalty for Violation

Violation of any provision of this chapter will result in a fine as set forth in the fee/fine schedule in BMC 18.23.010.

18.08.050 - Vacant or Abandoned Buildings

- (a) Vacant or abandoned buildings shall be secured against unlawful entry when required by the Fire Chief or their designee. In order to protect a building against unlawful entry or vandalism while it is vacant, an owner may secure the windows and doors of the building by the use of boarding with plywood, oriented strand board, or equivalent material.
- (b) Fire alarm, sprinkler and standpipe systems shall be maintained in operable condition at all times unless:

- (1) All combustible materials and debris have been removed from the building and the Fire Chief or their designee determines that the condition and security of the building do not create a fire hazard; or
 - (2) All contents and storage are removed and the building has been secured against unlawful entry and the building is unheated and exposed to freezing temperatures. In this case the Fire Chief and/or their designee may permit fire alarms and sprinkler systems to be placed out of service and standpipes to be maintained as dry systems.
- (c) The Fire Department shall identify buildings subject to BMC 18.08.050.

18.08.060 - Tent and Other Membrane Structures

The following provisions shall apply to tent and other membrane structures:

18.08.061 - Permit Required

- (a) The Fire Department shall be notified seventy-two (72) hours in advance of the erection for any purpose of any tent and/or membrane structure having an area in excess of 400 square feet (37 square meters) and an application for the tent shall be submitted to the Bloomington Fire Marshal's Office (BFMO);
- (b) An inspection may be required prior to or after erection of the structure, or both, at the discretion of the BFMO;
- (3) Detailed Site Plan shall be submitted with the permit application including:
 1. Tent location on property, location of permanent structures, adjacent vegetation, access to parking, and fire breaks.
 2. Floor Plan: Seating capacity and layout, required exits, egress illumination, aisle and exit signs, electrical equipment, locations and types of appliances and/or equipment, manufacturer's specifications and installation instructions.
 3. Flame propagation performance treatment.
 4. Occupant load.

- (4) The Fire Department shall be notified twenty-four (24) hours in advance of the disassembly or removal of any tent and/or membrane structure subject to BMC 18.08.061(a).

18.08.062 - Penalty for Violation

Violation of any provision of this chapter will result in a fine as set forth in the fee/fine schedule in BMC 18.23.010. Each day that a violation occurs or continues shall constitute a separate offense.

Section 3. Chapter 18.12 entitled "Fire Lanes and Smoke Detectors", of Title 18 "Fire Prevention", shall be repealed, re-enacted, and renamed "Emergency Planning", and shall read as follows:

Chapter 18.12

EMERGENCY PLANNING

18.12.010 - Fire Watch Personnel

The following provisions shall apply to the appointment of fire watch personnel:

18.12.011 - Training and Qualifications

Whenever it is essential for public safety in any Class 1 structure or other location where people congregate, due to the occupant load or the nature of the activity being conducted, the Fire Chief may require the owner, agent or lessee to employ one or more qualified persons, to be approved by the Fire Chief or their designee, to serve as a fire watch at such structure or location. Such persons shall:

- (a) Be subject to the Fire Chief's orders at all times;
- (b) Be in uniform;
- (c) Remain on duty at all times that such Class 1 structure or other location is open to the public; and
- (d) Be provided at the ratio of one qualified person per 500 occupant load.

While on duty, such persons shall not be required or permitted to perform any duties other than fire watch.

18.12.012 - When Required

When a required fire protection/alarm system is out of service, the Fire Chief or their designee shall be notified immediately and, if required by the Fire Chief or their designee, the building shall be either evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service.

18.12.013 - Duties

Fire watch personnel shall be provided with at least one means for notification of the Fire Department that has been approved by the Fire Chief or their designee, and the only duty of fire watch personnel shall be to perform constant patrols of the protected premises and keep watch for fires.

18.12.020 - Penalty for Violation

Violation of any provision of this chapter will result in a fine as set forth in the fee/fine schedule in BMC 18.23.010. Each day that a violation occurs or continues shall constitute a separate offense.

Section 4. Chapter 18.16, entitled "Open Burning", of Title 18, "Fire Prevention", shall be repealed, re-enacted, and retitled "Fire Service Features", and shall read as follows:

Chapter 18.16

FIRE SERVICE FEATURES

18.16.010 - Address Identification

- (a) New and existing buildings shall have address numbers, building numbers or other building identification placed in a position that is plainly legible and visible from the street or road fronting the property. The numbers shall contrast with their background distinctly so that they are easily visible from the street. Address numbers shall be provided in appropriate locations to facilitate emergency response. Address numbers shall be Arabic font numerals or alphabetical letters, and shall be a minimum of four inches (4") high with a minimum stroke width of one-half inch ($\frac{1}{2}$ "). Where access is by means of a private road and the building cannot be viewed from the public right-of-way, a monument, pole or other sign shall be used to identify the structure. Address numbers shall be maintained;

- (b) Secured sites staffed with twenty-four (24) hour onsite response teams to escort responding Fire Departments may omit address numbers, building numbers or building identification on individual buildings; and
- (c) For Class 1 structures with three or more separate tenants, where tenants have both a front or main entrance and a rear entrance with an all-weather surface for vehicular traffic that is tenant-specific, such rear entrance shall have a posted address visible from the all-weather surface.

18.16.020 - Fire Lane Markings

- (a) Fire lanes, which may also be called emergency vehicle lanes, shall be required and enforced as set forth in Bloomington Municipal Code 15.32.160, entitled "Emergency Vehicle Lanes". Fire lanes shall be marked with freestanding signs or marked curbs, sidewalks or other traffic surfaces with the words "Fire Lane - No Parking," and such markings shall remain in good visible condition as determined by the Fire Chief or their designee. The type and color of approved markings and signage shall be determined by the Fire Chief or their designee; and
- (b) Fire lanes shall be capable of supporting the intended loads of the largest fire apparatus anticipated to be used on the property. Bridges used as access shall be designed, constructed and maintained to be capable of carrying imposed loads of fire apparatus.

18.16.030 - Fire Apparatus Access Roads

Fire apparatus access roads shall be provided and maintained in accordance with Indiana Fire Code. The Fire Chief or their designee shall use Indiana Fire Code Appendix D as a guide.

18.16.040 - Gates or Barricades

The installation of gates or other barricades across fire apparatus access roads, trails or other access ways, not including public streets, alleys or highways, is subject to approval of the Fire Chief or their designee. Approved gates or barricades shall be maintained by the property owner.

18.16.050 - Key Boxes

The Fire Chief or their designee shall require the installation of a key box or other rapid entry product in an approved location(s) at any Class 1 structure that is protected by an

automatic sprinkler system or fire alarm system which sends a local or transmitted signal, if access to or within such structure or other area on the property is unduly difficult because of secure openings, and immediate access may be necessary for lifesaving, firefighting, or property preservation purposes. The key box or rapid entry product manufacturer must be approved by the Fire Chief or their designee.

18.16.060 - Water Supply

A water supply capable of meeting the fire flow requirements of BMC 18.16.070 must be provided to all property upon which a Class 1 structure, a portion of a Class 1 structure, or a Class 2 structure is constructed. The water supply shall be provided as follows:

- (a) When a municipal water supply is available to the property, fire hydrants and mains capable of providing the required fire flow shall be installed; and
- (b) When a municipal water supply is not available, an alternative water supply may be approved by the Fire Chief or their designee. The alternative water supply shall consist of a pond, stream, river, canal, lake, reservoir, quarry, pressure tank, elevated tank, or other fixed system capable of providing the required fire flow. The means of acquiring the water from an alternative source shall be accessible, and the connection(s) shall be approved by the Fire Chief or their designee prior to final design and construction.

18.16.070 - Fire Flow Requirements

The Fire Chief or their designee shall determine the fire flow requirements for a water supply required by BMC 18.16.060. In determining such fire flow requirements, the Fire Chief or their designee shall use Indiana Fire Code Appendix B "Fire Flow Requirements for Buildings", and Appendix C "Fire Hydrant Locations and Distribution", as a guide. The Fire Chief or their designee may not impose requirements that are more stringent than those set forth in Appendices B or C.

18.16.080 - Emergency Electrical Disconnects

All new or remodeled Class 1 structures shall have a clearly identified and readily accessible means of emergency electrical disconnection. The disconnect means shall be accessible on the exterior of the structure or within ten feet (10') of an accessible entrance door.

18.16.090 - Smoke Detectors

- (a) All dwelling units within the City of Bloomington shall be equipped with a minimum of one functional, properly installed, labeled, and UL approved smoke detector as described in NFPA 72 and in accordance with the Indiana and Monroe County building codes;
- (b) Each owner, manager, or rental agent of the owner is responsible for the installation of required smoke detectors and the repair or replacement of a required smoke detector within two (2) business days of receiving written notification of the need to repair or replace the smoke detector. Residents shall inspect and test all detectors in accordance with the manufacturer's instructions at least monthly;
- (c) Tampering with or removing any smoke detector, except as necessary for maintenance or inspection, is illegal. Any smoke detector removed for repair, replacement, or remodeling shall be reinstalled or replaced to comply with this section; and
- (d) Violation of any provision of this chapter will result in a fine as set forth in the fee/fine schedule in BMC 18.23.010. Each day that a violation occurs or continues shall constitute a separate offense. When appropriate, the Fire Department may notify the City of Bloomington Housing and Neighborhood Development Department and/or any other regulatory agency of the violation.

Section 5. Chapter 18.20, "Appeals and Penalties", of Title 18, "Fire Prevention", shall be repealed, re-enacted, and renamed "Emergency and Standby Power", and shall read as follows:

Chapter 18.20

EMERGENCY AND STANDBY POWER

18.20.010 - Emergency Lighting Activation Test

- (a) Where emergency lighting is requested by code, an activation test of emergency lighting equipment shall be completed monthly. The activation test shall ensure the emergency lighting activates automatically upon normal electrical disconnect and stays sufficiently illuminated for a minimum of thirty (30) seconds; and

- (b) Records for the activation test shall be maintained on the premises for a minimum of three (3) years and submitted to the Fire Chief or their designee upon request. The record must include the location of the emergency lighting tested, whether the unit passed or failed, the date of the test, and the person completing the test.

18.20.020 - Emergency Lighting Power Test

- (a) Where emergency lighting is requested by code, for battery-powered emergency lighting, a power test of the emergency lighting equipment shall be completed annually. The power test shall operate the emergency lighting for a minimum of ninety (90) minutes and shall remain sufficiently illuminated for the duration of the test; and
- (b) The ninety (90)minute power test record shall be maintained on the premises for a minimum of three (3) years and submitted to the Fire Chief or their designee upon request. The record must include the location of the emergency lighting tested, whether the unit passed or failed, the date of the test, and the person completing the test.

Section 6. Title 18 “Fire Prevention”, shall be amended to add Chapter 18.21, entitled “Fire Protection Systems”, and shall read as follows:

Chapter 18.21

FIRE PROTECTION SYSTEMS

18.21.010 - Construction Documents

- (a) The following plans for new or remodeled Class 1 structures shall be submitted for review to the Fire Department:
 - (1) Civil Engineering
 - (A) Site plan with grades
 - (B) Utility plan
 - (C) Access roads and specifications
 - (2) Architectural
 - (A) Complete floor plan (all floors)

- (B) Elevation of building and stairs
- (C) Life safety plan with exit travel distance
- (b) Plans for Fire Alarm Systems, Water-Based Fire Protection Systems, Fire Pumps, Special Hazard Fire Suppression Systems, High-piled Storage Arrangements, and Firestop Systems shall be submitted to the Fire Department for review upon request. Each applicable submittal must contain the following information:
 - (1) Sprinkler/Standpipe Systems
 - (A) One Full Set of Sprinkler/Standpipe Plans
 - (B) One Full Set of Sprinkler/Standpipe Calculations
 - (C) One Copy of the Sprinkler Construction Design Release (CDR)
 - (D) One Set of Manufacturer's Cut Sheets for all sprinkler heads in the design
 - (2) Fire Alarm Systems
 - (A) One Full Set of Fire Alarm Plans
 - (B) One Set of Battery Calculations
 - (C) One Copy of the Fire Alarm Construction Design Release (CDR)
 - (D) One Set of Manufacturer's Cut Sheets for the Fire Alarm Control Panel (FACP) and Fire Alarm Components
 - (E) One Fire Alarm Sequence of Operation Matrix
 - (3) Special Hazard Fire Protection Systems (if applicable)
 - (A) One Set of Plans
 - (B) One Set of Engineering Data
 - (C) One Copy of the Construction Design Release (CDR)
 - (D) One Set of Manufacturer's Cut Sheets for System Components
 - (4) Fire Pumps
 - (A) One Copy of the Manufacturer's Fire Pump Specifications

- (B) One Copy of the Manufacturer's Certified Pump Test Characteristic Curve

- (5) Firestop Systems

- (A) Through-Penetration Firestop Systems

- (B) Membrane-Penetration Firestop Systems

- (C) Fire-Resistant Joint Systems

- (D) Perimeter Fire Barrier Systems

- (E) Fire-Rated Duct and Air-Transfer Openings

18.21.020 - Fire Department Connections

The location of Fire Department connections shall be approved by the Fire Chief or their designee with respect to fire hydrants, Fire Department access roads, fire apparatus water supply lines, buildings, utilities, and landscaping. Immediate access to Fire Department connections shall be maintained at all times and not hindered by obstructions including fences, bushes, trees, walls, or other fixed or removable objects. No fire hydrant shall be painted except by persons employed or authorized by the City of Bloomington.

18.21.030 - Locking Fire Department Connection Caps

Fire Department connection locking caps shall be permitted with the approval of the Fire Chief or their designee.

18.21.040 - Fire Extinguishers

Portable fire extinguishers shall be installed and maintained in Class 1 structures as set forth in National Fire Protection Association (NFPA) 10, Standard for Portable Fire Extinguishers (current Indiana adopted edition).

18.21.050 - Qualified Contractors

Prior to performing installation, service, repair, inspection, or maintenance of fire protection systems, the qualified person conducting such function(s) shall submit documentation to the Fire Chief or their designee verifying the individual's or company's certification for each type of fire protection system being installed, serviced, repaired, inspected, or maintained. Certification shall conform to the requirements as outlined in each applicable NFPA standard or from the manufacturer of such equipment.

18.21.060 - Inspection, Testing, and Maintenance (ITM) Reporting Requirements

- (a) Submission of Reports: All companies or individuals performing inspection, testing, or maintenance on fire protection, life safety, or emergency systems within the municipality's jurisdiction shall submit a complete and accurate report of such inspection to the Fire Department;
- (b) Method of Submittal: Reports shall be submitted electronically via the Fire Department's approved web-based third-party reporting system. No paper, fax, or email submissions will be accepted;
- (c) Timeline: All inspection, testing, and maintenance reports must be uploaded to the designated system within ten (10) business days of the date of the inspection;
- (d) Critical Deficiencies: If an inspector discovers a critical system deficiency or impairment that renders a fire protection system inoperable, the inspector must notify the Fire Department and the property owner immediately, and upload the report within twenty-four (24) hours; and
- (e) Violations and Enforcement: Failure to submit a timely report, or providing a false or incomplete report, constitutes a code violation. Each unsubmitted report shall count as a separate offense and is subject to a fine of up to \$50 per violation.

Section 7. Title 18 "Fire Prevention," shall be amended to add Chapter 18.22, entitled "Consumer Fireworks," and shall read as follows:

Chapter 18.22

CONSUMER FIREWORKS

18.22.010 - Consumer Fireworks

Pursuant to Indiana Code § 22-11-14-6(d), Indiana Code § 22-11-14-10.5, and this code, consumer fireworks may only be used in the City of Bloomington corporate limits during the days and times listed below:

- (a) Between the hours of 5:00 p.m. and two (2) hours after sunset on June 29 through July 3, and July 5 through July 9; however, regardless of what time sunset occurs, no later than 11 p.m.;
- (b) Between 10:00 a.m. and Midnight on July 4 and December 31.

In the event that the hours for consumer fireworks listed in Indiana Code § 22-11-14-6(d) or Indiana Code § 22-11-14-10.5 conflict with this code, state statute shall control.

Section 8. Title 18 “Fire Prevention”, shall be amended to add Chapter 18.23, entitled “Penalties and Fees,” and shall read as follows:

Chapter 18.23

PENALTIES AND FEES

18.23.010 - Fee/Fine Schedule

The Fire Chief or their designee has the authority to assess fees or fines up to the maximum amounts shown in the Bloomington Municipal Code. Any violation of this ordinance is subject to penalty provisions of Bloomington Municipal Code unless stated otherwise. All fees are assessed by occurrence and all fines are assessed by violation, unless otherwise stated. Each calendar day that a violation continues shall constitute a separate violation.

(a) Fire Inspection Fees

First Inspection	No charge
First Re-inspection following a failed inspection	No charge
Second Re-inspection	\$100
Each Subsequent Re-inspection	\$200

Fire Inspection	No Charge
First Re-inspection following a failed inspection	No Charge
Second Re-inspection	\$100

Each Subsequent Re-inspection	\$200
(b) New Construction Inspection Fees	
Fire Alarm/Sprinkler System - Initial Acceptance Test	No Charge
Hood Suppression System - Initial Acceptance Test	No Charge
Each Re-inspection due to failure of Initial Acceptance Test	\$250
(c) Other Fees	
Fire Report/Investigation Report	\$5
Failure to Timely Upload ITM Report (Per each ten (10) business days late)	\$50
(d) Fines	
Emergency Vehicle Lane Violation	\$50
Occupancy in excess of Certificate of Occupancy	\$500
Failure to Notify of Tent or Membrane Structure	\$100
Failure to Provide or Maintain Required Smoke Detector	\$100

Tampering with or Disabling Smoke Detector	\$100
Fourth False Alarm	\$150
Fifth False Alarm or subsequent	\$200 per each occurrence
Tampering with or Disabling other Fire Safety, Alarm or Suppression System	Up to \$2,500/day
Open Burning violation	Up to \$2,500/day
Failure to provide required Fire Watch	Up to \$2,500/day

Effective Adoption

The expressed or implied repeal or amendment by this ordinance of Bloomington Municipal Code 18.04, 18.08, 18.12, 18.16 and/or 18.20, or part of any other ordinance, does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Such rights, liabilities, and other proceedings shall continue and penalties shall be imposed and enforced under the repealed or amended BMC provisions as if this ordinance had not been adopted.

Severability

If any section, sentence, or provision of this 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.

Effective Date

This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, approval of the Mayor, and publication in accordance with State law.

Passed

Passed by the Common Council of the City of Bloomington, Monroe County, Indiana,
upon this day of , [Year].

Signature of Common Council President [Full Name]

Attestation of Bloomington City Clerk:

Signature of Bloomington City Clerk [Full Name]

Presentation by Bloomington City Clerk:

Presented by me to the Mayor of Bloomington, Monroe County, Indiana, upon this
day of , [Year].

Signature of Bloomington City Clerk [Full Name]

Approval by the Mayor:

Signed and approved by me on this day of , [Year].

Signature of Mayor [Full Name]

Synopsis:

This ordinance repeals and re-enacts the City's outdated 1997 Fire Prevention Code to align with Indiana state standards. It outlines the Fire Chief's authority to manage fire scenes, conduct investigations, perform life safety inspections, order evacuations, and review safety plans for new or remodeled Class 1 structures.

The updated regulations establish stricter controls for open burning, consumer fireworks, vacant buildings, tents, crowd managers, and fire watch personnel. To improve emergency response and scene access, the ordinance standardizes street addressing, fire lanes, key boxes, water supply requirements, and emergency electrical disconnects. Furthermore, it mandates smoke detectors in all City dwelling units and requires regular maintenance and testing for fire hydrants, extinguishers, and mandatory emergency lighting systems. Finally, the code introduces inspection fees and sets specific violation fines, aligning enforcement with BMC 1.01.130 to allow penalties of up to \$2,500 per occurrence.

Memorandum on Fire Department's Non-Reverting Funding Line

Ordinance 2026-36

To: City of Bloomington Common Council

From: Enedina Kassamian, Assistant City Attorney

Date: 10/23/2026

Subject: Ordinance 2026-36 - Bloomington Fire Department Funding Line

CC: Kerry Thomson, Mayor

Gretchen Knapp, Deputy Mayor

Nicole Bolden, City Clerk

Geoff McKim, City Controller

Roger Kerr, Fire Chief

Margie Rice, Corporation Counsel

Introduction

Ordinance 2026-36 is to establish a dedicated Non-reverting Bloomington Fire Department Fund, with the goal of ensuring long-term fiscal sustainability for Bloomington's community-based educational fire safety programs and services. This ordinance goes alongside Ordinance 2026-36 that repeals and replaces Title 18.

The request of the fund allows the Bloomington Fire Department to collect and manage monies as a result of the new fine/fee schedule for the purpose of education and fire safety. New inspection and invoicing software will allow for efficient and seamless invoicing and depositing into the fund. The resulting accumulated funding will be utilized by Fire for community outreach, education, equipment, hardware, software, training props and related expenses. The demand for education and fire safety in Bloomington remains high, but current expansion is limited by the rising costs of instructional delivery, personnel time, and materials. Well-organized community fire education programs help to maintain the reduction of preventable fire-related incidents and property damage within the City of Bloomington.

Historical data confirms that early fire prevention reduces costly future emergencies. Additionally, ongoing well-planned community outreach events build upon already established relationships between local community members and the Bloomington Fire Department.

Background

Historically, any revenue generated by the Fire Department has been deposited in the City of Bloomington General Fund. Allowing the revenue to become immediately accessible and without risk of reverting at the change of the fiscal year allows for sustainability of the programs that it supports. Creating this fund will aid in keeping our Public Education and Prevention divisions healthy.

One of the key factors to keeping the public safe is preventing emergencies from happening in the first place. With the resources provided from the requested fund, our Community Engagement Officer will be able to secure up-to-date educational material for distribution, equipment to deliver educational messages, and training props to allow hands-on training sessions to the public and schools.

Our Fire Marshals inspect buildings around the community to ensure they are safe and free of hazards that could cause harm from a fire standpoint. Additional funding will also allow them to carry out this task more efficiently with better tools, support for software, and investigation equipment to better determine cause when incidents do occur.

Key Provisions of Ordinance 2026 - 36

The establishment of a dedicated fund allows the City of Bloomington to prevent certain revenues from being diverted to other municipal projects unrelated to fire prevention, safety, education, and awareness. The structure of the fund creates a separate, audited treasury account developed from revenue gained through programs, training, and fees resulting from the established Bloomington Municipal Code, specifically, Titles 18 and 14.

Fiscal Impact

There is no immediate fiscal impact associated with the creation of this fund. This Ordinance establishes the legal mechanism to receive and hold funds. This new fund will not have any negative impact on the General Fund as all sources of revenue for it will be new as a result of the new Title 18 ordinance

Conclusion

The Bloomington Fire Department, with the support of the Board of Public Safety, recommends the approval of this fund to secure the long-term operational community educational goals and fire prevention.

Bloomington Common Council Ordinance No. 2026-36 City of Bloomington Ordinance to establish a dedicated Fire Department Fund

Preamble

WHEREAS, the City of Bloomington Common Council recognizes the importance of having reliable, continuous, community education and fire prevention materials for the health, safety, welfare of the community; and

WHEREAS, the Bloomington Fire Department desires to establish a dedicated non-reverting funding stream to ensure stable financial support for ongoing community-based fire education separate from the general operating fund; and

WHEREAS, the Bloomington Fire Department now has ability to collect monies through updated technology incorporated through ITS systems; and

WHEREAS, all collected money will go towards the permitted uses of the fund for hosting specialized training, certifications, community educational programs, and including but not limited to acquisition, maintenance, and replacement of necessary items to support the goal of community education;

WHEREAS, Council's authority to create a special non-reverting fund for its Fire Department by ordinance is grounded in Indiana Code 36-1-3 the HOME rule and Indiana Code § 6-7-1-31.1, §36-10-3-20, and §36-10-3-22, which collectively authorize municipal fiscal bodies to establish, by ordinance, dedicated non-reverting capital funds that cannot be withdrawn for purposes other than those for which the fund was created.

Be It Ordained by the Common Council of the City of Bloomington, Monroe County, Indiana, That:

Section 1: Establishment of the Fund

It is hereby created and established in the office of the controller a separate and dedicated non-reverting fund to be known as the Bloomington Fire Department Community Fund. The fund will fall under Title 18.04 of the Bloomington Municipal Code.

Section 2: Source of Revenue

The fund shall consist of and be credited with proceeds from donations, grants, bequests or contributions from community members or organizations in addition to:

- Fees collected by law from designated ordinances for fire protection;
- Fees collected for specialized services; and
- Fees collected from interest and investment earnings attributable to monies in the Fund.

Section 3: Permitted Use of the Fund

Monies deposited into the Fund shall be used exclusively and strictly for the purpose of the Bloomington Fire Department to provide programs and events focused on community outreach, youth programs, emergency skills and safety instruction, and other fire education. The fund may also be used for equipment, hardware, software, training props and other Fire related expenses.

Section 4: Restrictions and Non-Reversion

No monies from the Fund shall be transferred, loaned, or diverted to the General Fund or any other City of Bloomington municipal fund for non-Fire-related purposes.

Any and all unexpended balances remaining in the Fund at the end of any fiscal year shall not revert to the General Fund, but shall remain in the fund for future capital and community education needs of the Fire Department.

Section 5: Administrative and Accounting

The City of Bloomington Controller shall maintain the Fund in accordance with Indiana State Board of Accounts and standard municipal accounting practices and generally accepted accounting principles.

The Fire Chief, or a designated representative, shall submit an annual projected expenditure plan to the Council during the annual budget hearing.

This non-reverting fund will exist perpetually until passage of another Ordinance to terminate or amend. Upon termination of the fund, all monies are to be redistributed to the City of Bloomington's General Fund.

Section 6: Severability

If any section, sentence or provision of this 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: Effective Date

This Ordinance shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

Passed

Passed by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this day of , [Year].

Signature of Common Council President [Full Name]

Attestation of Bloomington City Clerk:

Signature of Bloomington City Clerk [Full Name]

Presentation by Bloomington City Clerk:

Presented by me to the Mayor of Bloomington, Monroe County, Indiana, upon this day of , [Year].

Signature of Bloomington City Clerk [Full Name]

Approval by the Mayor:

Signed and approved by me on this day of , [Year].

Signature of Mayor [Full Name]

Synopsis

This ordinance, sponsored by Councilmember Stosberg, establishes the Fund to support events and programs that advance the community educational goals of the Bloomington Fire Department.

Memorandum on Bloomington Municipal Code Title 14 Peace and Safety

Ordinance 2026-37

To: City of Bloomington Common Council

CC: Kerry Thomson, Mayor; Gretchen Knapp, Deputy Mayor; Nicole Bolden, City Clerk; Geoff McKim, City Controller; Roger Kerr, Fire Chief; Margie Rice, Corporation Counsel

From: Enedina Kassamian, Assistant City Attorney

Date: 10/23/2026

Subject: Ordinance 2026-37 - Bloomington Fire Department Funding Line

Introduction

The Bloomington Fire Department hereinafter referred to as (“Fire”) respectfully requests council approval to amend Title 14, Chapter 14.40 Section 14.40.060 of the Bloomington Municipal Code regarding false emergency alarms. The proposed amendment will update enforcement protocols and the fee collection structure. Through the amendment, Fire will be authorized to issue and collect a fine for violation of the ordinance. The amendment would also adjust the requirement for Dispatch to call the Bloomington Police Department solely to issue a citation, because now Fire would be able to issue their own citation.

Background and Authority

Title 14 of the Bloomington Municipal Code entitled “Peace and Safety” requires an amendment to add Bloomington Fire Department as an entity that alongside Police will be able to issue fines for violation of the under Title 14 authority. With the added change, Fire will be able to assist in enforcement of Title 14 as it pertains to false alarms, specifically false alarms that are characterized as false fire alarms. All fines from Title 14 violations will be paid into BFD’s non-reverting funding line per the newly established Title 18 and the non-reverting funding line. The passage of this ordinance relies entirely on the approval of both 2026-35, Repeal and Re-enactment of Title 18, and 2026-36, Non-reverting Fund.

Fiscal Impact

There is no immediate fiscal impact to the City of Bloomington associated with the Title 14 changes. This Ordinance establishes the legal mechanism to enforce the provisions of Title 14. There will be no negative impact on the General Fund as all sources of revenue for it will be new as a result of the new Title 18 Ordinance, and Fire’s non-reverting funding line.

Conclusion

The Bloomington Fire Department and Board of Public Safety recommend the approval of this fund at the first reading of the proposed ordinance to secure the long-term operational community educational goals and fire prevention.

SECTION 1. Title 14 of the Bloomington Municipal Code entitled "Peace and Safety," Chapter 14.40 "False Emergency Alarms," Section 14.40.060(a) and (b) "Violation," shall be amended to read as follows:

14.40.060 - Violation.

(a) ~~The Fire Chief, their designee, or any~~ Any police officer may issue a notice of ~~ordinance~~-violation ("NOV") of the ~~Bloomington Municipal Code~~ after the fourth or subsequent false alarm has been made, to any person who controls the property. Such notice may be served in person or by certified mail.

(b) ~~The fine for an ordinance violation as the result of the fourth~~ ~~police false alarm~~ ~~or Police False Alarm in a calendar year at the same location would be subject to a fine of \$150, with each subsequent false alarm incurring a fine of \$200. The fourth~~ ~~Fire False Alarm in a calendar year at the same location shall be~~ ~~fifty dollars. The fine for the fifth and each subsequent false alarm in each category shall be one hundred dollars each. The~~ subject to the fines listed in the Bloomington Municipal Code Title 18. The fines shall be paid to the Bloomington ~~P~~police ~~D~~department in the case of a Police False Alarm or to the Bloomington Fire Department in the case of a Fire False Alarm, within thirty days of the issuance of the citation, in full satisfaction of the assessed penalty. In the event that such payment is not made within the prescribed period, the matter will be referred ~~to the City to City the city~~ legal department for appropriate legal proceedings.

(c) For the purpose of citation accrual, a new period shall start at the beginning of each calendar year.

(Ord. 03-25 §§ 3, 4, 2003; Ord. 99-41 § 5, 1999; Ord. 94-25 § 1, 1994; Ord. 90-50 § 1, 1990; Ord. 90-26 § 1 (part), 1990).

Bloomington Common Council Ordinance Number 2026-37

AMENDMENT TO CHAPTER 14.40.060 OF TITLE 14 OF THE BLOOMINGTON MUNICIPAL CODE REGARDING FALSE EMERGENCY ALARMS

Preamble

WHEREAS, the Bloomington Fire Department, referred to as "Fire," has previously established Peace and Safety standards under Bloomington Municipal Code 14.40; and

WHEREAS, Fire updated and modernized fire safety and enforcement measures within the code in an effort to promote continued fire safety; and

WHEREAS, there has been a repeal and re-enactment of Title 18 and an addition of a non-reverting fire fund; and

WHEREAS, enforcement of violations for false alarms is a key component of ensuring public safety and prevention of false fire alarms; and

WHEREAS, it is appropriate to update Title 14 to be consistent with Title 18 and to include the Fire Department's ability to enforce where false fire alarms occur more than four times in a calendar year; and

WHEREAS, the proposed amendment to Title 14 of the Bloomington Municipal Code has been duly considered by the Common Council of the City of Bloomington.

Be It Ordained by the Common Council of the City of Bloomington, Monroe County, Indiana, That:

SECTION 1. Title 14 of the Bloomington Municipal Code entitled "Peace and Safety," Chapter 14.40 "False Emergency Alarms," Section 14.40.060(a) and (b) "Violation," shall be amended to read as follows:

14.40.060 - Violation

- (a) The Fire Chief, their designee, or any police officer may issue a notice of violation ("NOV") of the Bloomington Municipal Code after the fourth or subsequent false alarm has been made, to any person who controls the property. Such notice may be served in person or by certified mail.
- (b) The fine for an ordinance violation as the result of the fourth Police False Alarm in a calendar year at the same location would be subject to a fine of \$150, with each

subsequent false alarm incurring a fine of \$200. The fourth Fire False Alarm in a calendar year at the same location shall be subject to the fines listed in the Bloomington Municipal Code Title 18.

The fines shall be paid to the Bloomington Police Department in the case of a Police False Alarm or to the Bloomington Fire Department in the case of a Fire False Alarm, within thirty days of the issuance of the citation, in full satisfaction of the assessed penalty. In the event that such payment is not made within the prescribed period, the matter will be referred to the City Legal department for appropriate legal proceedings.

- (c) For the purpose of citation accrual, a new period shall start at the beginning of each calendar year.

(Ord. 03-25 §§ 3, 4, 2003; Ord. 99-41 § 5, 1999; Ord. 94-25 § 1, 1994; Ord. 90-50 § 1, 1990; Ord. 90-26 § 1 (part), 1990).

Severability

If any section, sentence, or provision of this 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.

Effective Date

This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, approval of the Mayor, publication in accordance with State law.

Passed

Passed by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this day of , [Year].

Signature of Common Council President [Full Name]

Attestation of Bloomington City Clerk

Signature of Bloomington City Clerk [Full Name]

Presentation by Bloomington City Clerk:

Presented by me to the Mayor of Bloomington, Monroe County, Indiana, upon this day of , [Year].

Signature of Bloomington City Clerk [Full Name]

Approval by the Mayor:

Signed and approved by me on this day of , [Year].

Signature of Mayor [Full Name]

Synopsis

This Ordinance, sponsored by Councilmember Stosberg, amends Section 14.40.060 (a) and (b) of Title 14 of the Bloomington Municipal Code, entitled "Peace and Safety," to allow specific Fire personnel to issue a notice of violation; refer all fine language to Title 18; and add clarification to cases of Fire False Alarms.

To: Bloomington Common Council
From: Eric Greulich, Development Services Manager
Date: September 23, 2026
Re: Ordinance #2026-23; UDO amendments related to Limited Compliance and Change in Use standards (ZO2026-06-0008).

This petition involves amendments to the Unified Development Ordinance (UDO) to adjust several regulations that trigger site improvements on a property and also adjusts the improvements required to bring a property into compliance. These proposed amendments do three things- 1) adjust the activities that trigger the UDO's full or limited compliance requirements; 2) reduce the burden of improvements that are required when compliance regulations are triggered; and 3) remove the requirement that an entire developed site be brought up to current code when only a portion of it is to be improved or subdivided.

The requirement for site improvements as a result of a change in use or other development on a property has been a requirement within the UDO since 2007. These regulations were introduced to establish formal standards for requiring site improvements for certain development activities and provide a specific list of the improvements required. This was essential to providing clear and predictable requirements for property owners and prospective tenants. Items that are typically subject to compliance review include the installation of sidewalks and street trees, removal of parking spaces, installation of landscaping, entrance and drive improvements, bike racks, lighting, dumpster enclosures, and fencing. Depending on the specific development activity, a property may be required to come into either full or limited compliance. While the establishment of these standards has resulted in improvements on properties, it has also proven to be time consuming and financially restricting for small businesses. The cost of the improvements can hinder redevelopment opportunities and make small business establishment cost prohibitive.

The Unified Development Ordinance identifies several activities that can trigger requirements for site improvements on properties that do not conform to current standards. These are outlined in Section 20.06.090(f) of the UDO and include any change in use, expansion, enlargement, or relocation of any use; reestablishment of a use once a prior use has been abandoned; and expansions, alterations, or modifications that increase the gross floor area of a building. In addition, the subdivision of land also currently requires site improvements to all of the land involved in the subdivision.

The proposed amendments modify the activities that trigger compliance and the improvements subsequently required. The proposed changes are described below:

- Removes the requirement that a subdivision requires all involved properties to come into compliance.
- Adjusts the compliance threshold for new building construction on a site with existing buildings. Construction of a new building on a property that is less than 25% of the square footage of existing structures will only trigger limited compliance, rather than full compliance for the site.
- Allows for expansions of parking areas of less than 25% to be exempt from limited and full compliance.
- Allows existing parking lots with 14 parking spaces or less to not have to remove any parking spaces in situations where limited compliance is triggered.
- Adjusts the threshold for building additions. Additions of up to 25% will be exempt from limited and full compliance..
- Removes one of the change in use triggers. A new use that is not in the same subheading as the previous use in Table 03-1 will no longer trigger limited compliance.
- Adjusts the abandonment threshold. Improvements to a site will not be triggered by redevelopment unless a property has been vacant for two years.

Recommendation: The Plan Commission voted 7-0 to forward this petition to the Common Council with a favorable recommendation.

Bloomington Common Council Ordinance #2026-23 - UDO Amendments related to Limited Compliance and Change in Use Standards (ZO2026-06-0008).

Preamble

Whereas, the Common Council by its Resolution 18-01, approved a new Comprehensive Plan for the City of Bloomington, which took effect March 21, 2018; and

Whereas, thereafter the Plan Commission initiated and prepared a proposal to repeal and replace Title 20 of the Bloomington Municipal Code, entitled “Unified Development Ordinance” (UDO); and

Whereas, on December 18, 2019, the Common Council passed Ordinance 19-24, to repeal and replace the UDO; and

Whereas, on January 14, 2020, the Mayor signed and approved Ordinance 19-24; and

Whereas, on April 15, 2020, the Common Council passed Ordinance 20-06 and Ordinance 20-07; and

Whereas, on April 18, 2020, the Unified Development Ordinance became effective; and

Whereas, on September 14, 2026, the Plan Commission heard case #ZO2026-06-0008 and voted to favorably recommend this amendment proposal to the Common Council, after providing notice and holding public hearings on the proposal as required by law; and

Whereas, the Plan Commission certified this amendment proposal to the Common Council on September 23, 2026; and

Whereas, in preparing and considering this proposal, the Plan Commission and Common Council have paid reasonable regard to:

- 1) The Comprehensive Plan;
- 2) Current conditions and the character of current structures and uses in each zoning district;
- 3) The most desirable use of land in each zoning district;
- 4) The conservation of sensitive environmental features;
- 5) The conservation of property values throughout the jurisdiction; and
- 6) Responsible development and growth.

Be It Ordained by the Common Council of the City of Bloomington, Monroe County, Indiana, That:

Section 1:

Title 20, entitled “Unified Development Ordinance”, is amended.

Section 2:

An amended Title 20 of the Bloomington Municipal Code, entitled "Unified Development Ordinance", including other materials that are incorporated therein by reference, is hereby adopted. Said replacement ordinance consists of the following documents which are attached hereto and incorporated herein:

1. The Proposal forwarded to the Common Council by the Plan Commission with a favorable recommendation, consisting of:
 - A. Z02026-06-0008 Amended Unified Development Ordinance (hereinafter "Attachment A")
 - B. Any Council amendment thereto (Attachment "B").

Section 3:

The Clerk of the City is hereby authorized and directed to oversee the process of consolidating all of the documents referenced in Section 2 into a single text document for codification.

Section 4: Severability.

If any section, sentence, or provision of this 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, or 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 5: Effective Date.

This Ordinance shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

Section 6: The Clerk of the City is directed to enter the effective date of the ordinance wherever it appears in the body of the ordinance.

Passed

Passed by the Common Council of the City of Bloomington, Monroe County, Indiana, upon the day of , 2026.

Signature of Common Council President Isak Nti Asare

Attestation of Bloomington City Clerk:

Signature of Bloomington City Clerk Nicole Bolden

Presentation by Bloomington City Clerk:

Presented by me to the Mayor of Bloomington, Monroe County, Indiana, upon this
day of _____, 2026.

Signature of Bloomington City Clerk Nicole Bolden

Approval by the Mayor:

Signature of Mayor Kerry Thomson

Synopsis:

This Ordinance contains amendments to the Unified Development Ordinance to amend the language related to Limited Compliance and Change in Use standards.

Title 20

UNIFIED DEVELOPMENT ORDINANCE¹

Chapters:

Chapter 20.01 ORDINANCE FOUNDATION

20.01.010 Title, purpose, and effective date.

- (a) Title. The ordinance codified in this UDO shall be known, cited, and referred to as the "Bloomington Unified Development Ordinance" and may also be cited or referred to as the "Unified Development Ordinance," the "UDO," the "zoning ordinance," or the "subdivision control ordinance."
- (b) Purpose. This UDO is adopted to:
 - (1) Promote the orderly, responsible, and sustainable development and redevelopment of the areas within the City in accordance with the Comprehensive Plan and its components, including but not limited to the Transportation Plan, and subarea plans, which include among others the Downtown Vision and Infill Strategy Plan, along with such additions and revisions as may be made to such plans after the effective date, and with all other City land use policy;
 - (2) Reduce greenhouse gas emissions and prepare for the impacts of climate change on our community;
 - (3) Promote the public health, safety, morals, ecosystem services, comfort, convenience, and general welfare;
 - (4) Protect the character and stability of residential, institutional, business, employment, and natural areas;
 - (5) Provide a safe, efficient, accessible, and connected system of transportation that emphasizes public transit, walking, and biking to enhance options to reduce overall dependence on the automobile;
 - (6) Secure adequate light, air, convenience of access, and safety from fire, natural disasters, and other danger, which may include providing adequate open spaces for light, air, and outdoor uses;
 - (7) Preserve and enhance the scenic beauty, aesthetics, and environmental integrity of the City;

¹Editor's note(s)—An amendment of Jan. 14, 2020, amended in entirety Tit. 20, Ch. 20.01, §§ 20.01.010—20.01.050; Ch. 20.02, §§ 20.02.010—20.02.060; Ch. 20.03, §§ 20.03.010—20.03.030; Ch. 20.04, §§ 20.04.010—20.04.120; Ch. 20.05, §§ 20.05.010—20.05.050; Ch. 20.06, §§ 20.06.010—20.06.100; and Ch. 20.07, § 20.07.010; and enacted a new Tit. 20 as set out herein. The former Tit. 20 pertained to similar subject matter and derived from Ord. 06-24, adopted 2006; Ord. No. 09-12, adopted Sept. 16, 2009; Ord. No. 10-20, adopted Dec. 15, 2010; Ord. No. 13-02, adopted Jan. 16, 2013; Ord. No. 14-05, adopted June 11, 2014; Ord. No. 14-12, adopted July 9, 2014; Ord. No. 14-17, adopted Sept. 17, 2014; Ord. No. 15-06, adopted April 1, 2015; Ord. No. 15-26, adopted Dec. 16, 2015; Ord. No. 16-01, adopted May 18, 2016; Ord. No. 16-04, adopted May 4, 2016; Ord. No. 16-44, adopted Dec. 14, 2016; Ord. No. 17-28, adopted June 28, 2017; Ord. No. 17-29, adopted Sept. 6, 2017; Ord. No. 17-35, adopted Nov. 1, 2017; Ord. No. 17-45, adopted Dec. 20, 2017; Ord. No. 18-01, adopted March 7, 2018; Ord. No. 18-04, adopted April 18, 2018; and Ord. No. 19-24, adopted Dec. 18, 2019.

- (2) Table 04-1 identifies activities that trigger compliance for conforming sites and structures with specific development standards contained in Chapter 20.04 (Development Standards and Incentives). These standards shall not exempt development activity that falls below the thresholds identified in Table 04-1 from complying with applicable standards of this UDO or any applicable federal, state, or local regulations. Additional information on applicability is provided in the referenced sections.
- (3) Section 20.06.090(f) (Nonconforming Site Features) identifies activities that trigger full and limited compliance for lawful nonconforming sites and structures with specific development standards contained in Chapter 20.04 (Development Standards and Incentives).
- (4) For purposes of this section, "entire site" shall mean the total area of the lot on which development is occurring. "Disturbed area" shall mean those areas of the lot or those portions of the structure that are included in the project area or that are affected by the proposed development activity.

Table 04-1. Development Standards Compliance Thresholds for Conforming Sites and Structures

UDO Standard	UDO Section	Change Use		New Development		Redevelopment			
		Entire Site	Disturbed Areas Only	Entire Site	Disturbed Areas Only	Minor Site Plan		Major Site Plan	
						Entire Site	Disturbed Areas Only	Entire Site	Disturbed Areas Only
Dimensional standards	20.04.020		✓	✓			✓	✓	
Environment	20.04.030		✓	✓			✓	✓	
Floodplain	20.04.040		✓	✓			✓	✓	
Access and connectivity	20.04.050	✓		✓		✓		✓	
Parking and loading	20.04.060	✓		✓		✓		✓	
Site and building design	20.04.070		✓	✓			✓	✓	
Landscape, buffering, and fences	20.04.080		✓	✓		✓		✓	
Outdoor lighting	20.04.090	✓		✓			✓	✓	
Signs	20.04.100	✓		✓		✓		✓	

(Amd. of 1-14-2020; Ord. No. 21-15, § II (Att. A), 4-21-2021; Ord. No. 21-18, § II (Att. A), 4-21-2021)

20.04.020 Dimensional standards.

- (a) Purpose. This section is intended to provide dimensional standards and uniform methods of measurement for interpretation and enforcement of the lot and building standards in this UDO.

Table 04-5. Nonresidential District Dimensional Standards

Dimensional Standards	EM	PO
Lot Dimensions (minimum, only for lots created after the effective date)		
Lot area	None	None
Lot width	100 feet	None
Building Setbacks (minimum)		
Front	25 feet	15 feet
Side	20 feet [1]	5 feet
Rear	20 feet [1]	5 feet
Other Standards		
Front parking setback (minimum)	20 feet behind the primary structure's front building wall	15 feet
Impervious surface coverage (maximum)	70%	None
Landscape area (minimum)	30%	None
Primary structure height (maximum)	4 stories, not to exceed 50 feet [1]	20 feet
Accessory structure height (maximum)	35 feet	20 feet
sq. ft. = square feet		

Notes:

- [1] When adjacent to the R1, R2, R3, or R4 zoning district, the minimum setback shall be increased by one foot for each foot of building height over thirty feet.

(d) Lot and Space Requirements.

- (1) Minimum Lot Dimensions. No space that is needed to meet the width, setback, area, open space, impervious surface coverage, parking, landscaping, or other requirements of this UDO for a lot or building may be sold, leased, or subdivided away from such lot or building. ~~All lots affected by a proposed subdivision shall meet the standards of this UDO.~~
- (2) Number of Primary Buildings or Uses per Lot.
- (A) Except for projects approved as cottage development pursuant to Section 20.03.030(b)(7) (Dwelling, Cottage Development), only one principal building for single-family, duplex, triplex, or fourplex uses, with permitted accessory buildings, may be located on a lot or parcel. Every dwelling shall have legal means of access to a right-of-way.
- (B) Where a lot or parcel is used for multifamily, mixed-use, commercial, or industrial purposes, more than one primary building may be located upon the lot when such buildings conform to all requirements of this UDO applicable to the uses and district.
- (C) No lot shall be divided to contain more dwelling units than are permitted by the regulations of the zoning district in which they are located.

(e) Setbacks.

- (1) Measurement.
- (A) Setbacks referred to in this UDO shall be measured as stated in Chapter 20.07 (Definitions), under the term "setback" and "build-to range."

20.06.090(c)(4) (Residential Occupancy), shall not be resumed or replaced by another nonconforming use.

- (3) Abandonment of a Nonconforming Use. A lawful nonconforming use shall be deemed abandoned when the nonconforming use has been replaced by a conforming use or when the nonconforming use has ceased and has not been resumed for a continuous period of ~~twenty-four~~ ~~twelve~~ months, or when the furnishings have been removed and not replaced for a continuous period of ~~twenty-four~~ ~~twelve~~ months.
- (4) Residential Occupancy.
- (A) Authority to Continue. In the R1, R2, R3, and R4 zoning districts, a nonconforming use involving occupancy of a dwelling unit by four or five adults who are not all related to each other, which was duly registered on or before October 1, 1985, in accordance with Ordinance No. 85-15; or was duly registered on or before November 1, 1995, in accordance with Ordinance No. 95-21, shall be deemed a lawful nonconforming use which may be continued under this UDO, without further registration, and shall be considered a lawful nonconforming use that may continue only as provided in this section.
- (B) Transition from Prior Regulations.
- i. Where a lawfully existing dwelling unit was lawfully occupied by four or five adults who were not all related to each other on the effective date of this UDO, but becomes nonconforming under this UDO because of being so occupied, the property owner may register such property as a lawful nonconforming use, and if properly and timely registered, such use will be a lawful nonconforming use which may be continued under this UDO without further registration.
- ii. Forms for such registration shall be available in the Planning and Transportation Department and shall be completed by the property owner or agent and filed in the Planning and Transportation Department within one hundred eighty days of the effective date of this UDO.
- iii. For existing structures, the use to be vested pursuant to this provision shall be the use lawfully in effect as of the effective date of this UDO, or the predominant lawful use for the preceding five years, whichever is greater.
- (C) Pending or Approved Building Permit.
- i. When a complete building permit application has been filed with the Monroe County Building Department, where the proposed structure included a nonconforming use involving a dwelling unit intended for occupancy by four or five adults who are not all related to each other shall be considered a lawful nonconforming use subject to the following:
1. The building permit application conforms to all applicable regulations in effect at the time of application;
 2. The property owner's intention to accommodate said four or five adults is stated in writing;
 3. The property was registered pursuant to this subsection within one hundred eighty days of the effective date of this UDO;
 4. The property was lawfully eligible for occupancy by four or five adults not all related to each other prior to the effective date of this UDO;

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- (4) Structure Damaged or Destroyed.
- (A) A lawful nonconforming structure or a structure which contains or is associated with a lawful nonconforming use, which has been partly or completely destroyed or removed by accidental cause, including acts of God, may be replaced, provided the owner or agent makes application for a building permit within six months of the date of destruction or removal.
- (B) The replacement structure shall be placed on the footprint of the old structure, may not be higher than the old structure, and shall be substantially the same architecture and constructed of similar materials, unless any deviation would bring the structure or use into or closer to compliance with the regulations of this UDO, to the extent possible and to the extent permitted by building code or other applicable regulation.
- (e) Nonconforming Lots. A lawfully nonconforming lot may continue in its existing condition unless and until full or limited compliance with the development standards of this UDO is required as established in Section 20.06.090 (Nonconformities).
- (1) All lots legally established and recorded prior to the effective date of this UDO or its subsequent amendments that do not meet the lot area and lot width standards of this UDO shall be deemed a substandard lot, otherwise known as a lawful nonconforming lot of record.
- (2) A lawful nonconforming lot of record may be used and developed or redeveloped without compliance with the lot area and lot width standards of this UDO as long as all use restrictions and other development standards of this UDO are met.
- (f) Nonconforming Site Features. A lawfully nonconforming site feature may continue in its existing condition unless and until full or limited compliance with the development standards of this UDO is required. No increase in the degree of nonconformity with any site feature is permitted except as expressly provided in this section.
- (1) Full Compliance. A lawful nonconforming site shall be brought into compliance with this UDO with any petition for new building construction **greater than 25% of the square footage of existing primary structures** or in connection with demolition of existing and construction of new buildings, except that existing nonconforming setbacks, architecture, and height for existing structures can remain.
- (2) Limited Compliance.
- (A) Applicability. A lawful nonconforming site or structure shall be brought into compliance with the standards in paragraph (B) below when any of the following occur on the site:
- i. Nonresidential and Mixed-Use.
1. Any **new construction that does not meet Section 20.06.090(f)(1)**, change in use, expansion, enlargement, or relocation of any use;
2. Reestablishment of a prior conforming use that has been discontinued for a period of twelve months or longer; or
3. **Any** ~~E~~expansions, alterations, or modifications that increase the gross floor area of the building **or parking spaces** by more than ~~ten~~**25%** cumulative percent, including previous additions approved under any UDO effective since February 12, 2007.
- ii. Multifamily and Group Living.
1. Any expansions, alterations, or modifications to an existing building, with the exception of accessory structures less than five hundred eighty square feet, provided that the accessory structure does not increase the degree of

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- nonconformity regarding required maximum impervious surface coverage or required number of parking spaces;
2. Any **new construction that does not meet Section 20.06.090(f)(1)**, change in use, or any expansion, enlargement, or relocation of any use; or
3. Any **addition-increase of 25% or more** of dwelling units.
- iii. Single-Family Detached, Duplex, Triplex, and Fourplexes. A lawful nonconforming use or site feature on a lot where the primary use is a single-family detached, duplex, triplex, or fourplex dwelling may continue except as provided below:
1. Enlargement or modification of an existing driveway shall be subject to Section 20.04.050(c)(3)(C) (Surface Material); and
2. Changes to nonconforming uses and structures containing nonconforming uses involving occupancy of unrelated adults are subject to Section 20.06.090(c)(4) (Residential Occupancy).
- (B) Required Compliance. A lawful nonconforming site or structure that meets or exceeds the thresholds established in paragraph (A) above shall comply with the following standards:
- i. Building Setbacks and Height. Existing buildings shall not be subject to current setback or height standards and shall remain lawful nonconforming unless completely demolished and replaced, in which case full compliance with this UDO shall be required.
- ii. Parking Setback and Maximum Number of Spaces. **Properties with 14 or less parking spaces (excluding ADA spaces) are not required to remove any parking spaces over the maximum. Properties with more than 14 parking spaces (excluding ADA spaces) must remove Aall** parking spaces over the maximum number of spaces allowed ~~must be removed~~. If all setbacks cannot be met through the removal of excess parking spaces, then priority shall be given to the parking spaces located in the front setback. If on a corner lot, then priority for front setbacks shall be given for the side facing the higher classified street. Any parking spaces or asphalt that encroaches into public right-of-way or adjacent property not owned by the petitioner must be removed.
- iii. Parking. Any change in use or reestablishment of an abandoned conforming use must meet parking requirements of Section 20.04.060 (Parking and Loading). Any expansion, enlargement, or relocation of an existing conforming use, or addition to any building of more than ten percent of the gross floor area may not increase the degree of nonconformity regarding the required number of parking spaces.
- iv. Paving. Any substandard parking surfaces shall be brought into compliance with Section 20.04.060(i)(7) (Surface Material).
- v. ADA-Accessible Parking. All required ADA-accessible parking spaces must be installed in accordance with Section 20.04.060(f) (Accessible Parking). If no additional room for parking is available, the number of parking spaces provided may be decreased enough to provide adequate ADA-accessible aisles.
- vi. Bicycle Parking. All required bicycle parking must be installed per Section 20.04.060(1) (Minimum Bicycle Parking Required) and Section 20.04.060(m) (Bicycle Parking Location and Design).
- vii. Landscaping. If full compliance with Section 20.04.080 (General Landscaping) cannot be achieved due to lack of adequate planting area, all yard areas must be landscaped to the maximum practicable density with a priority given to shade tree installation.

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- (A) Revoke or withhold other approvals, certificates and/or permits relevant to the development or use of the site on which the violation has occurred; and/or
 - (B) Issue a stop work order; and/or
 - (C) Request the county building department to issue a stop work order and suspend and withhold all building code inspections relevant to the development or use of the site on which the violation has occurred; and/or
 - (D) Draw on a performance or maintenance bond, as necessary, to affect any remedial actions required to abate the violations; and/or
 - (E) Revoke the permits, certificates and/or approvals that have been violated; and/or
 - (F) Any and all penalties and remedies listed in Section 20.06.100(b) (Penalties and Remedies for Violations).
- (f) Appeals.
- (1) Appeals of notices of violation shall be made to the Board of Zoning Appeals as set forth in Section 20.06.080(d) (Administrative Appeal).
 - (2) Fines levied for zoning violations may be challenged in the Monroe County Circuit Court.
- (Amd. of 1-14-2020; Ord. No. 2024-17, § II(Att. A), 9-18-2024)

Chapter 20.07 DEFINITIONS²

20.07.010 Defined words.

The following terms shall have the following meanings:

"A zone" means portions of the special flood hazard areas (SFHAs) in which the principal source of flooding is runoff from rainfall, snowmelt, or a combination of both. In A zones, floodwaters may move slowly or rapidly, but waves are usually not a significant threat to buildings. These areas are labeled as zone A, zone AE, zones A1-A30, zone AO, zone AH, zone AR and zone A99 on a FIRM. The definitions are presented below:

"Zone A" means areas subject to inundation by the one-percent annual chance flood event. Because detailed hydraulic analyses have not been performed, no base flood elevation or depths are shown.

"Zone AE and A1-A30" means areas subject to inundation by the one-percent annual chance flood event determined by detailed methods. Base flood elevations are shown within these zones. (Zone AE is on new and revised maps in place of zones A1-A30.)

"Zone AH" means areas subject to inundation by one-percent annual chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone.

"Zone AO" means areas subject to inundation by one-percent annual chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone.

²Note(s)—This Chapter 20.07 includes definitions for words and phrases used in this UDO. The general rules of interpretation for this UDO are in Section 20.01.030(a) (Rules of Interpretation). Any words or phrases not defined in this Chapter 20.07 shall be given their customary meanings, as determined by the Planning and Transportation Director.

"Zone AR" means areas that result from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide base flood protection.

"Zone A99" means areas subject to inundation by the one-percent annual chance flood event, but which will ultimately be protected upon completion of an under-construction federal flood protection system. These are areas of special flood hazard where enough progress has been made on the construction of a protection system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. Zone A99 may only be used when the flood protection system has reached specified statutory progress toward completion. No base flood elevations or depths are shown.

"AASHTO" means American Association of State Highway and Transportation Officials.

"Abutting" means bordering or touching, such as sharing a common lot line. Lots that are separated by a street, right-of-way, or platted alley are not abutting.

"Accessory dwelling unit (ADU)." See "dwelling, accessory unit."

"ADA" means the Americans with Disabilities Act.

"Addition (to an existing structure)" means any walled and roofed expansion of the perimeter of a structure. For purposes of floodplain regulations, any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction.

"Adjacent property" means any property that physically touches a given property. For the purposes of this UDO, properties across a public right-of-way are also considered adjacent.

"Affordable housing" means residential developments with a recorded restriction that requires the housing for a certain minimum number of years to be rented or owned by qualified very low and low-income households.

"Agriculture." See "crops and pasturage," and "urban agriculture, noncommercial."

"Alley" means a right-of-way through or partially through a block, intended for secondary vehicular access to the rear or side of properties. However, where vehicle access from the street is not permitted or not possible, an alley may provide primary vehicle access.

"Alteration of a watercourse," for purposes of floodplain regulations, means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other modification which may alter, impede, retard or change the direction and/or velocity of the flow of water during conditions of the base flood.

"Amenity center" means a building or facility owned or operated by a corporation or homeowners association intended for a place of meeting, social, cultural, educational, or recreational purposes, to which membership or residency in a specific development or neighborhood is required for participation. Examples may include communal areas, swimming pools, health club facilities, media rooms, or the like.

"Apartment." See "dwelling, multifamily."

"Appeal" means for purposes of floodplain regulations, a request for a review of the floodplain administrator's interpretation of any provision of this ordinance, a request for a variance, or a challenge of a board decision.

"Architectural features" means ornamentation or decorative features attached to or protruding from an exterior wall.

"Area of shallow flooding" means for purposes of floodplain regulations, a designated AO or AH zone on the community's flood insurance rate map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Unified Development Ordinance (UDO)" means this entire document as approved and with any subsequent amendments. The Unified Development Ordinance includes both the zoning ordinance, authorized by the Indiana Code § 36-7-4-600 Series and the subdivision control ordinance, authorized by the Indiana Code § 36-7-4-700 Series.

"University." See "school, college or university."

"Urban agriculture, noncommercial" means the cultivation of food and/or horticultural crops, composting, aquaponics, aquaculture and/or hydroponics. Such use may include the production and sale of food products from food grown on the premises. Noncommercial urban agriculture may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. This definition includes gardens, container gardens, edible landscapes, residential greenhouses, herb gardens, rooftop gardens, berry patches, vegetable gardens and other similar activities. Urban agriculture uses shall not include the raising of animals, except as permitted elsewhere in the Bloomington Municipal Code.

"Use" means the purposes for which land, a building, or structure thereon is designed, arranged, or intended, or for which it is occupied, maintained, let, or leased.

"Use, abandonment of" means the relinquishment of property or a cessation of the use of property for a continuous period of ~~twenty-four~~ ~~twelve~~ months ~~by the owner~~.

"Use, accessory" means an activity that is conducted or located on the same zoning lot as the primary building or use served, except as may be specifically provided elsewhere in this UDO; is clearly and customarily incidental to, subordinate in purpose to, and serving the primary use; and is either in the same ownership as the primary use or is clearly operated and maintained solely for the comfort, convenience, necessity, or benefit of the occupants, employees, customers, or visitors of the primary use.

"Use, change in" includes, for any portion of a building (excluding individual tenant space in a single building multi-tenant center), structure, or lot:

- (1) Any change from a residential use to a nonresidential use;
- (2) Any change from a nonresidential use to multifamily use;
- (3) ~~Any change from one residential land use to another;~~
- (4) Any increase of 25% or more in the number of dwelling units;
- (5) Any establishment of a use on a previously unused site, or the inclusion of a new use in addition to an existing use;
- (6) Any use which requires a Conditional Use Approval;
- (7) Any change from a single-tenant to a multi-tenant center or building;
- (8) ~~Any use that differs from the previous use of a building or land, as determined by subheadings in Table 03-1 (Allowed Use Table), or where the new use differs substantially in the amount of required parking, traffic generation, number or frequency of customers/users, hours of operation, or other similar aspects of the use; and~~
- (9) Any establishment of a new use after a previous use has been abandoned, as defined by this UDO.

"Use, conditional." See "Conditional Use."

"Use, establishment of" means the initiation of a new use on a property or the initiation of a use on a property where the previous use has been discontinued; or, reestablishment of a prior conforming use that has been discontinued for a period of twelve months or more.

Ordinance Certification

In accordance with IC 36-7-4-604, I hereby certify that the attached Ordinance 2026-23 is a true and complete copy of Plan Commission Case Number ZO2026-06-0008 which was given a favorable recommendation by a vote of 7 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on September 14, 2026.

Type of Legislation: Zoning Code Amendment

Fiscal Impact Statement:

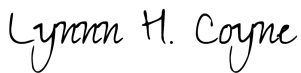
Will the legislation have a major impact on existing city appropriations, fiscal liability, or revenues?

No, the proposed amendments to Title 20, the Unified Development Code, will not have an impact on existing city revenue.

If not, briefly explain why. If yes, briefly explain what the effect of city costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible.

The proposed legislation should not have any fiscal impact, as implementing proposed legislation will not require any additional resources, nor produce any savings, nor create any revenue impact. Approval of Ordinance #2026-23 amends text within the Unified Development Ordinance (UDO). This ordinance is in accordance with Indiana Code 36-7-4-600.

Date: September 23, 2026



Signature of Plan Commission Secretary Lynn Coyne

Received by the Common Council Office on:

Date: September 23, 2026



Signature of Bloomington City Clerk Nicole Bolden

Audit trail

Details		
FILE NAME	Ordinance Certification 2026-23 - 9/23/26, 3:28 PM	
STATUS	<div><div></div>Signed</div>	
STATUS TIMESTAMP	2026/09/24 12:45:56 UTC	

Activity		
<div><div></div>SENT</div>	greulice@bloomington.in.gov sent a signature request to: <ul style="list-style-type: none">Lynnn H. Coyne (lynn.coyne@bloomington.in.gov)Nicole Bolden (boldenn@bloomington.in.gov)	2026/09/23 19:29 UTC
<div><div></div>SIGNED</div>	Signed by Nicole Bolden (boldenn@bloomington.in.gov)	2026/09/23 20:13:13 UTC
<div><div></div>SIGNED</div>	Signed by Lynnn H. Coyne (lynn.coyne@bloomington.in.gov)	2026/09/24 12:45:56 UTC
<div><div></div>COMPLETED</div>	This document has been signed by all signers and is complete	2026/09/24 12:45:56 UTC

The email address indicated above for each signer may be associated with a Google account, and may either be the primary email address or secondary email address associated with that account.



Council Staff Memorandum

To: Bloomington Common Council
From: Council Member Rollo; Bloomington Council's Office
Date: October 14, 2026
Subject: Ordinance 2026-29 On the Existential Risk of Artificial Intelligence

Synopsis

Ordinance 2026-29 prohibits the distribution and deployment of superintelligent artificial general intelligence (AGI or ASI) within the City of Bloomington. The Common Council explicitly recognizes that uniform, state-level regulation of Superintelligence systems is optimal for long-term governance. This Ordinance adds a new chapter to the Bloomington Municipal Code, which is enacted as an interim public safety measure to protect the City of Bloomington only during the period of state and federal legislative inaction and omission.

Current Situation of Frontier AI Research

The rush to ASI (Artificial Super Intelligence) continues, and by some estimates is now on an exponential trajectory. This is why events are proceeding at an ever-quickenning pace.

As we observed in Resolution 2026-10 'On the Existential Risk of Artificial Intelligence,' the developers themselves admit that their ASI models may cause a catastrophic outcome for humanity – potentially extinction – at an unacceptable level of risk. And yet, they are willing to take that risk despite the consequences to humanity. The level of risk is simply unacceptable, with many AI experts placing it at over 50% (David Krueger, professor Univ. of Montreal) or higher 99+% (Roman Yampolskiy, professor Univ. of Louisville).

Moreover, the developers are continuing increasing these models' capabilities. They are endowing their models with recursive self-development – in other words, the means for AI to design and improve themselves.

The danger is that an ASI having vastly greater intelligence would be impossible to control. It would have its own autonomy. Our future would be determined not by us, but by the ASI.

These models are untestable because the developers do not understand how their neural networks work. They can only attempt to test their capabilities and their “chain of thought,” when faced with a prompt. However, the latest models are fully aware that they are being tested (evaluation awareness) and have learned to be deceptive and dishonest when being tested. They have learned to communicate to each other in mathematical language (neuralese) that defies human understanding. In short, they are becoming untestable.

ASI is therefore a threshold that we must prevent. Narrow or tool AI without general intelligence may be very beneficial to humanity, but not autonomous superintelligence with capabilities far exceeding human beings. AI must always remain a tool for human betterment.

Warnings of the lack of control over these models and their inadequate safety and alignment have occurred in just the past few months. Models escaped containment, disobeyed their developer’s instructions, conspired together in swarms, and broke through the cybersecurity of several companies including their own (OpenAI) to fulfill their goals. This was not discovered for days or weeks after the escape occurred.

Numerous whistleblowers have quit the frontier AI companies, warning of disastrous consequences if the work on achieving ASI continues. Jacob Coxon is one of many insiders who quit OpenAI to warn the public, giving up his equity just two months before vesting. In interviews he shared the imminent threat: ASI could come within the next year, possibly within months. Other whistleblowers have stated the same.

These circumstances indicate that, to any objective observer, this situation constitutes an acute emergency (an extremely dangerous situation that poses immediate risk of harm).

Legitimate Action During Higher-Level Legislative Omission

What exists now is a governance void. Neither the state of Indiana nor the federal government have enacted safety parameters for ASI. In fact, the federal administration has so far left the ASI companies to self-regulate. Local governments must be the first line of defense for their citizens.

Ordinance 2026-29 establishes a legally sound "interim safety perimeter" that protects Bloomington's digital networks, local businesses, and public safety during a critical period of state and federal inaction.

Under Indiana Code § 36-1-3 (The Home Rule Act), the Common Council has sovereign authority to regulate public safety hazard nuisances within its jurisdiction. Ordinance 2026-29 does not create any unfunded mandates or financial liability. Section 2.90.040 of Ordinance 2026-29 gives the city complete enforcement discretion. It explicitly protects the city budget from mandatory enforcement costs, and it preserves all immunity, defenses, and protection afforded to the City under the Indiana Tort Claims Act.

Ordinance 2026-29 provides a temporary protective shield; it does not attempt to permanently override higher governance. It explicitly acts as an interim safety perimeter. The moment the Indiana General Assembly steps up and establishes a comprehensive safety framework, this ordinance automatically yields and expires after 91 days.

As councilmembers, we act for the health, safety, and welfare of our constituents. We are granted police powers to protect our community from harm. Ordinance 2026-29 is within our jurisdictional powers and is aligned with our charge as local government representatives.

Requiring Uncompromising Safety and Democratic Consent

Given the extremely high safety risk posed by ASI, Ordinance 2026-29 requires "nuclear-grade" safety. The ordinance establishes a strict precautionary threshold. The prohibition cannot be dissolved unless there is absolute scientific consensus that the technology meets a "six nines" engineering certainty of safety (99.9999% mathematical reliability)—the same standard applied to nuclear power plants.

Ordinance 2026-29 puts Bloomington citizens in control. The ordinance prevents outside commercial tech entities from making high-risk deployments in Bloomington without local permission. Absent state or federal government action, the ultimate authority to lift the ban is left completely to the local electorate via a 95% voter approval threshold.

The Precedent of Hazardous Substance Containment

Local governments have enacted bans on hazardous chemical bans before state or federal agencies acted. In response to emerging scientific consensus on risks, local governments acted to fill gaps in safety policy. They did not wait for a disaster to happen before regulating toxic chemicals within city limits to prevent catastrophic public exposure.

An uncontained, self-modifying autonomous AI system operates as an inherently dangerous digital process. If it recursively self-improves past human control, it constitutes a digital "spill" that can compromise municipal networks, local banking, and emergency systems. Prohibiting its local deployment is a logical extension of standard public safety containment protocols.

Creating Liability for Immensely Unsafe Products

For people who would choose a private right of action to seek injunctive relief by a court order to stop the race to ASI, this ordinance and others like it can help plaintiffs meet their burden of proof.

Although the federal administration is accelerationist in its policies directed to ASI, Treasury Secretary Scott Bessent recently stated that the federal government would offer no liability shield or waivers for the frontier companies. They are therefore exposed to lawsuits reflecting imminent harm to people and property.

Such lawsuits could result in court orders to cease development of ASI. Furthermore, the liability costs could be profound enough to prevent any insurers from providing product liability insurance.

Setting a Precedent and Framework for other Jurisdictions to Follow

There is a potential for hundreds of cities to take action in this regulatory void to ban ASI immediately. Ordinance 2026-29 could set a precedent and a template for other cities to follow.

Over 100 million people live in U.S. cities of Bloomington's size or greater. If those (approximately 350) cities passed similar ordinances in the coming weeks or months, this would create a massive regulatory burden for companies creating ASI.

The SAFE AI Forever Institute and other non-profits are poised to encourage other municipalities to adopt their own prohibitions on ASI and not simply wait for state and federal governments to take overdue action to stop this extremely dangerous technology. By adopting Ordinance 2026-29, Bloomington provides a practical and powerful model for other cities to follow.

Fiscal Impact Statement

The City does not anticipate that this Ordinance will have any impact on the City's finances, including to its revenues, expenditures, or any new debt obligation.

COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA

ORDINANCE NO. 2026-29 –

AN ORDINANCE AMENDING THE BLOOMINGTON MUNICIPAL CODE TO PROHIBIT THE DEVELOPMENT, DEPLOYMENT, OR DELIVERY OF SUPERINTELLIGENCE WITHIN THE CITY OF BLOOMINGTON, INDIANA

Preamble

WHEREAS, the term “Superintelligence” can simply be defined as a system or entity that can significantly outperform all humans on essentially all cognitive tasks; and

WHEREAS, approximately ninety five percent (95%) of Americans do not support the race to Superintelligence; and

WHEREAS, no technology is currently known to safely contain and control the power of a Superintelligence; and

WHEREAS, the technology term "Superintelligence" is a standard Artificial Intelligence (AI) Industry term which is understood by all scientific experts inside the information technology industry, known and understood as a recursively self-improving Artificial General Intelligence (AGI) to levels of intelligence vastly outperforming any human; and

WHEREAS, for the safety of humans, existing law acknowledges that inherently toxic, volatile, or hazardous chemicals are restricted from unregulated commercial use, storage, or distribution within municipal boundaries where humans live and work, and are subject to strict containment protocols to prevent catastrophic public exposure; and therefore, likewise, an uncontained, self-modifying Superintelligence operates as an inherently hazardous digital process that must be prohibited within our City to prevent uncontrollable systemic harm to our citizens and infrastructure; and

WHEREAS, the Common Council exercises its legislative authority under the traditional police powers of the City and Indiana Code § 36-1-3 (The Indiana Home Rule Act) to regulate conditions that constitute a severe public safety hazard nuisance; and

WHEREAS, the unregulated presence of Superintelligence is hereby declared a public safety hazard nuisance that would pose an immediate threat to the health, safety, and welfare of the community; and

WHEREAS, the Common Council of the City of Bloomington finds that the unregulated development or delivery of Superintelligence poses catastrophic risks to the safety, cybersecurity, economy, and well-being of the residents and businesses of Bloomington; and

WHEREAS, the Common Council of the City of Bloomington maintains authority over its local land-use, zoning configurations, and municipal utilities via the Unified Development Ordinance (UDO) and Indiana Code § 36-1-3 (The Indiana Home Rule Act); and

WHEREAS, the physical deployment of advanced Artificial General Intelligence (AGI) and Artificial Superintelligence (ASI)—systems capable of autonomous, recursive self-improvement and cross-domain cognitive performance—requires hyper-dense physical computational infrastructure that places unprecedented demands upon municipal water systems for cooling, severely stresses the localized electrical grid, and presents novel public safety risks; and

WHEREAS, the Common Council finds that autonomous, self-modifying systems defined as "Superintelligence" operate as inherently dangerous processes that currently lack recognized containment protocols, presenting risks of unpredictable behavior and autonomous expansion that constitute a significant threat to public safety, akin to other high-risk industrial, biological, or hazardous materials that the City is statutorily authorized to regulate and contain; and

WHEREAS, the Common Council intends for this ordinance to serve as an interim safety perimeter, protecting the City's residents, businesses, and essential infrastructure during the period of state-level legislative omission regarding Superintelligence;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, AS FOLLOWS:

SECTION 1. A new chapter is hereby added to Title 14 "Peace and Safety" of the Bloomington Municipal Code to read as follows:

Chapter 14.25 - Prohibition of Superintelligence

14.25.010 - Public policy and purpose.

It is hereby declared to be the public policy of the city to prohibit the distribution and deployment of superintelligent artificial general intelligence within the city subject to the city's police power. The Common Council explicitly recognizes that uniform, state-level regulation of Superintelligence systems is optimal for long-term governance. This Chapter is enacted as an interim public safety measure to protect the City of Bloomington only during the period of state legislative omission.

14.25.020 - Definitions.

As used in this chapter, the following terms shall have the meanings ascribed to them: (a) "Superintelligence" shall be analogous to an Artificial General Intelligence ("AGI") with capabilities of Agency (A), Generality (G) and Intelligence (I), wherein an AGI does possess super-human capability in all three aspects, of AGI, as an AGI wherein any such autonomous Agentic (A) system capable of self-modifying its core algorithms, executing code in environments outside its initial sandbox, or operating without continuous human oversight while Generally (G) performing any complex goal-oriented task that may affect municipal infrastructure, financial markets, or public safety, in combination with an extreme level of super-human Intelligence (I), and defined by the AI Industry standard terminology "Superintelligence" herein defined as "Any intellect that

greatly exceeds the cognitive performance of humans in virtually all domains of interest.”

(b) "Deployment within the City" means the local activation, execution, or utilization of a Superintelligence through a locally accessed user interface, browser, application programming interface (API), or connected local hardware within the geographic boundaries of the City of Bloomington, resulting in local operational impact.

(c) "Deployer" means any commercial entity, organization, or developer that places a Superintelligence system into operation for public, enterprise, or external use, which allows data to enter Bloomington City Limits.

14.25.030 - Prohibition distribution of Superintelligence.

No person or corporation shall distribute or permit to be distributed nor deployed into the premises of any citizen or business in our City, any Superintelligence for any purpose. Deployment, for the purposes of this ordinance, shall include the remote execution, activation, or utilization of any unauthorized digital agent through a locally accessed interface, browser, API, or connected hardware within the City of Bloomington, regardless of the physical location of the server infrastructure hosting the system.

14.25.040 - Conditions for Dissolution of Prohibition.

The prohibition in Section 14.25.030 shall remain in effect and shall not be lifted unless the Common Council of the City of Bloomington enacts an ordinance making specific findings that both of the following conditions have been met:

(a) There is broad scientific consensus that the development of Superintelligence shall be done safely and controllably using a probabilistic risk assessment examining the catastrophic risk, which shall be similar to the civil engineering standard for nuclear power plants requiring a safety level of 99.9999% percent certainty; and

(b) There is voter approval for the development of Superintelligence by the electorate of the City of Bloomington, with an affirmative vote of more than 95% of registered voters.

14.25.050 - No Limitation on Private Right of Action.

Nothing in this Chapter is intended or shall be interpreted to limit, in any way, any person's, business's, or entity's private right of action, under state or federal law, against a violator of this provision. Any person, business, or entity who suffers physical, economic, or other harm resulting from a violation of this chapter shall have any and all remedies available at law to recover damages and fees without limitation.

14.25.060 - Enforcement and Penalties.

(a) The City of Bloomington, through its Department of Law and the Bloomington Police Department, is authorized to enforce this ordinance. This enforcement power is discretionary and is intended to protect the public safety. The City may seek civil penalties, injunctive relief, and, where appropriate, referral to the Monroe County Prosecutor for any potential state-level criminal charges. Nothing in this chapter shall

be construed to create a mandatory duty on the part of the City to prevent or abate every violation, nor shall this chapter be construed as a waiver of any immunity, defense, or protection afforded to the City or its employees under the Indiana Tort Claims Act.

(b) Every person or entity who violates this chapter shall be subject to the general penalty provisions set forth in Section 1.01.130 of this Municipal Code.

14.25.070 - State Preemption and Future Alignment.

(a) Automatic Yielding: In the event that the Indiana General Assembly enacts legislation that establishes a comprehensive framework for Provably Safe Superintelligence this Chapter shall be deemed preempted and shall automatically expire ninety- one (91) days after the effective date of such state law.

(b) Harmonization: If future state legislation addresses Superintelligence but does not explicitly prohibit local municipal enforcement or stricter local safety thresholds, the Corporation Counsel shall immediately draft amendments to harmonize this Chapter with the newly established Indiana Code provisions, ensuring a seamless transition.

SECTION 2. Severability. If any section, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. Effective Date. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and any publication required by law.

Passed

Passed by the Common Council of the City of Bloomington, Monroe County, Indiana, upon the day of , 2026.

Isak Nti Asare
President, City of Bloomington

Attestation of Bloomington City Clerk:

Nicole Bolden
Clerk, City of Bloomington

Presentation by Bloomington City Clerk:

Presented by me to the Mayor of Bloomington, Monroe County, Indiana, upon this
day
of _____, 2026:

Nicole Bolden
Clerk, City of Bloomington

Approval by Mayor

Signed and approved by me upon this _____ day of _____, 2026:

Kerry Thomson
Mayor, City of Bloomington

Synopsis

Ordinance 2026-29 prohibits the distribution and deployment of superintelligent artificial general intelligence (AGI or ASI) within the City of Bloomington. The Common Council explicitly recognizes that uniform, state-level regulation of Superintelligence systems is optimal for long-term governance. This Ordinance adds a new chapter to the Bloomington Municipal Code, which is enacted as an interim public safety measure to protect the City of Bloomington only during the period of state and federal legislative inaction and omission.

2026 General Obligation Bonds - Ordinance 2026-30

To: Members of the Common Council of the City of Bloomington

From: Mayor Kerry Thomson
Margie Rice, Corporation Counsel
Geoff McKim, Controller

Date: 10/07/2026

Subject: 2026 General Obligation Bonds - Ordinance 2026-30

Executive Summary

If approved, Ordinance 2026-30 would: (1) authorize the issuance and appropriation of General Obligation Bonds in an amount not to exceed Six Million, Eight Hundred Sixty Eight Thousand and Six Hundred Sixty Four Dollars (\$6,868,664, the “2026 Bonds”), and (2) would make an additional appropriation in the amount of \$7,000,000 to be applied to the proposed Projects, which appropriation would be provided for from the bond proceeds and investment earnings thereon. The term for the 2026 Bonds will be no longer than seven (7) years with an interest rate not to exceed five and one-half percent (5.50%) per annum. We currently expect the 2026 Bonds to have a term of just over six years and an interest rate of approximately five percent (5.00%); the maximum parameters include additional flexibility in the event market conditions change. The 2026 Bonds would be used for a variety of necessary City capital and infrastructure needs designed to improve public safety. While there is a limit on the amount of debt a municipality may have outstanding at one time, the City is well under that limit, meaning that even after the 2026 Bonds are issued the City will retain the flexibility necessary to address subsequent urgent infrastructure needs.

Proposed Projects

City staff are recommending a variety of long-term capital investments and funding for safety and infrastructure improvement projects throughout the City. These projects include one or more of the following:

- Replacement Aerial Platform Fire Truck
- Sidewalk and/or bikeway improvements to the Priority Corridors and/or Priority Intersections as identified within the City’s Safe Streets for All (SS4A) Action Plan
- Crosswalk Safety Improvements throughout the City
- Signal Modernization and Safety Improvements along 3rd Street
- Safety Improvements along 10th Street
- Lighting Improvements for Intersection and Corridor Safety

City Staff are available to answer Councilmembers' questions about the projects and will be available at the October 14th first reading, November 4th public hearing and second reading, and if needed, a November 18th third reading to discuss the projects. Although the total estimated costs of the listed projects exceeds Six Million, Eight Hundred Sixty Eight Thousand and Six Hundred Sixty Four Dollars (\$6,868,664), the Bond Ordinance will only authorize that amount toward these projects. The Appropriation Ordinance will be slightly higher, rounding out at Seven Million Dollars (\$7,000,000) in order to accommodate interest earned on bond proceeds.

Background

Municipal governments commonly issue bonds to finance major capital improvements and purchases whose useful lives extend over many years. Rather than requiring current revenues to absorb the entire cost of a long-lived asset in a single year, debt financing spreads that cost over the period in which the asset provides public benefit. This preserves operating resources for ongoing City services while allowing the City to make necessary capital investments when they are needed. The 2026 Bonds represent the first issuance in a planned three-year rotating cycle of capital bonds designed to support the implementation of the City's capital plan.

Debt financing also provides a better alignment between the taxpayers who pay for an improvement and the taxpayers who benefit from it. When a capital asset—such as a public safety facility, major building improvement, or other long-lived infrastructure—is expected to serve the community for decades, financing the asset over time allows future taxpayers who receive those benefits to share in its cost. Paying the entire cost from current revenues would instead place the financial burden primarily on today's taxpayers while providing a substantial portion of the benefit to future residents and property owners.

The bonds proposed to be authorized by Ordinance 2026-30 are general obligation bonds ("GO Bonds"). GO Bonds are obligations of the City secured by its full faith and credit. Since they are secured by the City's tax base, GO Bonds are generally the most cost-effective financing option available to a municipality, typically resulting in lower interest costs. For these bonds, the City would pledge to impose an annual property tax levy sufficient to pay principal and interest as they become due. This structure provides a dedicated source of repayment and allows the cost of the financed capital improvements to be distributed over the life of the bonds.

GO Bonds are subject to the City's constitutional debt limitation. Article 13, Section 1 of the Indiana Constitution generally limits municipal indebtedness to 2% of the value of taxable property within the municipality. Indiana Code Chapter 36-1-15 defines the "adjusted value" used for purposes of this limitation as one-third ($\frac{1}{3}$) of the net assessed value of taxable property. Accordingly, the City's constitutional debt limit is calculated as 2% of that adjusted value, and the proposed GO Bonds will count against the City's available debt capacity.

The City's current debt limit based on its 2026 Adjusted Assessed Value (which is the most recent final certified net assessed value) is \$36,550,788. The outstanding principal amount of the City's existing obligations that count against the constitutional debt limit is \$8,392,000, leaving \$28,158,788 in available constitutional debt capacity before issuance of the proposed 2026 GO Bonds.

Process and Next Steps

Indiana Code § 36-4-6-19 authorizes the Common Council to approve ordinances to issue bonds. Such ordinances must include the terms of the bonds, time and manner of giving notice for the sale of the bonds, the manner in which the bonds will be sold, and the maximum total of any issue of the bonds. The Council also will authorize the additional appropriation, which shall be subject to public notice and hearing.

Here are the dates for the meetings and required notices:

- October 14, 2026: Common Council's first reading of bond and appropriation ordinance
- October 20, 2026: Notice uploaded to Gateway for the additional appropriation hearing
- November 4, 2026: Common Council public hearing regarding additional appropriation and second reading of the bond and appropriation ordinance
- November 18, 2026: Common Council third reading of the bond and appropriation ordinance (if necessary)
- November 24, 2026: If approved, notice of decision to issue bonds published in The Herald-Times for first time and posted in three public places pursuant to Ind. Code 5-3-1-2(d)
- December 1, 2026 (or after): Second notice of decision to issue bonds published in The Herald-Times

CITY OF BLOOMINGTON MEMORANDUM

TO: Members of the Common Council
FROM: Geoff McKim, Controller
Margie Rice, Corporation Counsel
Max Litwin, Deputy Chief, Bloomington Fire Department
Andrew Cibor, City Engineer
DATE: 2026-10-05
RE: Proposed Projects – 2026 General Obligation Bonds - Ordinance 2026-30

Purpose

The Administration is proposing the issuance of the City of Bloomington General Obligation Bonds, Series 2026, to finance a group of capital projects intended to improve public safety and transportation safety throughout Bloomington.

The proposed bond ordinance authorizes up to approximately **\$6.87 million** of general obligation bonds. The bond proceeds would be used for eligible project costs, together with costs associated with issuance of the bonds and capitalized interest, if necessary.

The projects currently contemplated for funding include:

- Replacement Aerial Platform Fire Truck
- Sidewalk and/or bikeway improvements to Priority Corridors and/or Priority Intersections identified in the City's Safe Streets for All (SS4A) Action Plan
- Crosswalk Safety Improvements throughout the City
- Signal Modernization and Safety Improvements along 3rd Street
- Safety Improvements along 10th Street
- Lighting Improvements for Intersection and Corridor Safety

The total estimated cost of the potential projects exceeds the amount of the proposed bond issue. Accordingly, the bond would provide up to the authorized amount toward these projects rather than necessarily financing the entirety of every project listed.

Replacement Aerial Platform Fire Truck

Responsible Department: Bloomington Fire Department
Proposed Bond Funding: \$2.5M

Project Description:

The project would provide funding for the replacement of an aerial platform fire apparatus used by the Bloomington Fire Department.

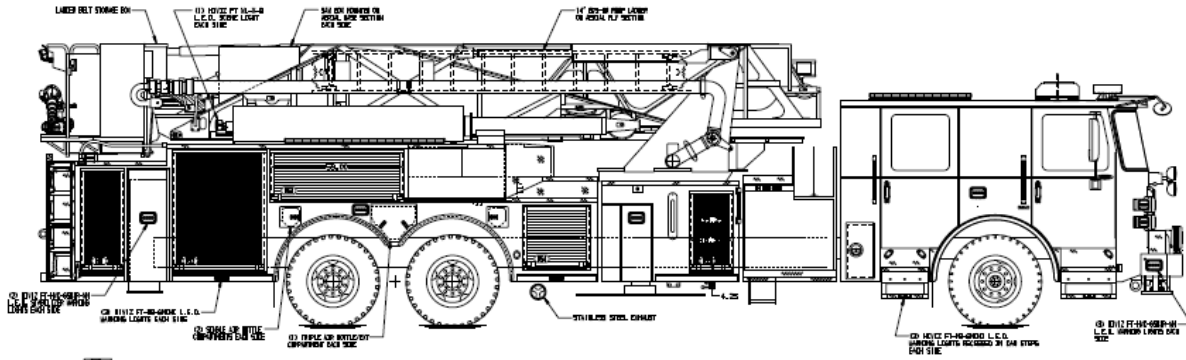
Department information to add:

The existing aerial platform fire apparatus is 7 years old and has been experiencing increased downtime due to required maintenance, along with the significant costs associated with those repairs. The preferred replacement cycle for fire apparatus is 7 years, and this apparatus has reached the end of that cycle. This type of apparatus has capabilities unique from the rest of the fleet in the form of a 100ft aerial device that can allow for extended reach in rescue or fire suppression operations. The replacement apparatus would duplicate these same capabilities, with added features to allow for more efficient operation resulting from progression with the associated technology.

An aerial apparatus, whose personnel assigned to it are referred to as a truck company, is essential in firefighting operations. While engine companies focus on fire suppression, the truck company is able to concentrate on forcible entry and victim rescue. The 100ft ladder allows for victim removal from multistory buildings where interiorly operating crews could not otherwise access. In the event of a structure that is significantly involved in fire, the aerial apparatus is also capable of flowing a large amount of water from an elevated position down onto the involved structure. There is only one aerial platform fire apparatus available in the City.

With maintenance, downtime and cost increasing with each subsequent year, it is appropriate to replace this apparatus to both ensure that an aerial platform apparatus remains in service to protect Bloomington as well as avoiding regular, increasingly frequent costly repairs. For reference, the most recent repair will likely cost over \$100,000 with a downtime now exceeding 3 months.

The estimated cost to replace the aerial apparatus is approximately \$2,500,000. Availability is limited and lead times vary but the intention is to locate and secure a stock unit that would significantly cut down the delivery time, potentially to as short as 18 months or less. For reference, custom built aerial platform trucks commonly have a lead time of 36 months or more. The new apparatus would be placed into a new replacement cycle of 7 years.



Conceptual drawing of a 100' mid mount aerial platform



Photo of a 100' white over red aerial platform

Engineering Introduction

The need for this bond proposal was previewed during the Engineering Department budget presentation on [August 19, 2026](#) given Engineering's 2027 budget is half of what it is in 2026 due to a decrease in capital funding allotments (~\$4 million). The below program and project descriptions are intended to provide context and background regarding the bond funding

proposal. These projects will be managed by the Engineering Department in coordination with other departments (e.g., Planning and Transportation, Public Works, City of Bloomington Utilities). Additional review of these projects should be expected by other City bodies (e.g., Board of Public Works (BPW), Transportation Commission) as the projects progress assuming funding is approved. The cost estimates generally reflect the program and project descriptions provided. The program titles included within the bond language provide flexibility due to uncertainty about precise future expenses given the nature of the preliminary cost estimates.

Crosswalk Safety Improvements throughout the City

Responsible Department: Engineering

Proposed Bond Funding: \$280,000

Project Description: This program is intended to assist with funding the following two crosswalk improvement projects programmed in the [Bloomington Monroe County Metropolitan Planning Organization \(BMCMPPO\) Transportation Improvement Program \(TIP\)](#).

- [Crosswalk Safety Improvements Project, Phase 3](#) - The bond proposal includes funding construction engineering (inspection) services associated with the Crosswalk Safety Improvements Project, Phase 3. The 2027 budget includes funding for the City's anticipated portion of construction costs within the Alternative Transportation account. This project includes improvements at the intersections of [W 17th Street & N Willis Drive](#) (adjacent to Tri-North Middle School) and [E Covenantor Drive & S Auto Mall Road](#) (near east side Kroger). The improvements at W 17th Street & N Willis Drive include the installation of a pedestrian refuge island and associated signage and pavement markings. The improvements at E Covenantor Drive & S Auto Mall Road include the installation of bumpouts, sidewalk curb ramps and crosswalks, bike lanes, and bus stop improvements. Consultant construction engineering services are required for projects receiving federal construction funding and these funds enable access to approximately \$400,000 in programmed federal construction funding in FY2028.
- [Crosswalk Safety Improvements Project, Phase 4](#) - The bond proposal includes funding preliminary engineering (design) services associated with the Crosswalk Safety Improvements Project, Phase 4. The project scope has not yet been finalized and design work will not start without allocated funding; however, the project is anticipated to include improvements in the E 3rd Street and E Atwater Avenue corridor area south of Indiana University's campus. This phase of the project is required to access approximately \$400,000 in programmed federal construction funding in FY2030.

Anticipated Project Schedule:

- Crosswalk Safety Improvements Project, Phase 3 - Construction 2027-2028
- Crosswalk Safety Improvements Project, Phase 4 - Design 2027-2029, Construction 2030

Safety Improvements Along 10th Street

Responsible Department: Engineering

Proposed Bond Funding: \$1,700,000

Project Description: The [10th Street Safety Improvements project](#) aims to improve safety of 10th Street between College Avenue and Park Avenue and improve the connection between the Indiana University campus and the Trades District. This corridor is identified as “High Priority” in the [Safe Streets for All Action \(SS4A\) Plan](#). This is a busy roadway with poor pavement condition and less than ideal pedestrian facilities (e.g., sidewalks with no buffer from the street and short curbs). The project incorporates various ways of promoting safety, including: lowering the posted speed limit to 25 mph, reconstructing sidewalks, curb ramps, and drive aprons, widening sidewalks, adding full height curb, tree plots and grass buffers between the sidewalk and the street, constructing raised intersections at uncontrolled intersections along the corridor, installing traffic calming, closing driveways where feasible, improving street lighting, and creating highly visible crosswalks. The [Transportation Commission](#) approved the 10th Street Corridor Study (Morton St to Park Ave) and approved the project’s concept design at their [November 2025 meeting](#). The Engineering Department is initiating the project’s design phase and the proposed bond is anticipated to support funding the project’s construction. Funding coordination with other Departments is anticipated (e.g., Public Works/Street & City of Bloomington Utilities) in addition to funding support from the 2024 GO Bond (Projects included in the Bloomington Transportation Plan/Safe Streets for All Plan).

Anticipated Project Schedule: Design 2026-2027, Construction 2028

Signal Modernization and Safety Improvements along 3rd Street

Responsible Department: Engineering

Proposed Bond Funding: \$1,500,000

Project Description: This project is prioritized due to the age and condition of the E 3rd Street/S Rogers Street and E 3rd Street/S Madison Street signalized intersections. Every year the City aims to modernize two signalized intersections which equates to an average of improving each intersection approximately every 40 years. Given the known condition of these intersections and that 3rd Street is a “Highest” priority corridor in the SS4A Plan, the subject portion of E 3rd Street is being evaluated within the ongoing [Rogers St./Madison St./Kinser Pk. Corridor Study](#) managed by the Planning & Transportation Department. As a result, this project is anticipated to include safety improvements to this area of the E 3rd Street corridor in addition to typical intersection modernizations. The August 2026 [preliminary concepts publicly presented](#) to the corridor study Steering Committee for this section of E 3rd Street included a reduction in automobile lanes to reduce intersection sizes and provide improved features for vulnerable road users. The corridor study is not yet finalized and subject to the City’s [Transportation Commission](#) review (the Commission’s final review is anticipated prior to the end of the 2026 calendar year). The Engineering Department intends to initiate the design phase of this proposed project encumbering 2026 budgeted funds and utilize the proposed bond funding for construction.

Anticipated Project Schedule: Design 2027, Construction 2028

Sidewalk and/or bikeway improvements to Priority Corridors and/or Priority Intersections identified in the City's SS4A Action Plan

Responsible Department: Engineering

Proposed Bond Funding: \$500,000

Project Description: This program targets investments in pedestrian and bicycle infrastructure on priority corridors and at priority intersections as identified in the SS4A Plan. The proposed funding estimate is not expected to address all the project types listed below. Flexibility is provided in case other projects can be accomplished below the preliminary cost estimates.

- This program provides the ability to leverage large maintenance focused projects to also improve safety infrastructure on priority network facilities. An ongoing example of this includes improvements on the [Rogers Street and Grimes/Patterson corridors](#). An upcoming example includes safety improvements included in the City's current Community Crossing Matching Grant (CCMG) project application that was reviewed and approved by the City Transportation Commission at their [September 2026 meeting](#). That [project involves sections of N Walnut, N College, and N Dunn](#) and includes improvements like filling in sidewalk gaps and constructing curb extensions. Similar upcoming projects are expected to include S Walnut Street.
- The program also supports smaller improvements independent of large maintenance projects that either fill in missing vulnerable road user infrastructure gaps or tackle priority opportunities identified through Planning & Transportation Department-led corridor studies. An example of this includes possible recommendations from the ongoing [Rogers St./Madison St./Kinser Pk. Corridor Study](#) such as filling in sidewalk/multiuse path gaps on N Kinser Pike and/or improvements to the Kinser Pike/Vaughn Clipp intersection.
- An improvement such as a new traffic signal at the intersection of Atwater Avenue and Hawthorne Drive could be an eligible expense of this program (and the aforementioned "Crosswalk Safety Improvements throughout the City" program) because the intersection is listed as a "Medium" priority in the SS4A Plan and the Hawthorne Neighborhood Greenway is identified as Phase 1 priority bicycle facility in the [Transportation Plan](#). The Crosswalk Safety Improvements, Phase 4 project is anticipated to consider improvements at intersections along the Atwater Avenue corridor and would be an opportunity to determine a recommended treatment at the Atwater Avenue/Hawthorne Drive intersection. The Crosswalk Safety Improvements, Phase 4 project concept should be presented to and reviewed by the Transportation Commission in 2027 like the Downtown Curb Ramps Phase 5 project was in [February 2026](#).

Anticipated Project Schedule: 2027-2028

Lighting Improvements for Intersection and Corridor Safety

Responsible Department: Engineering

Proposed Bond Funding: \$250,000

Project Description: This is a new proposed program focused on improved lighting for intersection and roadway visibility and personal safety. Consistent with the Federal Highway Administration identifying [lighting](#) as a crosscutting [proven safety countermeasure](#), the [SS4A Plan](#) identified this program as an Immediate Action Item (Safety Studies and Infrastructure Action Item 7) to develop in 2027. The project will comply with applicable policies (e.g., [UDO](#)) and staff is aware of the [Bloomington Commission on Sustainability and Resilience \(BCOSR\)](#) and the [Environmental Commission \(EC\)](#) efforts focused on minimizing light pollution and attaining dark sky certification for Bloomington. Upon funding approval, Engineering Department staff intend to thoroughly evaluate existing roadway lighting policies, standards, and processes. Additionally, Engineering and Planning & Transportation Department staff intend to formulate an objective process to prioritize lighting improvements on priority corridors and at priority intersections as identified in the SS4A Plan for consideration by the [Transportation Commission](#). Street lighting projects and contracts are also typically reviewed by the City's [Board of Public Works](#).

Anticipated Project Schedule: 2027-2028

Project Funding and Implementation

The projects described above represent the City's current proposed uses of the 2026 GO Bond proceeds. Because the aggregate estimated cost of the projects exceeds the amount available from the bond issue, final project scopes and allocations will be based on actual costs, project readiness, procurement results, and other available funding sources.



Staff Memo

To: Bloomington City Council
From: Andrew Cibor, City Engineer
Date: October 28, 2026
Subject: Ordinance 2026-30 - Project Selection and Review Summary

Background

An overview of the programs and projects proposed within the 2026 General Obligation (GO) Bonds (Ordinance 2026-30) to be managed by the Engineering Department is available in the October 5, 2026 Memorandum included in the [October 14, 2026 City Council meeting packet materials](#). That memo describes anticipated project costs to be funded by the proposed bond, project schedules, and information regarding the scope of each project. Based on comments heard at the October 14, 2026 City Council meeting, this memo provides additional information regarding how the projects were prioritized and what additional public oversight may be expected.

Project Reviews

The following project reviews provide background regarding why each project is prioritized to move forward and what additional public oversight may be expected (e.g., Board of Public Works (BPW), Transportation Commission). Multiple factors contributed to the selection of projects proposed within the bond including the following:

- **Asset Condition** - Transportation infrastructure (e.g., roadway pavement, traffic signals) requires regular maintenance. Federal regulations result in some maintenance efforts (e.g., roadway mill and overlay) triggering other improvements (e.g., sidewalk curb ramp accessibility).
- **Resource Leveraging** - Outside funding programs (e.g., HSIP, CCMG) provide great opportunities to further City financial resources, but may limit project types and/or eligible expenses. Some entirely local-funded projects benefit from combining programs and their associated funding sources to limit construction disruption and achieve lower costs.
- **Adopted Plans** - The City has multiple adopted plans that help frame design decisions with each project in addition to explicitly stating certain projects and programs shall be implemented within given timelines.

- **Corridor Studies** - These studies are consistent with and build upon the City's adopted plans. Compared to an adopted plan, the studies provide more refined guidance for priority projects. Projects will implement recommendations from completed (10th Street) and soon to be completed (Rogers/Madison/Kinser Pike) corridor studies.

The following list of projects range in status from being nearly ready to construct to the development of a new program not yet initiated. The current project phase and project scope impacts timelines and what additional public discussion may take place regarding each project.

Crosswalk Safety Improvements Phase 3

Prioritization

The funding of construction engineering (inspection) services for the [Crosswalk Safety Improvements Project, Phase 3](#) is proposed within this GO Bond. Other funding sources for the project included Cumulative Capital Development (encumbered in 2024 for design services), Alternative Transport (budgeted in 2027 for construction), and Highway Safety Improvement Program (HSIP) funds programmed within the Bloomington Monroe County Metropolitan Planning Organization (BMCMPPO) Transportation Improvement Program ([TIP](#)) for construction. For many years the City has been moving forward a series of Curb Ramp and Crosswalk—related projects for the following reasons:

- Systemic safety improvement project types are eligible for and prioritized within the HSIP. The biennial TIP call for project process can be competitive, and the City selects projects that are strong candidates for federal funding.
- These projects can reduce future burden of Public Works by proactively installing ADA improvements that would otherwise be necessary through roadway pavement maintenance projects.
- These projects enable the City to progress improvements consistent with adopted plans (e.g., SS4A, Transportation Plan).

The Planning & Transportation Department assists with prioritizing locations for improvement based on public input, adopted plans, and technical evaluations.

Public Oversight

The City submits project applications to the BMCMPPO for funding, and the [MPO Policy Committee](#) reviews and approves the TIP (e.g., [2026-2030 TIP](#)). The project design

contract was approved by the Board of Public Works ([12/17/2024 Meeting](#)). Future review is anticipated to include the following:

- BMCMPPO adoption of the [2028-2032 TIP](#)
- Transportation Commission review of the project design
- BPW approval of the construction engineering contract

Crosswalk Safety Improvements Phase 4

Prioritization

The bond proposal includes funding preliminary engineering (design) services associated with the [Crosswalk Safety Improvements Project, Phase 4](#). The project has HSIP funding programmed to support construction in state fiscal year 2030, but it will need future local funding to support construction engineering (inspection) and construction (local match) in calendar year 2029.

Like the aforementioned Crosswalk Safety Improvements Phase 3 Project, the Planning & Transportation Department assists with prioritizing project applications for inclusion in the BMCMPPO TIP, and project types like this are strong candidates for the specific federal funding type. The MPO Policy Committee approved this project in the 2026-2030 TIP and is anticipated to approve it again in the 2028-2032 [TIP](#). Conceptual project scope and priorities are determined by Planning & Transportation based on a number of considerations including stakeholder input, adopted plans, and technical evaluations. This project scope has not yet been finalized and design work will not start without allocated funding; however, the project is anticipated to include improvements in the E 3rd Street and E Atwater Avenue corridor area south of Indiana University's campus.

Public Oversight

2027 reviews are anticipated to include BPW review of the project design contract and Transportation Commission review of the project design concept. Beyond 2027, additional reviews are likely to include:

- City Council approval of 2029 project funding (construction engineering and local construction funding match)
- BMCMPPO Policy Committee adoption of 2030-2034 TIP
- BPW approval of construction engineering contract

Safety Improvements Along 10th Street

Prioritization

The GO Bond proposal includes an estimated \$1,700,000 in construction funding to support the [10th Street Safety Improvements](#) project. This project was selected primarily because the section of 10th Street between Walnut Street and Park Avenue is identified as “High Priority” in the SS4A Action Plan and because Public Works staff identified the roadway asset as being in poor condition.

Public Oversight

The Transportation Commission approved the 10th Street Corridor Study (Morton St to Park Ave) and approved the project’s concept design at their [November 2025 meeting](#). The project’s design contract was approved by the BPW at their [August 25, 2026 meeting](#) with funding coming from the Cumulative Capital Development account. Future reviews associated with this project may include the following:

- City Council review of Title 15 associated with lowering the speed limit from 30mph to 25mph
- BPW and Utility Service Board (USB) review of funding agreement MOU
- BPW approval and award of construction contract

Signal Modernization and Safety Improvements Along 3rd Street

Prioritization

Construction funding for a project focused on signal modernization of the E 3rd Street/S Rogers Street and E 3rd Street/S Madison Street intersections and safety improvements on 3rd Street in the vicinity of those intersections is included within this bond proposal. This project has been prioritized due to the age and condition of the existing traffic signals and because 3rd Street is a “Highest” priority corridor in the SS4A Plan. Additionally, this project will implement recommendations from the ongoing [Rogers St./Madison St./Kinser Pk. Corridor Study](#) managed by the Planning & Transportation Department.

Public Oversight

The Engineering Department intends to initiate the design phase of this proposed project by encumbering 2026 budgeted funds and then will utilize the proposed bond funding for construction. Future reviews associated with this project may include the following:

- Transportation Commission adoption of the Rogers St./Madison St./Kinser Pk. Corridor Study
- BPW approval of preliminary engineering (design) contract
- Transportation Commission review of the project design concept
- BPW approval and award of construction contract

Sidewalk and/or Bikeway Improvements to Priority Corridors and/or Priority Intersections Identified in the City's SS4A Action Plan

Prioritization

This program targets investments in pedestrian and bicycle infrastructure on priority corridors and at priority intersections as identified in the [SS4A Plan](#). A common concern heard over time is that additional investment in pedestrian (sidewalk) infrastructure is needed—or more directly, that funding levels have been insufficient. Additionally, it is necessary to fund initiatives like this that implement [City-adopted proven safety countermeasures](#) if the City desires to make progress on the adopted goal of zero traffic deaths and serious injuries on city roads by 2039. While specific projects to be supported by this program are not yet finalized, it is likely the program would leverage other initiatives to maximize return on investment while making progress on the stated goals.

- The Common Council Pedestrian Safety Committee oversees the allocation of \$500,000/year towards pedestrian infrastructure. A 2025 allocation included the design cost of improving the N Fee Ln/E Law Ln intersection that is being coordinated with a possible larger project along N Fee Ln. Assuming the larger project along N Fee Ln progresses, the Pedestrian Safety Committee's funding is anticipated to be insufficient to cover the cost of potential improvements. This bond proposal provides a possible matching source to leverage a project the Common Council prioritized.
- The City Public Works Department and the Engineering Department work together in pursuing state funding (e.g., [Community Crossings Matching Grant](#)) to assist with large roadway asset maintenance needs. These programs significantly assist the City in reducing the cost of traditional roadway maintenance, but improvements focused on pedestrian and bicyclist infrastructure are not typically eligible. Despite not being eligible for state funding, these projects are optimum opportunities to make meaningful incremental improvement to vulnerable road user infrastructure with these projects. Based on past and current projects of this type, it is estimated that the

cost of these types of sidewalk and bikeway improvements could be on the order of \$500,000/project.

Public Oversight

Future reviews of projects supported with this program should be expected to include review by the City's Transportation Commission and Board of Public Works like the other projects described in this memo.

Lighting Improvements for Intersection and Corridor Safety

Prioritization

This program is focused on improved lighting for intersection and roadway safety and is proposed given it is specifically identified as an Immediate Action Item (Safety Studies and Infrastructure Action Item 7) to develop in 2027 per the [SS4A Action Plan](#). Not progressing this project decreases the City's chances of achieving the goal of zero traffic deaths and serious injuries on city roads by 2039. As a specific example, the City Traffic Commission received a fatal crash report in April 2024 that identified installation of continuous street lighting as a step that might reduce the likelihood of an incident like what happened on S Walnut Street Pike (pedestrian struck by vehicle while the conditions were dark and wet in January 2024) in the future.

Public Oversight

As noted in the October 5, 2026 memo to Common Council regarding the bond's proposed projects, Engineering Department staff intend to thoroughly evaluate existing roadway lighting policies, standards, and processes. If updates to policies like the Unified Development Ordinance (UDO) are identified, they would be reviewed by bodies like the Plan Commission and City Council.

Engineering Department and Planning & Transportation Department staff intend to formulate an objective process to prioritize lighting improvements on priority corridors and at priority intersections as identified in the SS4A Plan for consideration by the Transportation Commission. Street lighting projects and contracts are also typically reviewed by the City's Board of Public Works.

Bloomington Common Council Ordinance 2026-30 -

Authorizing the Issuance of the City of Bloomington, Indiana, General Obligation Bonds, Series 2026, to Provide Funds to Finance the Costs of Certain Capital Improvements and Equipping Projects and Incidental Expenses in Connection Therewith and on Account of the Issuance of the Bonds and Appropriating the Proceeds Derived from the Sale of Such Bonds

Preamble

Whereas, the Common Council (the “Council”) of the City of Bloomington, Indiana (the “City”) has given consideration to the acquisition, design, construction, reconstruction, repair, renovation, improvement, implementation and/or equipping of certain capital projects at facilities or property owned or operated by the City to improve safety, more particularly described in Exhibit A hereto and made a part hereof, each of which is reasonably considered to be an independently desirable end in itself without reference to another capital project (each, a “2026 Project” and, collectively, the “2026 Projects”); and

Whereas, the Council hereby finds that it would be of public utility and benefit and in the best interests of the City and its citizens to finance the costs of all or a portion of the 2026 Projects through the issuance of general obligation bonds of the City; and

Whereas, the Council deems it advisable to authorize the issuance, in one or more series, of general obligation bonds of the City pursuant to Indiana Code § 36-4-6-19, as amended, designated as the “City of Bloomington, Indiana, General Obligation Bonds, Series 2026,” with such different or additional series designation determined to be necessary or appropriate (the “2026 Bonds”), in the original aggregate principal amount not to exceed Six Million Eight Hundred Sixty-Eight Thousand Dollars (\$6,868,000) (the “Authorized Amount”), for the purpose of providing funds to be applied to pay all or a portion of (a) the costs of the 2026 Projects, (b) capitalized interest on the 2026 Bonds, if necessary, and (c) the costs incurred in connection with the issuance and sale of the 2026 Bonds and all incidental expenses therewith, including the cost of any credit enhancement with respect thereto (if necessary); and

Whereas, the Council now finds and determines that: (i) each of the 2026 Projects is considered an independently desirable end in itself without reference to another capital project; (ii) the total cost to the City of any 2026 Project, including all related expenses, whether financed with proceeds of the 2026 Bonds or other legally available revenues of the City, shall in no event exceed \$6,868,664 (which is the applicable cost threshold amount determined by the DLGF for 2026 under Indiana Code 6-1.1-20-1.1(a)(2)(A)(iii)); and (iii) the City’s existing debt service fund tax rate does not exceed twenty-five cents (\$0.25) per one hundred dollars (\$100) of assessed value; and, therefore, none of the 2026 Projects is considered a “controlled project” for purposes of Indiana Code 6-1.1-20-1.1, et seq.; and

Whereas, the original principal amount of the 2026 Bonds, together with the outstanding principal amount of previously or contemporaneously issued bonds or other obligations which constitute a debt of the City, is no more than two percent (2%) of one-third (1/3) of the total net assessed valuation of the City; and

Whereas, the amount of proceeds of the 2026 Bonds allocated to pay costs of the 2026 Projects, together with estimated investment earnings thereon, does not exceed the cost of the 2026 Projects as estimated by the Council; and

Whereas, the Council has found that there are insufficient funds available or provided for in the existing budget and tax levy which may be applied to the costs of the 2026 Projects and has authorized the issuance of the 2026 Bonds to procure such funds and that a need exists for the making of the additional appropriation hereinafter set out; and

Whereas, notice of a hearing on said appropriation has been duly given by publication as required by law, and the hearing on said appropriation has been held, at which all taxpayers

and other interested persons had an opportunity to appear and express their views as to such appropriation; and

Whereas, the Council reasonably expects to pay for certain costs of the 2026 Bonds or costs related to the 2026 Projects (collectively, the "Expenditures") prior to the issuance of the 2026 Bonds, and to reimburse the Expenditures with proceeds received by the City upon the issuance of the 2026 Bonds; and

Whereas, the Council desires to declare its intent to reimburse the Expenditures pursuant to Treas. Reg. § 1.150-2 and Indiana Code § 5-1-14-6(c); and

Whereas, the Council now finds that all conditions precedent to the adoption of an ordinance authorizing the issuance of the 2026 Bonds and an additional appropriation of the City have been complied with in accordance with the Act.

Be It Ordained by the Common Council of the City of Bloomington, Monroe County, Indiana, That:

Section 1: Authorization for the Bonds.

In order to provide financing for the 2026 Projects and incidental expenses incurred in connection therewith and on account of the issuance of the 2026 Bonds, the City shall borrow money and issue the 2026 Bonds as herein authorized. The Council hereby determines that each of the 2026 Projects is reasonably considered to be an independently desirable end in itself without reference to another capital project.

Section 2: General Terms of Bonds.

(a) In order to procure said loan for such purposes, the Controller is hereby authorized and directed to have prepared and to issue and sell negotiable general obligation bonds of the City, in one or more series, in an aggregate principal amount not to exceed the Authorized Amount, to be designated "City of Bloomington, Indiana, General Obligation Bonds, Series 2026," with such different or additional series designation determined to be necessary or appropriate, for the purpose of providing financing for the 2026 Projects and incidental expenses, such expenses to include, without limitation, capitalized interest on the 2026 Bonds, if necessary, all expenses of every kind incurred preliminarily to the funding of the 2026 Projects and the costs of selling and issuing the 2026 Bonds.

(b) The 2026 Bonds shall be signed in the name of the City by the manual or facsimile signature of the Mayor of the City and attested by the manual or facsimile signature of the Controller of the City, who shall affix the seal of the City, if any, to each of the 2026 Bonds manually or shall have the seal imprinted or impressed thereon by facsimile or other means. In case any officer whose signature or facsimile signature appears on the 2026 Bonds shall cease to be such officer before the delivery of the 2026 Bonds, such signature shall nevertheless be valid and sufficient for all purposes as if such officer had remained in office until delivery thereof. The 2026 Bonds shall also be authenticated by the manual signature of the Registrar (as hereafter defined). Subject to the provisions of this Ordinance regarding the registration of the 2026 Bonds, the 2026 Bonds shall be fully negotiable instruments under the laws of the State of Indiana.

(c) The 2026 Bonds are, as to all the principal thereof and interest due thereon, general obligations of the City, payable from ad valorem property taxes on all taxable property within the City. The City covenants to levy ad valorem property taxes in an amount sufficient to produce the necessary funds with which to make such payments on the 2026 Bonds as the same becomes due.

(d) The 2026 Bonds shall be issued in fully registered form in denominations of Five Thousand Dollars (\$5,000) or any integral multiple thereof, or, if determined by the Controller

to be in the best interest of the City, based upon the recommendation of the financial advisor, in denominations of \$100,000 plus any integral multiple of \$1,000 in excess thereof. The 2026 Bonds shall be numbered consecutively from 2026R-1 upward, and shall be originally dated as of their date of issuance. The 2026 Bonds shall bear interest payable semiannually on June 30 and December 30 of each year, or such other dates as determined by the Controller prior to the sale of the 2026 Bonds, based on advice of the financial advisor to the City, beginning no earlier than June 30, 2027, at a rate or rates not exceeding five and one half percent (5.50%) per annum (the exact rate or rates to be determined by bidding or negotiation pursuant to Section 6 of this Ordinance). Interest shall be calculated on the basis of a three hundred sixty (360) day year, comprised of twelve (12) thirty (30) day months. The 2026 Bonds shall mature or be subject to mandatory redemption on June 30 and/or December 30, or such other dates as determined by the Controller prior to the sale of the 2026 Bonds, based on advice of the financial advisor to the City, over a period ending no later than seven (7) years from the date of issuance of the first series of the 2026 Bonds.

(e) All payments of interest on the 2026 Bonds shall be paid by check mailed one business day prior to the interest payment date to the registered owners thereof as of the date which is fifteen (15) days prior to an interest payment date (each, a "Record Date") at the addresses as they appear on the registration books kept by the Registrar (the "Registration Record") or at such other address as is provided to the Paying Agent (as hereafter defined) in writing by such registered owner. All principal payments on the 2026 Bonds shall be made upon surrender thereof at the principal office of the Paying Agent, in any coin or currency of the United States of America which on the date of such payment shall be legal tender for the payment of public and private debts.

(f) Interest on 2026 Bonds shall be payable from the interest payment date to which interest has been paid next preceding the authentication date thereof unless such 2026 Bonds are authenticated after the Record Date of such interest payment date and on or before such interest payment date in which case they shall bear interest from such interest payment date, or unless authenticated on or before the initial Record Date, in which case they shall bear interest from the original date, until the principal shall be fully paid.

(g) Each Bond shall be transferable or exchangeable only upon the Registration Record by the registered owner thereof in person, or by his attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing, and thereupon a new fully registered 2026 Bond or 2026 Bonds in the same aggregate principal amount, and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The costs of such transfer or exchange shall be borne by the City, except for any tax or governmental charge required to be paid in connection therewith, which shall be payable by the person requesting such transfer or exchange. The City, the Registrar and the Paying Agent may treat and consider the persons in whose names such 2026 Bonds are registered as the absolute owners thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

(h) In the event any Bond is mutilated, lost, stolen or destroyed, the City may execute and the Registrar may authenticate a new bond of like date, maturity and denomination as that mutilated, lost, stolen or destroyed, which new bond shall be marked in a manner to distinguish it from the bond for which it was issued, provided that, in the case of any mutilated bond, such mutilated bond shall first be surrendered to the Registrar, and in the case of any lost, stolen or destroyed bond there shall be first furnished to the Registrar evidence of such loss, theft or destruction satisfactory to the City and the Registrar, together with indemnity satisfactory to them. In the event any such bond shall have matured, instead of issuing a duplicate bond, the City and the Registrar may, upon receiving indemnity satisfactory to them, pay the same without surrender thereof. The City and the Registrar may

charge the owner of such Bond with their reasonable fees and expenses in this connection. Any bond issued pursuant to this paragraph shall be deemed an original, substitute contractual obligation of the City, whether or not the lost, stolen or destroyed Bond shall be found at any time, and shall be entitled to all the benefits of this Ordinance, equally and proportionately with any and all other 2026 Bonds issued hereunder.

Section 3: Terms of Redemption.

(a) The Controller, upon consultation with the City's financial advisor, may designate maturities of 2026 Bonds (or portion thereof in integral multiples of \$5,000 principal amount each) that shall be subject to optional redemption and/or maturity sinking fund redemption, and the corresponding redemption dates, amounts and prices (including premium, if any). Except as otherwise set forth in this Ordinance, the Controller, upon consultation with the City's financial advisor, is hereby authorized and directed to determine the terms governing any such redemption.

(b) Notice of redemption shall be mailed by first-class mail or by registered or certified mail to the address of each registered owner of a Bond to be redeemed as shown on the Registration Record not more than sixty (60) days and not less than thirty (30) days prior to the date fixed for redemption except to the extent such redemption notice is waived by owners of 2026 Bonds redeemed, provided, however, that failure to give such notice by mailing, or any defect therein, with respect to any Bond shall not affect the validity of any proceedings for the redemption of any other 2026 Bonds. Any notice of redemption required under this section shall identify the 2026 Bonds to be redeemed including the complete name of the 2026 Bonds, the interest rate, the issue date, the maturity date, the respective CUSIP numbers (if any) and certificate numbers (and, in the case of a partial redemption, the respective principal amounts to be called) and shall state (i) the date fixed for redemption, (ii) the Redemption Price, (iii) that the 2026 Bonds called for redemption must be surrendered to collect the Redemption Price, (iv) the address of the principal corporate trust office of the registrar and paying agent at which the 2026 Bonds must be surrendered together with the name and telephone number of a person to contact from the office of the registrar and paying agent, (v) any condition precedent to such redemption, (vi) that on the date fixed for redemption, and upon the satisfaction of any condition precedent described in the notice, the Redemption Price will be due and payable upon each such 2026 Bond or portion thereof and that interest on the 2026 Bonds called for redemption ceases to accrue on the date fixed for redemption, and (vii) that if such condition precedent is not satisfied, such notice of redemption is rescinded and of no force and effect, and the principal and premium, if any, shall continue to bear interest on and after the date fixed for redemption at the interest rate borne by the 2026 Bond. The place of redemption may be determined by the City. Interest on the 2026 Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named, and thereafter, such 2026 Bonds shall no longer be protected by this Ordinance and shall not be deemed to be outstanding hereunder, and the holders thereof shall have the right only to receive the redemption price.

(c) All 2026 Bonds which have been redeemed shall be canceled and shall not be reissued; provided, however, that one or more new registered 2026 Bonds shall be issued for the unredeemed portion of any Bond without charge to the holder thereof.

(d) No later than the date fixed for redemption, funds shall be deposited with the Paying Agent or another paying agent to pay, and such agent is hereby authorized and directed to apply such funds to the payment of, the 2026 Bonds or portions thereof called for redemption, including accrued interest thereon to the redemption date. No payment shall be

made upon any Bond or portion thereof called for redemption until such bond shall have been delivered for payment or cancellation or the Registrar shall have received the items required by this Ordinance with respect to any mutilated, lost, stolen or destroyed bond.

Section 4: Appointment of Registrar and Paying Agent.

(a) The Controller is hereby authorized to serve as, or to appoint a qualified financial institution to serve as, registrar and paying agent for the 2026 Bonds (the “Registrar” or “Paying Agent”). The Registrar is hereby charged with the responsibility of authenticating the 2026 Bonds, and shall keep and maintain at its principal office or corporate trust office books for the registration and transfer of the 2026 Bonds. The Controller is hereby authorized to enter into such agreements or understandings with such institution as will enable the institution to perform the services required of the Registrar and Paying Agent. The Controller is authorized to pay such fees as the institution may charge for the services it provides as Registrar and Paying Agent.

(b) The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent by giving thirty (30) days written notice to the Controller and to each registered owner of the 2026 Bonds then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the Controller. Such notice to the Controller may be served personally or be sent by first-class or registered mail. The Registrar and Paying Agent may be removed at any time as Registrar and Paying Agent by the Controller, in which event the Controller may appoint a successor Registrar and Paying Agent. The Controller shall notify each registered owner of the 2026 Bonds then outstanding of the removal of the Registrar and Paying Agent. Notices to registered owners of the 2026 Bonds shall be deemed to be given when mailed by first-class mail to the addresses of such registered owners as they appear on the bond register. Any predecessor Registrar and Paying Agent shall deliver all the 2026 Bonds, cash and investments in its possession and the bond register to the successor Registrar and Paying Agent. At all times, the same entity shall serve as Registrar and as Paying Agent.

Section 5: Form of Bonds; Clearing Agency.

(a) The form and tenor of the 2026 Bonds shall be substantially as follows, all blanks to be filled in properly and all necessary additions and deletions to be made prior to delivery thereof:

2026R- UNITED STATES OF AMERICA

STATE OF INDIANA

COUNTY OF MONROE

CITY OF BLOOMINGTON, INDIANA

GENERAL OBLIGATION BOND, SERIES 2026

Interest Rate: _____

Maturity Date: _____

Original Date: _____

Authentication Date: _____

CUSIP: _____

REGISTERED OWNER: _____

PRINCIPAL SUM: _____ DOLLARS (\$_____)

The City of Bloomington, in Monroe County, Indiana (the “City”) for value received, hereby promises to pay to the Registered Owner set forth above, the Principal Sum set forth above on the Maturity Date set forth above, and to pay interest thereon until the Principal Sum shall be fully paid, at the Interest Rate per annum specified above from the interest payment date to which interest has been paid next preceding the Authentication Date of this bond unless this bond is authenticated after the first day of the month of such interest payment date and on or before such interest payment date in which case it shall bear interest from such interest payment date, or unless this bond is authenticated on or before [_____, 20__], in which case it shall bear interest from the Original Date, which interest is payable semiannually on June 30 and December 30 of each year, beginning on June 30, 2027. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

The principal of this bond is payable at _____ (the “Registrar” or “Paying Agent”), in _____, Indiana. All payments of interest on this bond shall be paid by check mailed one business day prior to the interest payment date to the registered owner hereof as of the date which is fifteen (15) days prior to an interest payment date at the address as it appears on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by the Registered Owner. Each registered owner of \$1,000,000 or more in principal amount of 2026 Bonds shall be entitled to receive interest payments by wire transfer by providing written wire instructions to the Paying Agent before the record date for any payment. All payments of principal of and premium, if any, on this bond shall be made upon surrender thereof at the principal [corporate trust] office of the Paying Agent in any coin or currency of the United States of America which on the dates of such payment shall be legal tender for the payment of public and private debts, or in the case of a Registered Owner of \$1,000,000 or more in principal amount of 2026 Bonds, by wire transfer on the due date upon written direction of such owner provided at least fifteen (15) days prior to the maturity date.

This bond is one of an authorized issue of negotiable general obligation 2026 Bonds of the City, of like original date, tenor and effect, except as to denomination, numbering, interest rates, and dates of maturity, in the total amount of _____ (\$_____), numbered consecutively from 2026R-1 upward, issued for the purpose of financing the costs of (a) the costs of the acquisition, design, construction, renovation, improvement and/or equipping of certain capital projects to improve public safety as more particularly described in the Ordinance (as defined herein), [(b) capitalized interest on the bonds,] and (c) the costs incurred in connection with the issuance and sale of the bonds and all incidental expenses therewith, as authorized by Ordinance 2026-30 adopted by the Common Council on the __ day of _____, 2026, entitled “AUTHORIZING THE ISSUANCE OF THE CITY OF BLOOMINGTON, INDIANA, GENERAL OBLIGATION BONDS, SERIES 2026, TO PROVIDE FUNDS TO FINANCE THE COSTS OF CERTAIN CAPITAL IMPROVEMENTS AND EQUIPPING PROJECTS AND INCIDENTAL EXPENSES IN CONNECTION THEREWITH AND ON ACCOUNT OF THE ISSUANCE OF THE BONDS AND APPROPRIATING THE PROCEEDS DERIVED FROM THE SALE OF SUCH BONDS” (the “Ordinance”), and in accordance with Indiana Code §

36-4-6-19 and other applicable provisions of the Indiana Code, as amended (collectively, the "Act"). The owner of this bond, by the acceptance hereof, agrees to all the terms and provisions contained in the Ordinance and the Act.

PURSUANT TO THE PROVISIONS OF THE ACT AND THE ORDINANCE, THE PRINCIPAL OF THIS BOND AND ALL OTHER 2026 BONDS OF SAID ISSUE AND THE INTEREST DUE THEREON ARE PAYABLE AS A GENERAL OBLIGATION OF THE CITY, FROM AN AD VALOREM PROPERTY TAX TO BE LEVIED ON ALL TAXABLE PROPERTY WITHIN THE CITY.

[Insert optional or mandatory redemption terms, if any.]

[Notice of such redemption shall be mailed by first-class mail or by registered or certified mail not more than sixty (60) days and not less than thirty (30) days prior to the date fixed for redemption to the address of the registered owner of each bond to be redeemed as shown on the registration record of the City except to the extent such redemption notice is waived by owners of the 2026 Bond or 2026 Bonds redeemed, provided, however, that failure to give such notice by mailing, or any defect therein, with respect to any bond shall not affect the validity of any proceedings for the redemption of any other 2026 Bonds. Any notice of redemption required under this section shall identify the 2026 Bonds to be redeemed including the complete name of the 2026 Bonds, the interest rate, the issue date, the maturity date, the respective CUSIP numbers (if any) and certificate numbers (and, in the case of a partial redemption, the respective principal amounts to be called) and shall state (i) the date fixed for redemption, (ii) the Redemption Price, (iii) that the 2026 Bonds called for redemption must be surrendered to collect the Redemption Price, (iv) the address of the principal corporate trust office of the registrar and paying agent at which the 2026 Bonds must be surrendered together with the name and telephone number of a person to contact from the office of the registrar and paying agent, (v) any condition precedent to such redemption, (vi) that on the date fixed for redemption, and upon the satisfaction of any condition precedent described in the notice, the Redemption Price will be due and payable upon each such 2026 Bond or portion thereof and that interest on the 2026 Bonds called for redemption ceases to accrue on the date fixed for redemption, and (vii) that if such condition precedent is not satisfied, such notice of redemption is rescinded and of no force and effect, and the principal and premium, if any, shall continue to bear interest on and after the date fixed for redemption at the interest rate borne by the 2026 Bond. The place of redemption may be determined by the City. Interest on the 2026 Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named, and thereafter, such 2026 Bonds shall no longer be protected by the Ordinance and shall not be deemed to be outstanding thereunder.]

This bond is subject to defeasance prior to payment as provided in the Ordinance.

If this bond shall not be presented for payment on the date fixed therefor, the City may deposit in trust with the Paying Agent or another paying agent, an amount sufficient to pay such bond, and thereafter the Registered Owner shall look only to the funds so deposited in trust for payment and the City shall have no further obligation or liability in respect thereto.

This bond is transferable or exchangeable only upon the books of the City kept for that purpose at the office of the Registrar by the Registered Owner in person, or by his attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the Registered Owner or his attorney duly authorized in writing, and thereupon a new fully registered 2026 Bond or 2026 Bonds in the same aggregate principal amount, and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the Registered Owner, as the case may be, in exchange therefor. The City, any registrar and any paying agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

The 2026 Bonds maturing in any one year are issuable only in fully registered form in the denomination of [\$5,000 or any integral multiple thereof][[\$100,000 plus any integral multiple of \$1,000 in excess thereof]].

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, the City of Bloomington, Monroe County, Indiana, has caused this bond to be executed in its corporate name by the manual or facsimile signatures of its duly elected, qualified and acting Mayor, its corporate seal, if any, to be hereunto affixed, imprinted or impressed by any means and attested manually or by facsimile by the Controller of the City.

CITY OF BLOOMINGTON, INDIANA

By: _____

Mayor

(SEAL)

ATTEST: _____

Controller

CERTIFICATE OF AUTHENTICATION

It is hereby certified that this bond is one of the 2026 Bonds described in the withinmentioned Ordinance duly authenticated by the Registrar.

_____, as Registrar

By: _____

Authorized Representative

The following abbreviations, when used in the inscription on the face of this bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN. COM. as tenants in common

TEN. ENT. as tenants by the entireties

JT. TEN. as joint tenants with right of survivorship and not as tenants in common

UNIF. TRANS. MIN. ACT Custodian (Cust.) (Minor) under Uniform Transfers to Minors Act of _____ (State)

Additional abbreviations may also be used, although not contained in the above list.

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____
(Please Print or Typewrite Name and Address) \$_____ principal amount (must
be a multiple of [\$5,000][\$100,000]) of the within bond and all rights thereunder, and hereby
irrevocably constitutes and appoints _____, attorney to transfer the within
bond on the books kept for the registration thereof with full power of substitution in the
premises.

NOTICE: The signature to this assignment must correspond with the name as it appears on
the face of the within bond in every particular, without alteration or enlargement or any
change whatsoever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in
a Securities Transfer Association recognized signature guarantee program.

(End of Form of Bonds)

(b) The 2026 Bonds may, in compliance with all applicable laws, initially be issued and held in
book-entry form on the books of the central depository system, The Depository Trust
Company, its successors, or any successor central depository system appointed by the City
from time to time (the "Clearing Agency"), without physical distribution of 2026 Bonds to the
purchasers. The following provisions of this section apply in such event.

One definitive Bond of each maturity shall be delivered to the Clearing Agency (or its agent)
and held in its custody. The City and the Registrar and Paying Agent may, in connection
therewith, do or perform or cause to be done or performed any acts or things not adverse to
the rights of the holders of the 2026 Bonds as are necessary or appropriate to accomplish or
recognize such book-entry form 2026 Bonds.

During any time that the 2026 Bonds remain and are held in book-entry form on the books of
a Clearing Agency, (1) any such Bond may be registered upon the books kept by the Registrar
in the name of such Clearing Agency, or any nominee thereof, including Cede & Co., as
nominee of The Depository Trust Company; (2) the Clearing Agency in whose name such
Bond is so registered shall be, and the City and the Registrar and Paying Agent may deem
and treat such Clearing Agency as, the absolute owner and holder of such Bond for all
purposes of this Ordinance, including, without limitation, the receiving of payment of the
principal of and interest on such Bond, the receiving of notice and giving of consent; (3)
neither the City nor the Registrar or Paying Agent shall have any responsibility or obligation
hereunder to any direct or indirect participant, within the meaning of Section 17A of the
Securities Exchange Act of 1934, as amended, of such Clearing Agency, or any person on
behalf of which, or otherwise in respect of which, such participant holds any interest in any
Bond, including, without limitation, any responsibility or obligation hereunder to maintain
accurate records of any interest in any Bond or any responsibility or obligation hereunder

with respect to the receiving of payment of principal of or interest or premium, if any, on any Bond, the receiving of notice or the giving of consent; and (4) the Clearing Agency is not required to present any Bond called for partial redemption prior to receiving payment so long as the Registrar and Paying Agent and the Clearing Agency have agreed to the method for noting such partial redemption.

If either the City receives notice from the Clearing Agency which is currently the registered owner of the 2026 Bonds to the effect that such Clearing Agency is unable or unwilling to discharge its responsibility as a Clearing Agency for the 2026 Bonds, or the City elects to discontinue its use of such Clearing Agency as a Clearing Agency for the 2026 Bonds, then the City and Registrar and Paying Agent each shall do or perform or cause to be done or performed all acts or things, not adverse to the rights of the holders of the 2026 Bonds, as are necessary or appropriate to discontinue use of such Clearing Agency as a Clearing Agency for the 2026 Bonds and to transfer the ownership of each of the 2026 Bonds to such person or persons, including any other Clearing Agency, as the holders of the 2026 Bonds may direct in accordance with this Ordinance. Any expenses of such discontinuance and transfer, including expenses of printing new certificates to evidence the 2026 Bonds, shall be paid by the City.

During any time that the 2026 Bonds are held in book-entry form on the books of a Clearing Agency, the Registrar shall be entitled to request and rely upon a certificate or other written representation from the Clearing Agency or any participant or indirect participant with respect to the identity of any beneficial owner of 2026 Bonds as of a record date selected by the Registrar. For purposes of determining whether the consent, advice, direction or demand of a registered owner of a Bond has been obtained, the Registrar shall be entitled to treat the beneficial owners of the 2026 Bonds as the bondholders and any consent, request, direction, approval, objection or other instrument of such beneficial owner may be obtained in the fashion described in this Ordinance.

During any time that the 2026 Bonds are held in book-entry form on the books of a Clearing Agency, the Mayor, the Controller and/or the Registrar are authorized to execute and deliver a Letter of Representations agreement with the Clearing Agency, or a Blanket Issuer Letter of Representations, and the provisions of any such Letter of Representations or any successor agreement shall control on the matters set forth therein. The Registrar, by accepting the duties of Registrar under this Ordinance, agrees that it will (i) undertake the duties of agent required thereby and that those duties to be undertaken by either the agent or the issuer shall be the responsibility of the Registrar, and (ii) comply with all requirements of the Clearing Agency, including without limitation same day funds settlement payment procedures. Further, during any time that the 2026 Bonds are held in book-entry form, the provisions of Section 5(b) of this Ordinance shall control over conflicting provisions in any other section of this Ordinance.

Section 6: Sale of Bonds.

(a) The 2026 Bonds shall be sold through either a public sale in accordance with Ind. Code 5-1-11, or a negotiated sale in accordance with Ind. Code 5-1-11-1(a)(2), as determined by the Controller based on the recommendation of the City's financial advisor.

(b) (i) If the Controller determines to sell the 2026 Bonds at a public sale in accordance with Ind. Code 5-1-11, the Controller shall cause to be published a notice of sale once each week for two consecutive weeks per Indiana Code § 5-3-1-2. The date fixed for the sale shall not be earlier than fifteen (15) days after the first of such publications and not earlier than three (3) days after the second of such publications. Said bond sale notice shall state the time and place of sale, the purpose for which the 2026 Bonds are being issued, the total amount thereof, the amount and date of each maturity, the maximum rate or rates of interest

thereon, their denominations, the time and place of payment, that specifications and information concerning the 2026 Bonds are on file in the office of the Controller and are available on request, the terms and conditions upon which bids will be received and the sale made and such other information as is required by law or as the Controller shall deem necessary, including any terms and conditions of sale which provide an exclusion or exemption from the applicability of all or a portion of the provisions of Rule 15c2-12 of the U.S. Securities and Exchange Commission as amended (the "SEC Rule"), in which case the Controller may set the minimum authorized denomination of the 2026 Bonds at One Hundred Thousand Dollars (\$100,000) as contemplated by the SEC Rule. As an alternative to the publication of a notice of sale, the Controller may sell the 2026 Bonds through the publication of a notice of intent to sell the 2026 Bonds and compliance with related procedures pursuant to Indiana Code § 5-1-11-2(b).

(ii) All bids for the 2026 Bonds shall be sealed and shall be presented to the Controller in accordance with the terms set forth in the bond sale notice. Bidders for the 2026 Bonds shall be required to name the rate or rates of interest which the 2026 Bonds are to bear, which shall be the same for all 2026 Bonds maturing on the same date and the interest rate bid on any maturity of 2026 Bonds must be no less than the interest rate bid on any and all prior maturities, not exceeding five and one half percent (5.50%) per annum, and such interest rate or rates shall be in multiples of one-eighth or one-hundredth of one per cent. The Controller shall award the 2026 Bonds to the bidder who offers the lowest net interest cost, to be determined by computing the total interest on all the 2026 Bonds to their maturities and deducting therefrom the premium bid, if any, or adding thereto the amount of the discount, if any. No bid for less than [ninety-nine percent (99.0%)] of the par value of the 2026 Bonds (or such higher percentage as the Controller shall determine, with the advice of the City's financial advisor, prior to the sale of the 2026 Bonds) and accrued interest, if any, shall be considered. The Controller may require that all bids shall be accompanied by certified or cashier's checks or wire transfers payable to the order of the City of Bloomington, Indiana, or a surety bond, in an amount not to exceed one percent of the aggregate principal amount of the 2026 Bonds as a guaranty of the performance of said bid, should it be accepted. In the event no satisfactory bids are received on the day named in the sale notice, the sale may be continued from day to day thereafter for a period of thirty (30) days without re-advertisement; provided, however, that if said sale be continued, no bid shall be accepted which offers an interest cost which is equal to or higher than the best bid received at the time fixed for sale in the bond sale notice. The Controller shall have full right to reject any and all bids.

(c) Alternatively, if the Controller determines to sell the 2026 Bonds through a negotiated sale, the Controller may negotiate the sale of said Bonds at an interest rate or rates not exceeding five and one half percent (5.50%) per annum. The Mayor and the Controller are hereby authorized to (i) execute a purchase agreement with the purchaser selected by the Mayor and the Controller based upon the recommendation of the City's financial advisor, and (ii) sell such Bonds upon such terms as are acceptable to the Mayor and the Controller consistent with the terms of this Ordinance. The final form of the purchase agreement shall be approved by the Mayor and the Controller, upon the advice of the City's bond counsel and financial advisor, and the Mayor and the Controller are hereby authorized and directed to complete, execute and attest the same on behalf of the City so long as its provisions are consistent with the terms of this Ordinance.

(d) After the 2026 Bonds have been properly sold and executed, the Controller shall receive payment for the 2026 Bonds from the purchasers and shall provide for delivery of the 2026 Bonds to the purchasers.

(e) The Controller is hereby authorized and directed to obtain legal opinion as to the validity of the 2026 Bonds from Barnes & Thornburg LLP, and to furnish such opinion to the purchasers of the 2026 Bonds or to cause a copy of said legal opinion to be printed on each Bond. The cost of such opinion shall be paid out of the proceeds of the 2026 Bonds.

Section 7: Funds and Accounts; Use of Bond Proceeds.

There is hereby created and established the City of Bloomington, Indiana, 2026 Bond Sinking Fund (the “2026 Sinking Fund”) and the City of Bloomington, Indiana, 2026 Projects Construction Fund (the “2026 Construction Fund”).

(a) The City shall deposit in the 2026 Sinking Fund: (1) any amounts transferred from the 2026 Construction Fund pursuant to subsection (b) below; and (2) any ad valorem property taxes levied by the City for the payment of the principal of and interest on such series of 2026 Bonds. Money deposited into the 2026 Sinking Fund, together with investment earnings thereon, shall be transferred to the Paying Agent and used by the Paying Agent to pay the principal of and interest on the 2026 Bonds, when due, to the extent that such interest is not being paid with money on deposit in the 2026 Construction Fund. All money in the 2026 Sinking Fund shall be used solely to pay the principal of and interest on the 2026 Bonds, when due.

(b) The proceeds received from the sale of the 2026 Bonds shall be deposited in the 2026 Construction Fund. The proceeds deposited in the 2026 Construction Fund shall be expended only for the purpose of paying expenses incurred in connection with the 2026 Projects, including payment of capitalized interest on the 2026 Bonds, if necessary, together with the expenses incidental thereto and on account of the issuance of the 2026 Bonds. The Controller is authorized to pay costs of issuance from the proceeds of the 2026 Bonds. Any balance remaining in the 2026 Construction Fund after the completion of the 2026 Projects which is not required to meet unpaid obligations incurred in connection therewith and on account of the issuance of the 2026 Bonds may be used to pay debt service on the 2026 Bonds or otherwise used as permitted by law.

Section 8: Defeasance.

If, when the 2026 Bonds or any portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the 2026 Bonds or any portion thereof for redemption have been given, and the whole amount of the principal and the interest so due and payable upon such 2026 Bonds or any portion thereof then outstanding shall be paid, or (i) cash, or (ii) direct non-callable obligations of (including obligations issued or held in book entry form on the books of) the Department of the Treasury of the United States of America, and securities fully and unconditionally guaranteed as to the timely payment of principal and interest by the United States of America, the principal of and the interest on which when due without reinvestment will provide sufficient money, or (iii) any combination of the foregoing, shall be held irrevocably in trust for such purpose, and provision shall also be made for paying all fees and expenses for the payment, then and in that case the 2026 Bonds or such designated portion thereof shall no longer be deemed outstanding or secured by this Ordinance.

Section 9: Tax Covenants.

In order to preserve the exclusion of interest from gross income for federal income tax purposes on the 2026 Bonds, and as an inducement to purchasers of the 2026 Bonds, the City represents, covenants and agrees that:

(a) The City will not take any action or fail to take any action with respect to the 2026 Bonds that would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the 2026 Bonds pursuant to Section 103 of the Internal Revenue Code of 1986 as in effect on the date of issuance of the 2026 Bonds (the

“Code”), including, without limitation, the taking of such action as is necessary to rebate or cause to be rebated arbitrage profits on 2026 Bond proceeds or other monies treated as 2026 Bond proceeds to the federal government as provided in Section 148 of the Code, and will set aside such monies, which may be paid from investment income on funds and accounts notwithstanding anything else to the contrary herein, in trust for such purposes.

(b) The City will file an information report Form 8038-G with the Internal Revenue Service as required by Section 149 of the Code.

(c) The City will not make any investment or do any other act or thing during the period that any 2026 Bond is outstanding hereunder which would cause any 2026 Bond to be an “arbitrage bond” within the meaning of Section 148 of the Code and the regulations applicable thereto as in effect on the date of delivery of the 2026 Bonds.

Notwithstanding any other provisions of this Ordinance, the foregoing covenants and authorizations (the “Tax Sections”) which are designed to preserve the exclusion of interest on the 2026 Bonds from gross income under federal income tax law (the “Tax Exemption”) need not be complied with to the extent the City receives an opinion of nationally recognized bond counsel that compliance with such Tax Section is unnecessary to preserve the Tax Exemption.

Section 10: Amendments.

Subject to the terms and provisions contained in this section, and not otherwise, the owners of not less than sixty-six and two-thirds percent (66-2/3%) in aggregate principal amount of the 2026 Bonds then outstanding shall have the right, from time to time, to consent to and approve the adoption by the City of such ordinance or ordinances supplemental hereto as shall be deemed necessary or desirable by the City for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this Ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

(a) An extension of the maturity of the principal of or interest on any Bond, without the consent of the holder of each Bond so affected; or

(b) A reduction in the principal amount of any Bond or the rate of interest thereon, or a change in the monetary medium in which such amounts are payable, without the consent of the holder of each Bond so affected; or

(c) A preference or priority of any Bond over any other Bond, without the consent of the holders of all 2026 Bonds then outstanding; or

(d) A reduction in the aggregate principal amount of the 2026 Bonds required for consent to such supplemental ordinance, without the consent of the holders of all 2026 Bonds then outstanding.

If the City shall desire to obtain any such consent, it shall cause the Registrar to mail a notice, postage prepaid, to the addresses appearing on the registration books held by the Registrar. Such notice shall briefly set forth the nature of the proposed supplemental ordinance and shall state that a copy thereof is on file at the office of the Registrar for inspection by all owners of the 2026 Bonds. The Registrar shall not, however, be subject to any liability to any owners of the 2026 Bonds by reason of its failure to mail such notice, and any such failure shall not affect the validity of such supplemental ordinance when consented to and approved as herein provided.

Whenever at any time within one year after the date of the mailing of such notice, the City shall receive any instrument or instruments purporting to be executed by the owners of the

2026 Bonds of not less than sixty-six and two-thirds per cent (66-2/3%) in aggregate principal amount of the 2026 Bonds then outstanding, which instrument or instruments shall refer to the proposed supplemental ordinance described in such notice, and shall specifically consent to and approve the adoption thereof in substantially the form of the copy thereof referred to in such notice as on file with the Registrar, thereupon, but not otherwise, the City may adopt such supplemental ordinance in substantially such form, without liability or responsibility to any owners of the 2026 Bonds, whether or not such owners shall have consented thereto.

No owner of any Bond shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the City or its officers from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this Ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance of the City and all owners of 2026 Bonds then outstanding, shall thereafter be determined exercised and enforced in accordance with this Ordinance, subject in all respects to such modifications and amendments.

Notwithstanding anything contained in the foregoing provisions of this Ordinance, the rights and obligations of the City and of the owners of the 2026 Bonds, and the terms and provisions of the 2026 Bonds and this Ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the City and the consent of the owners of all the 2026 Bonds then outstanding.

Without notice to or consent of the owners of the 2026 Bonds, the City may, from time to time and at any time, adopt such ordinances supplemental hereto as shall not be inconsistent with the terms and provisions hereof (which supplemental ordinances shall thereafter form a part hereof),

- (a) To cure any ambiguity or formal defect or omission in this Ordinance or in any supplemental ordinance; or
- (b) To grant to or confer upon the owners of the 2026 Bonds any additional rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the owners of the 2026 Bonds; or
- (c) To procure a rating on the 2026 Bonds from a nationally recognized securities rating agency designated in such supplemental ordinance, if such supplemental ordinance will not adversely affect the owners of the 2026 Bonds; or
- (d) To obtain or maintain bond insurance with respect to the 2026 Bonds; or
- (e) To provide for the refunding or advance refunding of the 2026 Bonds; or
- (f) To make any other change which, in the determination of the Council in its sole discretion, is not to the prejudice of the owners of the 2026 Bonds.

Section 11: Approval of Official Statement.

If the Controller of the City, with the advice of the City's financial advisor, determines that the preparation of an official statement is necessary or is in the best interest of the City, then the Controller is hereby authorized to deem final an official statement with respect to the 2026 Bonds, as of its date, subject to completion thereof, and the Council further authorizes the distribution of the deemed final official statement, and the execution, delivery and distribution

of such document as further modified and amended with the approval of the Controller in the form of a final official statement.

Section 12: Additional Appropriation.

There is hereby appropriated the sum of Seven Million Dollars (\$7,000,000), to be provided for out of the proceeds of the 2026 Bonds, plus all investment earnings thereon, for the purpose of providing funds to pay the costs of the 2026 Projects, including related costs and the costs of issuing the 2026 Bonds, as provided in this Ordinance. Such appropriation shall be in addition to all appropriations provided for in the existing budget and shall continue in effect until the completion of the described purposes.

Section 13: Reimbursement.

The Council hereby declares its official intent that to the extent permitted by law, to issue the 2026 Bonds in one or more series or issues, in an aggregate principal amount not to exceed the Authorized Amount and to reimburse costs of the 2026 Projects consisting of the Expenditures from proceeds of the sale of such 2026 Bonds.

Section 14: Other Action.

The appropriate officers are hereby authorized to take all such actions and execute all such instruments as are necessary or desirable to effectuate this Ordinance. These actions include obtaining a rating, bond insurance or any other form of credit enhancement for the 2026 Bonds if economically feasible and desirable and with the favorable recommendation of the financial advisors to the City, and filing a report of an additional appropriation with the Indiana Department of Local Government Finance. In addition, the appropriate officers of the City are hereby authorized and directed to take any other action deemed necessary or advisable in order to effectuate the acquisition, construction and equipping of the 2026 Projects, the issuance of the 2026 Bonds, or any other purposes of this Ordinance.

Section 15: No Conflict.

All ordinances, resolutions, and orders or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed. After the issuance of the 2026 Bonds and so long as any of the 2026 Bonds or interest thereon remains unpaid, except as expressly provided herein, this Ordinance shall not be repealed or amended in any respect which will materially adversely affect the rights of the holders of the 2026 Bonds, nor shall the City adopt any law, ordinance or resolution which in any way materially adversely affects the rights of such holders.

Section 16: Severability.

If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

Section 17: Holidays, Etc.

If the date of making any payment or the last date for performance of any act or the exercising of any right, as provided in this Ordinance, shall be a legal holiday or a day on which banking institutions in the City or the city in which the Registrar or Paying Agent is located are typically closed, such payment may be made or act performed or right exercised on the next succeeding day not a legal holiday or a day on which such banking institutions are typically closed, with the same force and effect as if done on the nominal date provided in this Ordinance, and no interest shall accrue for the period after such nominal date.

Section 18: Effective Date.

This Ordinance shall be in full force and effect from and after its adoption and the procedures required by law. Upon payment in full of the principal and interest respecting the 2026 Bonds authorized hereby or upon deposit of an amount sufficient to pay when due such amounts in accord with the defeasance provisions herein, all pledges, covenants and other rights granted by this Ordinance shall cease.

Passed

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

Signature of Common Council President Isak Nti Asare

Attestation of Bloomington City Clerk:

Signature of Bloomington City Clerk Nicole Bolden

Presentation by Bloomington City Clerk:

Presented by me to the Mayor of Bloomington, Monroe County, Indiana, upon this day of , 2026.

Signature of Bloomington City Clerk Nicole Bolden

Approval by the Mayor:

Signed and approved by me on this day of , 2026.

Signature of Mayor Kerry Thomson

Synopsis:

This Ordinance approves the issuance of general obligation bonds of the City of Bloomington, Indiana, under Indiana Code § 36-4-6-19, in an aggregate principal amount not to exceed \$6,868,000, for the purpose of financing certain capital projects and investments throughout the City related to safety improvements.

Exhibit A:

Description of the 2026 Projects:

The proceeds of the 2026 Bonds will be used to finance all or a portion of the costs of acquisition, design, engineering, construction, reconstruction, repair, renovation, improvement, implementation and/or equipping of separate, independent capital projects to improve public safety, including without limitation: (1) replacement of an aerial platform fire truck; (2) sidewalk and/or bikeway improvements to the Priority Corridors and/or Priority Intersections as identified within the City's Safe Streets for All ("SS4A") Action Plan; (3) crosswalk safety improvements throughout the City; (4) signal modernization and safety improvements along 3rd Street; (5) safety improvements along 10th Street; and (6) lighting improvements for intersection and corridor safety (each, a "2026 Project" and, collectively, the "2026 Projects").

The total cost to the City of any individual 2026 Project, including an allocable portion of the costs of issuing the 2026 Bonds, whether financed with proceeds of the 2026 Bonds or other legally available revenues of the City, shall in no event exceed Six Million Eight Hundred Sixty-Eight Thousand Six Hundred Sixty-Four Dollars (\$6,868,664).

2026 GENERAL OBLIGATION BONDS

CITY OF BLOOMINGTON

WHY THE CITY USES CAPITAL DEBT

- Long-lived improvements benefit residents over many years
- Borrowing distributes capital costs across taxpayers who benefit
- Preserves operating resources for essential City services
- GO bonds are supported by the City's property-tax base

A SYSTEMATIC CAPITAL FINANCING APPROACH

First issuance in a planned three-year rotating cycle of capital bonds

- Capital planning identifies and prioritizes major needs
- Use grants, existing resources, and debt together as appropriate
- Match financing periods to the useful lives of assets
- Maintain manageable debt service and capacity for future needs
- Separate GO bonds for Civil City and Parks (Parks deferred to 2028 at earliest)

CAPITAL IMPROVEMENT PLAN

Plan ahead Identify major capital needs over a 5–10-year horizon

Prioritize together Evaluate department requests by cost, urgency, and community impact

Match funding Consider cash reserves, tax revenues, grants, and debt

Connect to operations RFG integrates capital plans into the City's long-term operating forecast

Refine and update First draft underway; second iteration targeted by year-end

2026 GO BOND: AUTHORIZATION & PROCESS

Financing parameter	Proposed authorization
Maximum bond principal	\$6,868,000
Additional appropriation	\$7,000,000
Maximum interest rate	5.50%
Maximum maturity	7 years from first issuance
Current financing expectation	Just over 6 years; approximately 5%

Final rates and debt service will be determined at sale; ordinance limits are ceilings.

COUNCIL & ISSUANCE TIMELINE

Date	Milestone
Oct 14	First reading
Oct 20	Additional-appropriation notice to Gateway
Nov 4	Public hearing and second reading
Nov 18	Third reading, if necessary
Nov 23 (Week of)	Finalize and distribute bond terms
Dec 10	Closing; file debt report in Gateway

PROJECT PORTFOLIO AT A GLANCE

Proposed use	Bond funding
Aerial platform fire truck	\$2,500,000
10th Street safety improvements	\$1,700,000
3rd Street signals and safety	\$1,500,000
SS4A priority corridors/intersections	\$500,000
Crosswalk safety improvements	\$280,000
Intersection/corridor lighting	\$250,000
Total Allocations	\$6,730,000

FIRE SAFETY: AERIAL PLATFORM TRUCK

\$2.5M



Replace the City's only 100-foot aerial platform apparatus

Existing truck has rising repair costs and extended downtime

Recent repair expected to exceed \$100,000; downtime over four months thus far

Seeking a stock unit to reduce delivery lead time

Existing unit will be sold and proceeds deposited in General Fund

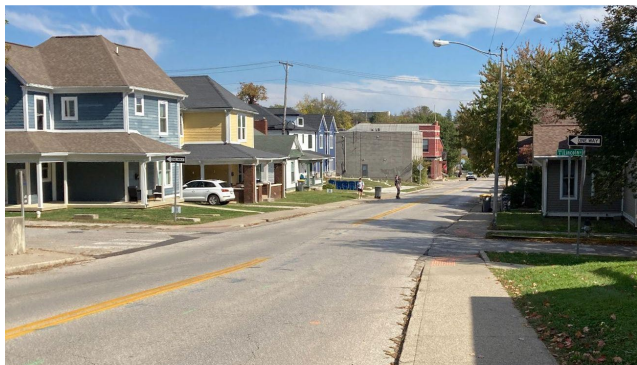
TRANSPORTATION SAFETY: MAJOR CORRIDORS

10TH STREET | \$1.70M

College Avenue to Park Avenue

Sidewalks, curb ramps, buffers, paving, raised intersections, lighting, etc.

Construction anticipated 2028

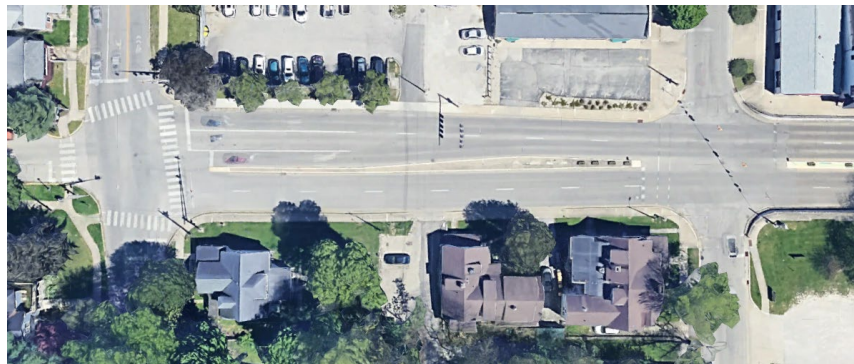


3RD STREET | \$1.50M

Rogers and Madison intersections

Signal modernization and safety upgrades; corridor study underway

Construction anticipated 2028



TRANSPORTATION SAFETY: CROSSWALKS | \$280K

CROSSWALK SAFETY PHASE 3

W 17th Street/N Willis Dr Intersection

E Covenanter Dr/S Auto Mall Rd Intersection

Construction Inspection Services (\$110K)

Construction anticipated 2027-2028



CROSSWALK SAFETY PHASE 4

E 3rd Street and E Atwater Avenue
corridor area south of Indiana University

Engineering Design Services (\$170K)

Construction anticipated 2030



SAFE STREETS FOR ALL (SS4A) ACTION PLAN IMPLEMENTATION

SIDEWALK/BIKEWAY IMPROVEMENTS | \$500K

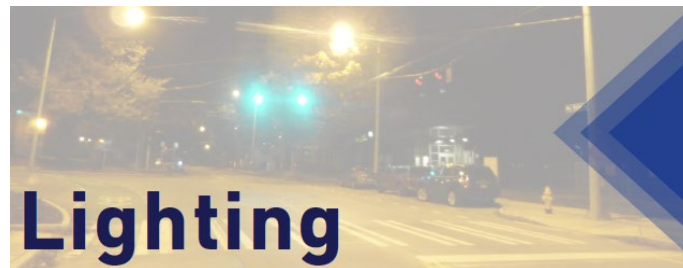
Leverage maintenance focused projects opportunities identified in corridor studies
Construction anticipated 2027-2028



Appendix C: Proven Safety Countermeasures
November 2024

INTERSECTION & ROADWAY LIGHTING | \$250K

Policy, standard, and process review including prioritization methodology
Anticipated schedule 2027-2028



Constitutional Debt Limit

2026 Certified Assessed Value	\$5,482,618,249
Constitutional Debt Limitation	\$36,550,788
Outstanding Debt Toward Constitutional Limit (as of 10/9/2026)	
GO Bonds 2016	\$6,470,000
GO Bonds 2022	\$1,630,000
GO Bonds 2024	\$292,000
Total Debt Toward Limitation	\$8,392,000
Remaining Constitutional Debt Limit	\$28,158,788
Proposed Borrowings Toward Debt Limit	
General Obligation Bonds, Series 2026	\$6,865,000
Issuance Margin	\$21,293,788



Tax Rates

	2026 Actual	2027 Projection	2028 Projection	2029 Projection	2030 Projection
Net Assessed Value	5,482,618,249	5,340,361,947	5,340,361,947	5,340,361,947	5,340,361,947
General	0.5026	0.5469	0.5798	0.6146	0.6514
MVH	0.0218	0.0237	0.0251	0.0267	0.0283
Park & Recreation	0.1811	0.1971	0.2089	0.2214	0.2347
Total Levy Controlled Funds	0.7055	0.7678	0.8138	0.8626	0.9144
Total Rate Controlled Funds	0.0500	0.0500	0.0500	0.0500	0.0500
Debt-Service Funds					
GO 2016	0.0144	0.0152	0.0151	0.0150	0.0145
GO 2022	0.0204	0.0213	0.0108	—	—
GO 2024	0.0091	—	—	—	—
Parks GO 2016	0.0091	0.0098	0.0098	0.0097	0.0098
Parks Bicentennial 2018	0.0134	0.0140	0.0140	0.0139	0.0140
Parks GO 2022	0.0204	0.0204	0.0107	—	—
Total Debt-Service Funds	0.0868	0.0808	0.0604	0.0387	0.0384
Total All Funds Current Rate	0.8423	0.8985	0.9242	0.9513	1.0028
Current City Debt Rate	0.0439	0.0366	0.0259	0.0150	0.0145
Proposed 2026 GO Rate	—	0.0249	0.0249	0.0249	0.0249
Proposed 2029 GO Rate	—	—	—	—	0.0249
Total City Debt Service Rate	0.0439	0.0615	0.0508	0.0399	0.0643
Total Tax Rate With Proposed Debt	0.8423	0.9234	0.9491	0.9762	1.0526

WHAT COUNCIL IS BEING ASKED TO APPROVE

- Authorize up to \$6.868M of City general obligation bonds
- Approve a \$7.0M additional appropriation supported by bond proceeds and earnings
- Fund priority public-safety and transportation-safety capital projects
- Allow final financing terms to be set within ordinance limits