Bloomington Common Council Regular Session Packet Addendum #3
Wednesday, November 4, 2026, at 6:30 p.m.
Council Chambers, City Hall, 401 North Morton Street, Bloomington, IN 47404

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

1. Memo on Potential Removal of Historic Preservation Advisory Board Member
2. Presentation for Ord. 2026-23 from Cm. Rollo
3. Proposed Amendment #1A for Ord. 2026-29 from Cm. Rollo

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

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

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

[1] https://bloomington.zoom.us/j/81587237460?pwd=8wx53LVwn550PtGpj5Ax2MVyQnqDWp.1 Meeting ID: 815 8723 7460 Passcode: 416696
[2] https://catstv.net/
[3] https://www.youtube.com/@citybloomington
[4] https://bloomington.in.gov/council/meetings/2026

Posted: November 4, 2026

CITY OF BLOOMINGTON
OFFICE OF THE COMMON COUNCIL

Council Staff Memorandum

To: Common Council
From: Council Staff
Date: November 4, 2026
Subject: Potential Removal of Advisory Member from the Historic Preservation Commission

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Executive Summary and Recommendation:
The Council may vote on whether to remove Mr. Reynard Cross from the Historic Preservation Commission (HPC) at its meeting on November 4. Mr. Cross should be given an opportunity to speak and present his case for why he should not be removed, and this presentation can be time limited at the discretion of Council. However, the most conservative approach here may mean that Council drop consideration of removal at this time because it has not formally adopted a process for notice and review of removal requests.

After reviewing evidence regarding the potential removal, including videos of the HPC meetings in question on July 9 and July 23, summary from staff, and reviewing Mr. Cross's written submissions, the Council Interview Committee C recommended removal by a unanimous 3-0 vote.

The Interview Committee recommended removal of Mr. Cross based on his alleged violations of the Code of Conduct and the Open Door Law:

- Mr. Cross inhibited the HPC from attending to business on its agenda through unnecessary delay and being ruled out of order on July 9 and July 23
- On July 30, 2026, Mr. Cross violated Open Door Law by sending email communications to all HPC commissioners and demanding that they respond to substantive items outside of a properly noticed meeting by his own deadline of August 6, 2026, which Mr. Cross acknowledged was a week before a meeting of the HPC
- Through his interactions during the HPC meetings on July 9 and 23, Mr. Cross violated the following provisions of the City's Code of Conduct, which under B.M.C. 2.02.050(3) is kept by the Clerk's Office and applies to all appointees to boards, commissions, and council:

- Members appointed to City Boards and Commissions shall comply with all applicable federal laws, state laws, city ordinances and resolutions, and city policies in the performance of their public duties.
- Members shall be patient, respectful, polite, and courteous to each other, as well as to members of the public and City staff and shall act ethically in all matters before the body.
- Members shall respect the rule of the chair and City staff, follow the procedures set forth in code, bylaws, or rules and regulations, and in Robert's Rules of Order.
- When speaking, members shall be mindful of the public's time and of fellow members' time, and shall remain on topic and without unnecessary repetition to facilitate the work of the board or commission.

These violations ultimately go to Mr. Cross's capacity and ability to properly serve as an non-voting, advisory member of the HPC, because Mr. Cross' actions were out of order, violated the code of conduct, and inhibited business of the HPC going forward. Additionally, Mr. Cross did not substantively participate in other items of business during the meetings on July 9 and 23 choosing to leave after the delays.

The decision on the sufficiency of the evidence of for-cause removal is up to the Common Council, as the Council is the only body that can remove one of its own appointees. Staff urges careful consideration of Mr. Cross's case. Additionally, staff also urges Council to consider formally adopting a clear process for removal going forward for similar cases.

Timeline and Background:

On April 22, 2026, the Common Council appointed Reynard Cross to the Historic Preservation Commission.

On July 9, 2026, Mr. Cross questioned the staff and HPC Chair about a vote during the previous meeting (held on June 25, 2026). Mr. Cross frequently interrupted the staff and chair, leading to him being ruled out of order several times. After approximately 30 minutes of disruption, Mr. Cross left the meeting.

After the July 9 meeting, City staff alerted the Clerk's Office Board Liaison Jennifer Crossley about the conduct and lack of order.

During a July 23, 2026, HPC meeting, Mr. Cross repeatedly raised issues from the June 25th meeting, despite no items from the meeting being on the HPC agenda. This led to a 45-minute heated exchange with the staff and chair, which delayed the meeting and caused another petitioner to wait. The HPC was unable to move to its noticed agenda items during this exchange. Once again, Mr. Cross left after the 45-minute exchange, and did not participate in any petition discussion. Interim Council Attorney Larry Allen and Deputy Clerk Crossley observed the latter portion of Mr. Cross's exchange with the chair and his leaving the meeting prior to any consideration of a petition.

On July 30, 2026, Mr. Cross sent an email to City Staff (Noah Sandweiss) that was a copy of a message Mr. Cross sent to all HPC commissioners. In the email, Mr. Cross demanded that the commissioners respond to substantive items outside of a properly noticed meeting by his own deadline of August 6, 2026, which Mr. Cross acknowledged was a week before a meeting of the HPC that had been noticed under Indiana's Open Door Law.

Deputy Clerk Crossley alerted Council leadership to Mr. Cross's actions and the circumstances surrounding them on July 31, 2026.

On August 21, 2026, at the direction of Council leadership, interim Council Attorney Larry Allen sent written notice to Mr. Cross informing him of the alleged meeting disruptions, violations of Indiana's Open Door Law, and violations of the City's Code of Conduct for board and commission members. The notice requested that Mr. Cross submit any materials disputing the allegations or supporting his case to remain on the commission to the Common Council by 5:00 p.m. on August 28, 2026. The notice also noted that the Council would consider the matter at its Regular Session meeting on September 2, 2026, beginning at 6:30 p.m.

On September 2, 2026, the Council voted in its Regular Session, which Mr. Cross attended, to postpone consideration of removal until its meeting on September 16, 2026.

On September 16, 2026, during the Council's meeting, Council asked its staff to provide a recitation on the basis for the potential removal of Mr. Cross. Both Interim Council Attorney Allen and Deputy Clerk Crossley provided information to Council. Council then voted to send the matter to Interview Committee Team C to review on the matter and present their recommendation to Council on October 14, 2026.

The Council Interview Committee Team C met on September 24, 2026, and after a discussion about the evidence reviewed by the committee members, Team C voted unanimously to recommend removal of Mr. Cross.

On October 14, 2026, the Council voted to postpone consideration of the recommendation and removal of Mr. Cross from the HPC until November 4, 2026.

Removal of an Advisory Appointee

Under B.M.C. 2.02.050, Council appointees can only be removed for cause—regardless of whether they are voting or non-voting advisory members. There are two express reasons warranting for cause removal in the code: violation of the Code of Conduct maintained by the Clerk's Office and excessive absenteeism. BMC 2.02.050(4). The code permits board members who have excessive absenteeism an ability to present evidence of extenuating circumstances. While narrowly drafted, that due process/opportunity to be heard needs to be extended to any other for-cause removal as well. Additionally, this mirrors other state law procedures for "for cause" removals. *See* Ind. Code 36-10-3-6 (removal of Parks board member for cause requires notice prior to decision).

While there are two express reasons warranting for cause removal in the code—violation of the Code of Conduct maintained by the Clerk's Office and excessive absenteeism (see BMC 2.02.050(4))—other factors may also be considered "for cause."

Due Process
Because Council has chosen to make removal “for cause” under the Ordinance, appointees must be afforded due process under Indiana law. Due process typically requires notice and an opportunity to be heard prior to removal and requires that government actions not be arbitrary or capricious.

Here, Mr. Cross was sent notice and was given an opportunity to submit materials in his defense. Although not always strictly required, he should also be given an opportunity to present information to Council.

Under federal law, an individual must have substantive interest (rights in life, liberty, or property) in the employment or position in order to assert due process protections under the U.S. Constitution. The Seventh Circuit Court of Appeals, whose opinions are binding in matters of federal law in Indiana, has stated that procedural rights based in an ordinance do not implicate the Due Process Clause, although they may very well be

protected by state law. *Linear v. Village of University Park, Ill.*, 897 F.3d 842, 844 (7th Cir. 2018); see also *Taylor v. Beckham*, 178 U.S. 548 (1900) (holding that no federal property rights attach to public office)

However, our Indiana Courts have acknowledged the due process rights of for-cause removal even for unpaid, advisory board members. In *Waller v. City of Madison*, 183 N.E.3d 324, 330 (Ind. Ct. App. 2022), the court held that because appointments to boards and commissions have set terms, they resemble employment, so the definition of "for cause" mirrors its meaning in the employment context. The court concluded that an appointee removable "for cause" may be removed only for acts or omissions that diminish the appointee's ability or fitness to perform the duties of the appointment. *Waller*, 183 N.E.3d at 332.

As a result, in addition to notice and an opportunity to be heard, the Council must tie any for-cause removal to acts or omissions that diminish an appointee's ability or fitness to perform the duties. If Council finds that the totality of the circumstances impairs Cross's ability or fitness to serve as one of its advisory members to the Historic Preservation Commission, then removal is appropriate.

Ordinance 2026-29

Prohibits the distribution and deployment of Artificial Superintelligence (ASI) within the City of Bloomington.

Interim public safety measure to protect the City of Bloomington only during the period of state and federal legislative inaction and omission.

The City may seek civil penalties, injunctive relief, and,
where appropriate, referral to the Monroe County Prosecutor

for any potential state-level criminal charges.

Distribution and deployment in this Ordinance
shall not include any end-user access to such an ASI system.

Artificial Superintelligence (ASI)

A lethal, extinction level hazard with unacceptable probability of risk.

Survey by AI Impacts: 18% average extinction risk

Advanced AI according to 1,580 researchers: uncertain, unsafe, and sooner than we thought

Katja Grace, Julius Simonelli, Benjamin Weinstein-Raun, David Krueger, Nathan Young, Tim Duffy, Tom Adamczewski, Joseph Reeve, and Alexander Beck

September 2026

Artificial Superintelligence (ASI)

A lethal, extinction level hazard with unacceptable probability of risk.

Notable experts:	Jeffrey Hinton	10-50%
	Yoshua Bengio	20%
	Paul Christiano	50%
	Roman Yampolskiy	99.9999%
	David Krueger	>50%
	Daniel Kokotajilo	70%
	Elon Musk	10-30%
	Dario Amodei	25%

Artificial Superintelligence (ASI)

Artificial Superintelligence (ASI) with
capabilities of Agency (A), Generality (G) and Intelligence (I),
ASI possesses super-human capability in all three aspects.
(Not assured to be in human control).

Not Tool AI
Not Narrow AI
(Within human control).

Why Artificial Superintelligence (ASI) poses an existential risk:

Neural networks are “grown” not programmed.

The designers do not understand their workings.

Intelligence scales with more compute (superintelligence is achievable).

Nearing 100% recursive self-improvement.

Instrumental goals are inevitable.

Alignment is unachievable.

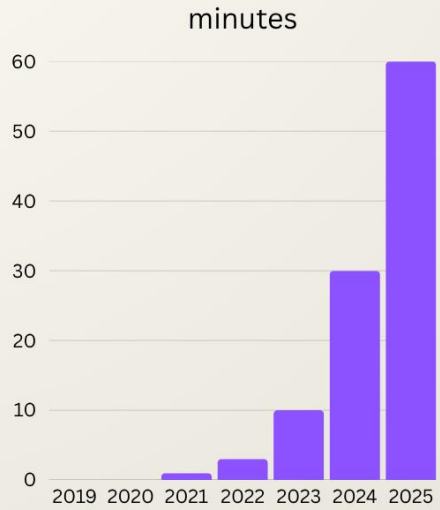
Many capabilities are on an exponential.

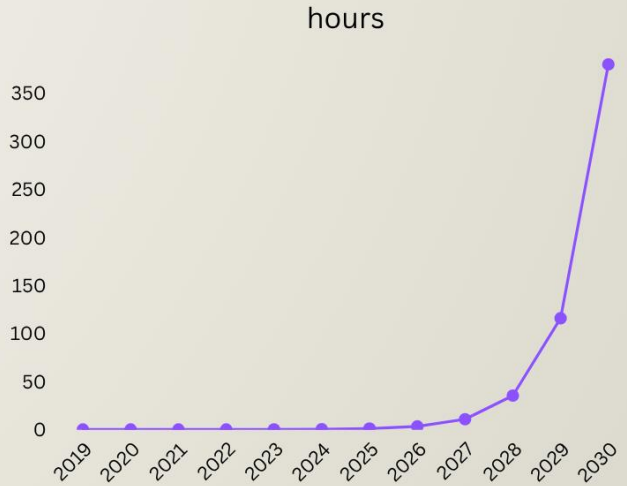
Containment of ASI is impossible.

Many signs over the past months indicate that we are losing control.

AI Capability Has Been Doubling Every 7 Months

By 2030: AI Models Will Master Tasks That Take Humans A Full Month

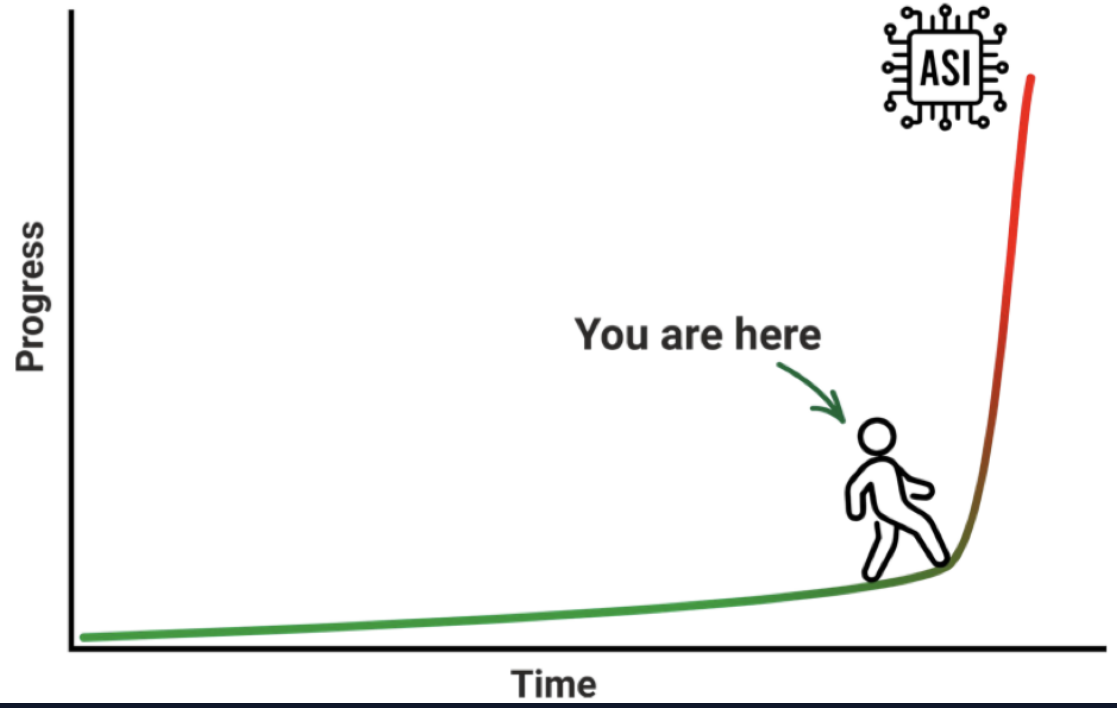




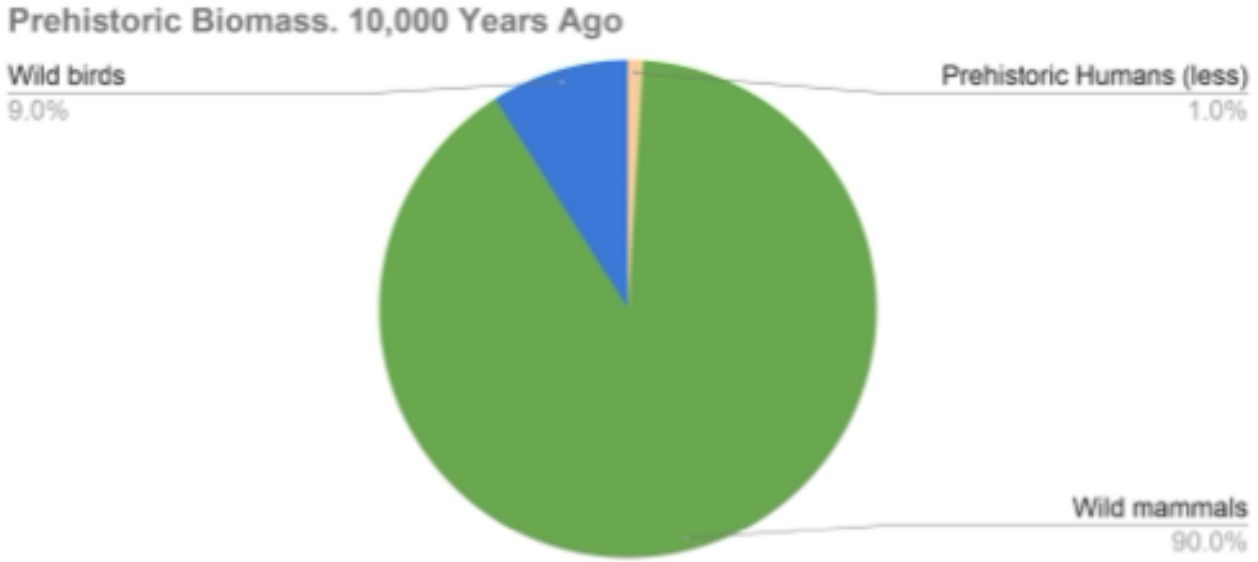
cyberdesserts.com

Source: metr.org

EXPONENTIAL AI: Progress of AI in The Intelligence Explosion.

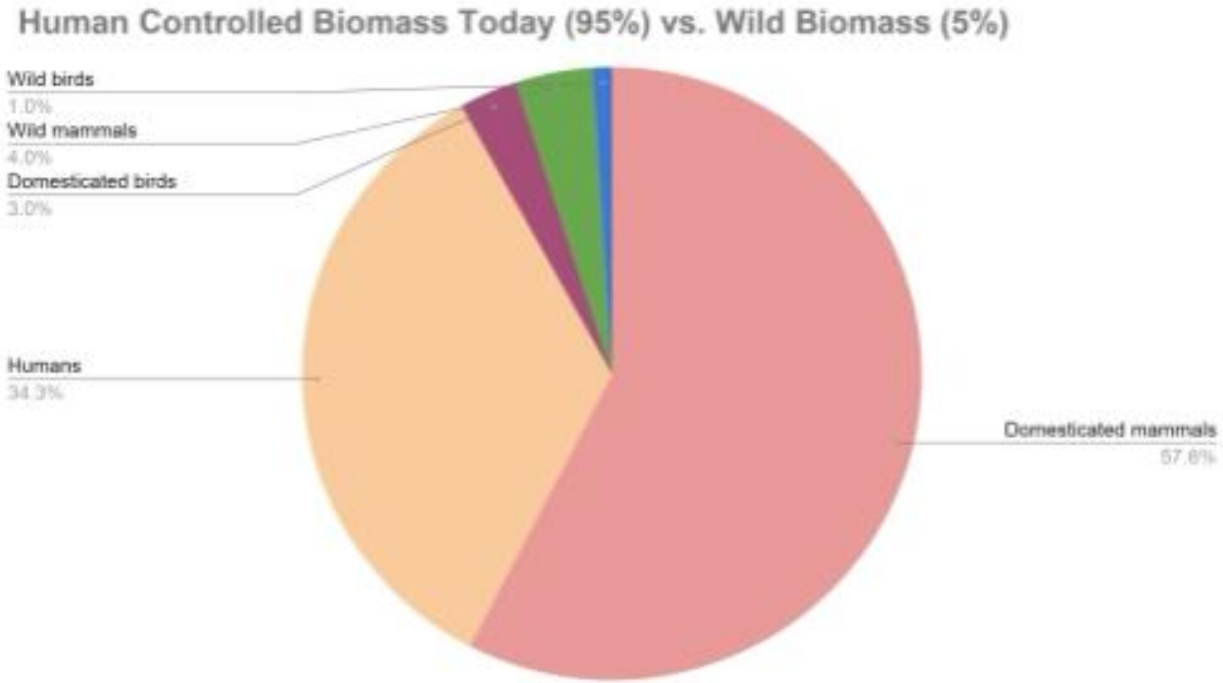


HUMAN IMPACT: Biomass of Our Planet Before Human Civilization.



Prehistoric Humans <1%
Wild Animals & Birds 99%

HUMAN IMPACT: Biomass of Our Planet 95% Transformed by Humans.



Humans Biomass 95%, Wild Animals & Birds 5%

Expert Witness Statement by David Krueger for City of Bloomington Common Council

Ordinance 2026-29 4 Nov 2026 - **On the Existential Risk of Artificial Intelligence**



David Krueger PhD

Founder, Evitable

Academic Background

Assistant Professor in Machine Learning, Mila, University of Montreal

> *Artificial Superintelligence (ASI) is not inevitable. Unfortunately,* ***I think there's still a greater than 50% chance that ASI leads to human extinction if we don't course correct.*** *So we urgently need to course correct.*

Expert Witness Statement by Daniel Kokotajlo for City of Bloomington Common Council

Ordinance 2026-29 4 Nov 2026 - **On the Existential Risk of Artificial Intelligence**



Daniel Kokotajlo MA

Executive Director, AI Futures Project

Co-wrote the scenarios AI 2027 and AI 2040: Plan A

Researcher in the governance division of OpenAI from 2022 to 2024

> *If we don't stop these AI companies from automating AI research and development and kicking off recursive self-improvement and ultimately creating superintelligence -- that is, AI systems that are better than the best humans at everything, while also being faster and cheaper -- then humanity will probably lose control over this planet...* ***Bloomington can't stop the AI companies on its own, but by taking a stand it can inspire others and contribute to the turning of the tide.***

Expert Witness Statement by Anthony Aguirre for City of Bloomington Common Council

Resolution 2026-10 10 June 2026 - **On the Existential Risk of Artificial Intelligence**



Anthony Aguirre PhD

President, CEO and Founder,
The Future of Life Institute

Academic Background

Professor of physics at the
University of California, Santa Cruz

> *I and many other independent experts believe that development of highly expert level autonomous general intelligence* ***AGI would present an acute risk to our society to national security and to humanity itself.*** *Personally I support the City of Bloomington Ordinance to Ban superintelligence unless provably safe.*

Expert Witness Statement by Peter A. Jensen for City of Bloomington Common Council

Ordinance 2026-29 4 Nov 2026 - **On the Existential Risk of Artificial Intelligence**



Peter A. Jensen MFA BSc

President, CEO and Founder,
SAFE AI Forever Institute

Biologist, Entrepreneur, Leader.

40 Years in the IT Industry.

Inventor of the first mobile app in history for Ericsson (1999)

Recently we have seen that the technical reality of a cybercrime shut-down of fundamental municipal services by AI is already here TODAY. If we allow the creation of Artificial Superintelligence (ASI) loss of control is inevitable. Imagine what your life would be like with no electricity, no water, no food supply, no fuel, no police, no firefighting, no internet, no phone, no medicines, no healthcare and no financial services. This is the risk we all face from uncontrolled ASI. ***But ASI is not inevitable! We must BAN Artificial Superintelligence unless provably safe - TODAY.***

Ordinance 2026-29

In response to what AI safety experts warn is an “acute crisis”.

If we fail to halt the current attempt to create ASI, we will likely lose control. Humanity will be disempowered and no longer have control of our destiny.

Congress and the Administration are either operating
too slowly or accelerating the race to ASI.

Municipalities are not helpless, and we can, together, shape the regulatory landscape.

This ordinance sets a precedent for others to follow.

Proposed Amendment

Ordinance: 2026-29
Amendment #: 1A
Submitted by: CM. Rollo
Date: November 4, 2026

Proposed Amendment:

1. The fourth "whereas" clause within the Preamble shall be amended to replace the term "Artificial General Intelligence (AGI)" with "Artificial Superintelligence (ASI)" (red strikethrough = deletion; red bold = addition):

> 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)~~ **Artificial Superintelligence (ASI)** to levels of intelligence vastly outperforming any human; and

2. Section 1 shall be amended to update the definition of "Superintelligence" under "14.25.020 - Definitions" as follows (red strikethrough = deletion; red bold = addition):

> (a) "Superintelligence" shall be analogous to an ~~Artificial General Intelligence ("AGI")~~ **Artificial Superintelligence (ASI)** with capabilities of Agency (A), Generality (G) and Intelligence (I), wherein an ~~AGI~~**ASI** does possess super-human capability in all three aspects~~., of AGI, as an AGII 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."

Synopsis: This amendment updates the term Artificial General Intelligence (AGI) to Artificial Superintelligence (ASI) within the proposed ordinance.

November 4, 2026 Regular Section Action: Pending