

In Bloomington, Indiana on Wednesday, June 16, 2021 at 6:30pm, Council President Jim Sims presided over a Regular Session of the Common Council. This meeting was conducted electronically via Zoom.

COMMON COUNCIL
REGULAR SESSION
June 16, 2021

Councilmembers present via Zoom: Matt Flaherty, Isabel Piedmont-Smith (arrived at 6:46pm, left at 11:01pm), Dave Rollo, Kate Rosenbarger, Susan Sandberg (arrived at 7:30pm), Sue Sgambelluri, Jim Sims, Ron Smith
Councilmembers absent: Stephen Volan

ROLL CALL [6:32pm]

Council President Jim Sims summarized the agenda.

AGENDA SUMMATION [6:33pm]

Flaherty moved and it was seconded to approve the minutes of May 27, 2020 and July 29, 2020. The motion received a roll call vote of Ayes: 6, Nays: 0, Abstain: 0.

APPROVAL OF MINUTES [6:37pm]

May 27, 2020 (Special Session)
July 29, 2020 (Regular Session)

Sims wished everyone a Happy Freedom Day, Jubilee Day, and/or Liberation Day. He noted that the day, June 19, was also known as Juneteenth and marked the day when federal troops arrived in Galveston, TX in 1865 to ensure all slaves were freed. Sims commented that it would be a federal holiday in the near future.

REPORTS

- COUNCIL MEMBERS
[6:37pm]

Devta Kidd, Director of Innovation, provided an update on the work of the Innovation Task Force established in 2016. She discussed recommendations, national trends, scope of work, innovation efforts at the city, impacts, and examples of solutions. Kidd also spoke about the leaf collection process, and incentivizing mulching and composting in collaboration with Earthkeepers. She also explained the research partnership between City of Bloomington Utilities (CBU) and 120 Water and for collecting samples of Covid-19 Ribonucleic Acid (RNA) in wastewater.

- The MAYOR AND CITY
OFFICES [6:38pm]

Rollo asked about distributing compost bins and reducing kitchen waste.

Council questions:

Kidd said that the city's partnership with Earthkeepers was significant and provided data on the pilot program for composting.

Sgambelluri asked how other cities' innovation directors measured program success.

Kidd said that she connected with other innovation directors and discussed how to quantify success, which was not easy and was ongoing. Documenting innovative efforts in the city, and training staff, was providing information on successes and other opportunities for innovation.

Alex Crowley, Director of the Economic and Sustainable Development (ESD) Department mentioned that Sean Starowitz, Assistant Director for the Arts, was leaving the city for graduate studies. He highlighted Starowitz's work during his tenure with the city.

Starowitz commented on his time with the city and thanked everyone.

Sims thanked Starowitz for his work with the city.

There were no council committee reports.

- COUNCIL COMMITTEES
[7:11pm]

Andrew Guenther spoke about a lawsuit he was involved in against the city, and about city boards and commissions.

• PUBLIC [7:13pm]

Mary Morgan spoke about vandalism in the downtown, pan-handling, defecation, and used needles. She highlighted the impacts on local businesses.

Jim Shelton discussed impacts of annexation on the county's Tax Increment Financing (TIF).

Alex Goodlad spoke about the unhoused population, the Greater Chamber of Commerce, businesses, and civility.

Flaherty moved and it was seconded to appoint Matthias Benko to seat C-6 on the Environmental Commission. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:29pm]

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:32pm]

Flaherty moved and it was seconded to read Resolution 21-19 by title and synopsis only. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0. Clerk Nicole Bolden read the legislation by title and synopsis.

Resolution 21-19 - Authorizing the Allocation of the Jack Hopkins Social Services Program Funds for the Year 2021 and Related Matters

Flaherty moved and it was seconded to adopt Resolution 21-19.

Sandberg presented Resolution 21-19 and highlighted details of the recommended allocations. Sandberg thanked staff for their help with the Jack Hopkins Social Services Funding (JHSSF) program process.

Piedmont-Smith asked about the religious affiliation of some organizations and how the city ensured that there was no religious test for people to receive assistance.

Council questions:

Sandberg explained that the services provided had to meet the thorough criteria of the JHSSF program. It was carefully monitored by the Housing and Neighborhood Development (HAND) Department.

Piedmont-Smith asked Sandberg to clarify more about the organization named Persisterhood.

Sandberg explained that the group provided goods for sale and donated monies to nonprofit organizations that served individuals who met the JHSSF criteria.

Scott Tibbs opposed funding for All Options Pregnancy Resource Center.

Public comment:

Carol Canfield spoke against funding for All Options.

Vauhxx Booker commented that abortions were not being funded by All Options with JHSSF funding.

Sgambelluri thanked the organizations in the Bloomington community. She acknowledged the comments from Tibbs and Canfield, and spoke about her process in reviewing the applications. She met with organizations' leaders about separating funding via accounting procedures within the organization. She commented further on diaper drives, health, human dignity, abortion, and stated her support of Resolution 21-19.

Council comments:

Smith thanked the organizations, city staff, JHSSF Chair Sandberg, and stated his support of Resolution 21-19.

The motion to adopt Resolution 21-19 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Flaherty moved and it was seconded that Resolution 21-21 be 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.

Flaherty moved and it was seconded to adopt Resolution 21-21.

Crowley presented the legislation to the council.

Jeff Ryan, Vice President of Development for Real America Development, provided background on the company and its goal of developing affordable housing.

There were no council questions.

Larry Allen, Assistant City Attorney in the Legal Department, noted that the meeting was a public hearing, which would close at the conclusion of public comments.

There were no public comments.

Sandberg thanked Real America and the city for their collaboration. She noted affordable housing was a critical need, the project was a good step forward, and hoped it would stimulate more projects.

The motion to adopt Resolution 21-21 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Flaherty moved and it was seconded to introduce Resolution 21-22 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 only.

Flaherty moved and it was seconded to adopt Resolution 21-22.

Philippa Guthrie, Corporation Counsel, presented Resolution 21-22 and explained the reasoning behind opting out of the settlements. She also explained that the city could opt back in within sixty days.

Sims appreciated the ability to opt back in to the settlements within sixty days. He asked what could change that would prompt the city to do so. He asked if clarification on the ambiguity in the settlement would suffice for the city to opt back in.

Guthrie stated that could be a possibility and that she was not sure what could change.

Jonathan Null, outside counsel for the city, discussed the opioid litigation. He said that one could not predict what could change, but that opting out allowed the city to have more time.

Sims asked if there would be possible future settlements, either as part of the state or as individuals.

Null confirmed that was something to consider amongst other items.

Resolution 21-19 (cont'd)

Vote to adopt Resolution 21-19 [7:54pm]

Resolution 21-21 - To Confirm Resolution 21-20 Designating an Economic Revitalization Area, Approving the Statement of Benefits, and Authorizing an Abatement Period for Real Property Improvements - Re: Property at 1730 S. Walnut Street (Retreat at Switchyard) (Real America LLC/Retreat at Switchyard, LP, Petitioner) [7:55pm]

Council questions:

Public comments:

Council comment:

Vote to adopt Resolution 21-21 as amended [8:04pm]

Resolution 21-22 - Resolution Proposing Opt Out of Opioids Settlements Pursuant to Indiana Code § 4-6-15-2 [8:05pm]

Council questions:

Sandberg asked who would file a suit for the settlement, and if individuals would be able to do so.

Null explained that the statute was related to Indiana political subdivisions and described details.

Sandberg responded that she was interested in who would benefit from successfully filing a lawsuit from the area.

Null said the lawsuit was only on behalf of the city.

Sandberg clarified that it was not individuals but the city.

Null confirmed that was correct.

Resolution 21-22 (cont'd)

Flaherty said that Resolution 21-22 implied that the city would be better off to opt out, and asked about the potential downsides to not opt out of the state approach. He also asked what the city's participation would be going forward.

Null said that assuming the city did not opt back in after sixty days it would move forward in the court system. All of the cases filed in federal court were consolidated before one judge in northern Ohio. He provided examples of ongoing cases.

Flaherty asked if by opting out, the city would have more control and/or a larger share of the settlement.

Null said it was hard to predict, but by opting out the city did have more control over its claims.

Flaherty asked if it was unlikely that the city would be in a worse position by opting out.

Null confirmed that was correct, and that currently it was an administrative step.

There were no public comments.

Public comment:

Piedmont-Smith commented that it seemed ideal to opt out at the time. She said that staff's time and obtaining counsel would be made up with the settlement.

Council comments:

The motion to adopt Resolution 21-22 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Resolution 21-22
[8:24pm]

Flaherty moved and it was seconded that Resolution 21-23 be 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.

Resolution 21-23 - Recognizing
the 52nd Anniversary of the
Stonewall Riots and the June
Celebration of Pride Month
[8:25pm]

Flaherty moved and it was seconded to adopt Resolution 21-23.

Sgambelluri thanked her cosponsors and presented Resolution 21-23. She explained that the invitation to draft the legislation was brought by the Indiana Stonewall Democrats.

Flaherty echoed Sgambelluri and thanked the Indiana Stonewall Democrats. He commented that harm had been done to the Lesbian, Gay, Bisexual, Transgender, and Queer + community and Resolution 21-23 reaffirmed the city's commitment to equity and inclusion.

Sandberg said that Resolution 21-23 was just one of the many steps Bloomington had taken to show its commitment to the community who had suffered discrimination.

There were no council questions.

Council questions:

Jim Shelton spoke in enthusiastic support of Resolution 21-23.

Public comment:

Piedmont-Smith thanked the Stonewall Democrats and the cosponsors. Resolution 21-23 reaffirmed the city's commitment to respect, including whom individuals choose to love, and how they identify.

Resolution 21-23 (cont'd)

Council comments:

Nicole Bolden thanked the council as a member of the Executive Board of the Indiana Stonewall Democrats.

Sims also thanked Stonewall Democrats and the cosponsors and spoke of the importance of legislation like Resolution 21-23. He commented on legislation that condemned and renounced white supremacy. He said that there were commonalities within marginalized and less fortunate communities and he also recognized differences. He said it was important to identify things in common like the pursuit of equality, respect, and inclusion for all.

The motion to adopt Resolution 21-23 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Resolution 21-23
[8:35pm]

Flaherty moved and it was seconded that Ordinance 21-30 be 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, giving the Housing Committee do-pass recommendation of Ayes: 4, Nays: 0, Abstain: 0.

Ordinance 21-30 – To Amend Title 16 of the Bloomington Municipal Code Entitled "Residential Rental Unit and Lodging Establishment Inspection Program" [8:36pm]

Flaherty moved and it was seconded to adopt Ordinance 21-30.

Smith moved and it was seconded to adopt Amendment 03 to Ordinance 21-30.

Amendment 03 to Ordinance 21-30

Amendment 03 Synopsis: This amendment was prepared to reflect changes suggested by HAND staff. It makes several changes to Ordinance 21-30, as follows:

- requires property owners subject to the ordinance to complete and maintain occupancy affidavit forms after a reasonable inquiry as opposed to requiring submittal of each form to the HAND Department;
- states that property owners shall retain completed occupancy affidavit forms for a period of two years and shall be able to produce the forms upon request;
- removes the requirement to identify the familial relationship among occupants in the affidavit form;
- revises the proposed penalty to address a failure to timely maintain a required affidavit form;
- deletes Section III of the ordinance to remove the change proposed related to email notification of notices of violation; and
- revises Whereas clauses to better reflect the reason for the ordinance to reflect other changes proposed by the amendment.

John Zody, Director of HAND, presented Amendment 03 to Ordinance 21-30 and highlighted suggested changes. He stated that the goal was to collect data and have a standard by which occupancy was tracked, and to assure occupancy compliance from property owners and tenants.

Rosenbarger thanked Zody and asked about the current process for occupancy complaints. She also asked for data indicating that it was an issue that needed to be addressed.

Council questions:

Zody explained that complaints and feedback to HAND came in a variety of ways, and that staff would then research the information HAND had on the rental. Staff would verify what they could through

an investigation and by other means. The affidavit requirement would serve as a tool for staff and was better than the current process.

Amendment 03 to Ordinance 21-30 (*cont'd*)

Rosenbarger asked if the lease of a rental stated who lived in the home, and how the affidavit would be different.

Zody explained that leases were different and it was not always clear. He said the affidavit provided a standard for consistency.

Daniel Dixon, Assistant City Attorney in the Legal Department, said that there were times that there was not a lease agreement. The affidavit would provide a starting point in the absence of a lease.

Mark Figg commented on his interactions with HAND staff and the Monroe County Apartment Association. He said they were receptive and that he supported Amendment 03.

Public comment:

Greg Alexander echoed Figg and voiced concerns, and said that Amendment 03 addressed some of the concerns.

Kelly Taylor commented on state law regarding landlord and tenant relationships.

Andrew Guenther spoke about rentals and his concerns with the original legislation. He said Amendment 03 was necessary.

Victor Gutierrez wondered if there could be a waiver for the affidavit if the information was part of the lease.

Flaherty asked Dixon to comment on the state law.

Dixon explained that Senate Rule 148 passed in 2020 but was vetoed by the governor, and the veto was overridden in 2021. The issue of the legal footing had been resolved. House Rule 1541 struck out language pertaining to regulating the tenant-landlord relationship. Occupancy limits were put in place by the Unified Development Ordinance (UDO) which was authorized by the Indiana General Assembly. He did not have significant legal concerns regarding Ordinance 21-30.

Council comments:

Flaherty asked about a potential waiver to reduce administrative burden.

Dixon responded that it would be concerning to require the information in a lease. There was a variant process in Title 16 and explained that process.

The motion to adopt Amendment 03 to Ordinance 21-30 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Amendment 03 to Ordinance 21-30 [9:07pm]

Flaherty moved and it was seconded to adopt Amendment 04 to Ordinance 21-30.

Amendment 04 to Ordinance 21-30

Amendment 04 Synopsis: This amendment removes the requirement on property owners to complete an occupancy affidavit at least once per year. Instead, it requires owners or agents to complete such affidavits only when there is a change in the occupancy of the dwelling unit. The amendment also modifies the period during which such affidavits must be maintained.

Flaherty presented Amendment 04.

Sims asked staff's opinion of Amendment 04.

Zody said that the annual requirement contributed to the ongoing education process on laws for tenants. He commented on multi-year leases, and the possibility of signing the affidavit on year one.

Council questions:

Amendment 04 to Ordinance 21-30 (cont'd)

Flaherty clarified that if there was a multi-year lease, then the tenant would only sign that first year, and the affidavit would be considered current each year. Amendment 04 eliminated the requirement of an affidavit within the last year.

Zody commented that staff did not object to Amendment 04.

Brent Pierce, Assistant Director for HAND, said that after discussing the legislation with property owners, there was an agreement that the record of occupancy would be produced to HAND based on the inspection cycle conducted by HAND.

Zody said that if the landlord and tenants were affirming that they were aware of and were complying with the occupancy ordinance, then there would be no problem. He said Amendment 04 did not invade tenant privacy.

John Hewett, Program Manager in HAND, said that changing the annual requirement did not change inspectors' process.

Sandberg asked if any property owners had indicated that it was a burden to provide the affidavit on an annual basis. She appreciated Zody stating that it was not about enforcement, but rather compliance.

Zody said that Amendment 03 satisfied property owners with the legislation. He did not see that Amendment 04 changed that feedback.

Rollo asked if staff was apprehensive because Amendment 04 would eliminate the annual educational component which served as a reminder to the tenants of the occupancy policy being not required.

Zody responded that he was not apprehensive, but rather did not have the time to thoroughly read through Amendment 04 and digest its changes. He said staff would be okay with Amendment 04.

Rollo asked Flaherty about the intent of Amendment 04 and if he felt it was redundant to require the affidavit annually.

Flaherty said that it was redundant and an administrative burden for landlords and tenants. He said he drafted Amendment 04 based on feedback from landlords and tenants. He provided reasons for Amendment 04, including that Amendment 03 removed the September date for the submission of a form to HAND.

Rollo said those were good points and asked about apprehension regarding the annual education component and the potential for tenants to not comply since the affidavit was not required annually.

Flaherty said he did not have apprehension because it would be the same tenants and landlord. Landlords stated they communicated this with their tenants. He commented on student- and non-student renters. Non-student renters were likely to be the ones with multi-year leases.

Zody reiterated that inspections would address complaints and that Amendment 04 did not invade tenants' privacy.

Piedmont-Smith thanked Flaherty and asked him to explain if Amendment 04 was related to Amendment 02 which had passed.

Flaherty explained that Amendment 02 allowed for attestation that tenants had not changed. He said Amendment 04 was related to Amendment 02 in that if occupancy had not changed, then additional submissions were not required. He explained some differences.

Sandberg asked if Pierce had anything to add.

Pierce commented on issues like the landlord's responsibility of maintaining the occupancy affidavit and producing it should a concern arise.

Mark Figg said that Amendment 04 was better and commented on leases, rights and responsibilities form, and occupancy.

Amendment 04 to Ordinance 21-30 (cont'd)

Susan Goldsworth commented on leases and was pleased that privacy concerns were addressed.

Public comment:

Andrew Guenther spoke in support of Amendment 04.

Sandberg said that renters might turnover frequently which would automatically trigger the requirement. She would be fine with Amendment 04.

Council comments:

Piedmont-Smith commented on Amendment 02 as a cosponsor and said that members of the public had reached out giving her different perspectives. She learned that it was not necessary to have individuals read and sign the affidavit every year. It was important to not single out certain types of renters or rental units. She said that she would support Amendment 04.

Zody said that a landlord would maintain the current lease as well as the affidavit, and thus be able to produce it upon request.

Sims said that the over-occupancy issue did not occur as frequently as suspected. The education component was important, and commented on compliance. He was pleased that landlords were still using the tenant's rights form.

The motion to adopt Amendment 04 to Ordinance 21-30 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Amendment 04 to Ordinance 21-30 [9:48pm]

Flaherty asked about over-occupancy complaints and data.

Council questions:

Zody responded that there were around twenty-five to thirty allegations. There had not been a system in place to track that data but new software was being implemented and would allow for better information. He said the affidavit would assist with providing more information.

Flaherty asked if it was unknown how many notice of violations were issued for over-occupancy yearly.

Dixon said he did not have the information at the time. He said that the Planning and Transportation Department might have that information because they handle enforcement.

Flaherty asked staff about the short comings of current tools regarding over-occupancy. He worried about implementing a wide-scope solution for a very specific situation.

Zody explained that while there was a lot of institutional knowledge in HAND, there were also thousands of files on properties. A new system would allow better tracking on issues about properties. He cited overgrowth under Title 6, alleged over-occupancy, and more. There was not a standard for issues. He provided examples specific to over-occupancy.

Piedmont-Smith asked Zody why Ordinance 21-30 was limited to four, or fewer, units.

Zody said it was a city threshold for other city services, like trash and recycling. He said that most complaints of over-occupancy came from single family neighborhoods or smaller complexes.

Piedmont-Smith said that the Housing Committee discussed HAND's responsibilities regarding rental properties being safe. She said that sometimes more people living in a unit could be dangerous in a fire, but the same was true for larger buildings. She asked if over occupancy was a concern in the larger complexes, too.

Zody said that over occupancy was a concern in general, and was a safety issue too.

Ordinance 21-30 as amended
(cont'd)

Dixon added that Section D in Ordinance 21-30 allowed for a requirement of the affidavit from otherwise exempt properties if there were complaints about over-occupancy.

Rosenbarger asked if apartments with five or more units were required to complete the inspection.

Zody confirmed that they did.

Dave Warren appreciated the work of staff and council to reduce concerns with Ordinance 21-30 but urged council to vote against it because it discriminated against renters.

Public comment:

Mark Figg did not support Ordinance 21-30 because there was not an over-occupancy issue. He asked council to not pass it.

Jordan Evans spoke on behalf of Monroe County Apartment Associations (MCAA), which did not support Ordinance 21-30.

Joe Bunger commented against Ordinance 21-30 as unnecessary.

Avery Thatcher spoke against Ordinance 21-30 because there was not an over-occupancy problem.

Andrew Guenther was not in support of Ordinance 21-30 because it was inequitable and urged council not to pass Ordinance 21-30.

Susan Goldsworth commented against Ordinance 21-30 and should be based on data and complaints.

Rosenbarger thanked Zody and his team for the excellent collaboration with council. She said that the city was already doing a good job with enforcing occupancy, especially since there were only around thirty complaints per year. She spoke about enforcements of other types of complaints, like trash, noise, and more. Many landlords were already voluntarily complying and using tools like the tenants' rights and responsibilities form. Rosenbarger was interested in seeking out the landlords that did not have leases or inspections, or perhaps had unsafe rentals. Owner-occupied units also had to follow the occupancy rules, per the UDO. She wanted to narrow the treatment of renters differently than homeowners, and questioned the occupancy policy of having three, unrelated adults. It was discriminatory because there were different types of families. The exclusion of adults over fifty-five was also discriminatory. Rosenbarger did not plan to support Ordinance 21-30.

Council comments:

Sandberg said it helped to have a historical perspective. She complimented Zody and HAND staff for reaching out to landlords and neighborhood groups. Bloomington had long been known for a strong HAND department. It was important for renters to have a well-managed housing supply for rentals. She commented that over-occupancy was rare which was good for the city and well-represented HAND. She encouraged councilmembers to support Ordinance 21-30.

Rollo appreciated Zody for reaching out to landlords to compromise and protect privacy. He did not believe Ordinance 21-30 was onerous and he would support it.

Smith said he would be supporting Ordinance 21-30 because it provided education and regulated compliance issues. It was a good tool for both renters and landlords.

Ordinance 21-30 as amended
(cont'd)

Flaherty explained that he would not support Ordinance 21-30 because the scope of the problem was very small. He pointed out that the data did not clarify how small the problem was. He did not believe that current city processes and tools already in place were insufficient. He believed that the policy limiting occupancy to three, unrelated adults was discriminatory based on age and went against non-traditional family structures. He referenced the strong movement in Boulder, Colorado called "Bedrooms are for People." He believed that complaints like noise, parking, or trash could be regulated in other targeted ways.

Sims agreed that the definition of family that was currently in place, could be discriminatory and inequitable. It was prudent to have further review and revision regarding that policy. Sims said that he would support Ordinance 21-30. He hoped to hear that the form was updated and acceptable by its users. It was important to move towards equity, and understand renters and the rental units in the city. He thanked the public for their comments.

Piedmont-Smith said that she had planned to vote in favor of Ordinance 21-30. However, after the discussion, she did not believe that it was necessary or that there were not already tools in place to address occupancy limits. She questioned the occupancy limits but understood why the limits were initially put in place. She commented that the occupancy policy was put in place mainly because of trash and noise, perceived to have come from student renters. It was possible to address those issues in other ways. She would be voting no on Ordinance 21-30.

The motion to adopt Ordinance 21-30 as amended received a roll call vote of Ayes: 5, Nays: 3 (Flaherty, Piedmont-Smith, Rosenbarger), Abstain: 0.

Vote to adopt Ordinance 21-30 as amended [10:43pm]

Flaherty reminded council that since it was past 10:30pm, that council was subject to a two-thirds vote for an introduction of new business.

Flaherty moved and it was seconded that Ordinance 21-25 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 only, giving the committee of the whole do-pass recommendation of Ayes: 7, Nays: 0, Abstain: 0.

Ordinance 21-25 – To Establish the American Rescue Plan Act Fund ("ARPA Fund") Supporting the City of Bloomington's Recovery from the COVID-19 Pandemic [10:44pm]

Flaherty moved and it was seconded to adopt Ordinance 21-25.

Sims passed the gavel to Vice President Sgambelluri.

Guthrie presented Ordinance 21-25 and said it was the creation of a fund in order to receive the American Rescue Plan Act (ARPA) funding. Under state guidance, the city was required to create a separate fund.

Flaherty moved and it was seconded to adopt Amendment 01 to Ordinance 21-25. Guthrie clarified that Amendment 01 was a technical amendment that updated the name of the fund.

Amendment 01 to Ordinance 21-25

Amendment 01 Synopsis: This amendment updates the name of the fund to be established to “ARP Coronavirus Local Fiscal Recovery Fund” to comport with accounting directives issued by the State Examiner.

Amendment 01 to Ordinance 21-25 (*cont’d*)

There were no council questions.

Council questions:

There was no public comment.

Public comment:

Sgambelluri gave the gavel back to Sims.

There were no council comments.

Council comments:

The motion to adopt Amendment 01 to Ordinance 21-25 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 to Ordinance 21-25 [10:52pm]

There were no council questions.

Council questions:

There were no public comments.

Public comment:

There were no council comments.

Council comments:

The motion to adopt Ordinance 21-25 as amended received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 21-25 as amended [10:54pm]

Flaherty moved and it was seconded that Ordinance 21-28 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 only, giving the committee of the whole do-pass recommendation for Amendment 01 of Ayes: 7, Nays: 0, Abstain: 0, and for Ordinance 21-28 as amended of Ayes: 7, Nays: 0, Abstain: 0.

Ordinance 21-28 – An Ordinance to Amend Ordinance 20-23 Which Fixed Salaries for Certain City of Bloomington Employees for the Year 2021 - Re: To Change the Grade of Existing Positions in the Office 3 of the Mayor, the Parks Department, and the Utilities Department and Revise Job Titles Within Both the Police and Fire Departments to Better Reflect the Nature of Those Positions [10:55pm]

Flaherty moved and it was seconded to adopt Ordinance 21-28.

Caroline Shaw, Director of Human Resources, presented the legislation to the council. She highlighted the proposed grade change for three current positions.

Council questions:

There were no council questions.

Sgambelluri moved and it was seconded to adopt Amendment 01 to Ordinance 21-28.

Amendment 01 to Ordinance 21-28

Amendment 01 Synopsis: This amendment revises the proposed job grade for Digital Brand Manager in the Office of the Mayor.

There were no council questions.

Council questions:

There were no public comments.

Public comment:

There were no council comments.

Council comments:

The motion to adopt Amendment 01 to Ordinance 21-28 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 to Ordinance 21-28 [11:03pm]

There were no council questions.

Council questions:

There were no public comments.

Public comment:

There were no council comments.

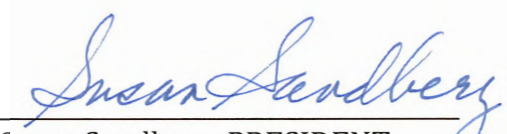
Council comments:

The motion to adopt <u>Ordinance 21-28</u> as amended received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.	Vote to adopt <u>Ordinance 21-28</u> as amended [11:05pm]
Flaherty moved and it was seconded that <u>Ordinance 21-29</u> be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis only, giving the committee of the whole do-pass recommendation of Ayes: 7, Nays: 0, Abstain: 0.	<u>Ordinance 21-29</u> – Amending <u>Ordinance 20-22</u> Which Fixed the Salaries of Officers of the Police and Fire Departments for the City of Bloomington for 2021 - Re: Title Change for Fire Inspector [11:05pm]
Flaherty moved and it was seconded to adopt <u>Ordinance 21-29</u> .	
Shaw presented <u>Ordinance 21-29</u> and explained it changed the title for Fire Inspector.	
There were no council questions.	Council questions:
There were no public comments.	Public comment:
There were no council comments.	Council comments:
The motion to adopt <u>Ordinance 21-29</u> received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.	Vote to adopt <u>Ordinance 21-29</u> [11:08pm]
There was no legislation for first reading.	LEGISLATION FOR FIRST READING
There was no additional public comment.	ADDITIONAL PUBLIC COMMENT
Stephen Lucas, Council Attorney, reviewed the upcoming council schedule.	COUNCIL SCHEDULE [11:09pm]
Sims thanked council, staff, and the public for their participation in council meetings over the year.	
Flaherty moved and it was seconded to adjourn the meeting. Sims adjourned the meeting.	ADJOURNMENT [11:11pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 16th day of November, 2022.

APPROVE:

ATTEST:


Susan Sandberg, PRESIDENT
Bloomington Common Council


Nicole Bolden, CLERK
City of Bloomington