

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, October 06, 2022 at 5:00pm, Council President Susan Sandberg presided over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
October 06, 2022

Councilmembers present: Isabel Piedmont-Smith (arrived at 5:01pm), Kate Rosenbarger, Susan Sandberg, Sue Sgambelluri, Jim Sims, Ron Smith, Stephen Volan
Councilmembers present via Zoom: Matt Flaherty (arrived at 5:03pm), Dave Rollo
Councilmembers absent: none

ROLL CALL [5:00pm]

Council President Sandberg summarized the agenda.

AGENDA SUMMATION [5:01pm]

Rollo moved and it was seconded that Appropriation Ordinance 22-04 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Chief Deputy Clerk read Appropriation Ordinance 22-04 by title and synopsis.

LEGISLATION FOR FIRST
READING [5:03pm]

Appropriation Ordinance 22-04 - To Specially Appropriate from the General Fund Expenditures not Otherwise Appropriated to Fund an Emergency Reproductive Health Care Grant Program to Help Address the Impacts of Indiana's Near-Total Abortion Ban

Rollo moved and it was seconded that Ordinance 22-24 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Chief Deputy Clerk Sofia McDowell read the legislation by title and synopsis.

LEGISLATION FOR THIRD AND
SUBSEQUENT READINGS AND
RESOLUTIONS [5:07pm]

Ordinance 22-24 - To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration and Personnel" - Re: Amending Article VI of Chapter 2.04 (Common Council) To Establish Councilmanic Districts for the City of Bloomington

Rollo moved and it was seconded to adopt Ordinance 22-24.

Sgambelluri moved and it was seconded to adopt Amendment 01 to Ordinance 22-04.

Amendment 01 to Ordinance 22-24

Amendment 01 Synopsis: This amendment adds a new section to reassign the South-East Bloomington Annexation Area that was the subject of Ordinance 17-12, if that annexation is completed, to the new Council District 5 as a result of the redistricting process. Ordinance 17-12 had previously assigned the Annexation Area to District 4, which would no longer be contiguous to the Annexation Area upon adoption of Ordinance 22-24.

Sgambelluri presented Amendment 01 to Ordinance 22-24 and explained the reassignment of the annexation area.

Stephen Lucas, Council Attorney, explained that the assignment of any annexation areas to current council districts would need to be updated in the future should the annexation areas take effect.

There were no council questions.

Council questions:

There were no comments from the public.

Public comment:

There were no council comments.

Ordinance 22-24 (cont'd)

The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 to
Ordinance 22-04 [5:10pm]

Sandberg explained that council introduced Ordinance 22-24 for second reading on September 21, 2022. Council resumed the discussion and debate that evening. Council questions and comments were encouraged to be limited to three minutes.

Volan presented additional slides pertaining to his comments on September 21, 2022. He thanked the Citizens' Redistricting Advisory Commission (CRAC) for their admirable work. He highlighted that 3rd Street was not an important border for council districts, that compactness should be deemphasized in favor of communities of interest, and that the ultimate community of interest was where constituents lived in university-owned buildings. He provided examples to support his reasoning. Volan urged council to return the map to the commission and submit suggestions for its commissioners to consider.

Sgambelluri thanked Volan for his thoughtful research. She asked who was able to adequately represent students. Volan had districted an area that would certainly elect a student to council, which she welcomed. She said it seemed that Volan was suggesting that only a student could represent the student population adequately.

Volan responded that it was difficult for non-students to access some student areas, like going door-to-door in a dormitory. In the area he highlighted, there were no single-family homes. He commented on the student schedule, student life, and the student population. He said that students outreaching to other students was the most effective way to encourage voting.

Sgambelluri asked for clarification as to why the district map should attempt to solve the obstacle of student participation. One obstacle was council's four-year terms which did not fit with students' schedule.

Volan explained that in the district he proposed, a student currently living in a dorm, could be elected and then move to a private home in the district to fill out their term. Students moved every year, inter-locally. He said that council did not have the statutory authority to declare one At-Large council seat be a student seat. The next best thing was to dedicate one seat, in a district where no non-students could live, as a de facto student seat. Volan said it was not ideal but was the best option at the time.

Rollo thanked Volan for his work. He asked Lucas if part of CRAC's assignment was to respect political boundaries, like townships.

Lucas responded that it was a community of interest identified in the establishing Ordinance 20-30.

Rollo asked why that should be deemphasized. He said that CRAC had followed that guideline.

Volan commented on Prospect Hill which did not use 3rd Street as a boundary.

Rollo responded that it was legitimate political boundary and CRAC was tasked with respecting those boundaries.

Volan clarified that, for example, Bloomington and Perry townships were not evenly split between the city because it was impossible to have three districts both north and south of 3rd Street. He provided additional background on districts that had crossed 3rd Street. Rollo, a strong advocate for neighborhoods, was not advocating for them now. Neighborhoods were more important

than arbitrary lines. He referenced Bloomington 22 which appeared to be gerrymandered. Ordinance 22-24 (cont'd)

Piedmont-Smith commented that communities of interest had similar interests and priorities. She explained that she lived in Perry Township but that had nothing in common with some in the township. Townships were artificial lines that were in the state legislation as examples of communities of interest. She further explained that neighborhoods, historic districts, student districts, and other common interest areas were more important examples.

Volan added that Rollo's concern was more valid for precincts that should respect the township boundary. It was nearly impossible for cities to do that without artificial results. The county had an obligation to do so and it resulted in Richland 9 which had thirty people in it.

Sandberg commented that Volan had discussed the compactness of precincts which was under the county purview, as well as the census data being skewed by COVID-19 and was potentially inaccurate. She asked for further clarification.

Volan responded that the data he presented included 2020 census information. He stated that Bloomington 7 was undercounted by almost half, incorrectly dropping 40% since 2010. He said that data from Indiana University (IU) supported that fact. He described an ideal district that was thirty-three people shy of an ideal district.

Sandberg asked about Volan's three key points he would send back to CRAC.

Volan explained that the process allowed for any councilmember to send back written instructions with the rejected map. He said that map eighteen was adequate but was not saying that it was the one to adopt.

Piedmont-Smith asked when would be the appropriate time to send her suggestions.

Sandberg stated she could do so at the meeting that night.

Piedmont-Smith thanked CRAC for their hard work. She said that the proposed map included Perry 10 residents with wealthier neighborhoods to the northeast which had little in common with neighborhoods next to Walnut Street Pike, like Sunny Slopes. Those neighborhoods had more in common with neighborhoods by Broadview in Perry 5 and lower-income, multi-family area in Perry 9 to the north. She also said that the map split the Hoosier Acres neighborhood into two districts as well as the High Point Old Northeast neighborhood into three districts.

Alex Semchuck, Chair of CRAC, commented on community of interest and characteristics in Bloomington, the student population, and the lack of compactness of precinct districts. He said it was not crucial to put all students into one district. He urged councilmembers with suggestions to consider making a new map and not simply pointing out problems.

Sandberg stated that public comment would be limited to two minutes per speaker.

Isabel Dicastro spoke about her experience in the Political and Civic Engagement (PACE) program at IU. She commented on her work in the community including voter registration and working the Monroe County National Organization of Women (NOW). She requested that council take students more seriously and encourage and accept their participation.

Public comment:

Will Stahly said that there were about 80,000 students. He said that the population of eighteen-year-olds in Bloomington was expected to decline in the coming years. At IU, there were 48,000 students but more classes were moving online. He said that students were typically here for only four years and then left.

Ordinance 22-24 (cont'd)

Chuck Trzcinka talked about the rate of student voting, possible reasons why students did not vote, and asked council if they had information leading to the conclusion that the district map would encourage students to vote.

Piedmont-Smith commented that map eighteen would address the issues that she and Volan raised regarding the proposed map. She urged council to vote against the proposed map and send it back to CRAC with recommendations.

Council comments:

Flaherty thanked CRAC for their good work. He believed that compactness could be conserved with the added benefit of keeping more neighborhoods together. He said that Bloomington 5, 7, and 18 should be in a single district. He concurred with Piedmont-Smith in keeping together Perry 20 and 21 which was Hoosier Acres, and Perry 19, 20, and 1 which was the Old Northeast neighborhood.

Rosenbarger thanked everyone for their participation. She said that compactness could only be as compact as the precincts that were in place. It was important to look at communities of interest and she spoke on the importance of keeping contiguous student precincts together. Council and elected offices should be representative of the community population including consideration for protected classes like race, gender, sexual orientation, and age. Other college towns had at least one student member on council, and a council without a student was significant to address. It was important to strengthen the voices of people who had been historically left out. Based on feedback, students did not feel represented by councilmembers. It was also important to look at the history of laws in the United States that men created which were not in favor of women, for example.

Volan stated that half of Bloomington's population was students physically present in Bloomington, based on the Fact Book from IU. The majority of students were from Indiana. He explained that by ultimate community of interest, he meant that students were the largest. He was not attempting to put all students into one district because there were students all over the city. He also explained that a full-time student would be in a better position to represent students. He urged CRAC to examine map eighteen and said that he was not attempting to draw a map since there was a commission tasked with mapping, though he had submitted several maps which passed the population variance test. Council had an obligation to weigh in, and there was time built in to the process. He encouraged council take the time to make the best map possible.

Sims said that the Voting Rights Act of 1965 had been introduced as a reason for rejecting the map and sending it back to CRAC. It was a landmark piece of legislation prohibiting racial discrimination in voting. He commented on purposeful gerrymandering that had been referenced, and questioned if it had been done after a census. He did agree that students were not represented. There was a difference between active voters and population shifts. The census and redistricting was based on the population shift. In two of the council districts, there were enough student precincts to control who was elected in that district. Registering and voting, along with

community participation, was key in increasing student voting. Sims worked with students, especially underrepresented populations, and appreciated student passion and activism. He thanked CRAC commissions. He would support Ordinance 22-24.

Ordinance 22-24 (cont'd)

Sgambelluri watched all the CRAC meetings, and intentionally did not participate because it was not her role. She had discussed redistricting in her constituent meetings. Students were undercounted in the last census. She believed that the mapping process had been done with integrity, and that students were not disadvantaged. There were students on CRAC. She also said that nothing had occurred in the process that required her to substitute her judgement for the work of CRAC. She would support Ordinance 22-24.

The motion to adopt Ordinance 22-24 as amended received a roll call vote of Ayes: 5, Nays: 4 (Flaherty, Piedmont-Smith, Rosenbarger, Volan), Abstain: 0.

Vote to adopt Ordinance 22-24 as amended [6:07pm]

There was no discussion about the council schedule.

COUNCIL SCHEDULE [6:07pm]

Sandberg adjourned the meeting without objection.

ADJOURNMENT [6:07pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 25th day of January, 2023.

APPROVE:

ATTEST:

Sue Sgambelluri
Sue Sgambelluri, PRESIDENT
Bloomington Common Council

Nicole Bolden
Nicole Bolden, CLERK
City of Bloomington