



City of Bloomington Common Council

Legislative Packet

Containing legislation and materials related to:

Wednesday, 20 September 2023

Regular Session at 6:30pm



CITY OF BLOOMINGTON COMMON COUNCIL

AGENDA AND NOTICE:
REGULAR SESSION
WEDNESDAY | 6:30 PM
20 SEPTEMBER 2023

*Council Chambers (#115), Showers Building, 401 N. Morton Street
The meeting may also be accessed at the following link:*

<https://bloomington.zoom.us/j/84050350822?pwd=QkR6b1d0VGpTZk41Y2tHS05PNmxXUT09>

- I. **ROLL CALL**
- II. **AGENDA SUMMATION**
- III. **APPROVAL OF MINUTES:**
 - A. December 07, 2022 – Regular Session (corrected)
 - B. December 21, 2022 – Regular Session
- IV. **REPORTS** *(A maximum of twenty minutes is set aside for each part of this section.)*
 - A. Councilmembers
 - B. The Mayor and City Offices
 - i. Bloomington Arts Commission
 - ii. Review of the Community Advisory on Public Safety Commission
 - C. Council Committees
 - D. Public*
- V. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
- VI. **LEGISLATION FOR SECOND READINGS AND RESOLUTIONS**

None
- VII. **LEGISLATION FOR FIRST READINGS**
 - A. Ordinance 23-22 – To Vacate Public Parcels – Re: Two 12-Foot Wide Alley Segments Located Between West 1st Street, West 2nd Street, South Rogers Street, and South Walker Street (City of Bloomington Redevelopment Commission, Petitioner)
 - B. Ordinance 23-23 – To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” – Re: Amending Section 15.12.010 (Stop Intersections) to remove a stop intersection from Schedule A and add a multi-stop intersection to Schedule B

(over)

*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 five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.

Auxiliary aids are available upon request with adequate notice. To request an accommodation or for inquiries about accessibility, please call (812) 349-3409 or e-mail council@bloomington.in.gov.

Posted: 15 September 2023

VIII. ADDITIONAL PUBLIC COMMENT *

(A maximum of twenty-five minutes is set aside for this section.)

IX. COUNCIL SCHEDULE

X. 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 five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.

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Posted: 15 September 2023



**City of Bloomington
Office of the Common Council**

Minutes for Approval

07 December 2022 (corrected)
21 December 2022

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, December 07, 2022 at 6:30pm, Council President Susan Sandberg presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
December 07, 2022

Councilmembers present: Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger, Susan Sandberg, Sue Sgambelluri, Jim Sims, Ron Smith, Stephen Volan (arrived at 6:35pm)
Councilmembers present via Zoom: none
Councilmembers absent: none

ROLL CALL [6:32pm]

Council President Susan Sandberg summarized the agenda.

AGENDA SUMMATION [6:33pm]

Rollo moved and it was seconded to amend the night's agenda by removing Ordinance 22-35 as an item for consideration under Legislation for Second Readings and Resolutions. There was brief council discussion. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to amend agenda [6:38pm]

There were no minutes for approval.

APPROVAL OF MINUTES [6:38pm]

Piedmont-Smith noted her upcoming and last constituent meeting of 2022.

REPORTS

- COUNCIL MEMBERS [6:38pm]

Rosenbarger also noted her upcoming constituent meeting.

Flaherty mentioned his upcoming constituent meeting. He said that council should consider a rules committee for council processes and administrative issues. He noted five areas including legislative process, diversity, equity, and inclusion (DEI), board and commission reform, Title 2 update, and public engagement.

Rollo announced his and Sandberg's upcoming constituent meeting.

Volan noted the recent passing of Janiece Jaffe.

Sandberg also noted the loss of Janiece Jaffe and her upcoming celebration of life. She also noted the passing of Larry Jacobs who was the liaison for the Chamber of Commerce.

Michael Shermis, Special Project Coordinator in the Community and Family Resources department (CFRD), reported on the American with Disabilities Act (ADA) Transition Plan. He discussed ADA compliance requirements, data on efforts in the city to improve accessibility, and suggestions from other entities to improve the plan. He noted that Bloomington, Framingham, MA, and Oak Brook, IL had presented their transition plans as model transition plans.

- The MAYOR AND CITY OFFICES [6:50pm]

Deborah Myerson, Chair of the Council for Community Accessibility (CCA), presented the Accessible Transportation and Mobility Principles. She discussed advancing transportation equity and inaccessible sidewalks in the city. The purpose of the CCA was to guide the city on implementing accessible transportation, mobility consideration, improvements, and development of public spaces. She also discussed workshops, grants, principles including inclusive processes, equitable outcomes, planning, the prioritization of safe access, impacts, and next steps.

Volan asked for clarification on prioritizing safe access areas.

Myerson showed examples including a construction zone with a sign on the sidewalk and other obstructions.

Piedmont-Smith asked how scooters fit into the discussion.

Myerson said that scooters were one of many things that blocked sidewalks; it came down to safety and who was being prioritized.

Piedmont-Smith asked if CCA had investigated the placement of trash bins.

Myerson responded that CCA had looked at the bigger picture in order to get the right people in the conversation.

Rollo asked about allowing bicycles on sidewalks resulting in some collisions with pedestrians.

Myerson said that council was asking good questions but they were best handled in the policy-making process rather than at the start of CCA. She explained that the goal was to have people that were most affected participate so that when questions were raised, policymakers were able to hear directly from them.

Smith asked if there was a prioritized list of sidewalks that needed repair, et cetera.

Shermis explained that high priority paths of travel that were in disrepair, like sidewalks, where people with disabilities traveled, were reported to staff for repair. He spoke about concerns with implementing new policies, and staffing.

Sims wondered if areas without sidewalks were considered.

Shermis said that there were areas that were identified where it would be ideal to have sidewalks.

Sims said that areas that had no sidewalks should be prioritized, and asked if there had been discussions on cost in bringing the city up to date.

Shermis said that the transition plan would have minimal costs, but implementation of improvements would have greater costs.

Rosenbarger asked how the city could establish an equitable process regarding accessibility.

Myerson responded that it would be ideal to have the principles in a resolution and then when considering legislation, for example, council could consider how it affected people with disabilities.

Piedmont-Smith commented on the accessibility principles and examples of measuring how well the city was doing, and even referring back to the Comprehensive Plan.

Joseph Wynia, Co-Chair of the Commission on Sustainability (COS), presented COS's 2021 and 2022 annual reports. He noted current and recent commissioners, staff liaison Lauren Clemmons, activities and achievements, objectives, and the working group's efforts.

Piedmont-Smith asked for more detail on the United Nation's Sustainable Development Goals (UNSDG).

Wynia explained the goals and provided examples.

Piedmont-Smith said that it was like a guiding document.

Wynia confirmed that was correct and that it was broader.

Flaherty noted the Climate Action & Resilience (CAR) committee was working on advancing a suite of policies and programs to reduce the citywide off-road and lawn equipment annual emissions to below thirty-five thousand metric tons, a strategy from the Climate Action Plan (CAP). He provided examples.

Greg Alexander commented on the success of Vision Zero in Jersey City, New Jersey, as well as the deaths in Bloomington.

- The MAYOR AND CITY OFFICES (*cont'd*)

- COUNCIL COMMITTEES [7:28pm]

- PUBLIC [7:31pm]

Jim Shelton spoke about upcoming training for Court Appointed Special Advocates (CASA).

- PUBLIC (cont'd)

Jennifer Pearl, Bloomington Economic Development Corporation (BEDC), provided an update on quality improvement efforts and assisting workers who were laid off from Catalent. She also gave an update on the economic vitality project.

Nicole Franklin talked about her difficulty with obtaining custody of her grandchildren through the Monroe County courts.

Melvin Franklin also discussed some of the difficulties he and his wife had experienced with custody concerns regarding their grandchildren.

Piedmont-Smith moved and it was seconded to appoint Jon Eldon to seat C-5 on the Commission on Sustainability. The motion was approved by a voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:47pm]

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:47pm]

Rollo moved and it was seconded that Resolution 22-19 be introduced and read by title and synopsis only. The motion was approved by a voice vote. Clerk Nicole Bolden read the legislation by title and synopsis. There was no do-pass recommendation.

Resolution 22-19 – To Approve an Update to the City of Bloomington’s Americans with Disability Act Transition Plan [7:47pm]

Rollo moved and it was seconded that Resolution 22-19 be adopted.

Shermis stated that he did not have more to add from his earlier presentation on Resolution 22-19 and the corresponding reports.

Lesley Davis, Chair of CCA, spoke about the importance of following the recommendations in the ADA transition plan in compliance with federal law. CCA was formed to help community members, and council, make things inclusive for people with disabilities. She spoke about the vast differences involving disabilities. Davis noted that the UNSDG overlapped with accessibility goals.

Piedmont-Smith noted that there were some bus stops that were inaccessible and asked what was to be done.

Council questions:

Shermis stated that CCA had a great relationship with Bloomington Transit (BT) and that at least one or two board members attended CCA meetings. BT had asked for people with disabilities to assist with surveying bus stops. He noted that it was an ongoing issue and that funding was an issue.

Sgambelluri asked for clarification on federal funding that was being sought or received.

Shermis stated that Andrew Cibor, the City Engineer, would know that information.

Volan asked Shermis if CCA members considered participating with the Metropolitan Planning Organization (MPO).

Shermis stated that they did participate and had dialogue with MPO and provided examples. That was part of the next steps as well.

Piedmont-Smith asked about document accessibility pertaining to images in the plan.

Shermis said that it had been fixed immediately. Accessibility training and education for the city was ongoing.

Resolution 22-19 (cont'd)

Peter Dorfman asked about consequences for noncompliance.

Public comment:

Rollo asked what the consequences were for noncompliance.

Council comments:

Shermis stated that individuals could pursue legal means.

Davis said that individuals could also contact the Department of Justice.

Volan thanked staff and CCA members for their work and commented on his experience with the CCA and ADA. He was pleased to see CCA asserting its presence in the city. He reiterated the need for CCA to participate in the MPO Planning Committee because they approved spending of federal funds. Volan noted other, older countries around the world without ADA equivalences.

Rollo appreciated staff and CCA members for the presentation and spoke about sidewalk accessibility and the issues with scooters parking on sidewalks. He also commented on specific areas around the city that caused difficulty for people with disabilities. He noted the importance of not creating infrastructure, costing millions of dollars that did not consider accessibility issues like on 7th Street.

Sandberg acknowledged staff's and CCA's kudos on the Transition Plan. She noted problems with scooters, and more, in the city for those with disabilities. She also noted that disabilities varied greatly.

Flaherty also thanked staff and CCA members for the report. He explained the importance of noting accessibility challenges and issues at a system-level view, and not to focus on offending units. It might be important to focus on scooters at the time, but also trash bins and more. But most importantly, it was necessary to consider everything holistically. Marginalized roadway users, like pedestrians and scooters, have also been harmed due to unprotected roadways. He said that bicyclists rode on sidewalks because roads could be unsafe and it was important to not marginalize those community members.

Piedmont-Smith thanked staff and CCA members as well and appreciated the people-focus approach. She spoke about the education and outreach components so that community members could better understand what it was like to live with a disability.

Volan had looked at transport accident statistics in the United States and in 2020 more than forty-four thousand people died in transport accidents. Of that, more than forty thousand and five hundred died by accidents in cars. He provided additional details. He noted that it might be best to address trash bins on sidewalks rather than scooter since they were more pervasive in the city. He looked forward to the discussion on where to better place trash cans.

The motion to adopt Resolution 22-19 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Resolution 22-19 [8:19pm]

Rollo moved and it was seconded that Appropriation Ordinance 22-05 be introduced and read by title and synopsis only. The motion was approved by a voice vote. Bolden read the legislation by title and synopsis giving the committee do-pass recommendation of Ayes: 6, Nays: 0, Abstain: 3.

Appropriation Ordinance 22-05 – To Specifically Appropriate From the General Fund, Public Safety LIT Fund, ARPA Local Fiscal Recovery Fund, Parks and Recreation General Fund, CC Jack

Rollo moved and it was seconded that Appropriation Ordinance 22-05 be adopted.

Smith rose and reported from the Committee of the Whole (COW) meeting from the previous week.

Cheryl Gilliland, Director of Auditing and Financial Systems in the Controller department, presented the legislation which was the comprehensive 2022 year end appropriation. The request was for \$828,000 and covered eleven funds. She provided details on the requested additional appropriations and transfer of funds.

Jeff McMillian, Deputy Controller, provided additional details on the funds that would be transferred.

Volan asked when the rental inspection fund was set up.

McMillian said it was within the last four or five years.

Volan asked why not take the rental inspection program fund for the rental inspection program.

McMillian explained that the state required that process.

Volan asked about the land purchase for the Engineering department and if it was for the Meridiam project.

McMillian said it was right-of-ways on 17th Street.

McMillian believed it was separate projects.

Sgambelluri said that some of the land acquisition was for the multiuse path on 17th Street.

Sgambelluri moved and it was seconded to adopt Amendment 01 to Appropriation Ordinance 22-05.

Amendment 01 Synopsis: This amendment is sponsored by Cm. ~~the~~ need of sponsor ~~[sic]~~ Sue Sgambelluri and would correct the name of the Economic and Sustainable Development Department within the ordinance.

There were no council questions.

There was no public comment.

There were no council comments.

The motion to adopt Amendment 01 to Appropriation Ordinance 22-05 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. (Volan out of the room)

Peter Dorfman asked for a breakout of the appropriation for legal for outside counsel fees for annexation versus the Meridiam deal.

Rollo asked if staff had details regarding legal fees.

Beth Cate, Corporation Counsel, said that there were two significant costs and said that staff would provide details which would also be made public.

The motion to adopt Appropriation Ordinance 22-05 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Rollo moved and it was seconded that Ordinance 22-30 be introduced and read by title and synopsis only. The motion was approved by a voice vote. Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation of Ayes: 2, Nays: 2, Abstain: 5.

Hopkins Fund, the Rental Inspection Program Fund, Local Road and Street Fund, Parking Facilities Fund, Solid Waste Fund, Fleet Maintenance Fund, and Housing Development Fund Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Public Safety LIT Fund, ARPA Local Fiscal Recovery Fund, Parks & Recreation General Fund, Local Road and Street Fund, Parking Facilities Fund, Solid Waste Fund, Fleet Maintenance Fund, and Appropriating Additional Funds from the CC Jack Hopkins Fund, Rental Inspection Program Fund, and the Housing Development Fund) [8:19pm]

Council questions:

Amendment 01 to Appropriation Ordinance 22-05

Council questions:

Public comment:

Council comments:

Vote to adopt Amendment 01 to Appropriation Ordinance 22-05 [8:37pm]

Public comments:

Council comments:

Vote to adopt Appropriation Ordinance 22-05 as amended [8:41pm]

Ordinance 22-30 – An Ordinance Authorizing the Issuance of the City of Bloomington, Indiana, General Revenue Annual Appropriation Bonds, Series 2022,

Rollo moved and it was seconded that Ordinance 22-30 be adopted.

Smith rose and reported on the discussion on Ordinance 22-30 at the COW the previous week.

Mayor John Hamilton summarized the revenue bonds, timeline, and appropriation of bond proceeds regarding the financing of capital improvements to public safety facilities including the proposed acquisition of the Showers Building, CFC Properties. He provided details on improvements to fire stations, and outlined needs for the Bloomington Fire Department (BFD) facilities and the Bloomington Police Department (BPD) the Economic Development Local Income Tax (EDLIT), the city's General Obligation debt limit, proposed projects, background, process, and next steps.

Buzz ~~Crohn~~Krohn, ~~Crohn~~Krohn and Associates, provided details on the likely increase in interest rates, bond indexes over time, and the general consensus in the bond community regarding rates. The Showers building offered the most economic option. He explained other implications and expectations, and commented on the timeliness of the bonds, and locking in interest rates.

Brad Bingham, Bond Counsel, Barnes & Thornberg, summarized the bond ordinance, timeline, maximum interest rate, a construction fund that could only be used on the proposed projects, payment for the bonds including the EDLIT, and public hearings. He provided additional details on the timeline.

Volan asked if it mattered to the bond market how long it took the city spend the monies and decide what it was going to build.

Bingham said that the bonds were issued on a tax exempt basis and had to comply with federal income tax regulations. The city had to have a reasonable expectation on what the proceeds would be spent on, and have a timeline, on the date of issuance. He provided additional financial details pertaining to bonds. He advised that the city should not wait too long to make a decision and explained why.

Volan said that something needed to be built, even though the exact building was not yet known, and that was why it was ideal to vote for Ordinance 22-30.

Bingham explained what happened with rate increases, earmarking funds, debt service, and borrowing capacity.

Volan asked about the division of the site to be purchased, or for clarification on what was being divided.

Stephen Lucas, Council Attorney, said the removal of the appropriation language was due to the timing of the public notice. Legislation would be drafted that would also approve of the Redevelopment Commission's (RDC) purchase of the Showers building.

Volan asked what happened if council supported the bonds for public safety infrastructure but not the recommendation of the site.

Hamilton said that council's support for the bonds was important and if council disagreed with the purchase of the Showers building, then alternatives would be further explored. He described substantial investments for BFD. Hamilton said that not purchasing Showers building would require substantial rehabilitation of the current BPD location.

Piedmont-Smith asked about the cost comparisons regarding the purchase and renovation of the Showers building versus expansion of the current BPD station. She asked for clarification on the fees.

to Provide Funds to Finance the Costs of Certain Capital Improvements for Public Safety Facilities, Including Costs Incurred in Connection with and on Account of the Issuance of the Bonds, and Appropriating the Proceeds Derived from the Sale of Such Bonds, and Addressing Other Matters Connected Therewith [8:41pm]

Council questions:

Ordinance 22-30 (cont'd)

Deb ~~Koontz~~Kunce, Advisor, stated that the percentage of fees depended on size of the project. The larger the project, the larger the fee percentage. The fees covered the requirement of having a licensed architect or engineer verify that the project was up to code.

Piedmont-Smith said that the project of the Showers building was larger than the existing BPD station.

~~Koontz~~Kunce said that it included the total construction value and that she would double check the math. It did not include the purchase cost of the property.

Piedmont-Smith asked what "owners rep" meant.

~~Koontz~~Kunce said it could be someone like an external advisor.

Piedmont-Smith asked for clarification on "owner's contingency."

~~Koontz~~Kunce said that the assumption was a 10% owner's contingency which was an industry standard. It was a function of the size of the construction value. The owner's construction contingency was included because in the early stage of the project, there were many unknowns and that contingency was used to accommodate for fluctuations in the construction process and unforeseen conditions.

Volan noted the police union's response on the proposal and their concerns regarding parking, access to police cars, and entering and exiting the property.

~~Koontz~~Kunce said that an analysis was done on the existing police station and the proposed Showers building. At Showers, there was a clear route north, towards 11th Street, and a route south via 8th Street to Rogers Street. The perceived challenge was that it felt tighter than the current police station but also there was less foot traffic than is on the B-Line. She provided additional information on other routes onto 10th Street and in an emergency, possibly using the sidewalk.

Scott Oldham, Deputy Chief of Police, said it was concerning, but that officers were very cognizant of their actions. There would be a challenge at any location and the police would adjust accordingly.

Volan said that 3rd Street was a major thoroughfare and asked about the entrance.

Oldham said that the front entrance was on 3rd Street, but that Lincoln and Washington Streets were used for calls.

Smith asked about the cost estimates and comparisons for the projects. He said it was difficult to know which project would be the best cost for the best value and function.

~~Koontz~~Kunce responded that despite being early in the project, there could still be good cost estimates that led to a good decision. She explained that the original study done by Springpoint Architect, was now a different scope of work. She provided examples like ballistic glass, which was not necessary.

Hamilton added along with a \$2 million difference, collocating fire and police could only be done at the Showers building. He explained concerns with renovating the current police station, and noted that council was not being asked to vote on which location was ideal that evening.

Smith struggled with retrofitting a historic building rather than building new to modern standards.

~~Koontz~~Kunce said that the Showers building was a solid building. There were no restrictions on the renovation of the inside of a historic building and there were city processes in place for modifications needed on the outside of the building. There would be signage, a generator with a fence around it, and other items that would be minimal. There were tradeoffs for both new construction versus renovating a building. She provided examples.

Ordinance 22-30 (cont'd)

Sgambelluri asked if the cost estimate for the Showers building was only for the building itself, and not for ingress or egress, and if it was needed later, that funding would have to be secured.

KoontzKunce said that changes for ingress and egress was not needed.

Sgambelluri asked if it was correct that there were three steps; first, the bond issue; second, the appropriation; and third, the approval of the purchase of Showers building.

Bingham said that was correct and that the last two steps would be combined into one legislation.

Sgambelluri said that the appropriation ordinance would approve the purchase of Showers building for public safety infrastructure.

Bingham said that it allowed the RDC to purchase the building and there was already a signed agreement allowing that.

Sgambelluri asked at what point council would be locked in with the purchase of Showers building specifically for public safety.

Bingham said the final approval would be in the final ordinance.

Sgambelluri asked for further clarification on the timeline for council deciding on the final project.

Bingham recommended that the city make the decision as quickly as possible, within days.

Hamilton explained that council could approve the purchase of the Showers building, or not. If not, then there would be other designs drafted.

Sandberg asked about revising Ordinance 22-30 with amendments such as not supporting all of the projects listed. What would happen if the projects were broken out into separate legislation and council could bond for the improvements to fire stations only, for example.

Hamilton said the administration did not believe in separating fire and police improvements. He provided additional details on why it was not ideal to separate the projects in Ordinance 22-30.

Rollo said that he did not see why other options, like city-owned facilities, had not been explored. He had not seen analyses of the other options like building a new structure.

Hamilton said that there had been an analysis on building a new public safety headquarters and found that it was more expensive.

Rollo asked about the expectation of future interest rates and that they would likely decrease.

CrohnKrohn explained that it was important to note that the interest rate graphs in his presentation were over a span of time. He summarized the trends with rates and expected future rates and provided additional details.

Sims commented on a public safety campus, and asked if there were other options seriously considered.

Hamilton said that a public safety campus was being proposed with the purchase of the Showers building. He explained the benefits of having fire and police in the same location with other city departments. He provided information regarding the discussion and consideration of other options.

Piedmont-Smith was concerned about the safety aspects of the Showers building on the west side which had not been used for public safety before. She noted the recommendations for the conversion for using the space as a police station. She asked if all the recommendations had been included in the cost estimate.

KoontzKunce said there would be no ballistic glass, and special ventilation was only for the evidence space. Fencing was most likely

Ordinance 22-30 (cont'd)

not in the cost estimate and could be covered by the owner's contingency monies.

Piedmont-Smith said that the public could still access the Trades parking garage.

~~Koontz~~Kunce said that they could section off an area for the police.

Piedmont-Smith asked why not use ballistic glass.

~~Koontz~~Kunce stated that it had been discussed and it was decided to exclude that. She added that a brand new building in Lafayette would have no ballistic glass.

Piedmont-Smith asked about the line item cost for security and for clarification on the current police station versus Showers. The security costs for the current police station should be lower.

Koonts said there would be modifications for the current police station and that the cost could change. It was possible that new systems might be needed for items like cameras.

Volan said he was in favor of the bonds, indifferent about the purchase of the Showers building, and against using the Community Revitalization Enhancement District (CRED) dollars. He asked when the administration would appropriate CRED funding.

Hamilton said that the CRED was used to make sure that the city could fund the project.

Jeff Underwood, Controller, said that the administration would look at CRED funds during the bidding process for the facilities to compare against the revenue stream. He provided additional details on the process.

Volan asked if he should presume that by approving the bond that evening, then he was by default approving the CRED funds.

Underwood explained that the funds would be used for projects accordingly as the funds were available.

Fire Chief Jason Moore said that the goal was to start with the bonds. The administration would do their due diligence to lower costs without sacrificing quality.

Volan said that the primary way the bond was being funded was by the Public Safety Local Income Tax (PSLIT).

Moore stated that it was primarily funded by the EDLIT because the PSLIT funds were committed for the ten-year capital plan. It would maintain equipment needs and not facility needs.

Volan asked when CRED dollars would be requested.

Moore said that CRED dollars would be the last option.

Underwood explained the process, bidding, costs, revenue streams, and that if CRED funding was needed, then the request would be made. He believed it would be in the second half of 2023.

Sandberg spoke about an email from the Fraternal Order of Police (FOP) membership with concerns about the loss of privacy due to the proximity to the B-Line, and having city employees around when they were meeting with informants who did not wish to be identified, and other things. She asked Oldham for his input.

Oldham stated there were things that happened in the police station that probably would not be appropriate in other facilities. He did not personally think it was a privacy issue. He felt he could not give an affirmative response.

Hamilton said that while he had not seen the email, he welcomed discussion with police officers. He commented on swearing in ceremonies, and officer knowledge about the community. He believed that the metaphorical walls between public safety work and the community would become more permeable. It was integral to the function of the city. He said there would be protocols and

protections with some police services. He believed that the proposal would advance progressive, effective, and integrated policing.

Ordinance 22-30 (cont'd)

Sandberg asked if it was correct that the administration's first proposal would be to bond and purchase the Showers building but that plan b would be to bond without purchasing it.

Hamilton confirmed that was correct and the consideration before council to purchase Showers would be in two weeks. Plan b would be the administration's alternative to council's decision on not purchasing the Showers building.

Sandberg asked if two weeks was sufficient for council to make a decision on a \$30 million project.

Hamilton noted that the administration and council had been discussing the matter for many months and that it was ultimately council's decision.

Piedmont-Smith asked what the lifespan of the Showers building was and why the letter from Doug Bruce, architect, said the lifespan was for three to five years.

Hamilton stated that the plan was for the Showers building to be the public safety campus for the foreseeable future.

Deputy Mayor Don Griffin asked Piedmont-Smith to read the letter. He noted that Bruce had been looking at systems and not the building itself.

Piedmont-Smith asked what the balance was in the CRED fund.

Underwood said it was \$10.7 million in the downtown CRED and in the Thompson CRED it was \$6.3 million. And the funding would be requested from the downtown CRED.

Amendment 01 to Ordinance 22-30

Flaherty moved and it was seconded to adopt Amendment 01 to Ordinance 22-30.

Amendment 01 Synopsis: This amendment removes provisions related to an additional appropriation from the ordinance. In order to comply with notice requirements for appropriations, the administration anticipates proposing a separate additional appropriation ordinance to appropriate the proceeds of the bonds issued as a result of Ordinance 22-30.

Bingham provided additional details on Amendment 01.

Public comment:

There were no public comments.

Council comments:

There were no council comments.

Vote to adopt Amendment 01 to Ordinance 22-30 [10:08pm]

The motion to adopt Amendment 01 to Ordinance 22-30 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Council questions:

Piedmont-Smith read Bruce's letter.

Griffin said he would have to follow up with council because it did not seem accurate.

Public comment:

Dave Askins asked about a future energy costs analysis, annual costs for maintenance, reconciling timelines with the RDC's and prior approval by the legislative body, and process if the council approved the bonds, but not the Shower's purchase.

Peter Dorfman commented on the needs for public safety infrastructure, the burden on tax payers involving bonds, and his concerns with police in the Showers building.

Paul Post, President of the FOP, spoke about fencing, clarification on the use of the Trades parking garage and security, and parking. Ordinance 22-30 (cont'd)

Volan asked about parking, the use of Trades parking garage, and security. He asked how much parking the police thought they needed.

~~Koontz~~Kunce said that proposed parking counts were based on conversations with both the fire and police chiefs. It was designed with the purpose of future use, too. She explained the estimated parking that would be needed.

Council comments:

Rollo asked for clarification about prior approval for purchases over \$5 million pertaining to the RDC.

Lucas stated that council was not being asked to approve the purchase agreement. He clarified the statute regarding RDC's agreements to make payments for a property to be purchased. The coming ordinance would ask council to consider that.

Larry Allen, Assistant City Attorney, said that the agreement would not be valid if the council did not approve it.

Smith commented on factors he was weighing in consideration of the Showers building including congestion, safety issues for pedestrians and bicyclists, and cost comparisons. He thought that it was possible that the city was attempting to purchase more property than was necessary. He wanted to vote in favor of the best option for the fire and police departments. He would support the approval of the bonds, but was not in favor of voting for the Showers building.

Volan reiterated that the funding had already been levied and that taxpayers were not going to be taxed more for the project. What was being considered was how to spend the funds. He commented on the congestion from the viewpoint of patrol cars and concerns with the B-Line. He suggested using the term public safety headquarters as opposed to campus. Volan noted that having public safety headquarters at the Showers building would lead to more use of the Trades District garage. He expressed concern about the need for additional funds and should not be taken from the CRED. The CRED was not created for the purpose such as the proposal. The CRED funding should be used for improvements to alleys, burying cables, sidewalks, and more.

Sims spoke about the recent flooding that happened at the police department. He wished to discuss the Showers building more. It was important to have public safety in close proximity. He noted that there would be wrap-around services and referrals so ample space was necessary. He would support Ordinance 22-30 though more discussion was necessary. He briefly commented on costs regarding building new or renovating.

Rollo said that financing public safety facilities was necessary. The options were limited, and a greater exposition of possibilities would have been useful. He said that a comparison of the two options was also useful. He was leaning against the Showers building. He understood that a poll of police officers showed no support for the Showers building.

Flaherty appreciated the feedback on the sites that were considered. He recognized the many needs, and supported financing them, and believed the conclusions reached by the administration to be reasonable. He also appreciated the feedback from police officers

Ordinance 22-30 (cont'd)

but acknowledged that it did not include additional criteria like costs. He believed that it was misleading to say that none of the police officers supported moving to the Showers building because the questions put before them were not constrained and did not consider all of the factors. He looked forward to continued discussions.

Rosenbarger would support Ordinance 22-30. She recognized the need for a new police station. She believed the administration and the consultants used due diligence resulting in a good option. She noted that forty two properties were considered, and ruled out, due to location or accessibility problems. The Showers building was the most responsible use of the funding. Rosenbarger believed that housing police and fire next to city departments enabled more collaborations and wrap around services. She trusted Chief Moore to work to keep the project under budget and to be smart about the funding. She was concerned about the safety of the intersections around the Showers building and knew that Planning and Transportation and Engineering staff would do their best to make the areas as safe as possible.

Piedmont-Smith said that separate legislation would be considered the following week. It was clear that investment in public safety was needed, the current police station was crowded, and adding to the building was not a long term solution. The Showers building was an appropriate space in most regards. She knew that the fire stations needed to be upgraded, as well as the training facility. She would support Ordinance 22-30. She was concerned about the traffic and the proximity to the B-Line trail, pedestrian activity especially on Saturdays during the Farmer's Market, and ingress and egress. She was not convinced that the CRED funds should be used.

Sgambelluri favored investments in public safety. She liked the idea of a comprehensive city government center with collocated services. She was convinced that Showers was not the ideal option for public safety offices, but it was the optimal option, given the constraints and parameters. She looked forward to the discussion on how to make Showers even more optimal. She appreciated the administration's response to council questions and she supported Ordinance 22-30.

Sandberg did not support the Showers building for a public safety location. She recognized that there was a great need for investment into public safety. She resented having to approve a bond without having specific information about the location. She commented on feedback from BPD and the need to include them in the discussion. Police officers had compelling reasons to not move to the Showers building and preferred upgrading the current police station. She was not convinced that all options had been explored. Sandberg was hesitant to vote in favor of the bonds and then hope that in the next two weeks, an ideal plan would be brought before council. She considered the \$34 million investment too grand to move forward quickly for interest rate reasons, and that it was more important to get it right. She would not support Ordinance 22-30.

Rollo wondered about collocation and if it was helpful to have fire, police, and other vital city services in the same location during a disaster, like a tornado. He questioned if it was best to put all of public safety and the civil city together if, for example, the building were to catch fire.

Volan said that there were many municipalities with public safety units together. He referenced Tuscaloosa’s quick response to a large tornado because they had an off-site 311 office. He encouraged that type of redundancy for Bloomington, just in case. He noted that the current police station was not a great building. He mentioned the scathing reviews regarding the new Indiana University hospital which indicated that new buildings were not always ideal. Volan asked for those interested in other options to present alternatives. He commented on ample space, city growth, and said he would support Ordinance 22-30.

Ordinance 22-30 (cont’d)

Vote to adopt Ordinance 22-30 as amended [11:00pm]

The motion to adopt Ordinance 22-30 as amended received a roll call vote of Ayes: 8, Nays: 1 (Sandberg), Abstain: 0.

LEGISLATION FOR FIRST READING [11:00pm]

Rollo moved and it was seconded that Ordinance 22-36 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Ordinance 22-36 - To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code – Re: Proposal to Amend Chapter 20.02 “Zoning Districts” and Related Sections to Establish an Overlay District and Related Development Standards for the Hopewell Neighborhood [11:00pm]

Sandberg referred the legislation to a Special Session to be held on December 14, 2022.

Rollo moved and it was seconded that Ordinance 22-37 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Ordinance 22-37 – To Amend the City of Bloomington Zoning Maps by Adding the Transform Redevelopment Overlay (TRO) to Certain Below-Described Property [11:02pm]

Sandberg referred the legislation to a Special Session to be held on December 14, 2022.

Dave Askins asked when the City Hall doors were locked because they had been locked during a public meeting the previous week.

ADDITIONAL PUBLIC COMMENT [11:04pm]

Lucas reviewed the upcoming council schedule and legislation for consideration.

COUNCIL SCHEDULE [11:06pm]

Lucas summarized the two proposed legislative schedules, Schedule A and Schedule B. Council would need to adopt one by the end of the year.

Flaherty presented Schedule B, which had three Regular Sessions per month. He provided reasons in support of it and highlighted some key dates.

Piedmont-Smith noted that Schedule A had forty-one meetings, including the Committee of the Whole, and Schedule B had thirty meetings. She discussed process, final actions, and options on timing for votes on legislation.

Flaherty said that three meetings per month was reasonable, and extra Special Sessions could be scheduled as needed.

Rosenbarger asked Bolden for her preference on the schedules.

Bolden did not have a preference. She noted a conflict with one date and said that both proposals had alternatives for that date.

Volan asked if code required that legislation have a second reading in the next meeting after a first reading.

Lucas did not believe so but that it had been common practice.

Volan asked if legislation could potentially be considered at a second reading, skipping a Regular Session.

Lucas confirmed that council could postpone to a future date.

Volan asked why December 20, 2023 was excluded.

Flaherty said it might have been an oversight.

COUNCIL SCHEDULE (cont'd)

Lucas summarized Schedule A and highlighted potential changes to that schedule. There was brief council discussion on the proposals.

Rosenbarger explained that code required that council recess after the second session in December, which was why December 20, 2023 was omitted.

Flaherty clarified that Special Sessions could be added.

Sgambelluri said it would be useful to have more time to consider the schedules.

Volan supported trying something new, and appreciated the upcoming Special Session. He commented on the flexibility with considering legislation.

Rollo appreciated having more time to consider the schedules. His concern was protecting the minority from action that could occur inadvertently.

Smith also appreciated having more time to consider the schedules. He wondered if it would be ideal to wait for the next council president to decide.

Sandberg stated that the annual schedule needed to be set ahead of the following year.

Bolden reminded councilmembers to sign their annual nepotism forms.

Rollo moved and it was seconded to adjourn. The motion was approved by a voice vote.

ADJOURNMENT [11:27pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ___ day of _____, 2023.

APPROVE:

ATTEST:

Sue Sgambelluri, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

For Approval

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, December 21, 2022 at 6:30pm, Council President Susan Sandberg presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
December 21, 2022

Councilmembers present: Matt Flaherty, Isabel Piedmont-Smith, Kate Rosenbarger, Susan Sandberg, Sue Sgambelluri, Jim Sims, Ron Smith, Stephen Volan
Councilmembers present via Zoom: Dave Rollo
Councilmembers absent: none

ROLL CALL [6:30pm]

Council President Susan Sandberg summarized the agenda.

AGENDA SUMMATION [6:30pm]

There were no minutes for approval.

APPROVAL OF MINUTES [6:33pm]

Volan urged all to drive safely in the blizzard conditions throughout the Midwest. He noted the availability of a third COVID-19 booster.

REPORTS

- COUNCIL MEMBERS [6:34pm]

Sgambelluri listed all the warming stations throughout the city and shelters available during the freezing temperatures. She mentioned her upcoming constituent meeting. She provided an update on the reproductive healthcare emergency grants.

Rollo commented on pedestrian crossing on 7th Street and possibly re-adding stop signs. He wished Bloomington residents a safe and happy holiday season.

There were no reports from the mayor and city offices.

- The MAYOR AND CITY OFFICES [6:39pm]

There were no council committee reports.

- COUNCIL COMMITTEES [6:39pm]

Sidney Bolam, Fourth Street Festival of the Arts and Crafts, thanked the Board of Public Works (BPW) for their work with the festival. She provided a brief history and highlighted successes.

- PUBLIC [6:39pm]

Jim Shelton spoke about the upcoming training for Court Appointed Special Advocates (CASAs). He encouraged residents to volunteer and indicated how to do so, and the importance of the program.

Ash Kulak, Deputy Council Attorney, read a comment submitted via Zoom chat from Sam Dove regarding people needing help shoveling.

There were no appointments to boards and commissions.

APPOINTMENTS TO BOARDS AND COMMISSIONS [6:46pm]

LEGISLATION FOR SECOND READING AND RESOLUTIONS [6:47pm]

Rollo moved and it was seconded that Ordinance 22-40 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.

Ordinance 22-40 - An Ordinance to Amend Ordinance 22-26, Which Fixed the Salaries of Appointed Officers, Non-Union, And A.F.S.C.M.E. Employees for All the Departments of the City of Bloomington, Monroe County, Indiana for the Year 2023 - Re: To Reflect Changes Due to the Execution of a Collective

Rollo moved and it was seconded that Ordinance 22-40 be adopted.

Caroline Shaw, Director, Human Resources, presented the legislation and noted the proposed changes. She stated that the

contract was for four years, and provided additional details on salaries, grades, and title changes.

Bargaining Agreement Between the City of Bloomington and Local 2487 CBMC, A.F.S.C.M.E. and also a Change Affecting One Additional Job Title [6:47pm]

Piedmont-Smith asked how the extra \$1000 per employee was funded.

Council questions:

Shaw stated that she believed it was funded by the American Rescue Plan Act (ARPA) but would double check.

Piedmont-Smith asked about the timing of the gain sharing option.

Shaw believed it had been in prior contracts.

Beth Cate, Corporation Counsel, confirmed that was correct but had not been utilized in the past and would be in the near future. She also thanked Shaw for her outstanding work with the contract.

Sims asked how the Community Emergency Medical Technicians/Community Paramedic positions would be sustained long term.

Shaw said they were funded out of the General Fund, and provided additional details.

Sims asked how many employees were above the maximum for their pay grade.

Shaw said there were not many, and they were not maxed out at their pay grade. Those employees received their full salary with cost of living adjustments.

Piedmont-Smith said that the lowest wage in Ordinance 22-40 was \$15.29/hour and asked if that was the new living wage level.

Shaw believed that was correct, but would double check.

There was no public comment.

Public comment:

Piedmont-Smith requested the use of gender-neutral language in contracts and legislation as a best practice.

Council comments:

Sandberg appreciated working with Shaw and wished her well in her new role outside of the city. She acknowledged the employees who would be dealing with potentially dangerous weather, especially in the Streets, Sanitation, Fleet divisions, and more.

Rollo said it was ideal that contract negotiations be completed prior to the budget coming before council. He also wished Shaw well.

The motion to adopt Ordinance 22-40 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 22-40 [7:05pm]

Rollo moved and it was seconded that Resolution 22-21 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.

Resolution 22-21 – To Approve the Interlocal Agreement between Monroe County, the Town of Ellettsville, and the City of Bloomington for Animal Shelter Operation for the Year 2023 [7:06pm]

Rollo moved and it was seconded that Resolution 22-21 be adopted.

Virgil Sauder, Director of Animal Care and Control, presented the legislation. He explained the interlocal agreement and provided details including figures, per animal care costs, and the dollar amounts paid to the city.

Rollo asked if there were people from outside of Monroe County that were turned away when surrendering an animal because they could not afford the fee.

Council questions:

Sauder said that of the total animal intake for 2021, 16.5% were from outside the county. No animals in need were turned away and staff worked with people who could not afford the fee. Staff also assisted with rehoming animals via the website and more. The number of surrendered animals had increased due to the pandemic and that data would be analyzed.

Rollo asked what defined an animal in need.

Sauder said it was strays, or animals that needed medical help or food assistance.

Sims asked about any progress with the wildlife management plan, specifically regarding deer.

Sauder said that more information would be forthcoming.

Piedmont-Smith asked for a reminder on how the funding worked regarding Ellettsville and the county.

Sauder stated that both paid the city via the controller.

There was no public comment.

Public comment:

Piedmont-Smith thanked staff at the animal shelter, and appreciated the agreement.

Council comments:

The motion to adopt Resolution 22-21 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. (Volan out of the room)

Vote to adopt Resolution 22-21 [7:15pm]

Rollo moved and it was seconded that Resolution 22-22 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. (Volan out of the room) Bolden read the legislation by title and synopsis.

Resolution 22-22 – Approval of Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana Re: Building Code Authority [7:16pm]

Rollo moved and it was seconded that Resolution 22-22 be adopted.

Mike Rouker, City Attorney, referenced state law that authorized governmental entities to jointly exercise power through interlocal cooperation agreements. He delineated details on, and reasons for, the agreement.

Piedmont-Smith asked for clarification on the joint board that was referenced in the council memo.

Council questions:

Rouker stated that might be a typo and did not believe there was such a board for the building code interlocal agreement.

Stephen Lucas, Council Attorney, confirmed that there was no board for the building code interlocal agreement.

Piedmont-Smith asked if there was progress on submitting permit applications electronically as opposed to staff walking over to retrieve them.

Rouker explained that he was not sure how it was currently done, but would check.

There was no public comment.

Public comment:

There were no council comments.

Council comments:

The motion to adopt Resolution 22-22 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Resolution 22-22 [7:22pm]

Rollo moved and it was seconded that Resolution 22-23 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. (Piedmont-Smith out of the room). Bolden read the legislation by title and synopsis.

Rollo moved and it was seconded that Resolution 22-23 be adopted.

Rouker presented Resolution 22-23 and gave a brief explanation on the interlocal agreement that noted the allocation of funds for the city and county. The grant funds would be received by the city and distributed to the county accordingly.

There were no council questions.

There was no public comment.

There were no council comments.

The motion to adopt Resolution 22-23 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. (Smith out of the room)

Rollo moved and it was seconded that Appropriation Ordinance 22-06 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. (Flaherty out of the room). Bolden read the legislation by title and synopsis.

Rollo moved and it was seconded that Appropriation 22-06 be adopted.

Lucas reminded council that there was a noticed public hearing published in the newspaper for Appropriation Ordinance 22-06.

Mayor John Hamilton presented Appropriation Ordinance 22-06 including the history of the proposed project. He referenced prior presentations on council's approval of bonds and described the Fire Department's infrastructure needs. He noted the importance of integrating public safety and collocating police and fire. Hamilton explained that the purchase of the Showers building, west portion, was the most responsible use of funds, and was the least expensive option. While it was not perfect, it was optimal, and there was still design work to be done. Hamilton gave additional reasons in support of the purchase of the Showers building.

Brad Bingham, counsel, Barnes and Thornberg, reviewed Ordinance 22-30, provided details on Appropriation Ordinance 22-06, and described the requirements for the purchase of the Showers building by the Redevelopment Commission (RDC). He noted key points with the bonds, interest, open market committee meeting, and the increase in the prime rate.

Police Chief Mike Diekhoff supported the purchase of the Showers building and provided reasons. He explained damage that was done to the current police station, including rain water issues, and the lack of space, too. He said there were benefits to the location like the Trades parking garage, windows and natural light, and more. There were concerns such as ingress and egress but he was certain that suitable solutions to those concerns were doable. The Showers building also allowed space for growth.

Deputy Fire Chief Jayme Washel thanked council for their support over the years. He spoke about the Fire Department's infrastructure

Resolution 22-23 – To Approve an Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana in Regards to the 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) [7:22pm]

Council questions:

Public comment:

Council comments:

Vote to adopt Resolution 22-23 [7:27pm]

Appropriation Ordinance 22-06 – An Ordinance Appropriating the Proceeds of the City of Bloomington, Indiana, General Revenue Annual Appropriation Bonds of 2022, Together With All Investments Earnings Thereon, for the Purpose of Providing Funds to Be Applied to the Costs of Certain Capital Improvements for Public Safety Facilities, and Paying Miscellaneous Costs In Connection with the Foregoing and the Issuance of Said Bonds and Sale Thereof, and Approving and Agreement of the Bloomington Redevelopment Commission to Purchase Certain Property [7:29pm]

needs, as well as equipment, training, and the relocation of fire administration offices. He gave substantial reasons in support of the improvements and upgrades. The Showers building met the needs of the Fire Department including administration and personnel.

Appropriation Ordinance 22-06
(cont'd)

Deb Kunce, J.S. Held, addressed questions submitted in writing from councilmembers. She was a registered architect with thirty years' experience and was currently working on two other police stations in Indiana. She spoke about the feasibility studies, meeting with Diekhoff, and the inclusion of police and fire in the discussion. She clarified the concern about a three to five year life span for some systems. She highlighted the projected timeline and its phases, supply chain and construction cost challenges, ingress and egress concerns, collaboration with the Planning and Transportation department, and Engineering, parking, leases in the Showers building, group planning meetings, and design. Kunce provided details regarding the cost comparison between the Showers building or expansion of the current police station, expenses, square footage, and value.

Sgambelluri asked for further information on the discussion with the city staff regarding ingress and egress concerns.

Council questions:

Kunce said she had conversations with Andrew Cibor and Scott Robinson about the concerns and it was determined that more research was necessary during the design phase.

Hamilton commented that the B-Line was crossed by emergency vehicles on a daily basis.

Sgambelluri asked if the use of sirens and lights was the only option that did not require funding.

Kunce said that it depended, and that reconfiguring the parking lot was not included in the budget.

Sgambelluri said that ingress and egress concerns needed to be addressed and asked what needed to be done to address that.

Kunce said that the \$200,000 included in site cost could accommodate a low impact adjustment at the location. She did not believe that reconfiguring the parking lot was a solution that would help with the concerns.

Volan asked if it was correct that fire stations 1 and 3 would be rebuilt no matter what was selected regarding the appropriation of the bonds.

Hamilton said that if the Showers building was not selected then fire station 1 would be rebuilt and fire station 3 would have a major rehabilitation.

Volan said that council had not had time to review the current "30,000 mile high view" and asked if a "25,000 mile high view" was possible, with a bit more specific numbers. He understood that the price of the Showers building expired on January 31st and asked what problems might happen if council waited to make a decision.

Hamilton said that there would not be more additional information within a month, and that the process had gone through the standard level of review. To do that on multiple locations was not ideal nor typical.

Kunce did not believe that the costs would substantially change by waiting an extra month. It would also not change the property value of the building.

Volan said that council normally spent more time on a budget, with more specifics. He suggested having an intensive dive into the cost estimates.

Hamilton responded that staff was happy to answer any council questions.

Volan commented on the process and said it was fortunate that the bonds and the decision on the building were separated. He would have voted against the bonds had it been paired with the building location. Volan asked if the administration was willing to meet with some councilmembers to drill down one level regarding the proposed numbers.

Hamilton encouraged councilmembers to ask questions at the time since the experts were already present in the room and were paid for their time. It was not easy to gather all at the same time.

Volan reiterated that council had only recently seen the proposed cost estimates without adequate time to research the information in order to form questions.

Hamilton said the question was if council approved the purchase of the Showers building at an estimated cost, or an expansion. Experts had recommended the purchase of the Showers building.

Rollo noted council's fiduciary role and asked if the administration would commit to renovating the existing headquarters if the Showers building was not purchased.

Hamilton responded that it would be a rehabilitation of the current building and not expanding it.

Flaherty asked if the fire administration would be collocated with the training facility.

Hamilton confirmed it was the most reasonable option.

Flaherty said that council had seen different numbers from the administration and from the Fraternal Order of Police (FOP) and asked if the experts could weigh in, since all were in attendance that evening, especially if FOP members asked questions during public comment.

Hamilton said yes and repeated that the estimates used industry standards.

Piedmont-Smith inquired about the estimates for a possible rehabilitation and expansion of the current police station, and what exactly was being proposed in that case.

Kunce said that the assumption was that the existing police station would involve reconfiguring the layout to ensure that all the units were collocated in the right location within the building. It was possible that additional analysis or findings could occur and possibly lead to cost savings, and provided examples.

Rollo said that there were benefits with collocating public safety but that there were also vulnerabilities with having emergency services together. He asked if it was prudent to separate the services.

Hamilton said that there were multiple emergency providers all around the city, including county, dispatch, and Indiana University (IU) Health. He provided details and said that public safety experts had reviewed and endorsed the proposal. He explained that the city would prepare appropriate response for emergencies.

Volan asked President Sandberg about the difficulty in scheduling legislation and if council had a full agenda over the past few months.

Sandberg stated that it had been a full agenda for a while and it had been very difficult to schedule items.

Volan asked to what extent she and Vice President Sgambelluri had been able to schedule and keep up with items.

Sandberg responded that they had kept up with everything.

Sims asked about the FOP numbers that were provided to some councilmembers and not others, and asked for that to be shared

with all. He commented on square footage and asked about future expansion needs for the police station.

Appropriation Ordinance 22-06
(cont'd)

Kunce spoke about the available space after the leases in the Showers building ended that could be used for other city purposes.

Diekhoff said that annexation would have an impact and noted that Bloomington Police Department (BPD) was currently down twenty officers. He spoke about the possible growth of BPD.

Sims asked if the growth included non-sworn officers.

Diekhoff confirmed that was correct.

Smith commented on space in Showers and asked about the use of the extra space for other, non-public safety entities.

Hamilton viewed extra space as a bonus investment for the future. It provided for the current public safety needs, and could be used to generate revenue for the city by leasing to other entities.

Smith asked what the alternative option was to Showers.

Hamilton stated that had been answered at the previous meeting. If council did not approve the purchase of the Showers building, then fire station improvements would be done, and the city would have to find space for fire administration. There would be improvements to the current police station. He said that there would also then be more funding available for the ten-year Public Safety Local Income Tax (PSLIT) capital improvement plan.

Sandberg noted the information that had just been handed out regarding the FOP estimates. There was brief council discussion.

Dave Askins, B Square Bulletin, said the public would also like to have the FOP estimates. He commented on fair market appraisals, and purchase price. He spoke about RDCs' purview and state code.

Public comment:

Kulak read a comment submitted via Zoom chat from Sam Dove regarding the name change for Indiana University's basketball stadium.

Paul Post, President of FOP Lodge 88, urged council to reject the expensive purchase of the Showers building and commented on officers' concerns, and code issues. He noted that police and fire buildings being essential and Risk Category 4 buildings. He read from a report from Tabor Bruce Architecture & Design highlighting the need for significant infrastructure upgrades. Post also quoted Fink Roberts and Petrie, Incorporated stating that it was not feasible that the building be Risk Category 4 without major improvements. He also spoke about public safety funds, leases, and more.

Jeff Rogers, BPD representative, provided details on the FOP estimates that were obtained from an individual who consistently contracted with the city. The estimates were increased by 30-50% each to include a healthy cushion for the improvements. He commented on the cost of improving the current police station and provided details on parking, and other options that were suggested by the FOP. He encouraged councilmembers to visit the police station and said that he and others would make themselves available to discuss the options. He provided additional information regarding cost for Showers or the current station.

Rollo asked for a response regarding the Risk Category 4 concerns.

Council comments:

Kunce said that three studies were conducted and provided details. She said the building had an occupancy group 2 category and the plans would only need to be addressed if that grouping changed, based on the Indiana Building Commission. She clarified

that the building would contain police and fire headquarters which did not change the building from being occupancy group 2.

Appropriation Ordinance 22-06
(cont'd)

Rollo said that no upgrades were necessary.

Kunce confirmed that was correct, according to the Indiana State Building Commissioner's assessment.

Piedmont-Smith moved and it was seconded to postpone further discussion of Appropriation Ordinance 22-06 until January 18, 2023.

Flaherty asked for the administration's feedback on legal or fiscal impacts.

Council questions:

Cate noted financing costs, like bond counsel, that would be paid out of the bond proceeds. There was also an impact on costs.

Flaherty said that there were costs but that they were not catastrophic.

Cate said there were not catastrophic impacts.

Piedmont-Smith asked if the city could pay bond counsel from a different source, and then reimburse at a later date.

Jeff Underwood, Controller, said that there were no funds available to appropriate for that purpose.

Piedmont-Smith asked what the legal obligations were and if council could delay payment.

Underwood explained that payment was typically due within thirty days and provided details on bonds.

Larry Allen, Assistant City Attorney, pointed out the logistical difficulty of a tight timeline for closing on the building.

Hamilton added that there was an expert present who would be able to discuss the financial concerns.

Smith asked for clarification in the difference with the estimates.

Flaherty noted that the discussion was on the motion on the table.

Rosenbarger asked if there was a current agreement regarding the closing date.

Allen said that there was a purchase agreement, but included the condition of council's approval for RDC's purchase of the building.

Rosenbarger asked if it was possible to change.

Allen said that it depended on the other stakeholder, and provided additional information.

Volan commented on the precedent of collocating public safety, PSLIT funding, seismic concerns, and council's responsibility for due diligence in the spending of the bonds. It was not ideal to request that council be asked to approve appropriation of funding so quickly. He gave additional reasons and said that if he was required to vote that evening, he would abstain or vote no because he had not been given enough time to consider the proposal. He commented on the timeline, and other items to consider.

Flaherty said it was difficult to support the motion because the estimates could be discussed that evening, line by line. It was possible that the estimates were not truly that different, but there had not been enough time to dig into the estimates. He said he would vote against the motion to postpone, but might support postponement if sufficient discussion was not done that evening.

Volan respectfully disagreed and commented on additional items on the agenda that needed to be considered.

Rollo agreed that more time was needed and would support the motion and gave reasons for postponing.

Appropriation Ordinance 22-06
(cont'd)

Sandberg supported postponing the consideration of Appropriation Ordinance 22-06 and provided information supporting doing so.

The motion to postpone received a roll call vote of Ayes: 7, Nays: 2 (Sims, Flaherty), Abstain: 0.

Vote to postpone Appropriation Ordinance 22-06 [9:11pm]

Rollo moved and it was seconded that Ordinance 22-38 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. (Flaherty out of the room). Bolden read the legislation by title and synopsis.

Ordinance 22-38 – To Amend the City of Bloomington Zoning Maps by Rezoning A 87.12 Acre Property from Mixed-Use Employment (ME) to Mixed-Use Institutional (MI) – Re: Northeast Corner of W. Fullerton Pike and S. State Road 37 (Monroe County Government, Petitioner) [9:12pm]

Rollo moved and it was seconded that Ordinance 22-38 be adopted.

Jackie Scanlan, Development Services Manager, Planning and Transportation department, presented the petition. She provided information on the location, zoning, surrounding area, an overview of the petition, and that the legislation was in opposition to the Comprehensive Plan’s goals. She reviewed the Plan Commission’s (PC) concerns with the petition and noted that the PC recommended rejecting it. Scanlan stated that staff did not believe there was sufficient information to do a site plan.

Lee Jones, Monroe County Commissioner, spoke about the idea of a jail, and that incarceration can lead to worsening of problems. A jail was always needed for those that were dangerous to the community or to themselves. She commented on the option of separating services out such as mental health.

Julie Thomas, Monroe County Commissioner, discussed the issue of transportation including Bloomington Transit (BT) routes. She noted that a road was not constructed yet. She described the difficulty with transportation to the area and said that the onus was more with the city and should not be pushed onto the county.

Jeff Cockerill, County Attorney, noted that the county was the ninth largest employer in the county, right behind the city. He said that part of the reason for selecting that area was its proximity to Monroe Hospital. He commented on the map amendment request, a brief history of the current jail facility, reasons for the site listed in the petition, differences in the Mixed-Use Employment (ME) and Mixed-Use Institutional (MI) zones, additional uses for the site, and referenced the vision statement in the Comprehensive Plan. He also discussed current MI zones, and referenced recent case law findings.

Volan asked how many square feet the county believed was needed for the cells in a jail facility on a ground floor.

Council questions:

Cockerill said that typically, there was a base level with cells, as well as a second floor of jail cells, and a shared common area.

Volan asked if the county wanted to build a facility that did not have any cells above the ground floor and not on more than one floor.

Cockerill said yes, and described the current jail which had two floors of cells on two levels. He explained that the county wanted to reduce that to one floor with two levels. The footprint would be greater than one acre.

Volan said that the current jail had approximately 27,000 square feet on each floor, so about 54,000 square feet total.

Cockerill reiterated that the current jail was about one acre and what was needed was greater and about an acre and a half, spread out over a larger area.

Rosenbarger asked for clarification about the ME versus MI uses that were presented that evening because Scanlan's and Cockerill's allowed uses differed a bit.

Scanlan said that single family houses were not allowed in MI. Most MI was government use properties, like IU and MCCSC. She listed other things not allowed in MI like a brewpub, and more.

Cockerill noted that he had omitted the word "not" in his slide.

Volan asked if the county intended to subdivide some parcels of land to developers to build housing or restaurants.

Cockerill said there was not a plan to subdivide the land. The focus was on building a new correctional facility and perhaps to expand that and collocate justice related units, like the courts.

Volan said that he had thought the plan was to have all the public safety and justice related units at the site.

Cockerill said that a master planning phase was needed, and that there was resounding support for collocating the justice units.

Volan asked if the employees in the justice units wanted to collocate at the proposed site, or in their current space.

Cockerill explained the difficulty in renovating the Charlotte Zietlow Justice Building due to the lack of space.

Piedmont-Smith asked if other locations were considered for the jail like the land to the south of Catalent, and why they were ruled out.

Cockerill said that the land south of Catalent had been ruled out about four years ago because of Habitat for Humanity homes. Catalent had requested the ability to buy that land from the county, and the county had agreed to hold that land for two years as long as Catalent was meeting their investment goals. He had spoken with city staff about using that land for a residential Tax Increment Financing (TIF) district. He asked if the city's investment in Switchyard Park was augmented by having a correctional facility there. He noted issues with vehicular access only on Rogers Street, Duke's utilities in the area, safety, delivery truck access, and the higher priority of housing in that area.

Piedmont-Smith asked how many acres the county owned there.

Cockerill said it was around eighty or ninety.

Piedmont-Smith asked if the county was holding that land for Catalent.

Cockerill clarified that only about fifty acres was buildable but that county commissioners approved a resolution to hold the entire property for that use.

Flaherty asked what the preliminary cost estimates were for a new jail at the proposed site.

Cockerill stated that the county was in the design process to determine the master planning. Pre-Covid-19, for a 300-350 bed jail, the estimate was between \$40-50 million.

Flaherty said that he had seen figures around \$60-70 million from other stakeholders.

Cockerill said that was a decent guess since time had passed.

Flaherty stated that he was thinking about alternatives to the site and asked about the prohibitive cost of \$54 million for the renovation of the current facility. He also asked for further information on the low- to high-estimates.

Thomas said that she did not see how the question was germane to the petition. She noted that that the estimates were drafted in

Ordinance 22-38 (cont'd)

2019. She described several concerns with the Justice Building. She explained that inmates would need to be jailed somewhere while renovation was done. She asked councilmembers to visit the current jail. She discussed the need for treatment, all the units within county government and justice, and commissioners' role in the planning, budget, and construction of the facility.

Flaherty explained that the line of questioning was germane because there were many negatives with the proposed site, which might be justified, and council might find it adequate if there were no alternatives to consider. That was the type of discussion occurring that evening. He was hoping to have a full understanding of what made the renovation of the current jail cost prohibitive. He asked if there was more information surrounding the estimated cost, ranging from \$22-56 million for the remediation of all the identified issues.

Cockerill said that was not an accurate picture of all the economic issues. The reports did not include operational costs and programming, for example. He did not know the full staffing cost. He said that construction cost was just one factor. He did not know if additional space could be built on top of the current building.

Flaherty asked if the provisional assessment that had been done was not adequate and if more information and studies were needed.

Cockerill said that one member of the Community Justice Response Committee (CJRC) had recently requested that a more full report and review be done. He said that the county staff had looked at renovating the current building, and had opted not to.

Sgambelluri asked about other properties under consideration, outside of city limits, and why they were rejected.

Cockerill said that one was further south on Old State Road 37 South and had sanitation and sewer issues, and more. He listed other factors like contiguous building areas, ravines, or other unknown issues. He said they also looked at another area off of Vernal Pike, but the property owner was not interested. He listed other reasons and noted that many options were outside of the city.

Rosenbarger addressed County Commissioner Thomas' question regarding the city's response to the need for transit. She said that when the city worked with a potential employer, or major housing developer, where there would be lots of stress on the infrastructure, the city requested that the developer fund a bus line. She asked what the county planned to do regarding access considering that BT did not currently have plans to provide routes to the site.

Cockerill said that he had corresponded with BT who confirmed that if the proposal was approved by council, then they would be willing to go through their process to consider possible routes there. It was not a commitment and there were additional considerations to discuss. He said they had even mentioned potentially having a Park-n-Ride location at the site. He reiterated that BT was not committing to anything at the moment. He provided additional information.

Sandberg referenced the letter sent to Cockerill from John Connell, Director of BT, indicating that transit routes were not ideal there, unless there were conditions favorable to providing service to the site, like a facility.

Rosenbarger asked for further clarification regarding access to the site, especially for those individuals that were released from custody.

Cockerill noted that typically, one person per day was released between 8:00pm-7:00am, on average. He said that hypothetically, it

was likely that those individuals had bonded out and possibly had others going to pick them up.

Sims noted that there were those that bonded out, and those released on their own recognizance who may not have someone to pick them up. He asked what happened when one person was released and they did not have transportation plans and there was no transit.

Thomas responded that the county had done everything they could leading up to the petition, and had conversations with BT. If there was no transit service, then the county would have to make plans to address that. She felt that the county had researched as much as possible but could not spend money on a study since it was unknown if the petition for the site was approved or not.

Sims asked what the key stakeholders thought about the proposed site.

Jones said that in reading through the comments submitted by stakeholders, she noted that there were many assumptions that were made. She said that the goal was to reform the criminal justice system and also that the jail was a small part of that system.

Sims asked if they were supportive or not.

Jones said that as a whole they were not supportive, but she believed that the stakeholders did not understand what was being proposed and what could be done at the site.

Sgambelluri asked for a specific example of an assumption that was made.

Jones said she could not recall a specific concern, but spoke about the general assumptions like the inconvenience of the location, many unknowns, and possible problems that could occur like not being able to collocate or having to do so in two phases. It was also not ideal to travel from their office to the proposed site. Jones listed additional examples summarizing the uncertainties due to change.

Volan said that he had looked at the site with the idea of perhaps having a new town square there. He asked if the ME zone could be amended to allow a jail.

Scanlan responded yes; council could pass a resolution to direct Planning and Transportation staff to draft an amendment.

Volan said that if council were to reject the rezone, but then file an amendment to change the ME zone, that it would take about three months.

Scanlan stated that was correct.

Volan asked county representatives for their opinion.

Cockerill said it was a good concept, but that the deadline for the purchase agreement was the end of the year, though it may be able to be extended for a short time. He noted some concerns with keeping the ME zone.

Volan asked if the county had considered building in places it already owned, like the public defenders building.

Cockerill answered that they had not and did not know how that would be feasible.

Volan said it was a suggestion for the logistical challenge for building in a dense, mixed-use downtown. He listed several other county-owned properties to consider.

Smith said that he, as the council representative on the Plan Commission, understood that the rezone request was in order to accommodate the additional services other than just the jail.

Public comment:

Mike Carmin, attorney for Bill Brown, property owner of the site, spoke about the history of the land, rezoning requests in the past, current concerns for development like parking space maximums, and the site being shovel-ready.

Christopher Knoll spoke in support of moving forward in getting inmates better conditions and services and thus the proposal.

Sydney Foreman commented on several issues with the proposed site including transit, the many hesitations with the inability to collocate, and many other concerns. She urged council to reject the proposal.

Natalia Galvan spoke about the lack of communication from the commissioners with city council. A more collaborative process had been requested months ago.

Brynn Thomas noted many concerns with the proposed site, jobs, and referenced the Comprehensive Plan. The proposed site was supposed to offer a sense of welcoming upon entering the city. She spoke against building a jail and asked council to reject the proposal.

Micol Seigel opposed the expansion of the prison system, and referenced Care Not Cages. She discussed the problems with having a part of the justice system far away from the downtown. She spoke against the current jail and the assumption that a new jail was ideal. She urged the full funding of the social services in the community.

Debbie Fish spoke about the need for access, transportation to courts, and the impact on families to keep the connection to their incarcerated family member. She hoped council voted against the rezoning.

Sam [inaudible] asked council to not approve the rezone request. He commented on the site's distance from services located downtown, even with collocation of the justice system units, the incompatibility with the Comprehensive Plan, and said that the proposal did not contribute to public safety.

Kevin Weinberg discussed the need to reflect on why individuals were arrested and caged. He said overcrowding in the jail was a red herring and that research showed that funding healthcare was key to mental health and more. He urged council to not rush the proposal through.

Donyel Byrd urged council to reject the proposal and was concerned about taxpayer money funding a facility that was ineffective in making the community safer. She noted New Leaf New Life's work with the community as well as alternatives to incarceration.

Seth Mutchler spoke about Care Not Cages and the study done on the current Justice Building. He highlighted experts' opinions including mental health and/or substance use disorders and recommendations opposing a new jail facility. He provided many reasons opposing a new facility.

Becca Schwartz spoke against the rezoning and agreed with those who spoke in opposition.

Maggie [unknown last name] spoke against the proposal and said that potential transitional housing, mental health facility, and a

detox center had only been mentioned that evening. She was concerned with the lack of planning by the commissioners.

Ordinance 22-38 (cont'd)

Volan commented that the current jail was safe from the outside, and people walked by it every day. He elaborated on the county's ability to use buildings they currently owned and gave details on the options. He noted that the county and city had a vested interest in public safety and questioned why county government had not considered partnering with the city. He also believed that the building was in bad shape and was poorly designed, and that it was unbelievable that it was at the end of life after thirty five years. He did support rehabbing the building. He commented on the importance of having jail cells on the first floor, but not having mixed uses on upper floors. Volan also discussed interlocal agreements with the county, the court order for the jail, Community Justice Response Committee (CJRC) discussion, and the exclusion of the city in their meetings. He noted that Commissioner Thomas had said that she hoped to keep the fourteen county committee members as is therefore not inviting a representative from the city. Yet now the county had brought the petition before the city. He said that council should reject the proposal.

Council comments:

Sgambelluri asked if the commissioners were still in the meeting. She said that the city had a large role in the community justice system, including BPD and more. She had too many questions remaining and could not support Ordinance 22-38 that evening.

Sims thanked Cockerill for his attendance, as well as those who had already left the meeting. He noted that the Plan Commission had given a negative recommendation. He commented on transit, collaboration, and the justice system being punitive and not rehabilitative. He understood there were some individuals that behaved in a manner that justified their separation from the community. That did not qualify the need for a new jail. Sims said that those incarcerated needed to be treated humanely with compassion and respect. He was a proponent of redistributing public safety funds, and not defunding, but also not just having sworn officers. He said wrap around services were important and gave examples of some needs. Stakeholders needed to be included and listened to as a starting point for reform. Sims spoke about recidivism, especially for people of color and poor people, was primarily due to failure to appear warrants. He believed it was difficult to support the legislation that evening.

Rosenbarger agreed with her colleagues' comments, and would be voting against the rezone. She reiterated that the Plan Commission and Planning and Transportation staff did not recommend the rezone. The proposal was in opposition to the established Comprehensive Plan. There had also been no information presented for the population served by the facility, like access and supportive activities were planned, which was crucial information to know ahead of voting on a jail far from the community. A more collaborative process should have been used, as well as presenting a cost estimate on renovating the current jail. Rosenbarger would vote against the rezone.

Piedmont-Smith thought that the proposed site was a terrible location for a new jail, it was too far away with no access. It was not reasonable to compare a business and a jail, and the city's accommodation for transportation. She noted that individuals that were released from the jail did not always have access to a car.

Piedmont-Smith would concur with the Plan Commission and deny the rezone.

Ordinance 22-38 (cont'd)

Flaherty would not support the rezone, and thought it was a poor location. A meaningful next step was to modify the process to make it inclusive and collaborative. A similar approach to the Capital Improvement Board (CIB) was needed. City staff should also be included, as well as individuals that worked in programming related to the jail and support services, and persons with experience as formerly incarcerated individuals. Flaherty said that an in-depth assessment of rehabilitation and renovation of the Justice Building, as requested by Judge Kara Krothe and Councilor Jennifer Crossley was needed, and gave reasons in support of doing so.

Sandberg noted that it was up to council to go with the Plan Commission's recommendation to deny the rezone request. She welcomed input from the community. Sandberg stated that she too would not support Ordinance 22-38.

The motion to adopt Ordinance 22-38 received a roll call vote of Ayes: 0, Nays: 9, Abstain: 0. FAILED

Vote to adopt Ordinance 22-38 [11:53pm]

There was no legislation for first reading.

LEGISLATION FOR FIRST READING [11:53pm]

There was no additional public comment.

ADDITIONAL PUBLIC COMMENT [11:53pm]

Lucas reviewed the upcoming council schedule.

COUNCIL SCHEDULE [11:54pm]

Volan moved and it was seconded to adjourn the meeting. Sandberg adjourned the meeting.

ADJOURNMENT [11:55pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ____ day of _____, 2023.

APPROVE:

ATTEST:

Sue Sgambelluri, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington



OFFICE OF THE COMMON COUNCIL
CITY OF BLOOMINGTON
401 N Morton St, Suite 110
Bloomington IN 47404

p 812.349.3409
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To: Members of the Common Council

From: Council Office

Date: September 15, 2023

Re: Review of Community Advisory on Public Safety Commission pursuant to Ordinance 20-20

In November 2020, [Ordinance 20-20](#) was adopted, which established the Community Advisory on Public Safety (CAPS) Commission. That ordinance provided that the Council would review the need for and efficacy of the commission two years after the commission's first meeting. The September 20, 2023 Regular Session includes an opportunity for the Council to proceed with such a review.

The goal of the CAPS Commission, as described in [Ordinance 20-20](#), is to increase the safety of all Bloomington community members, especially those often marginalized due to race, disability, gender, sexual identity, or sexual orientation. Its purposes include the following duties:

- (1) Perform research and gather data on the perceptions and preferences about public safety from community members, with specific focus on perceptions and preference data gathered from minority community members, individuals who are disabled, and other often marginalized community members; and
- (2) Research evidence-based alternatives to traditional policing; and
- (3) Identify best practices in public safety globally and evaluate the efficacy of such practices for implementation in Bloomington; and
- (4) Make recommendations to the common council, the board of public safety, and/or the mayor or the mayor's designee on policies and programs that enhance public safety for all community members.

The CAPS Commission first met on May 18, 2021 and has since met roughly on a monthly basis, for a total of approximately twenty-three regular session meetings. Local code requires at least four meetings be held each year, with regular monthly meetings unless canceled by the commission.

There are eleven seats on the commission, with five currently vacant. The commission has rarely had all eleven seats filled at one time. There have been twenty-four members on the CAPS Commission across its existence.

The CAPS Commission has passed various resolutions to condemn anti-Jewish and anti-Muslim violence and to advocate for access to reproductive rights. It has produced three reports, including two annual reports to the Common Council and one Alternative Public Safety Report, which was made after conducting research and holding a town hall event in April of 2023. The Commission has made recommendations based on its research that are contained in its Alternative Public Safety Report and in its annual report to the Council given on August 2, 2023. These materials, along with a list of current commission members, can be found on the Commission's [webpage](#).

Ordinance 20-20 calls for the Council to conduct a review of the need for and efficacy of the commission but does not specify any required action beyond that. The commission's establishment and its functioning are provided for in local code, at [BMC § 2.12.120](#). Any action to amend these provisions or to dissolve the Commission should occur through adoption of an ordinance. Absent any such ordinance, the commission will continue to function as called for in local code.



MEMO FROM COUNCIL OFFICE ON:

Ordinance 23-22 – To Vacate Public Parcels – Re: Two 12-Foot Wide Alley Segments Located Between West 1st Street, West 2nd Street, South Rogers Street, and South Walker Street (City of Bloomington Redevelopment Commission, Petitioner)

Synopsis

The petitioner, City of Bloomington Redevelopment Commission, requests vacation of two segments of alley right-of-way that were previously used as part of an IU Health parking lot to facilitate the development of the Hopewell Neighborhood. The east-west segment will be replaced by an alley slightly further south. The north-south alley will be partially replaced by a pedestrian easement.

Relevant Materials

- Ordinance 23-22
- Staff Report from Planning and Transportation
- Primary Plat and Exhibits
- Board of Public Works Staff Report
- Petition for Vacation of Public Right-of-Way
- Link to Bloomington Hospital Site Redevelopment webpage (<https://bloomingtonhospitalsite.com/>), which includes
 - Information on the master planning process
 - Frequently asked questions
 - Bloomington Hospital Site Redevelopment Master Plan Report – January 2021

Summary

Ordinance 23-22 proposes to vacate two existing alleys in order to develop the Hopewell Subdivision in accordance with the Bloomington Hospital Site Redevelopment Master Plan. Resources related to the Bloomington Hospital Site Redevelopment Master Plan can be found [here](#). The petitioner, Bloomington Redevelopment Commission (RDC), requests to vacate two platted alley right-of-way segments south of 2nd Street and west of Rogers Street. These right-of-way vacations will enable a replatting of the area consistent with the Master Plan and a primary plat approved by the Plan Commission on July 10, 2023.

Vacations of rights-of-way are governed by procedures contained in state law (IC § 36-7-3-12 and following statutes). In addition to state law requirements, Bloomington has adopted local procedures and criteria for public right-of-way vacations. In Bloomington, the process typically begins with a pre-petition review of an application submitted to the Planning and Transportation Department. Pre-petition materials submitted by the petitioner are reviewed, and all utility services, safety services, and the Board of Public Works are notified



of the proposed action. Upon completion of the pre-petition review, staff and the Board of Public Works each make a recommendation on the request. The Petitioner then submits the request to the Council Office, and upon receipt of the petition, a date is set for the required public hearing, where remonstrances and objections must be heard. The public hearing for Ordinance 23-22 will be held on October 4, 2023 at 6:30 p.m. The City Clerk must assure that owners of property abutting the right(s)-of-way are notified by certified mail of the proposed action. The Clerk must also advertise the hearing wherein the public may offer the Council its comments and objections

In response to a question about the fiscal impact of this ordinance, Planning and Transportation Director Scott Robinson writes:

- Land is currently not generating any property taxes.
- Current ROW is improved, but Public Works has not maintained the alleys as IU Health or Bloomington Hospital has maintained the overall site as a surface parking lot.
- Any planned redevelopment for the portions of vacated ROW would have fiscal impacts as the ownership would be transferred to a taxable unit. This would not happen immediately, but rather sometime in the next 1-3 years as property/lots are transferred to new owners.
- The primary plat was approved with a condition of this ROW vacation request being approved. There would be a time and financial cost to the applicant (the City's RDC) to initiate a new primary plat that maintains the existing alley rights of way. Placing a value on this is difficult
- The Kohr redevelopment, pending Low Income Housing Tax Credit (LIHTC) approval/award, would be impacted by failure to vacate the right of way and meet the condition of the Primary Plat. This would likely jeopardize the anticipated LIHTC award for the Kohr proposal. This too would have a time and financial impact

Objections or grounds for remonstrations are generally limited by statute to questions of access, use of public ways, and the orderly development of the neighborhood or unit as a whole. (See IC § 36-7-3-13). Aside from a failure of notice or an instance of impropriety, there is little recourse for those who object to the denial of vacation of right-of-way.

The Council's action to vacate a right-of-way must be done in the public interest. In [Resolution 87-02](#), the Council adopted the following criteria to guide its review of a request for right-of-way vacation:

1. Current Status – Access to Property: the current utilization of the right-of-way in question – as a 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.



2. Necessity for Growth of the City:

- a. Future Status – the future potential for public utilization, possible future need for the right-of-way due to future changes in land use;
- b. 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 the orderly growth of the City);
- c. 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 upon anticipated development or change of use?);
- d. Relation to Plans – the relationship of vacation with the Master Plan, Thoroughfare Plan, Neighborhood Plans, or any special studies that might apply.

On September 12, 2023, after hearing from staff, the Board of Public Works recommended approval of the vacation. A copy of the Board of Public Works Staff Report is included in the packet materials.

In the event the Council adopts Ordinance 23-22, the Clerk must then file a copy with the County Recorder and the County Auditor.

Contact

Scott Robinson, Director Planning and Transportation, robinsos@bloomington.in.gov,
(812) 349-3566

Andrew Cibor, Director, Engineering, andrew.cibor@bloomington.in.gov,
(812) 349-3913

ORDINANCE 23-22

TO VACATE PUBLIC PARCELS –

**Re: Two 12-Foot Wide Alley Segments Located Between West 1st Street, West 2nd Street,
South Rogers Street, and South Walker Street
(City of Bloomington Redevelopment Commission, Petitioner)**

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, in Resolution 18-06, the Common Council approved the purchase of the legacy site of the IU Health Bloomington Hospital for redevelopment into the new Hopewell neighborhood by Petitioner, the City of Bloomington Redevelopment Commission; and

WHEREAS, part of this redevelopment includes the area near the southwest corner of 2nd and Rogers Streets as detailed in the Hospital Reuse Master Plan, which called for the vacation of current public parcel alleys in favor of expanded development areas; and

WHEREAS, the Petitioner, the City of Bloomington Redevelopment Commission, has ownership interest in real estate that is contiguous to the public right of way and has filed to vacate two (2) portions of public parcels more particularly described below; and

WHEREAS, pursuant to I.C. § 36-7-3-12(c), the City Clerk has provided notice to owners of abutting property and published notice of the public hearing on this matter, which will be held during the Common Council Regular Session meeting on Wednesday, October 4, 2023, at 6:30 p.m. in the Council Chambers, Room 115, of City Hall, 401 North Morton Street; and

WHEREAS, pursuant to I.C. § 36-7-3-12, upon vacation the City Clerk shall furnish a copy of this ordinance to the County Recorder for recording and to the County Auditor;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Through the authority of I.C. § 36-7-3-12, two (2) portions of City owned property shall be vacated as described below:

A part of St. Clair's Sub-division of parts of Seminary Lots 37 and 46 as shown on the plat found in Plat Cabinet B, Envelope 9 in the Monroe County Recorder's Office and described as:

The entirety of the north/south alley lying west of Lots 2, 5, 6 and 7.

Also, the entirety of the east/west alley lying south of Lots 1, 2, 3 and 4.

SECTION 2. 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 3. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2023.

SUE SGAMBELLURI, President
City of Bloomington

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2023.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2023.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

The petitioner, City of Bloomington Redevelopment Commission, requests vacation of two segments of alley right-of-way that were previously used as part of an IU Health parking lot to facilitate the development of the Hopewell Neighborhood. The east-west segment will be replaced by an alley slightly further south. The north-south alley will be partially replaced by a pedestrian easement.

Case # ZO-23-22 Memo

To: Bloomington Common Council

From: Scott Robinson, AICP Planning and Transportation Director

Date: September 15, 2023

Re: Ordinance 23-22: Hopewell West Right-of-Way Vacation Request

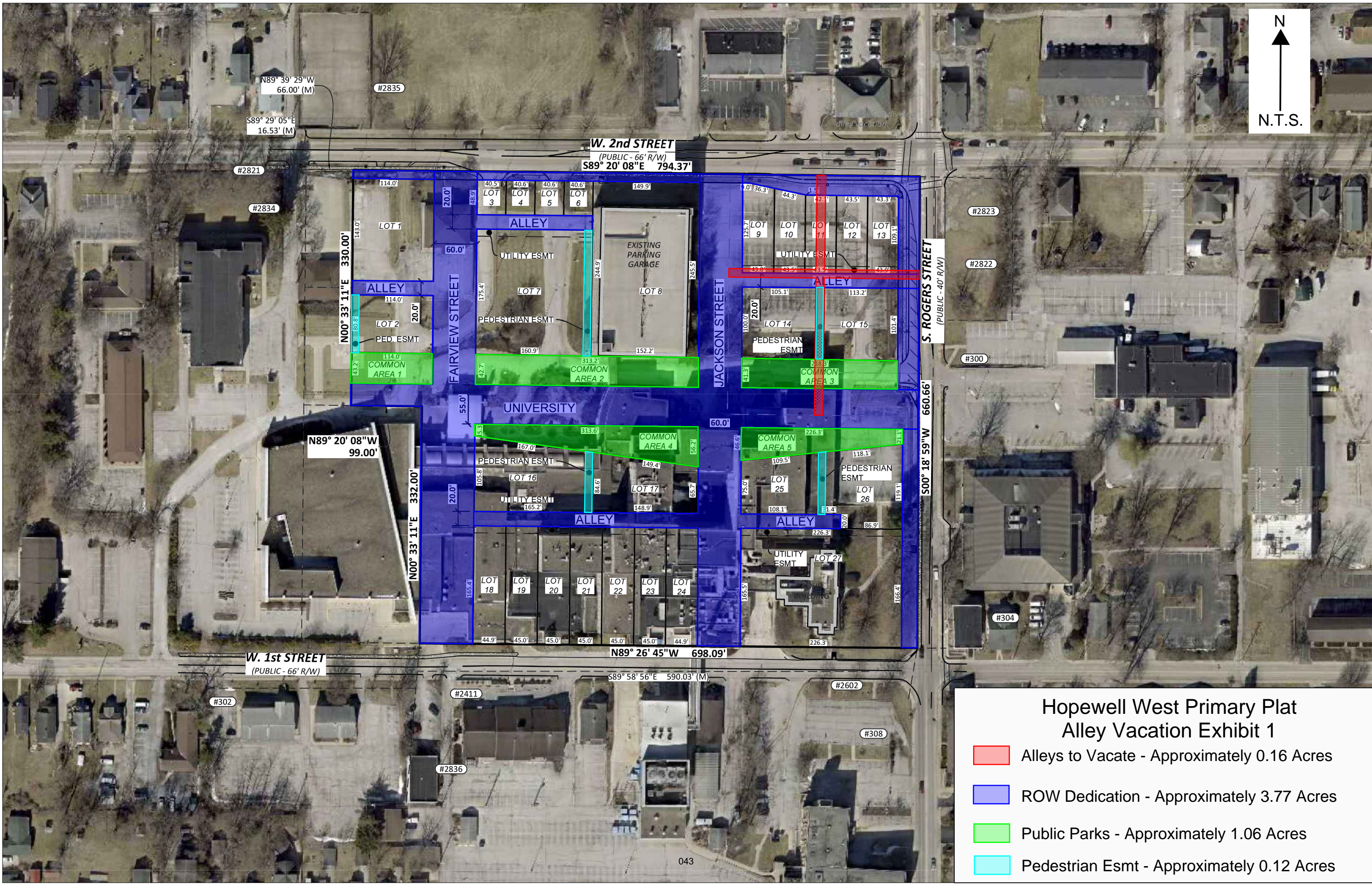
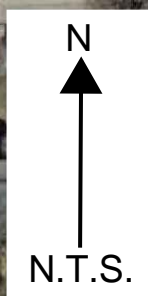
The Bloomington Hospital Site Redevelopment Master Plan Report (Master Plan) outlined the planning, design concepts, public amenities, estimated costs, and phasing to redevelop the Hopewell Neighborhood. The location where the hospital was formerly located and its surroundings, southwest of the corner of 2nd Street and Rogers Street, is moving through the platting process in order to fulfill the vision for the legacy Bloomington Hospital site. A primary plat was approved by the Plan Commission on July 10, 2023 and it details the realignment of property boundaries and public right-of-way (ROW).

Part of this realignment of property boundaries requires existing platted ROW to be vacated (a north-south alley and east-west alley, each 12 feet wide). The ROW segments were most recently being used as part of a parking lot by IU Health. The east-west alley would be replaced with a 20 foot wide alley ROW slightly further south than the existing location. The north-south alley would be partially replaced with a pedestrian access easement in the area south of the proposed east-west alley location. Additionally, a 60 foot wide ROW for Jackson Street is planned roughly 100 feet west of the existing north-south alley location. The extension of Jackson Street is consistent with the design concepts of the Master Plan.





The Planning and Transportation Department notified utilities of the ROW vacation application. A utility easement is proposed just north of the new east-west alley location, and any necessary utility coordination will take place after the new ROW is dedicated and cleared for their relocations.

The Planning and Transportation Department presented the proposed ROW vacation to the Board of Public Works (BPW) at its September 12, 2023 public meeting, which allowed an opportunity for additional input on this request. The BPW provided a positive recommendation for this ROW vacation request.

The Department, along with the Engineering Department, is requesting that Council vacate the existing platted alleys ROW located immediately southwest of the corner of 2nd and Rogers Streets. Maps and exhibits are also included for reference.

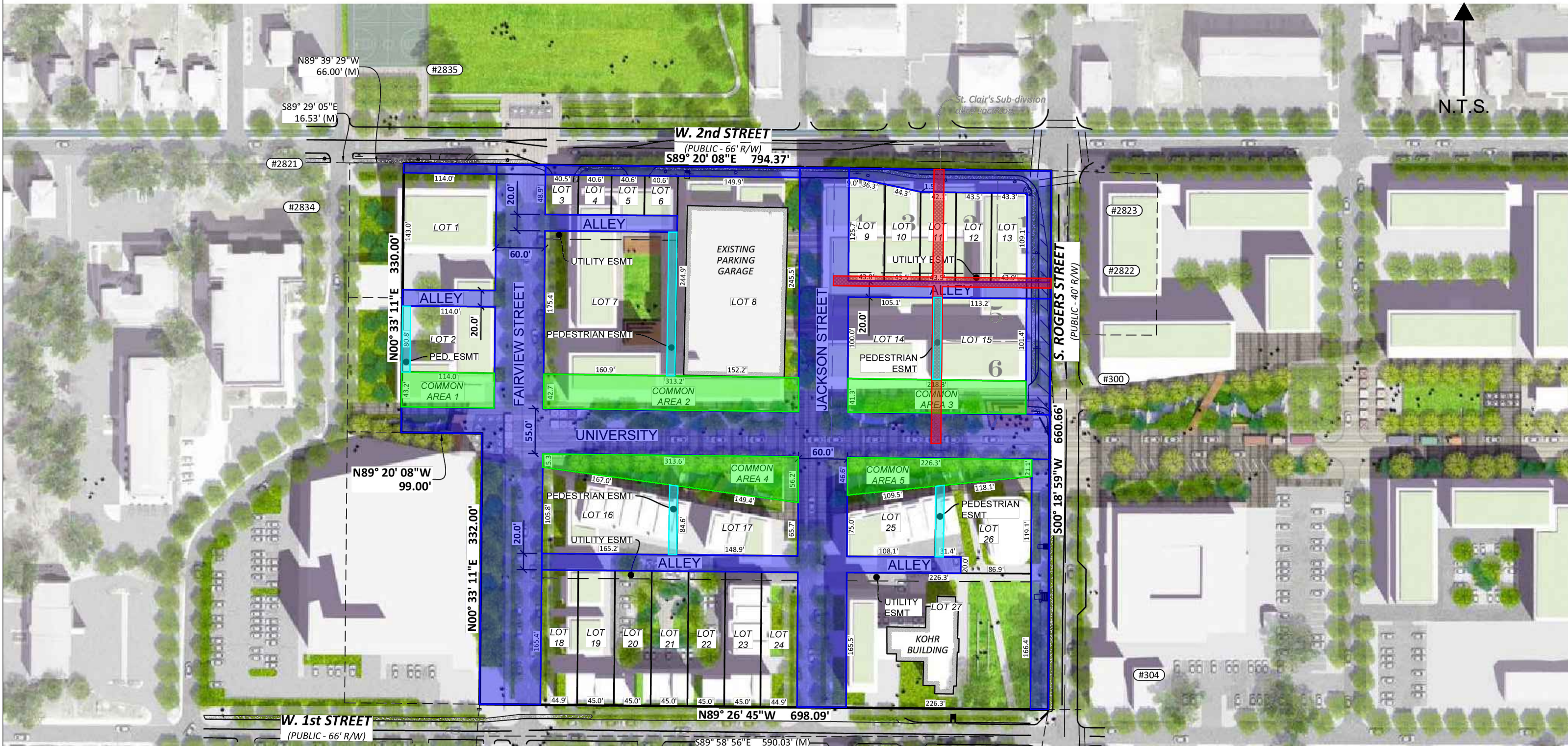


Hopewell West Primary Plat Alley Vacation Exhibit 1

-  Alleys to Vacate - Approximately 0.16 Acres
-  ROW Dedication - Approximately 3.77 Acres
-  Public Parks - Approximately 1.06 Acres
-  Pedestrian Esmt - Approximately 0.12 Acres



N.T.S.



Hopewell West Primary Plat Alley Vacation Exhibit 2

- Alleys to Vacate - Approximately 0.16 Acres
- ROW Dedication - Approximately 3.77 Acres
- Public Parks - Approximately 1.06 Acres
- Pedestrian Esmt - Approximately 0.12 Acres



Board of Public Works Staff Report

Project/Event:	Alley Right-of-Way Vacation – Hopewell West Development Proposing to Vacate Existing North-South and East-West Alleys
Petitioner/Representative:	Engineering Department
Staff Representative:	Scott Robinson, Director Planning and Transportation
Date:	09/08/2023

Report: As part of the redevelopment of the former Hopewell site, two platted alleys at the southwest corner of 2nd and Rogers Streets are to be vacated to allow for orderly design of new ROWs, alleys, and development parcels. The alleys have most recently been utilized by IU Health as part of a parking lot. The Hopewell West project area is generally bounded by 2nd Street to the north, 1st Street to the south, Rogers Street to the east, and the location of a future Fairview Street connection to the west. Both platted alleys are 12 feet wide. The east-west platted alley will be replaced by a 20 foot wide alley slightly to the south of the existing platted location. The north-south platted alley would be replaced in the area south of the east-west platted alley by a pedestrian easement. The project also plans to extend Jackson Street from 2nd Street to 1st Street. While the vacation of ROW is a City Council decision it has been the standard practice to present the vacations for BPW consideration prior to requesting the vacation from Council. The project seeks BPW opinion on the proposed ROW vacations.

The Bloomington Redevelopment Commission represented by Crossroad Engineers on this request has agreements to purchase the lands bordering the alleys. All local utilities have been contacted. Only CBU has replied to date, with no comments.

The alley vacations requested are in line with the Bloomington Hospital Site Redevelopment Master Plan Report dated January 2021 that underwent a rigorous public engagement process. The east-west connection currently provided by the alleys will be remain slightly to the south of the existing alley. South of this alley, a pedestrian easement is proposed to continue to provide public pedestrian access from the alley to the park area to the south.



**City of Bloomington
Planning and Transportation Department**

PETITION FOR VACATION OF PUBLIC RIGHT-OF-WAY

Filing Date _____ Ordinance # _____
Filing Fee Paid _____ BPW Resolution # _____

1st Reading _____
Committee _____
Final Hearing _____

Address of Property 601 W 2nd Street

Applicant's Name Redevelopment Commission - City of Bloomington

Address 401 N Morton Street Phone 812-349-3913

E-Mail _____

Counsel or Consultant Andrew Wolf - CrossRoad Engineers, P.C.

Address 115 N 17th Ave, Beech Grove, IN 46107 Phone 317-780-1555 x124

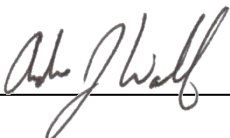
E-Mail awolf@crossroadengineers.com

This application must be accompanied by all required submittals as stated in the information packet for vacation of public right-of-way. Staff reserves the right to schedule hearing dates for petitions subject to complete submittals. Notices to adjacent property owners should not be mailed until hearing dates have been confirmed.

_____ The undersigned agree that the applicant will notify all adjacent property owners by certified mail at the applicant's expense.

I (we) further agree that the applicant will cause a legal notice of this application to be published in a paper having general circulation in Bloomington at the applicant's expense.

I (we) certify that all foregoing information is correct and that I (we) are the owners (legal agents for owners) of property adjacent to the proposed vacation of public right-of-way which is the subject of this application.

Signature: _____


ATTACHMENT A

UTILITIES AND CITY SERVICES TO BE NOTIFIED OF VACATION REQUESTS

Board of Public Works [Adam Wason](#)
812-349-3410
Director
P.O. Box 100
Bloomington, IN 47402

Fire & Ambulance [Chief](#)
812-332-9763
Fire Chief
P.O. Box 100
Bloomington, IN. 47402

[REDACTED] [CenterPoint](#)
812-330-4008
1-800-666-2853
Superintendent
205 S. Madison St.
P.O. Box 966
Bloomington, IN. 47402

Duke Energy Brandon.Wilson2@duke-energy.com
812-336-6371 [Brandon Wilson](#)
Manager
P.O. Box 1028
Bloomington, IN. 47402

Comcast [Scott Templeton](#)
812-332-4152 Scott_Templeton@comcast.com
2051 W. Vernal Pike
Bloomington, IN. 47401

Utilities Department
812-339-1444 (Ext. #206)
Utility Engineer
P.O. Box 100
Bloomington, IN 47402

Police Department [Chief Diekoff](#)
812-349-4477
Chief of Police
P.O. Box 100
Bloomington, IN 47402

TCI of Indiana, Inc.
812-332-9185
1600 W. 3rd St.
P.O. Box 729
Bloomington, IN 47402

AT&T Indiana Bell am5495@att.com
812-334-4597 [Andy Mullis - Need to check](#)
Engineering Dept.
4517 E. Indiana Bell Ct.
Bloomington, IN 47402

ITS
812-349-3454
Director
P.O. Box 100
Bloomington, IN 47402

August 15, 2023

Planning & Transportation Department
City of Bloomington, Indiana



Re: Hopewell West – Alley Vacation: Pre-Petition Review Request

To Whom It May Concern,

As part of the Petition for the Vacation of a Public Right-of-Way, we are providing this letter to serve as a pre-petition review request for the Planning and Transportation Department's use and reference.

The exhibit of alley and legal description can be found on the attached page.

The subject alley right-of-way was previously used by IU Health hospital as a parking lot and the property will be transferred to the City of Bloomington RDC to be used as part of a new development called Hopewell West later this calendar year. As part of the property transaction, the site has been demolished and now sits as undeveloped land.

This site is part of the Transform Redevelopment Overlay (TRO) and the site has achieved Primary Plat approval on July 10, 2023. In order to complete the platting process and meet the requirements of the TRO the old alley rights-of-way need vacated. New alley rights-of-way are established in conformance with the TRO.

In addition to the public discussion at the July 10th Plan Commission meeting regarding the Primary Plat, the alley vacations requested are in line with the Bloomington Hospital Site Redevelopment Master Plan Report dated January 2021 that underwent a rigorous public engagement process. The act of vacating this alley right-of-way will not in any way negatively impact the site and will allow the development of the Hopewell West site to meet all established guidelines and new alley requirements as part of the TRO. There are no other properties or property owners that this vacation will impact. All utilities on this site have been disconnected and removed as part of the demolition process.

If you have any questions or need additional information, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Wolf". The signature is fluid and cursive, written over the printed name.

Andrew J. Wolf, PE
317-780-1555 x124
awolf@crossroadengineers.com

ALLEY VACATION EXHIBIT
 A PART OF ST. CLAIR'S SUBDIVISION
 OF PARTS OF SEMINARY LOTS 37 AND 46,
 BLOOMINGTON, MONROE CO., INDIANA
 JOB No. 11335

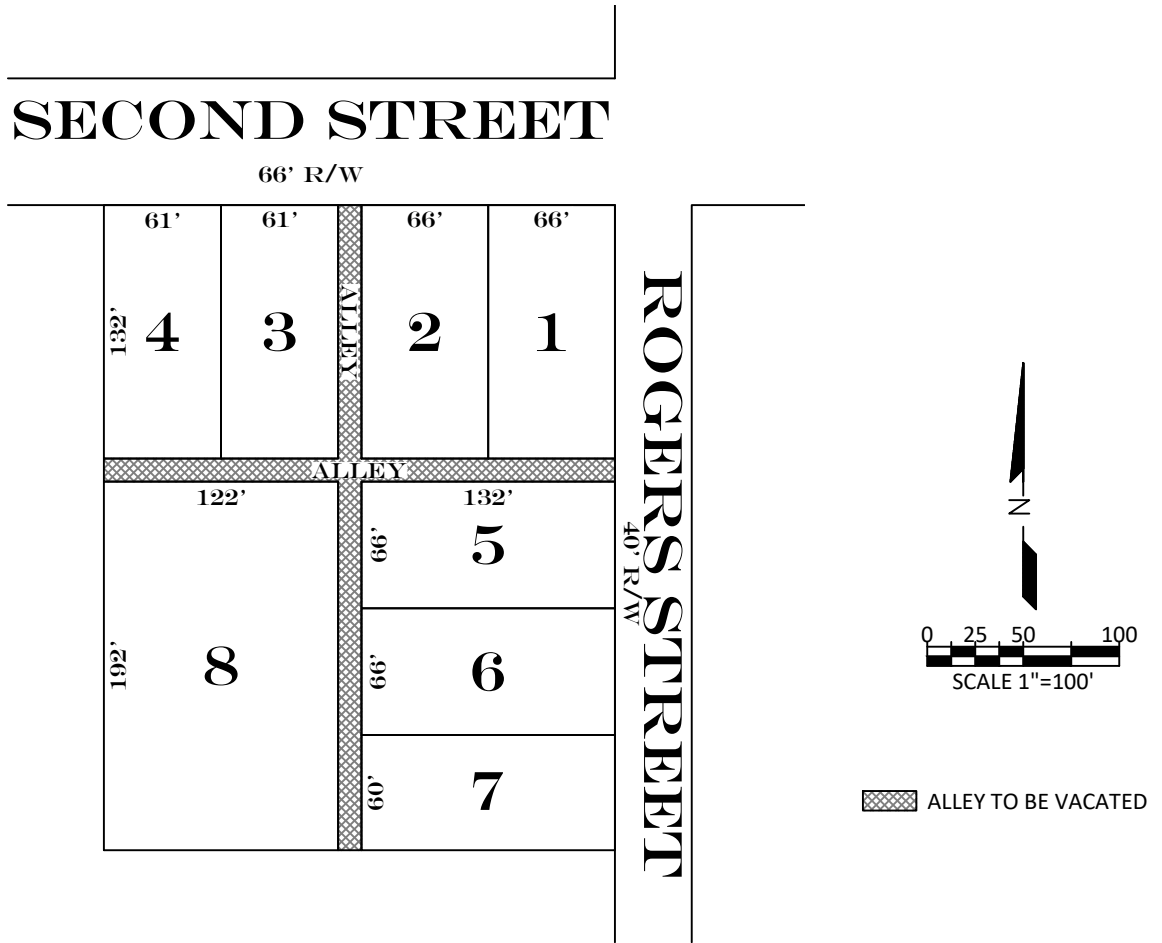
Owners Name: Bloomington Hospital, Inc.,
 DB 364 Page 240, Inst# 2004018581, Inst# 2010019969

Alleys to be vacated:

A part of St. Clair's Sub-division of parts of Seminary Lots 37 and 46 as shown on the plat found in Plat Cabinet B, Envelope 9 in the Monroe County Recorder's Office and described as:

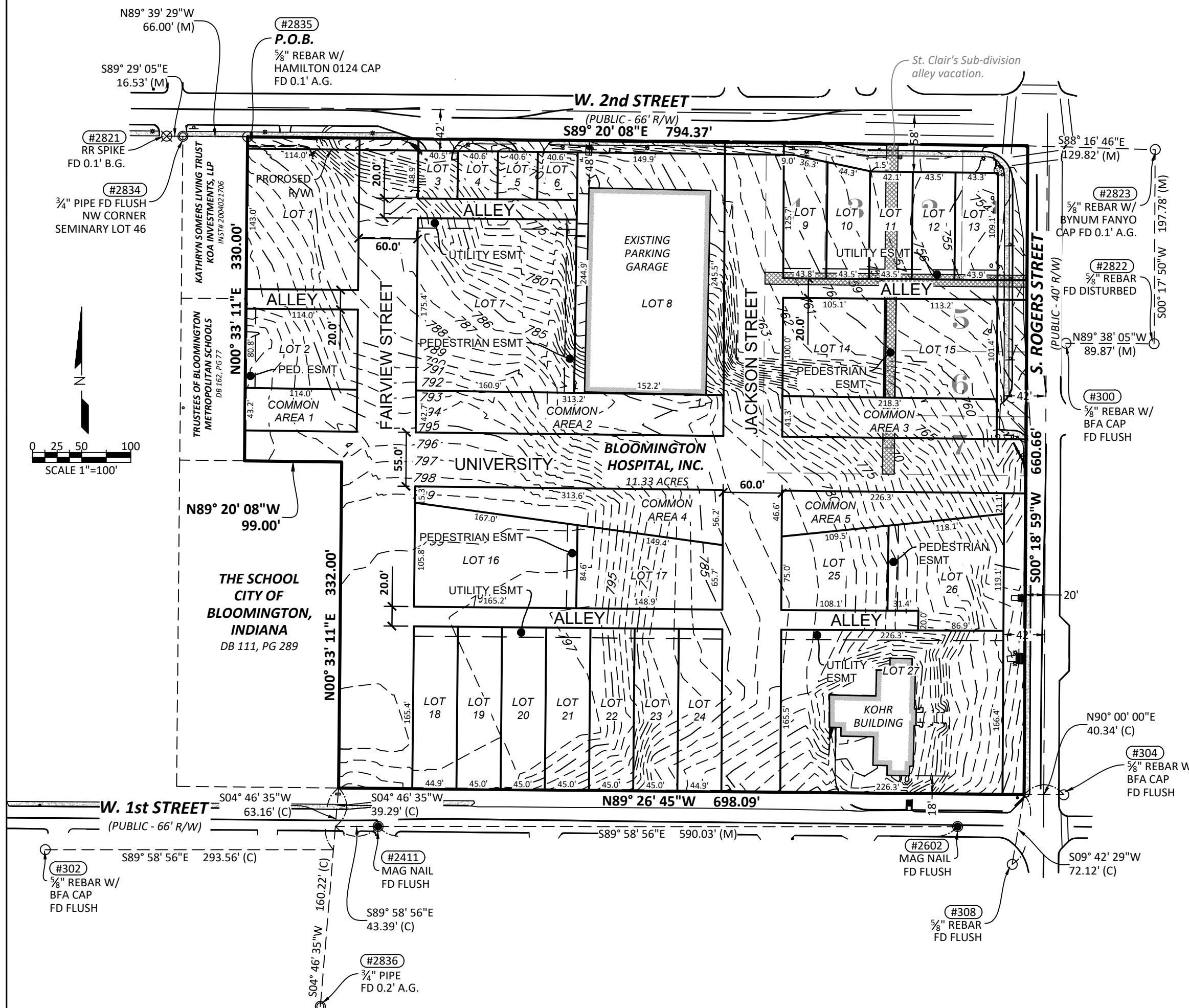
The entirety of the north/south alley lying west of Lots 2, 5, 6 and 7.

Also, the entirety of the east/west alley lying south of Lots 1, 2, 3 and 4.



S:\Jobs\11300-11399\11335 HOPEWELL WEST (2ND & ROGERS, BLGTM)\DRAW\C3D\11335_VACATION.dwg

HOPEWELL WEST SUBDIVISION - PRIMARY PLAT A PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 8 NORTH, RANGE 1 WEST MONROE COUNTY, INDIANA



LEGEND:

---	ROAD CENTERLINE
---	LINE NOT TO SCALE
●	5/8" REBAR WITH CAP "BRCJ, INC 6892 IN"
○	IRON PIPE FOUND AS NOTED
○	REBAR FOUND AS NOTED
⊗	RAILROAD SPIKE FOUND AS NOTED
⊗	MAG NAIL FOUND AS NOTED
R/W	RIGHT-OF-WAY
C/L	CENTERLINE
A.G.	ABOVE GROUND
B.G.	BELOW GROUND
FD	FOUND
XXXX	ADDRESS

OWNER/DEVELOPER:
Bloomington Hospital, Inc.
XXXX N. XXXX Road
Bloomington, IN 4740X
Phone: 812-

RECORD INFORMATION:
Bloomington Hospital, Inc.
DB 364, PG 240, INST# 2004018581,
INST# 2010019969
53-08-05-100-057.000-009,
53-08-05-100-058.000-009,
53-08-05-100-059.000-009,
53-08-05-100-119.000-009,
53-08-05-100-120.000-009,
53-08-05-100-127.000-009,
53-08-05-100-132.000-009,
53-08-05-115-012.000-009

ZONING:
Subject: MM/TRO
Adjoiners: MM, MI/TRO

TRANSFORM REDEVELOPMENT OVERLAY (TRO) SETBACKS:
FRONT = 0 TO 15 FEET
SIDE = 0 FEET (5' ABUTTING RESIDENTIAL ZONING)
REAR = 0 FEET (25' ABUTTING RESIDENTIAL ZONING)

FLOOD ZONE:
PROPERTY IS LOCATED IN FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.) PER FEMA FLOOD INSURANCE RATE MAP NUMBER 18105C0141D, DATED DECEMBER 17, 2010.

NOTES:

- FIELD WORK PERFORMED MAY 3-12, 2023.
- ALL REBAR SET ARE 5/8" INCH WITH YELLOW PLASTIC CAP STAMPED "BRCJ, INC 6892 IN" THE BASIS OF BEARINGS ON THIS SURVEY IS THE MONROE COUNTY ZONE OF THE INDIANA GEOSPACIAL COORDINATE SYSTEM (INGCS), NAD83 (2011).
- ALL LOTS, NUMBERED 1 THROUGH 8, AND ALL ALLEYS SHOW ON THE PLAT OF ST. CLAIR'S SUB-DIVISION OF PARTS OF SEMINARY LOTS 37 AND 46 AND AS FOUND IN PLAT CABINET B, ENVELOPE 9 IN THE MONROE COUNTY RECORDER'S OFFICE ARE HEREBY VACATED.

LEGAL DESCRIPTION

A part of Seminary Lots 37 and 46 and St. Clair's Subdivision of parts of Seminary Lots 37 and 46 in the City of Bloomington, Monroe County, Indiana, and more particularly described by Christopher L. Porter, LS21200022, on May 15, 2023, as part of Bledsoe Riggert Cooper James, Inc. Job Number 11335, as follows:

Commencing at a 3/4-inch diameter iron pipe marking the northwest corner of Seminary Lot 46; thence along the north line of said Lot 46 SOUTH 89 degrees 39 minutes 29 seconds EAST a distance of 66.00 feet to a 5/8-inch diameter rebar with cap and the Point of Beginning; thence continuing along said north line SOUTH 89 degrees 20 minutes 08 seconds EAST a distance of 794.37 feet to the northeast corner of Lot 1 of St. Clair's Subdivision as recorded in Plat Book 15, Page 65 in the Monroe County Recorder's office and the west right of way line of Rogers Street; thence along said right of way line SOUTH 00 degrees 18 minutes 59 seconds WEST a distance of 660.66 feet to the north right of way line of First Street; thence along said right of way line NORTH 89 degrees 26 minutes 45 seconds WEST a distance of 698.09 feet to the east line of Deed Book 111, Page 289 in said Recorder's office; thence along the east line of said Deed Book NORTH 00 degrees 33 minutes 11 seconds EAST a distance of 332.00 feet; thence NORTH 89 degrees 20 minutes 08 seconds WEST a distance of 99.00 feet to the southeast corner of Deed Book 162, Page 77; thence along the east line of said Deed Book and the east line of Instrument Number 2004021706 NORTH 00 degrees 33 minutes 11 seconds EAST a distance of 330.00 feet to the point of beginning, containing 11.33 acres, more or less.

This description includes the platted alleys in St. Clair's Subdivision. Said alleys may not have been vacated at the time this description was prepared.

REPORT OF SURVEY

In accordance with Title 865, 1-12-1 through 1-12-30 of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of:

- Reference monuments of record
- Title documents of record
- Evidence of active lines of occupation
- Relative Positional Accuracy "RPA"

The Relative Positional Accuracy "RPA" (due to random errors in measurement) of this survey is within that allowable for an Urban survey (0.07 feet (21 millimeters) plus 50 parts per million) as defined in IAC, Title 865 ("Relative Positional Accuracy" means the value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95 percent confidence level).

In regard to "ACTIVE LINES OF OCCUPATION", point (c) above: ACTIVE refers to lines which are marked by visible, obvious, well defined and maintained, man-made or placed objects, such as, but not limited to, fences, hedges and retaining walls. The uncertainty cited for a line of occupation is general in nature and is NOT intended to be specific for every point along the line. Therefore, portions of the occupation line may vary from the surveyed line by a distance greater or less than uncertainty cited in this report.

This is a partial Retracement Survey and an Original Survey performed at the request of the City of Bloomington Redevelopment Commission.

The property is currently in the name of Bloomington Hospital, Inc (Deed Book 364, Page 240, Instrument No. 2004018581 and Instrument Number 2010019969).

The field work was performed May, 2023.

- SURVEYS & PLATS OF RECORD:**
- ALTA/NSPS Land Title Survey for Indiana University Health, Inc. by Terry D. Wright, Hamilton Designs Job Number 2018-147, dated May 25, 2018, provided by Indiana University Health, Inc.
 - Plat of Seminary Square and Lots, found in Plat Cabinet B, Envelope 5 in the Monroe County Recorder's office.
 - Plat of St. Claire's Subdivision of Parts of Seminary Lots 37 and 46, found in Plat Cabinet B, Envelope 9 in said Recorder's office.
 - Survey of Seminary Lots 11, 12, 13, 14 and Part of Lot 10 and Part of Seminary Lot 37 by Charles D. Graham, found recorded as Instrument Number 2021024040 in said Recorder's Office.

- MONUMENTS FOUND:**
- A 5/8-inch diameter rebar with Bynum Fanyo Associates cap was found flush with grade. This monument is shown as number 500 on the Graham survey.
 - A 5/8-inch diameter rebar with Bynum Fanyo Associates cap was found flush with grade. This monument is shown on the Hamilton survey as the northwest corner of Tract 6, PCL 3 per Deed Record 371, Page 479.
 - A 5/8-inch diameter rebar with Bynum Fanyo Associates cap was found flush with grade. This monument is shown as number 504 on the Graham survey.
 - A 5/8-inch diameter rebar with illegible cap was found flush with grade. The origin of this monument is unknown.
 - A railroad spike was found 0.1 foot below grade. The origin of this monument is unknown.
 - A 5/8-inch diameter rebar was found disturbed. This monument is shown as number 501 on the Graham survey.
 - A 5/8-inch diameter rebar with Bynum Fanyo Associates cap was found 0.1 foot above grade. This monument is shown as number 502 on the Graham survey.
 - A 3/4-inch diameter iron pipe was found flush with grade and accepted as the northwest corner of Seminary Lot 46 per survey 1.
 - A 5/8-inch diameter rebar with Hamilton 0124 cap was found 0.1 foot above grade and accepted as the northwest corner of Instrument Number 2004018581 per survey 1.
 - A 3/4-inch diameter iron pipe was found 0.2 feet above grade. This monument is shown on the Hamilton survey as the southeast corner of Tract 6, PCL 2 per Deed Record 371, Page 478.

DEED ANALYSIS:
No discrepancies were found when comparing the legal descriptions for the western adjoiners with the Bloomington Hospital, Inc. descriptions.

ESTABLISHMENT OF LINES AND CORNERS:
Monument 2835 as held for the geometry shown on the Hamilton survey. Said geometry was then rotated to monument 2836 to establish the perimeter lines of the Bloomington Hospital, Inc. parcels.

As a result of the above observations, it is my opinion that the uncertainties in the location of the lines and corners established on this survey are as follows:

Due to Availability and condition of reference monuments: Up to 1.5 feet when comparing the distance between monuments 2835 and 2836 calculated per the Hamilton survey with the measured distance.

Due to Occupation or possession lines: No discrepancies noted.

Due to Clarity or ambiguity of the record description used and of adjoiners' descriptions and the relationship of the lines of the subject tract with adjoiners' lines: No discrepancies noted.

OWNER CERTIFICATION

Bloomington Hospital, Inc., Owner of the real estate shown and described herein, does hereby certify, layoff, and plat (X) tracts, numbered X-X.

Rights-of-way not heretofore dedicated are hereby dedicated to Monroe County, Indiana. In accordance with this plat and certificate, this plat shall be known as HOPEWELL WEST Subdivision.

IN WITNESS WHEREOF, the undersigned Owner set their hand and seal this ____ day of _____, 2023.

Bloomington Hospital, Inc.

STATE OF INDIANA COUNTY OF MONROE
Before me, a Notary Public in and for said County and State, personally appeared Bloomington Hospital, Inc., owner, who acknowledged the execution of the above referenced plat, to be their voluntary act for the uses and purposes therein set forth.

WITNESS my hand and Notarial Seal this ____ day of _____, 2023.

Notary Public (Signature)

Notary Public (Printed Name)

My Commission Expires: _____

My County of Residence: _____

PLAN COMMISSION AND BOARD OF PUBLIC WORKS
Under the authority provided by Chapter 174, Acts of 1947, enacted by the General Assembly of the State of Indiana and ordinance adopted by the Common Council of the City of Bloomington, Indiana, this plat was given approval by the City of Bloomington as follows:

APPROVED BY THE PLAT COMMITTEE AT A MEETING HELD: _____, 2023

Director of Planning & Transportation Department

SURVEYOR'S CERTIFICATION

This survey was executed according to survey requirements contained in Section 1 through 19 of 865 IAC 1-12.

This certification does not take into consideration additional facts that an accurate and correct title search and/or examination might disclose.

Evidence of easements have not been located in the field and are not shown on this survey drawing.

Subject to the above reservation, I hereby certify that the survey work performed on the project shown hereon was performed either by me or under my direct supervision and control and that all information shown is true and correct to the best of my knowledge and belief.

Certified this 26th day of June, 2023.

Christopher L. Porter
Christopher L. Porter
Professional Surveyor No. LS21200022
State of Indiana



Revised 7-21-2023: Updated street right of way and proposed lot lines.

PRELIMINARY PLAT NOTE:

1. Site was an active demolition project when field work was performed. Contours are shown based on an AutoCAD file by DLZ, provided by The City of Bloomington, and represent proposed elevations at 1 foot intervals.

Bledsoe Riggert Cooper James

BRCJ
LAND SURVEYING • CIVIL ENGINEERING • GIS
1351 West Tapp Road Bloomington, Indiana 47403
Phone: 812-336-8277 Email: cporter@brjcivil.com
PLAT DATED: July 31, 2023 JOB # 11335



MEMO FROM COUNCIL OFFICE ON:

Ordinance 22-23 - To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles And Traffic" - Re: Amending Section 15.12.010 (Stop Intersections) to Remove a Stop Intersection from Schedule A and Add a Multi-Stop Intersection to Schedule B

Synopsis

This ordinance amends Title 15, "Vehicles and Traffic," of the Bloomington Municipal Code and comes forth at the request of City staff, the Traffic Commission, and Bicycle & Pedestrian Safety Commission. The ordinance makes the following change:

- Replaces a stop intersection with a multi-stop intersection on Seventh Street.

Relevant Materials

- Ordinance 23-23
- Memo from Andrew Cibor, City Engineer
- Staff Report to Traffic Commission and Bicycle & Pedestrian Safety Commission re: 7-Line Project Update and All-Way Stop Control Installation
- 180-Day Order # 23-01 dated April 10, 2023
- Minutes from March 20, 2023 Bicycle & Pedestrian Safety Commission meeting
- Minutes from March 22, 2023 Traffic Commission meeting

Summary

Ordinance 23-23 proposes to amend Section 15.12.010 within Title 15 ("Vehicles and Traffic") of the Bloomington Municipal Code (BMC), accessible online at the following link: https://library.municode.com/in/bloomington/codes/code_of_ordinances?nodeId=TIT15_VETR_CH15.12STYISIIN_15.12.010STIN.

The ordinance, brought forward by staff and recommended by the Traffic Commission and the Bicycle & Pedestrian Safety Commission, proposes codifying a three-way stop location at the intersection of 7th Street and Dunn Street. The intersection currently functions as a three-way stop location as a result of a 180-day order issued in April 2023 by the City Engineer. This ordinance would adopt and codify this by updating the relevant tables in local code.

City engineering staff prepared a staff report and recommendation for the Traffic Commission and the Bicycle & Pedestrian Safety Commissions, which has also been included in this packet. In that report, staff explained the changes to 7th Street implemented as part of the recent 7-Line project, which included removal of various stop locations along the corridor.



City of Bloomington Indiana

City Hall | 401 N. Morton St. | Post Office Box 100 | Bloomington, Indiana 47402

Office of the Common Council | (812) 349-3409 | Fax: (812) 349-3570 | email: council@bloomington.in.gov

In presenting to the two commissions, staff recommended reinstallation of all-way stop controls at five intersections, including the intersection at 7th and Dunn. The staff report prepared for these two commissions summarizes recent bicycle traffic data, transit metrics, pedestrian activity, motor vehicle traffic, parking impacts, and crash data. The report discusses the Indiana Manual on Uniform Traffic Control Devices (MUTCD) guidelines and criteria for all-way stop locations and explains how these guidelines apply to the 7th and Dunn intersection, as well as four additional intersections along 7th Street.

Both the Traffic Commission and the Bicycle & Pedestrian Safety Commission recommended reinstalling all-way stop controls only at the 7th and Dunn intersection. Because of this, Ordinance 23-23 only proposes codifying all-way stop controls at this single intersection.

A 180-day order, made pursuant to [BMC 15.08.040](#), was then issued in April 2023 by the city engineer to implement this change as a temporary measure. Because a stop sign has already been reinstalled at this intersection, staff notes there is no expected fiscal impact as a result of adopting this ordinance.

Contact

Andrew Cibor, Director of Engineering, 812-349-3913, andrew.cibor@bloomington.in.gov

ORDINANCE 23-23

**TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE
ENTITLED "VEHICLES AND TRAFFIC"**

- **Re: Amending Section 15.12.010 (Stop Intersections) to remove a stop intersection from Schedule A and add a multi-stop intersection to Schedule B**

WHEREAS, the Traffic Commission, Bicycle & Pedestrian Safety Commission, and City staff from the Engineering Department recommend certain changes be made in Title 15 of the Bloomington Municipal Code entitled "Vehicles and Traffic";

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Section 15.12.010, entitled "Stop Intersections" shall be amended by deleting the following from Schedule A:

Delete:

TRAFFIC ON	SHALL STOP FOR TRAFFIC ON
Dunn Street	Seventh Street

SECTION 2. Section 15.12.010, entitled "Stop Intersections" shall be amended by adding the following to Schedule B:

Add:

Seventh Street & Dunn Street	3-Way
------------------------------	-------

SECTION 3. If any section, sentence or provision of this ordinance, or application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions or application of this ordinance that 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. This ordinance shall be in effect after its passage by the Common Council and approval of the Mayor, any required publication, and, as necessary, other promulgation in accordance with the law.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2023.

SUE SGAMBELLURI, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2023.

NICOLE BOLDEN, Clerk,
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2023.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Title 15, “Vehicles and Traffic,” of the Bloomington Municipal Code and comes forth at the request of City staff, the Traffic Commission, and the Bicycle and Pedestrian Safety Commission. The ordinance makes the following change:

- Replaces a stop intersection with a multi-stop intersection on Seventh Street

MEMORANDUM

To: Common Council

From: Andrew Cibor, City Engineer

Date: September 15, 2023

Re: Proposed Ordinance # 23-23, to amend Title 15 to change stop signs on Seventh Street

Ordinance #23-23 proposes changes to the Title 15 - Vehicles and Traffic section of the Bloomington Municipal Code that are consistent with recommendations supported by city staff, the Bicycle & Pedestrian Safety Commission, and the Traffic Commission regarding stop sign control at the intersection of Seventh Street and Dunn Street.

As a part of the City's effort to monitor the Seventh Street corridor after the completion of the 7-Line project, the Engineering Department prepared a report that was reviewed and discussed by the Bicycle & Pedestrian Safety Commission and the Traffic Commission at their March 2023 meetings. After reviewing and discussing the report, both Commissions voted to support the conversion of the Seventh Street and Dunn Street intersection from a one-way stop controlled intersection (southbound traffic on Dunn St was required to stop for traffic on Seventh Street) to an all-way (3-Way) stop controlled intersection where all approaching traffic would be required to stop. This recommendation was largely due to a pattern of crashes that were susceptible to correction with the installation of all-way stop control. Due to the pattern of crashes, and consistent with the Commission recommendations, a 180 Day Order was issued on April 10, 2023 and the intersection was converted to all-way stop control on April 12, 2023. The subject 180 Day Order is set to expire on October 9, 2023. Recent crash data confirms that installation of all-way stop control has successfully reduced crashes at this intersection. Staff recommends that this change become a permanent Title 15 update.

The ordinance includes the following changes:

- Section 1:
 - Removes the stop intersection at Dunn Street and Seventh Street. *Traffic Commission, Bicycle & Pedestrian Safety Commission, Engineering Department*
- Section 2:
 - Adds a 3-way stop intersection at Seventh Street & Dunn Street. *Traffic Commission, Bicycle & Pedestrian Safety Commission, Engineering Department*

The proposed ordinance does not have a fiscal impact given the changes have already been implemented. Generally, anticipated expenditures to add or remove signs, posts, etc. are covered within the annual operating budget.

Attachments:

1. March 22, 2023 7-Line Project Update and All-Way Stop Control Installation Staff Report for the Traffic Commission and Bicycle & Pedestrian Safety Commission
2. 180 Day Order 23-01 to Install all-way stop control at the intersection of 7th Street and Dunn Street



**TRAFFIC/BPSC
STAFF REPORT**

Case #: TC-23-01
Date: March 22, 2023

FROM: Andrew Cibor, PE, PTOE, Engineering Department

REQUEST: 7-Line Project Update and All-Way Stop Control Installation

Location: 7th Street (B-Line Trail to Woodlawn)

Description and Purpose:

The 7-Line project was one of seven Bicentennial Bond projects proposed by Mayor John Hamilton and approved by the City Council in 2018. The project was also identified as a Phase 1 priority project in the Transportation Plan adopted by City Council in 2019. The project was envisioned to provide a protected east-west bicycle lane and improved transit corridor to connect the B-Line, downtown, Indiana University campus, and eastside neighborhoods. In August 2020, City Council unanimously approved Ordinance 20-14 with parking and stop sign changes associated with the project. These changes were also supported by the city's Parking, Traffic, and Bicycle & Pedestrian Safety Commissions. Project construction was completed in late 2021. This report provides a brief update on the overall project after one full year of operation and makes recommendations for updates to the corridor.

Early Trends:

Bicycle Traffic – Based on data from a permanent bicycle counter on 7th Street adjacent to the Indiana University (IU) campus where the two-way protected bicycle lane replaced standard bicycle lanes, bicycle/scooter use has increased 26%. Additionally, a January 2019 (pre-project) peak period (7-9AM and 4-6PM) traffic count was compared with a February 2023 (post-project) traffic count in the block between Dunn Street and Grant Street to assess bicycle traffic change in a block that previously did not have bicycle lanes. While these counts are less robust than the permanent counter because weather and other variables need to be considered, the data shows that bicycle/scooter use in this area of the corridor increased 259%.

Transit Metrics – Quantitative data to compare pre-project and post-project transit travel times, ridership, etc. is not available. Bloomington Transit (BT) has been upgrading technology to better measure these items going forward and has been working to modify their routes, manage changes in travel patterns, etc. Specifically as a part of this project some bus stops were consolidated to assist with travel times, and efficiency along the corridor is assumed to have improved as a result of stop sign removal, removal of on-street parking, and construction of bus stop islands that do not require buses to exit the travel lane. When the street first reopened after construction, BT and IU Campus Bus noted some concern with the width of the road and some turning movements. Minor project modifications were implemented at some intersections to address many of those concerns. Additionally, BT has been actively working to enhance driver training in various road conditions found throughout the city.

Pedestrian Activity – Staff has heard some concern about the level of comfort for pedestrians crossing 7th Street where stop signs were removed within the 7-Line project limits; however, the limited pedestrian data available at this time indicates more pedestrians are crossing the street, corridor-wide reported pedestrian crashes have decreased, and accessibility has been improved (the project constructed 59 accessible curb ramps and removed numerous sidewalk trip hazards).

Motor Vehicle Traffic – Traffic counts on 7th Street have increased by 11% to 27% in the area between Walnut Street and Indiana Avenue since the installation of the protected bike lane and removal of stop signs. The measured average speed in this area is 27mph with an eighty-fifth percentile speed of nearly 32mph. The measured speeds are higher than desired (the speed limit is 25mph) and suggest the majority of drivers are comfortable driving in 10' wide travel lanes. The data indicates no significant change in traffic volumes on 7th Street in the vicinity of Morton Street and a decrease in traffic volumes on some of the intersecting streets where all-way stop control was removed (e.g., Morton Street traffic decreased 5% and Dunn Street traffic decreased 15%). Some drivers have driven into the bicycle lanes, either intentionally to illegally park/load or mistakenly due to confusion. Flexible delineator posts were installed at the entrance to the bicycle lanes at key intersections, and the incidence of this behavior has decreased significantly (the flexible posts were removed over the winter to facilitate snow removal, but will be reinstalled in the spring).

Parking Impact – The majority of on-street parking was removed from 7th Street within the 7-Line project area. As a part of the project, 44 parking spaces were added nearby on Dunn Street. 2019 data showed 35% utilization of parking spaces on 7th Street based on revenue potential (equivalent to 42 parking spaces). Multiple underutilized parking garages nearby the project were also identified during the project planning and development phases. Post-project parking data comparisons are limited given the majority of on-street parking on 7th Street in the project area was removed. Accessible parking spaces that were previously located on 7th Street were relocated on adjacent streets as necessary to maintain ADA compliance.

Crash Data - It is desirable to use multiple years of crash data to make robust evaluations. However, using one year of post-project crash data (2022 calendar year) for this corridor indicates a trend of increased crashes at the intersections where all-way stop control was removed, and a decrease in crashes at mid-block locations and at other intersections where intersection control did not change. This crash trend is further analyzed in the following section.

Enhancement Alternative:

The data and observations available to date indicate that while the protected bicycle lanes are generally operating as intended, the five intersections where all-way stop control was removed (7th Street at Morton Street, Washington Street, Lincoln Street, Grant Street, and Dunn Street) would benefit from modifications. The crash data for these intersections indicates that nearly all reported crashes were a result of drivers on the side street failing to yield to drivers on 7th Street. In many of these crash reports, the driver on the side street told the reporting police officer that they mistakenly thought the intersection had all-way stop control. At these intersections during the 2022 calendar year, there were also two reported crashes involving drivers failing to yield to users of the protected bicycle lane (one scooter at Dunn Street and one bicycle at Washington Street) and one reported crash involving a scooter failing to yield to a driver (southbound scooter on Morton Street). There were no reported crashes involving pedestrians.

Each of these five intersections has visible stop bars on the pavement and a stop sign with a “cross traffic does not stop” plaque. The one-way intersecting streets (Washington Street, Lincoln Street, and Dunn Street) have these signs located both on the left and right side of the road where it intersects with 7th Street. Additional signs and markings are not expected to be beneficial for clarifying the existing stop control at these intersections.

Installation of all-way stop control was evaluated at these intersections as an option to address the observed crash patterns. The Indiana Manual on Uniform Traffic Control Devices (MUTCD) includes specific criteria that should be followed for all-way stop installations. There are multiple reasons that stop signs are only recommended if they meet the MUTCD guidelines:

- Stop signs that do not meet recommended criteria are frequently violated (have low compliance rates). Drivers might come to a full stop initially, but over time they may begin rolling through the stop or even completely ignoring it because they rarely see what they believe to be a reason to stop. This behavior is problematic at the intersection with the all-way stop (for example, a pedestrian crossing the street thinks that traffic will stop at the stop sign, but a driver approaching the stop sign is used to simply slowing down and doesn't notice the pedestrian) and also at other intersections (as drivers lose respect for stop signs in general). There are multiple existing all-way stop intersections in town for which the City regularly receives complaints and safety concerns about drivers who do not stop (*In the context of 7th Street it is likely that many users, particularly people on bicycle or scooter who do not want to lose momentum, will not come to a full stop.*)
- Studies show that stop signs are not an effective tool for reducing speeds. Stop signs generally reduce speeds near the location where they are installed, but do not reduce speeds along the rest of a corridor. In fact, studies show that drivers tend to increase their speed between stop signs. Numerous references, including documents from the Institute of Transportation Engineers (ITE) and the National Association of City Transportation Officials (NACTO), explicitly recommend against using stop signs as a tool for speed reduction. (*If all-way stop control is reinstalled on 7th Street, then the corridor would have stop signs or traffic signals at every block between the B-Line and Indiana Avenue. Speeds on the corridor would likely decrease because the majority of the street would be in close proximity to a stop sign.*)
- Unwarranted stop signs are not conducive to efficient traffic flow for vehicles (including bicycles, cars, and transit), particularly on collector or arterial streets. Stop signs at every single block make a corridor less convenient for vehicular travel. (*Stop control was modified on 7th Street with the explicit goal to “improve east/west connectivity and efficiency for bicyclists and transit users.”*)

MUTCD guidance for all-way stop installations states that intersections should meet one of the following:

- As an interim measure while awaiting installation of traffic signals.
- Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop.
- Minimum volume thresholds.
- Where no single criterion is satisfied, but the location meets a combination of the crash and volume criteria to at least 80% of values.

The following table summarizes these criteria for each subject intersection.

Intersection Cross Street	Interim measure for traffic signal installation?	≥ 5 reported crashes susceptible to correction by all-way stop?	Meets minimum volume threshold?	Meets a combination of thresholds to at least 80% of values?
Morton St	No	No (3)*	No	No
Washington St	No	Yes (5)*	No	N/A
Lincoln St	No	Yes (5)*	No	N/A
Grant St	No	No (4)	No	No
Dunn St	No	Yes (12)	Yes**	N/A

*This criteria uses a rolling 12-month period. For intersections that did not have at least 5 crashes during the 2022 year of crash data (1/1/2022 through 12/31/2022), a subsequent evaluation was performed to search for a higher 12-month period using data available to date (e.g. 2/1/2022 through 1/31/2023). The Morton, Washington, and Lincoln intersections yielded an increase with this evaluation. When looking only at 2022 data, Morton had 2 crashes, Washington had 4 crashes, and Lincoln had 4 crashes.

**The Dunn Street intersection did not meet the minimum volume criteria based on pre-project data, but does meet the criteria using post-project data.

The MUTCD also allows the following optional criteria to be considered as a part of an engineering study regarding all-way stop control:

- The need to control left-turn conflicts (*Not applicable, but stop control may be beneficial for controlling motor vehicle turns across the protected bike lane.*)
- The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes (*Pedestrian use is generally high due to proximity to both downtown and Indiana University campus.*)
- Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop (*Visibility is limited in some locations. Adequate visibility is available if drivers pull forward after stopping, but this action can generate conflict with the pedestrian crosswalks.*)
- An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection (*This consideration is typically applied in fully residential areas, but does have some relevance for 7th Street.*)

The Dunn Street, Washington Street, and Lincoln Street intersections each meet at least one MUTCD criteria for all-way stop control installation. The Grant Street and Morton Street intersections do not meet the primary criteria, but they are close to meeting the crash data criteria and, if unchanged, it is possible that they would fully meet this criteria in a future 12-month period. The Morton Street intersection is currently the furthest from meeting the primary criteria, but anecdotal observations indicate that this intersection potentially experiences the highest level of driver confusion and has the potential for more crashes. The MUTCD's optional criteria provide further support for installation of all-way stop control at each of these intersections.

It is worth noting that the majority of crashes are a result of motor vehicle drivers failing to yield to other motor vehicles, but the improvement option of implementing all-way stop control would have the most negative impact to efficiency for transit and bicycle/scooter traffic. The crashes involving motor vehicles are primarily right angle collisions. While the majority of crashes have not involved any injury, this crash type has potential to create serious injuries. Additionally, the

implementation of all-way stop control can also reduce the potential for crashes involving users of the protected bicycle lanes (there have been some reported crashes involving people on bicycle/scooter, and observations indicate that some bicycle/scooter users must rapidly brake to avoid conflict with turning motor vehicles that failed to properly yield).

Title 15 Changes:

In order for all-way stop control to be implemented, Section 15.12.010, Schedule B “Multi-Stop Intersections” would need to be edited with the following changes.

Section 15.12.010, entitled “Stop intersections,” shall be amended by deleting the following from Schedule A Stop Intersections:

Traffic on	Shall Stop for Traffic on
Morton Street	Seventh Street
Washington Street	Seventh Street
Lincoln Street	Seventh Street
Grant Street	Seventh Street
Dunn Street	Seventh Street

Section 15.12.010, entitled “Stop intersections,” shall be amended by adding the following to Schedule B Multi-Stop Intersections:

Seventh Street & Morton Street	4-Way
Seventh Street & Washington Street	3-Way
Seventh Street & Lincoln Street	3-Way
Seventh Street & Grant Street	4-Way
Seventh Street & Dunn Street	3-Way

Recommendation:

This project has been successful for improving east-west accessibility and mobility for all modes of transportation. All-way stop control implementation is expected to result in an additional positive metric through a reduction of reported crashes along the corridor. Staff recommends that a Title 15 amendment be forwarded to City Council with a positive recommendation to reinstall all-way stop control at the five locations listed above. While the data is more compelling for some of these intersections than others, staff believe that all-way stop control installation is appropriate at all five locations. Implementing this operational change at all five intersections at the same time, as opposed to using an incremental approach, is expected to improve user ability to adapt to the change.

180-DAY ORDER

Pursuant to Bloomington Municipal Code § 15.08.040 I hereby issue this 180-Day Order, the details of which are described in detail below, for the following reason(s):

- To make and enforce temporary regulations;
- To make and enforce experimental regulations;
- To make and enforce regulations necessary to deal with emergencies; and/or
- To make and enforce regulations necessary to deal with special conditions.

In the fall of 2021, all-way stop control was removed from the intersection of 7th Street and Dunn Street in coordination with the multimodal 7-Line project. In the new configuration, 7th Street is free-flow and only Dunn Street has a stop sign. This Request originated from a review of crash data along the corridor and a 7-Line project status report that was requested by the City's Bicycle & Pedestrian Safety Commission, Traffic Commission, and other community members. The crash data for the intersection of 7th Street and Dunn Street shows a significant increase in intersection related crashes that are susceptible to correction with the installation of all-way stop control. In order to reduce crash risk at this intersection, it will be converted back to all-way stop control. Implementation of this change requires installation of appropriate pavement markings and signs. This proposed change was supported by the Bicycle & Pedestrian Safety Commission and Traffic Commission at their March 2023 meetings. After careful review and consideration the Request has been granted and the following actions will be implemented:

Install all-way stop control at the intersection of 7th Street and Dunn Street.

Questions regarding this Order shall be directed to the City Engineer.



Signature of City Engineer

4/10/2023

Date

Effective Date: 4/12/2023

Expiration Date: 10/9/2023

Case Number: 23-01

Minutes
Bicycle Pedestrian Safety Commission
Monday, March 20, 2023

Meeting Agenda:

1. Attendance:

Commissioners: Paul Ash, Pauly Tarricone, Jaclyn Ray, Zach Huneck, Mitch Rice, Rob Danzman

Staff: Hank Duncan, Andrew Cibor, Steve Cotter, Ryan Robling

Public: Eoban Binder, Greg Alexander, Hopi Stosberg, Natalie Levin, Anne Kavelerchik, Eric Ost

2. Approval of Minutes of Meeting: January 9, 2023

Jaclyn moves; Paul seconds; roll called, all approved 6-0

3. Election of Officers – Chair, Vice Chair, Secretary

Chair: Ann nominates herself; Jaclyn seconds; all vote in favor

Vice Chair: Zach nominates himself; Paul seconds; all vote in favor

Secretary: Jaclyn nominates herself; Paul seconds; all vote in favor

4. New Business

a. 2023 Traffic Calming and Greenways Program; the website is being updated

i. Staff-Led Projects – Hank Duncan

a. Morningside Drive public meetings

i. Wed May 10 Park Ridge East

ii. Tues Aug 15 in city hall

b. Allen Street Greenway public meetings

i. Wed May 24 at Allen St and B-line

ii. Aug 17 in city hall atrium

Hawthorne/Weatherstone traffic calming is still on hold because Council has not considered whether they want to require Council approval to move forward.

ii. Resident-Led Projects and Deadlines

Many letters of intent have been submitted. March 24 is the deadline for submission. Hank will set up meeting by April 7 with each potential applicant, and all applications are due by April 14

b. 7-Line Project Update & All-Way Stop Control Installation – Andrew Cibor

There has been an increase in crashes related to removal of stop signs at cross streets. Andrew's recommendation is to restore some of the stop signs.

Paul says that comments on-line are that 7th Street was safer before, but he disagrees.

Pauly asks whether other solutions are being considered, like rumble strips to slow traffic rather than restoring stop signs. Andrew says that reviewing the crash reports drivers say that they thought that cross traffic stopped. The road is already narrow, and drivers are going to fast anyway. He's afraid of causing confusion by having some drivers slow down while others don't know why.

Mitch thinks this is a problem with the memory of drivers. Drivers' inattention should not force us into a corner requiring more stop signs. Andrew says there is usually a window after making a change when you expect people to have trouble remembering. Mitch thinks there should be signage reminding users. Andrew says there are signs saying cross traffic doesn't stop.

Rob asked whether these increases in crashes are limited to the 7-line or whether other intersections are also seeing an uptick. Andrew says it is only where they changed the stop signs.

Pauly thinks that bicyclists tend not to stop at stop signs. Pauly asks whether that's considered. Andrew says they know that some users don't stop at stop signs. He says that it's rare for drivers to come to a full stop. Drivers tend to slow down from driving 30 mph while bicyclists are going 12 mph so it's not so clear that they are slowing down.

Andrew plans to recommend to Council that stop signs be reinstated.

Ann asked whether the recommendation is to reinstate all 5 stop signs or just the one at Dunn which had the most crashes. Andrew wants to recommend all be reinstated.

Paul asked whether Andrew expects drivers will slow down because of the stop signs. Paul thinks that drivers are now driving faster than before the project. Andrew expects that reinstating the stop signs will slow traffic.

Paul moves to support the recommendation that all stop signs be reinstated.

Jaclyn wants to know when this might go to Council. Andrew doesn't think it will be in the next month; he still needs to present it to the traffic commission.

Zach asked about reinstating just some stop signs. Andrew says that Washington and Lincoln as well as Dunn meet the threshold for reinstatement, and that Morton and Grant are close. Zach was questioning whether a year was enough. Mitch thinks that one year is not enough.

Zach is seconding Paul's motion.

Ryan is asking for public comment

Eoban Binder asks what is the MUTCD guidance? He notes that lower speeds reduce the number and severity of crashes. He wonders why other ways of reducing crashes, such as reducing speeds, are being considered. He thinks that making bicyclists stop at every intersection is stupid. He thinks that staff should consider other means of reducing crashes. He noted that People for Bicycles gave Bloomington an award for the 7-line, and he doesn't think we would have the award if there were a stop sign at each intersection.

Greg Alexander appreciates the report and the design. He thought that taking out the stop signs would be good if people drove at 20 mph, but not if people are going over 32 mph. If we have to reinstate the stop signs to get people to drive safely, then we should tear up the traffic plan. He thinks there should be more ticketing to enforce legal speed limits. He thinks this is a law enforcement problem.

Hopi Stosberg is echoing what Eoban said. She especially doesn't want stop signs going up the hill. She is ok with reinstating the Dunn Street stop sign. She says her biggest problem is with people turning the corner onto side streets in front of her after passing her. She would like to eliminate cross streets, or prevent people from turning onto them from 7th.

Natalie Levin bikes the 7-line to work and used to avoid it but prefers it now because of the lack of stop signs. She thinks that stop signs cause friction with drivers especially on a hill. If the stop signs go back up, she will return to biking on 4th street.

Anne Kavelerchik uses the 7-line now but didn't before and wouldn't if the stop signs were reinstated on the hill. She says her biggest problem is with cars turning left especially those going west. She suggests installing signs telling drivers how fast their cars are going. She wants to slow traffic without stop signs. Adding stop signs would hurt cyclists.

Ryan asking for more public comment. No more comments.

Paul votes against. Pauly thinks other changes should be considered and votes against. Jaclyn votes against all 5 intersections having stop signs. Ann votes against all 5. Mitch votes no but favors a stop at Dunn. Zach votes no. Rob no. All are opposed to reinstating all 5 stop signs.

Mitch moves to recommend reinstating only the Dunn Street sign. Pauly seconds.

Public comment is required and the commissioners vote to limit it to 30 seconds per person.

Eoban still objects to a stop sign as a permanent measure and wants other recommendations to be considered such as traffic calming and lower speed limits.

Greg agrees with Eoban.

Eric Ost appreciates the meeting and the effort in Andrew's report. As a bicyclist he thinks it's peculiar that bicyclists don't stop at stop signs.

Roll call vote is taken, and all agree to reinstating the stop sign only at Dunn.

c. Micro-Mobility Recommendations for 2023 and Beyond – Hank Duncan

Deferring this topic to next month because of the time. There will be a report on this to Council March 29 and at Board of Public Works when they next meet.

5. Old Business

none

6. Reports from Commissioners

Jacklyn wants all the pedestrian walk symbols to come on without having someone push a button. Currently some require a person to push the button, and some don't.

7. Public Comment

8. Adjourn

**BLOOMINGTON TRAFFIC COMMISSION
MINUTES**

March 22, 2023

**4:30 P.M. –In-person and Virtual Hybrid meeting
City Hall, Council Chambers**

Online link: <https://bloomington.zoom.us/j/88977374111>

Meeting ID: 889 7737 4111

Passcode: 037820

Dial in: +1 312 626 6799 US (Chicago)

I. Call to Order:

In-person: Ryterband, Alexander, Cibor, Shadday,

Online: Burns, Moloci

Staff: Ryan Robling

II. Approval of Minutes:

A. November 16, 2022

Motion: Ryterband Second: Alexander

Ryterband, Alexander, Cibor, Moloci, Burns, Shadday

III. Communications from Commission:

A. Election of Chair and Vice Chair

Nomination: Chair – Shadday. Alexander Second: Cibor The nomination passed 6-0

Nomination: Vice Chair – Ryterband. Alexander Second: Cibor The nomination passed 6-0

B. Ryterband – Expressed support of Commissioner Alexander as a member of Traffic Commission

Alexander – Reported on various multi-use trails/paths and their engineering throughout the City.

IV. Public Comment:* None

V. Reports from Staff: None

VI. Old Business:* None

VII. New Business:*

A. TC-23-01: 7-Line Project Update and All-Way Stop Control Installation ,
Andrew Cibor, PE, PTOE, Engineering Department

Commission discussion ensued

1. Forward a positive recommendation to install a multi-stop intersection at the Seventh Street & Dunn St intersection to the Common Council.

Motion: Ryterband Second: Alexander. The motion passed: 6-0

2. Forward TC-23-01 to the Common Council with a positive recommendation.
Motion: Burns Second: Cibor The motion failed: 2-4 (Nays: Shadday, Moloci, Ryterband, Alexander)

VIII. Traffic Inquiries: None

IX. Adjournment: 5:53 PM

Next meeting – April 26, 2023 – City Council Chambers

**Action Requested/Public comment prior to any vote (limited to five minutes per speaker)*

Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call (812) 349-3429 or e-mail human.rights@bloomington.in.gov.