



**City of Bloomington  
Office of the City Clerk**


**CLERK'S CERTIFICATE**

STATE OF INDIANA        )  
                                          ) SS:  
COUNTY OF MONROE     )

I, Nicole Bolden, being the duly elected, qualified and current Clerk of the City of Bloomington, Monroe County, Indiana, hereby do certify that I am the custodian of the records of the Bloomington City Council and the City of Bloomington, and that the attached copy of the minutes for the March 26, 2003 meeting of the Bloomington City Council is a full, true, and complete copy of drafts of the minutes of that meeting and which is kept in this office in the normal course of business.


I affirm under the penalties for perjury that the foregoing representations are true.

IN WITNESS WHEREOF, I hereunto set my signature as Clerk of the City of Bloomington on the date set forth below.

  
\_\_\_\_\_  
Nicole Bolden  
City Clerk  
City of Bloomington, Indiana

Date: 30 April 24

The attached copy of the minutes for the March 26, 2003 meeting of the Bloomington Common Council of the City of Bloomington, Indiana as presented by the City Clerk was approved on the 03 day of April, 2024.

  
\_\_\_\_\_  
Isabel Piedmont-Smith  
President, Common Council  
City of Bloomington, Indiana

In the Council Chambers of the Showers City Hall on Wednesday, March 26, 2003 at 7:40 pm with Council President Gaal presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
March 26, 2003

Roll Call: Banach, Cole, Ruff, Diekhoff, Gaal, Pizzo, Rollo, Sabbagh, Mayer

ROLL CALL

Council President Gaal gave the Agenda Summation

AGENDA SUMMATION

There were no minutes to be approved.

APPROVAL OF MINUTES

It was moved and seconded to declare March 2003 as Accessibility Awareness Month.

COUNCIL COMMENTS

The motion was approved by a voice vote.

There were no appointments to boards and commissions.

BOARD AND COMMISSION  
APPOINTMENTS

It was moved and seconded that Ordinance 03-04 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 7-0-2. It was moved and seconded that Ordinance 03-04 be adopted.

LEGISLATION FOR SECOND  
READING

Ordinance 03-04 To Amend the Bloomington Zoning Maps from RE1 to PUD and to Amend the Preliminary Plan for the Canada Farm Planned Unit Development (PUD) – Re: 3902 & 3942 South Sare Road (Wininger Stolberg Group, Petitioners)

Ordinance 03-04 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 1 (Ruff).

It was moved and seconded that Ordinance 03-06 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 5 – 2 – 2. with the following amendment recommendations:

Ordinance 03-06 To Amend Title 6 Entitled "Health and Sanitation" In Order to Repeal and Reenact Chapter 6.12 Entitled "Smoking in Public Places and Places of Employment"

Am 01:	Do Pass	1 – 7 – 1
Am 3a:	Do Pass	1 – 2 – 6
Am 02:	Do Pass	7 – 1 – 1

Motion to limit debate.

It was moved and seconded that public comment be limited to three minutes per person with no turns for second comments. The motion was passed with a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded to adopt Amendment 5a to Ordinance 03-06.

Amendment 5a to Ordinance 03-06  
This amendment concerns businesses which are prohibited by the state from admitting patrons or employees who are less than 18 years of age and have lawfully designated smoking areas under the existing ordinance. The amendment would exempt those lawfully designated smoking areas from the smoking regulations for a period not to exceed five years beyond the effective date of the ordinance. During those five years, these businesses would lose their designated smoking areas if they ceased to operate for at least six months, changed location, changed ownership, or changed their name after the effective date of the ordinance.

Amendment 5a to Ordinance 03-06 received a roll call vote of Ayes: 2 (Banach, Ruff), Nays: 7, and therefore was defeated.

It was moved and seconded to recess.

Motion to Recess

The motion received a roll call vote of Ayes: 2 (Cole, Rollo), Nays: 7 and thus failed.

It was moved and seconded to adopt Amendment 10 to Ordinance 03-06

Amendment 10 to Ordinance 03-06  
This amendment concerns private clubs as well as businesses which are prohibited by the state from admitting patrons or employees who are less than 18 years of age and have lawfully designated smoking areas under the existing ordinance. The amendment would exempt these entities from the smoking regulations until January 1, 2005 in order to provide them with an opportunity to develop and implement business plans that account for the smoking prohibition.

Amendment 10 to Ordinance 03-06 received a roll call vote of Ayes: 5 (Banach, Cole, Ruff, Diekhoff & Sabbagh), Nays: 4 (Gaal, Pizzo, Rollo & Mayer), and therefore was passed.

It was moved and seconded to adopt Amendment 2 to Ordinance 03-06.

Amendment 2 to Ordinance 03-06  
This amendment would delay the effective date of the ordinance until August 1, 2003 in order to give business owners an opportunity to educate employees and patrons of the change. Additionally, with the pending new academic year at I.U., it is appropriate to introduce the measure to all new visitors to our city.

Amendment 2 to Ordinance 03-06 received a roll call vote of Ayes: 8, Nays: 1 (Pizzo), and therefore was passed.

It was moved and seconded to direct staff to reconcile last two amendments.

Motion to Reconcile

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

It was moved and seconded to adopt Amendment 8 to Ordinance 03-06.

Amendment 8 to Ordinance 03-06  
This amendment would prohibit smoking in all city facilities including all city vehicles rather than only city vehicles with more than one occupant.

Amendment 8 to Ordinance 03-06 received a roll call vote of Ayes: 5 (Cole, Ruff, Pizzo, Rollo, and Sabbagh), Nays: 4 (Banach, Diekhoff, Gaal & Mayer), and therefore was passed.

It was moved and seconded to adopt Amendment 9 to Ordinance 03-06.  
Amendment 9 to Ordinance 03-06 received a roll call vote of Ayes: 0, Nays: 9 and thus failed.

Amendment 9 to Ordinance 03-06  
This amendment recognizes that fire stations are the temporary homes for firefighters working 24-hour shifts, and designates a specific area within fire stations where smoking is permitted under specific conditions.

Ordinance 03-06 as amended received a roll call vote of Ayes: 8, Nays: 1 (Banach).

Ordinance 03-06 as amended

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Clerk Moore read the legislation by title and synopsis.

LEGISLATION FOR FIRST READING

Ordinance 03-09 To Establish the Wireless Enhanced 911 Non-reverting Fund

Ordinance 03-09

Ordinance 03-10 An Ordinance Concerning the Refunding By the City of Bloomington of Its Waterworks Refunding Revenue Bonds of 1993 and Its Waterworks Revenue Bonds of 1995; Authorizing the Issuance of Waterworks Refunding Revenue Bonds for Such Purpose; Providing for the Collection, Segregation and Distribution of the Revenues of the Waterworks and the Safeguarding of the Interests of the Owners of the

Ordinance 03-10

Waterworks Refunding Revenue Bonds Authorized Herein; Other  
Matters Connected Therewith; And Repealing Ordinances Inconsistent  
Herewith

The meeting was adjourned at 1:56 am on March 27, 2003.

ADJOURNMENT

APPROVE:

ATTEST:

Chris Gaal, President  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington

For approval