



City of Bloomington Common Council

Legislative Packet

Containing legislation and materials related to:

Wednesday, 31 July 2024

Regular Session at 6:30pm



CITY OF BLOOMINGTON COMMON COUNCIL

AGENDA AND NOTICE:
REGULAR SESSION
WEDNESDAY | 6:30 PM
31 July 2024

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

<https://bloomington.zoom.us/j/81521907347?pwd=SJKT86iN8RJRjS7X0smeqBEeYadZcq.1>

1. **ROLL CALL**
2. **AGENDA SUMMATION**
3. **APPROVAL OF MINUTES:**
 - A. December 14, 2022 – Regular Session
 - B. March 6, 2024 – Regular Session
 - C. April 9, 2024 – Special Session – State of the City Address
 - D. April 10, 2024 – Regular Session
4. **REPORTS** (*A maximum of twenty minutes is set aside for each part of this section.*)
 - A. Councilmembers
 - B. The Mayor and City Offices
 - a. Climate Action Plan update (Economic and Sustainable Development)
 - C. Council Committees
 - D. Public*
5. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
6. **LEGISLATION FOR FIRST READINGS**
 - A. Appropriation Ordinance 2024-02 – To Additionally Appropriate Food and Beverage Tax Funds, General Fund Dollars, and ARPA State and Local Fiscal Recovery Fund Dollars for 2024 and to Approve of a Revised 2024 Budget for the Monroe County Capital Improvement Board of Managers
7. **LEGISLATION FOR SECOND READINGS AND RESOLUTIONS**

None

*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 up to three minutes.

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: 26 July 2024

- 8. ADDITIONAL PUBLIC COMMENT ***
(A maximum of twenty-five minutes is set aside for this section.)
- 9. COUNCIL SCHEDULE**
- 10. ADJOURNMENT**

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Posted: 26 July 2024



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

Minutes for Approval

14 December 2022 | 06 March 2024
09 April 2024 | 10 April 2024

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, December 14, 2022 at 6:30pm, Council President Susan Sandberg presided over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
December 14, 2022

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

ROLL CALL [6:31pm]

Council President Susan Sandberg summarized the agenda.

AGENDA SUMMATION
[6:31pm]

LEGISLATION FOR
SECOND READING AND
RESOLUTIONS [6:35pm]

Rollo moved and it was seconded that Resolution 22-20 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.

Resolution 22-20 - A
Resolution Responding to
Monroe County Board of
Commissioners
Ordinance 2022-46

Rollo moved and it was seconded that Resolution 22-20 be adopted.

[6:35pm]

Stephen Lucas, Council Attorney, presented the legislation which would express the Common Council's support for the use of a Capital Improvement Board (CIB) to further a Monroe County Convention Center expansion project.

Mary Catherine Carmichael, Director of Public Engagement, discussed how the city administration planned the convention center expansion through the 501(c)(3) instead of the CIB.

Jeff Cockerill, Monroe County Legal Counsel, commented that he was there to listen to the discussion and answer questions related to the resolution.

Piedmont-Smith moved and it was seconded to introduce Amendment 01 to Resolution 22-20. She presented Amendment 01 which imposed conditions on the council's support for the CIB. She summarized the details.

Amendment 01 to
Resolution 22-20

Amendment 01 Synopsis: This amendment is sponsored by Cm. Piedmont-Smith and would add, through an attached exhibit to the resolution, a list of conditions for the Council's support of a Capital Improvement Board. The conditions would reflect certain components of a CIB that the Council and city administration consider essential to a prospective CIB.

Sandberg asked representatives of the county if they had reviewed the proposed amendment.

Council questions:

Cockerill expressed concern about the proposed amendment. He said some of the points in the amendment pertained to state code with respect to the Convention Visitors Commission (CVC). It allowed the CIB to hire the necessary contractors to do the work.

Piedmont-Smith asked Cockerill about his concern with the amendment.

Cockerill said that it would be better for both city and county to focus on creating a budget for the CIB instead of an interlocal agreement.

Beth Cate, Corporation Counsel, added that the legislation addressed the state code specifications through an interlocal agreement, and allowed the city to make recommendations.

Mike Campbell, CVC president, said there were limited number of hoteliers that could serve on the CIB and expressed concern with the budget approval process. He provided details.

Carmichael stated the memo that Piedmont-Smith referenced in the amendment listed items from 2019 from the administration. Those items were dropped from the county commissioner's resolution resulting in the city not preferring a CIB.

Amendment 01 to
Resolution 22-20
(cont'd)

Volan asked if the amendment, as presented, guaranteed that the funds from the Innkeeper's Tax would fund the convention center.

Council questions:

Campbell said a Monroe County statute required the collected funds go toward the convention center. The amendment was more restrictive.

Volan asked Campbell if he would like to add other related expenses for the CIB.

Campbell stated yes.

Volan asked if the Innkeeper's Tax funds would be withheld or be spent on the convention center without Amendment 01.

Campbell said a previous county ordinance required that 40% of Innkeeper's tax go toward the convention center.

Volan asked why Amendment 01 specified the use of funds if there was already a county ordinance in place.

Piedmont-Smith stated it was specific because the county could change the ordinance. It was also an attempt to improve the collaboration between the city and county.

Carmichael said the administration was focused on protecting the city.

Cate explained that there were items listed that were non-negotiable to the city. The administration did not prefer the CIB so there would be essential components if the CIB was to be in place.

Cockerill stated that the Innkeeper's Tax funds had to be approved by the CVC before being spent. The city and county were working towards the best possible outcome.

Sgambelluri asked if Campbell wanted to see if the funds for the CVC could be used for outreach and marketing efforts.

Campbell stated he wanted the funds to support staffing, destination marketing, and collateral material for the convention center rather than just operation and maintenance.

Sgambelluri asked if it was sufficient to add language that specified operations, maintenance and marketing, and convention sales.

Campbell said yes.

Rosenbarger asked Piedmont-Smith why she had chosen to leave some items out of the amendment from the administration's memo.

Piedmont-Smith stated she consolidated items for ease instead of listing all fifteen. Two items were excluded relating to the controller and auditor because the CIB would decide on both.

Flaherty asked if the language related to the conditional transfer of properties acquired by both governmental bodies was left out intentionally.

Piedmont-Smith said it was unintentional and proposed including it.

Flaherty asked the city and the county for their perspective.

Cockerill was concerned because the county still had debt on property. There would be barriers in the future with deeds and more.

Carmichael noted that the city had bought land to the north of the current convention center with the understanding that it would expand to the north. The administration preferred the expansion through the 501(c)(3) and did not support the CIB.

Smith asked if state code determined the members of the CIB and the CVC.

Cockerill explained state code and the Innkeeper's Tax funds and said the CIB members could choose their members.

Sims asked if operations included marketing.

Campbell said it included operations and maintenance but not marketing aimed at attracting organizations. Visit Bloomington had a convention center salesperson which could fall under the purview of supporting the convention center.

Resolution 22-20
(cont'd)

Council questions:

Volan asked if Amendment 01 intentionally excluded items 10 through 12 of the memo from the Office of the Mayor.

Piedmont-Smith said only items 11 and 12 were excluded intentionally and item 10 was not, but could be since the county found it problematic.

Volan asked the administration to weigh in on items left out and if they had a chance to see the amendment before the meeting.

Carmichael said the memo had originally been drafted as a response to the county's resolution and was not intended to be a roadmap for the CIB. The city was disadvantaged because the CIB's setup did not give the city long-term control.

Volan stated he was trying to understand which was better, the CIB or a 501(c)(3) entity for the convention center expansion, et cetera. He asked if it was correct that the city preferred a 501(c)(3) but if a CIB was decided on, then the city wanted some items in an agreement, as referenced in the memo and Amendment 01.

Carmichael said yes.

Sgambelluri asked what would happen if the mayor vetoed the resolution or if the council passed an amended version of the resolution.

Cockerill said that it would end current attempts to work with the city on the proposed CIB but the county would continue to work on the resolution to come back to the council for consideration.

Julie Thomas, Monroe County Commissioner, said the resolution was an effort to move the project forward, though a memorandum of understanding was likely needed.

Flaherty asked if the amendment passed, it would automatically void the resolution the county presented to council. Or since council was adding items, it could be argued that it was also accepting the county's terms.

Lucas stated that Amendment 01 was council's attempt to express a position.

Cockerill said the only thing that would void the resolution would be time lapsing. There were many discussions and approvals needed relating to budgets and more once the CIB was in place.

Flaherty asked why council should consider the legislation if many more discussions were needed instead of waiting.

Cockerill said the sooner that both bodies put together the CIB, the quicker the items could be addressed.

Thomas noted that the Covid-19 pandemic had delayed the process. She said a 501(c)(3) did not require public meetings, or appointments to it unlike the CIB which would have a more transparent process. The county preferred a CIB and the city preferred a nonprofit, so it was up to council to determine the negotiation path forward, either through a CIB or a nonprofit.

Smith asked what the CIB's role would be once the expansion was complete.

Cockerill said the CIB would control the current convention center and areas in the expansion in perpetuity. The CIB would come up with a plan and present it for approval to the county and the city.

Rosenbarger asked why council should act on the resolution that evening.

Carmichael clarified that a 501(c)(3) could have built-in, transparent processes. Both a CIB and a 501(c)(3) were being considered prior to the pandemic. The Commissioners passed their resolution, without city input, before their scheduled joint meeting which had a negative impact on the administration proceeding with a CIB.

Volan said the difference between the CIB as proposed by the county, and the 501(c)(3) as proposed by the city, was the composition of the board. He asked if other properties in the city would be managed by a 501(c)3.

Resolution 22-20
(cont'd)

Carmichael confirmed that was correct.

Council questions:

Volan noted the county's vested interest in the convention center. He asked if the membership of the proposed 501(c)3, with five being appointed by the administration, excluded the county.

Carmichael reiterated the flexibility with the 501(c)3 and said that city owned properties would be managed by the 501(c)3. It did not make sense to have those properties under the purview of the county.

Volan asked why there was not a 501(c)(3) already formed for the purpose of managing city owned properties.

Carmichael acknowledged that was ideal and it was being worked on.

Sgambelluri asked what needed to be addressed by an interlocal agreement.

Cockerill said that the CIB needed to be formed first, to address issues like parking garages, property, and other items.

Flaherty challenged the idea that the only next step was to form a 501(c)(3) or a CIB. There were steps that needed to be figured out before a CIB was formed, in case it was not the right fit. He asked for county's feedback if the resolution was not passed and which councilmembers had been involved.

Thomas responded that the county's resolution only asked for guidance on what the council wished to do, regarding the convention center expansion, whether it be through a CIB or a 501(c)3. She said that Sandberg and Sgambelluri had been involved in the discussions.

Cate added that the city was actively developing a nonprofit, but did not want to interfere with the process.

Volan asked when the county resolution was approved and when the legislation was drafted, and if the commissioners were aware that the legislation was being drafted.

Lucas said the county commissioners passed a resolution on November 09 and county councilors passed legislation in support on November 30. Resolution 22-20 was drafted the previous week.

Volan noted the timeline; the county drafted the resolution with an offer expiring at the end of the year. Now the council had less than two weeks process to consider the legislation.

Eric Spoonmore, President of the Bloomington Chamber of Commerce, spoke in opposition to the amendment.

Public comment:

Geoff McKim, Monroe County Councilor, commented against having a 501(c)(3) and in favor of a CIB and gave several reasons why.

Kate Wiltz, Monroe County Councilor, said the amendment as written was problematic and hoped the council would support the CIB.

Trent Deckard, Monroe County Councilor, stated that the CIB was the most transparent and expressed opposition to Amendment 01.

Julie Thomas, Monroe County Commissioner, spoke in favor of the CIB and noted remarks made by Mayor John Hamilton, when requesting the Food and Beverage (FAB) tax, pledging to work collaboratively with the county.

Dave Askins, B-Square Bulletin, referenced a meeting in December 2019 where the city and county agreed on a CIB, and an interlocal agreement, to meet statutory requirements.

Piedmont-Smith moved and Sgambelluri seconded to adopt a sub-amendment A to Amendment 01. The proposed changes removed specific language pertaining to appointments to the CVC and to instead be within

Sub-amendment A to
Amendment 01 to
Resolution 22-20

the confines of state code. Also, marketing and related expenses were added to CIB funding expenditures.

Sub-amendment A to Amendment 01 to Resolution 22-20 (cont'd)

Volan said the city and county were interested in negotiating details later in the process. It seemed that Amendment 01 preempted that preference.

Council questions:

Piedmont-Smith said the CIB was preferred but she wanted assurance that the city had an equal role. She also wanted the mayor's buy in.

Volan noted that the FAB tax could be canceled by the state and asked how to ensure that the tax was no longer in jeopardy.

Spoonmore said that in regular conversations with state lawmakers, it was clear that they wanted meaningful progress. He believed that meant the formation of a CIB.

Volan asked what was necessary for the tax to not be repealed.

Cockerill clarified that the state could not interfere with contracts like a bond obligation. He noted that he was not council's attorney.

Cate agreed with Cockerill and also noted she was not providing legal guidance.

Carmichael was also in contact with state legislators and lobbyists and their priority was demonstrable progress. They did not have a preference on either the CIB or 501(c)3 option.

Rollo asked if Amendment 01 constituted progress.

Carmichael said it did but was not the administration's preference.

Julie Thomas, Monroe County Commissioner, spoke about the proposed changes to the amendment and the possible cancelation of the FAB tax.

Public comment:

Geoff McKim, Monroe County Councilor, commented on the appointments to the CVC which was separate from the management of the convention center and its expansion.

Sgambelluri asked if the county felt disadvantaged by Amendment 01.

Council comments:

Volan supported the amendment to Amendment 01 and gave reasons.

Sgambelluri agreed with Volan and provided reasons in support.

Rollo supported the amendment to Amendment 01 and expressed concern with the process.

Sandberg did not support Amendment 01 or the amendment to it.

The motion to adopt Sub-amendment A to Amendment 01 to Resolution 22-20 received a roll call vote of Ayes: 6, Nays: 3 (Smith, Sims, Sandberg), Abstain: 0.

Vote to adopt Sub-amendment A to Amendment 01 to Resolution 22-20 [8:32pm]

Sgambelluri asked if Amendment 01 as amended disadvantaged the county.

Council questions:

Cockerill asked for clarification on Amendment 01 as amended and if it was correct that a 501(c)3 would be formed if no agreement was reached.

Thomas discussed problematic issues with Amendment 01 as amended.

Sandberg called for a five-minute recess.

Recess [8:35pm]

Sgambelluri moved and Volan seconded to adopt Sub-amendment B to Amendment 01 as amended. The amendment would strike language from Exhibit A "if no agreement had been made, a 501c3 or an alternative governance structure that would maintain the balance."

Sub-amendment B to Amendment 01 to Resolution 22-20 as amended

Volan asked for feedback from the administration.

Council questions:

Carmichael commented on the process and the administration's efforts to advance the project. Putting pressure on those involved was necessary and having a 501c3 was the best option.

Eric Spoonmore supported Sub-amendment B.

Public comment:

Geoff McKim supported Sub-amendment B.

Steve Layman supported Sub-amendment B and the CIB.

Volan supported Sub-amendment B and provided reasons.

Council comments:

The motion to adopt Sub-amendment B to Amendment 01 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Sub-amendment B to Amendment 01 [8:50pm]

John Rose supported the convention center expansion and the CIB.

Public comment:

Volan asked for feedback from the county on Amendment 01 as amended.

Council comments:

Thomas did not believe Amendment 01 as amended was needed because the details would be negotiated later. It would either be a CIB or a nonprofit.

Sgambelluri appreciated the conversation. She was satisfied with the answers and believed the negotiations to come would be beneficial to both the city and county.

Flaherty stated it was not simply choosing between a CIB or a nonprofit. There would be specifications that had legal requirements and more. He would support Amendment 01 as amended.

Rollo said he preferred the CIB and there were problems with Amendment 01 as amended. He appreciated Piedmont-Smith's effort and he supported Amendment 01 as amended.

Volan noted that Amendment 01 as amended pertained to a non-binding resolution and would not directly protect the tax. The progress forward was the discussion that evening though it was more complex than presented. He did not believe the administration had sufficiently provided reasons in favor of a 501(c)3. He would support Amendment 01 as amended.

Sandberg had been ready to support Resolution 22-20 as presented. She did not favor a 501(c)3. She was not satisfied with Amendment 01 as amended and would not support it.

The motion to adopt Amendment 01 as amended to Resolution 22-20 received a roll call vote of Ayes: 8, Nays: 1 (Sandberg), Abstain: 0.

Vote to adopt Amendment 01 as amended [9:03pm]

Volan asked for clarification on transferring property to another entity.

Council questions:

Carmichael said the property had been amassed over a large period of time and most was purchased with Innkeeper's Tax funds.

Cate commented on the property and any pertaining debt obligations.

There was additional discussion on potential transfers of property.

Volan asked why the city believed the city controller should also be the CIB's controller.

Cate said the city controller was highly familiar with the funds, accounts, and record keeping. It made more sense to draw on someone with expertise instead of training and paying a new individual.

Cockerill said that the state statute explicitly stated that the CIB would determine who would be controller.

Carmichael clarified that the key points in the administration's memo had been compiled through extensive discussions in 2019.

Resolution 22-20 as amended (*cont'd*)

There was brief discussion on the options and statutes.

Eric Spoonmore thanked the council for their thoughtful deliberation. He supported the CIB.

Public comment:

Sims asked what the disadvantages were of either the CIB or a 501(c)3.

Council comments:

Carmichael said the city believed that with a CIB, the city would have no say in the decision of assets.

Cockerill commented on the potential lack of transparency with a 501(c)3, and the issues with the makeup of the board.

Volan asked about having a CIB for the convention center and a 501(c)3 to manage other city owned properties like the Buskirk-Chumley theater.

Carmichael spoke about the composition of the board for either.

Cate stated that a 501(c)3 was in the works and could easily transition to include the convention center.

Volan asked if the city could understand the county's hesitation with a board whose members were all appointed by the city.

Cate noted that even with a 501(c)3, the county retained all the state statutory authority as was discussed that evening. It was a matter of balance and the composition of the board members of a 501(c)3 could always be redressed.

Carmichael said that it was not ideal to include non-city board members to oversee city owned properties. There would also be an advisory board to the 501(c)3.

Cockerill explained the county's hesitation with putting the monumental task of the convention center under a 501(c)3 which would oversee many other city owned properties.

Piedmont-Smith said she was in favor of Resolution 22-20 as amended. The CIB was the best mechanism for the expansion of the convention center. She said that the city and county needed to work together in good faith. She was concerned about transparency with a 501(c)3 and that it had not been discussed in 2019. The FAB tax funds needed to be spent based on the purpose of the tax, passed by the county.

Volan commented on the tension between city and county. He did not see a compelling reason to move forward with a 501(c)3 for the convention center. The city had valid concerns about the CIB. He briefly described issues with deciding on the controller. He would support Resolution 22-20 as amended. He commented on the history of the city and county and noted that city residents were also residents of the county.

Smith would vote in favor of the CIB. A nonprofit, with all members being appointed by the city, was not fair to the county. He understood that there were differing opinions between the city and county. The taxpayers deserved a fair, neutral, and transparent process.

Sims recalled that in 2019, city and county stakeholders had discussed both the CIB and a nonprofit. He noted that negotiations were necessary. Sims commented on the state's interference. The best way to move forward was the CIB.

Rosenbarger stated that five days had not been enough time to properly consider a CIB or a 501(c)3. She commented on the process, before and after the pandemic. She still had many, larger questions about convention centers and data that showed decreased needs and usage. She would abstain or vote against the legislation that evening.

Flaherty would support Resolution 22-20 as amended. He questioned how to govern or manage assets like a convention center and its expansion. He commented on the resident survey from 2021 with data that showed that only 16% believed it was essential or very important to expand the convention center.

Resolution 22-20 as amended (*cont'd*)

Council comments:

Sandberg supported Resolution 22-20 as amended. She commented on the divide between city and county and their control over assets. It was time to use the FAB tax funds for the convention center expansion through a CIB, with members who had expertise, and move forward with the project.

Rollo echoed Flaherty's concerns about the scope and scale of the convention center expansion. Earlier discussions had included a civic center in the convention center and he wanted to restart those conversations. He would support Resolution 22-20 as amended.

The motion to adopt Resolution 22-20 as amended received a roll call vote of Ayes: 8, Nays: 1 (Rosenbarger), Abstain: 0.

Vote to adopt Resolution 22-20 as amended [9:49pm]

Rollo moved and it was seconded that Ordinance 22-36 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.

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 [9:51pm]

Rollo moved and it was seconded that Ordinance 22-36 be adopted.

Ryan Robling, Planning Services Manager, Planning and Transportation department, presented the legislation including the overlay, restrictions, existing downtown character overlays, and guidance on the transform redevelopment overlay items. He provided details on the proposed changes and standards.

Smith moved and it was seconded to adopt Amendment 01 to Ordinance 22-36.

Amendment 01 to Ordinance 22-36

Amendment 01 Synopsis: This amendment makes the following technical corrections:

- fixes Table 02-29 so that all letters appear as they should;
- revises Table 02-29 to match corresponding footnotes;
- rewrites (6)(A)(i) to remove "shall", which would have forced structures to have ground floor dwelling units;
- changes "Maximum Vehicle Parking Requirements" to " Maximum Vehicle Parking Allowance" to match UDO;
- makes minor fixes to spacing throughout;
- replaces commas with semicolons in (5)(A)&(B);
- fixes indenting issues on (11) & (12); and
- corrects typographical errors in the ordinance

There was no public comment.

Public comment:

There were no council comments.

Council comments:

The motion to adopt Amendment 01 to Ordinance 22-36 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 [10:08pm]

Volan asked for clarification on the parking maximum requirement.

Council questions:

Robling stated that parking, as addressed in the Unified Development Ordinance (UDO), would be cut in half in the overlay. He explained it was dependent on the use too.

Ordinance 22-36 as amended (*cont'd*)

Volan asked if there was no longer a minimum parking requirement in the overlay.

Council questions:

Robling confirmed that was correct.

Smith asked how the overlay affected existing buildings.

Robling said there was no affect. If the use changed, depending on the change, then there would be applicable conditions.

Rollo asked how the existing parking garage would be used.

Scott Robinson, Director of Planning and Transportation, said no decision had been made yet because the city did not own it. He noted the garage was in good condition.

Rollo asked about the square footage of buildings and how sustainability incentives and more could increase that size.

Robling said that if the incentives were achieved, then the façade of a building could expand.

Rollo asked about allowed materials, specifically stucco, and if it was related to Exterior Insulation and Finish System (EIFS).

Robling confirmed that it was not related to EIFS which was prohibited.

Piedmont-Smith asked if fifteen thousand was the largest square footage for a façade or if it could increase to twenty thousand via the incentives.

Robling said that it could increase if both incentive tiers were achieved.

Piedmont-Smith asked about variations like depth in the façade.

Robling stated that had been replaced by the addition of the courtyard. He explained that developers told staff that due to the requirements, they were producing the same building around the city.

Piedmont-Smith asked for clarification on the courtyard, and how the overlay would prevent a monolithic façade over an extended length.

Robling said that the goal was to break up the façade with the courtyard. The build-to encouraged usage of the courtyard, as well as agriculture requirements.

Volan said that there were parking usages with no upper limit in the UDO.

Robling said that staff was looking into that for the spring updates. At the time, there was not an upper limit for certain uses even in the overlay.

Rollo asked about the architectural design quality and possibly having a three dimensional model of the proposed building for the Plan Commission's consideration.

Robling said the Plan Commission could always request a three dimensional model, as was required in the downtown overlay. He explained the process of requesting additional information from the developer.

Piedmont-Smith asked about the rationale to setbacks for residential units.

Robling said it only applied to some streets that were well-traveled. It encouraged not having a dwelling unit be right on the street where pedestrians frequented.

Piedmont-Smith asked if there was anything to prevent there being an empty hallway or a public art installation in those spaces.

Robling stated there was not.

There was no public comment.

Public comment:

Flaherty thanked staff for their work on the legislation and their forward-thinking with the overlay. He gave examples.

Council comments:

Volan echoed Flaherty's comments. There were many good things that could be applied to other spaces in the city. He said that it was ideal to have housing and businesses around parking garages.

Ordinance 22-36 (cont'd)

Council comments:

Rosenbarger looked forward to the changes in the district. She appreciated the lot size adjustment.

The motion to adopt Ordinance 22-36 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 22-36 as amended [10:31pm]

Rollo moved and it was seconded that Ordinance 22-37 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.

Ordinance 22-37 – To Amend the City of Bloomington Zoning Maps by Adding the Transform Redevelopment Overlay (TRO) to Certain Below-Described Property [10:32pm]

Rollo moved and it was seconded that Ordinance 22-37 be adopted.

Robling presented the Transform Redevelopment Overlay (TRO), and noted the map boundaries.

Piedmont-Smith asked about the Mixed Institutional (MI) zone in the TRO.

Council questions:

Robling confirmed that it would be Indiana University Health for a certain amount of time.

Volan asked if it would later revert to the TRO.

Robling said the TRO already applied to the MI zone.

There was no public comment.

Public comment:

There were no council comments.

Council comments:

The motion to adopt Ordinance 22-37 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 22-37 [10:36pm]

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: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

LEGISLATION FOR FIRST READING [10:37pm]

Sandberg referred the Ordinance 22-38 to a Regular Session to be held on December 21, 2022.

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) [10:37pm]

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: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

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

Sandberg referred the Appropriation Ordinance 22-06 to a Regular Session to be held on December 21, 2022.

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 [10:38pm]

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. 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 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 [10:41pm]

Sandberg referred the Ordinance 22-40 to a Regular Session to be held on December 21, 2022.

Lucas reviewed the upcoming council schedule. He noted that council had yet to approve an annual council schedule for 2023.

COUNCIL SCHEDULE [10:43pm]

Volan moved and it was seconded to approve Schedule B of the 2023 Annual Council Schedule with the annual budget hearings to start at 5:30pm. Volan presented reasons in support of starting the budget hearings at 5:30pm. There was brief council discussion on the annual legislative schedule.

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

Vote for legislative schedule [10:51pm]

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

ADJOURNMENT [10:51pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ____ day of _____, 2024.

APPROVE:

ATTEST:

Isabel Piedmont-Smith, 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, March 06, 2024 at 6:30pm, Council President Isabel Piedmont-Smith presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
March 06, 2024

Councilmembers present: Isak Nti Asare, Courtney Daily, Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger, Andrew Ruff, Hopi Stosberg, Sydney Zulich
Councilmembers present via Zoom: none
Councilmembers absent: none

ROLL CALL [6:30pm]

Council President Isabel Piedmont-Smith gave a land and labor acknowledgment and summarized the agenda.

AGENDA SUMMATION [6:31pm]

Piedmont-Smith welcomed Daily to her first meeting, representing District V.

Stosberg moved and Ruff seconded to suspend the rules to consider the minutes for approval. The motion was approved by voice vote.

APPROVAL OF MINUTES [6:34pm]

- September 27, 2023 (Special Session)
- October 11, 2023 (Special Session)
- October 18, 2023 (Regular Session)
- February 14, 2024 (Regular Session)

Stosberg moved and Ruff seconded to approve the minutes of September 27, 2023, October 11, 2023, October 18, 2023 as corrected, and February 14, 2024. The motion was approved by voice vote.

Daily thanked everyone for welcoming her to the meeting, and noted her upcoming constituent meeting.

REPORTS

- COUNCIL MEMBERS [6:35pm]

Stosberg mentioned the upcoming Plan Commission meetings as well as her constituent meeting.

Piedmont-Smith invited the public to her constituent meeting.

John Connell, General Manager, Bloomington Transit (BT), gave an update on the Economic Development Local Income Tax (EDLIT) projects pertaining to BT. The city and BT had an interlocal agreement, committing \$3.8 million per year for five years for BT projects. He reported on the status of the projects including the east-west express, rapid bus transit system, micro-transit, service frequency improvements, Sunday service, fare subsidy program, and service expansion outside of city.

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

Report from Bloomington Transit

Rollo asked about criteria for land acquisition.

Connell said BT was working with a consulting firm to identify suitable parcels. He detailed what BT requested for the consultants to focus on. It was ideal to move all operations to a new facility.

Council questions:

Stosberg asked for an update on electric buses, including any problems and maintenance.

Connell said that there were many problems at first, but new technology remedied most of them. Cold weather affected both the electric and diesel buses because they were stored outdoors. A new facility would have closed storage. The maintenance and transition schedule were going well and battery technology had improved.

Asare thanked Connell for his work and asked about the status of a downtown circulator bus route.

Connell said that BT believed there was merit to it, especially with the Convention Center expansion. He said funding was needed.

Asare asked what the next steps were, especially for council. Connell stated that new service had to be needed in order to ensure success. BT would then determine the cost, and a funding source would need to be determined.

- The MAYOR AND CITY OFFICES (cont'd)

Council questions:

Zulich asked for demographic data on the late night bus service.

Connell said that there was confidential data. Voucher usage increased while Indiana University (IU) was in session.

Piedmont-Smith asked about problems with hiring drivers.

Connell said the process was improving. There were challenges with retention, and others like seniority, per union agreements.

Zulich asked if there had been discussion with IU about extending the late night program to campus.

Connell said there had not.

Rollo asked if the electric buses had cut fuel usage.

Connell said there was increased ridership with more buses being used. That resulted in another bus and driver being sent out to help manage at-capacity buses. BT could use sixty-foot articulated buses, too. With articulated buses, the cost would be cut in half, but better facilities would be required.

Piedmont-Smith noted that BT was seeking a letter of support from council and asked Connell to send that information to council staff.

Piedmont-Smith extended the period for reports until 7:21pm with no objections from the council.

Clerk Nicole Bolden discussed council-appointed board and commission appointments, which were facilitated by clerk staff. She spoke about clerk certifications including the Indiana League of Municipal Clerks & Treasurers' (ILMCT) Indiana Accredited Municipal Clerk (IAMC) and the Indiana Accredited Municipal Clerk Advanced (IAMCA). Additionally, the International Institute of Municipal Clerk (IIMC) had two certifications; Certified Municipal Clerk (CMC) and the Master Municipal Clerk (MMC). She explained the lengthy process for clerks to be certified. She noted that Chief Deputy Clerk Sofia McDowell recently earned her IAMC. Deputy Clerk Susan Stoll and Deputy Clerk Jennifer Crossley were in the process of obtaining their IAMC. Bolden reminded everyone of the upcoming Women's History Month Luncheon. Her "Read, Watch, Listen" picks were "The Vice President's Black Wife" by Dr. Amrita Chakrabarti Myers, "The Woman King," and "Badass: Tales of Resilience" hosted by Marabai Rose.

Report from City Clerk

Asare stated that the city was fortunate to have a qualified and outstanding clerk and it should be said regularly.

Council discussion:

Piedmont-Smith thanked Bolden for her work and for nurturing the professional development of her deputies.

Mayor Kerry Thomson welcomed Daily to her first meeting. She noted the first official traveling town hall at Summit Elementary School, cohosted by Piedmont-Smith. She discussed how the public could provide feedback and ask questions. The city was working with other entities to establish public safety measures during the eclipse on April 08, 2024, since Bloomington was in the path of totality. She commented on the pilot program at the Bloomington Police Department (BPD) involving tasers. She gave an update on

Report from the Mayor

the Hopewell Advisory team and its efforts in determining the right type of housing, incentives, and more. Thomson announced that David Hittle had accepted the position of Director of Planning and Transportation (PT), which was contingent on the Plan Commission’s approval.

- The MAYOR AND CITY OFFICES (cont’d)

Asare asked Thomson to send council her plans for the first one hundred days.

Council questions:

Thomson said that she would send, and mentioned the upcoming State of the City event.

Piedmont-Smith asked about financial audits of the city.

Thomson said there were three underway, including a full audit of financial processes in the city, and would share the results with council. She wanted to have discussion on the budget process prior to some audits.

There were no reports from council committees.

- COUNCIL COMMITTEES [7:16pm]

Eric Spoonmore noted an upcoming event, held by Michelle Walsh of the Garden Group, focusing on diversity, equity, and inclusion strategy for all in Monroe County.

- PUBLIC [7:17pm]

Louise Schlesinger spoke against the cease-fire in Gaza legislation proposed by residents the previous week.

Ralph Gaebler commented on Israel’s need for war in self-defense and provided reasons.

David Szonyi discussed council’s role in suggesting a cease-fire in Gaza and spoke against Hamas.

Sharon Wainshilbaum urged council to not consider a cease-fire resolution and gave reasons why.

Gale Nichols said that Bloomington was a welcoming community and spoke against a cease-fire resolution.

Günther Jikeli said that the controversial topic of the Israel-Gaza war was being foisted on council and that Israel should not be demonized.

Stephen Volan spoke about the downtown circulator bus route and referenced Resolution 23-10. He gave details on the potential route.

Mark Haggerty said that an officer had used a taser which killed James Borden in the Monroe County jail. He spoke about being sent to Vietnam in 1968 and the need for veterans to have dental care.

[Unknown] Huber stated that he had drafted a petition pertaining to the Hopewell project signed by one hundred and sixteen residents. Putting a road through the site was not ideal and it was better to focus on pedestrians.

Piedmont-Smith appointed Daily to Interview Committee Team B and to serve on the Jack Hopkins Social Service Funding Committee.

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:42pm]

LEGISLATION FOR SECOND
READING AND RESOLUTIONS
[7:45pm]

Stosberg moved and Ruff seconded that Resolution 2024-04 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Nicole Bolden read the legislation by title and synopsis.

Resolution 2024-04 - A Resolution Opposing the LEAP Pipeline Water Diversion Project [7:45pm]

Stosberg moved and Ruff seconded to adopt Resolution 2024-04.

Ruff noted Rollo was a cosponsor. He presented Resolution 2024-04 and discussed many concerns with the project. There was an insufficient amount of water to support industries in the area. The plan was to divert and pipe up to one hundred-million gallons per day from aquifers in Tippecanoe County. He gave additional reasons against the project, and introduced David Sanders.

David Sanders, Councilmember At-Large, West Lafayette, Indiana, thanked council for the opportunity to participate in the discussion. He noted the history of the project, and discussed how to protect city resources. There was a lack of accountability and planning with the project, and spoke of the vast cost and negative environmental impacts. Sanders discussed the efforts to protect the land by the community in the area and said it was not a partisan issue and had united the community. A version of Resolution 2024-04 had been passed by twenty local governments.

Mayor Larry Grant, Attica, Indiana, echoed Sanders' statements. He explained that many cities and town were built around the Wabash river because of the resources there. He was concerned for the impacts on those cities and towns if the project moved forward.

Former councilmember Stephen Volan spoke about his efforts concerning the project. He read a passage from "Indiana University (IU) Midwestern Pioneer" by Thomas Dionysius Clark in 1970, regarding the perennial problem of needing a sufficient water supply for the city and university. He explained that the state had determined where IU would be located without taking into account the need for a water supply source. Volan commented on the city's daily water consumption, and the history of the Monroe reservoir. In 2006, former county councilor Beurt SerVaas had proposed a development that would use ninety-million gallons per day. It had been opposed by the community and former Mayor Mark Kruzan, and ultimately failed. He discussed additional concerns.

Rollo added that the scale of the proposal was concerning and would quadruple the city's normal water usage. He referenced a New York Times article noting a decline with aquifers. A water policy was needed at the state level. With the project, there would be a concerning level of electricity usage, resulting in environmental costs. He asked who would pay for the pipeline and its maintenance, and he did not appreciate the secretive nature of the process.

Mayor Kerry Thomson said that the pipeline was paused for further studies, and urged council to table the legislation. The LEAP project had not been secretive and she described the process. The project would help with jobs, growth, and economic development in the city. She asked that council consider a comprehensive water plan for the state rather than simply opposing a pipeline. She noted that the city relied on a single source of water and that there needed to be

options, like possibly building a pipeline. She said that if legislation moved forward, it needed to clarify that the city council opposed the project and not the city of Bloomington. Another option was for council to write a letter in opposition. She commented further on the timing of the legislation.

Resolution 2024-04 (cont'd)

Flaherty asked the sponsors for clarification on the timing of Resolution 2024-04. He also wanted to hear more about planning for water resiliency from Utilities.

Council questions:

Sanders said that the original studies were under the purview of the Indiana Economic Development Corporation (IEDC) which had no experience with water issues. He noted that the aquifers were not attached to the Great Lakes which was cause for concern. The pause was a result of the many resolutions around the state, causing the governor to have another entity supervise the studies.

Flaherty asked if there was an anticipated impact with passing the legislation either that evening, or on another date.

Sanders said there was an urgency to getting resolutions passed around the state and was not sure about delaying.

Asare thanked everyone for their discussion. He asked about any direct engagement with the IEDC.

Ruff stated that he had not engaged with the IEDC and there had not been an opportunity to do so.

Asare stated that the Secretary of Commerce had been at the Bloomington Economic Development Corporation (BEDC) annual meeting and there had been discussion about the proposed project. He and Stosberg had been in attendance. He contacted the IEDC who were surprised that Bloomington was considering legislation opposing the project without engaging with them at all. He noted the good relationship that Bloomington had with the IEDC and said it was deficient to not engage with all stakeholders. He urged council to table the legislation in order to hear from all stakeholders.

Rollo asked Sanders about the open nature of the IEDC and the public's inability to obtain answers to questions and concerns.

Sanders said that the IEDC had been repeatedly invited to Tippecanoe County but had refused each invitation. He reiterated that the pause resulted from resolutions passed around the state.

Ruff stated that the IEDC had not reached out to certain counties, and had declined invitations to attend public engagement events.

Asare asked if the governor and a senator had gone to West Lafayette to discuss the concerns.

Sanders confirmed that was correct, but after the resolutions.

Flaherty asked if it was correct that there were no formal comments from Utilities. He asked if Utilities had received the materials.

Thomson confirmed that was correct.

Stephen Lucas, Council Attorney, stated that the legislation had been shared with Utilities, the mayor, and the Legal department, with an invitation to share feedback.

Margie Rice, Corporation Counsel, stated that the Utilities Service Board had also not had a chance to weigh in yet.

Jen Pearl, BEDC, agreed that protecting water was important. BEDC was concerned with the legislation and Pearl gave reasons why.

Public comment:

Tina Peterson, President and CEO, Community Foundation of Bloomington and Monroe County, urged council to table the legislation and gave reasons in support of doing so.

Christopher Emge agreed that the legislation should be tabled.

Resolution 2024-04 (cont'd)

Ruff stated that Resolution 2024-04 opposed the LEAP pipeline and did not disparage the IEDC. He commented on the process of publicizing material, including legislation in packets. He appreciated the intent of reaching out to other stakeholders.

Public comment:

Ruff moved and Rollo seconded that Resolution 2024-04 be postponed until the next Regular Session of the Common Council on March 27, 2024.

Council comments:

There was brief council discussion regarding actions that council could take that evening, and future discussions with stakeholders.

Council discussion:

The motion to postpone Resolution 2024-04 received a roll call vote of Ayes: 8, Nays: 1 (Asare), Abstain: 0.

Vote to postpone Resolution 2024-04 [8:48pm]

LEGISLATION FOR FIRST READING [8:49pm]

Stosberg moved and Ruff seconded that Ordinance 2024-02 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 2024-02 - To Amend Title 8 of the Bloomington Municipal Code, Entitled "Historic Preservation and Protection" to Establish a Historic District - Re: Lower Cascades Park (Bloomington Historic Preservation Commission, Petitioner) [8:49pm]

Piedmont-Smith noted that the legislation would be discussed at the Regular Session on March 27, 2024.

ADDITIONAL PUBLIC COMMENT [8:51pm]

Christopher Emge thanked Scott Peterson for his work at Twin Lakes. He congratulated Daily for winning District V's seat. He spoke about a city survey and its data.

Lucas reviewed council's upcoming schedule.

COUNCIL SCHEDULE [8:54pm]

Rosenbarger noted that she was the councilmember that had highlighted the community survey at a previous meeting and not her white, male colleague. She said that far too often women did not get the proper credit.

Piedmont-Smith adjourned the meeting with no objections.

ADJOURNMENT [8:55pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ____ day of _____, 2024.

APPROVE:

ATTEST:

Isabel Piedmont-Smith, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

In the Buskirk-Chumley Theater, 114 East Kirkwood Avenue, Bloomington, Indiana on Tuesday, April 09, 2024 at 7:00 pm with Council President Isabel Piedmont-Smith presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
April 09, 2024

Council President Isabel Piedmont-Smith called the meeting to order. She noted that the meeting would be considered adjourned when the Mayor Kerry Thomson’s State of the City remarks concluded. She then introduced Clerk Nicole Bolden to call the roll.

CALL TO ORDER [7:15pm]

Councilmembers present: Isak Nti Asare, Courtney Daily, Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger, Hopi Stosberg
Councilmembers absent: Andrew Ruff, Sydney Zulich

ROLL CALL [7:15pm]

Piedmont-Smith read a land and labor acknowledgement and introduced Mayor Kerry Thomson.

LAND AND LABOR
ACKNOWLEDGEMENT [7:17pm]

Mayor Kerry Thomson presented the State of the City Remarks (text provided by the Office of the Mayor), attached hereto.

STATE OF THE CITY REMARKS
[7:19pm]

The meeting was adjourned at 7:45pm.

ADJOURNMENT [7:45pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ____ day of _____, 2024.

APPROVE:

ATTEST:

Isabel Piedmont-Smith, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

Good evening. Clerk Bolden, City Councilors, members of our cabinet, distinguished guests, and my fellow residents...it is my honor and privilege to come to you for the first time as your Mayor – on this, my 100th day in office – to report on the state of this city that we all love so much.

As you all know, yesterday Bloomington welcomed thousands of guests to our community for a once-in-a-lifetime event – the total solar eclipse.

The city worked alongside the state, county, as well as our school corporation, IU, and other partners to pull this off and do it in style.

And, as this community has done time and time again, yesterday - despite the moon's best efforts - Bloomington's light shone through.

I want to thank everyone who helped make yesterday such a success – especially our parks, public works, and safety personnel. Thank you for the months of planning and a job exceedingly well done.

The eclipse gave us something hold in awe together, 4 minutes of astonishment as our skies darkened. As I sought a bit of shade yesterday, I was invited to sit with a family. Mylan and I got to talking about bullies and how they can make you feel, and also shared some ideas about how to get help, and how to create a community that works differently. I invited Myron Vergiels to share some poetry with you this evening.

Thanks Mylan, I hope you will join upcoming conversations as we work towards a kinder Bloomington for all of us.

You know what I noticed yesterday? Just before the eclipse, with only a tiny slice of sun left exposed, we still had full light. When darkness comes, it only takes a small light to overcome it.

With the eclipse behind us, it's now time for Bloomington to make even more history.

I want to highlight some of what we have to look forward to, and report what my administration has been working on over the past 99 days.

First, we built an incredible team.. A team of talent, hungry for innovation, and committed to service and collaboration.

From our wonderful Deputy Mayor to an experienced mix of new and familiar faces leading city departments, to the dozens and dozens of neighbors who raised their hands and are lending their time and expertise to serve on a board or commission.

And to all of our city employees, thank you for the amazing work you do for the city each and every day, often unseen. It is my great privilege to lead this group working to make our city better each day.

In my first days as mayor, I met with every city department to get feedback, learn about what my administration can do to support them, and encourage them to speak up, engage, and speak out.

I am so grateful for their dedication, honesty, and patience with me. To my city government colleagues, a heartfelt thank you.

One of the reasons I ran for this office was to bring more people to the table...to embrace new voices, perspectives, and lived experiences...and to work collectively to find solutions to the challenges we face.

While there is much more work to do on that front, in these first few months I am proud that we have indeed included more members of the community in discussions about our present and future. We ARE building a bigger and more inclusive table.

Recent town halls have been filled with people who have never been to a meeting in city hall. I've held listening sessions at homeless shelters, and resident advisory groups and collaboration sessions with council have targeted conversation to actually change the way we do government. When we need to create solutions together, we ought to be doing it in public, where we can and will create safe spaces to bring ideas.

Those tables are not always comfortable. But in Bloomington we must have the kind of conversations where we hear the hard truths and work through them together, because 3 minutes at the microphone doesn't solve problems, and often inflames them.

When we hear free speech at the microphone which turns to outright white supremacist and Nazi hate, we must speak against it. Ignorance and power plays are not supported in a city I lead, a city whose vibrancy, economic and social success depends on the vibrancy of a diversity of residents bringing your ideas, your talents, and your hearts to our community.

I am committed to continuing to change the paradigm of government. To face the challenges we see here in Bloomington head on, and to stay laser focused on those issues alone.

Beyond building our team, I have begun to implement new processes and safeguards to make sure our city government is operating at full power, and with a newfound commitment to customer service.

On my first day in office, I ordered an independent audit of the city's finances, and I look forward to sharing the findings with you as soon as they become available.

We also conducted a review of all of the city's ongoing litigation, our human resources practices and procedures, and constituent response times.

These and other analyses will bring changes and improvements to city government and I am excited to partner with my teammates at city hall and on the council to continue raising the bar of excellence and to make Bloomington's government work for its people.

We've dismissed cases, and taken a more collaborative approach to pending cases- working for wins for our community, not just for "our side". We're rapidly catching up on tardy State Board of Accounts audits, with one submitted and another nearly complete.

A central part of my campaign platform was making our government even more transparent and accessible. I'm pleased to report we've already made significant progress there.

I post videos on social media with key updates because it's important for a mayor to talk directly to her community.

I'm conducting a series of Traveling Town Halls, held throughout the city, to bring government directly to those we serve.

I want to thank Council President Piedmont Smith for participating in the first town hall, and I look forward to sharing the spotlight . . . and the public pressure . . . with all other councilmembers soon!

We also promised to improve and enhance the publication of reports and studies on our website so that residents and the press have timely and comprehensive access to the workings of city government.

The public posting of the employee compensation study, for example, was part of a concerted effort to ensure residents have access to the same information their decision-makers do.

And, tonight I am pleased to announce that former Mayor Mark Kruzan will lead a new Resident Advisory Panel on Open Government with a mission of continuing this new era of openness in city operations.

This team will work to identify how city government can be more transparent and responsive. Immediate steps will be to:

Conduct a public information audit to assess current practices and identify better ways of doing the public's business.

Draft a plan of action that leads to a more nimble turnaround of public information requests.

And, assess the city's various information portals including, most importantly, our website

We've also created several other resident-driven advisory committees, which add unique and important perspectives on major projects like Showers West, Hopewell, and others.

I look forward to the recommendations of these teams, on new and innovative ways in which to engage our residents and accomplish great things together.

At my core, I am a community builder.

I believe in the power of information sharing. Of Transparency.

Of Convening people to have open conversations to co-create solutions to the difficult challenges we face.

And, we have NO bigger challenge than our housing crisis.

There are too few affordable places to live in Bloomington and too many unhoused neighbors. This cannot continue. And it will not. Period.

To address this, I have tasked our team at the Department of Housing and Neighborhood Development with analyzing and implementing the recommendations of the 2020 and 2023 Housing studies to craft a comprehensive, city-wide housing plan.

It's 2024 and we're just now implementing a 2020 study. That tells you a lot about how we got here with regard to housing and homelessness in Bloomington. Studies do no good on a shelf. Plans inform action.

It is impacting every resident and every neighborhood in our city.

We must address it head on.

We can wait no longer.

We will wait no longer.

We must act.

And we will act.

I've directed staff to find every way to eliminate red tape, streamline our processes, and identify barriers the city may have put up unintentionally over the years, resulting in this piecemeal approach to housing.

And now that we have permanent leadership in the housing and planning departments, we will soon launch a vital task force to uncover even more ways to improve our housing ecosystem, align our city's policies with our values, and hold builders, developers, and owners accountable for the promises they make around affordability.

And make no mistake, we will welcome these builders and developers with tools and incentives that help them provide the housing we need for people who work in Bloomington.

There are new homes going up around our community and new developments like the Summit District are being worked through.

The plan commission has approved this development, with 4200 new units planned for our southwest side.

As this project moves forward to the city council, it has my full support— this is housing for people who work here.

Close to some of our largest employers, as well as some of our best amenities.

The Hopewell Neighborhood project is progressing, and this fall Bloomington's newest park, Hopewell Commons, will open and serve as an anchor and common space for the neighborhood with places to explore, play, and connect.

At the same time, we must help our unhoused neighbors find safe, reliable shelter.

Street homelessness is not simply the loss of a job, frequently it involves multiple challenges. And in nearly all cases, it involves abuse, neglect, and worse traumas— life events that stay with you— and often complicate one's ability to thrive.

This is me, hugging Rob on my 4th day in office. I knew there would be hard days as mayor, but I didn't know how they would literally leave me speechless.

Rob was camped out near Patterson Drive, he'd endured a fire in his tent just weeks before this day— Rob was sleeping when that fire broke out, and his dog Scooby woke him up and saved his life.

Rob lost everything in that fire— everything except for Scooby. Understandably, Rob doesn't want to go anywhere without his companion now— which means he can not go to a shelter.

There is no dignity in living in a tent, and there is little dignity in a community that believes we can do no better. We can do better. We are Bloomington.

Working together, we will co-create a plan of compassion, safety, and dignity for all involved.

Since taking office, I have assisted with the removal of two different encampments due to critical safety issues at the sites.

Those were necessary acts...and they were exceedingly tough days... for everyone involved, but none more so than our neighbors..
living without shelter.

Next month, we will be moving another camp which has created safety issues. We are working now with the residents of that camp to find paths to housing.

It's not as simple as ordaining a place to camp or simply putting some sleeping mats on a floor. We need supportive case workers, mental health care, and help for those who are in crisis levels of substance use.

I've already learned so much from working directly with caring professionals in the nonprofit and social service arena to help in these situations and to implement the Heading Home plan and to work towards crafting a broader, more comprehensive system to assist the unhoused population.

I am proud to announce that thanks to this partnership - we now have an emergency shelter for the medically fragile at the First Christian and First United Methodist Churches - thanks to the work of our faith community and other partners. There is much more to do, and much more to come.

On a related front, we will continue to focus on public safety in Bloomington

Everyone in our city should be safe and should feel safe. That is my commitment and that is our goal.

To do that, we must ensure our police department is working at its best, that we hire enough officers to account for upcoming retirements, and that their pay and benefits reflect their skilled and difficult work.

Like with so many other issues, Bloomington is not alone in needing to find creative ways to attract public safety staff...

In the coming months, we will find new and creative ways to attract and retain police, fire, and other safety personnel in our community, including looking at pay, benefits, and other incentives.

Just 2 weeks ago, I announced a new take-home vehicle policy for police. A policy most other jurisdictions already had, and one aimed at attracting and retaining the highest level of sworn officers. This policy also ensures they are able to respond to calls efficiently, and when necessary, even when they are off duty. A week ago, we had off- duty officers able to respond quickly to a shooting while en-route to work because they already had their vehicles with them.

We will continue to support our downtown resource officers appropriately and leverage programs where nurses and social workers can help address non-emergency situations.

We will continue to invest in the equipment first responders need to do their jobs safely. That's why we are securing a logistics center and rebuilding fire stations 1 and 3.

It's also why I support Monroe County's new jail, and applaud the efforts of Sheriff Rueben Marte and our commissioners to help people heal while they are incarcerated in our current jail.

Public safety is about so much more than fire and police though. It is about working upstream before traumas happen. And that's why in the coming year we will create a comprehensive public safety program, including a viable plan for our police facilities, active partnerships with our schools, early childhood centers, community foundation, and other nonprofit organizations.

I want to acknowledge Bloomington Police Chief Mike Diekoff and Bloomington Fire Chief Roger Kerr for working together so closely and collaboratively in these past months. This is a welcome change and it is already making public safety more efficient, and our community more safe.

This is an example of the spirit of collaboration that is newly blossoming throughout our community.

We are making investments in bike trails, parks, roads, bridges, and flood mitigation as well as public art throughout the community.

The new South Shore Trail at Griffy opened at the start of the year. Combined with improvements to the Griffy Dam and Headley Road Causeway, we've made major improvements to outdoor recreation at the nature preserve and are actively looking at how to extend these improvements to the north shore.

We continue to make progress on bringing open-access high-speed fiber internet to every corner of our city. There are currently more than 150 miles of conduit installed and more than 1,000 active GigabitNow customers on the network and we expect to finish the project by the end of 2025.

The Trades District continues to harness the incredible energy of Bloomington entrepreneurship. The Kiln building is framed out and will soon be home to new storefronts.

And, the tech center, known as the Forge, will soon bring jobs, innovation, and new opportunities to our city and create a real science-tech corridor for our region.

We are also moving forward with the new and expanded convention center, another opportunity to create jobs, bring in more meetings and visitors and provide a high- quality civic space to be used by organizations throughout the city and county.

And just like yesterday brought a once-in-a-lifetime opportunity, these challenges and opportunities present all of us the opportunity to change the trajectory of this community for generations to come.

You know, in thinking about the venue in which I wanted to present my first State of the City, I did a little bit of study about this place. This magnificent building.

This place. The Buskirk-Chumley Theater . . . remembered by many as the Indiana Theater . . . only recently turned 100 years old.

It's part of the fabric of the community and of beloved Downtown and, of course, the Court House Historic District.

It's history mirrors the story of our city.

This is a place where residents gathered as part of a community.

This is a place where, sadly, discrimination against black and brown people was actively practiced.

This is a place where our arts and culture thrive.

This is a place we nearly lost to neglect and disrepair.

In other words, this is a place where challenges have been faced and overcome because it's a place we cherish.

So, too, is Bloomington a place we cherish -- but also one we must never take for granted.

An important question is posed at that website: "How will the third decade of the 21st Century be remembered?"

As is written there, the 1920s were marked by a thirst for renewal.

That's precisely how I feel about Bloomington in the 2020s.

We can build a better Bloomington.

We can build a Bloomington that is safe.

We can build a Bloomington that has housing for all.

We can build a Bloomington that is Environmentally resilient.

We can build a Bloomington that is Creative, with a thriving arts scene.

We can build a Bloomington that has a strong and dynamic business climate.

We can build a Bloomington that has an educated and diverse workforce.

We can build a Bloomington that is one of the most unique communities on the planet.

And we WILL build it.

But not alone.

Only by joining forces with our friends at the county, at the state, in the private sector, in the nonprofit world, at IU, and in our very own neighborhoods can we harness our city's potential in new ways and make real, lasting progress.

We can do it, but we must stay focused. We are a community at the precipice of tremendous things, and we have so much to focus on right here at home. We must not let politics divide us – I am a public servant committed to serving you– and staying laser-focused on our city and its needs.

Tonight, I am proud to report to you that the state of our city is strong...and about to get stronger. Because of you...our unique, passionate and amazing Bloomington community...tomorrow and each tomorrow after, we will be better..

We have more work to do and more history to make. Now, let's get back to it.

Thank you for joining us. BEAT will return to the stage and dance us out, and then we welcome you to join us for sweets and a cash bar to close out the evening.

State of the City

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, April 10, 2024 at 6:30pm, Council President Isabel Piedmont-Smith presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
April 10, 2024

Councilmembers present: Isak Nti Asare, Courtney Daily, Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger, Hopi Stosberg, Sydney Zulich
Councilmembers present via Zoom: none
Councilmembers absent: Andy Ruff

ROLL CALL [6:31pm]

Council President Isabel Piedmont-Smith gave a land and labor acknowledgment and summarized the agenda.

AGENDA SUMMATION [6:31pm]

Stosberg moved and Rollo seconded to suspend the rules to consider the minutes for approval. The motion was approved by voice vote.

APPROVAL OF MINUTES [6:37pm]

Stosberg moved and Rollo seconded to approve the minutes of May 07, 2003, July 09, 2003, August 06, 2003, and November 01, 2023. The motion was approved by voice vote.

May 07, 2003 (Regular Session)
July 09, 2003 (Regular Session)
August 06, 2003 (Regular Session)
November 01, 2023 (Regular Session)

Zulich mentioned her and Daily's upcoming grieving session regarding events that happened the week prior.

REPORTS

- COUNCIL MEMBERS [6:39pm]

Rollo spoke about developers replacing native plants with non-native plants after the required native plants may have died.

Daily noted her upcoming constituent meeting changed to a grieving session with Zulich. She spoke about hateful speech at the previous meeting.

Rosenbarger commented on a Supreme Court of the United States case on the legality of sleeping outside when there was no alternative.

Asare announced the upcoming town hall with State Senator Shelli Yoder, Mayor Kerry Thomson, County Councilor Jennifer Crossley, and Asare. He encouraged council to focus on addressing deep-rooted issues in the community and not manifest violence.

Stosberg mentioned her upcoming constituent meeting.

Piedmont-Smith reflected on the racist, bigoted language at the previous meeting. She apologized for not immediately speaking out at the time and referenced [Resolution 20-06](#) which condemned white supremacy. She noted her upcoming constituent meeting.

Clerk Nicole Bolden asked the time and date of the town hall that Asare mentioned.

Asare said it was 10:00-11:30am in the Monroe County Public Library Auditorium, on April 27, 2024.

Carrie Albright, Chair of the Environmental Commission (EC), presented the 2023 Annual Report. She discussed the EC's mission, priorities from 2023 including promoting the Habitat Connectivity Plan, outreach programs and activities, and reports on items like air quality. She gave details on outreach activities, recommendations, and reporting on environmental quality. She referenced the 2023 Air Quality Report which showed that the city fell in the range of "good," and was below average for particulate matter 2.5 and

- The MAYOR AND CITY OFFICES [6:52pm]

Environmental Commission

ground ozone from emissions, both of which were harmful to humans and the environment. Albright discussed the 2024 priorities including a biodiversity working group, native plant species for pollinators, and more outreach activities.

- The MAYOR AND CITY OFFICES (cont'd)

Rollo commented on the deer population, biodiversity, and the connectivity plans. He asked if the abundance of deer and their eating habits affected biodiversity.

Council discussion:

Albright said the Habitat Connectivity Plan focused primarily on other animals and not on making it easier for urban deer to move through neighborhoods.

Rollo reiterated that the administration needed to take the deer problem seriously. The city did not have to use lethal methods.

Stosberg said having a key or a legend on the maps would be helpful for individuals to better understand the connectivity corridors.

Albright stated that the information was included online but not on the map. She agreed that guidance would be useful on the map.

Asare asked how council could support the EC's efforts.

Albright said that it would be ideal for council to truly listen to the EC's recommendations and attend the outreach activities.

Clerk Nicole Bolden referenced a letter she wrote stating she would like to see changes to council's rules pertaining to public comments. The previous meeting's public comments were made via Zoom and in person. Assuming the commenters were not from Bloomington ignored the impact on those listening to the rhetorical violence directed at them. Council's silence due to their rules allowed member of the public several minutes to speak about their belief in white supremacy, resulting in councilmembers having less than one minute each to speak at the end of the evening. She emphasized that as a whole, council should expect better and revisit their procedures related to public comment. She noted several options including time limits, tools for written comments and their inclusion in the meeting record, and using the Special Committee on Council Processes to address the systemic issues. Public service did not have to include accepting public abuse. The goal was for council to use all of the tools to ensure a safe, equitable, and effective forum for the city.

City Clerk Report

Stosberg asked Bolden if she would send the letter to council.

Bolden stated that she would.

Council discussion:

Zulich asked if there was one strategy that she preferred that another city used.

Bolden preferred the process that Fishers, Indiana used because it was an online form. She provided details. She liked Noblesville, Indiana because rules were listed as well as elected officials' contact information.

Rosenbarger reported on the Sidewalk Committee's budget, meeting, and remaining unallocated funds. The Planning and Transportation and the Engineering staff had drafted a priority list of projects. The committee primarily discussed Overhill Drive which connected E. 3rd Street and E. 10th Street and 17th Street and Dunn. The committee preferred funding the project at 17th and Dunn due to crashes and the lack of a sidewalk.

- COUNCIL COMMITTEES [7:25pm]

Stosberg noted that both projects had funding allocated to them.

Flaherty spoke about greenways and the transportation ecosystem, and said that traffic calming tools also addressed safety for pedestrians. He noted the importance of using the best tool to fix potentially dangerous areas.

- COUNCIL COMMITTEES (cont'd)

Council discussion:

Rosenbarger confirmed that the Sidewalk Committee looked at different options for solving problematic areas or streets that did not have sidewalks. She provided details on how decisions were made and what the next steps were.

There was additional discussion on funding, rubric, and priority.

Public comment:

Greg Alexander commented on sidewalks in the city and how projects were funded and completed.

Council comments:

Rollo asked what the remedy was for completing more projects.

Rosenbarger said that additional funding for sidewalks was key. The projects on the current list would be completed over the next five years but it was ideal to do a large project all at once instead of piece-mealing sidewalks.

Rollo asked if funding was sought from the Metropolitan Planning Organization (MPO) and about missing sidewalk linkages.

Rosenbarger said some of the missing sidewalk linkages were very long and the Sidewalk Committee's budget could not do a mile long sidewalk. She noted staff's participation in the committee which was extensive but had little impact on the city.

Vote to approve report [7:47pm]

Stosberg moved and Flaherty seconded to approve the Council Sidewalk Committee Report Part II and the funding recommendations regarding remaining 2024 Council Sidewalk Funding. The motion was approved by a voice vote.

Piedmont-Smith noted guidelines for public comment.

- PUBLIC [7:47pm]

Marc Haggerty commented on hate speech, the Second Amendment, pollution and trash in Lake Monroe.

Josh Montagne spoke about public comments and agreed with Clerk Bolden. He commented on the success of the solar eclipse watch throughout the city and thanked everyone for their work.

Zac Muller commented on the recent hate speech and expressed disappointment. He appreciated Clerk Bolden's statement.

Greg Alexander said his comment from a previous meeting was related to official misconduct by a member of a city body that was appointed by council. He commented on greenways, sidewalks, effective traffic calming tools, and connectivity.

Kyle Davis discussed housing and the need for additional units and density.

Jamie Scholl commented on traffic speeds, and connectivity. She said there were other areas in the city that could benefit from redirected funding from some current projects.

There were no appointments to boards or commissions.

APPOINTMENTS TO BOARDS AND COMMISSIONS [8:10pm]

LEGISLATION FOR SECOND
READING AND RESOLUTIONS
[8:10pm]

Stosberg moved and Rollo seconded that Resolution 2024-09 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.

Resolution 2024-09 – A Resolution Expressing Support for the Bloomington Public Transportation Corporation (BPTC) Application for FY 2024 Section 5339(B) Funds for Design and Construction of a LEED Certified, Climate Resilient, Administrative, Operations and Maintenance Complex [8:10pm]

Stosberg moved and Rollo seconded that Resolution 2024-09 be adopted.

John Connell, General Manager of Bloomington Transit (BT), presented the legislation and said Resolution 2024-09 demonstrated united local support for the project.

Zak Huneck, Grants and Procurement Manager at Bloomington Public Transportation Corporation (BPTC), discussed the commitment of Economic Development Local Income Tax (EDLIT) funding, additional Sunday service, high frequency transit corridor on 3rd Street, transition to zero-emission fleet, and other projects. He said the Grimes Lane facility was at capacity and described other limitations. The proposal was for a state of the art transit facility.

Piedmont-Smith asked what the grant and local match was.

Huneck said it was a grant totaling \$35 million with a local match \$8,750,000.

Council questions:

Rollo asked what the timeline was.

Huneck explained the deadline for the grant was April 25 and BPTC would hear back later that fall.

Stosberg asked if the site was already chosen.

Huneck said they were in the process of selecting a site for the new facility.

There was no public comment.

Public comment:

Flaherty appreciated the proactive efforts of BPTC and the previous council's and administration's dedication of significant local funding, directly to BPTC, in order to obtain grants.

Council comments:

Rollo concurred with Flaherty and believed it wise to invest in alternative liquid fuels. He hoped the city would have free ridership.

Stosberg moved and Rollo seconded to adopt Resolution 2024-09. The motion to adopt Resolution 2024-09 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Resolution 2024-09 [8:18pm]

Stosberg moved and Rollo seconded that Resolution 2024-10 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.

Resolution 2024-10 – To Approve of a 2024 Budget for the Monroe County Capital Improvement Board of Managers [8:18pm]

Stosberg moved and Rollo seconded to adopt Resolution 2024-10.

Jeff Underwood, Capital Improvement Board (CIB) Controller, presented the legislation. He gave details on the categories.

Asare asked what "professional fees internal" meant.

Underwood explained that it was mainly for staffing and contractors like himself.

Asare asked how other fees were estimated.

Underwood said they were estimates of what would be needed. CIB would determine if additional funding was needed for 2024 and would also be drafting the 2025 budget.

Asare expressed concern for approving a budget for a project that had yet to be designed.

John Whikehart, President of the CIB, said there were four properties surrounding the current Convention Center. The Redevelopment Commission owned the Bunger Robertson property as well as property to the south of the Convention Center, the county owned property to the east, and the Building Corporation owned properties around the Convention Center. The CIB would inquire about property transfers, whether it would be a donation, purchase, or something else. The city and county interlocal agreement directed the CIB to continue the process from 2019 when issues were vetted. He said Schmidt Associates were the architects of record for the design portion and would be presenting to the CIB about any changes since 2019. He provided additional, brief details on the history of the expansion options.

Flaherty had kept up with the CIB's agenda but could not attend the meetings. He expressed concerns with some items being built-in and not being able to be revisited. He asked if it was known what the bonding capacity was for the city's portion.

Margie Rice, Corporation Counsel, stated that it was about \$50-60 million maximum. She said Buzz Crohn would likely be bond advisor for the project.

Asare asked why separate staff was needed, like the controller, when the city had individuals in that role already.

Whikehart said the interlocal established the CIB as a neutral body and gave examples. State statute allowed for the hiring of an attorney, controller, and more. He said there were individuals, like attorney Jim Witlash from Bunger Robertson, who had been working for the CIB. They had billable but uncollectable hours due to the funding not being appropriated.

Asare asked if council could request different staff or level of pay for those involved in the project.

Whikehart reiterated that the CIB had the statutory authority to hire staff, including negotiating rates of pay in a public setting.

Flaherty understood that operations and maintenance was primarily funded by the Innkeeper's Tax and asked if that would continue into the future, or if other resources would be needed.

Whikehart said there had not been a discussion on the expenses being paid for by another source of funding.

Flaherty said there was not a surplus in the Innkeeper's Tax and asked if there would be a shortfall with a larger building.

Whikehart said the CIB had not yet commenced that discussion. The projected date for opening the new building was the fourth quarter of 2026.

Rice added that the goal was to be cognizant of the expenses and be responsible with funding the expansion. Any items that could be appropriately handled by city or county staff, already receiving a salary, would be, instead of consultants.

Whikehart said that many expenses to date for internal CIB staff had not been expended despite having the authority to do so. The CIB was working frugally and as expeditiously as possible.

Resolution 2024-10 (cont'd)

Council questions:

Asare recognized that those on the CIB were volunteers and was grateful for their work. He wondered less about frugality and more about experts being paid for their work. He was concerned about decisions, with other built-in decisions, that could not be revisited. He provided examples. He asked if there was funding set for the Building Corporation.

Council questions:

Whikehart said the Building Corporation would be created when the Convention Center was transferred from county to city ownership. It would handle the bonding.

Flaherty asked for clarification on an updated market analysis.

Whikehart said the original analysis was done in 2019 with a report in 2020. That firm had contacted the CIB to propose updating the market analysis. It was not clear when it was most ideal to do that update. He gave examples from around the state.

Piedmont-Smith was concerned with not doing a market analysis, especially since the Covid-19 pandemic.

Whikehart explained that the pandemic did have an impact and gave examples. CIB members had not heard sufficient reasons to update the market analysis at the time, considering its cost.

Rollo asked if any unspent monies reverted back to the fund, and also asked when the CIB would return for the 2025 budget.

Underwood explained that as expenses accrued, the CIB would review and approve claims, and then present them to the City Controller, who would pay the CIB to distribute the funds accordingly. If the CIB did not spend the entire budget, then it would remain in the Food and Beverage (FAB) tax fund. He gave examples.

Rollo asked what the insurance was and any anticipated risks.

Underwood stated that insurance was required for the board members and staff. It was similar to the city's insurance.

Eric Spoonmore, CIB Treasurer, added that the Innkeeper's Tax funds were split into operations and maintenance, with marketing and tourism through Visit Bloomington. Additional events there would increase the Innkeeper's Tax revenue, as well as FAB.

Rosenbarger asked for data on expected increases in revenue.

Spoonmore said that he and Mike McAfee from Visit Bloomington would send that to council.

Flaherty asked for information on additional needs for funding, aside from the FAB or Innkeeper's Tax, such as the Tax Increment Financing (TIF) fund for a parking garage.

Whikehart stated there was not an expectation to build a parking garage. CIB members did not anticipate requesting money from other funding sources.

Flaherty asked about the letter of intent from 2017, signed by the former mayor, John Hamilton, which committed certain percentages of the FAB tax.

Stephen Lucas, Council Attorney, noted that had not been approved by council but was included in the materials to provide a full picture on the discussion of the Convention Center expansion.

Whikehart said he had been involved in the discussions since 2017. There had been a lack of agreement resulting with the end of discussions in 2019.

Rosenbarger asked who did the market analysis and when, and its cost.

Resolution 2024-10 (cont'd)

Council questions:

Whikehart said it was done in 2020 by Hunden Strategic Partnerships. The cost for a full, updated market analysis would be about \$125,000. A pared back version would be \$32,000.

Rosenbarger noted that nationally, convention center attendance decreased since the pandemic. She worried that the market analysis from 2020 had looked at a time vastly different from the present. She asked who decided on doing another market analysis.

Whikehart said that the CIB had relied on experts' opinion on when to do a market analysis. The best time to do a market analysis was before going to the bond market.

Rosenbarger asked if doing the market analysis when ready to look at the bond market would be before or after the design phase.

Whikehart said that would be after the design phase.

Rosenbarger asked if the pared down market analysis was useful.

Whikehart reiterated that the consultants had stated it was not necessary. It was possible that hoteliers would be the ones interested in a new market analysis. He noted the difference of doing a market analysis on the impact of a convention center versus the design of it.

Piedmont-Smith asked if the demand for conventions in the city and county was the same as pre-pandemic.

Whikehart said there was a return to pre-pandemic demand. The Convention Center currently turned away larger conventions.

Spoonmore concurred and gave examples of large conventions that had to go elsewhere due to the size limitation of the Convention Center. That information was collected and could be shared.

There was additional discussion on the timing and funding of doing a market analysis.

Rosenbarger asked if the goal of the current budget was to have a design for the expanded Convention Center.

Whikehart said it would primarily be used to pay already approved expenses.

Rosenbarger asked if there would be public engagement regarding the design of the expanded Convention Center.

Whikehart stated that there would be but not like in 2017 with five charrettes.

Rosenbarger asked if the firm that did the market analysis in 2020 specialized in convention centers, and if the firm had ever not recommended a convention center or expanding one.

Whikehart did not know, but clarified that it was a straightforward report based on objective facts. It did not make recommendations. It was part of the information provided to, for example, hoteliers. He added that the CIB asked hoteliers, and convention organizers, about their plans for shuttle service.

Rosenbarger asked if the hoteliers were required to build a parking garage.

Whikehart said no. The first step had been to learn about the hoteliers experience in building a hotel through a request for qualifications followed by a request for proposal. He said hoteliers wanted to know if the land would be provided, for example. It was a negotiation with certain expectations.

Rosenbarger asked who would make the decision. She questioned if it was ideal for the city to provide land for a hotel.

Whikehart noted that there were several property owners with land around the Convention Center. The surrounding property would be analyzed to see what the best move forward was.

Rosenbarger asked if council did not approve a parking garage, if the county could build one on their property near the Convention Center.

Whikehart said the interlocal agreement allowed for the county to fund something if they wished to.

Spoonmore added that it would all have to go through the Planning Department, since it was within the city.

Resolution 2024-10 (cont'd)

Council questions:

Flaherty asked if a budget was approved that evening, if that was the last time the CIB would be before council before the design.

Whikehart said he was not sure.

Flaherty said that he could not approve bonds for a building that was connected to the direct use of fossil fuels for space and water heating as it went against city goals and climate crisis. He noted the green building ordinance and Leadership in Energy and Environmental Design (LEED) certifications, and said the project should be held to those standards. He understood that had not been committed to by the CIB. He wondered about postponing the vote on the budget in order to ensure certain requirements.

Whikehart noted that there would be public input on the design, and the CIB would also note council's wishes. The interlocal agreement gave the CIB the authority to select a site, design it, and construct it. The CIB would go before council for the approval of the budget. Other requirements would mean amending the interlocal agreement.

Rice explained that the interlocal agreement allowed the city's Building Corporation could enter into an agreement with the CIB. That could be the process to ensure certain requirements that Flaherty referenced could be added, during the design phase.

Flaherty asked if that had been drafted already.

Rice said it had not been created. The owner of the expanded Convention Center would be the Building Corporation. The last step was for council to approve the bonds.

Rollo asked Rice about the city's land for the project.

Rice said that Mayor Kerry Thomson had reached out to the County Commissioners regarding the surrounding land, and if the city should be reimbursed for the \$7 million that was used from TIF funds, since the project was going to be paid for by FAB funds. She said that parking needs had to be part of the conversation and council input was necessary.

Peter Dorfman said it was important to reconsider the Convention Center expansion and its cost.

Public comment:

Rollo reminded everyone that the FAB tax was created with the goal of using funds for the Convention Center. He expressed concern of the bonding capacity of the city, and interest rates.

Council comments:

Underwood said it was a revenue bond based solely on the revenue of food and beverage, and would not impact the property tax base rate. He provided additional details on the debt service and the rating of bonds. The city and county had strong bond ratings for General Fund property debt and for revenue debt.

Asare said the challenge was to build consensus in order to ensure success. Valid concerns had been raised that evening and over time. It was important to have more detail. He was concerned with moving forward with many unknowns and gave examples.

Flaherty thanked everyone for their work over the years. He had mixed ideas about the prudence of moving forward with the project. He said Rosenbarger had raised valid issues such as changed conditions post-pandemic, rapidly accelerating climate crises, and the use of tax dollars. The city surveys showed that expanding the

Convention Center was not popular with residents. It was important to not be locked into what was decided in 2017 and to acknowledge residents' input. There was additional, new data that could be considered. He gave reasons that would make him vote against the project. He said a justice center was a more fundamental need for the community. He believed that council had not been built into a stage-gating process for the project and postponing might be a necessary step.

Resolution 2024-10 (cont'd)

Council comments:

Rollo wondered if there was a hazard in postponing or might require a renegotiation of the interlocal agreement.

Rosenbarger moved and Flaherty seconded to postpone consideration of the legislation until May 15, 2024.

Motion to postpone [9:40pm]

In addressing Rollo's questions, Whikehart said that postponing for one month extended the amount of time that experts had not been paid, and might impact ongoing work. Every month of delay cost \$160,000. He reiterated that the request was to pay for work that had been done or was ongoing.

Council discussion:

Asare noted there were other tools at council's disposal to ensure that some requirements would be included.

There was brief council discussion on council's options regarding any requirements to be included.

Flaherty asked why there were six months' worth of expenses without funding having been appropriated.

Whikehart said that the CIB had been meeting and had retained legal counsel and a controller, as recommended by former Corporation Counsel Beth Cate, and County Attorney Jeff Cockerill. Both legal counsel and controller understood that payment would be delayed until council could take action.

Piedmont-Smith said that the approval of the budget was not presented to council until March.

Whikehart explained that the interlocal agreement had not been approved until February.

Rosenbarger stated that it was unclear when the CIB would come back before council. She underscored the fiduciary duty of council and how money was being spent. She did not believe that action could be taken with very little information presented, via a brief memo with little accounting. She said a \$50 million project should be scrutinized, including its design, especially given the change since the last market analysis.

Daily believed that the current request was limited to paying bills that had already been incurred.

Stosberg stated that it was problematic to require things like an updated market analysis without approving the CIB's budget. It was also problematic that the budget presented did not include a high level of detail. She discussed the different costs for market analyses. She would not support postponing the legislation for a month, but perhaps one week.

Zulich opposed postponing the legislation with the caveat of drafting a resolution stating that council would not pass the design without written commitment on certain requirements. She also

avored a work session to discuss specifics. It was important to consider the city's goals like the Climate Action Plan. Rollo also opposed postponing the legislation. Council could still discuss any requirements to be included in the design.

Flaherty agreed there were mechanisms at council's disposal but was troubled that bills were accrued without money being appropriated. Based on his experience on council, there were many times that a project changed, after council appropriated monies, and were not what council approved. Departures from what was presented to council made him hesitant to vote in favor of legislation or projects without having details in writing. In the future, he wanted to narrow the scope of appropriations.

Piedmont-Smith noted the complexity of the request, including creating the CIB without a budget but hiring staff. Council had asked the FAB Tax Advisory Council (FABTAC) for guidance on the budget and the issues could have been raised at that meeting. She acknowledged there were mechanisms at council's disposal to be included in the expansion of the Convention Center.

Rollo agreed with Piedmont-Smith but did not believe that council could settle on requirements within a month.

Rosenbarger withdrew the motion with unanimous consent.

Rosenbarger said that the legislation was not only paying for work that had been done, it was also voting for the expansion of the Convention Center. She was fine with council making a resolution despite them being non-binding.

The motion to adopt Resolution 2024-10 received a roll call vote of Ayes: 6, Nays: 2 (Flaherty, Rosenbarger), Abstain: 0.

Stosberg moved and Rollo seconded that Ordinance 2024-03 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.

Stosberg moved and Rollo seconded that Ordinance 2024-03 be adopted.

Jackie Scanlan, Development Services Manager in Planning and Transportation department presented the legislation. She briefly described the corrections.

There were no council questions.

There was no public comment.

There were no council comments.

The motion to adopt Ordinance 2024-03 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Stosberg moved and Zulich seconded that Ordinance 2024-04 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.

Stosberg moved and Asare seconded to adopt Ordinance 2024-04.

Resolution 2024-10 (cont'd)

Council discussion:

Vote to adopt Resolution 2024-10 [10:08pm]

Ordinance 2024-03 – To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code – Re: Technical Corrections Set Forth in BMC 20 [10:08pm]

Council questions:

Public comment:

Council comments:

Vote to adopt Ordinance 2024-03 [10:13pm]

Ordinance 2024-04 – To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code – Re: Amendments and Updates Set Forth in BMC 20

Scanlan presented Ordinance 2024-04 and briefly explained the amendments and updates. She provided some examples.

Table of Contents and 20.04 [10:13pm]

Piedmont-Smith moved and Rollo seconded to adopt Amendment 01 to Ordinance 2024-04. She presented the corrections.

Amendment 01 to Ordinance 2024-04

Amendment 01 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and corrects various typos in the ordinance.

There was brief discussion on the slight discrepancy on the red lining in the amendment.

Council questions:

There was no public comment.

Public comment:

There were no council comments.

Council comments:

The motion to adopt Amendment 01 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0. (Flaherty out of the room).

Vote to adopt Amendment 01 [10:20pm]

Stosberg moved and Piedmont-Smith seconded to adopt Amendment 02 to Ordinance 2024-04. Stosberg described the amendment.

Amendment 02 to Ordinance 2024-04

Amendment 02 Synopsis: This amendment is sponsored by Councilmember Stosberg and makes changes to the mulch requirements at the request of staff.

There were no council questions.

Council questions:

There was no public comment.

Public comment:

There were no council comments.

Council comments:

The motion to adopt Amendment 02 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0. (Rosenbarger out of the room).

Vote to adopt Amendment 02 [10:21pm]

Piedmont-Smith asked for clarification on the restriction of cars being used as living quarters, especially since some unhoused individuals used their cars as shelter or for sleeping.

Ordinance 2024-04 as amended

Council questions:

Scanlan stated that provision was already in the Unified Development Ordinance (UDO) in Chapter 2 but was being moved to Chapter 4. The provision had only been applied if someone parked a recreational vehicle in someone's driveway as a second dwelling. She gave other examples.

Piedmont-Smith asked if there were other methods of remedying the situation in extreme cases where the neighborhood was disrupted or there was violence.

Scanlan said yes and provided examples.

There was brief discussion on the definition of living quarters and the use of cars.

Stosberg asked if it made more sense to define living quarters than to introduce and vote on Amendment 03.

Scanlan stated that was a possibility but might allow for other issues.

Asare asked for clarification of parking areas.

Scanlan said that all parking areas had to be asphalt, concrete, or pavers. Gravel was allowed in certain zones.

Rollo asked why there was a reduction in the square footage of erosion control.

Scanlan said it aligned the minimum with the grading permit minimum, which was changed by council the previous year. She said that Utilities would take over all erosion control in May. She added that the change was needed because the provision was capturing many small projects at smaller sites with smaller impacts.

There was no public comment.

Piedmont-Smith noted that she did not move Amendment 03 that evening and provided reasons like other mechanisms that could be used.

Rosenbarger concurred and said that looking at safe places to sleep in one's car in the city could be done.

Rollo hoped to address the issue and not put people in danger.

The motion to adopt Ordinance 2024-04 as amended received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Stosberg moved and Zulich seconded that Ordinance 2024-05 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Stosberg moved and Rollo seconded to adopt Ordinance 2024-05.

Scanlan presented the legislation and briefly explained the amendments and updates.

Rollo asked why floor plate maximum did not apply in all zones.

Scanlan said they already were in all zones, except in the one in the amendment. They were use-specific.

Rollo asked what the maximum was in any petitions.

Eric Gruelich, Senior Zoning planner, said it depended on the district and he gave additional information and examples.

Piedmont-Smith asked for an example of a forty thousand square foot building.

Gruelich said the buildings being constructed at the former K-Mart site were each twenty thousand square feet, so two of those together.

Piedmont-Smith asked if that was considered new construction.

Scanlan said they were vested and would not be affected.

There was brief discussion on building designs.

Piedmont-Smith moved and Stosberg seconded to adopt Amendment 01 to Ordinance 2024-05. Piedmont-Smith presented the amendment.

Amendment 01 Synopsis: This amendment would retain the existing definition of "Government Service Facility" and would insert the word "or" into the definition of "Vehicle Sales or Rental" to accurately reflect the recommendations of the Plan Commission for UDO text changes, which were inadvertently omitted from Attachment A to Ordinance 2024-05. It also makes various other grammatical corrections.

There were no council questions.

Ordinance 2024-04 as amended
(cont'd)

Council questions:

Public comment:

Council comments:

Vote to adopt Ordinance 2024-04
as amended [10:39pm]

Ordinance 2024-05 – To Amend
Title 20 (Unified Development
Ordinance) of the Bloomington
Municipal Code – Re: Amendments
and Updates Set Forth in BMC
20.02; 20.03; 20.05; 20.07
[10:40pm]

Council questions:

Amendment 01 to Ordinance
2024-05

Council questions:

There was no public comment.

Public comment:

There were no council questions.

Council questions:

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

Vote to adopt Amendment 01 [10:49pm]

There were no council questions.

Council questions:

There was no public comment.

Public comment:

There were no council questions.

Council questions:

The motion to adopt Ordinance 2024-05 as amended received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 2024-05 as amended [10:50pm]

Stosberg moved and Zulich seconded that Ordinance 2024-06 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Ordinance 2024-06 – To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code – Re: Amendments and Updates Set Forth in BMC 20.06 [10:51pm]

Stosberg moved and Zulich seconded to adopt Ordinance 2024-06.

Scanlan presented Ordinance 2024-06 and highlighted the updates.

There were no council questions.

Council questions:

Piedmont-Smith moved and Stosberg seconded to adopt Amendment 01 to Ordinance 2024-06.

Amendment 01 to Ordinance 2024-06 [10:54pm]

Amendment 01 Synopsis: This amendment corrects two typographical errors in the ordinance.

There was no public comment.

Public comment:

There were no council comments.

Council comments:

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

Vote to adopt Amendment 01 [10:57pm]

There were no council questions.

Council questions:

There was no public comment.

Public comment:

There were no council comments.

Council comments:

The motion to adopt Ordinance 2024-06 as amended received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 2024-06 as amended [10:58pm]

LEGISLATION FOR FIRST READING [10:58pm]

Stosberg moved and Flaherty seconded that Ordinance 2024-07 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.

Ordinance 2024-07 – To Amend the City of Bloomington Zoning Maps by Rezoning a 138.51 Acre Property from Planned Unit Development (PUD) and Residential Medium Lot (R2) to Planned Unit Development (PUD) and to Approve a District Ordinance and Preliminary Plan -

Re: S. Weimer Road (Sudbury Partners LLC, Petitioner) [10:58pm]

There was no additional public comment.

ADDITIONAL PUBLIC COMMENT [10:59pm]

Lucas reviewed the upcoming council schedule.

COUNCIL SCHEDULE [10:59pm]

Piedmont-Smith noted that she would be scheduling a council work session to discuss the CIB and Convention Center expansion.

Piedmont-Smith adjourned the meeting.

ADJOURNMENT [11:02pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ____ day of _____, 2024.

APPROVE:

ATTEST:

Isabel Piedmont-Smith, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

FOR APPROVAL



CLERK NICOLE BOLDEN

CITY OF BLOOMINGTON

401 N Morton St, Ste. 110
Bloomington, IN 47404

OFFICE OF THE CITY CLERK

812.349.3408
clerk@bloomington.in.gov

To: Members of the Common Council

From: Clerk Nicole Bolden

Date: 25 July 24

Re: Interview Committee Recommendations for Board and Commissions

The council interview committees have made the following recommendations for appointment to the following boards and commissions:

Interview Committee Team A Recommendations:

- For the Public Transportation Corporation Board of Directors - to reappoint Doug Horn to seat C-1.
- For the Commission on the Status of Black Males - to appoint Joa'Quinn Griffin to seat C-1.

Contact

Clerk Nicole Bolden, 812-349-3408, clerk@bloomington.in.gov

Jennifer Crossley, Deputy City Clerk, 812-349-3838, jennifer.crossley@bloomington.in.gov





MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Stephen Lucas, Council Administrator/Attorney

Date: July 26, 2024

Re: Appropriation Ordinance 2024-02 - To Additionally Appropriate Food and Beverage Tax Funds, General Fund Dollars, and ARPA State and Local Fiscal Recovery Fund Dollars for 2024 and to Approve of a Revised 2024 Budget for the Monroe County Capital Improvement Board of Managers

Synopsis

This Ordinance provides permission to spend additional Food and Beverage, General and ARPA funds, in order to provide funds in 2024 for the Capital Improvement Board, for the Clerk of the City of Bloomington, and to ensure that the Housing and Neighborhood Development Department has room in its budget to reabsorb and spend ARPA funds that may be returned by United Way of Monroe County and Heading Home.

Relevant Materials

- Appropriation Ordinance 2024-02
- Exhibit A - Revised 2024 CIB Budget
- Staff Memo from Corporation Counsel Margie Rice

Summary

Appropriation Ordinance 2024-02 would appropriate additional money from three funds and would approve of a revised 2024 budget for the Monroe County Capital Improvement Board of Managers (CIB).

First, the ordinance would appropriate \$350,702 from the Food and Beverage (F&B) Tax Fund to be used toward a revised 2024 CIB budget. The ordinance would also approve of said CIB budget. This action would follow from the request recently made by the Council via Resolution 2024-15 for a recommendation from the Food and Beverage Tax Advisory Commission on the use of F&B funds toward the revised CIB budget. The Advisory Commission met on July 22, 2024 and unanimously recommended using F&B funds toward the revised CIB budget. More background information on the F&B tax and Convention Center project being pursued by the CIB can be found in the June 18, 2024 packet materials for Resolution 2024-15.

Second, this appropriation ordinance would appropriate \$107,508.45 from the General Fund to be used toward a recently-added position in the City Clerk's Office. Please recall that a new position was added to the Clerk's Office and authorized by Ordinance 2024-15. According to the staff memo included herein, this appropriation would fund the expenses associated with that position in 2024.

Finally, this ordinance would appropriate \$500,000 out of the ARPA Local Fiscal Recovery Fund (Fund #176). The staff memo describes the intent behind this appropriation.



City of Bloomington Indiana

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[Indiana Code 36-4-7-8](#) provides that the legislative body may, on the recommendation of the city executive, make further or additional appropriations by ordinance, as long as the result does not increase the City's tax levy that was set as part of the annual budgeting process. The additional appropriations requested by [Appropriation Ordinance 2024-02](#) should not result in such an increase to the City's tax levy.

[Indiana Code 6-1.1-17-3](#) requires a public hearing to be held before additional appropriations can be made, with a notice to taxpayers sent out at least ten (10) days before the public hearing. The public hearing for this appropriation ordinance is set for the Regular Session on August 7, 2024.

Contacts

Jessica McClellan, Controller, 812-349-3412, jessica.mcclellan@bloomington.in.gov

Margie Rice, Corporation Counsel, 812-349-3426, margie.rice@bloomington.in.gov

James Witlatch, Bunger & Robertson, Attorney for CIB, jwhit@lawbr.com, (812) 332-9295
(for CIB-related questions)

APPROPRIATION ORDINANCE 24-02

TO ADDITIONALLY APPROPRIATE FOOD AND BEVERAGE TAX FUNDS, GENERAL FUND DOLLARS, AND ARPA STATE AND LOCAL FISCAL RECOVERY FUND DOLLARS FOR 2024 AND TO APPROVE OF A REVISED 2024 BUDGET FOR THE MONROE COUNTY CAPITAL IMPROVEMENT BOARD OF MANAGERS

WHEREAS, the City of Bloomington Administration (“City”) has determined that additional funds must be appropriated in order for specific programs, initiatives, and projects to be properly advanced, which are further described below and herein; and

WHEREAS, the Monroe County Board of Commissioners created a Capital Improvement Board (“CIB”) to assist in the development of an expanded Monroe County Convention Center (“Convention Center”) in downtown Bloomington; and

WHEREAS, the work of the CIB and the expansion of the Convention Center is being funded by City of Bloomington Food and Beverage Tax Funds (“F&B Funds”); and

WHEREAS, the CIB developed a 2024 revised budget and anticipates needing to spend additional F&B Funds for professional and consultant fees; and

WHEREAS, the Clerk of the City of Bloomington has been authorized to hire a Deputy Clerk responsible for Communications and Outreach and will require additional funds in 2024 to pay the salary and benefits for that Deputy Clerk position; and

WHEREAS, the Common Council of the City of Bloomington (“Council”) previously appropriated America Rescue Plan Act of 2021 (“ARPA”) funds, as was described in Ordinance 2024-02, for the Housing and Neighborhood Development Department (“HAND”) to award to United Way to fund the work of Heading Home of South Central Indiana (“Heading Home”) in the boundaries of the City of Bloomington; and

WHEREAS, circumstances have changed, resulting in the necessity of some ARPA funds from the initial distribution being returned to HAND and the intended second distribution to be retained by HAND; therefore, an additional appropriation is requested in order absorb the additional ARPA funds being returned to the HAND Budget.

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

SECTION 1: For the expenses of the City the following additional sums of money are hereby additionally appropriated and ordered set apart from the funds herein names and for the purposes herein specified, subject to the laws governing the same:

Food and Beverage Tax Fund 152 – Controller	Classification – 3 Services and Charges	\$350,702.00
General Fund 101 – Clerk	Classification – 1 Personnel Services	\$104,504.00
	Classification – 2 Supplies	\$3,004.45
ARPA Local Fiscal Recovery Fund 176 – HAND	Classification – 3 Services and Charges	\$500,000.00

SECTION 2. A revised 2024 CIB budget attached hereto as Exhibit A is approved.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ____ day of _____, 2024.

Isabel Piedmont-Smith, 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 _____, 2024.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this ____ day of _____, 2024.

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This Ordinance provides permission to spend additional Food and Beverage, General and ARPA funds, in order to provide funds in 2024 for the Capital Improvement Board, for the Clerk of the City of Bloomington, and to ensure that the Housing and Neighborhood Development Department has room in its budget to reabsorb and spend ARPA funds that may be returned by United Way of Monroe County and Heading Home.

Monroe County Capital Improvement Board
 Revised 2024 Budget

		Approved Budget	Revised Budget	Additional Request
Category 1 - Personnel Services		0	0	0
Category 2 - Supplies		1,000	500	(500)
Category 3 - Services				
Professional Fees-Internal	Legal	90,000	122,858	32,858
	Controller	40,000	46,844	6,844
Professional Fees - External	Owner's Rep	50,000	305,000	255,000
Architectural & Design Fees		50,000	50,000	0
Insurance		15,000	0	(15,000)
Other	Website	4,000	500	(3,500)
CMC preconstruction services		0	75,000	75,000
Category 4 - Capital		0	0	0
Total		250,000	600,702	350,702

Monroe County Capital Improvement Board

Revised 2024 BUDGET MEMORANDUM

To: Members of the City of Bloomington Common Council
From: Eric Spoonmore, Treasurer
Jeffrey Underwood, Controller/Assistant Treasurer

Re: Revised 2024 Budget

As noted during the approval of the initial budget, we are submitting a proposed revised 2024 budget for the Council's review and approval.

This proposal builds on the current budget. The requested additional funds provide funding for the remainder of 2024.

The revised budget request is \$600,702, which is an increase of \$350,702. The increase is broken down as follows.

Category 2 - Supplies: Decrease of \$500

Category 3 – Services: Increase of \$351,202

- **Professional Services-Internal** includes services provided by the Board's Attorney and Controller. This is an increase of \$32,858 and \$6,844 respectively.
- **Professional Services-External** includes services provided by the Owner's Representative and represents an increase of \$255,000. The request also adds funding in the amount of \$75,000 for preconstruction services to be provided by the Construction Manager.
- All agreements for professional services to the CIB stipulate that compensation for such services is contingent upon City Council budget approval.

Please note, the original CIB budget request included funding for insurance, however Monroe County Government has informed the CIB that they will extend their insurance coverage for the CIB at no additional cost. Therefore, we have removed insurance coverage from this request.

"Other" includes services such as, but not limited to, design and maintenance of CIB website and related services. We have now established a website for the CIB and have decreased this request by \$3,500.

Thank you for your consideration and support for our request.



Memorandum

TO: Members of the City of Bloomington Common Council (“Council”)
FROM: Margie Rice, Corporation Counsel
CC: Kerry Thomson, Mayor
Gretchen Knapp, Deputy Mayor
Nicole Bolden, City Clerk
Jessica McClellan, City Controller
Anna Killion-Hanson, Housing and Neighborhood Development Director
Council Staff
RE: Appropriation Ordinance 24-02
DATE: July 26, 2024

Summary

Ordinance 24-02 addresses three additional appropriations, including those for the City Controller, the City Clerk, and the Housing and Neighborhood Development Department. Relevant details for each of the Additional Appropriations are as follows:

CITY CONTROLLER

The City Controller is working in conjunction with the Controller hired by the Capital Improvement Board (“CIB”) towards the advancement of the expanded Monroe County Convention Center. The CIB prepared a revised budget, which includes additional expenses in the Services and Charges Category. While they anticipate, perhaps, spending less in the Supplies Category, they do expect they will spend more in the Services and Charges Category, so an additional appropriation of \$350,702.00 was advertised. A CIB representative will attend the Council meeting to explain in detail; however, the additional expenses are for professional fees, including legal, controller, architectural and design fees, insurance, website, and pre-construction services.

CITY CLERK

As was described in Ordinance 2024-15, the City Clerk was previously authorized to hire an additional Deputy Clerk to oversee communications and outreach and to oversee the operations of boards and commissions. An additional appropriation of \$107,508.45 is being sought to fund the salary and benefits for that position in 2024.

HOUSING AND NEIGHBORHOOD DEVELOPMENT

The Council previously appropriated American Rescue Plan Act (“ARPA”) funds to the Housing and Neighborhood Development Department (“HAND”) to distribute to United Way of South Central Indiana, Inc. d/b/a United Way of Monroe County (“United Way”) in order to fund the work of Heading Home of South Central Indiana (“Heading Home”) inside the City of Bloomington’s boundaries.

Heading Home expects that they may return approximately Two Hundred Thousand Dollars (\$200,000) of the original installment of funds distributed to them, so that those funds may be distributed by HAND to agencies identified by Heading Home. In addition, Heading Home and City staff have determined that the easiest manner in which to administer the second distribution, which was intended to be given to Heading Home, is for HAND to retain that second distribution and distribute it to agencies and for programs as Heading Home recommends. This process will allow the City to consult its ARPA consultants, rather than requiring another layer of ARPA compliance by Heading Home, but will still guarantee that the funds are spent in a manner consistent with Heading Home’s programs, plans, and mission. Agreements will be created with United Way, Heading Home, and any other sub-recipients in order to facilitate the expenditure of these funds. HAND will work with the Legal Department and the Controller’s Office to ensure compliance with federal regulations.

The advertisement and Ordinance were prepared for up to Five Hundred Thousand Dollars (\$500,000) to be returned by Heading Home to HAND, though the figure should be closer to Two Hundred Thousand Dollars (\$200,000). The exact amount of the funds to be returned is not certain, at this time, so we are requesting legal permission to spend up to the greater amount. No more funds can or will be spent than what is actually returned by Heading Home.