

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.

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

Public comment:

Rollo asked what the remedy was for completing more projects.

Council comments:

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.

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.

Vote to approve report [7:47pm]

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.

Jami 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.

Resolution 2024-10 (cont'd)

Council questions:

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 Whitlatch 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)

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

flavored 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.

Resolution 2024-10 (cont'd)

Council discussion:

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.

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

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.

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]

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.

Council questions:

There was no public comment.

Public comment:

There were no council comments.

Council comments:

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

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

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.

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

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

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 <u>Ordinance 2024-05</u> as amended received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.	Vote to adopt <u>Ordinance 2024-05</u> as amended [10:50pm]
Stosberg moved and Zulich seconded that <u>Ordinance 2024-06</u> 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.	<u>Ordinance 2024-06</u> – 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 <u>Ordinance 2024-06</u> .	
Scanlan presented <u>Ordinance 2024-06</u> and highlighted the updates.	
There were no council questions.	Council questions:
Piedmont-Smith moved and Stosberg seconded to adopt Amendment 01 to <u>Ordinance 2024-06</u> .	Amendment 01 to <u>Ordinance 2024-06</u> [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 <u>Ordinance 2024-06</u> as amended received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.	Vote to adopt <u>Ordinance 2024-06</u> as amended [10:58pm]
	LEGISLATION FOR FIRST READING [10:58pm]
Stosberg moved and Flaherty seconded that <u>Ordinance 2024-07</u> 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.	<u>Ordinance 2024-07</u> – 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 31 day of July, 2024.

APPROVE:

ATTEST:



Isabel Piedmont-Smith, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington