

City of Bloomington Common Council

Legislative Packet

Containing legislation and materials related to:

Wednesday, 20 November 2024

Regular Session at 6:30pm



CITY OF BLOOMINGTON COMMON COUNCIL

AGENDA AND NOTICE:
REGULAR SESSION
Wednesday | 6:30 PM
20 November 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/87389239873?pwd=OExKFsE119iWxYkYTzmuj4UQCQB8Yt.1>

1. **ROLL CALL**
2. **AGENDA SUMMATION**
3. **APPROVAL OF MINUTES**
 - A. June 18, 2024 – Regular Session
 - B. July 31, 2024 – Regular Session
 - C. August 14, 2024 – Consensus Building Activity
 - D. September 11, 2024 – Consensus Building Activity
 - E. October 9, 2024 – Special 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. CAPS Commission 2024 Report
 - C. Council Committees
 - D. Public*
5. **APPOINTMENTS TO BOARDS AND COMMISSIONS**
6. **LEGISLATION FOR FIRST READINGS**

None
7. **LEGISLATION FOR SECOND READINGS AND RESOLUTIONS**
 - A. Ordinance 2024-24 - To Authorize the Issuance of the City of Bloomington, Indiana General Obligation Bonds, Series 2024, for the Purpose of Providing Funds to Pay for Certain Capital Projects of the City and Expenses Incurred in Connection with the Issuance of the Bonds

(over)

*Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment opportunities. Individuals may speak at one of these periods, but not both. Speakers are allowed 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: 15 November 2024

- B. Resolution 2024-20 – To Amend the City of Bloomington’s Transportation Plan in Order to Incorporate the Safe Streets and Roads for All (SS4A) Safety Action Plan
- C. Resolution 2024-23 – To Initiate a Proposal to Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code Re: Preparation of a Proposal to Amend Chapter 20.04.110 (Incentives).
- D. Resolution 2024-25 – To Initiate a Proposal to Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code Re: Single-Room Occupancy Residential Buildings as a Permitted Use
- E. Resolution 2024-24 – A Resolution Revising the Bloomington Common Council Electronic Meetings Policy

8. ADDITIONAL PUBLIC COMMENT *

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

9. COUNCIL SCHEDULE

10. ADJOURNMENT

*Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment opportunities. Individuals may speak at one of these periods, but not both. Speakers are allowed 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: 15 November 2024



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

Minutes for Approval

18 June 2024 | 31 July 2024 | 14 August 2024 |
11 September 2024 | 09 October 2024

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Tuesday, June 18, 2024 at 6:30pm, Council President Isabel Piedmont-Smith presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
June 18, 2024

Councilmembers present: Isak Nti Asare, Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Andy Ruff, Hopi Stosberg, Sydney Zulich
Councilmembers present via Zoom: Courtney Daily, Kate Rosenbarger (arrived 6:32pm)
Councilmembers absent: none

ROLL CALL [6:30pm]

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

AGENDA SUMMATION [6:30pm]

There were no minutes for approval.

APPROVAL OF MINUTES [6:34pm]

Stosberg moved and Ruff seconded that Council approve the letter to Mayor regarding councilmember priorities for the 2025 budget.

REPORTS
• COUNCIL MEMBERS
[6:34pm]

Flaherty summarized the letter and council priorities. The goal was to have more collaboration between the city and county to best achieve the objectives.

Letter with Common Council budget priorities

There were no council questions.

Council questions:

There was no public comment.

Public comment:

Piedmont-Smith said the discussions amongst council and with the mayor had been productive. She hoped the priorities would be reflected in Mayor Kerry Thomson's proposed budget.

Council comments:

The motion to approve the letter to the Mayor received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to approve letter [6:41pm]

Flaherty moved and Zulich seconded that the Council authorize distribution of the letter to the Indiana Office of Utility Consumer Counselor regarding a rate case proposed by Duke Energy Indiana.

Letter to Utility Consumer Counselor

Flaherty explained the purpose of the letter and noted that a signature line was added for the mayor. It also recognized the contributions Duke Energy had made in the community. The letter was with regard to a rate case proposed by Duke Energy which set new rates across all customer classes. The justification for the rate case was based on Duke Energy's investments. He provided details and described constituent concerns, primarily with affordability and environmental sustainability. Council was requesting that the Utility Consumer Counselor advocate on behalf of customers. There were broad concerns on rate increases and energy insecurity across the country, including racial and income disparities. He noted negative impacts on households. Flaherty discussed reliability projects in the city like larger transition poles. It was important to more rapidly decarbonize and to focus more on renewable energy. He described requests in the letter like consumer protections against inequities and shutoffs.

There were no council questions.

Council questions:

Joe Davis supported the letter and the effort to protect consumers, especially those who were low income, and provided reasons.

Public comment:

Ruff thanked Flaherty for his work on the letter and was pleased that Mayor Thomson was in support. He acknowledged that entities like Duke Energy would attempt to recoup costs from rate payers. Grid reliability was part of the process of doing business.

Letter to Utility Consumer Counselor (*cont'd*)

Council comments:

Piedmont-Smith extended the time for councilmember comments until 7:10pm with no objections from the council.

Flaherty appreciated Mayor Thomson’s support and recognized her understanding of decarbonizing the grid. There were factors that made the grid less reliable and increased costs. He thanked Liz Erwin and Stan Pinegar, from Duke Energy, for engaging in good discussions. He encouraged the public to attend the upcoming meeting of the regulatory commissioners. He noted that the previous year, the Indiana General Assembly (IGA), adopted a new framework for regulating rates that involved affordability and environmental sustainability. He highlighted the difference between equality and equity in regards to bearing energy costs.

Piedmont-Smith added that the Sierra Club was very active in the Indiana Beyond Coal campaign, as well as the Citizens Action Coalition. The public could participate that way as well.

The motion to approve the letter to Duke Energy received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to approve letter [7:00pm]

Stosberg noted her upcoming constituent meeting. She mentioned Stay Cool Bloomington would have free entry to city pools when the temperature rose to category 2 or above. There was a microtransit program that would begin in the summer.

Rollo mentioned his and Ruff’s upcoming constituent meeting.

There were no reports from mayor and city offices.

- The MAYOR AND CITY OFFICES [7:03pm]

There were no reports from council committees.

- COUNCIL COMMITTEES [7:03pm]

Joe Davis asked council to investigate the abuses of discretion by the Housing and Neighborhood department, notices of violation, and the adjudicative processes of the Board of Public Works. He gave additional information.

- PUBLIC [7:03pm]

Chuck Livingston spoke about scooters blocking sidewalks.

Steve Volan commented on his time as a councilmember. He appreciated the many councilmembers that had constituent meetings, and suggested the meetings be posted online.

Flaherty moved and Zulich seconded to make to make the following appointments:

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:15pm]

- For the Commission on Sustainability - to reappoint Matt Austin to seat C-3 and Jon Eldon to seat C-5; and to appoint Tara Dunderdale to seat C-1 and Monte (Zero) Rose to seat C-4.

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

Vote to appoint [7:16pm]

Piedmont-Smith appointed Ruff, Stosberg, and Piedmont-Smith to the Common Council Hiring Committee. The purpose would be to lead the hiring process for any vacancy in the Council

Attorney/Administrator position that occur that year. The committee would then make a recommendation to the full council at a public meeting.

APPOINTMENTS TO BOARDS AND COMMISSIONS (*cont'd*)

There was no legislation for first reading.

LEGISLATION FOR FIRST READING [7:17pm]

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:17pm]

Stosberg moved and Ruff seconded that Resolution 2024-15 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 2024-15 – Requesting the Food and Beverage Tax Advisory Commission to Make a Recommendation for Expenditure of Food and Beverage Tax Revenues [7:17pm]

Stosberg moved and Zulich seconded to adopt Resolution 2024-15.

Eric Spoonmore, Treasurer, Capital Improvement Board (CIB), said Resolution 2024-15 requested additional expenditures from the Food and Beverage Tax dollars held by the city, and would fund the CIB and its work for the remainder of 2024. Council would make a request to the Food and Beverage Tax Advisory Commission (FABTAC) for the use of city food and beverage tax revenues. He described the next steps in brief. The request totaled \$600,702, an increase of \$350,702 from the original \$200,000 budget. He gave details on the expenses including internal professional services for the CIB's attorney and controller, external professional services, preconstruction services provided by the construction manager, and for the CIB website. Monroe County government had extended insurance coverage to the CIB.

Piedmont-Smith asked if there would be an appropriation ordinance in the near future.

Council questions:

Jessica McClellan, Controller, said yes. If council approved Resolution 2024-15, then a request would go before FABTAC, and then an appropriation ordinance would be brought before council.

Piedmont-Smith asked about outstanding purchase orders (POs).

McClellan stated there were three POs; one for the parking garage that would be closed since it was not needed. Another one for \$4.4 million for the full design of the expansion, and a third for the initial design. There would be two open POs with Schmidt Associates for design. Legal and CIB were working on transferring the contract to the CIB but the POs would be kept with the city. The CIB would review invoices and then McClellan would review them and expense against the open POs.

Piedmont-Smith asked for confirmation for when the parking garage PO was closed. She asked what the balance of the current FAB tax fund was.

McClellan said she would confirm. The FAB tax fund was around \$19 million.

Spoonmore appreciate John Whitehart, CIB's President, and Jeff Underwood, CIB's Controller.

Joe Davis requested delaying the proposed request until the fairness of the FAB tax was investigated, specifically for farmer's market vendors who saw no benefit from the tax.

Public comment:

Geoff McKim clarified that Farmer's Market vendors did not pay the tax, they collected the tax from customers. He supported Resolution

2024-15 and thanked council for their collaboration on the Convention Center expansion project.

Flaherty noted that some businesses opted to forgo charging their customers, primarily those who used cash. He discussed possible areas around the Convention Center that could be used for the expansion and economic vitality of the downtown. He noted that the hospital had moved, and the justice system might too, so the city needed to thoughtfully consider land use in the downtown areas.

Stosberg appreciated more detail in the revised budget.

The motion to adopt Resolution 2024-15 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Stosberg moved and Ruff seconded that Ordinance 2024-15 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.

Stosberg moved and Zulich seconded to adopt Ordinance 2024-15.

Sharr Pechac, Director, Human Resources, briefly presented the legislation including the new position in the Office of the City Clerk as well as the expanded 14-grade pay structure.

Flaherty expressed support for the new position in the Clerk's office and asked how it would fit into the overall duties of the clerk.

Bolden explained that she had reviewed the office, staff, and staff's duties as a whole and determined that upgrades were needed. After discussing with Pechac and other staff, it was ideal to create a new position and updated pay grades.

Stosberg asked how the new position's grade of seven compared with staff's current grades.

Bolden stated that it would be the highest pay grade in the office.

Pechac said the other positions were grade six.

Bolden clarified that the deputy clerks were grade five and the chief deputy clerk was grade six. The positions would need to be re-graded as discussed with human resources.

Stosberg asked if that was appropriate; that the new position would have a higher grade. And if not, why it was graded higher.

Bolden said it was not. She explained that the current positions used old job descriptions and were outdated. New job descriptions were drafted and Bolden thanked Erica De Santis for assisting with that effort. The job description for the new position landed at grade seven and while it was not ideal, that was the current situation. She understood that the other positions would be reviewed.

Pechac added that the new position was graded using the current pay grade structure. When the new pay grade structure was implemented, it would be re-graded.

Resolution 2024-15 (cont'd)

Council comments:

Vote to adopt Resolution 2024-15
[7:39pm]

Ordinance 2024-15 – Amending Ordinance 23-25, Which Fixed the Salaries of Appointed Officers, NonUnion, and A.F.S.C.M.E. Employees for All the Departments of the City of Bloomington, Monroe County, Indiana, for the Year 2024 – Re: To Add a Position Requested by City Council to the Clerk's Office and to Replace the Existing 12-Grade Pay Grade Structure for Non-Union Employees with an Expanded 14-Grade Pay Grade Structure
[7:40pm]

Council questions:

Asare asked for information regarding the public benefit of adding the new position in the Clerk's office.

Ordinance 2024-15 (cont'd)

Bolden said that the goal was to have a point person to spearhead appointments to boards and commissions. Currently, the process involved too many individuals. The new position would facilitate appointments, work with staff liaisons and departments, and onboard and train board members and commissioners.

Council questions:

Flaherty understood that the new position's grade was based on the current twelve grade structure, and that it would be included for review when the fourteen grade structure was implemented.

Pechac confirmed that was correct.

Rosenbarger asked if job titles across city departments would be streamlined, and if pay equity was considered, specifically gender and race.

Pechac said the expanded pay structure was the first step. There were other steps needed in order to revamp positions across the city; job families, classifications, and series. It would provide clearer career pathways and opportunities to reward staff for their skills, knowledge, and abilities. Analyzing equity was ongoing but establishing the new pay structure was key in that process.

Stosberg asked about the fiscal impact under the new pay grade structure.

Pechac said if the new pay grades were approved, then there would be a review. She gave examples of potential impacts. A very high estimate would be around \$10 million. An initial estimate for the budget would be the end of July.

Piedmont-Smith asked how the city would bear the cost of \$10 million and if it would be equitable, and if possible gradual.

Pechac said there would have to be prioritization focused on the most return on investment likely the middle grades. She gave examples of options.

Deputy Mayor Gretchen Knapp noted a tenure-based aspect with the evaluation of job descriptions, grades, and duties, and correction of discrepancies. Current and future funding would be analyzed and there were many options. She, McClellan, and consultants had regularly met to discuss long term financial planning for the city. There was easily \$10 million that could be used. The goal was to implement as much as possible and to retain and attract talent. She gave examples.

Rollo asked about the lowest paid employees and asked if they could afford to live in the city.

Knapp stated that the highest paid employees would be last.

Zulich asked if the clerk staff compensation had different legal issues.

Bolden stated that under state code, the clerk may fix the salaries of staff, with council approval. Historically, that had been done by the administration. Clerk staff served at the clerk's pleasure.

Stosberg asked if it was correct that the positions included benefits, and the numbers in the pay structure were specific to salary only.

Pechac said yes.

Dave Askins, B Square Bulletin, expressed confusion on the final document once the salary ordinance was amended because it used

Public comment:

the older, twelve grade pay structure. He wondered if there would end being a mix of old and new pay grades.

Ordinance 2024-15 (cont'd)

Public comment:

Christopher Emge, Greater Bloomington Chamber of Commerce, thanked staff for their work. He believed it was ideal to have a point person for boards and commissions and discussed staff retention.

Steve Volan expressed enthusiasm for the new position in the Clerk's office and gave reasons in support.

Asare asked why the new pay grade structure was not used.

Council comments:

Pechac responded that regrading was a larger process and went through the Workforce Evaluation Realignment Committee (WERC). The first step was approval of the pay grades and then salaries would go before council.

Piedmont-Smith asked for clarification on a list of positions in the salary ordinance referring to a pay grade table that would no longer exist.

Pechac stated that there were positions and classifications, by departments, listed in the salary ordinance.

Piedmont-Smith asked for clarification.

Stephen Lucas, Council Attorney/Administrator for his opinion. He understood the confusion; that the salary ordinance referenced one pay grade scale, but if the legislation was approved, then that pay grade scale would no longer exist. The new fourteen pay grade structure would replace it.

Piedmont-Smith asked if there was a legal issue with that.

Lucas did not believe that it was a council issue, but was an issue for the administration and Human Resources (HR).

Stosberg asked why the proposal was not for year 2025.

Pechac said there was 2024 money reserved based on the 2023 Classification and Compensation Study conducted by Crowe, LLP.

Stosberg stated there could be a fiscal impact if pay grade changes were made.

Pechac confirmed that was correct and it would be brought before council.

Flaherty said it was useful to have both pay grade structures. He asked if there would be a point where some jobs were reclassified and others were not.

Pechac stated the goal was to review all the positions at once.

Flaherty asked if it was possible to regrade the jobs and not change the salaries.

Pechac explained the factors involved including the first phase of regrading, and the second phase of reviewing, salaries and budget implications.

Stosberg asked about adding language clarifying which pay grade table to refer to and how the ambiguity would affect the new position in the Clerk's office.

Lucas stated that would be helpful, but was not sure it could be done that evening.

Bolden explained that since board and commission outreach and recruitment began in the fall, and not just when council began making appointments, that it would potentially delay the process.

There was additional council discussion on clarifying language and the consideration of amendments.

Piedmont-Smith recessed the meeting for 15 minutes to reconvene at 8:48pm.

Recess [8:31pm]

Piedmont-Smith moved and Stosberg seconded to adopt Amendment 01 to Ordinance 2024-15.

Amendment 01 to Ordinance 2024-15

Amendment 01 Synopsis: This amendment, sponsored by Cm. Piedmont-Smith, would delay the effective date of Section 2 of the ordinance to January 1, 2025.

There were no council questions.

Council questions:

There was no public comment.

Public comment:

Stosberg thanked staff and Lucas for working on Amendment 01.

Council comments:

The motion to adopt Amendment 01 to Ordinance 2024-15 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 to Ordinance 2024-15 [8:52pm]

There were no council comments.

Council comments:

The motion to adopt Ordinance 2024-15 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 2024-15 as amended [8:53pm]

Stosberg moved and Ruff seconded that Ordinance 2024-16 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 2024-16 – To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” Re: Amending BMC 2.04.120 (Limits On Debate) [8:54pm]

Stosberg moved and Ruff seconded to adopt Ordinance 2024-16.

Piedmont-Smith presented the legislation which was an effort to make Regular Sessions more efficient by limiting councilmember comments, after the legislation question and answer period, and public comment. Sometimes debates were too long, and time limits could encourage councilmembers to be better prepared.

Piedmont-Smith passed the gavel to Ruff.

Rollo asked about peer cities. It seemed to him that if the legislation passed, it would be the most restrictive.

Council questions:

Lucas referenced data from the top twenty most populated cities in Indiana, as well as other Big Ten states’ cities. Many had time limits in their city code like Indianapolis, Fort Wayne, Evansville, South Bend, Gary, and more. Many did not. He provided examples.

Rollo said most had five minutes, plus five minutes for rebuttal.

Stosberg asked why three minutes was selected.

Piedmont-Smith said she selected three minutes based on her experience; three minutes had been sufficient in most cases.

Ruff asked how many councilmembers there were in Indianapolis.

Lucas said there were twenty five.

Rollo asked what supporting evidence validated the legislation.

Piedmont-Smith clarified the purpose of Ordinance 2024-16 was to have more efficient meetings. She was open to increasing time limits, but believed there needed to be time limits. She commented on the duration of meetings.

Asare asked if the time limit applied to question periods too and how much time would be saved.

Piedmont-Smith said it only applied to council comment period. She said it depended and was hard to estimate saved time.

Ordinance 2024-16 (cont'd)

Council questions:

Daily asked if the rules could be suspended to remove time limits for certain items.

Piedmont-Smith said yes and there would be a vote.

Flaherty asked for clarification on nuances in the data compiled by council staff, and what was codified.

Lucas said time limits varied by city, and referenced Indianapolis' rules.

There was additional discussion on exceptions to the proposed time limits.

Rollo asked if meetings were long because of scheduling issues.

Piedmont-Smith explained the variety of reasons that made meetings long. Limiting comment period was one option. There were other periods which could have time limits.

Rollo said it would be useful to have examples of council abusing comment periods. It was important to have lengthy debates on certain items of great magnitude.

Piedmont-Smith stated that if there was something of great magnitude, a councilmember could bring forth a debate structure. It was beneficial to default to a time limit, and if needed, vote to extend or remove the time limit.

Lucas confirmed that to restructure debate, a two-thirds vote was required.

Rollo asked if the majority could quash the minority.

Piedmont-Smith reiterated that each councilmember would have the same time limit.

Ruff asked if he recalled correctly that Piedmont-Smith stated that certain comments could be phrased as questions during that period.

Piedmont-Smith said the presiding councilmember should be stringent and only questions should be asked during that period.

Ruff said that lengthy comment periods only occurred with controversial legislation, and asked why it was necessary to impose a time limit for noncontroversial items.

Piedmont-Smith referred to Resolution 2024-14 which passed 9-0, but two councilmembers had made extensive comments despite voting in favor of the legislation.

Ruff considered council comment period as part of deliberations. He asked if Piedmont-Smith agreed or thought it was a statement on how someone planned to vote.

Stosberg moved and Piedmont-Smith seconded to adopt Amendment 01 to Ordinance 2024-16. Stosberg presented Amendment 01.

Amendment 01 to Ordinance 2024-16

Amendment 01 Synopsis: This amendment, sponsored by Cm. Stosberg, would increase the time limits applicable to council speeches or comments to five (5) minutes for the first speech and to two (2) minutes for the second speech.

There were no council questions.

Council questions:

Steve Volan spoke about the length of meetings.

Public comment:

Dave Askins, B Square Bulletin, discussed codifying time limits versus having a rules document.

Amendment 01 to Ordinance 2024-16 (cont'd)

Jami Sholl supported longer time limits.

Public comment:

Joe Davis spoke against limits on debates.

Rollo believed Amendment 01 improved the proposal but still made Bloomington the most restrictive in the state. He discussed the impact the legislation had on deliberation and debate. There was the occasional need for a slide presentation. It was concerning to rely on the majority to allow additional time. That had not happened for him during the discussion on the Summit proposal. He provided reasons in support of omitting time limits.

Council comments:

Piedmont-Smith appreciated Stosberg for proposing Amendment 01. She recognized other cities that may not have codified time limits, but many had time limits in rules documents.

Ruff noted his lengthy comments, like with the Summit project.

Stosberg did not believe that time limits negated checks and balances. Councilmembers could learn to be more efficient in their comments. She spoke about the importance of not repeating oneself, and supported time limits. She said posting opinions, or documents, on the council website was another mechanism that could be used.

The motion to adopt Amendment 01 to Ordinance 2024-16 received a roll call vote of Ayes: 6, Nays: 3 (Rollo, Ruff, Asare), Abstain: 0.

Vote to adopt Amendment 01 to Ordinance 2024-16 [9:44pm]

Steve Volan supported two rounds of comment with time limits. He referenced Robert's Rules of Order and listed different options that could occur including limiting time on other portions of the meeting.

Public comment:

Christopher Emge spoke about types of council meetings, including Committee of the Whole (COW), and the duration of meetings.

Joe Davis believed it was important for councilmembers to cross-examine other councilmembers. He urged council to not place restrictions on debate.

Dave Askins, B Square Bulletin, noted time allowances for speeches in Robert's Rules of Order. He appreciated front-loading questions prior to a meeting.

Rollo thanked Stosberg for Amendment 01. In most cases, time limits were not a problem. He expressed concern for time limits when deliberating contentious items, and the need to protect the minority's opinion. He would vote no.

Council comments:

Asare noted different parts of meetings that lengthened duration. It could be problematic to codify everything and be difficult to change. The goal should be better legislation and not grandstanding. He would not support Ordinance 2024-16. He mentioned the efficiency with considering Resolution 2024-15 that evening.

Piedmont-Smith brought the legislation forward in order to have a discussion on revisiting council meetings and acknowledged there were other parts to consider, as well as scheduling. She noted that Resolution 2024-15 was a simple request to the FABTAC and questions had been asked in advance. She questioned why Asare

would not support the legislation, given their conversations regarding the long duration of meetings. She agreed that the council minority opinion should be protected and noted she had been in the minority for most of her tenure. The legislation, if passed, would not curtail the duties of council as a balance to the executive branch.

Ordinance 2024-16 (cont'd)

Council comments:

Stosberg said formal meetings were necessary, by statute, in order to take final actions. Having other opportunities for less formal meetings was useful. It was possible for councilmembers to limit their comments in formal meetings to five minutes and not need subsequent rounds. Presentations were often too long and at times repetitive. She gave examples of timekeeping and other areas to use meeting time more effectively.

Rosenbarger believed it was fine to codify time limits and see how it worked, and to make changes if needed. She would support the legislation. It was important to attempt new ideas to make meetings more efficient. She noted that some councilmembers more regularly took up time, and that she as a woman tended to not take that space. Having designated time to speak, with limits, might give those councilmembers more space to speak. There were other opportunities for councilmembers to express their opinions.

Asare did not believe Ordinance 2024-16 achieved the goal of making meetings shorter, and delayed larger changes to council meetings. He believed the discussion that evening might have been more successful in a Consensus Building Activity. He stated that Rosenbarger's comments were quite persuasive.

Ruff believed legislation needed a lot of time and attention and did not believe council meetings were too long. He agreed that process could be reviewed. It was not wise to have already decided on items prior to a meeting, and before hearing from council colleagues. Deliberation was important for persuading councilmembers. He discussed his comments on legislation from previous meetings.

Daily had initially believed time limits would be efficient. She did not want councilmembers to feel unheard, especially if they were in the minority. She was in favor of shorter meetings but not at the expense of purposeful deliberation. She would vote no.

Flaherty thought it was ideal to look at time limits in various parts of council meetings, like presentations. He appreciated asking questions in advance of a meeting but not replacing the question and answer period. Ordinance 2024-16 was a step forward. It was important to attempt new things with council meetings. He noted that there was a status quo on the previous council and commented on the consideration of the Summit project. Time management was useful. He would support the legislation.

Zulich had initially supported the legislation but had been persuaded otherwise that evening. She agreed with Rosenbarger about some councilmembers speaking often and others not. She was the youngest councilmember and it was not always easy for her to take up space and speak. She believed it was useful to have council meet in different, more informal ways.

Piedmont-Smith discussed consensus building activities and expressed concern with the belief that type of meeting would be ideal for considering a topic. It took a long time to build consensus. There was a need for council to engage with each other, staff, and

the public in different ways. She encouraged councilmembers to bring other ideas for consideration.

Vote to adopt Ordinance 2024-16 as amended [10:34pm]

The motion to adopt Ordinance 2024-16 received a roll call vote of Ayes: 5, Nays: 4 (Rollo, Ruff, Zulich, Daily), Abstain: 0.

Ruff passed the gavel back to Piedmont-Smith.

Jami Sholl, Commission on Sustainability, spoke about the Summit project and the lack of things like a community garden in that area which was a food desert.

ADDITIONAL PUBLIC COMMENT [10:35pm]

There was brief discussion on where to have the consensus building activity.

COUNCIL SCHEDULE [10:39pm]

Piedmont-Smith noted that the Public Safety Local Income Tax committee would meet on July 15, 2024 at 12:00pm.

Piedmont-Smith adjourned the meeting.

ADJOURNMENT [10:41pm]

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 Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, July 31, 2024 at 6:30pm, Council President Isabel Piedmont-Smith presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
July 31, 2024

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

ROLL CALL [6:31pm]

Councilmembers present via Zoom: Dave Rollo (logged out at 6:33pm, logged back in at 6:36pm)

Councilmembers absent: Andy Ruff

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

AGENDA SUMMATION [6:32pm]

Stosberg moved and Zulich seconded to suspend the rules to consider the minutes for approval. The motion was approved by voice vote. (No councilmembers present via Zoom at this time).

APPROVAL OF MINUTES [6:37pm]

- December 14, 2022 (Regular Session)
- March 6, 2024 (Regular Session)
- April 9, 2024 (Special Session, State of the City Address)
- April 10, 2024 (Regular Session)

Stosberg moved and Zulich seconded to approve the minutes of December 14, 2022, March 6, 2024 (with corrections), April 9, 2024, and April 10, 2024 (with corrections). The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Rosenbarger reported that Indiana Avenue was under consideration for safety improvements. There was a survey for residents to provide feedback. She highlighted some concerns expressed by residents including feeling unsafe walking and biking there.

REPORTS

- COUNCIL MEMBERS [6:38pm]

Stosberg echoed Rosenbarger about the survey. She spoke about the East Longview greenway and an upcoming neighborhood meeting to discuss it. She reported on the recent Plan Commission meeting and described the petitions.

Zulich spoke about the Capital Improvement Board (CIB) meeting where contracts had been approved for the architect/engineer (Schmidt & Associates) and the construction manager as constructor (Weddle Brothers). The deadline for hoteliers might be extended since there were only four applicants.

Piedmont-Smith noted a complaint filed against council by Dave Askins, B Square Bulletin, on July 17, 2024, pertaining to an Open Door Law violation. Deputy Attorney/Administrator Ash Kulak had filed an appearance and a motion for an extension of time. The deadline for a responsive answer was August 09, 2024.

Stosberg moved and Zulich seconded to authorize Deputy Attorney Kulak to respond and represent the council in the pending litigation and to ratify all previous filings and actions taken to date.

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

Vote to authorize Deputy Attorney/Administrator [6:46pm]

Stosberg moved and Zulich seconded to authorize the Council President to attend any mediations or negotiations, if scheduled, on the council's behalf.

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

Vote to authorize Council President [6:47pm]

Shawn Miya, Assistant Director of Sustainability, Economic and Sustainable Development (ESD) department, presented the Climate Action Plan (CAP) update and implementation timeline. She gave a history of the 2021 Climate Action Plan, described the city's goals and funding for implementation, and highlighted the CAP dashboard on the city's website.

- The MAYOR AND CITY OFFICES [6:48pm]

Wes De Silvestro, Founder and Chief Executive Officer, ClimateNav, worked with staff to design and launch the dashboard. ClimateNav was a public benefit startup that worked with local governments to help reduce emissions and communicate goals and impacts on sustainability with the public. The dashboard was a culmination of three years' of work, and showcased ESD staff's good work. Bloomington was a national leader with sustainability efforts. He described the dashboard including education and outreach, transparency and accountability with the city's progress, resources for residents, and a toolbox for staff to make data-driven decisions.

Miya added information on several large action plans in the city including renewable energy on city facilities, grants for small businesses and nonprofits via the Solar, Energy Efficiency and Lighting program, as well as low income solar grants. There were energy efficiency projects citywide including data collection, decarbonization, in-depth energy audits of city assets like buildings, and identifying the most significant opportunities for energy efficiency improvements. There was federal and state funding for light-emitting diode (LED) lights for city properties, and energy efficiency and decarbonization projects at Buskirk-Chumley Theater. Other implementation projects included grants for energy audits and improvements, and revisions to the Bloomington Green Home Improvement Program to incentivize residents to use the program. She commented on climate resilience efforts like Stay Cool Bloomington which provided free entry to city pools when the heat risk rose to Category II, cooling stations, and more. She discussed Project 46, a regional alliance between Bloomington, Nashville, and Columbus. She thanked city staff and partners for their work.

Piedmont-Smith extended the time for Mayor and City Offices reports by ten minutes with no objection.

Rollo asked if there was funding for replacement of renewable energy components and maintenance.

Council discussion:

Miya said the solar power equipment was recently installed in 2017, and was functioning well. It was ideal to consider funding in the future. She said \$75,000 had been budgeted for operation, maintenance, and repairs, as needed.

Rollo urged staff to omit blue lights in outdoor spaces because of the negative impact on insects.

Stosberg asked if the public could access the dashboard for the solar energy production citywide.

Miya said she would check on a public login to that dashboard.

Asare asked how council could help facilitate the efforts.

Miya said it would be helpful for councilmembers to share the information; the dashboard, website, and resources.

Asare asked if there were any requests for legislation or funding.

Miya said council would see budget requests during the budget process. There were changes to lift up climate resilience. She noted there were state restrictions that made the legislative process difficult.

Piedmont-Smith appreciated the equity initiatives with the grant opportunities. She asked if there were other ways staff considered climate resilience and sustainability through an equity lens.

Jane Kupersmith, Director, ESD, said that she had worked with Miya for nearly eight months, and every effort considered equity, especially to support the most vulnerable residents.

Miya said there two other projects that pertained to equity; one on bus stops with no shelter or trees for shade and another for creating cool corridors where there were many pedestrians.

Stosberg stated that Stephen Lucas's, former Council Attorney/Administrator, last day was the previous Friday and the position was currently vacant. She reported on the Hiring Committee (HC) meetings including the timeline of the job posting, which had been posted twice. It was estimated that the job would be vacant for two months and an interim Council Attorney/Administrator was needed. The HC recommended appointing Deputy Attorney/Administrator Ash Kulak as interim. She provided details.

Stosberg moved and Zulich seconded to appoint Ash Kulak to serve as interim council attorney/administrator effective August 5, 2024, until the position was filled, at a salary of \$88,400 per year.

Asare asked about the job having been posted twice.

Stosberg stated that the goal was to have a robust applicant pool. The job had only been posted for two weeks, one of which was during the 4th of July.

Asare asked if there was a committee member who could properly evaluate the credentials of a lawyer.

Stosberg stated she had brought up the notion of having another councilmember on the committee.

Asare recommended either Flaherty or Rosenbarger for the committee or another lawyer. He expressed concerns about the job description.

There was brief discussion on a possible motion to appoint another councilmember.

Asare asked if appointing Deputy Attorney/Administrator Kulak as interim, and then hiring another individual, if Kulak would retain their previous position.

Piedmont-Smith stated that they would.

Stosberg clarified that she had spoken with Kulak about the interim role and they had affirmed interest.

Flaherty asked if the salary was under the guidance of Human Resources (HR).

Stosberg confirmed that it was and provided details.

Rosenbarger asked if it was possible to change the salary range. She provided reasons for the need to be competitive to attract more applicants. She asked if the attorney/administrator roles could be separated.

Stosberg asked that questions be held until after the consideration of the motion on the table.

Asare asked about administrative support during the interim time.

Stosberg said Corporation Counsel Margie Rice said the Legal department could assist with legal matters in the interim period. She noted that Colleen Williamson, Assistant Administrator/Legal Research Assistant, would still provide administrative support.

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

Council discussion:

- COUNCIL COMMITTEES [7:20pm]

Council discussion:

Clerk staff was also available to assist as needed to support council in the interim.

• COUNCIL COMMITTEES
(cont'd)

Rollo thanked the committee for their work and Kulak for being willing to accept the interim role.

Council discussion:

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

Vote to appoint interim Council Attorney/Administrator [7:33pm]

Kulak explained options for making appointments to the HC.

Council discussion:

Piedmont-Smith was in favor of making another appointment to the HC.

Zulich asked if councilmembers who were attorneys had expressed interested in serving on the HC.

Flaherty referenced city code that allowed the council president to name members to a special committee. He said he would be interested in being appointed.

Rosenbarger asked about revisiting the salary range and if council had that authority, and if it was at the higher end of the range.

Stosberg explained that the salary had already been budgeted for 2024. Council could address salary for 2025 and confirmed it was at the higher end of the range.

Rosenbarger asked about separating the position's roles.

Stosberg stated that the job description had carried over from previous years, and council would have to take action to make significant changes to it. She explained there was a sense of urgency because of council's upcoming schedule including budget. It was possible to explore separating the position at a later date.

Clerk Nicole Bolden said that her office was in the process of reclassifying and renaming jobs. HR had recently sent an update from the Workforce Evaluation and Realignment Committee (WERC). Council could use that process or, as a separate branch of government, take action on its own.

Rosenbarger said the position was in reality two positions and the work might be daunting, so reviewing that role would be useful.

Piedmont-Smith referenced what had been done in the past. Council would need to research if there could be a separate attorney and administrator.

Asare said that a job vacancy presented an opportunity to review its role and responsibilities.

Piedmont-Smith noted state code that listed what positions council could hire. She gave some details on what had been done before. It was important to balance timeliness with filling the position, and the possibility of restructuring the council staff positions.

Rosenbarger expressed interest in being appointed to the HC. She asked if the job posting could be edited because there was incorrect information like having to be on call 24/7.

Stosberg stated the previous Council Attorney/Administrator recommended keeping that in the description.

Zulich said expectations could be set like not demanding immediate responses or at odd hours. She noted Bolden's email signature which recommended responding when it worked best for the recipient.

Piedmont-Smith noted the importance of setting boundaries.

- COUNCIL COMMITTEES
(*cont'd*)

Flaherty said councilmembers could have provided feedback to HC on their own, and in the future, committees could be intentional about inviting other councilmembers.

Council discussion:

Stosberg said that the meetings were publicly noticed. There were noticed executive sessions. She gave additional information and said it was possible to edit the job description and repost.

Daily supported reviewing the job posting in order to attract more well-suited applicants.

Asare said it was important to define what council's idea was of the best fit for that position.

Stosberg explained the process the HC undertook to define what a good candidate was. She was willing to read the qualifications the HC had identified.

Asare said the Council Attorney/Administrator was for all councilmembers and the job description needed to be adequate for all. He questioned the process.

Piedmont-Smith made a point of order that it appeared that Asare was attacking the work of the HC. She said committee members were responsive to feedback from councilmembers.

Asare clarified that he did not intend to assume ill will, but that it was the first time he had been able to provide feedback.

Stosberg reiterated the process the HC had taken, in public meetings that Asare could have attended. She was willing to read the list of qualifications at the meeting, or meet with Asare individually to share the information.

Flaherty suggested providing feedback to the HC in other ways.

Piedmont-Smith reiterated that the HC meetings were open and committee members encouraged other councilmembers provide their opinions. The HC would share the list of qualifications.

Greg Alexander commented on bicycle and pedestrian connectivity and the need for safe paths to schools. He expressed concerned that projects with low impacts had been prioritized. He noted actions the city had taken to improve paths but had not been sufficient.

- PUBLIC [8:02pm]

Abe Shapiro spoke about his time in Bloomington including helping those with disabilities and reporting via WFHB radio and Community Access Television Services (CATS). He appreciated initiatives taken by the city to make the city accessible. He thanked council and specifically Rosenbarger for inspiring to continue his work in supporting people with disabilities. He appreciated his time in Bloomington.

Stosberg moved and Zulich seconded to make to make the following appointment(s):

APPOINTMENTS TO BOARDS AND COMMISSIONS [8:11pm]

- For the Public Transportation Corporation Board of Directors - to reappoint Doug Horn to seat C1.

Flaherty asked if there were other candidates that were interviewed.

Council discussion:

Stosberg responded that staff had recommended Doug Horn's reappointment. Horn expressed interest in being reappointed and Stosberg referenced his completed application. She asked Bolden for additional information.

Bolden read an email from James McClary, Board Member, Bloomington Public Transit Corporation (BPTC), recommending

Horn’s reappointment because of regular attendance, participation, and contribution. John Connell, Director, BPTC, and other board members were copied on that email.

Flaherty was not intending to question Horn’s qualifications, but was being cautious with positions that had authority. He thanked all for their responses.

Piedmont-Smith noted that BPTC required parity between political parties.

Stosberg stated that since the interview committee met, there had been one additional application.

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

Stosberg moved and Zulich seconded that Appropriation Ordinance 2024-02 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.

Piedmont-Smith referred the legislation for a second reading on August 07, 2024.

There was no legislation for second reading.

Christopher Emge, Greater Bloomington Chamber of Commerce (GBCC), commented on Stephen Lucas’s excellent work during his tenure. He spoke about GBCC’s priorities and thanked Daily, Asare, and Stosberg for speaking with him.

Piedmont-Smith reviewed the upcoming council schedule including the Consensus Building Activity to discuss street homelessness, specifically in the short term.

Piedmont-Smith adjourned the meeting.

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

APPROVE:

Isabel Piedmont-Smith, PRESIDENT
Bloomington Common Council

APPOINTMENTS TO BOARDS AND COMMISSIONS (*cont’d*)

Council discussion:

Vote to appoint [8:13pm]

LEGISLATION FOR FIRST READING [8:14pm]

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 [8:14pm]

LEGISLATION FOR SECOND READING AND RESOLUTIONS [8:16pm]

ADDITIONAL PUBLIC COMMENT [8:16pm]

COUNCIL SCHEDULE [8:20pm]

ADJOURNMENT [8:23pm]

ATTEST:

Nicole Bolden, CLERK
City of Bloomington

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, August 14, 2024 at 6:30pm, Council President Isabel Piedmont-Smith presided over a Consensus Building Activity (CBA) of the Common Council.	COMMON COUNCIL CONSENSUS BUILDING ACTIVITY 14 August 2024
Councilmembers present: Courtney Daily, Isak Nti Asare, Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger, Andrew (Andy) 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 appointed Rosenbarger to the Hiring Committee for the Council Attorney/Administrator position without objection.	APPOINTMENTS TO BOARDS AND COMMISSIONS [6:33pm]
Piedmont-Smith introduced the focus question for the evening's consensus building activity: "What actions should the City Council take to address street homelessness and support the work of others addressing street homelessness?"	FOCUS QUESTION [6:35pm]
Asare noted that the conversation that evening was one of several that were happening as part of the larger ecosystem around homelessness. Asare said the focus for the evening was particularly on what the city council could do to address the issue.	
Flaherty explained the role of council, and provided examples of the ways council could take action.	
Asare stated the notes from that evening would be made available and would help inform future legislation.	
Piedmont-Smith added the notes would be available on the council website under meetings and documents. She noted that the deliberations would not conclude that evening and there would be future sessions. Piedmont-Smith introduced Joelene Bergonzi, from the Community Justice and Mediation Center (CJAM), who would be the facilitator that evening.	
Bergonzi gave an overview of the process for the evening, and discussed the difference between dialogue and deliberation. Bergonzi She introduced the other CJAM members who would be in each of the breakout groups: Susan Klein, Vanessa Roberts, John VanderZee, Wilson Mosley, and Ed Greenebaum. Bergonzi asked for patience with councilmembers who were not trained facilitators, and said the CJAM folks would be assisting them. Bergonzi reviewed the group agreements.	
Group Reporting: Collecting different perspectives, common values, questions that arose, and possible action steps.	Breakout Groups: Part 1- Facilitated Dialogue
Cms Flaherty, Asare, Stosberg, Ruff, Zulich, and Daily reported out on behalf of their groups. Notes from the group reports are attached to these minutes.	
Group Reporting: Synthesizing priorities, values, needs, tradeoffs.	Breakout Groups: Part 2- Deliberation practice

Several members of the larger group discussed their observations from the session. Large Group Debriefing

Bergonzi thanked everyone for their participation and thanked the council for stepping out of their comfort zone. She invited people to look at the CJAM website for more information and noted that there would be a follow-up survey.

Piedmont-Smith thanked the members of CJAM for their support and thanked the members of the public for coming out and sharing their ideas. She encouraged people to provide feedback and then adjourned the meeting. ADJOURNMENT [8:32pm]

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 Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, September 11, 2024 at 6:30pm, Council President Isabel Piedmont-Smith presided over a Consensus Building Activity (CBA) of the Common Council.	COMMON COUNCIL CONSENSUS BUILDING ACTIVITY 11 September 2024
Councilmembers present: Courtney Daily, Isak Nti Asare, Isabel Piedmont-Smith, Dave Rollo, Andrew (Andy) Ruff, Hopi Stosberg, Sydney Zulich Councilmembers present via Zoom: none Councilmembers absent: Matt Flaherty, Kate Rosenbarger	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 reviewed the August 14, 2024 consensus building activity that covered the question of “What actions should the City Council take to address street homelessness and support the work of others addressing street homelessness?”	RECAP OF AUGUST 14, 2024 CBA SESSION ON STREET HOMELESSNESS [6:35pm]
Short-term: Greater availability of public restrooms for unhoused individuals.	PRESENTATION: PROPOSALS FOR CITY ACTION Short-term Action Plan
Daily gave a presentation on the need for more access to restrooms in the community, and gave an overview of what was available in parks and parking garages. She discussed options which included extended security hours and additional portalets around the different park locations. Daily said these were part of ongoing talks and said the mayor was open to discussing the issue as well. Daily said the options were not under the control of the council, but the council could track progress.	
Long-term: Revisions to the Unified Development Ordinance (UDO) to allow for more affordable housing options.	Long-term Action Plan
Zulich introduced two specific long-term actions, both in terms of amending the UDO. The first long-term action plan involved discussion around Single-Room Occupancy (SRO) buildings. The other long-term action plan involved revising the definition of “family” to address the housing distribution problem. Zulich gave some options to consider during the breakout groups, and discussed the potential benefits and drawbacks of taking action.	
Focused discussion of two proposed areas for UDO revisions.	BREAKOUT GROUPS
Joelene Bergonzi gave an overview of the process for the evening, and discussed the difference between dialogue and deliberation. She introduced the other CJAM members who would be in each of the breakout groups: Vanessa Roberts, John VanderZee, Amy Roush, Wilson Mosley, and Susan Klein. Bergonzi explained the placement of the groups and the timing of discussions. Bergonzi reviewed the group agreements.	
Participants discussed their observations from the session.	LARGE GROUP DEBRIEFING

Piedmont-Smith thanked the members of CJAM for their support and thanked the members of the public for their participation. She said council should move forward on one or both of the topics from the discussion. Piedmont-Smith encouraged people to provide feedback and then adjourned the meeting.

ADJOURNMENT [8:15pm]

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 Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, October 09, 2024 at 6:30pm, Council President Isabel Piedmont-Smith presided over a Special Session of the Common Council.	COMMON COUNCIL SPECIAL SESSION October 09, 2024
Councilmembers present: Isak Nti Asare, Courtney Daily, Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger, Andy 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 [6:32pm]
	LEGISLATION FOR SECOND READING AND RESOLUTIONS [6:35pm]
Stosberg moved, and Zulich seconded that <u>Appropriation Ordinance 2024-05</u> be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Nicole Bolden read the legislation by title, noting that there was not a synopsis, and the do-pass recommendation was 8-0-1.	<u>Appropriation Ordinance 2024-05</u> - An Ordinance for Appropriations and Tax Rates (Establishing 2025 Civil City Budget for the City of Bloomington) [6:35pm]
Stosberg moved and Ruff seconded to adopt <u>Appropriation Ordinance 2024-05</u> .	
Jessica McClellan, City Controller, presented the legislation to the council. She thanked the council for the time they spent working on the budget, and said she was available for any questions.	
Piedmont-Smith asked what the total budget was, for the total in the general fund, and for the property tax rates. McClellan said the total Department of Local Government Finance (DLGF) reviewed budget was \$115,128,135 and the home rule funds total was \$36,545,054, for a total of \$151,673,189. For property tax rates, the advertised high rate was 1.0414%, and the DLGF review of the city's net assessed value and property tax adopted levy would determine the final tax rate at the end of the year. Piedmont-Smith clarified that the 1.0414% was the amount paid on \$100 of assessed value.	Council discussion:
Stosberg moved, and Asare seconded that during the agenda item, the council extend the limits of debate to include a discussion on the taxpayer objection petition immediately following the presentation of the appropriation ordinance by the City, to give the petitioner 10 minutes to present its petition, the Capital Improvement Board (CIB) 5 minutes to present a response, followed by a period of council questions, a period of public comment, and a period of council comment before a vote on the statutorily required findings.	Taxpayer Objection Petition to <u>Appropriation Ordinance 2024-05</u> Motion to structure debate
The motion received a roll call vote of Ayes: 7, Nays: 2 (Zulich, Ruff), Abstain: 0.	Vote to structure debate [6:38pm]
Joe Davis attended on behalf of the filed Petition and presented an updated petition with changes since the original petition was filed with the city on October 03, 2024. He reiterated objections to the use of city funds for the 2025 CIB budget and cited an unknown survey with what he believed was 82% of residents did not want a new convention center. He believed there were more pressing issues of crisis in the Bloomington community, including the	Taxpayer Objection Petition to <u>Appropriation Ordinance 2024-05</u>

unhoused population. Davis said the new convention center would not be utilized by a vast majority in Bloomington. He stated the existing civic center already served the public. He believed the formation of the CIB was suspect with regard to the delegation of authority to it. Davis did not want to subsidize the project in perpetuity with taxpayer dollars. The request was to give away the public's land and for the city to become a partner in ownership with the hotel. He said it was public land and questioned why the city was giving away public land central to the heart of downtown when he believed the space could be used for other city uses. He stated that if council passed the budget and approved the appropriation and allocating almost \$1,000,000 of taxpayer monies to the CIB, then the petitioners would file a class action against the city and county governments, as well as the CIB and Redevelopment Commission. Along with the Findings, Davis stated that the petitioners demanded that each councilmember disclose if they were going to profit from the project.

Taxpayer Objection Petition to
Appropriation Ordinance 2024-05
(cont'd)

Jim Whitlatch attended on behalf of the CIB. He believed the petition had defects, including timeliness, lack of signatures, and only one petitioner present at the Adoption Meeting. He requested that council include the defects in the Findings. He noted that the CIB was appropriately formed by County ordinance in July 2023 with the authority to create it under I.C. §36-10-8. Since it had been formed, Whitlatch stated the CIB had complied with requirements of state statute and local agreements with the city and had held public meetings. He stated that the CIB had representatives from both city and county. Whitlatch further stated that no public lands had been turned over to CIB and that the CIB held no lands. He said that state statute required that money from Food and Beverage (FAB) Tax be used for constructing and renovating a convention center and that it could not be used for other purposes. He stated that the convention was expanding east and not to the Bunger & Robertson property as stated in the Petition. He requested that council not consider the updated petition, filed much later than the statutory deadline, and reiterated his belief that the original petition was also untimely.

Stosberg noted the end of the petition listed items that were more important to spend money on, including the unhoused, mental health issues, unmedicated?, affordable housing, and other social equity or justice needs. She asked if the tax funds could be spent on those items instead of the convention center.

Council discussion:

Whitlatch noted that they were all worthy expenditures and things to think about but could not be addressed by using the FAB Funds, under state statute.

Zulich asked for confirmation that the convention center was not expanding towards the Bunger Robertson property and that it was expanding to the east. She asked who owned the east location.

Whitlatch confirmed that it was expanding to the east and not towards Bunger and Robertson. He said the location was primarily owned by the county, but the city owned two lots.

Flaherty asked if the FAB Tax allowed other uses, perhaps related to tourism expenditures, and if the county had spent portions of its FAB Tax allocation on items that were not the convention center.

Whitlatch said that expenditures had to be related to the convention center, and that other items could include tourism but had to be related to and supportive of the convention center.

Piedmont-Smith asked Davis if he could provide any verification about the other nine taxpayers listed on his petition.

Davis said they were all taxpayers who resided in Bloomington, and that he had their names and addresses on his notepad and on his phone; received via text message. He said they chose not to add the names to the petition for fear of malicious bad actors who might cause mayhem. He said that all of the petitioners gave him power of attorney and it was all received before the deadline. Davis said he would provide the documentation.

Piedmont-Smith said that if he had that documentation, it should have been submitted with the petition.

There was no public comment on the petition.

Stosberg asked if council staff would be keeping track of a Findings document for the council.

Ash Kulak, Deputy Council Attorney/Administrator, said they were taking written notes on the testimony.

Lisa Lehner, Council Attorney/Administrator, opined that the petition distributed that evening was not timely filed and should not be considered. The petition emailed was the subject of discussion, the Indiana code did not require signatures, and council staff was not able to independently verify the other individuals listed in the petition. Lehner said those issues could also be included as findings.

There was brief discussion on the specific findings that would be included in council's response.

Asare moved, and Zulich seconded, that the Council adopt the Findings on the Taxpayer Objection Petition and Testimony Presented (attached) at that night's Adoption Meeting.

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

Stosberg moved, and Zulich seconded to adopt Amendment 01 to Appropriation Ordinance 2024-05.

Amendment 01 Synopsis: This amendment is sponsored by Cm. Flaherty and would reduce the Parking Meter Fund (#2141), Category 3 (Other Services and Charges) in the Community & Family Resources Department budget, by \$250,000. The intent behind this reduction is to align any disbursements from the Parking Meter Fund with the purposes enumerated in Bloomington Municipal Code 15.40.015, in line with state code. The proposed use (Downtown Outreach Grants) does not fall within allowed uses under this provision. This amendment is meant to indicate that any such grant program for 2025 should be funded out of a different fund within the Community and Family Resources Department rather than out of the Parking Meter Fund.

Flaherty presented the amendment to the council.

McClellan noted that the administration did not have an objection to the amendment.

Taxpayer Objection Petition to Appropriation Ordinance 2024-05
(cont'd)

Council discussion:

Public comment:

Council discussion:

Vote to adopt the Findings on the Taxpayer Objection Petition and Testimony Presented [7:36pm]

Amendment 01 to Appropriation Ordinance 2024-05

Ruff asked if there was any gray area in funding the program or if it was clear that the funding should not be used for that purpose.

McClellan said there was not much gray area in this case, and the funding should not be used for the program.

Stosberg asked for clarification on what would happen to the \$250,000.

McClellan explained that the money would go back into the parking meter fund for 2025.

Stephen Volan, Chair of the Parking Commission, spoke about the parking meter fund and said the city had not thought deeply enough about what the appropriate use of those funds should be.

Flaherty encouraged his colleagues to review the code to see the list of allowable expenditures. He noted his ongoing desire over the years for council to consider the path from revenue source to populating a fund, and then to expenditures.

Stosberg thanked Flaherty for his attention to detail.

The motion to adopt Amendment 01 to Appropriation Ordinance 2024-05 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

There were no questions from the council.

There were no comments from the public.

Piedmont-Smith thanked the administration for their hard work and for listening to the council. She was pleased with the budget. She noted that council voted unanimously to move towards outcome-based budgeting and the city would continue to progress towards that.

The motion to adopt Appropriation Ordinance 2024-05 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Stosberg moved and Ruff seconded that Appropriation Ordinance 2024-06 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation of Ayes: 9, Nays: 0, Abstain: 0.

Stosberg moved, and Ruff seconded to adopt Appropriation Ordinance 2024-06.

Gretchen Knapp, Deputy Mayor, noted that the Utilities Director could not be present that evening but Knapp would answer questions about the legislation on behalf of the Utilities department.

Piedmont-Smith noted the total water utility budget was \$22,656,000.00 and the waste water utility budget was \$33,820,000.00.

There were no questions from the council.

Joe Davis read several names of people that he said he represented.

Piedmont-Smith said that he was out of order and asked him to step away from the podium. She asked the sergeant-at-arms to

Amendment 01 to Appropriation Ordinance 2024-05 (cont'd)

Council questions:

Public comment:

Council discussion:

Vote to adopt Amendment 01 to Appropriation Ordinance 2024-05 [7:48pm]

Council questions:

Public comment:

Council discussion:

Vote to adopt Appropriation Ordinance 2024-05 as amended [7:51pm]

Appropriation Ordinance 2024-06
-An Ordinance Adopting a Budget for the Operation, Maintenance, Debt Service and Capital Improvements for the Water and Wastewater Utility Departments of the City of Bloomington, Indiana for the Year 2025 [7:52pm]

Council questions:

Public comment:

remove Davis from the podium.

Appropriation Ordinance 2024-06
(cont'd)

Piedmont-Smith reminded the public that the budget had been previously discussed, which was why there were not any questions that evening.

Council questions:

The motion to adopt Appropriation Ordinance 2024-06 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Appropriation Ordinance 2024-06 [7:59pm]

Stosberg moved, and Ruff seconded that Appropriation Ordinance 2024-07 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title, noting that there was not a synopsis, and the do-pass recommendation for the legislation was 9-0-0.

Appropriation Ordinance 2024-07
- Appropriations and Tax Rates for
Bloomington Transportation
Corporation for 2025 [8:00pm]

Stosberg moved, and Ruff seconded to adopt Appropriation Ordinance 2024-07.

John Connell, General Manager of the Bloomington Transit, requested the adoption of the legislation. He noted the proposed budget was \$32,632,634.00 with a proposed tax levy of .0403.

Council questions:

Stosberg asked for more information with regard to staffing and schedule changes.

Connell said that driver shortages continued to be an issue and if everyone stayed healthy, they could service the full schedule. He explained the priority system for periods when there was staff shortages. The goal was to have the least amount of inconvenience and impact to the riding public.

Stosberg asked about methods of communication with the public.

Connell said they used several methods, including phone, app, social media, and bus announcements.

Stosberg asked if Connell wanted to take time to make a pitch for more drivers.

Connell gave information about becoming a driver and said there were vacancies.

Piedmont-Smith asked about the collaborative program for ride-share service, and if there were options for people who did not own a smart phone to get a ride.

Connell said they could call the dispatch office who would then facilitate the ride. He explained how the rides and vouchers worked for people with limited access to technology.

Piedmont-Smith asked how late the phones were answered.

Connell said dispatch was open until 11:00pm.

There were no comments from the public.

Public comment:

Zulich was looking forward to supporting the budget and thanked Connell for his rapid response to a constituent.

Council comments:

The motion to adopt Appropriation Ordinance 2024-07 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Appropriation Ordinance 2024-07 [8:09pm]

Piedmont-Smith reviewed the upcoming council schedule.

COUNCIL SCHEDULE [8:09pm]

Asare stated that he, Zulich, and Daily wanted to have an Executive Session in order to be briefed on pending litigation.

Piedmont-Smith asked for the suggested date and time and asked if that worked for clerk and council staff.

Piedmont-Smith set an Executive Session to be held at 6:00pm on October 30, 2024.

COUNCIL SCHEDULE (*cont'd*)

Bolden reminded councilmembers that they needed to sign the legislation passed that evening.

Piedmont-Smith adjourned the meeting.

ADJOURNMENT [8:14pm]

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



MEMO FROM COUNCIL OFFICE

To: Members of the Common Council

From: Lisa Lehner, Council Administrator/Attorney

Date: November 1, 2024

Re: Ordinance 2024-24 – Authorizing the Issuance of the City of Bloomington, Indiana, General Obligation Bonds, Series 2024, for the Purpose of Providing Funds to Pay For Certain Capital Projects of the City and Expenses Incurred In Connection With the Issuance of the Bonds

Synopsis

This Ordinance approves the issuance of general obligation bonds of the City of Bloomington, Indiana, under Indiana Code § 36-4-6-19, among other statutes, in an aggregate principal amount not to exceed \$4,300,000, in order to finance certain capital projects throughout the City.

Relevant Materials

- Memo re: Ordinance 2024-24 from Controller Jessica McClellan
- Ordinance 2024-24
 - Exhibit A – Description of Projects

Summary

Ordinance 2024-24 would authorize the issuance of general obligation bonds (“GO Bonds”) in an amount not to exceed \$4.3 million to fund all or a part of the costs of the capital projects described in Exhibit A in the areas of the Parks and Recreation Department, the Engineering Department and Facilities Maintenance and Improvements.

Overview of Proposed Capital Improvements

Multiple capital improvement projects (the “2024 Projects”) are proposed to be funded by the issuance of general obligation bonds. The 2024 Projects are briefly described in Exhibit A to Ordinance 2024-24.

General Overview of GO Bonds

GO Bonds are a type of tax-backed debt obligation that may be issued by Indiana cities to fund projects. The bonds are not secured by assets but by the City’s tax revenue. The bonds are not tied to a particular project but may fund multiple projects. GO Bonds enable a city to raise funds for projects by issuing and selling the bonds to buyers. There are various ways that the bonds may be sold to buyers to raise funds. The city repays the bond obligations with its tax revenue over a period of time.



General Overview of Bond Ordinances

Bond ordinances are long and very technical documents that set forth the procedures regarding the form of the bonds as well as how they are issued, registered, sold, paid out, and redeemed. [Section 36-4-6-19 of the Indiana Code](#) gives guidance to Council.

In general, it is important to note that these are tax exempt bonds, which impose requirements upon the City regarding use of proceeds and reporting to the Internal Revenue Service. Also, it is important to note that the bonds are secured by a pledge of tax revenues. These bonds would apply toward the City's constitutional debt limit, described in more detail in the memo provided by the administration.

In brief, by approving the ordinance:

- Council finds that it would be of public utility and benefit and in the best interests of the City to finance all or part of the 2024 Projects with general obligation bonds;
- Council authorizes the City to sell a maximum of \$4.3 million in general obligation bonds by negotiation or private placement in order to fund all or a portion of the costs of the 2024 Projects, as well as to fund the costs of issuing and selling the bonds;
- The bonds shall be issued on terms and conditions consistent with the ordinance and as set forth in a Purchase Agreement between the City and a purchaser or purchasers selected by the Mayor and the Controller;
- Council approves and authorizes the Mayor and Controller to execute such a purchase agreement in the form determined necessary or appropriate by the Mayor and the Controller with advice of counsel;
- The bonds are general obligations, payable from the ad valorem property taxes on all taxable property within the City;
- The ordinance states that the proceeds from the sale of the bonds are to be deposited into a fund called the City of Bloomington, Indiana, 2024 Projects Fund to pay for the 2024 Projects, and the Controller may create the Series 2024 Bond Fund into which taxes and other funds will be paid to pay debt service;
- The ordinance incorporates Exhibit A, which provides a brief description of the 2024 Projects to be funded through the issuance and sale of the bonds;
- The bonds shall bear interest not exceeding a rate of 5% per annum and maximum maturity period of no more than 3 years (given the payment dates, it will be a little over 2 years) ;
- It includes an example bond in the same form and tenor of the bonds to be issued; and
- The ordinance specifies the conditions and procedures under which the terms of the bond may be amended.



City of Bloomington Indiana

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

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

[Section 6-1.1-18-5 of the Indiana Code](#) requires publication of notice and a hearing regarding the issuance and sale of the bonds. The consideration of this ordinance on November 20, 2024 will serve as the legally-advertised public hearing.

Contact

Office of the Mayor, mayor@bloomington.in.gov, 812-349-3406

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

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

ORDINANCE 2024-24

TO AUTHORIZE THE ISSUANCE OF THE CITY OF BLOOMINGTON, INDIANA GENERAL OBLIGATION BONDS, SERIES 2024, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY FOR CERTAIN CAPITAL PROJECTS OF THE CITY AND EXPENSES INCURRED IN CONNECTION WITH THE ISSUANCE OF THE BONDS

- WHEREAS, the Common Council (the "Council") of the City of Bloomington, Indiana (the "City") has given consideration to the acquisition, design, construction, renovation, improvement and/or equipping of certain public infrastructure and/or other local public improvements more particularly described on Exhibit A hereto and made a part hereof, each of which is reasonably considered to be an independently desirable end in itself without reference to another capital project (collectively, the "Projects"); and
- WHEREAS, the Council hereby finds that it would be of public utility and benefit and in the best interests of the City and its citizens to finance the costs of all or a portion of the Projects through the issuance of general obligation bonds of the City; and
- WHEREAS, the City's total debt service tax rate is \$0.1421 per one hundred dollars of assessed value, and the Council has been advised that the total cost of any one of the Projects will not exceed Six Million Three Hundred Fifty Thousand Four Hundred Sixty Six Dollars (\$6,350,466.00), which is the controlled project threshold as calculated by the City's municipal advisor—Reedy Financial Group P.C. ("Reedy")—or are otherwise excluded from the definition of a controlled project and, therefore, the Bonds will not be issued to fund a controlled project, as defined in Indiana Code § 6-1.1-20-1.1; and
- WHEREAS, the Council deems it advisable to authorize the issuance of general obligation bonds of the City—pursuant to Indiana Code § 36-4-6-19 and other applicable provisions of the Indiana Code, as amended (collectively, the "Act")—designated as the "City of Bloomington, Indiana, General Obligation Bonds, Series 2024" (the "Bonds"), in an original principal amount not to exceed Four Million Three Hundred Thousand Dollars (\$4,300,000), for the purpose of providing funds to pay all or a portion of (a) the costs of the Projects, (b) capitalized interest on the Bonds, if necessary, and (c) the costs incurred in connection with the issuance and sale of the Bonds, including the cost of any credit enhancement with respect to the Bonds (if necessary), with all of the foregoing costs and expenses in an aggregate amount not to exceed \$4,300,000; and
- WHEREAS, the original principal amount of the Bonds, together with the outstanding principal amount of previously issued bonds or other obligations which

constitute a debt of the City, is no more than two percent (2%) of one-third (1/3) of the total net assessed valuation of the City; and

WHEREAS, the amount of proceeds of the Bonds allocated to pay costs of the Projects, together with estimated investment earnings thereon, does not exceed the cost of the Projects as estimated by the Council; and

WHEREAS, the Council has found that there are insufficient funds available or provided for in the existing budget and tax levy which may be applied to the costs of the Projects and has authorized the issuance of the Bonds to procure such funds and that a need exists for the making of the additional appropriation hereinafter set out; and

WHEREAS, notice of a hearing on said appropriation has been duly given by publication as required by law, and the hearing on said appropriation has been held, at which all taxpayers and other interested persons had an opportunity to appear and express their views as to such appropriation; and

WHEREAS, the Council now finds that all conditions precedent to the adoption of an ordinance authorizing the issuance of the Bonds have been complied with in accordance with the Act.

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

SECTION 1. Authorization for the Bonds. In order to provide financing for the Projects and incidental expenses incurred in connection therewith and on account of the issuance of the Bonds, the City shall borrow money and issue the Bonds as herein authorized. The Council hereby determines that each of the Projects is reasonably considered to be an independently desirable end in itself without reference to another capital project. The City reasonably expects to reimburse any previously incurred expenditures for the Projects with proceeds of the Bonds and this constitutes a declaration of official intent pursuant to Treasury Regulation 1.150-2(e) and Indiana Code § 5-1-14-6(c).

SECTION 2. General Terms of Bonds.

In order to procure funds for the Project, the Controller, as the fiscal officer of the City, is hereby authorized and directed to have prepared and to issue and sell general obligation bonds of the City, in one or more series, in an amount not to exceed Four Million Three Hundred Thousand Dollars (\$4,300,000) (the "Authorized Amount"), to be designated "City of Bloomington, Indiana, General Obligation Bonds, Series 2024" for the purpose of providing financing for the Projects and incidental expenses, such expenses to include, without limitation, capitalized interest on the Bonds, if necessary, all expenses of every kind incurred preliminarily to the funding of the Projects and the costs of selling and issuing the Bonds.

The Bonds shall be signed in the name of the City by the manual or facsimile signature of

the Mayor of the City and attested by the manual or facsimile signature of the Controller of the City, who shall affix the seal of the City, if any, to each of the Bonds manually or shall have the seal imprinted or impressed thereon by facsimile or other means. In case any officer whose signature or facsimile signature appears on the Bonds shall cease to be such officer before the delivery of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes as if such officer had remained in office until delivery thereof. The Bonds shall also be authenticated by the manual signature of the Registrar (as hereafter defined). Subject to the provisions of this Ordinance regarding the registration of the Bonds, the Bonds shall be fully negotiable instruments under the laws of the State of Indiana.

The Bonds are, as to all the principal thereof and interest due thereon, general obligations of the City, payable from *ad valorem* property taxes on all taxable property within the City.

The Bonds shall be issued in fully registered form in denominations of either (i) Five Thousand Dollars (\$5,000) or any integral multiple thereof, or (ii) One Hundred Thousand Dollars (\$100,000) plus any integral multiple of One Thousand Dollars (\$1,000) in excess thereof, shall be numbered consecutively from R-1 upward, and shall be originally dated as of their date of issuance. The Bonds shall bear interest payable semiannually on June 30 and December 30 of each year, or such other dates as determined by the Controller prior to the sale of the Bonds, beginning no earlier than June 30, 2025, at a rate or rates not exceeding five percent (5%) per annum (the exact rate or rates to be determined by negotiation pursuant to Section 6 of this Ordinance). Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months. The Bonds shall mature or be subject to mandatory redemption on June 30 and/or December 30, or such other dates as determined by the Controller prior to the sale of the Bonds, over a period ending no later than three (3) years from the date of issuance of the Bonds.

All payments of interest on the Bonds shall be paid by wire transfer or by check mailed one business day prior to the interest payment date to the registered owners thereof as of the first (1st) day of the month in which interest is payable (each, a "Record Date") at the addresses as they appear on the registration books kept by the Registrar (the "Registration Record") or at such other address as is provided to the Paying Agent (as hereafter defined) in writing by such registered owner. All principal payments on the Bonds shall be made upon surrender thereof at the principal office of the Paying Agent, in any coin or currency of the United States of America which on the date of such payment shall be legal tender for the payment of public and private debts.

Interest on the Bonds shall be payable from the interest payment date to which interest has been paid next preceding the authentication date thereof unless such Bonds are authenticated after the fifteenth (15th) day of the month in which interest is payable and on or before such interest payment date in which case they shall bear interest from such interest payment date, or unless authenticated on or before the initial Record Date, in which case they shall bear interest from the original date, until the principal shall be fully paid.

Each Bond shall be transferable or exchangeable only upon the Registration Record by the registered owner thereof in person, or by his attorney duly authorized in writing, upon surrender of such Bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the registered owner or his attorney duly authorized in writing,

and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount, and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the registered owner, as the case may be, in exchange therefor. The costs of such transfer or exchange shall be borne by the City, except for any tax or governmental charge required to be paid in connection therewith, which shall be payable by the person requesting such transfer or exchange. The City, the Registrar and the Paying Agent may treat and consider the persons in whose names such Bonds are registered as the absolute owners thereof for all purposes including for the purpose of receiving payment of, or on account of, the principal thereof and interest due thereon.

In the event any Bond is mutilated, lost, stolen or destroyed, the City may execute and the Registrar may authenticate a new bond of like date, maturity and denomination as that mutilated, lost, stolen or destroyed, which new bond shall be marked in a manner to distinguish it from the bond for which it was issued, provided that, in the case of any mutilated bond, such mutilated bond shall first be surrendered to the Registrar, and in the case of any lost, stolen or destroyed bond there shall be first furnished to the Registrar evidence of such loss, theft or destruction satisfactory to the City and the Registrar, together with indemnity satisfactory to them. In the event any such bond shall have matured, instead of issuing a duplicate bond, the City and the Registrar may, upon receiving indemnity satisfactory to them, pay the same without surrender thereof. The City and the Registrar may charge the owner of such bond with their reasonable fees and expenses in connection with the issuance of the new bond. Any bond issued pursuant to this paragraph shall be deemed an original, substitute contractual obligation of the City, whether or not the lost, stolen or destroyed Bond shall be found at any time, and shall be entitled to all the benefits of this Ordinance, equally and proportionately with any and all other Bonds issued hereunder.

SECTION 3. Terms of Redemption.

The Controller, upon consultation with Reedy, may designate maturities of Bonds (or portion thereof of either (i) Five Thousand Dollars (\$5,000) or any integral multiple thereof or (ii) One Hundred Thousand Dollars (\$100,000) plus any integral multiple of One Thousand Dollars (\$1,000) in excess thereof) that shall be subject to optional redemption and/or maturity sinking fund redemption, and the corresponding redemption dates, amounts and prices (including premium, if any). Except as otherwise set forth in this Ordinance, the Controller, upon consultation with Reedy, is hereby authorized and directed to determine the terms governing any such redemption, as evidenced by the delivery of the Bonds.

Notice of redemption shall be mailed by first-class mail or by registered or certified mail to the address of each registered owner of a Bond to be redeemed as shown on the Registration Record not more than sixty (60) days and not less than thirty (30) days prior to the date fixed for redemption except to the extent such redemption notice is waived by owners of Bonds redeemed, provided, however, that failure to give such notice by mailing, or any defect therein, with respect to any Bond shall not affect the validity of any proceedings for the redemption of any other Bonds. Any notice of redemption required under this section shall identify the Bonds to be redeemed including the complete name of the Bonds, the interest rate, the issue date, the maturity date, the respective CUSIP numbers (if any) and certificate numbers (and, in the case of a partial redemption, the respective principal amounts to be called) and shall state (i) the date fixed for redemption, (ii) the Redemption Price, (iii) that the Bonds called for redemption must be

surrendered to collect the Redemption Price, (iv) the address of the office of the registrar and paying agent at which the Bonds must be surrendered together with the name and telephone number of a person to contact from the office of the registrar and paying agent, (v) any condition precedent to such redemption, (vi) that on the date fixed for redemption, and upon the satisfaction of any condition precedent described in the notice, the Redemption Price will be due and payable upon each such Bond or portion thereof and that interest on the Bonds called for redemption ceases to accrue on the date fixed for redemption, and (vii) that if such condition precedent is not satisfied, such notice of redemption is rescinded and of no force and effect, and the principal and premium, if any, shall continue to bear interest on and after the date fixed for redemption at the interest rate borne by the Bond. The place of redemption may be determined by the City. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to pay the redemption price on the date so named, and thereafter, such Bonds shall no longer be protected by this Ordinance and shall not be deemed to be outstanding hereunder, and the holders thereof shall have the right only to receive the redemption price.

All Bonds which have been redeemed shall be canceled and shall not be reissued; provided, however, that one or more new registered Bonds shall be issued for the unredeemed portion of any Bond without charge to the holder thereof.

No later than the date fixed for redemption, funds shall be deposited with the Paying Agent or another paying agent to pay, and such agent is hereby authorized and directed to apply such funds to the payment of, the Bonds or portions thereof called for redemption, including accrued interest thereon to the redemption date. No payment shall be made upon any Bond or portion thereof called for redemption until such bond shall have been delivered for payment or cancellation or the Registrar shall have received the items required by this resolution with respect to any mutilated, lost, stolen or destroyed bond.

SECTION 4. Appointment of Registrar and Paying Agent.

The Controller is hereby authorized to serve as, or to appoint a qualified financial institution to serve as, registrar and paying agent for the Bonds (the "Registrar" or "Paying Agent"). The Registrar is hereby charged with the responsibility of authenticating the Bonds, and shall keep and maintain at its principal office or corporate trust office books for the registration and transfer of the Bonds. The Controller is hereby authorized to enter into such agreements or understandings with such institution as will enable the institution to perform the services required of the Registrar and Paying Agent. The Controller is authorized to pay such fees as the institution may charge for the services it provides as Registrar and Paying Agent.

The Registrar and Paying Agent may at any time resign as Registrar and Paying Agent by giving thirty (30) days' written notice to the Controller and to each registered owner of the Bonds then outstanding, and such resignation will take effect at the end of such thirty (30) days or upon the earlier appointment of a successor Registrar and Paying Agent by the Controller. Such notice to the Controller may be served personally or be sent by first-class or registered mail. The Registrar and Paying Agent may be removed at any time as Registrar and Paying Agent by the Controller, in which event the Controller may appoint a successor Registrar and Paying Agent. The Controller shall notify each registered owner of the Bonds then outstanding of the removal of the Registrar and Paying Agent. Notices to registered owners of the Bonds shall be deemed to

be given when mailed by first-class mail to the addresses of such registered owners as they appear on the bond register. Any predecessor Registrar and Paying Agent shall deliver all the Bonds, cash and investments in its possession and the bond register to the successor Registrar and Paying Agent. At all times, the same entity shall serve as Registrar and as Paying Agent.

SECTION 5. Form of Bonds.

(a) The form and tenor of the Bonds shall be substantially as set forth in Exhibit B with all blanks to be filled in properly and all necessary revisions, additions and deletions to be made prior to delivery thereof.

(b) If determined to be advantageous or desirable for the City, based on the recommendation of Reedy, the Bonds may, in compliance with all applicable laws, initially be issued and held in book-entry form on the books of the central depository system, The Depository Trust Company, its successors, or any successor central depository system appointed by the City from time to time (the "Clearing Agency"), without physical distribution of Bonds to the purchasers. The following provisions of this section apply in such event:

One definitive Bond of each maturity shall be delivered to the Clearing Agency (or its agent) and held in its custody. The City and the Registrar and Paying Agent may, in connection therewith, do or perform or cause to be done or performed any acts or things not adverse to the rights of the holders of the Bonds as are necessary or appropriate to accomplish or recognize such book-entry form Bonds.

During any time that the Bonds remain and are held in book-entry form on the books of a Clearing Agency, (1) any such Bond may be registered upon the books kept by the Registrar in the name of such Clearing Agency, or any nominee thereof, including Cede & Co., as nominee of The Depository Trust Company; (2) the Clearing Agency in whose name such Bond is so registered shall be, and the City and the Registrar and Paying Agent may deem and treat such Clearing Agency as, the absolute owner and holder of such Bond for all purposes of this Ordinance, including, without limitation, the receiving of payment of the principal of and interest on such Bond, the receiving of notice and giving of consent; (3) neither the City nor the Registrar or Paying Agent shall have any responsibility or obligation hereunder to any direct or indirect participant, within the meaning of Section 17A of the Securities Exchange Act of 1934, as amended, of such Clearing Agency, or any person on behalf of which, or otherwise in respect of which, any such participant holds any interest in any Bond, including, without limitation, any responsibility or obligation hereunder to maintain accurate records of any interest in any Bond or any responsibility or obligation hereunder with respect to the receiving of payment of principal of or interest or premium, if any, on any Bond, the receiving of notice or the giving of consent; and (4) the Clearing Agency is not required to present any Bond called for partial redemption prior to receiving payment so long as the Registrar and Paying Agent and the Clearing Agency have agreed to the method for noting such partial redemption.

If either the City receives notice from the Clearing Agency which is currently the registered owner of the Bonds to the effect that such Clearing Agency is unable or unwilling to discharge its responsibility as a Clearing Agency for the Bonds, or the City elects to discontinue its use of such Clearing Agency as a Clearing Agency for the Bonds, then the City and Registrar and Paying Agent each shall do or perform or cause to be done or performed all acts or things,

not adverse to the rights of the holders of the Bonds, as are necessary or appropriate to discontinue use of such Clearing Agency as a Clearing Agency for the Bonds and to transfer the ownership of each of the Bonds to such person or persons, including any other Clearing Agency, as the holders of the Bonds may direct in accordance with this Ordinance. Any expenses of such discontinuance and transfer, including expenses of printing new certificates to evidence the Bonds, shall be paid by the City.

During any time that the Bonds are held in book-entry form on the books of a Clearing Agency, the Registrar shall be entitled to request and rely upon a certificate or other written representation from the Clearing Agency or any participant or indirect participant with respect to the identity of any beneficial owner of Bonds as of a record date selected by the Registrar. For purposes of determining whether the consent, advice, direction or demand of a registered owner of a Bond has been obtained, the Registrar shall be entitled to treat the beneficial owners of the Bonds as the bondholders and any consent, request, direction, approval, objection or other instrument of such beneficial owner may be obtained in the fashion described in this Ordinance.

During any time that the Bonds are held in book-entry form on the books of a Clearing Agency, the Mayor, the Controller and/or the Registrar are authorized to execute and deliver a Letter of Representations agreement with the Clearing Agency, or a Blanket Issuer Letter of Representations, and the provisions of any such Letter of Representations or any successor agreement shall control on the matters set forth therein. The Registrar, by accepting the duties of Registrar under this Ordinance, agrees that it will (i) undertake the duties of agent required thereby and that those duties to be undertaken by either the agent or the issuer shall be the responsibility of the Registrar, and (ii) comply with all requirements of the Clearing Agency, including without limitation same day funds settlement payment procedures. Further, during any time that the Bonds are held in book-entry form, the provisions of Section 5 of this Ordinance shall control over conflicting provisions in any other section of this Ordinance.

SECTION 6. Sale of Bonds.

(a) The Council authorizes the sale of the Bonds by negotiation or private placement. Robert W. Baird & Co. Incorporated ("Baird") shall serve as the underwriter of the Bonds or the City's placement agent with respect to the Bonds. The Bonds shall not be sold for less than ninety-nine percent (99.00%) of the par value of the Bonds.

The Bonds shall be issued upon terms and conditions consistent with this Ordinance as set forth in a purchase agreement between the City and the purchaser to be selected by the Mayor and the Controller (the "Purchaser") (such purchase agreement, the "Purchase Agreement"). The Council hereby authorizes and directs the Mayor and the Controller, for and on behalf of the City, to execute and deliver, and to perform the obligations of the City under, the Purchase Agreement, in the form the Mayor and the Controller, with the advice of counsel (including the City's Bond Counsel—Quarles & Brady LLP ("Quarles")) and Reedy, determine necessary or appropriate, such determination to be conclusively evidenced by such Mayor's and such Controller's execution thereof.

(b) After the Bonds have been properly sold and executed, the Controller shall receive payment for the Bonds from the purchasers and shall provide for delivery of the Bonds to the purchasers.

(c) The Controller is hereby authorized and directed to obtain a legal opinion as to the validity of the Bonds from Quarles, and to furnish such opinion to the purchasers of the Bonds. The cost of such opinion shall be paid out of the proceeds of the Bonds.

SECTION 7. Use of Bond Proceeds. The Controller is hereby authorized to create a new fund designated the City of Bloomington, Indiana 2024 Projects Fund (the "Project Fund"). The proceeds received from the sale of the Bonds shall be deposited in the Project Fund and shall only be expended for the purpose of paying expenses incurred in connection with the Projects together with the expenses incidental thereto and on account of the issuance of the Bonds. The Controller is authorized to pay costs of issuance from the proceeds of the Bonds. Any balance remaining in the Project Fund after the completion of the Project which is not required to meet unpaid obligations incurred in connection therewith and on account of the issuance of the Bonds may be used to pay debt service on the Bonds or otherwise used as permitted by law.

The Controller is hereby also authorized to create a new fund designated the Series 2024 Bond Fund (the "Bond Fund") into which taxes and other funds to be used to pay debt service on the Bonds shall be deposited prior to the payment of principal, interest and premium, if any, on the Bonds. Any surplus remaining in the Project Fund after all costs and expenses are fully paid shall be transferred to the Bond Fund.

SECTION 8. Defeasance. If, when the Bonds or any portion thereof shall have become due and payable in accordance with their terms or shall have been duly called for redemption or irrevocable instructions to call the Bonds or any portion thereof for redemption have been given, and the whole amount of the principal and the interest so due and payable upon such Bonds or any portion thereof then outstanding shall be paid, or (i) cash, or (ii) direct non-callable obligations of (including obligations issued or held in book entry form on the books of) the Department of the Treasury of the United States of America, and securities fully and unconditionally guaranteed as to the timely payment of principal and interest by the United States of America, the principal of and the interest on which when due without reinvestment will provide sufficient money, or (iii) any combination of the foregoing, shall be held irrevocably in trust for such purpose, and provision shall also be made for paying all fees and expenses for the payment, then and in that case the Bonds or such designated portion thereof shall no longer be deemed outstanding or secured by this Ordinance.

SECTION 9. Tax Covenants. In order to preserve the exclusion of interest from gross income for federal income tax purposes on the Bonds, and as an inducement to purchasers of the Bonds, the City represents, covenants and agrees that:

(a) The City will not take any action or fail to take any action with respect to the Bonds that would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the Bonds pursuant to Section 103 of the Internal Revenue Code of 1986 as in effect on the date of issuance of the Bonds (the "Code"), including, without limitation, the taking of such action as is necessary to rebate or cause to be rebated arbitrage profits on Bond proceeds or other monies treated as Bond proceeds to the federal government as provided in Section 148 of the Code, and will set aside such monies, which may be paid from investment income on funds and accounts notwithstanding anything else to the contrary herein, in trust for such purposes.

(b) No person or entity, other than the City or another state or local governmental unit, will use proceeds of the Bonds or property financed by the Bond proceeds other than as a member of the general public. No person or entity other than the City or another state or local governmental unit will own property financed by the Bond proceeds or will have actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, an arrangement such as a take-or-pay or output contract, or any other type of arrangement that differentiates that person's or entity's use of such property from the use by the public at large.

(c) No Bond proceeds will be loaned to any entity or person other than a state or local governmental unit. No Bond proceeds will be transferred, directly or indirectly, or deemed transferred to a non-governmental person in any manner that would in substance constitute a loan of the Bond proceeds.

(d) The City will file an information report Form 8038-G with the Internal Revenue Service as required by Section 149 of the Code.

(e) The City will not make any investment or do any other act or thing during the period that any Bond is outstanding hereunder which would cause any Bond to be an "arbitrage bond" within the meaning of Section 148 of the Code and the regulations applicable thereto as in effect on the date of delivery of the Bonds.

Notwithstanding any other provisions of this Ordinance, the foregoing covenants and authorizations (the "Tax Sections") which are designed to preserve the exclusion of interest on the Bonds from gross income under federal income tax law (the "Tax Exemption") need not be complied with to the extent the City receives an opinion of nationally recognized bond counsel that compliance with such Tax Section is unnecessary to preserve the Tax Exemption.

SECTION 10. Amendments.

Subject to the terms and provisions contained in this section, and not otherwise, the owners of not less than sixty-six and two-thirds percent (66-2/3%) in aggregate principal amount of the Bonds then outstanding shall have the right, from time to time, to consent to and approve the adoption by the City of such ordinance or ordinances supplemental hereto as shall be deemed necessary or desirable by the City for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this Ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

(a) An extension of the maturity of the principal of or interest on any Bond, without the consent of the holder of each Bond so affected; or

(b) A reduction in the principal amount of any Bond or the rate of interest thereon, or a change in the monetary medium in which such amounts are payable, without the consent of the holder of each Bond so affected; or

(c) A preference or priority of any Bond over any other Bond, without the consent of the holders of all Bonds then outstanding; or

(d) A reduction in the aggregate principal amount of the Bonds required for consent to such supplemental ordinance, without the consent of the holders of all Bonds then outstanding.

If the City shall desire to obtain any such consent, it shall cause the Registrar to mail a notice, postage prepaid, to the addresses appearing on the registration books held by the Registrar. Such notice shall briefly set forth the nature of the proposed supplemental ordinance and shall state that a copy thereof is on file at the office of the Registrar for inspection by all owners of the Bonds. The Registrar shall not, however, be subject to any liability to any owners of the Bonds by reason of its failure to mail such notice, and any such failure shall not affect the validity of such supplemental ordinance when consented to and approved as herein provided.

Whenever at any time within one year after the date of the mailing of such notice, the City shall receive any instrument or instruments purporting to be executed by the owners of the Bonds of not less than sixty-six and two-thirds per cent (66-2/3%) in aggregate principal amount of the Bonds then outstanding, which instrument or instruments shall refer to the proposed supplemental ordinance described in such notice, and shall specifically consent to and approve the adoption thereof in substantially the form of the copy thereof referred to in such notice as on file with the Registrar, thereupon, but not otherwise, the City may adopt such supplemental ordinance in substantially such form, without liability or responsibility to any owners of the Bonds, whether or not such owners shall have consented thereto.

No owner of any Bond shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the City or its officers from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this Ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this Ordinance of the City and all owners of Bonds then outstanding, shall thereafter be determined exercised and enforced in accordance with this Ordinance, subject in all respects to such modifications and amendments.

Notwithstanding anything contained in the foregoing provisions of this Ordinance, the rights and obligations of the City and of the owners of the Bonds, and the terms and provisions of the Bonds and this Ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the City and the consent of the owners of all the Bonds then outstanding.

Without notice to or consent of the owners of the Bonds, the City may, from time to time and at any time, adopt such ordinances supplemental hereto as shall not be inconsistent with the terms and provisions hereof (which supplemental ordinances shall thereafter form a part hereof),

(a) To cure any ambiguity or formal defect or omission in this Ordinance or in any supplemental ordinance; or

(b) To grant to or confer upon the owners of the Bonds any additional rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the

owners of the Bonds; or

(c) To procure a rating on the Bonds from a nationally recognized securities rating agency designated in such supplemental ordinance, if such supplemental ordinance will not adversely affect the owners of the Bonds; or

(d) To obtain or maintain bond insurance with respect to the Bonds; or

(e) To provide for the refunding or advance refunding of the Bonds; or

(f) To make any other change which, in the determination of the Council in its sole discretion, is not to the prejudice of the owners of the Bonds.

SECTION 11. Additional Appropriation. There is hereby appropriated the sum of Four Million Three Hundred Thousand Dollars (\$4,300,000), out of the proceeds of the Bonds, together with all investment earnings thereon, for the purpose of providing funds to pay the costs of the Projects, including related costs and the costs of issuing the Bonds, as provided in this Ordinance. Such appropriation shall be in addition to all appropriations provided for in the existing budget and shall continue in effect until the completion of the described purposes.

SECTION 12. Other Action. The appropriate officers are hereby authorized to take all such actions and execute all such instruments as are necessary or desirable to effectuate this ordinance. These actions include obtaining a rating, bond insurance or any other form of credit enhancement for the Bonds if economically feasible and desirable and with the favorable recommendation of Reedy, and filing a report of an additional appropriation with the Indiana Department of Local Government Finance. In addition, the appropriate officers of the City are hereby authorized and directed to take any other action deemed necessary or advisable in order to effectuate the acquisition, construction and equipping of the Projects, the issuance of the Bonds, or any other purposes of this Ordinance.

SECTION 13. No Conflict. All ordinances, resolutions, and orders or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed. After the issuance of the Bonds and so long as any of the Bonds or interest thereon remains unpaid, except as expressly provided herein, this Ordinance shall not be repealed or amended in any respect which will materially adversely affect the rights of the holders of the Bonds, nor shall the City adopt any law, ordinance or resolution which in any way materially adversely affects the rights of such holders.

SECTION 14. Severability; Interpretation. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance. Unless the context or laws clearly require otherwise, references herein to statutes or other laws include the same as modified, supplemented or superseded from time to time.

SECTION 15. Holidays, Etc. If the date of making any payment or the last date for performance of any act or the exercising of any right, as provided in this Ordinance, shall be a legal holiday or

a day on which banking institutions in the City or the city in which the Registrar or Paying Agent is located are typically closed, such payment may be made or act performed or right exercised on the next succeeding day not a legal holiday or a day on which such banking institutions are typically closed, with the same force and effect as if done on the nominal date provided in this Ordinance, and no interest shall accrue for the period after such nominal date.

SECTION 16. Effectiveness. This Ordinance shall be in full force and effect from and after its adoption and the procedures required by law. Upon payment in full of the principal and interest respecting the Bonds authorized hereby or upon deposit of an amount sufficient to pay when due such amounts in accord with the defeasance provisions herein, all pledges, covenants and other rights granted by this ordinance shall cease.

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

By: _____
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 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 approves the issuance of general obligation bonds of the City of Bloomington, Indiana, under Indiana Code § 36-4-6-19, in an aggregate principal amount not to exceed \$4,300,000 in order to finance certain capital projects throughout the City.

EXHIBIT A

PROJECT DESCRIPTION

The proceeds of the Bonds will be used to pay all or a portion of the costs of the following capital projects:

- (1) Parks and Recreation Department projects, in a total amount not to exceed \$333,500, consisting of the following:
 - a. Sound system upgrades to the mobile sound system
 - b. Fence replacement at Willie Streeter Community Garden
 - c. Roof replacement at Woodlawn Bryan Park Shelter
 - d. Liner replacement at Bryan Park Pool
 - e. Acquisition of a seven-passenger van as replacement to the Banneker van
 - f. Acquisition of a $\frac{3}{4}$ ton truck as replacement for the Parks operations truck
- (2) Engineering Department projects, in a total amount not to exceed \$3,751,500, consisting of the following:
 - a. Community traffic calming projects
 - b. Crosswalk safety improvements
 - c. Curb ramps
 - d. Traffic signal modernization, including at the intersection of: (i) Rogers Street and West Kirkwood Avenue and (ii) South Walnut Street and Grimes Lane
 - e. Projects included in the Bloomington Transportation Plan/Safe Streets for All Plan
- (3) Facilities maintenance and improvement projects, in a total amount not to exceed \$215,000, consisting of work on the City Hall parking lot and the adjacent BLine Plaza, plus associated curb and ramp improvements.

EXHIBIT B

FORM OF BOND

REGISTERED

R-__

UNITED STATES OF AMERICA

STATE OF INDIANA

MONROE COUNTY

CITY OF BLOOMINGTON, INDIANA
GENERAL OBLIGATION BOND, SERIES 2024

Interest Rate	Maturity Date	Original Date	Authentication Date	[CUSIP]
------------------	------------------	------------------	------------------------	---------

REGISTERED OWNER:

PRINCIPAL SUM: (\$_____)

The City of Bloomington, Monroe County, Indiana (the "City") for value received, hereby promises to pay to the Registered Owner set forth above, the Principal Sum set forth above on the Maturity Date set forth above, and to pay interest thereon until the Principal Sum shall be fully paid, at the Interest Rate per annum specified above from the interest payment date to which interest has been paid next preceding the Authentication Date of this bond unless this bond is authenticated after the first day of the month of such interest payment date and on or before such interest payment date in which case it shall bear interest from such interest payment date, or unless authenticated on or before [June 15, 2025], in which case it shall bear interest from the Original Date, which interest is payable semiannually on [June 30 and December 30] of each year, beginning on [June 30, 2025]. Interest shall be calculated on the basis of a 360-day year comprised of twelve 30-day months.

The principal of this bond is payable at _____ (the "Registrar" or "Paying Agent"), in _____, Indiana. All payments of interest on this bond shall be paid by wire transfer or check mailed one business day prior to the interest payment date to the registered owner hereof as of the fifteenth (15th) day of the month in which interest is payable at the address as it appears on the registration books kept by the Registrar or at such other address as is provided to the Paying Agent in writing by the Registered Owner. All payments of principal of and premium, if any, on this bond shall be made upon surrender thereof at the principal [corporate trust] office of the Paying Agent, in any coin or currency of the United States of America which on the date of such payment shall be legal tender for the payment of public and private debts.

This bond is one of an authorized issue of general obligation Bonds of the City, of like original date, tenor and effect[, except as to denomination, numbering, interest rates, and dates of maturity,] in the total amount of _____ (\$_____), numbered consecutively from R-1 upward, issued for the purpose of financing (a) the costs of the acquisition, design, construction, renovation, improvement and/or equipping of certain public infrastructure and/or other local public improvement projects as more particularly described in the Ordinance (as defined herein), (b) capitalized interest on the Bonds, and (c) the costs incurred in connection with the issuance and sale of the bonds and all incidental expenses therewith, as authorized by Ordinance _____ adopted by the Common Council of the City on the ____ day of _____, 2024, entitled "To Authorize the Issuance of the City of Bloomington, Indiana General Obligation Bonds, Series 2024, For the Purpose of Providing Funds to Pay for Certain Capital Projects of the City and Expenses Incurred in Connection with the Issuance of the Bonds" (the "Ordinance"), and in accordance with Indiana Code § 36-4-6-19 and other applicable provisions of the Indiana Code, as amended (collectively, the "Act"). The owner of this bond, by the acceptance hereof, agrees to all the terms and provisions contained in the Ordinance and the Act.

PURSUANT TO THE PROVISIONS OF THE ACT AND THE ORDINANCE, THE PRINCIPAL OF THIS BOND AND ALL OTHER BONDS OF SAID ISSUE AND THE INTEREST DUE THEREON ARE PAYABLE AS A GENERAL OBLIGATION OF THE CITY, FROM AN *AD VALOREM* PROPERTY TAX TO BE LEVIED ON ALL TAXABLE PROPERTY WITHIN THE CITY.

[INSERT REDEMPTION TERMS]

Notice of such redemption shall be mailed by first-class mail or by registered or certified mail not more than sixty (60) days and not less than thirty (30) days prior to the date fixed for redemption to the address of the registered owner of each bond to be redeemed as shown on the registration record of the City except to the extent such redemption notice is waived by owners of the Bond or Bonds redeemed, provided, however, that failure to give such notice by mailing, or any defect therein, with respect to any bond shall not affect the validity of any proceedings for the redemption of any other Bonds. Any notice of redemption required under this section shall identify the Bonds to be redeemed including the complete name of the Bonds, the interest rate, the issue date, the maturity date, the respective CUSIP numbers (if any) and certificate numbers (and, in the case of a partial redemption, the respective principal amounts to be called) and shall state (i) the date fixed for redemption, (ii) the Redemption Price, (iii) that the Bonds called for redemption must be surrendered to collect the Redemption Price, (iv) the address of the principal [corporate trust] office of the registrar and paying agent at which the Bonds must be surrendered together with the name and telephone number of a person to contact from the office of the registrar and paying agent, (v) any condition precedent to such redemption, (vi) that on the date fixed for redemption, and upon the satisfaction of any condition precedent described in the notice, the Redemption Price will be due and payable upon each such Bond or portion thereof and that interest on the Bonds called for redemption ceases to accrue on the date fixed for redemption, and (vii) that if such condition precedent is not satisfied, such notice of redemption is rescinded and of no force and effect, and the principal and premium, if any, shall continue to bear interest on and after the date fixed for redemption at the interest rate borne by the Bond. The place of redemption may be determined by the City. Interest on the Bonds so called for redemption shall cease on the redemption date fixed in such notice if sufficient funds are available at the place of redemption to

pay the redemption price on the date so named, and thereafter, such Bonds shall no longer be protected by the Ordinance and shall not be deemed to be outstanding thereunder.

This bond is subject to defeasance prior to payment as provided in the Ordinance.

If this bond shall not be presented for payment on the date fixed therefor, the City may deposit in trust with the Paying Agent or another paying agent, an amount sufficient to pay such bond, and thereafter the Registered Owner shall look only to the funds so deposited in trust for payment and the City shall have no further obligation or liability in respect thereto.

This bond is transferable or exchangeable only upon the books of the City kept for that purpose at the office of the Registrar by the Registered Owner in person, or by his attorney duly authorized in writing, upon surrender of this bond together with a written instrument of transfer or exchange satisfactory to the Registrar duly executed by the Registered Owner or his attorney duly authorized in writing, and thereupon a new fully registered Bond or Bonds in the same aggregate principal amount, and of the same maturity, shall be executed and delivered in the name of the transferee or transferees or the Registered Owner, as the case may be, in exchange therefor. The City, any registrar and any paying agent for this bond may treat and consider the person in whose name this bond is registered as the absolute owner hereof for all purposes including for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon.

The Bonds maturing in any one year are issuable only in fully registered form in the denomination of [\$5,000 or any integral multiple thereof][\$100,000 plus any integral multiple of \$1,000 in excess thereof].

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been executed by an authorized representative of the Registrar.

IN WITNESS WHEREOF, the City of Bloomington, Monroe County, Indiana, has caused this bond to be executed in its corporate name by the manual or facsimile signatures of its duly elected, qualified and acting Mayor, its corporate seal, if any, to be hereunto affixed, imprinted or impressed by any means and attested manually or by facsimile by the Controller of the City.

CITY OF BLOOMINGTON, INDIANA

By: _____
KERRY THOMSON, Mayor

(SEAL)

ATTEST:

JESSICA MCCLELLAN, Controller

CERTIFICATE OF AUTHENTICATION

It is hereby certified that this bond is one of the Bonds described in the within-mentioned Ordinance duly authenticated by the Registrar.

_____, as Registrar

By: _____
Authorized Representative

The following abbreviations, when used in the inscription on the face of this bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN. COM as tenants in common

TEN. ENT as tenants by the entireties

JT. TEN as joint tenants with right of survivorship and
not as tenants in common

UNIF. TRANS. _____ Custodian _____
MIN. ACT (Cust.) (Minor)

under Uniform Transfers to Minors Act of

(State)

Additional abbreviations may also be used, although not contained in the above list.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ (Please Print or Typewrite Name and Address) \$ _____ principal amount (must be a multiple of [\$5,000][\$100,000]) of the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney to transfer the within bond on the books kept for the registration thereof with full power of substitution in the premises.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.



Memorandum

TO: Members of the City of Bloomington Common Council (“Council”)
FROM: Jessica McClellan, Controller

CC: Kerry Thomson, Mayor
Gretchen Knapp, Deputy Mayor
Nicole Bolden, City Clerk
Margie Rice, Corporation Counsel

RE: Appropriation Ordinance 2024-24 2024 GO Bonds
DATE: October 28, 2024

Summary

The City of Bloomington seeks Council approval of the 2024 General Obligation Bonds. The total project fund, including bond costs, is \$4,300,000. The interest rate of the bonds is capped at 5%, and final rate will be negotiated at bond closing. The bonds are set to close on December 5th, 2024. The City has engaged Baird as underwriter, to determine the right price for the bonds and to buy the bonds to sell them to investors. The City has engaged Reedy Financial, for guidance on developing a strategy for issuing the bonds that meets the City’s financial needs. Bond counsel is Thomas Cameron, of Quarles and Brady, formerly a City attorney. Mr. Cameron’s role is to provide legal advice, prepare all the necessary legal documents for the bond sale, and to protect the City’s interests.

Bloomington has a growing assessed value and a thriving economy. While many cities in Indiana are experiencing shrinking growth, Bloomington has good economic activity, modest population growth, and a positive reputation as a best place to live in Indiana. These macro-economic factors have helped the City maintain a strong bond rating, currently A-.

The City administration discussed the issuance of general obligation bonds with the City Council in several budget sessions, as well as a Council work session, to come to a consensus on the scope of the bond sale and the list of projects to fund. The City is currently using less than half of its debt capacity, which puts it in a good position to take on debt to pay for capital improvements.

About General Obligation (GO) Bonds

A general obligation (GO) bond is a common municipal financing structure. It is a long-term debt instrument that state and local governments use to raise money for projects that don't directly generate revenue. GO bonds are backed by the government's ability to tax to pay back the bonds. The bonds are repaid over a number of years through semi-annual debt service payments.

GO bonds are used to finance capital improvements, such as public infrastructure systems, parks, public safety projects and equipment.

To protect the public, Indiana law imposes procedural requirements for the issuance of any kind of municipal debt. These requirements vary, depending on the features of the loan and the repayment source. All required statutory procedures must be followed for the local government's debt to be valid and enforceable. The 2024 GO Bonds require a notice and a public hearing which will be held on November 20th.

Financial Impact

A GO Bond above the 2024 threshold of \$6,350,466.00 would be a “controlled project” that would trigger a petition and remonstrance process. However, the par amount of the bonds the City of Bloomington is proposing to issue before the end of the year is well below that threshold at \$4,300,000.00, and therefore the controlled project statute is not triggered.

The amount of general obligation bonds that an issuer may issue is limited by the debt limit set forth in the Indiana Constitution and a corresponding statutory limit set forth in the Indiana Code. The calculation of this debt limit is no more than two percent (2%) of one-third (1/3) of the total net assessed valuation of the City. The 2024 debt limit of the civil City is \$32,630,562. The City's 2025 assessed value increased over 2024, thus raising the debt limit by \$4,180,696, bringing the 2025 debt limit of the civil City to \$36,811,258. The City's unused debt capacity in 2024, including the 2024 GO bond is \$17,090,652, or 52% of total 2024 bonding capacity. The City's unused debt capacity in 2025, including the 2024 GO bond, is \$21,271,258, or 58% of total 2025 bonding capacity.

The 2024 GO Bonds will be paid by taxpayers through a new estimated debt tax rate of .0678% (6.78 cents per one hundred dollars of assessed value). However, the City's **total** tax rate will remain relatively flat. The estimated total 2025 City tax rate for taxpayers will remain equal or close to the 2024 rate of .8635% (86.35 cents per 100 dollars of assessed value). This is because as assessed values rise over the tax cap set by Indiana law, the tax levy drops. The GO Bond will close the gap between the 2024 tax rate and the projected drop in the 2025 tax rate due to Bloomington's rising assessed values.

Project List

The following list is from Exhibit A of the attached bond ordinance. The City administration will adhere to the bond project list, which is required by law, and seek input from the City Council on choosing projects that meet the intent of the description listed in section (2)e..

The proceeds of the Bonds will be used to pay all or a portion of the costs of the following capital projects:

- (1) Parks and Recreation Department projects, in a total amount not to exceed \$333,500, consisting of the following:

- a. Sound system upgrades to the mobile sound system.
- b. Fence replacement at Willie Streeter Community Garden
- c. Roof replacement at Woodlawn Bryan Park Shelter
- d. Liner replacement at Bryan Park Pool
- e. Acquisition of a seven-passenger van as replacement to the Banneker van.
- f. Acquisition of a $\frac{3}{4}$ ton truck as replacement to the Parks operations truck.

- (2) Engineering Department projects, in a total amount not to exceed \$3,751,500, consisting of the following:

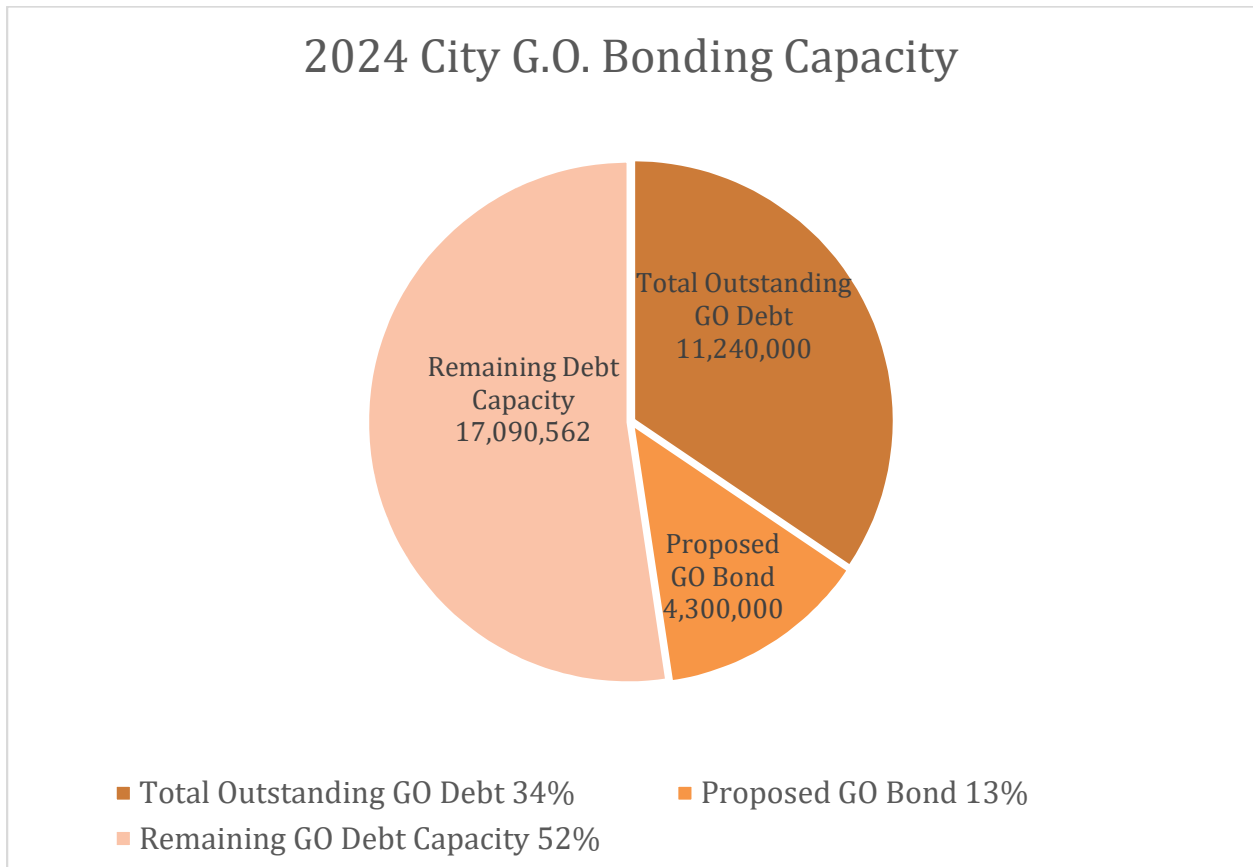
- a. Community traffic calming projects
- b. Crosswalk safety improvements
- c. Curb ramps
- d. Traffic signal modernization, including at the intersection of: (i) Rogers Street and West Kirkwood Avenue and (ii) South Walnut Street and Grimes Lane
- e. Projects included in the Bloomington Transportation Plan/Safe Streets For All Plan

- (3) Facilities maintenance and improvement projects, in a total amount not to exceed \$215,000.

Figures

Figure 1. 2024 City GO Bonding Capacity.

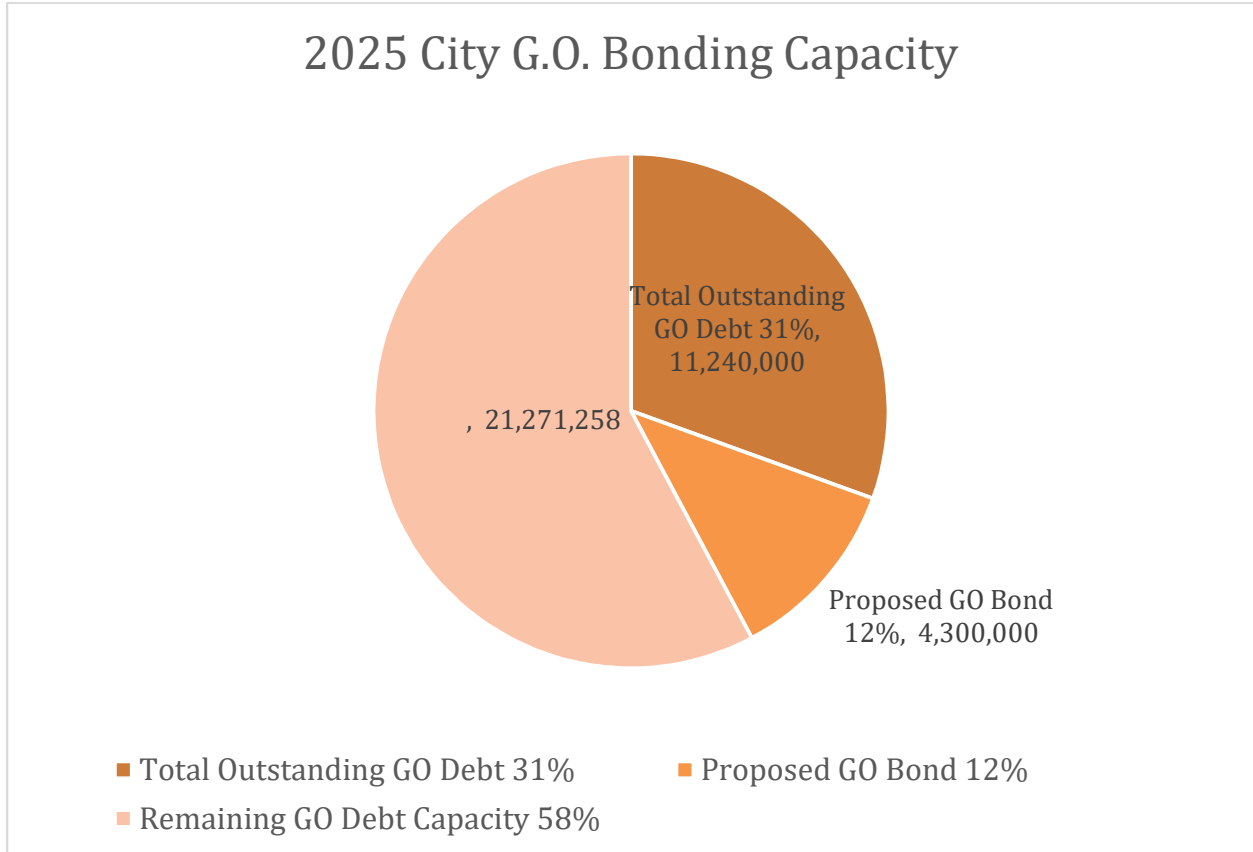
For 2024, the City's bond limit, or bonding capacity, for property tax funded bonds, is \$32,630,562. In other words, the City's bond principal amount due cannot exceed \$32,630,562. The City's unused debt capacity in 2024, including the 2024 GO bond is \$17,090,652, or 52% of total 2024 bonding capacity.



Source: Controller

Figure 2. 2025 City GO Bonding Capacity.

For 2025, the City's bond limit, or bonding capacity, for property tax funded bonds, is \$36,811,258. In other words, the City's bond principal amount due cannot exceed \$36,811,258. The City's 2025 assessed value increased over 2024, thus raising the debt limit. The City's unused debt capacity in 2025, including the 2024 GO bond is \$21,271,258, or 58% of total 2025 bonding capacity.



Source: Controller

Figure 3. Debt Service Tax Levy

This chart represents the debt service payments that the City must pay over the next 20 years. This is a preliminary planning document and does not represent the final bond documents. The grey bars represent current debt payments that are due. The blue bars represent the 2024 GO Bond, with an estimated 3 year maturity. The City is using a 2 year maturity, and there will not be a payment due in 2027. The green portions represent debt capacity, or debt limit that is available for the City to use. The chart assumes no growth in debt capacity.

Source: Reedy Financial

CITY OF BLOOMINGTON, INDIANA
DEBT SERVICE TAX LEVY
PRELIMINARY

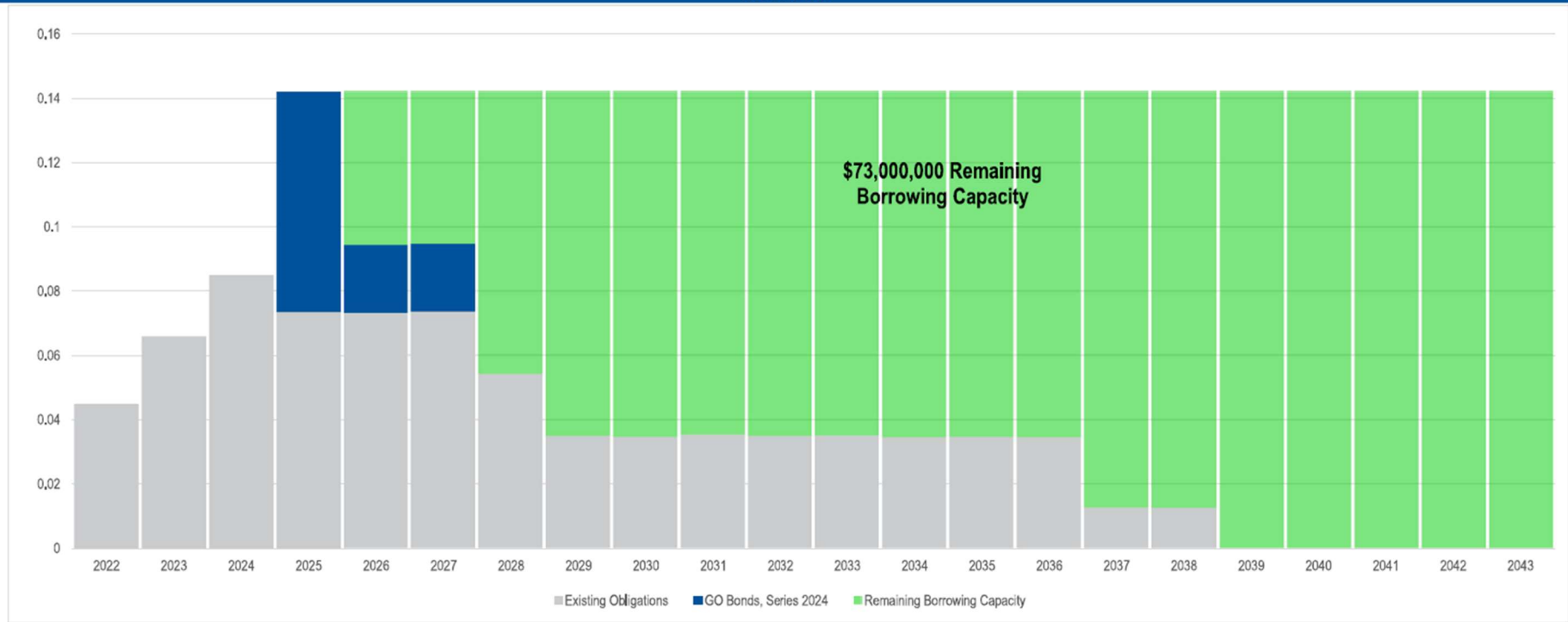
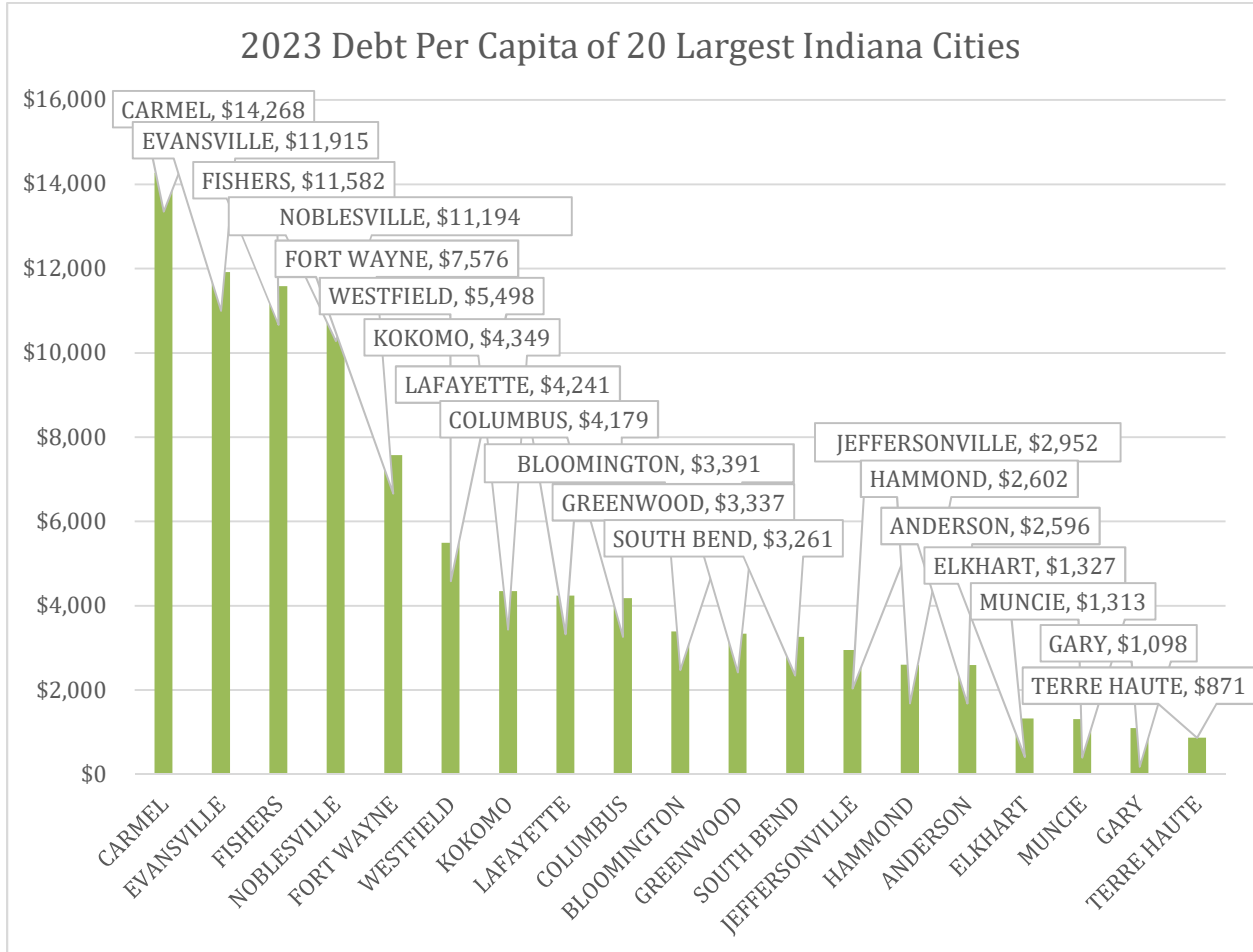


Figure 4. 2023 Debt Per Capita of 20 Largest Indiana Cities

This chart is compiled from data on the DLGF's website Gateway, www.gateway.ifionline.org. Data is available as of 2023. Bloomington's payable debt service is \$3,391 per capita, using the 2020 census population of 79,168. Bloomington ranks 10th amongst Indiana's 20 largest cities, excluding Indianapolis. This figure includes the 2024 GO Bonds. Bloomington's rank was 10th and remained 10th after inclusion of the 2024 GO Bonds.



Source: Indiana Gateway

Timetable

City of Bloomington, Indiana 2024 General Obligation Bonds Financing Timetable

<u>Date</u>	<u>Event</u>
Tuesday, October 9, 2024	Common Council Work Session
Monday, October 21	Circulate Draft Bond Ordinance to Working Group
Thursday, October 24	Working Group Call re: Bond Ordinance Return Comments on Bond Ordinance to Quarles
Monday, October 28	Submit Final Bond Ordinance to Council
Wednesday, October 30	Circulate Draft Term Sheet to Working Group
Monday, November 4	Submit Notice of Additional Appropriation to Herald Times
Wednesday, November 6	Return Comments on Term Sheet Finalize Term Sheet Bond Ordinance Introduced at Council Meeting
Friday, November 8	Publication of Notice of Additional Appropriation in Herald Times
Wednesday, November 20	Pre-Sign City's Closing Documents Public Hearing on 2024 GO Bond Final Consideration of Bond Ordinance by Council
Thursday, November 21	Execution of Bond Ordinance by Mayor Pricing of Bonds Submit Notice of Determination to Issue Bonds to Herald Times Submit Notice of Appropriation to DLGF
Friday, November 22	Finalize Purchaser Finalize Numbers / Verify Tax Rate Calculations
Week of November 25	Circulate Finalized Closing Documents
Monday, November 25	First Publication of Notice of Determination to Issue Bonds in Herald Times Post Notice of Determination to Issue Bonds
Monday, December 2	Second Publication of Notice of Determination to Issue Bonds in Herald Times
Tuesday, December 3	Return Closing Documents to Quarles
Thursday, December 5	Closing

Source: Quarles and Brady

MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Ash Kulak, Deputy Administrator / Deputy Attorney

Date: November 15, 2024

Re: Resolution 2024-23 – To Amend the City of Bloomington’s Transportation Plan in Order to Incorporate the Safe Streets and Roads for All (SS4A) Safety Action Plan

Synopsis

Pursuant to state law and as directed by the Common Council in Resolution 2024-07, this resolution amends the City of Bloomington’s Transportation Plan in order to incorporate the Safe Streets and Roads for All (SS4A) Safety Action Plan.

Relevant Materials

- Resolution 2024-20
- Certification form from Plan Commission
- City of Bloomington Safe Streets and Roads for All Safety Action Plan “Attachment A”
- Staff Memo from Ryan Robling, Planning Services Manager

Summary

Resolution 2024-20 would adopt the Safe Streets and Roads for All (SS4A) Action Plan as an amendment to the City’s Transportation Plan. The Council adopted Resolution 2024-07 on April 3, 2024, which started the process to incorporate SS4A in an amended Transportation Plan. Packet materials for that Resolution 2024-07 can be found on the council website for the [April 3 Regular Session](#).

The [Transportation Plan](#) was adopted by the City on July 17, 2019, as an amendment to the City’s Comprehensive Plan. The Transportation Plan fulfilled the 2018 requirement to develop an updated Master Thoroughfare Plan, and it guides the City’s transportation investments, policies, and operations to achieve the City’s goals. More information about the Transportation Plan can be found online at: bloomington.in.gov/transportation/plan.

Comprehensive Plan Amendment Process

Proposals to amend the City’s Comprehensive Plan are governed by state law under [Indiana Code \(I.C.\) 36-7-4-500 in the “500 Series – Comprehensive Plan.”](#) Generally, a Comprehensive Plan is prepared by the Plan Commission and must be approved by resolution of the legislative body in accordance with statutory requirements. Note that local code (BMC [20.06.070\(a\)](#)) also sets forth the procedure for review and amendment of the Comprehensive Plan, which requires amendments to proceed according to the 500 Series and allows the Plan Commission to recommend and the Common Council to determine the appropriate interval for review of the Comprehensive Plan.

Amendments to the Comprehensive Plan must be approved according to the general procedures set forth in the 500 Series, which require the Plan Commission to prepare the comprehensive plan ([I.C. 36-7-4-501](#)), hold a public hearing on the plan ([I.C. 36-7-4-507](#)), and certify it to the legislative body ([I.C. 36-7-4-508](#)).

Under [I.C. 36-7-4-511](#), if the legislative body wants an amendment to the Comprehensive Plan, it may direct the Plan Commission to prepare one and submit it in the same manner as any other amendment to the Comprehensive Plan. The default deadline for this is sixty (60) days, but the legislative body may extend that time.

On April 9, 2024, the Common Council passed [Resolution 2024-07](#), which initiated the process to amend the Transportation Plan by establishing the goal of zero traffic deaths and serious injuries in the City's roadways by 2039, outlining the City's intention to pursue a comprehensive approach to achieve that objective, and requiring the adoption of the SS4A Safety Action Plan.

On October 7, 2024, Plan Commission prepared and voted to send the amendment to the Council with a positive recommendation by a vote of 6-1-0. The Plan Commission's proposal amends the City's Transportation Plan to incorporate the SS4A Safety Action Plan. The Plan Commission certified its proposal on October 15, 2024.

The following procedures apply to a proposal to amend the Comprehensive Plan:

- After the Plan Commission determines its recommendation on a proposal and a public hearing has been held, it certifies the proposal to the Council with either a favorable recommendation, an unfavorable recommendation, or no recommendation. This proposal received a favorable recommendation by the Plan Commission by a vote of 6-1-0.
- After the Plan Commission certifies the proposal, the legislative body may, by majority vote, adopt a resolution approving, rejecting, or amending the Comprehensive Plan. This resolution is NOT subject to approval or veto by the executive, who is not required to sign it.
- If the legislative body approves the proposal as certified by the Plan Commission, it becomes official for each unit that approves it and the clerk of the legislative body must place one copy of it on file in the office of the county recorder.
- Unlike zoning or development ordinance amendments, if the legislative body does nothing, the Comprehensive Plan or amendments as certified by the Plan Commission do NOT go into effect. This is because, under state statute, the Comprehensive Plan is not effective for a jurisdiction until it has been approved by a resolution of the legislative body.
- If the legislative body wants to reject or amend the proposal, it must return the Comprehensive Plan to the Plan Commission for its consideration, along with a written statement of reasons for the rejection or amendment. The Plan Commission then has 60 days to consider the rejection or amendment and file its report with the legislative body, unless the legislative body extends that time by a specific duration.

- If the Plan Commission approves of the legislative body's amendment(s) to its proposal, the amended Comprehensive Plan stands as of the date the Plan Commission files its report with the legislative body. If the Plan Commission disapproves of the legislative body's rejection or amendment, the legislative body's rejection or amendment only stands if confirmed by another resolution. However, if the Plan Commission does not file a report with the legislative body in its allotted time, the legislative body's rejection or amendment of the Comprehensive Plan becomes final.

These procedures may seem cumbersome but are designed to ensure that there is a dialogue between the Plan Commission and the Council.

Contact

Ryan Robling, Planning Services Manager, 812-349-3459, roblingr@bloomington.in.gov

RESOLUTION 2024-20

**TO AMEND THE CITY OF BLOOMINGTON’S TRANSPORTATION PLAN IN
ORDER TO INCORPORATE THE SAFE STREETS AND ROADS FOR ALL (SS4A)
SAFETY ACTION PLAN**

- WHEREAS, pursuant to IC 36-7-4-501, the Plan Commission is responsible for preparing comprehensive plans and amendments thereto and forwarding them to the Common Council; and
- WHEREAS, on May 22, 2019, with the passage of Resolution 19-01, the Common Council adopted the City’s current Transportation Plan as an amendment to the City’s Comprehensive Plan; and
- WHEREAS, the Common Council, via Resolution 2024-07, directed that a Transportation Plan amendment proposal be considered by the Plan Commission to adopt a Safe Streets and Roads for All (SS4A) Safety Action Plan; and
- WHEREAS, the Plan Commission has considered this case, MP-38-24, and recommended that an SS4A Safety Action Plan be amended into the Transportation Plan; and
- WHEREAS, the Plan Commission requests that the Common Council consider this petition;

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

SECTION 1. The City’s Transportation Plan is amended.

SECTION 2. An Amended Transportation Plan, including other materials that are incorporated therein by reference, is hereby adopted. Said addendum to the Transportation Plan consists of the following documents which are attached hereto and incorporated herein:

1. The proposal forwarded to the Common Council by the Plan Commission with a positive recommendation by a vote of 6 Ayes, 1 Nays, and 0 Abstentions., consisting of:
 - a. MP-38-24, (hereinafter “Attachment A”)

SECTION 3. If any section, sentence or provision of this ordinance, or application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions or application of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

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

Pursuant to state law and as directed by the Common Council in Resolution 2024-07, this resolution amends the City of Bloomington’s Transportation Plan in order to incorporate the Safe Streets and Roads for All (SS4A) Safety Action Plan.

****RESOLUTION CERTIFICATION****

In accordance with IC 36-7-4-508 I hereby certify that the attached Resolution Number 2024-20 is a true and complete copy of Plan Commission Case Number MP-38-24 which was given a recommendation of approval by a vote of 6 Ayes, 1 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on October 7, 2024.



Date: October 15, 2024

David Hittle, Secretary
Plan Commission

Received by the Common Council Office this _____ day of _____, 2024.

Nicole Bolden, City Clerk

Appropriation Ordinance #	Fiscal Impact Statement Ordinance #	Resolution #
------------------------------	---	--------------

Type of Legislation:

Appropriation	End of Program	Penal Ordinance
Budget Transfer	New Program	Grant Approval
Salary Change	Bonding	Administrative
		Change
Zoning Change	Investments	Short-Term Borrowing
New Fees	Annexation	Other

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure	_____	Emergency	_____
Unforeseen Need	_____	Other	_____

Funds Affected by Request:

Fund(s) Affected	_____	_____
Fund Balance as of January 1	\$ _____	\$ _____
Revenue to Date	\$ _____	\$ _____
Revenue Expected for Rest of year	\$ _____	\$ _____
Appropriations to Date	\$ _____	\$ _____
Unappropriated Balance	\$ _____	\$ _____
Effect of Proposed Legislation (+/-)	\$ _____	\$ _____
Projected Balance	\$ _____	\$ _____

Signature of Controller

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

Yes _____ No _____ XX

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

Pursuant to state law and as directed by the Common Council in Resolution 2024-07, this resolution amends the City of Bloomington's Transportation Plan in order to incorporate the Safe Streets and Roads for All (SS4A) Safety Action Plan.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary.)

City of Bloomington Safe Streets and Roads for All Safety Action Plan

DRAFT

October 2024

DISCLAIMER: *Information contained in this document is for planning purposes and should not be used for final design of any project. All results, recommendations, concept drawings, cost opinions, and commentary contained herein are based on limited data and information and on existing conditions that are subject to change. Further analysis and engineering design are necessary prior to implementing any of the recommendations contained herein.*

DRAFT

Table of Contents

List of Abbreviations and Acronyms	4
Acknowledgements.....	5
Bloomington City Staff.....	5
Community Advisory Committee.....	5
Consultant Team	5
Background	7
FINDING OUR FOCUS	9
Vision Zero	10
Safe Systems Approach	11
Road Safety and Equity.....	12
What We've Already Done.....	13
SETTING THE STAGE	14
Crash Analysis	15
High Injury Network.....	23
Voices of Bloomington.....	32
GETTING TO ZERO	37
Immediate or Short Term Action Items (2024-2026).....	38
Medium Term Action Items (2027-2034).....	47
Long Term Action Items (2035-2039).....	49
Safety Countermeasure Toolkit.....	51
High Risk Network Priority Corridors and Intersections	53
TRACKING PROGRESS AND MOVING FORWARD	56
Performance Measures and Annual Reporting	57
Crash Data Dashboard.....	58
Moving Forward	59

List of Abbreviations and Acronyms

ACS: American Community Survey

DUI: Driving Under the Influence

FHWA: Federal Highway Administration

FI: Fatal or Injury (all injury severities)

FSI: Fatal or Serious Injury

HIN: High Injury Network

HRN: High Risk Network

INDOT: Indiana Department of Transportation

PCSi: Proven Safety Countermeasure initiative

PHB: Pedestrian Hybrid Beacon

RRFB: Rectangular Rapid Flashing Beacon(s)

SRTS: Safe Routes to School

USDOT: United States Department of Transportation

VPD: Vehicles Per Day

VRU: Vulnerable Road User (includes Pedestrian or Bicyclists)

Acknowledgements

Bloomington City Staff

Ryan Robling, Planning Services Manager
Karina Pazos, Long Range Planner
Hank Duncan, Bicycle and Pedestrian Coordinator
Andrew Cibor, City Engineer

Community Advisory Committee

Ann Edmonds, Bicycle & Pedestrian Safety Commission
Ben Dalton, Parking Commission
Casey Guarino, Council for Community Accessibility
Emma Williams, Human Rights Commission
Greg Alexander, Traffic Commission
Jaclyn Ray, Bicycle & Pedestrian Safety Commission
Jillian Kinzie, Plan Commission, MPO Policy Committee
Kate Rosenbarger, City Council District II Representative
Sarah Ryterband, Traffic Commission, MPO Citizens Advisory Committee

Consultant Team



Dean Chamberlain, Project Manager
Jaz Warren, Equity Framework Lead and Planner
Drew Parker, Deputy Project Manager
Sara Schooley, Engagement Lead and Plan Compilation
Sarah Skolaski, Designer and Outreach Support
Cassandra Slack, Report Design and Layout

Bloomington is committed to making our streets safer for everybody

The City of Bloomington is a City with vibrant neighborhoods, diverse and hardworking residents, a large university, and a thriving downtown. While Bloomington already has a lot to offer residents and is continually attracting new ones, we know that there is still work to do to make our roadways safer for all those that travel on our roadways, whether on foot, bike, in a vehicle, or on transit.

Between the years 2019-2023, there were 10,391 crashes on Bloomington's streets; 443 of these crashes resulted in either a life-changing injury or death. These crashes, notably, are more than a statistic to track. These crashes forever impact families, friends, and neighbors throughout Bloomington. As a community, we do not accept these crashes as status quo. We are ready to commit to being a better and safer community. We are ready to change.

This Safety Action Plan (SAP) documents what is happening now and what we commit to do to increase the safety for everybody on all of Bloomington's streets. This plan includes implementable recommendations that we will carry out with community partners and advocates. This plan is our roadmap to our main priority - achieving the goal of zero deaths or serious injuries on our roads by 2039.

We are committed to safer streets in Bloomington. Join us.

Sincerely,

BACKGROUND

DRAFT

This Safety Action Plan (SAP) is Bloomington's roadmap to achieving our ambitious vision and should be used by City staff, elected officials, community advocates, businesses, and all Bloomington residents committed to safer streets. This Plan includes four major sections:

- **Finding Our Focus.** In creating this Safety Action Plan, the City of Bloomington is joining Cities across the country and the world in working to eliminate serious injuries and fatalities from our roadways. This section introduces the concepts of Vision Zero and the Safe Systems approach, solidifies the relationship between safer streets and equity, and reviews past efforts in the region to improve roadways safety.
- **Setting the Stage.** This section provides an overview of what has historically happened and what is currently happening on our roadways, and how existing policies, programs, and projects impact people throughout the region. This section includes both quantitative and qualitative information about current conditions with a crash data analysis and information gathered through extensive public engagement efforts.
- **Getting to ZERO.** This section lays out programs, policies, and projects that aim to eliminate serious injuries and fatalities on Bloomington's streets by 2039. This section also outlines how these elements should be prioritized in order to be efficient, opportunistic, and effective.
- **Tracking Progress.** This section outlines how the City will measure whether our roadways are becoming safer for all using performance measures, annual reporting, and a crash data dashboard.

FINDING OUR FOCUS

DRAFT

Bloomington is joining an ever-growing number of cities throughout the county and world who are committed to eliminating transportation-related fatalities and serious injuries on their streets. This momentum started with the Vision Zero movement and is founded in the Safe Systems Approach.

Vision Zero

Vision Zero is a values-based philosophy that was developed in Sweden in the late 1990s that states that traffic deaths and serious injuries in our transportation systems are avoidable and unacceptable. The Vision Zero movement is one of the first large-scale efforts to look at traffic crashes as a systemic issue, versus blaming individual users. Vision Zero also pivoted from the acceptance of death and serious injuries as just the “cost” of having an efficient transportation system to stating that absolutely nobody should be killed or injured on our streets due to traffic-related causes.

While the Bloomington SAP is not, officially, a Vision Zero effort, much of this plan, its content, and recommendations align with Vision Zero philosophies and actions. More information about Vision Zero can be found at <https://visionzeronetwork.org/>.

Safe Systems Approach

The Safe Systems approach is founded in the belief that humans are human - people will not always behave perfectly, won't always follow the rules, and may make bad decisions on the roadways. The Safe Systems approach confronts this reality by creating a multi-faceted system that acknowledges the many contributors to roadway safety outcomes – safe road users, post-crash care, safe roads, safe vehicles, and safe speeds – and works to create safety in redundancy.

This redundant approach means that even if one of these players “fails,” there will be multiple other players ready and waiting to ensure that the situation remains safe. For example, if an individual chooses to drive at excessive speeds, the design of the roadway (narrow lanes, separation between vehicles and pedestrians, speed humps, etc.) or other factors will keep all roadway users safe.

The Safe Systems Approach has six key principles:

1. **Death and serious injury are unacceptable.** Although no crashes are desired, the Safe System approach focuses on eliminating crashes where people die or are seriously injured.
2. **Humans make mistakes.** There is no perfect person, so human error should be expected and anticipated. Human mistakes should not result in life-changing injuries or death.
3. **Humans are vulnerable.** Human bodies are subject to the laws of physics. They can only withstand so much force before a serious injury or death occurs.
4. **Responsibility is shared.** Eliminating deaths and serious injuries on our roadways is a team effort. Elected officials, planners, engineers, vehicle designers, and people traveling need to work together to create a safe roadway network.
5. **Safety is proactive.** Planners, engineers, and roadway designers know the factors that make streets safe or unsafe – a crash should not need to happen to prove that an area is unsafe. Best practices and research should be used to proactively identify and address dangerous locations.
6. **Redundancy is crucial.** Even if one part of the transportation system fails, redundancy will be in place to make sure the transportation system stays safe for all users.

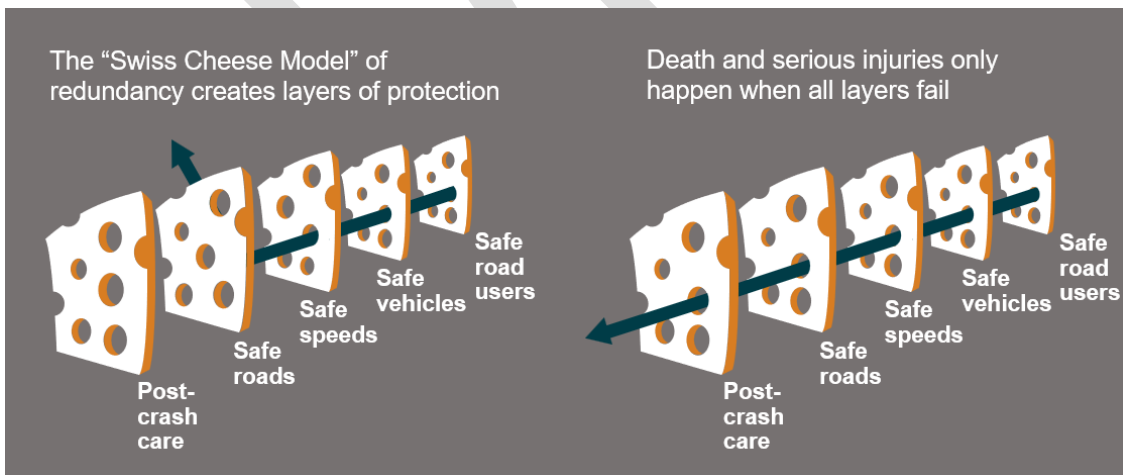


Figure 1. "Swiss Cheese Model" of crash causation, Source: FHWA

Road Safety and Equity

Transportation is a key element of people's daily lives that not only allows them to access their day-to-day needs and activities, but also serves as a place for the community to gather and socially interact. Additionally, transportation systems are complex and comprehensive, often overlapping with other systems, such as housing, land use, law enforcement, and climate efforts.

Policies and practices surrounding these systems can create inequitable transportation access for BIPOC communities, those who are low income, and other marginalized groups, often due to a lack of representation and institutional power. Decades of racist policies and planning practices have long-standing and detrimental impacts to these communities in cities across the country.

These practices have led specific demographic groups to disproportionately suffer the burdens of transportation systems. Some of these burdens include higher exposure to pollution, public health and climate impacts, higher concentrations of traffic crashes, service gaps and inadequate infrastructure, and divisive highway construction. Local governments, like Bloomington, are responsible for reversing these practices and implementing planning practices and policies that respond to the needs of all people.

In developing this Plan, the City was intentional in ensuring the process used and the recommendations that were developed for the plan support the creation of a future equitable transportation network. Specifically, the planning process and the resulting plan was founded in the following principles:

- **Communities of Interest should participate in and influence transportation decision-making and outcomes.** Communities of Interest are defined as areas with populations that have a higher density of eight equity indicators: BIPOC, low-income households, people with disabilities, people with low English proficiency, children, elderly adults, students, and limited vehicle access.
- **One's race, income, physical ability, gender, age, and other demographic characteristics should not determine their safe access** to jobs, healthcare, childcare, education, public amenities, recreation, and quality food.
- **A person's race, income, physical ability, gender, age, and other demographic characteristics should not correlate with negative transportation-related outcomes** related to health, safety, or climate.
- **The way a person gets around (mode) should not correlate with negative safety or health outcomes, disproportionate climate impacts, or limited access to opportunities.** Planning, maintenance, and funding efforts for different transportation modes, like walking, bicycling, micromobility, driving, carpooling, or public transportation should be prioritized in Communities of Interest first while considering community goals and overall system needs.
- **Safe and adequate sidewalks, bikeways, and trails should be accessible for and welcoming** to people of all cultural backgrounds, ages, and to people with disabilities.
- **Public investments, safety improvements, and other transportation policies and programs in areas vulnerable to displacement should be paired with anti-displacement strategies** to empower residents to stay in their homes, encourage small businesses to remain in place, and strengthen the character of the community or neighborhood.

More information about how and why equity is foundational to this Safety Action Plan can be found in [Appendix X. Safe Streets for All Equity Framework.](#)

What We've Already Done

This plan is a major step in demonstrating the City of Bloomington's commitment to safer streets for all its residents. That said, this is not the first time the City or the region has created a plan, actions, policies, or programs that address roadway safety. The following table highlights many of Bloomington's past efforts and the roadway safety topics they touched upon.

Table 1: Summary of Actions and Considerations within Reviewed Documents

Document Name	Safety Vision or Goals	Safety Data	Safety Actions	Equity	Roadway Design/ Countermeasures	Projects/ Priority Corridors	Funding/ Implementation
City of Bloomington Transportation Plan	✓	✓	✓	✓	✓	✓	✓
City of Bloomington Comprehensive Plan	✓		✓	✓			
City of Bloomington Climate Action Plan	✓		✓	✓	✓		✓
City of Bloomington Bicycle and Pedestrian Transportation and Greenways System Plan	✓	✓	✓	✓	✓	✓	✓
Bloomington, Indiana TDM Program Plan					✓		✓
City of Bloomington Right-of-Way Use					✓		
City of Bloomington Design Standards Manual					✓		
City of Bloomington Capital Improvement							✓
City of Bloomington Zoning Districts							
City of Bloomington Unified Development Ordinance					✓		
City of Bloomington Boards and Commissions Structure							
City of Bloomington Traffic Calming and Greenways Program	✓	✓	✓	✓	✓	✓	✓
City of Bloomington Scooter Guidelines	✓		✓			✓	
City of Bloomington Sidewalk Repair Assistance Program	✓		✓			✓	✓
BMCMPPO Transportation Improvement Program					✓	✓	✓
BMCMPPO Complete Streets Policy	✓		✓	✓	✓		✓
Indiana Safe Routes to School Guidebook	✓	✓	✓	✓	✓		✓

SETTING THE STAGE

There are many factors that contribute to how safe a City's streets are – design, operation, and user behaviors all play important roles and must be understood in order to make them better. This section describes the results of these factors on Bloomington's roads today using both quantitative and qualitative measures – a crash analysis and extensive public feedback, respectively. These methods were used to understand what the data says about what's happening on our streets, as well as what people think is happening and their thoughts on how to make the situation safer for everybody.

Crash Analysis

Crash data is one of the best tools we have to understand how and where people are severely injured or killed while traveling on Bloomington's streets. If the crash is reported to police, a report is generated that details crash characteristics like the location, contributing crash factors, and demographic information such as the gender and age of those involved.

The crash analysis conducted for Bloomington used data from the Indiana Department of Transportation (INDOT) for the most recent five years (2019 through 2023). It should be noted that while the data is the best available, it represents crashes that are reported to local law enforcement agencies, which makes it an incomplete picture because some crashes may not be reported (due to avoiding interactions with law enforcement, especially for those with past negative interactions with police, such as People of Color). Additionally, the report may not be accurate – severity may be underreported because the reporter may not have medical training, and some factors (such as speed or the reasons for the crash) are challenging to determine after the crash has happened. That said, crash data, while imperfect, is a valuable starting point in understanding current conditions. The following are key takeaways from Bloomington's crash analysis.

Vehicle-only crashes are the most common, but the risk or serious injury of death is much higher for crashes involving people walking, biking, or rolling. Only 4% of total crashes involve somebody walking, biking, or rolling, but over 38.5% of fatal crashes and 24% of serious injury crashes involve people using these modes.

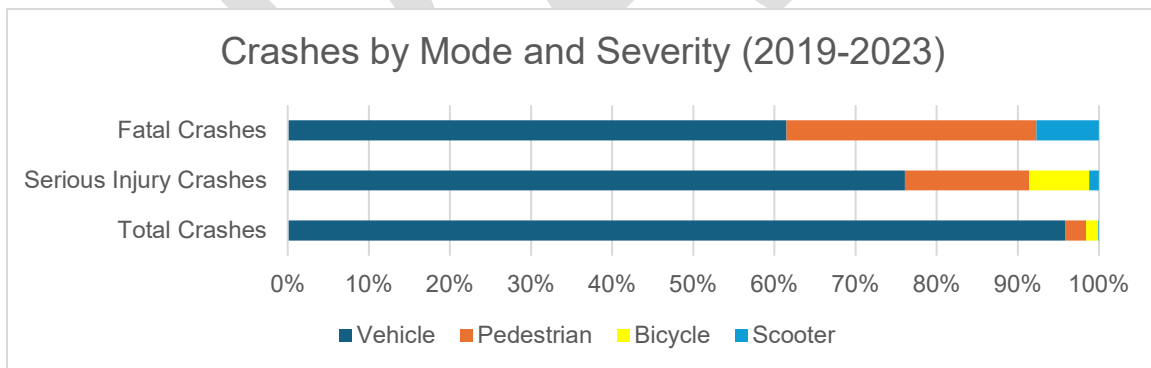


Figure 2. Crashes by Mode and Severity, 2019-2023

The majority of fatal or serious injury crashes occurred on arterial street and state highways. There were 262 fatal or serious injury crashes on arterial streets or state highways (59% of all fatal or serious injury crashes) Arterial streets and state highways make up only 20% of the city's roadway mileage. Figure 9 shows the classification of all streets in Bloomington for reference.

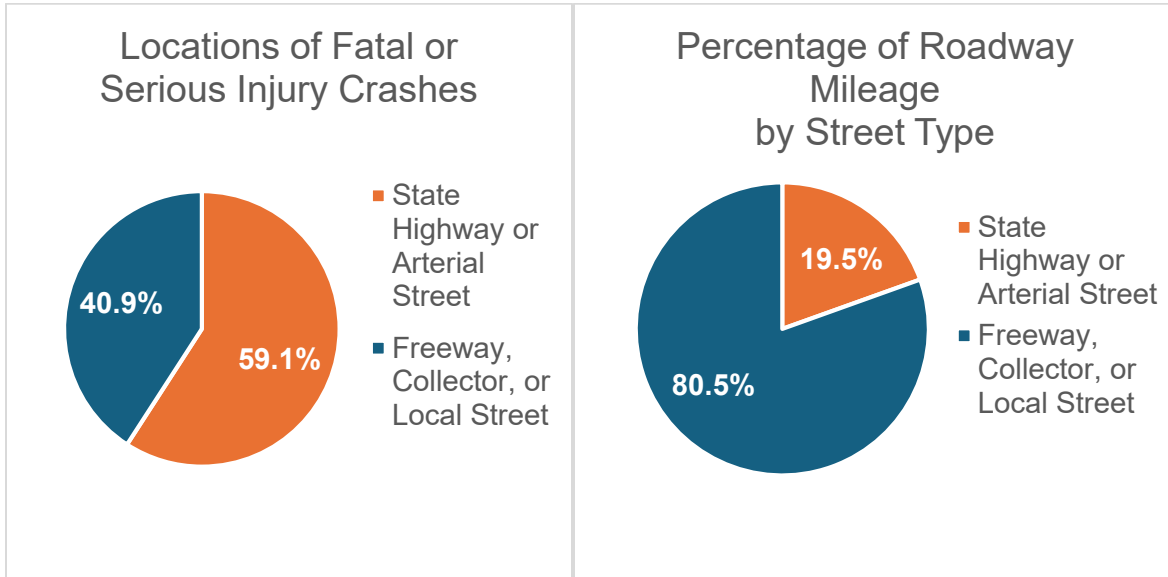


Figure 3. Percentage of Streets by Type of Street/Highway

Figure 4. Percentage of FSI Crashes by Type of Street/Highway

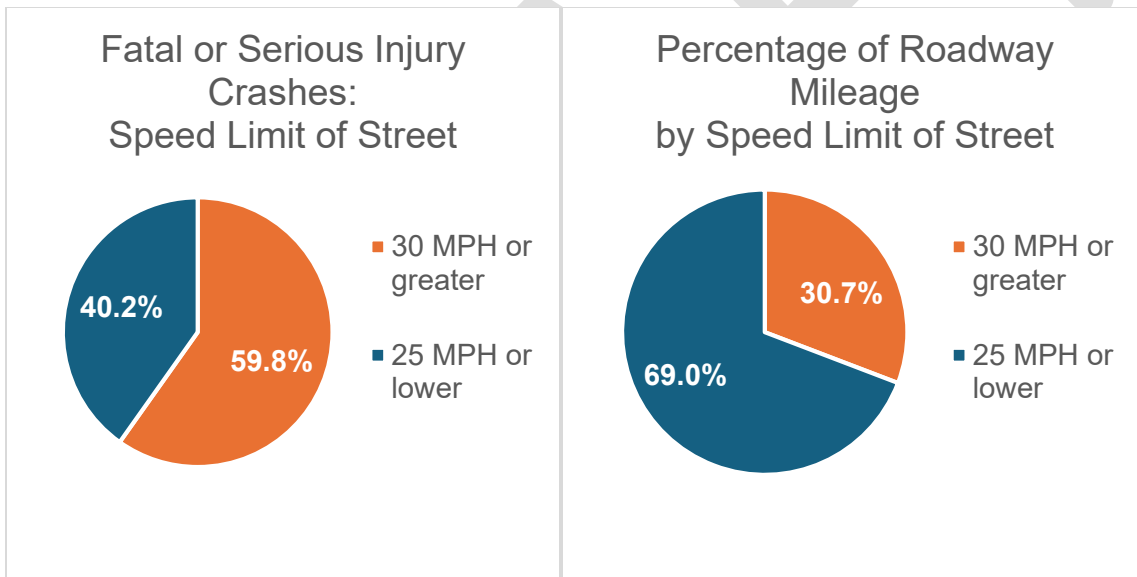
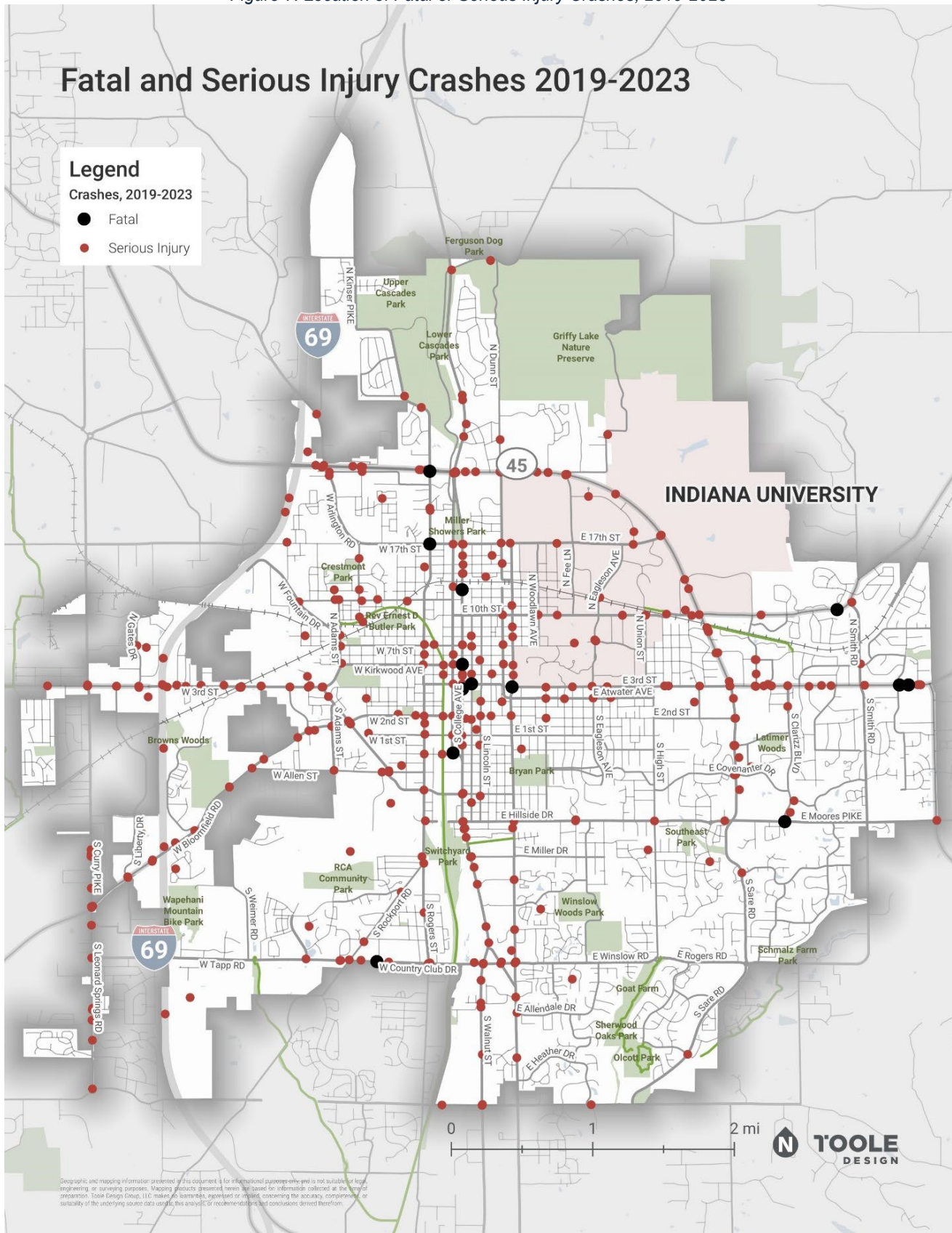


Figure 5. Percentage of Streets by Speed Limit

Figure 6. Percentage of FSI Crashes by Speed Limit

Figure 7. Location of Fatal or Serious Injury Crashes, 2019-2023



The streets in Bloomington with the largest clusters of fatal and serious injury crashes are:

- State Highway 45/46 (aka the Bypass)
- West 3rd Street
- East 3rd Street
- North Kinser Pike
- College Avenue
- Walnut Street
- South College Mall Road
- West Country Club Road/East Winslow Drive
- North and South Indiana Avenue

These streets tend to have speed limits of 30, 35, 40, or 45 MPH and tend to have four or more lanes if they are two-way or two or more lanes if they are one-way. All of these streets are either INDOT state highways or city-owned arterials. Figure 8 and Figure 9 on the following pages show the speed limit and functional class of streets in Bloomington.

Figure 8. Speed Limits of Streets in Bloomington

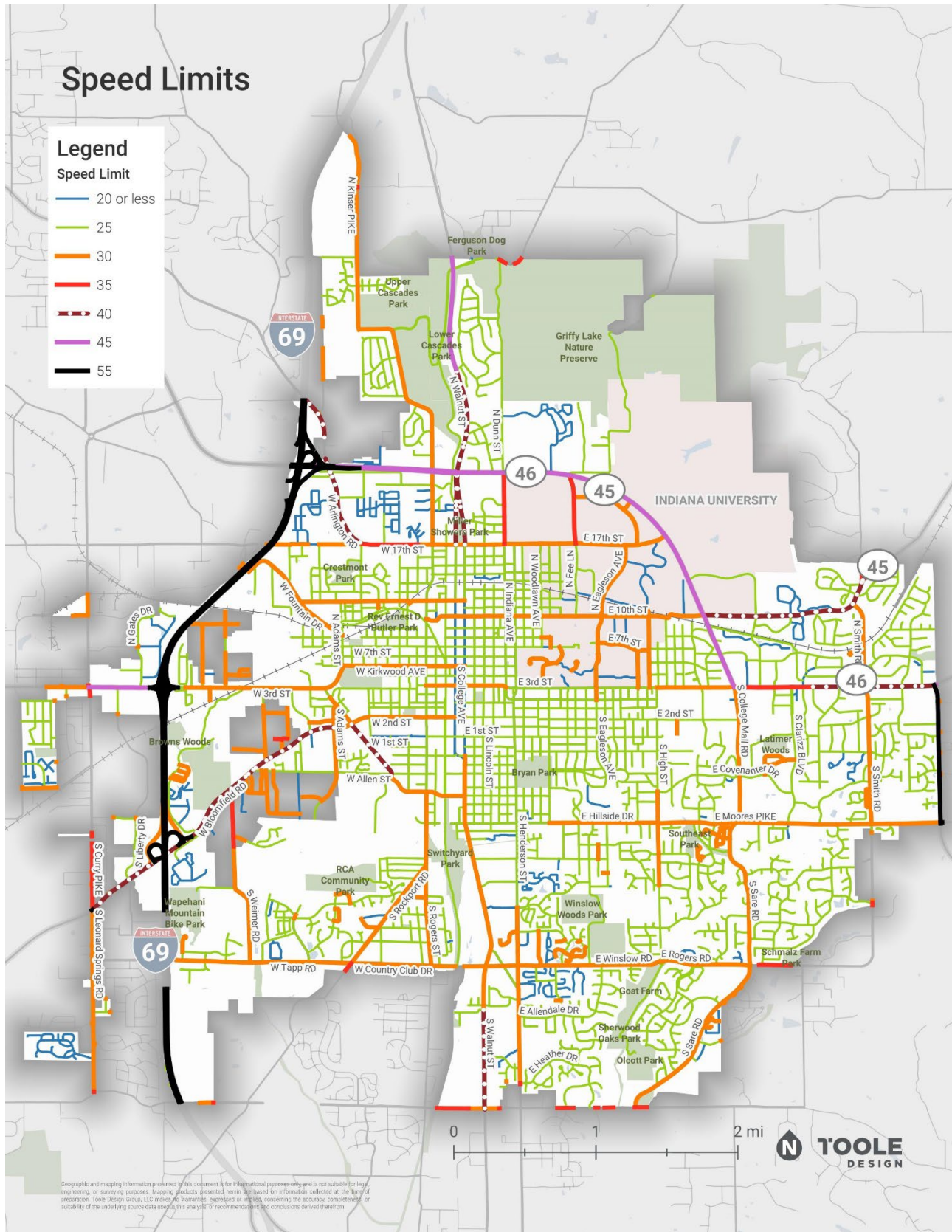
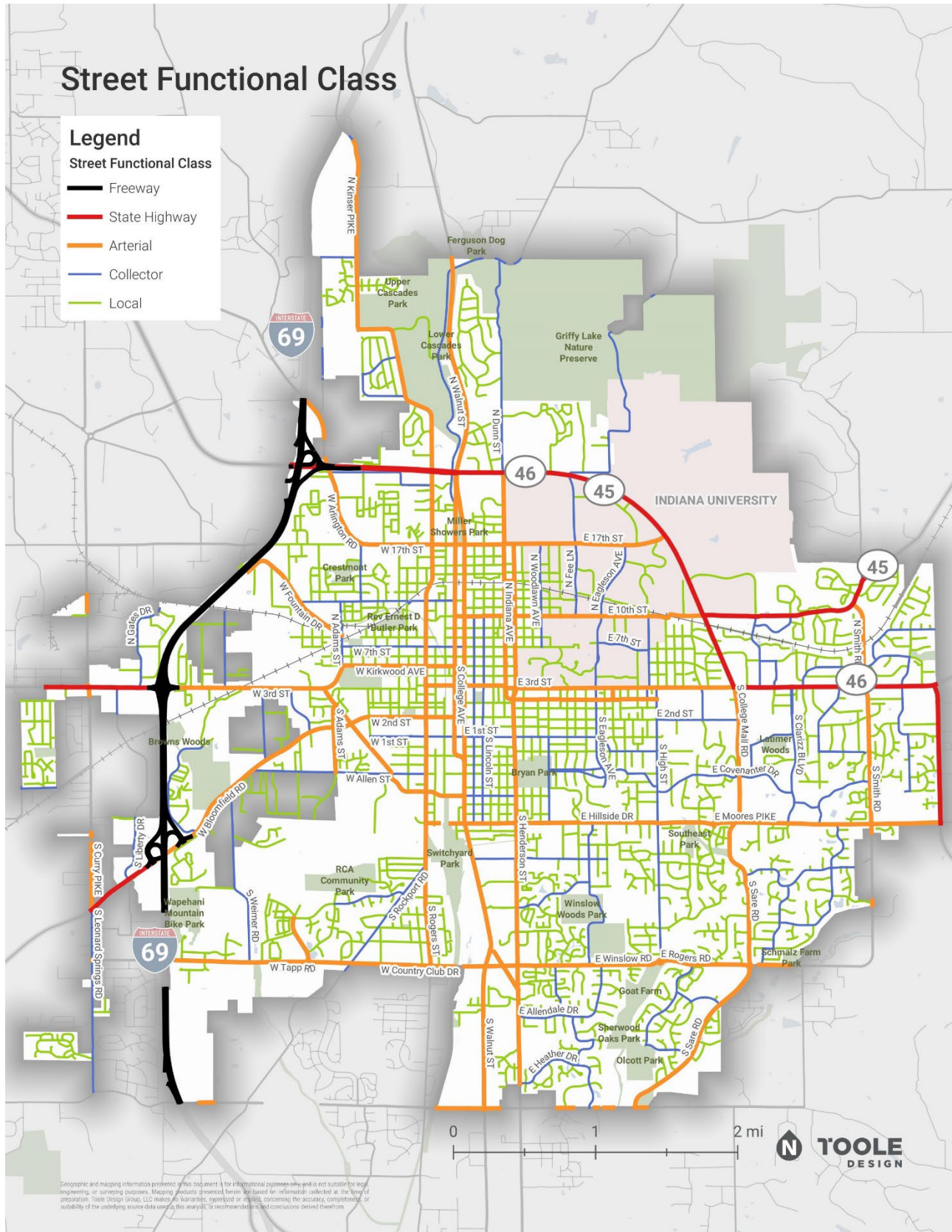


Figure 9. Functional Class of Streets in Bloomington



Rear-end and right angle crashes (“T-bone crashes”) are the leading fatal and serious injury crash types for people driving on Bloomington’s streets. “Failure to Yield the Right of Way” was the most common leading contributing factor for these same crashes. For crashes involving pedestrians or people riding scooters, “other” is the most common listed crash type. This crash type typically has more detailed information listed in the narrative of the crash report, however, this data was not available in the crash dataset used for analysis.

Figure 10. Crash Type by Mode of Travel for Fatal and Serious Injury Crashes, 2019-2023

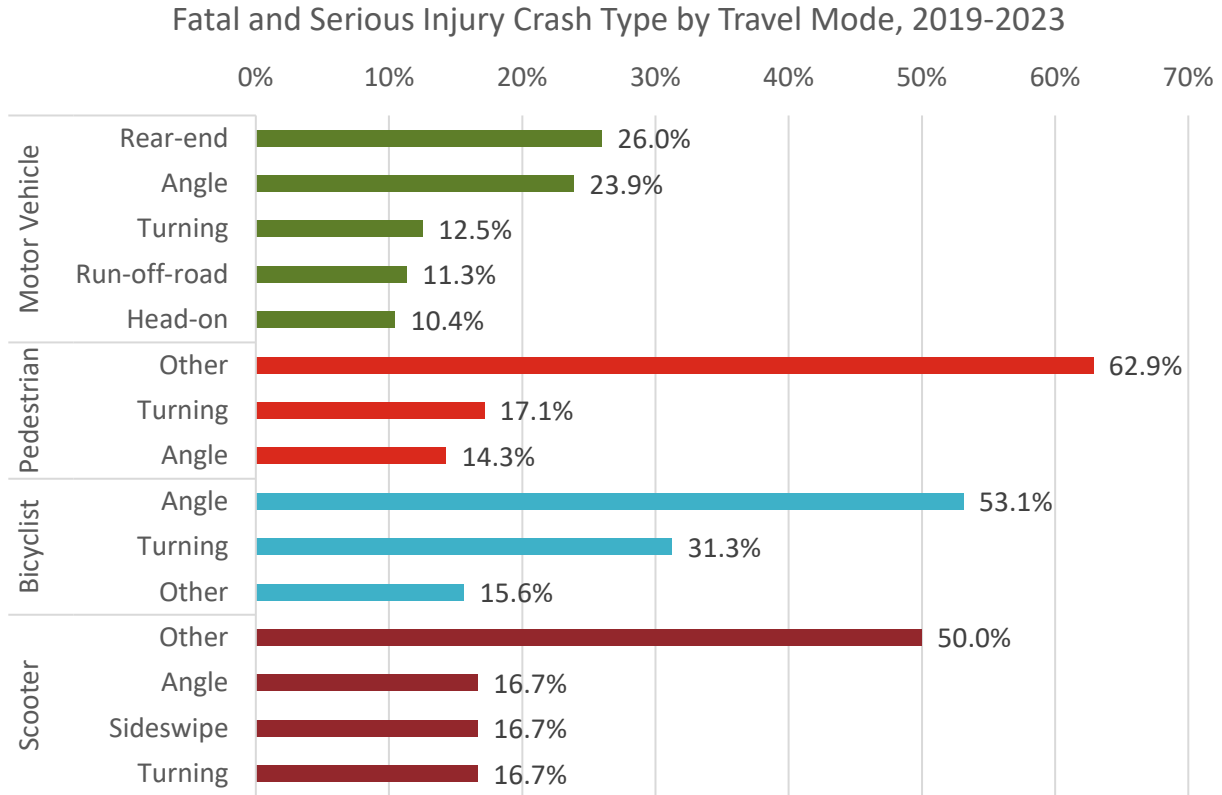
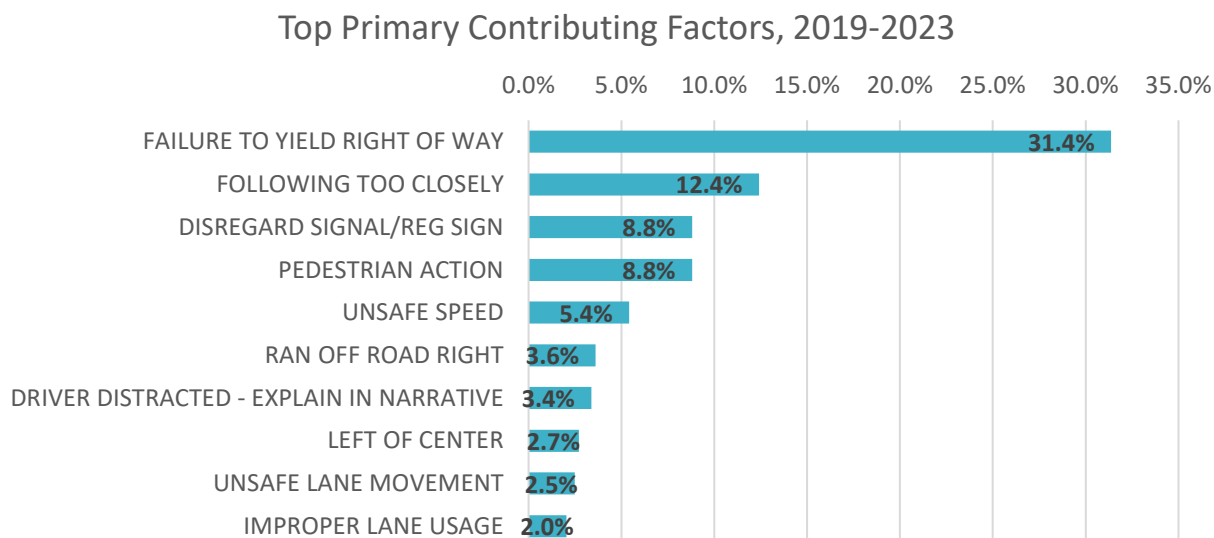


Figure 11. Top Primary Contributing Factors for Fatal and Serious Injury Crashes, 2019-2023



40% of fatal and serious injury crashes that involved a pedestrian were at night. This follows national crash trends in which darkness commonly elevates risk, especially for pedestrians, due to reduced visibility and increased vehicle speeds at night, among other reasons.



High Injury Network

The City of Bloomington developed a High Injury Network to determine where to focus transportation safety projects in the future in order to reach zero fatal or serious injury crashes.

A High Injury Network is a map of streets that have the highest frequency of fatal and serious injury crashes. These locations are candidates for safety improvements as part of a data-driven, reactive safety program. By targeting these high injury locations with the safe systems approach, we can be sure that our investments will produce strong results for our road users.

Method

The crash dataset used to create the High Injury Network was fatal and serious injury (FSI) crashes from the years 2019 through 2023. Roads were analyzed using a sliding window-type analysis approach with a step size of 0.1 miles and a window size of 0.5 miles, producing smoothed crash frequencies. Crashes which occurred near intersections were assigned to all intersection approaches within 10 meters to account for corridors patterns that traverse intersections.

Results

All analysis results are summarized in the following maps. Each map below visualizes the top 15% of crash locations based on their respective scores. The scores are calculated for the 2019 through 2023 study period, summarizing the total number of crashes on each roadway segment as follows:

- All Mode FSI Crash Score: Total number of fatal or serious injury crashes of any mode. (Figure 12)
- Motor Vehicle FSI Crash Score: Total number of fatal or serious injury crashes involving only motor vehicles. (Figure 13)
- Pedestrian FSI Crash Score: Total number of fatal or serious injury crashes involving pedestrians. (Figure 14)
- Bicyclist FSI Crash Score: Total number of fatal or serious injury crashes involving bicyclists. (Figure 15)
- Scooter FSI Crash Score: Total number of fatal or serious injury crashes involving people riding scooters. (Figure 16)
- Vulnerable Road User FSI Crash Score: Total number of fatal or serious injury crashes involving pedestrians and bicyclists (Figure 17)

Some of the top High Injury Network corridors include:

- State Route 45/46
- East 3rd Street
- West 3rd Street
- Walnut Street
- College Avenue
- West Country Club Drive

Figure 12. High Injury Network - All Modes

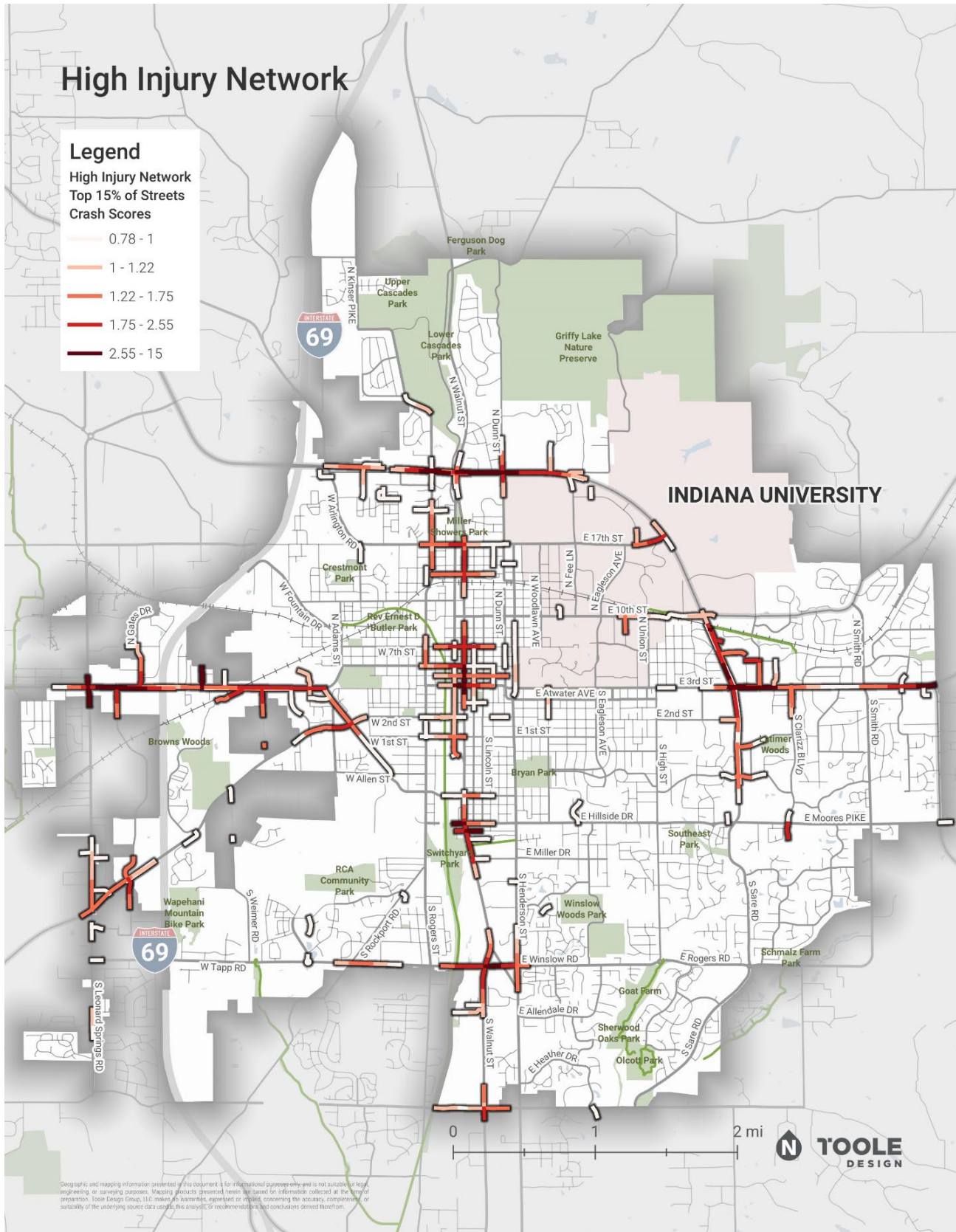


Figure 13. High Injury Network - Motor Vehicle Crashes

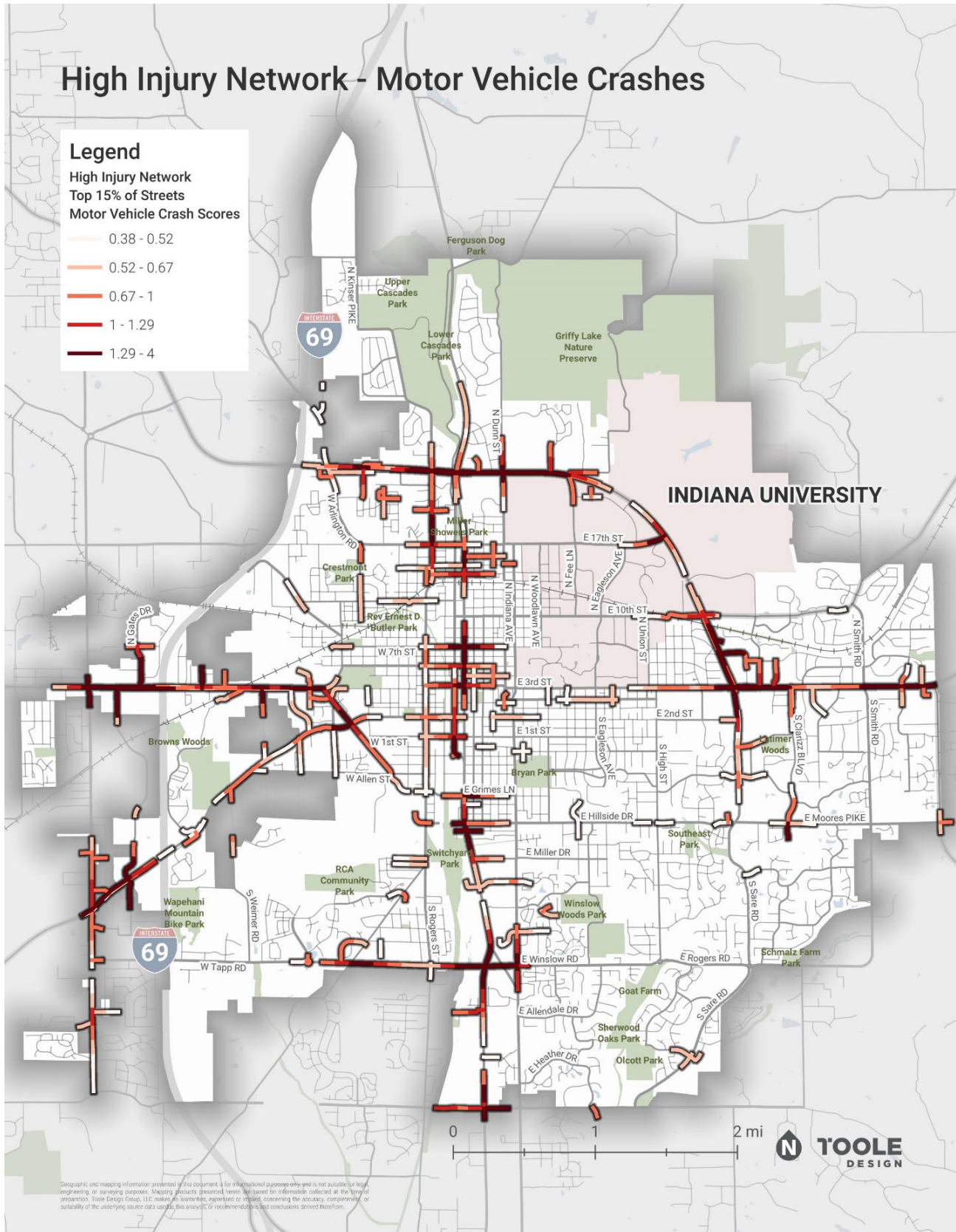


Figure 14. High Injury Network - Pedestrian Crashes

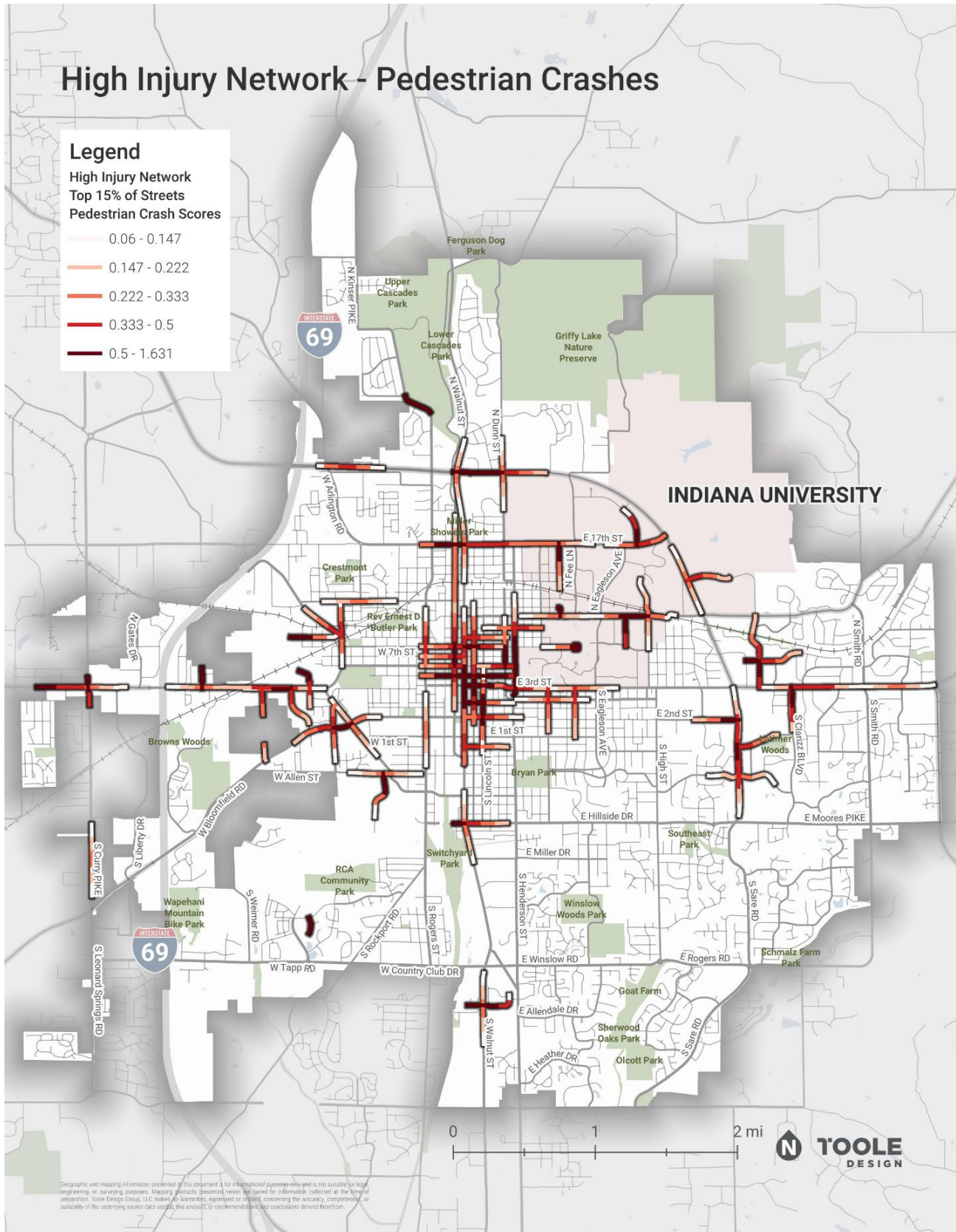


Figure 15. High Injury Network - Bicyclist Crashes

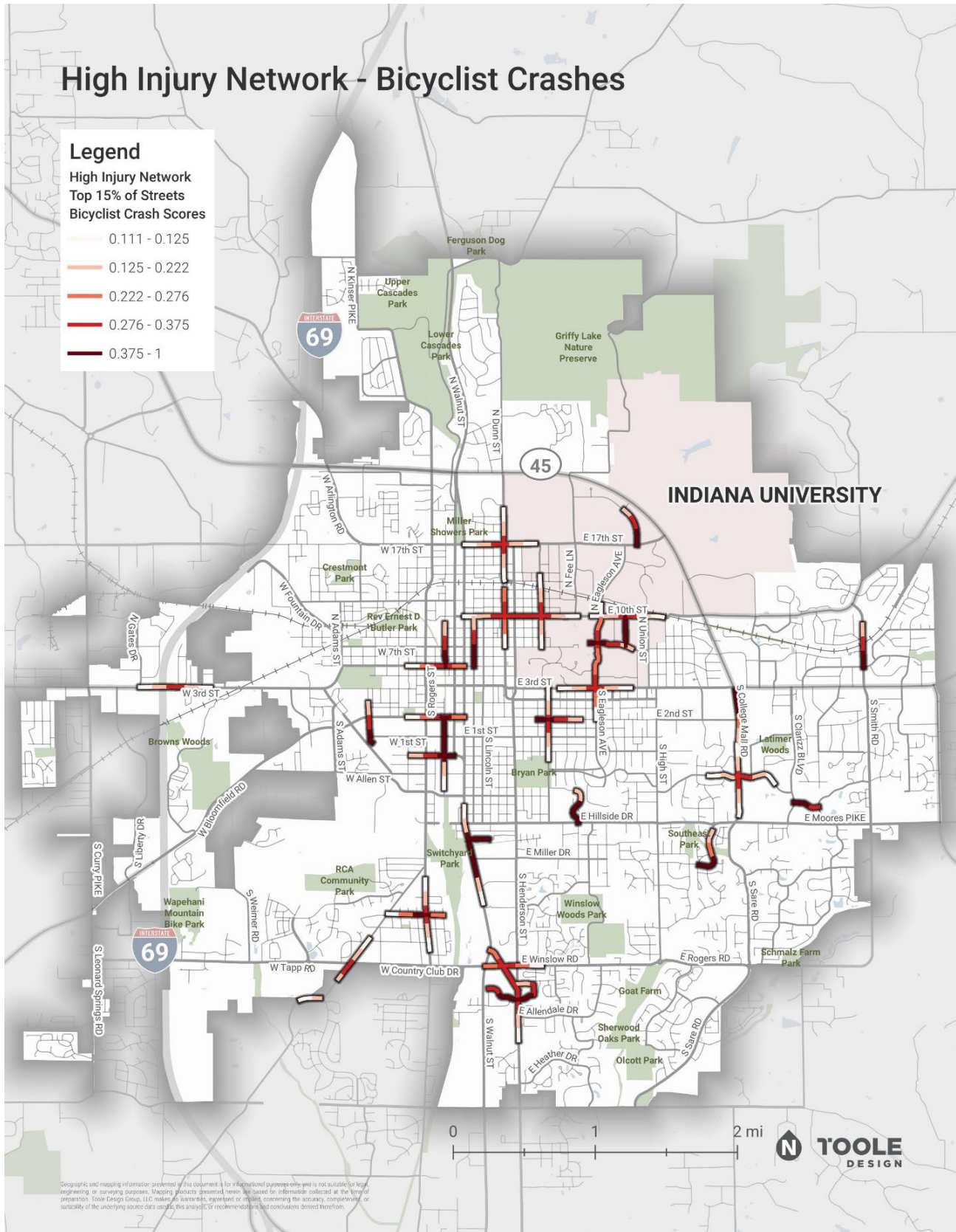


Figure 16. High Injury Network - Scooter Crashes

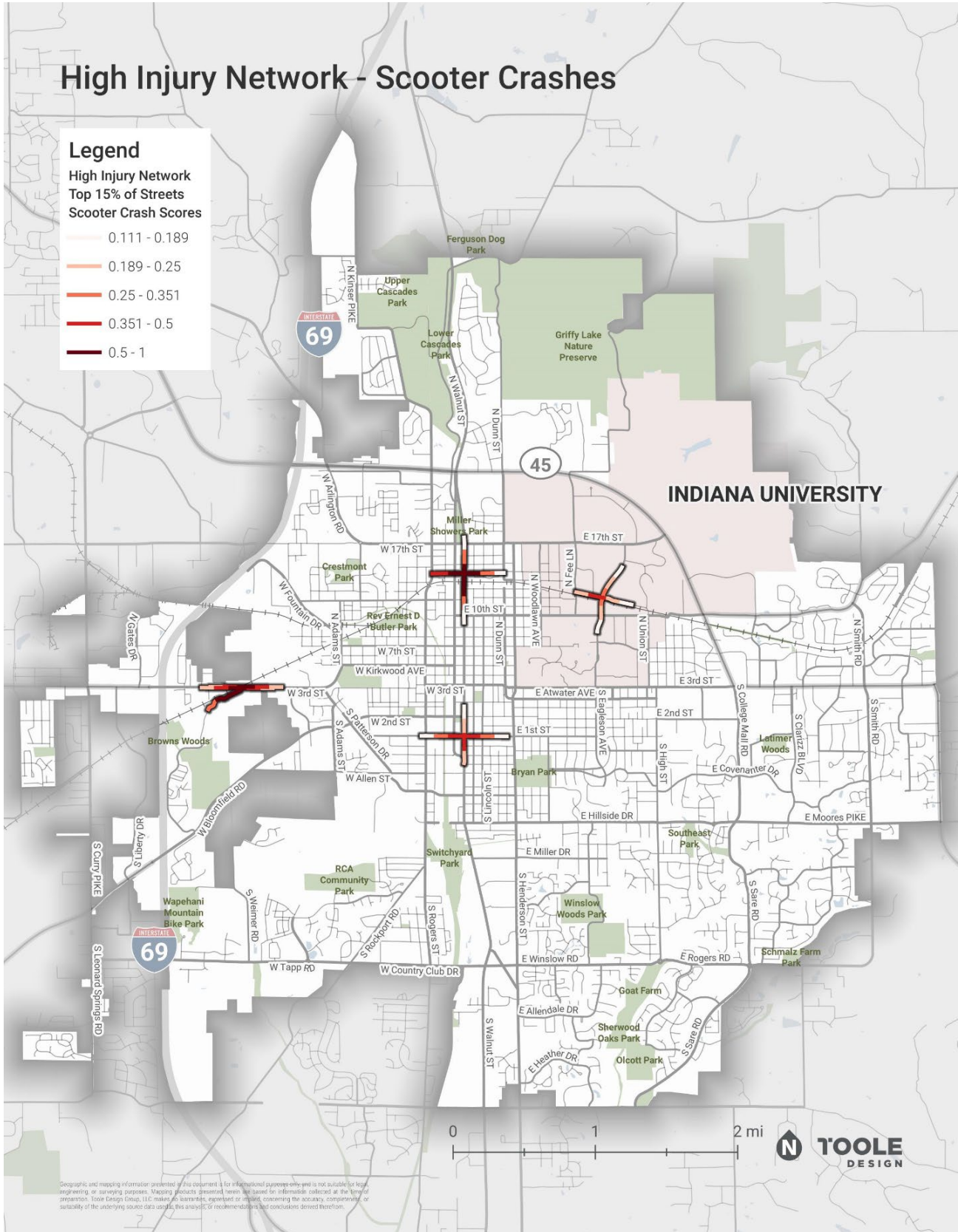
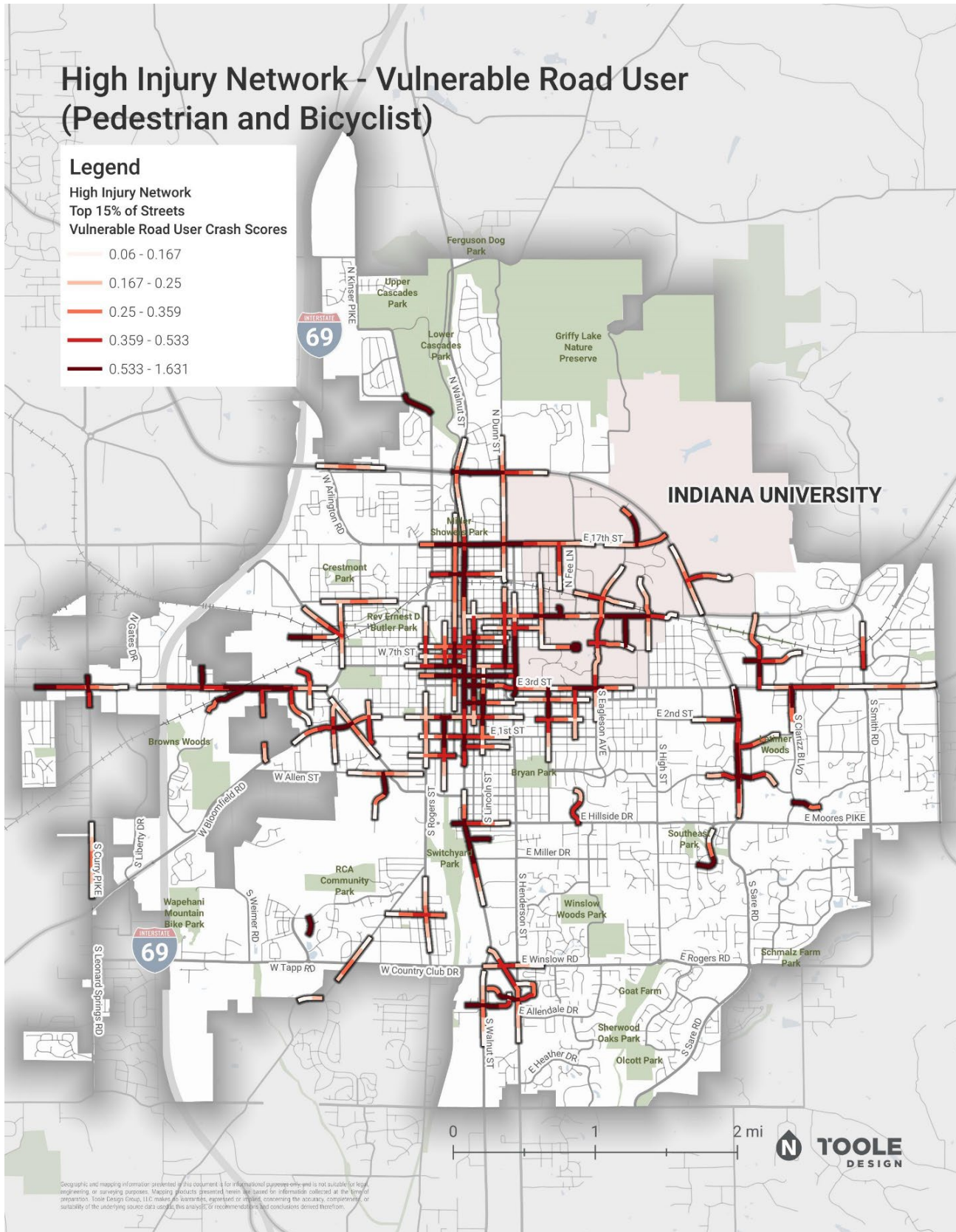


Figure 17. High Injury Network - Vulnerable Road Users (Pedestrian and Bicyclist)



High Risk Network

In addition to the High Injury Network analysis, which looks backwards in time at the locations of crashes historically, the City of Bloomington also developed a High Risk Network (HRN). High Risk Network analysis highlights roads that have similar designs, land use patterns, or population characteristics with roads on the High Injury Network. In other words, the High Risk Network is a proactive, systemic assessment of where fatal and serious injuries are likely to occur in the region. These roads are candidates for safety improvement as part of a data-driven, proactive safety program. This is a key aspect of the Systemic Safety Approach which requires agencies to think critically about where crashes could occur in the future based on systemic risk – even if very few or no severe crashes have occurred in those locations in the past.

Method

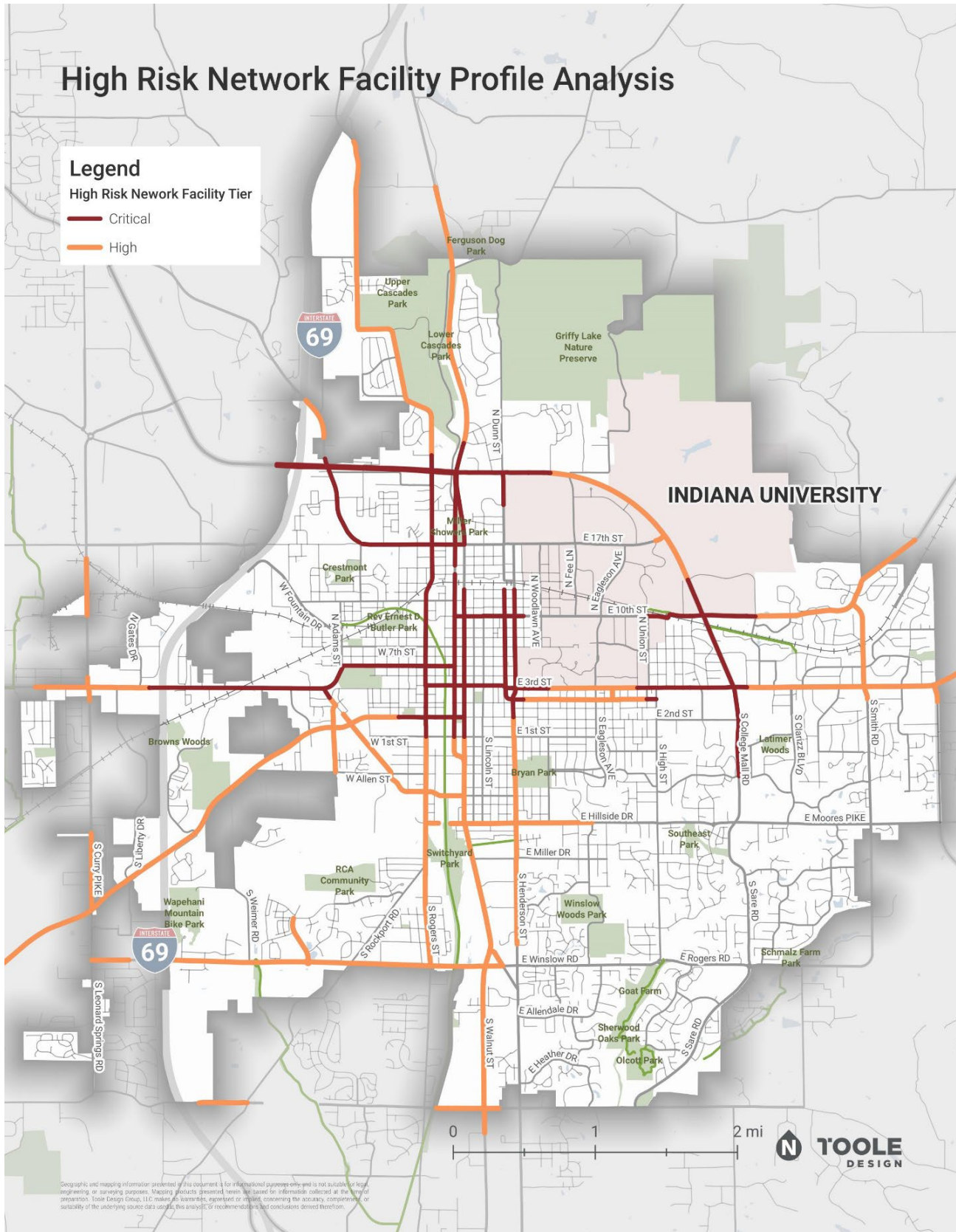
For this High Risk Network analysis, roadways were analyzed using the facility profile analysis methodology, which identifies unique combinations of roadway design and contextual attributes which correlate with elevated crash risk. The analysis produces a risk score for each roadway segment based on the frequency of crashes observed at similar facilities across the study area, representing the average number of crashes at comparable facilities during the study period. All facilities are categorized into one of five tiers based on their relative risk score, namely *Critical*, *High*, *Medium*, *Low*, and *Minimal*. Attributes considered in the analysis include:

- **Roadway Class:** Major Road (functional class of minor arterial and above or major/primary local roads) or Minor Road (all others).
- **Lane Configuration:** Two-lane or Multilane.
- **Setting:** Urban or Rural context.
- **Traffic Volume:** Average annual daily traffic (<1,000 vehicles per day (vpd), 1,000-10,000 vpd, or 10,000+ vpd).
- **Speed Category:** Posted speed limit (≤30 MPH, 35-45 MPH, or 50+ MPH).
- **Percent Zero Vehicle Households:** Percent of households within the census block group which have zero vehicles.
- **Percent of Residents in Poverty:** Percent of population within the census block group at or below 2X the poverty level.
- **Percent Younger Residents:** Percent of population within the census block group below the age of 18.
- **Percent Older Residents:** Percent of population within the census block group age 65 years or older.
- **Percent Disabled Residents:** Percent of population within the census block group with a disability.
- **Housing Cost Burden:** Percent of households within the census block group which spend more than 30% of income on housing.
- **Transportation Access:** Equitable Transportation Communities data transportation access subcomponent score.

Results

The analysis results are shown in a map in Figure 18. This map visualizes the *Critical* and *High* tier facilities. These streets have a higher average fatal and serious injury crash per mile rate than other streets in Bloomington.

Figure 18. High Risk Network - Facility Profile Analysis



Voices of Bloomington

People's feelings and opinions around street safety are formed through a combination of personal experience, conversations and stories within their communities, and perceptions. It's invaluable to understand these feelings and thoughts about street safety because any recommendation or project that results from this plan will aim to not only factually improve the safety of Bloomington's streets, but also increase people's feelings of safety as they walk, bike, drive, or take transit around the city.

A wide variety of public engagement opportunities were provided to gather residents' thoughts and opinions on transportation safety in Bloomington as part of this project. Over 400 residents submitted more than 1,000 unique responses via an interactive webmap, and nearly 2,000 additional residents participated in a one-week citywide public participation blitz that included 13 pop-up stations, three evening events, eight classroom visits, walking tours, and public meetings at various locations throughout the City. These strategies were designed to hear from a wide variety of Bloomington's residents, with intentional efforts made to get feedback from those that are overrepresented in traffic crashes but often underrepresented in public engagement efforts – youth and seniors, low-income individuals, people who walk and bike, and People of Color.

This public outreach was complemented by a project steering committee that was made up of members of different City commissions (Plan, Parking, Community Accessibility, Human Rights, Bicycle and Pedestrian Safety, and Traffic), City Council, and MPO staff. Project staff meet with this group regularly during the project at key decision points to get feedback and recommendations for going forward. More detail on the engagement efforts can be found in [Appendix X](#).

While the project team had various conversations on a wide array of topics during our engagement effort, a few important themes stood out that were invaluable as we created this plan's recommendations:

- Distracted driving and people driving too fast were, by far, the top two factors that make people feel unsafe on Bloomington's streets.** These factors were followed by people not yielding at intersections and the lack of safe places for bicyclists. It should be noted, however, that different locations resulted in different distributions of responses. For example, at a pop-up held at Tri-North Middle School, a much higher percent of participants selected "fear of physical or verbal harassment" as one of their top concerns. This variation is likely due to middle school students mostly being on foot, bike, or scooter and, in general, feeling threatened by adults.

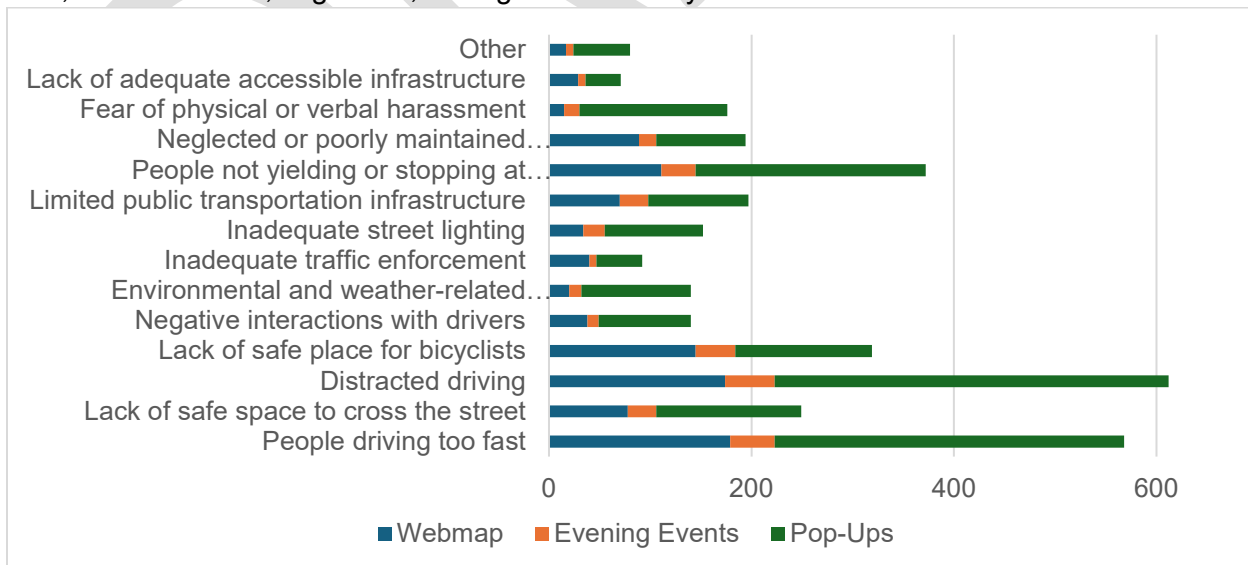


Figure 19. Responses to "What are the top three things that make you feel unsafe on Bloomington's Streets?"

- **Residents think it is very important to invest in a safe and comfortable transportation system.** Nearly all participants answered “very important” to our posed question. Very few selected “not important” as their answer.

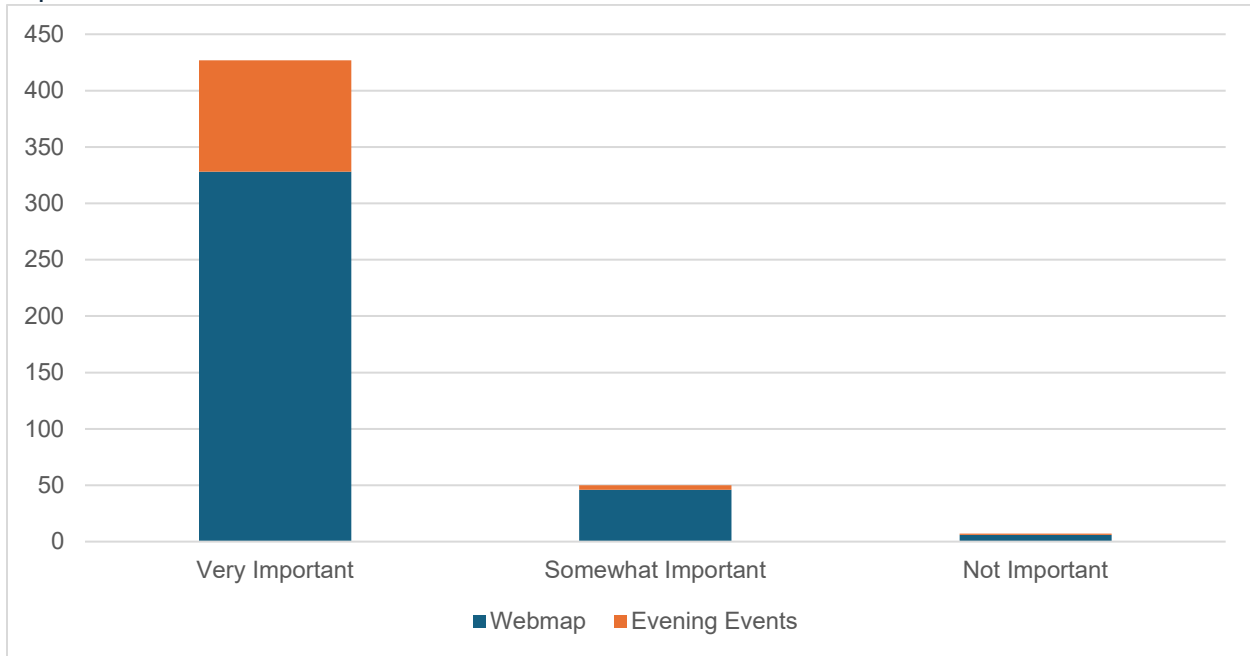


Figure 20. Responses to "How important do you think it is to invest in a safe and comfortable transportation system in Bloomington?"

- **Most residents are willing to make trade-offs for the sake of safety.** That said, many participants admitted that they don't usually drive at or below the speed limit which shows that people are in support of safety, in theory, but may need more than a speed limit to encourage them to drive at safe speeds.

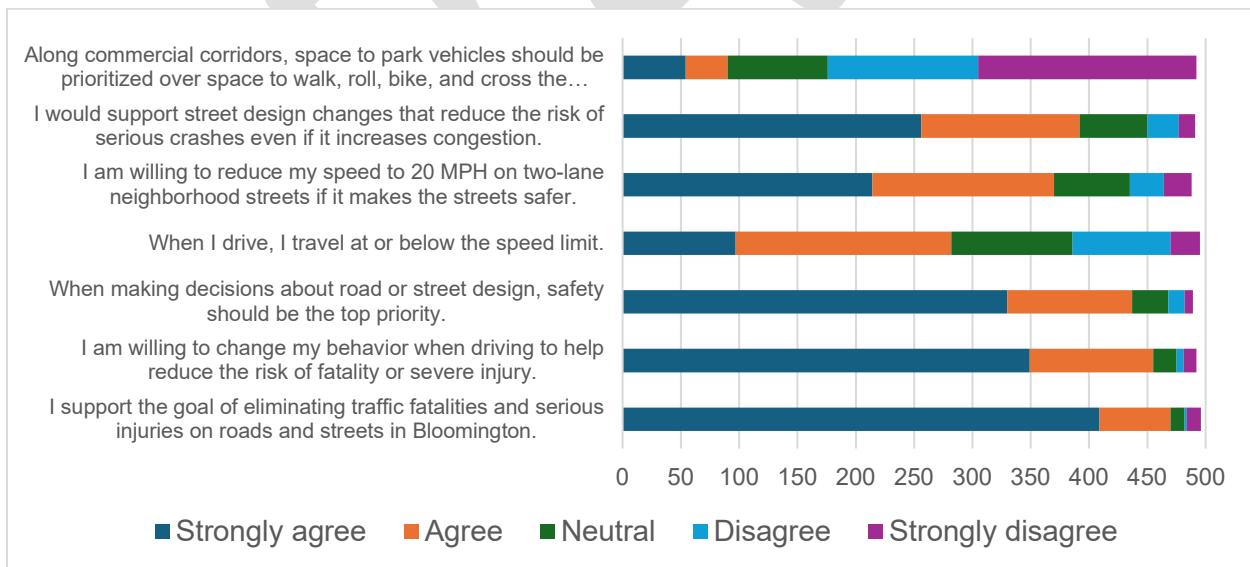


Figure 21. Results to tradeoff questions

- **The feelings of safety differ dramatically depending on how one navigates the City.** In general, respondents felt safe while driving or on transit. Walking was the next “safest,” with a very small amount of respondents saying it feels “very unsafe.” Feelings of safety dramatically dropped from there with less than a quarter of people feeling safe while biking or in a wheelchair. Notably, nobody responded that they felt “very safe” on a scooter.

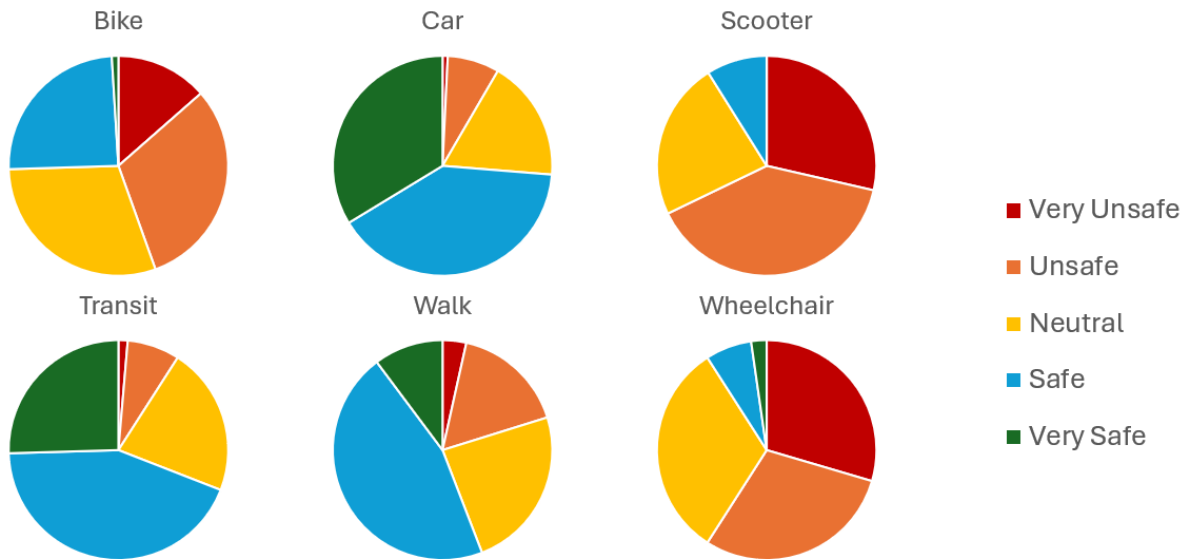


Figure 22. Responses to "Generally, how safe do you feel traveling around Bloomington walking, rolling, biking, scooting, driving, or taking transit?"

- **More separation between modes makes everybody feel safer.** Respondents that walk or bike want more separation between them and vehicles, better maintained facilities, and more sidewalks, bicycle lanes, or trails in the community. For people biking, more secure bicycle parking and better wayfinding were also common selections. For pedestrians, participants selected better lighting and more accessible infrastructure as items that would make them feel safer.

Interestingly, participants selected "more space separating people bicycling from car traffic" and "better road maintenance" as the top two items that would make them feel safer while driving, which is nearly identical to the responses of pedestrians and bicyclists. Reducing driving speeds using speed bumps or lane reductions, and better or more visible signs were the next most common answers.

For transit riders (which had less responses than questions for walking, rolling, biking, and driving), participants highlighted improvements at transit stops, especially adding more pedestrians' crossings and/or signals near stops. Adding more shelters was the second most common choice, followed by the desire to increase lighting around transit stops.

What would make you feel safer when walking or rolling?

More space separating people walking from car traffic	402
More sidewalks or trails	267
Better maintenance of sidewalks and trails	241
Better lighting of sidewalks, trails, and roads	176
More accessible infrastructure (curb-ramps, wheelchair access, wider sidewalks, etc.)	113
Additional signs or signals at intersections	94
Additional police presence	51
Other	48
Better wayfinding so I know where to go	21

What would make you feel safer when biking?

More space separating people bicycling from car traffic	243
More bicycle lanes or trails in the community	236

Better maintenance of bicycle lanes and trails	136
More secure bicycle parking	91
Additional signs or signals at intersections	82
Better lighting of trails and roads	73
Other	44
Better wayfinding so I know where to go	26
Additional police presence	19

What would make you feel safer when driving?

Better road maintenance	235
More space separating people bicycling from car traffic	219
Increased street lighting	153
Reducing driving speeds using speed bumps or reducing the number of lanes	134
Lowering speed limits	130
Better or more visible signs so I know where to go	106
Other	78
Additional police presence	64
Increasing the number of traffic signals	36

What would make you feel safer when taking transit?

Adding more shelters at transit stops	151
Increasing lighting around transit stops	145
Having more pedestrian crossings and/or signals near transit stops	133
More route information so I know where to go	117

- **The presence of walking and cycling facilities, such as sidewalks, bicycle lanes, and crossings, make a location feel safe. Fast driving speeds are the top reason areas feel unsafe.** Respondents feel safe near the B-Line Trail or 7-Line, and other places where there are many other pedestrians and bicyclists (e.g. Switchyard Park, Bryan Park, Kirkwood St.). Respondents identified arterial and collector roadway segments, such as College Avenue, Walnut Street, and East 3rd Street where a higher degree of bicycle and pedestrian traffic occurs, particularly adjacent to downtown and Indiana University, as areas where they feel unsafe.

Table 2. Summary of safe and unsafe location webmap attributes

"This Location is Safe Because"	Count	"This Location is Unsafe Because"	Count
There are bicycle lanes or space for bicyclists	79	People drive too fast	392
There are sidewalks	74	Drivers do not pay attention	324
There are a lot of other people walking or biking	66	There are no safe places for people walking, biking, or rolling to cross the street	219
People drive at the speed limit or slower	41	There are no bicycle lanes or space for bicyclists	189
There are safe crossings	40	There are no or inadequate sidewalks	189
Drivers are paying attention	35	Other (please specify below)	185
There is good lighting at night for pedestrians or bicyclists	22	There are too many cars on the road	177
Other (please specify below)	18	I have experienced personal safety or harassment at this location	110

"This Location is Safe Because"	Count	"This Location is Unsafe Because"	Count
		There is not enough lighting at night for pedestrians or bicyclists	84
		There is not enough lighting at night for driving	45
Total	375	Total	1,914

DRAFT

GETTING TO ZERO

DRAFT

It's one thing to know what the issues are and where they are happening. It's another thing to know what to do and how to act. Bloomington is ready to act.

This section outlines the commitments the City of Bloomington will do to make our streets safer for everybody. The actions are organized into five categories:

- Communication and Integration into Existing City Business.
- Design Standards and Data.
- Project Programming, Development, and Funding.
- Government Committees and Structure.
- Project Prioritization.

The tables on the following pages have prioritized the actions associated with these categories into three timeframes:

1. Immediate or Short Term (2024-2026)
2. Medium Term (2027-2034)
3. Long Term (2035-2039)

Each action includes an interim goal year, identified lead(s), and resources needed to complete the action. These actions and strategies should be reviewed and revised regularly to ensure that the Bloomington's goal to eliminate fatal and serious injury roadway crashes by 2039 will be achieved.

These strategies and implementation actions will only occur when and where appropriate based on further analysis, engineering design, and environmental assessment. Implementation will also be dependent on staffing, financial, partnership development, and other constraints so while the City will make every effort to implement that following actions, other contributing factors will need to be accounted for.

Immediate or Short Term Action Items (2024-2026)

Communication and Integration Into Existing City Business

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
CI1	Integrate language that communicates safety goals into policy and City processes, such as public outreach, enforcement, development review, street design and planning, and other areas where safety may not be currently prioritized	2025 (development), Ongoing (implementation)	All departments	None
CI2	Update existing plans to incorporate data from and/or attach the SS4A Action Plan	2025	Planning	None
CI3	Establish regular targeted outreach to various neighborhoods and civic groups to collect feedback on transportation safety issues and progress (examples include neighborhood groups, advocacy organizations, IU students and staff, religious organizations)	2025 (development), Ongoing (implementation)	Planning	Planning staff

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
CI4	Utilize existing events to promote safety messaging and collect feedback (examples include Bloomington Community Farmers' Market, annual City festivals)	2025 (development), Ongoing (implementation)	Planning	Planning staff
CI5	Develop a Community Engagement Plan (CEP) for safety projects that includes set goals, engagement strategies, community partners, engagement timelines, and methods for integrating feedback into the project. Establish a scale to determine dollar amount or impact level that requires certain engagement strategies.	2025 (development), Ongoing (implementation)	Planning	Planning staff
CI6	Establish a system to communicate materials to the public virtually (via website, social media, email newsletter, etc.), printed (at daily destinations, in the right-of-way, at public buildings, etc.), and in media (newspapers, online alternative news sources, television, radio, etc.) to all types of transportation users. Materials should be provided in English and Spanish at a minimum and should consider translation into other languages as needed.	2025 (development), Ongoing (implementation)	Planning	Planning staff
CI7	Consider creation of a program to involve community members, groups, and organizations in conducting and participating in engagement efforts. Consider establishing community ambassadors to employ for engagement efforts and establish funding source to provide fair compensation and necessary resources for ambassadors.	2026 (development), Ongoing (implementation)	Planning, Advisory Transportation Commission	Funding, Planning staff
CI8	Invest in a public communication campaign, focusing on shifting culture towards multimodal travel and educating transportation users about safety in all modes of travel. Includes education about crash factors, safety data, benefits aside from traffic safety (such as physical health, personal safety, air quality, economic and health disparities, etc.). Also includes information and training to local media around understanding crash data, minimizing victim blaming, and high-level understanding of SS4A efforts.	2026 (development), Ongoing (implementation)	Planning	Funding, Planning staff

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
CI9	Collaborate with local groups and advocates for walking, biking, and vulnerable road user groups to expand the reach of SS4A efforts. Includes collaboration with these groups to host events that promote and advocate for walking, rolling, biking, and taking transit.	2025 (development), Ongoing (implementation)	Planning	Funding, Planning staff

Design Standards and Data

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
DS1	Develop and/or revise City standard details for driveways, sidewalks, bikeways, etc. that integrate Safe Systems approach design principles and details	2025	Planning, Engineering	Planning and Engineering Staff
DS2	Encourage testing of new safety countermeasures and monitor before/after condition data, lessons learned, feedback received, and best practices.	Immediate (ongoing)	Engineering	None
DS3	Revise (as appropriate) land use and zoning to promote redevelopment and new development that complements slow vehicle speeds, encourages trips outside of personal vehicles (e.g., providing covered bike parking), and funds adjacent transportation safety projects.	2025	Planning	Planning staff
DS4	Establish a policy that states that safety improvements take priority over motor vehicle operations and capacity.	2024	Planning	None
DS5	Develop or invest in a system to collect vehicle speed data throughout the City	2026 (development), Ongoing (implementation)	Engineering, Police	Funding; Engineering and/or Police staff
DS6	Identify criteria or universal adoption of installation of “No Turn on Red”, Leading Pedestrian/Bicycle Intervals, Rest-In-Red, and Pedestrian Scramble crossings, prioritizing implementation on the HPN and other high pedestrian areas	2025	Engineering	Engineering staff

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
DS7	Analyze sight distance and visibility of all roadway users at intersections and midblock crossings. Adopt policies to remove features that obstruct visibility at these locations and prohibit such obstructions from being constructed at new locations.	2026	Planning, Engineering	Planning and/or Engineering staff
DS8	Establish truck turning standards (design and control vehicles) based on reasonable truck usage and assess existing intersections to determine locations of oversized curb radii.	2026	Engineering	Engineering staff
DS9	Incorporate speed and other safety analysis data into transportation elements of future planning efforts.	2025 (development), Ongoing (implementation)	Planning	Planning staff
DS10	Improve access to and understanding of crash data by working with departments to improve the quality and consistency of police crash data; study the intersection of crash data and EMS, hospital, and trauma registry data for crash connections; and work with community partners to access detailed crash data.	2026	Planning, Police	Planning and Police staff
DS11	Conduct before and after analysis of safety improvements to assess effectiveness and refine future applications	2025 (development), Ongoing (implementation)	Engineering	Engineering staff
DS12	Assess quantitative data (design changes, past crashes, multimodal capacity counts, speed data, turning movement counts, transit boarding and alighting surveys, reduction in greenhouse gas emissions, air quality, tree canopy, high heat intensity areas, etc.) and qualitative data (intercept surveys, public surveys, walk audits, focus groups, surveys to identify commute mode, etc.) regularly to determine whether actions taken are meeting safety and other goals	Ongoing	Engineering, Planning	Funding; Engineering and/or Planning staff

Project Programming, Development, and Funding

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
PDF1	Require an analysis of potential alternatives for all transportation facility projects (public or private led) that includes Safe Systems approach, Vision Zero, Complete Streets, and Safe Routes to School analysis for all studied alternatives. Document this analysis in a Safe Systems design alternatives report to include within a project's Engineer's Report (or similar) that is included in the project review and approvals process.	2025 (development), Ongoing (implementation)	Planning, Engineering	Planning and Engineering Staff
PDF2	Establish permanent local funding for safety and speed studies, low-cost implementation projects, and regular maintenance of safety infrastructure	2025 (development), Ongoing (implementation)	Planning, Engineering, Public Works	Funding
PDF3	Audit existing, ongoing, and/or planned projects within the City and integrate SS4A guidance into planning and design changes if necessary.	2024	Planning, Engineering	Outside audit team, funding
PDF4	Using city data and public input, identify sidewalk and/or bikeway facility gaps and known/perceived safety issues and barriers (e.g., unsafe crossings, lack of separation from vehicles, utility poles in travelled way, lack of lighting, etc.)	2025	Planning	Planning staff
PDF5	Develop a prioritization system for safety improvements within a half mile of schools (public and private) considering highest walking and bicycling demand, student engagement, the HPN, and Priority Neighborhoods	2025	Planning	Planning staff
PDF6	Develop a Safe Routes to School Program to analyze school catchment areas, advance grant applications for infrastructure or education projects, and coordinate or deliver educational programming.	2025	Planning	Planning staff
PDF7	Continue to progress toward mode shift targets in the Climate Action Plan and update targets as needed to support the zero deaths/serious injuries goal	2025	Planning	Planning staff
PDF8	Update ADA Transition Plan self-evaluation and incorporate changes due to adoption of PROWAG	2026	Engineering	Engineering staff

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
PDF9	Develop policies that maximize co-benefits beyond traffic safety, such as supporting public health by encouraging active transportation, improving climate impacts by expanding green space and green infrastructure, reducing heat intensity areas by incorporating vegetation and street trees, and addressing income disparities by improving multimodal connections in low-income areas.	2026	Planning	Planning staff
PDF10	Increase funding and resources for the Sidewalk Repair Assistance Program, Traffic Calming Programs, and other safety improvements.	2025 (development), Ongoing (implementation)	Planning	Funding
PDF11	Evaluate the application records and project selection process to ensure equity in the Sidewalk Repair Assistance, Traffic Calming, and other programs. Conduct outreach to confirm Priority communities have the resources to apply to these programs, and provide resources as needed to address any barriers or shortfalls for these communities.	2025 (development), Ongoing (implementation)	Planning	Funding, Planning staff
PDF12	Develop process and funding opportunities to support a community-led safety implementation program, prioritizing the HPN, Priority Neighborhoods, and school areas. Projects should address safety for all users, especially vulnerable roadway users, and include (to the extent practical) art, low-cost/rapid implementation projects, communication campaigns, discussion groups, and educational programs. Establish an existing committee to oversee this program.	2026 (development), Ongoing (implementation)	Planning, Engineering	Funding, Planning and/or Engineering staff
PDF13	Establish and implement a transparent Capital Improvement Program funding programming process for infrastructure investment projects, which prioritizes investment in transportation safety projects.	2025 (development), Ongoing (implementation)	Administration, Engineering	Administration and/or Engineering staff
PDF14	Explore implementing a 20-mph City-wide speed limit.	2025	Engineering	None
PDF15	Explore implementing slower speed limits adjacent to schools and within neighborhood slow zones.	2025	Engineering	None

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
PDF16	Consider passing local ordinances for authorization of automated speed enforcement and red light enforcement for immediate effect when state law authorizes such enforcement.	2025	Planning	None
PDF17	Provide incentives for people to take transit to events, including free or reduced fares.	2026 (development), Ongoing (implementation)	Transit	Funding
PDF18	Continue to promote walking, biking, and transit use among City employees through workplace programs, outreach, and incentives	2025 (development), Ongoing (implementation)	Administration	Funding
PDF19	Encourage employers to subsidize transit costs or incentivize active transportation for employees	2025 (development), Ongoing (implementation)	Planning	Planning staff
PDF20	Study proactive expansion, reduced headways (e.g., change service from hourly to every 15 or 30 minutes), increased service on nights and weekends, and investments in transit reliability to promote transit ridership	2026	Transit	Funding; Transit staff
PDF21	Modify existing fatal crash analysis structure as follows: <ul style="list-style-type: none"> - Include serious injury crashes - Include Engineering, Police, Planning, and community members from emergency response, medical, and public health sectors - Meets monthly on a regular schedule to review contributing factors - Provides succinct report of conditions leading to the crash and strategies that could be implemented within 30 days of the monthly meeting to City Council and to the board or commission identified in GCS1. 	2024 (development), Ongoing (implementation)	Engineering	Engineering, Planning, Police staff
PDF22	Identify state, federal, and MPO funding sources that can be utilized to undertake design and construction for safety improvements. Consider creating a position within the MPO focused on identifying grant funds for capital planning and programming.	2024	Planning, Engineering	Planning and/or Engineering staff

Government Committees and Structure

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
GCS1	Create an Advisory Transportation Commission whose role is to review and approve all transportation facility projects.	2024	Planning	None
GCS2	Require the Advisory Transportation Commission to review all transportation facility projects (private or public led) for Safe Systems approach principles (see item PDF1).	2024 (development), Ongoing (implementation)	Planning, Engineering	None
GSC3	Train all planning, engineering, and other appropriate staff in Safe Systems Approach topics to ensure culture of safety among City staff charged with implementation of the adopted goal.	2026 (development), Ongoing for new hires (implementation)	Planning, Engineering	Training resources
GSC4	Prepare an annual report highlighting progress made toward zero deaths/serious injuries goal. Present to City Council, Advisory Transportation Commission, and post in an easily-accessible location on the City's website	2025 (development), Ongoing (implementation)	Engineering	None
GSC5	Develop list of City advocacy items targeted toward state decision-makers (examples include support for automated speed enforcement camera authorizing legislation, automated red light enforcement authorizing legislation, and expansion of extraterritorial zoning to include approval of transportation facility construction standards) and pursue lobbying or other advocacy for these items	2024 (development), Ongoing (implementation)	Planning	None

Project Prioritization

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
PP1	Undertake corridor-wide safety analysis and project planning efforts on at least 4 High Priority Network corridors and complete College/Walnut corridor study. Suggest prioritizing the following corridors: <ul style="list-style-type: none"> • E/W 3rd Street (Jackson Street to SR 46)/Atwater Avenue (Dunn Street to Mitchell Street) • College Mall Road (E 3rd Street to Covenant Drive) • W 3rd Street (I-69 to Kirkwood Avenue) • Kirkwood Avenue (Adams Street to Indiana Avenue) 	2026	Planning, Engineering	Funding, Planning and/or Engineering staff
PP2	Study, design, and implement rapid-implementation, low-cost safety countermeasures at (at least) half of the intersections shown on the HIN that are under the City's jurisdiction	2026	Engineering	Funding, Engineering staff
PP3	Pursue funding (or procure locally), and design permanent safety countermeasure implementation for up to 50 intersections by the interim goal year. Construct if funding source allows by the interim goal year.	2026	Engineering	Funding, Engineering staff
PP4	Inform INDOT of their transportation facilities on the HIN/HRN, and establish lines of communication with INDOT to progress safety studies on their corridors within the City limits.	2025	Planning or Engineering	None
PP5	Using city data and public input, develop prioritization plan for eliminating sidewalk and/or bikeway gaps and reducing of barriers to use (see PDF4)	2025	Planning	Planning staff
PP6	Implement design and construction projects to close 10% of sidewalk and/or bikeway gaps and barriers annually starting in 2026 (see PP5)	2026-2035	Engineering	Funding, Engineering staff
PP7	Work in conjunction with schools (public and private) to install at least one safety project per year within a half mile of a school (in addition to other action plan items) (see PDF5).	2026-2039	Planning, Engineering	Funding, Planning and/or Engineering staff
PP8	Continue implementing ADA Transition Plan and connect ADA improvements to safety best practices	2024-2026	Engineering	Funding, Engineering staff

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
PP9	Implement annual program for addressing sight distance issues, such as removal of vegetation or utility poles. Use public input from <i>uReport</i> to supplement known issues.	2026-2039	Engineering	Funding, Engineering staff
PP10	Implement lighting improvement program for intersection visibility and personal safety	2026-2039	Engineering	Funding, Engineering staff
PP11	Develop Road Safety Audit materials, checklists, etc. for use in execution of proactive and reactive Road Safety Audits for all transportation modes.	2025	Engineering	Engineering staff
PP12	Complete Road Safety Audits on an additional 5 corridors on the HPN apart from those undertaken as part of PP1	2026	Engineering	Funding, Engineering staff
PP13	Develop long-range Capital Improvement Plan through the zero deaths and serious injury goal year to coordinate safety improvements with infrastructure preservation, maintenance, and reconstruction projects to achieve future project cost savings.	2026	Planning, Engineering	Planning and/or Engineering staff

Medium Term Action Items (2027-2034)

Design Standards and Data

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
DS14	Catalyze redevelopment of land use along HPN corridors from unsupportive to supportive of safety enhancement and multimodal mobility.	2030 (first corridor), Ongoing thereafter	Planning	Funding; Planning staff
DS15	Reanalyze High Injury Network and High Risk Network every 5 years per SS4A program requirements to determine progress and reevaluate priorities for improvements.	2029, 2034	Engineering, Planning	Funding; Engineering and/or Planning staff

Project Programming, Development, and Funding

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
PDF25	Coordinate and apply for outside funding to implement projects (state, federal, private, etc.).	Ongoing	Planning, Engineering	Planning and/or Engineering staff

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
PDF26	Evaluate current staffing levels to plan, design, inspect, and administer safety implementation projects. Hire additional staff such as a Vision Zero Lead and Vision Zero Engineers/Planners to solely focus on implementing this plan.	2028	Planning, Engineering	Planning and/or Engineering staff

Project Prioritization

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
PP6	Implement design and construction projects to close 10% of sidewalk and/or bikeway gaps and barriers annually starting in 2026 (see PP5)	2026-2035	Engineering	Funding, Engineering staff
PP7	Work in conjunction with schools (public and private) to install at least one safety project per year within a half mile of a school (in addition to other action plan items) (see PDF5).	2026-2039	Planning, Engineering	Funding, Planning and/or Engineering staff
PP9	Implement annual program for addressing sight distance issues, such as removal of vegetation or utility poles.	2026-2039	Engineering	Funding, Engineering staff
PP10	Implement lighting improvement program for intersection visibility and personal safety	2026-2039	Engineering	Funding, Engineering staff
PP14	Undertake corridor-wide safety analysis and project planning efforts on remaining High Priority Network corridors at a rate of at least two per year but more if needed to meet interim completion year for all HPN corridors.	Ongoing until 2036	Planning, Engineering	Funding, Planning and/or Engineering staff
PP15	Study, design, and implement rapid-implementation, low-cost safety countermeasures at remaining intersections shown on the HIN that are under the City's jurisdiction	2028	Engineering	Funding, Engineering staff
PP16	Lead or coordinate with INDOT on corridor studies involving all INDOT-jurisdiction roadways on the HIN and/or HRN within City limits.	2030	Planning or Engineering	Planning and/or Engineering staff
PP17	Perform proactive Road Safety Audits on all streets not shown on the HPN.	2034	Engineering	Funding, Engineering staff

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
PP18	Plan, design, and construct longer-term, higher-cost projects along the HPN, specifically all of those with corridor studies undertaken as part of PP1 and some with corridor studies undertaken as part of PP14. Construct at least one relatively large, higher-cost project per year.	2030 (implementation of PP1 projects), 2039 (implementation of PP14 projects)	Engineering	Funding, Engineering staff
PP19	Revisit prioritization of improvements annually based on funding, design constraints, coordination with other projects, and reanalysis from DS15.	Ongoing	Planning, Engineering	Funding; Planning and/or Engineering staff

Long Term Action Items (2035-2039)

Design Standards and Data

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
DS14	Catalyze redevelopment of land use along HPN corridors from unsupportive to supportive of safety enhancement and multimodal mobility.	Ongoing	Planning	Funding; Planning staff
DS16	Confirm zero fatal and serious injury goal met or adjustment to goal. If goal not met, reanalyze and adjust action plan items as needed to support expedited progress toward new goal.	2039	Planning	None

Project Programming, Development, and Funding

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
PDF25	Coordinate and apply for outside funding to implement projects (state, federal, private, etc.).	Ongoing	Planning, Engineering	Planning and/or Engineering staff

Project Prioritization

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
PP6	Implement design and construction projects to close 10% of sidewalk and/or bikeway gaps and barriers annually starting in 2026 (see PP5)	2026-2035	Engineering	Funding, Engineering staff

Number	Description	Interim Goal Year	Who Is Responsible	Addl. Resources Needed
PP7	Work in conjunction with schools (public and private) to install at least one safety project per year within a half mile of a school (in addition to other action plan items) (see PDF5).	2026-2039	Planning, Engineering	Funding, Planning and/or Engineering staff
PP9	Implement annual program for addressing sight distance issues, such as removal of vegetation or utility poles.	2026-2039	Engineering	Funding, Engineering staff
PP10	Implement lighting improvement program for intersection visibility and personal safety	2026-2039	Engineering	Funding, Engineering staff
PP14	Undertake corridor-wide safety analysis and project planning efforts on remaining High Priority Network corridors at a rate of at least two per year but more if needed to meet interim completion year for all HPN corridors.	Ongoing until 2036	Planning, Engineering	Funding, Planning and/or Engineering staff
PP16	Lead or coordinate with INDOT on corridor studies involving all INDOT-jurisdiction roadways on the HIN and/or HRN within City limits.	2030	Planning or Engineering	Planning and/or Engineering staff
PP17	Perform proactive Road Safety Audits on all streets not shown on the HPN.	2034	Engineering	Funding, Engineering staff
PP18	Plan, design, and construct longer-term, higher-cost projects along the HPN undertaken as part of PP14. Construct at least one relatively large, higher-cost project per year.	2030 (implementation of PP1 projects), 2039 (implementation of PP14 projects)	Engineering	Funding, Engineering staff
PP19	Revisit prioritization of improvements annually based on funding, design constraints, coordination with other projects, and reanalysis from DS15.	Ongoing	Planning, Engineering	Funding; Planning and/or Engineering staff
PP20	Lead or assist with planning, design, and construction of improvements to INDOT-jurisdiction roadways on the HIN/HRN.	2039	Planning, Engineering	Funding; Planning and/or Engineering staff

Safety Countermeasure Toolkit

To achieve zero roadway fatalities and serious injuries by 2039, the City of Bloomington will need to comprehensively address roadway safety issues in the region, starting with the priority roads in Figure 25. Priority Corridors for Safety Countermeasures. FHWA's [Proven Safety Countermeasures](#) are specific design or operational changes to streets that have been proven nationally to improve safety. Selection and design of safety countermeasures on every street project in the region should be decided through the lens of the Safe System Approach, so that if a crash occurs it will not result in a fatal or serious injury. Safety countermeasures should not be compromised or simplified during the design or construction phases. These modifications can reduce the level of safety for all road users.

Safety countermeasures are listed below along with hyperlinks to provide a more detailed description and effectiveness of the full safety countermeasure. A set of cut sheets describing each Safety Countermeasure are also included in [Appendix XX: Safety Countermeasure Cut Sheets](#).

Speed Management



[Appropriate Speed Limits for All](#)

[Road Users](#)



[Speed Safety Cameras](#)



[Variable Speed Limits](#)

Pedestrian/Bicyclist



[Bicycle Lanes](#)



[Crosswalk Visibility Enhancements](#)



[Leading Pedestrian Interval](#)



[Medians and Pedestrian Refuge Islands in Urban and Suburban Areas](#)



[Pedestrian Hybrid Beacons](#)



[Rectangular Rapid Flashing Beacons](#)

[\(RRFB\)](#)



[Road Diets \(Roadway Reconfiguration\)](#)



[Walkways](#)

Roadway Departure



[Enhanced Delineation for Horizontal](#)

[Curves](#)



[Longitudinal Rumble Strips and Stripes on Two-Lane Roads](#)



[Median Barriers](#)



Roadside Design Improvements at
Curves



SafetyEdgeSM



Wider Edge Lines

Intersections



Backplates with Retroreflective
Borders



Corridor Access Management



Dedicated Left- and Right-Turn Lanes
at Intersections



Reduced Left-Turn Conflict
Intersections



Roundabouts



Systemic Application of Multiple Low-
Cost Countermeasures at Stop-Controlled
Intersections



Yellow Change Intervals

Crosscutting



Lighting



Local Road Safety Plans



Pavement Friction Management



Road Safety Audit

High Risk Network Priority Corridors and Intersections

The actions defined in the previous sections will help to institutionalize the practices, policies, and programs that will make Bloomington's streets safer for all residents. These actions will be complemented by on-the-ground safety improvement projects that will be designed using Safe Systems principles and the Safety Countermeasures Toolkit, and informed by the crash factors we identified as part of our crash analysis and creation of the High Risk Network.

Eventually, the City hopes to address all the High Risk Network issues with improved design and practices. But we need to start somewhere. Using information from the crash analysis, community input, and best practices, the following corridors were selected as "Priority Corridors," meaning the City will focus on improving these roadways in the near term.

Table 3. Highest Priority Corridors for Safety Countermeasures

Street	From	To
West 2nd Street	Rogers Street	Walnut Street
East 3rd Street	Rogers Street	State Route 46
West 3rd Street	Interstate 69	Kirkwood Avenue
East and West 4th Street	Rogers Street	Indiana Avenue
East and West 7th Street	Rogers Street	Woodlawn Avenue
College Avenue	State Route 45/46	East 2nd Street
College Mall Road	Covenanter Drive	State Route 46
Dunn Street	East 10th Street	East 3rd Street
Hillside Drive	Walnut Street	Maxwell Street
Indiana Avenue	East 3rd Street	East 17th Street
Kinser Pike/Madison Street	State Route 45/46	West 11th Street
Kirkwood Avenue	Adams Street	Indiana Avenue
Rogers Street	West 11th Street	West 2nd Street
North Walnut Street	State Route 45/46	East 2nd Street
South Walnut Street	E 2nd Street	Dodds Street
South Walnut Street	Dodds Street	Country Club Drive

Figure 25 and Figure 26 show the priority corridors and intersections grouped by highest, high, medium, and low priority. Streets that are a priority but are owned by INDOT are labeled "INDOT" jurisdiction. These streets will likely have a different process for implementing safety countermeasures than city-owned streets that requires additional coordination and time to implement.

Corridors and intersections not noted as high priority in the following figures should still be analyzed for safety improvements with other projects (such as pavement preservation or reconstruction projects) as they arise.

Figure 23. Priority Corridors for Safety Countermeasures

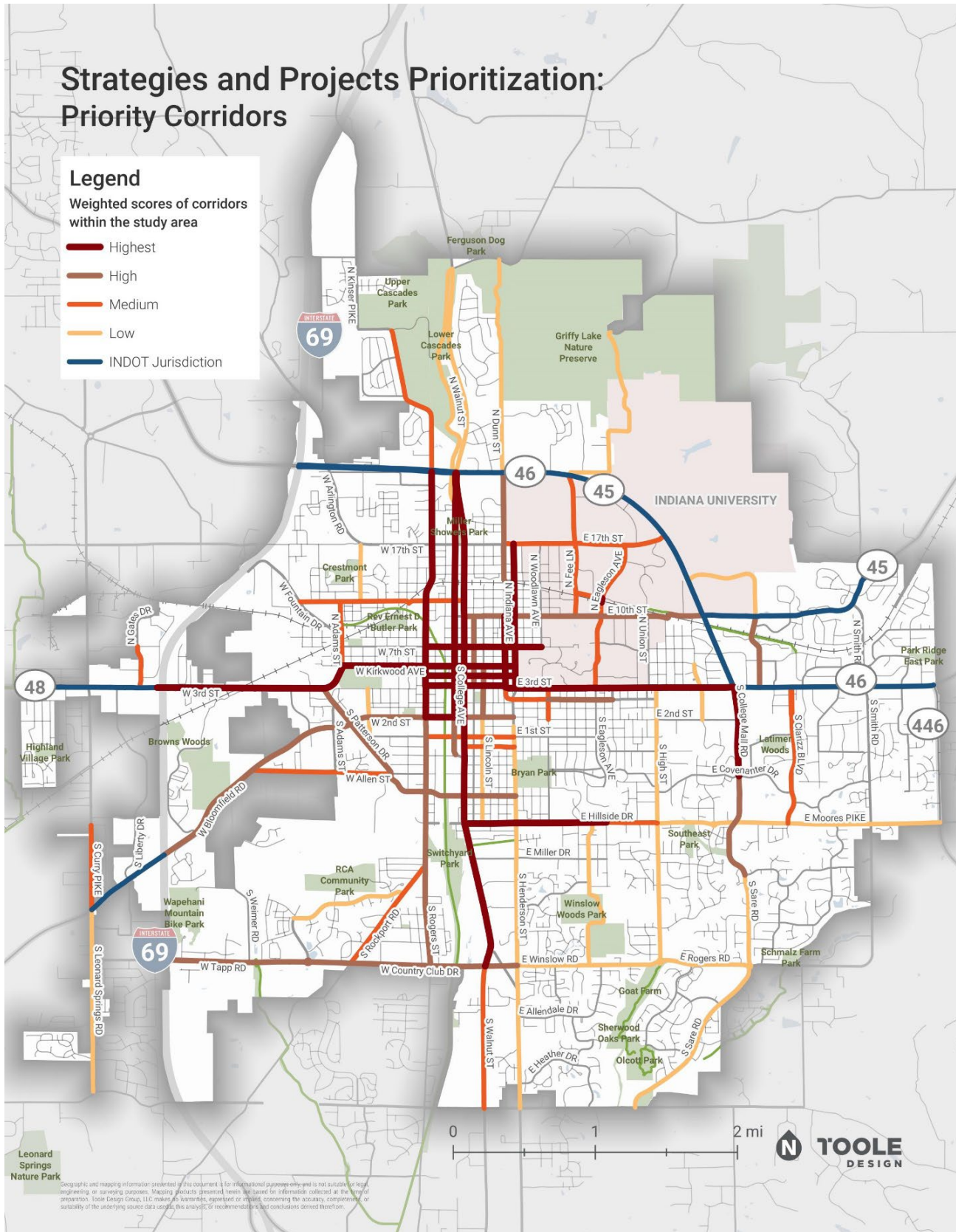
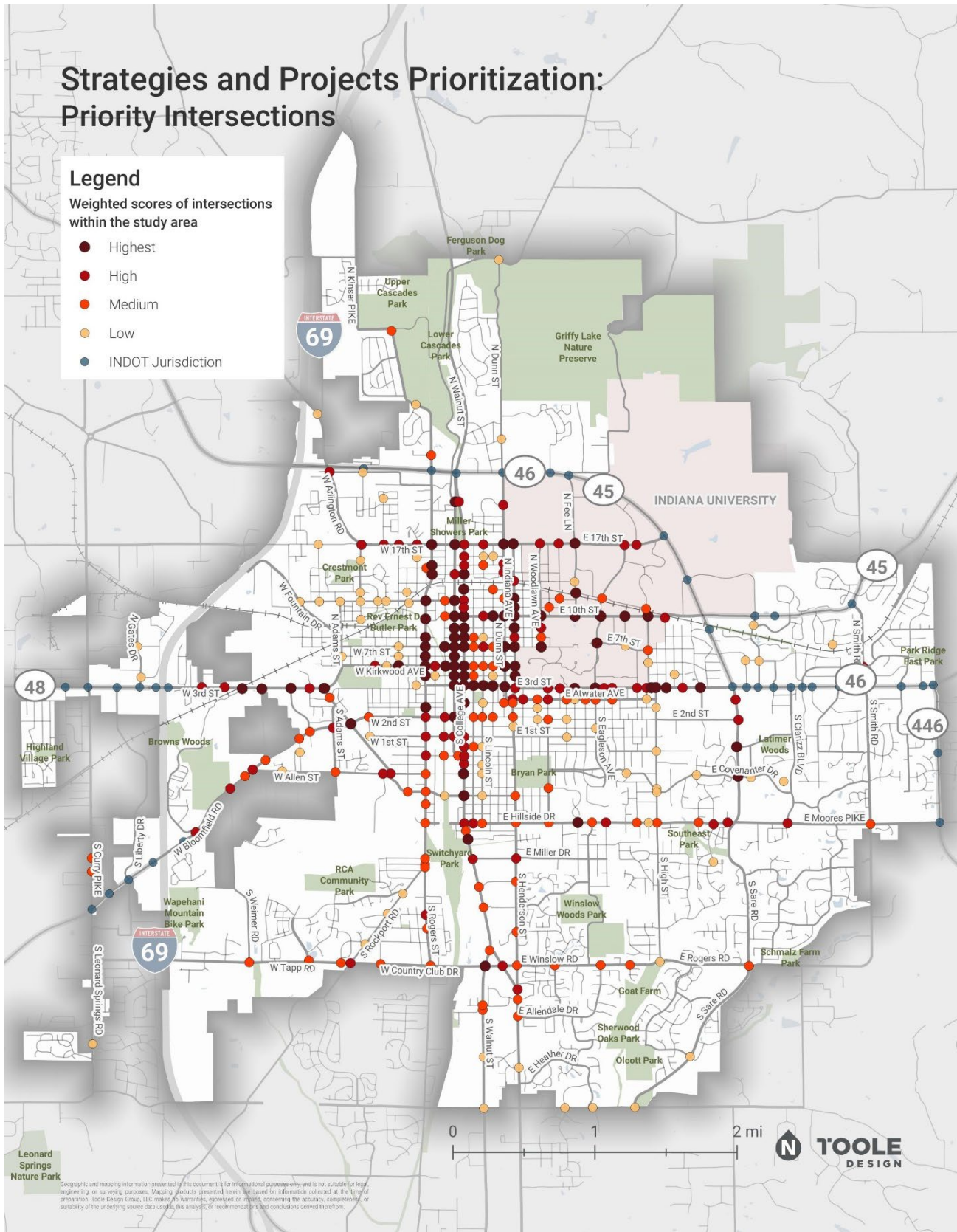


Figure 24. Priority Intersections for Safety Countermeasures



TRACKING PROGRESS AND MOVING FORWARD

DRAFT

This plan is full of actions, strategies, and projects that will help reduce fatal and serious injuries on Bloomington's roadways. However, this plan needs to be embraced, discussed, emphasized, implemented, and reinforced every day as decisions are made, projects are built, and people move around the community.

The actions, strategies, and projects described in this plan are a transformative step for Bloomington and may not come naturally or easily. Thus, is it important to track what is (and, perhaps, isn't) happening and how (or if) actions are resulting in safer streets so the plan can be modified to ensure success.

Performance Measures and Annual Reporting

It is essential that there are regular public conversations about Bloomington's roadway safety and progress toward zero deaths and serious injuries. To institutionalize these conversations, the City will produce an annual report that will be posted on their website and publicized through its main communication channels. The annual report should include the following performance measures, at minimum:

Performance Measure
Number of fatal and serious injury crashes
Number of fatal and serious injury crashes involving people walking, biking, or rolling
Number of crashes involving speeding
Number of crashes involving distracted driving
Number of crashes involving driving under the influence (DUI)
Number of rapid implementation intersection safety projects completed
Number of miles of speed management projects completed on HIN streets
Number of actions started
Number of actions completed
Locations and number of street segment and intersection improvements made on the High Priority Network
Locations and number of off-street segment improvements (sidewalks, multiuse paths, bike trails) made adjacent to the High Priority Network.
Number of road diet/road reconfiguration projects completed
Number of intersection reconstruction projects completed
Number of roundabouts completed
Dollar amount invested in infrastructure improvements along the High Priority Network as a percentage of all transportation projects.

This annual report should also include any information about how the city plans to revise their approach (if needed) based on the findings of the annual report.

Crash Data Dashboard

A crash data dashboard has been developed for Bloomington to help City staff, stakeholders, and residents easily see and understand crash trends, patterns, and factors around the City. The dashboard will help track progress towards Bloomington's goal of zero deaths and serious injuries by 2039 by providing data on what types of crashes are occurring, where and when they are occurring, and how performance measures are trending.

This dashboard will be updated annually to ensure that what is shown is reflective of the current situation. We encourage this dashboard to be used as an important tool in future conversations about roadway safety in Bloomington. The dashboard can be found at [\[placeholder\]](#).

DRAFT

Moving Forward

The creation of this plan was an extensive effort involving elected officials, City staff, Advisory Committees, advocates, community stakeholders, and Bloomington residents. The success of this plan will rely on all these groups and individuals to work together to meet our shared goal of eliminating fatalities on Bloomington's streets by 2039.

Let's continue this work together into the future. Advocating for and acting on roadway safety for all of Bloomington's residents is everybody's responsibility. Together, we will make our roads safer and save lives.

DRAFT

MEMORANDUM

To: Common Council

From: Ryan Robling, Planning Services Manager

Date: October 15, 2024

Re: Amendment to the City of Bloomington's Transportation Plan in order to incorporate the Safe Streets and Roads for All (SS4A) Safety Action Plan.

The Plan Commission heard case MP-38-24 on October 11, 2024 and voted to send the petition to the Common Council with a positive recommendation, with the understanding that further edits would need to be considered by Council, with a vote of 6-1. The packet of information provided to the Plan commission for MP-38-24 is below.

On April 9th, 2024, the Common Council unanimously passed Resolution 2024-07, establishing the goal of zero traffic deaths and serious injuries on the City of Bloomington's roadways by 2039. The resolution also called for the adoption of a Safe Streets and Roads for All (SS4A) Safety Action Plan to guide future investments and infrastructure improvements on the City's roadways.

This Safety Action Plan (SAP) is Bloomington's roadmap to achieving our ambitious vision and should be used by City staff, elected officials, community advocates, businesses, and all Bloomington residents committed to safer streets. This Plan includes four major sections:

- **Finding Our Focus.** In creating this Safety Action Plan, the City of Bloomington is joining Cities across the country and the world in working to eliminate serious injuries and fatalities from our roadways. This section introduces the concepts of Vision Zero and the Safe Systems approach, solidifies the relationship between safer streets and equity, and reviews past efforts in the region to improve roadways safety.
- **Setting the Stage.** This section provides an overview of what has historically happened and what is currently happening on our roadways, and how existing policies, programs, and projects impact people throughout the region. This section includes both quantitative and qualitative information about current conditions with a crash data analysis and information gathered through extensive public engagement efforts.
- **Getting to ZERO.** This section lays out programs, policies, and projects that aim to eliminate serious injuries and fatalities on Bloomington's streets by 2039. This section also outlines how these elements should be prioritized in order to be efficient, opportunistic, and effective.
- **Tracking Progress.** This section outlines how the City will measure whether our roadways are becoming safer for all using performance measures, annual reporting, and a crash data dashboard.

As an amendment to the Transportation Plan, the Plan Commission will review the SAP and determine consistency with the already adopted Comprehensive and Transportation Plans. The Plan Commission will make a recommendation and forward the SAP to City Council. Then, City Council will review the SAP through its adoption process.



MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Ash Kulak, Deputy Administrator / Deputy Attorney

Date: November 15, 2024

Re: Resolution 2024-23 – To Initiate A Proposal to Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code Re: Preparation of a Proposal to Amend Chapter 20.04.110 (Incentives).

Synopsis

This resolution, sponsored by Councilmember Stosberg, initiates a proposal to amend Title 20 (the Unified Development Ordinance or “UDO”) of the Bloomington Municipal Code. The resolution directs that a UDO text amendment proposal be prepared by the Plan Commission to make changes to the affordable housing incentive structure.

Relevant Materials

- Resolution 2024-23
- Sponsor memo from Councilmember Stosberg
- Relevant UDO Section on Affordable Housing (BMC 20.04.110(c))
- Indiana Uplands Housing Study (2023 Update) Addendum 2.H Monroe County
- City of Bloomington 2024 Workforce Housing Calculations
- Sample Work Force Housing Contract with City of Bloomington

Summary

Resolution 2024-23 would initiate a proposal process to amend the text of the city’s Unified Development Ordinance (“UDO”). [Indiana Code \(IC\) 36-7-4-602\(b\)](#) allows either the Plan Commission or the Common Council to initiate such a proposal. When the Council wishes to consider a text amendment, it may initiate the proposal via resolution and require the Plan Commission to prepare it.

This resolution directs the Plan Commission to prepare a proposal to make textual amendments to three parts of the UDO that govern affordable housing eligibility, incentives, and payment-in-lieu options.

First, it would direct the Plan Commission to change the Area Median Income (AMI) requirements to both Tier 1 and Tier 2 affordable housing projects.

Second, it would direct the Plan Commission to consider adding more incentives for affordable housing, including expected owner-occupied unit development. This section is left fairly broad to give the Plan Commission leeway in considering what types of incentives to add.



Third, the resolution would direct the Plan Commission to require housing developments using the payment-in-lieu option to accept housing vouchers.

The resolution directs the Plan Commission to prepare and recommend UDO amendments consistent with the language of the resolution.

Fiscal Impact

There is no direct fiscal impact associated with this legislation.

UDO Text Amendment Process

Upon passage of Resolution 2024-23, the Plan Commission will begin the process of preparing the proposal and its recommendation, which entails drafting the text changes, providing required notices to property owners, and holding the required public hearing on the proposal. Once the Plan Commission determines its recommendation on the proposal, it will certify the proposal to the Council. At this point, the process normally followed by the Council for UDO text amendments will begin. Proposals to amend the text of the UDO are governed by state law under IC 36-7-4 in the "[600 Series – Zoning Ordinance](#)".

As a threshold matter, state law provides that the purpose of the local planning and zoning laws are "to encourage units to improve the health, safety, convenience, and welfare of their citizens and to plan for the future development of their communities to the end:

1. that highway systems be carefully planned;
2. that new communities grow only with adequate public way, utility, health, educational, and recreational facilities;
3. that the needs of agriculture, forestry, industry, and business be recognized in future growth;
4. that residential areas provide healthful surroundings for family life; and
5. that the growth of the community is commensurate with and promotive of the efficient and economical use of public funds."

Further, in considering UDO text amendments, both state and local codes require the legislative body to pay reasonable regard to:

1. the Comprehensive Plan (<https://bloomington.in.gov/planning/comprehensive-plan>);
2. current conditions and the character of current structures and uses in each district;
3. the most desirable use for which the land in each district is adapted;
4. the conservation of sensitive environmental features (a local criteria)
5. the conservation of property values throughout the jurisdiction; and
6. responsible development and growth.



City of Bloomington Indiana

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

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

[IC 36-7-4-607](#) provides the following procedure that applies to a proposal to amend or partially repeal the text of the UDO.

- After the Plan Commission determines its recommendation on a proposal, it certifies the proposal to the Council with either a favorable recommendation, an unfavorable recommendation, or no recommendation. The Council must consider the recommendation before acting on the proposal.
- At the first regular meeting of the Council after the proposal is certified (or at any subsequent meeting within 90 days after the proposal is certified), the Council may adopt, reject, or amend the proposal. The Council must post and give notice at least 48 hours in advance of its intention to consider the proposal at a meeting.
- If the Council fails to act on a proposal that received a positive recommendation within 90 days after certification, the proposal would take effect as if it had been adopted (as certified) 90 days after certification.
- Assuming the Council does act within the 90 days after a proposal is certified to it, the Council can adopt, reject or amend the proposal. If the Council amends or rejects a proposal, the Council must return that proposal to the Plan Commission along with a written statement of the reasons for the amendment or rejection. Doing so would start a 45-day period for the Plan Commission to consider the Council's amendment or rejection.
- If the Plan Commission approves of the Council's amendment(s) or fails to act within 45 days, the ordinance would stand as passed by the Council. If the Plan Commission disapproves of the amendment(s) or rejection, the Council's action on the original amendment or rejection stands only if confirmed by another vote of the Council within forty-five (45) days after the Plan Commission certifies its disapproval.

These detailed procedures may seem cumbersome, but are designed to ensure that there is a dialogue between the Plan Commission and the Council.

Contacts

Councilmember Hopi Stosberg, hopi.stosberg@bloomington.in.gov, 812-349-3409

David Hittle, Planning Director, david.hittle@bloomington.in.gov, 812-349-3423

Jackie Scanlan, Development Services Manager, scanlanj@bloomington.in.gov, 812-349-3524

RESOLUTION 2024-23

TO INITIATE A PROPOSAL TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE) OF THE BLOOMINGTON MUNICIPAL CODE Re: Preparation of a Proposal to Amend Chapter 20.04.110 (Incentives).

WHEREAS, the Common Council, by its Resolution 18-01, approved a new Comprehensive Plan for the City of Bloomington, which took effect on March 21, 2018; and

WHEREAS, thereafter the Plan Commission initiated and prepared a proposal to repeal and replace Title 20 of the Bloomington Municipal Code, entitled “Unified Development Ordinance” (“UDO”) in order to implement the vision for community development put forward in the Comprehensive Plan; and

WHEREAS, on December 18, 2019, the Common Council passed Ordinance 19-24, to repeal and replace the UDO; and

WHEREAS, on January 14, 2020, the Mayor signed and approved Ordinance 19-24; and

WHEREAS, the UDO has since been revised by action of the Plan Commission and the Common Council seven times; and

WHEREAS, the current affordability tiers set out in the UDO Chapter 20.04.110 (c)(2) have resulted in housing units priced at the maximum amount allowable based on the Area Median Income (AMI) for the City of Bloomington¹; and

WHEREAS, this has resulted in the use of affordability incentives by housing developments that do not actually create affordable units²; and

WHEREAS, pursuant to IC 36-7-4-602, the Common Council may initiate a proposal to amend or partially repeal the text of the UDO and require the Plan Commission to prepare it;

WHEREAS, the Common Council wishes to initiate a proposal to amend the UDO to modify the Affordable Housing Incentives in order to create truly affordable units; and

WHEREAS, in preparing and considering this proposal, the Plan Commission and Common Council shall pay reasonable regard to:

- 1) the Comprehensive Plan;
- 2) Current conditions and character of current structures and uses in each district;
- 3) the most desirable use for which land in each district is adapted;
- 4) the conservation of property values throughout the jurisdiction; and
- 5) responsible development and growth.

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

SECTION 1. Pursuant to IC 36-7-4-602(b), the Common Council directs the Plan Commission to prepare a proposal consistent with this resolution to amend the text of the UDO (BMC 20.04.110(c)(2)) (Eligibility) to include an Area Median Income (AMI) requirement within Tier 1 and Tier 2 Affordable Housing Projects, as follows:

Tier 1 Affordable Housing Projects to include at least some units to be priced below 90% of AMI, using whole percentages for each tier.

¹ See City of Bloomington 2024 Workforce Rental Housing Limit Calculations, <https://bloomington.in.gov/housing/workforce>.

² “A major theme during public engagement was on the lack of rental units priced below \$900.” Regional Opportunity Initiatives, *Indiana Uplands Regional Housing Study Addendum 2.H Monroe County*, (2023 Update), 131, <https://regionalsoportunityinc.org/src-content/uploads/2024/01/Indiana-Uplands-Housing-Study-Addendum-2.H-Monroe-County.pdf>.

Tier 2 Affordable Housing Projects to include at least some units priced below 70% of AMI, using whole percentages for each tier.

SECTION 2. The Common Council further directs the Plan Commission to prepare a proposal to amend the text of the UDO (BMC 20.04.110(c)(5)) (Affordable Housing Incentives) to assess the incentive structure and consider creating additional incentives for affordable housing, including but not limited to expected owner-occupied unit development.

SECTION 3. The Common Council further directs the Plan Commission to prepare a proposal to amend the text of the UDO (BMC 20.04.110(c)(7)) (Payment-in-Lieu) to require housing developments that use the “Payment-in-Lieu” option to accept housing vouchers.

SECTION 4. Upon passage of this resolution, the Plan Commission shall review and recommend UDO amendments to the Common Council in response to this resolution.

SECTION 5. If any section, sentence or provision of this legislation, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this legislation which can be given effect without the invalid provision or application, and to this end the provisions of this legislation are declared to be severable.

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 by me upon this _____ day of _____, 2024.

KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This resolution, sponsored by Councilmember Stosberg, initiates a proposal to amend Title 20 (the Unified Development Ordinance or “UDO”) of the Bloomington Municipal Code. The resolution directs that a UDO text amendment proposal be prepared by the Plan Commission to make changes to the affordable housing incentive structure.

From: Hopi Stosberg, District 3

To: City Council Colleagues

RE: Resolution 2024-23, to amend the Affordability Incentives of the Unified Development Ordinance (UDO)

Dear Colleagues,

I am bringing forth this resolution to direct the Plan Commission to prepare a revision to the Unified Development Ordinance with regard to the Affordability Incentives set out in Chapter 20.04.110.

Our current affordability incentives are not creating the kind of workforce housing affordability that were hoped for when current guidelines originated. After extensive discussions with the Planning and Transportation and HAND Departments, I am hopeful that making these adjustments to the Area Median Income eligibility requirements needed to use affordability incentives will yield more units that are actually affordable for Bloomington residents and those who work in Bloomington but struggle to find affordably priced housing within city limits. This would, hopefully, reduce the housing burden on Bloomington residents.

I would also like an assessment of the current incentive structure to see if additional incentives might be useful in attracting more developers to include affordable units into their projects, especially for new subdivisions.

Additionally, in an effort to ensure that affordable housing options can be found city-wide, I would like a requirement added to the payment-in-lieu option that requires developments utilizing payment-in-lieu to accept housing vouchers.

Thank you for your consideration. Please let me know if you have any questions, concerns, or need additional information.

(c) Affordable Housing

(1) Purpose

The purpose of these standards is to encourage the provision of affordable housing for very low-, low-, and moderate-income households. Affordable housing is necessary to help maintain a diverse housing stock and to allow all residents to have better access to jobs and to improve their economic status.

(2) Eligibility

Projects that satisfy one of the following criteria shall be eligible for the incentives established in subsection (5) below:

(A) Tier 1

- i. At least 60 percent of the total gross floor area of the building (including additional area awarded with an incentive) is dedicated to residential dwellings; and
- ii. A minimum of 15 percent of the total dwelling units (including those on floors awarded with an incentive) are income-restricted permanently, unless otherwise adjusted or forfeited by the City, to households earning less than 120 percent of the HUD AMI for Monroe County, Indiana; or

(B) Tier 2

- i. At least 60 percent of the total gross floor area of the building (including additional area awarded with an incentive) is dedicated to residential dwellings; and
- ii. A minimum of 7.5 percent of the total dwelling units (including those on floors awarded with an incentive) are income-restricted permanently, unless otherwise adjusted or forfeited by the City, to households earning below 120 percent of the HUD AMI for Monroe County, Indiana; and
- iii. A minimum of 7.5 percent of the total dwelling units (including those on floors awarded with an incentive) are income-restricted permanently, unless otherwise adjusted or forfeited by the City, to households earning below 90 percent of the HUD AMI for Monroe County, Indiana.

(3) Nonresidential Projects

Nonresidential projects that satisfy the following criteria shall qualify for the incentives established in subsection (5) below:

- (A) A linkage study has been approved by the City demonstrating that the proposed project results in an increased demand for affordable dwelling units in Bloomington; and
- (B) The petitioner takes one of the following actions in response to the findings of the linkage study:
 - i. The petitioner constructs at least the number of affordable dwelling units required to offset the increased demand for affordable housing calculated based on the linkage study, and each of those affordable dwelling units (a) is located off site, and (b) is deed-restricted to meet the Tier 1 or Tier 2 criteria for affordability levels and length of income restriction in Section 20.04.110(c), and (c) complies with the standards in Section 20.04.110(c)(6); or

- ii. The petitioner purchases at least the number of existing market-rate dwelling units required to offset the increased demand for affordable housing calculated based on the linkage study, and each purchased market-rate unit is converted to an affordable dwelling unit that (a) is deed-restricted to meet the Tier 1 or Tier 2 criteria for affordability levels and length of income restriction in Section 20.04.110(c), and (b) complies with the standards in Section 20.04.110(c)(6); or
- iii. The petitioner submits a payment-in-lieu of the construction or purchase of affordable dwelling units described in subsection (i) and (ii) above, pursuant to Section 20.04.110(c)(7), calculated on a per bedroom rate, in an amount sufficient to at least offset the increased demand for affordable housing calculated based on the linkage study.

(4) **Student Housing or Dormitory Projects**

Student housing or dormitory projects located in the Mixed-Use Downtown (MD) zoning district shall not be eligible for the incentives established in subsection (5) below. Student housing or dormitory projects located in other zoning districts shall be eligible for the incentives established in subsection (5) below if they meet the eligibility criteria outlined in subsection (2) above:

(5) **Affordable Housing Incentives**

(A) **Reduced Bulk Requirements**

The following dimensional standards shall apply to single-family and duplex residential lots in the R1, R2, R3, and R4 zoning districts that meet either of the two criteria in subsection (2) above:

- i. The minimum lot area for subdivision may be reduced up to 50 percent.
- ii. The minimum lot width for subdivision may be reduced up to 40 percent.
- iii. The side building setbacks may be reduced to five feet regardless of the number of stories.
- iv. The rear building setback may be reduced to 15 feet.
- v. Where these standards conflict with the neighborhood transition standards established in Section 20.04.070(d)(5) (Neighborhood Transition Standards), the neighborhood transition standards shall govern.

(B) **Primary Structure Height**

i. **Eligibility**

In addition to the eligibility criteria in 20.04.110(c)(2), affordable housing projects seeking increased maximum primary structure height shall comply with the following criteria:

- 1. The building shall contain six or more dwelling units; and
- 2. Unit size and bedroom mix for deed-restricted units shall be comparable to those for market-rate units.

ii. **Tier 1 Projects**

Projects that meet the Tier 1 affordability standards may increase the primary structure height by one floor of building height, not to exceed 12 feet, beyond the maximum primary structure height established for the zoning district where the project is located, as identified in Section 20.04.020 (Dimensional Standards).

iii. Tier 2 Projects

Projects that meet the Tier 2 affordability standards may increase the primary structure height by two floors of building height, not to exceed 24 feet, beyond the maximum primary structure height established for the zoning district where the project is located, as identified in Section 20.04.020 (Dimensional Standards).

iv. Sustainable Development Bonus

1. Tier 1 Projects: Projects that are eligible for increased primary structure height for affordable housing and sustainable development shall be eligible for one additional floor of building height, not to exceed 12 feet.
2. Tier 2 Projects: Projects that are eligible for increased primary structure height for affordable housing and sustainable development shall be eligible for one additional floor of building height, not to exceed 12 feet. The additional floor of building height granted under this subsection (iv)(2) shall be limited to 50 percent of the building footprint area of primary structure, and that additional floor shall be set back at least 10 feet further than the lower floors of the building.

(6) Other Standards

The following standards shall apply to all affordable housing projects seeking incentives under this section 20.04.110(c).

(A) Agreement Required

Petitioners shall enter into an affordable housing program or agreement administered by the federal, state, or local governments, or an organization approved by those governments to ensure that no person shall sell, rent, purchase, or lease an affordable housing unit created pursuant to this Section 20.04.110(c)(5) except to income-eligible households and in compliance with the provisions of this section.

(B) Advertising Requirement

Proof that the income eligible units will be marketed and leased similar to the market-rate units is required before occupancy can be issued.

(C) Location

- i. All affordable units constructed or rehabilitated under this Section 20.04.110(c)(5) shall be located either on site or within 1,320 feet of the project site. Required affordable dwelling units shall not be located in less desirable locations than market-rate units and shall not, on average, be less accessible to public amenities, such as open space, than the market rate units.
- ii. Affordable housing shall be indistinguishable from market-rate units, integrated with the rest of the development, and shall be compatible with the market rate units in design, appearance, construction and quality of materials.
- iii. If provided off site, the petition for construction of required affordable dwelling units shall be processed simultaneously with the project for which the incentive was approved. No petition for development shall be approved if a related petition for required affordable housing units is denied or the number of required affordable dwelling units is reduced.

(7) Payment-in-Lieu

- (A) A payment-in-lieu of providing housing that meets the Tier 1 or Tier 2 affordability criteria may be authorized by: an agreement with the City and all payments will be deposited into the Housing Development Fund.
- (B) The provisions of this Section 20.04.110(c)(7) shall become effective no later than the effective date of the UDO, by which time administrative procedures for calculating, collecting, accounting for, and spending payments-in-lieu in compliance with all applicable law shall be adopted and publicly available in the Administrative Manual within the Planning and Transportation Department. The procedures used for calculating, collecting, accounting for, and spending shall be reviewed frequently and updated as local housing market conditions change. The calculations may use or be based upon one or more of the following methods:
 - i. Housing and Urban Development (HUD) annual rents based on Area Median Income;
 - ii. Area Median Income (per person, income bracket, etc.);
 - iii. Rental rates per unit or per bedroom;
 - iv. Utility rates allowances per unit;
 - v. Tiered rental rates based on percentages above and/or below AMI; and
 - vi. Payment contribution rates.

(d) Sustainable Development

(1) Purpose

The Comprehensive Plan recognizes sustainability as a key component of nurturing Bloomington's environmental integrity. The following incentives are intended to encourage the use of sustainable development, rehabilitation, and retrofit practices in Bloomington beyond the baseline standards required by this UDO.

(2) Eligibility

Projects seeking the sustainable development incentives established in Section 20.04.110(d)(3) shall meet the qualifying criteria established in 20.04.110(a), shall be located on a previously developed lot(s) served by water and sewer utilities for at least five years prior to construction of petitioner's project, and shall satisfy one of the following two options below:

(A) Option 1

Projects seeking the sustainable development incentives established in Section 20.04.110(d)(3) shall demonstrate compliance with the following qualifying criteria:

i. Storm Water

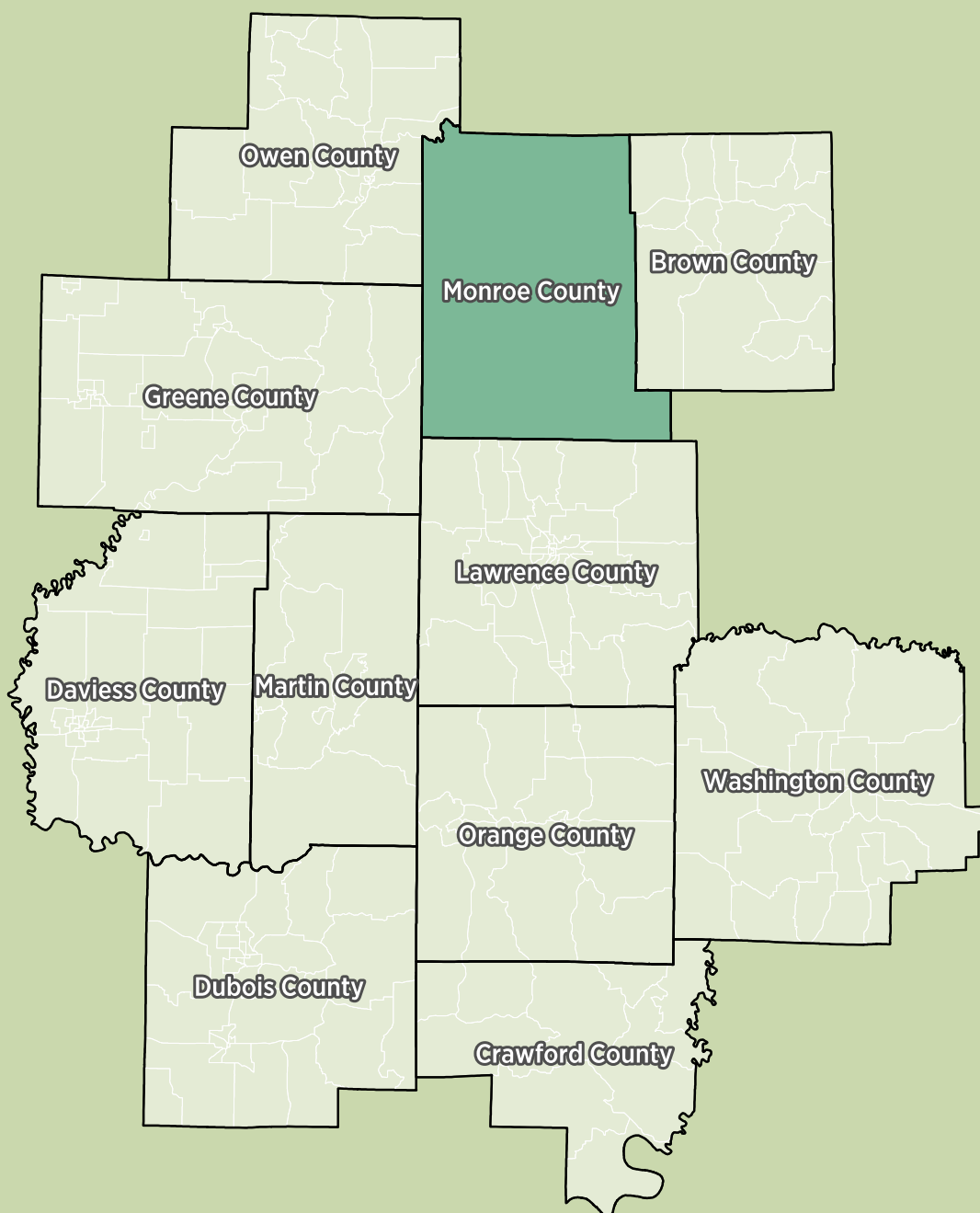
The development site shall provide low impact development stormwater management by installing permanent infiltration or collection features (e.g., swale, culvert outfall, rainwater cistern) that can retain 100 percent of the runoff from at minimum, the 95th percentile (80th percentile for development in the MD zoning district) of regional rainfall events, based on the daily rainfall data and the methodology in the U.S. Environmental Protection Agency (EPA) Technical Guidance on Implementing the Stormwater Runoff Requirements for Federal Projects under Section 438 of the Energy Independence and Security Act or a successor or replacement document issued by the EPA.

ADDENDUM 2.H

MONROE COUNTY

This section provides an updated overview of the issues and opportunities related to housing within Monroe County as of 2023. It builds upon the findings of the previous study and takes into account changes and developments that have occurred in the housing market since the last study was conducted in 2019.

To access details from the 2019 Regional Profile Section visit regionalsoportunityinc.org/housing.

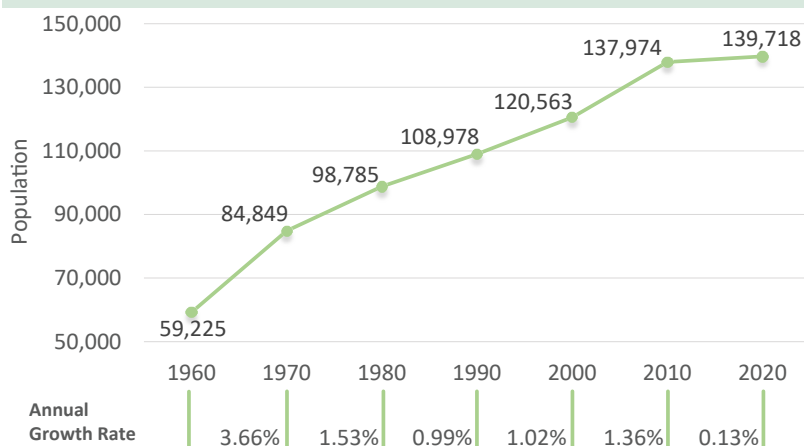


Population Characteristics

Growth Anomalies. Monroe County's population in 2019 was estimated at 144,436 but the final Census count in 2020 was 139,718, indicating minimal growth. For several reasons the 2020 number is concerning:

- Building activity in the 2010s and the occupancy of those units in 2019 would indicate more than 1,800 new residents.
 - » Between 2010 and 2019, there were 3,809 units added to the market (see Figure H.7). At 2.18 people per household (Bloomington estimated rate) that would result in approximately 8,300 residents. Over this same time period some units are lost, therefore it may not be a net gain of 8,300 but likely greater than 1,800.
- If an undercount occurred, it was likely among the students due to the count happening just as many students headed home due to the pandemic.
 - » At the start of the Spring semester of 2020, IU reported 36,754 students with an on-campus presence. By the Fall semester, that number dropped to 24,405 (Source: [Institutional Analytics Indiana University](#)), a difference of over 12,000. By the Fall of 2021, the number had returned to over 39,000 on campus.
 - Some students should have been counted in Bloomington, therefore, it should not be assumed that over 12,000 students were missing from the population.

FIGURE H.1: Historic Population Change

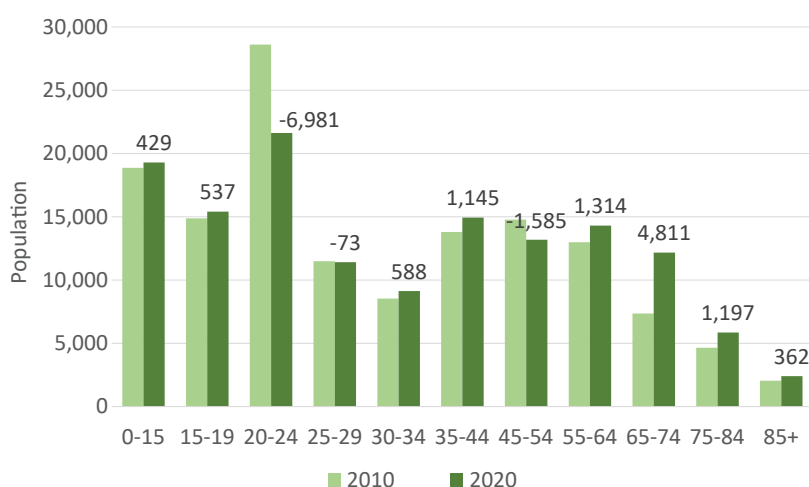


Source: 2020 US Census Bureau; RDG Planning & Design

Age Group Change. Figure H.2 in the 2019 study compared predicted versus actual population but due to the potential anomalies in the Census count, Figure H.2 compares the actual count in 2010 to the actual 2020 count. The data further illustrates the potential undercount in the student population:

- Between 2010 and 2020, the University had nearly 1,000 more students on the Bloomington campus.
- As illustrated in Figure H.2, the Census count had nearly 7,000 fewer residents between the ages of 20 and 24, a group primarily made up of college students in Bloomington.
- Based on enrollment and age breakdown of the Census count, it would appear that a large number of college students were missed in the 2020 Census count.

FIGURE H.2: 2010 Actual vs. 2020 Actual Population



Source: 2020 US Census Bureau

Continued Growth. When projecting out the future population for Monroe County and Bloomington, the student population must be taken into consideration. Students do not remain in the community but are replaced by new students. Because they do not remain, they also do not add to the future population through the birth of their children.

When projecting the future population, the students should be removed, first to determine what the growth rate was for the county's permanent population and to then estimate future growth. Some students will remain in the community, for that reason Figure H.3A illustrates scenarios where only 75% to 80% of students are removed.

- With the removal of the students, Bloomington had between 1.16% and 1.62% annual growth rate.

Figure H.3 illustrates three scenarios for future growth:

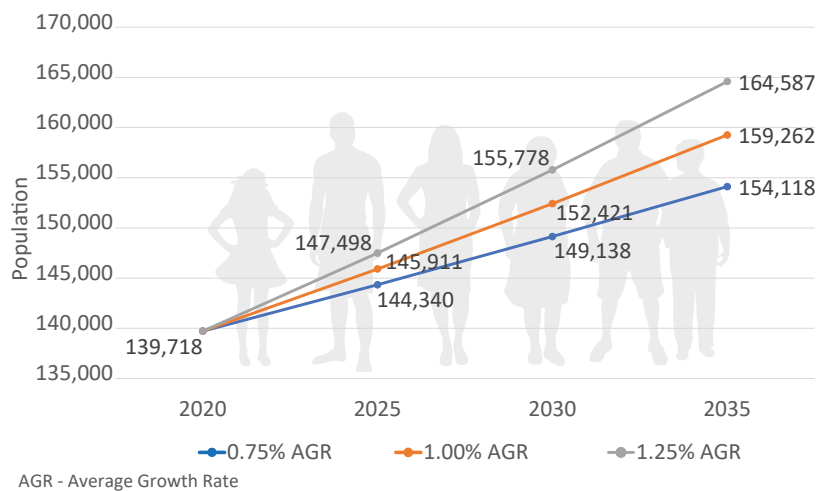
- Each scenario removes 75% of the on-campus presence headcount.
 - » The student population is projected to remain flat as nationally the number of individuals in the traditional college ages is a smaller generation.
- 0.75% annual growth rate is similar to that experienced between 2000 and 2020 for the county's total population.
- Based on historic construction activity, the 1.0% appears to reflect the likely growth rate that occurred in the 2010s and should be used to project future need.

FIGURE H.3A: Student Population Scenarios

	100% On-Campus Scenario	75% of On-Campus Scenario	80% of On-Campus Scenario
2013 On-campus*	39,767	29,825	31,814
2010 Non-Student Population	98,207	108,149	106,160
2020 On-campus	24,405	18,304	19,524
2020 Non-Student Population	115,313	121,414	120,194
Annual Growth Rate, Non-Student Population	1.62%	1.16%	1.25%

* In 2010, the on-campus vs. off-campus presence was not tracked.
Source: U.S. Census; Institutional Analytics Indiana University

FIGURE H.3: Future Growth Rate Scenarios



Source: 2020 US Census Bureau; RDG Planning & Design

Economic Characteristics

Industry Breakdown. Figure H.4 illustrates the percent of residents employed in each industry in Monroe County:

- The top five industries for employment have not changed since 2019.
- The top five industries have a variety of incomes and would indicate the need for a variety of housing products.

Commuting Patterns. Monroe County continues to draw more workers to the county for work than it exports to other counties:

- 17% of the county's workforce travels into Monroe County, a fairly consistent rate over the last decade.
- Only 8% of residents leave the county for work, a rate that has also remained consistent.

Household Income. Figure H.6 is an overview of the county's estimated household incomes.

- Ellettsville's household income would appear to have experienced the strongest growth since 2019.
- The county's overall income level is low compared to the state but is impacted by the student population.
 - » The median household income for households between the ages of 25 and 44 jumps to \$61,551 compared to \$18,548 for households under 25.

FIGURE H.4: Employment By Industry

Educational Services, Health Care, Social Assistance	Entertainment, Recreation, Arts, Accommodation, Food Services	Manufacturing	Retail Trade	Professional, Scientific, Management, Administration
24,630 35.50%	8,310 12.00%	7,460 10.70%	6,253 9.00%	5,250 7.60%
Public Administration	Finance, Insurance, Real Estate, Rental & Leasing	Construction	Other Services, Except Public Administration	Transportation & Warehousing, Utilities
3,258 4.70%	3,168 4.60%	2,970 4.30%	2,990 4.30%	2,528 3.60%
Information	Wholesale Trade	Agriculture, Forestry, Fishing, Hunting, Mining	Civilian employed population 16 years and over 69,469	
1,507 2.20%	877 1.30%	268 0.40%		

Source: 2021 American Community Survey (5-Year Estimates)

*Number represents the number of people employed within the industry, percentage represents share of all workers within the industry

FIGURE H.5: 2021 Commuting Patterns



Source: 2021 STATS Indiana

FIGURE H.6: Household Income

	2020 Population	2021 Median Household Income	80% of Median
Monroe County	139,718	\$54,096	\$43,277
Bloomington	79,168	\$41,995	\$33,596
Ellettsville	6,655	\$68,188	\$54,550
State of Indiana	6,785,528	\$61,944	\$49,555

Source: 2021 American Community Survey (5-Year Estimates)

Housing Characteristics

Housing Age and Building

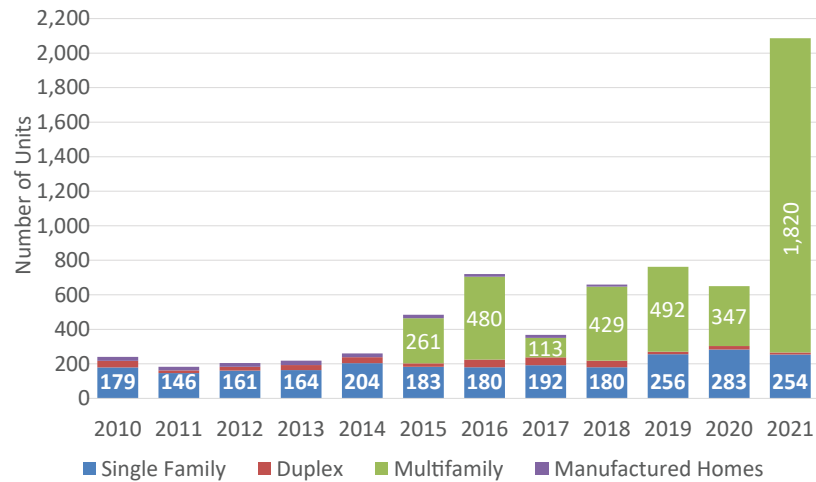
History. Figure H.7 shows the construction activity in Monroe County since 2010.

- From 2010 to 2019, the county averaged 410 new units annually.
- Of the units constructed since 2010, 58% were in multi-family structures and predominately in the Bloomington market.
- Before 2015, 77% of the units were single-family.
 - » Much of the multifamily construction in the last 5 years has likely addressed pent-up demand.
 - » It would appear that more variety of product types in the next decade will be important to creating a healthy housing market.

Housing Occupancy. Map H.3 illustrates average household size while Figure H.8 breaks down the occupancy status.

- Rental households tend to have smaller household sizes.
 - » Bloomington has a higher percentage of rental households and therefore smaller average household size.
- Based on 2020 counts, it would appear that the county's vacancy rate has increased.
 - » The majority of the units identified as vacant are classified as "other vacant" meaning they are not available due to condition, estate or legal issues, or are for other uses such as storage.
 - » For this reason, the number of available vacant units in the county is much less than 8% of all units.

FIGURE H.7: Residential Building Permit History



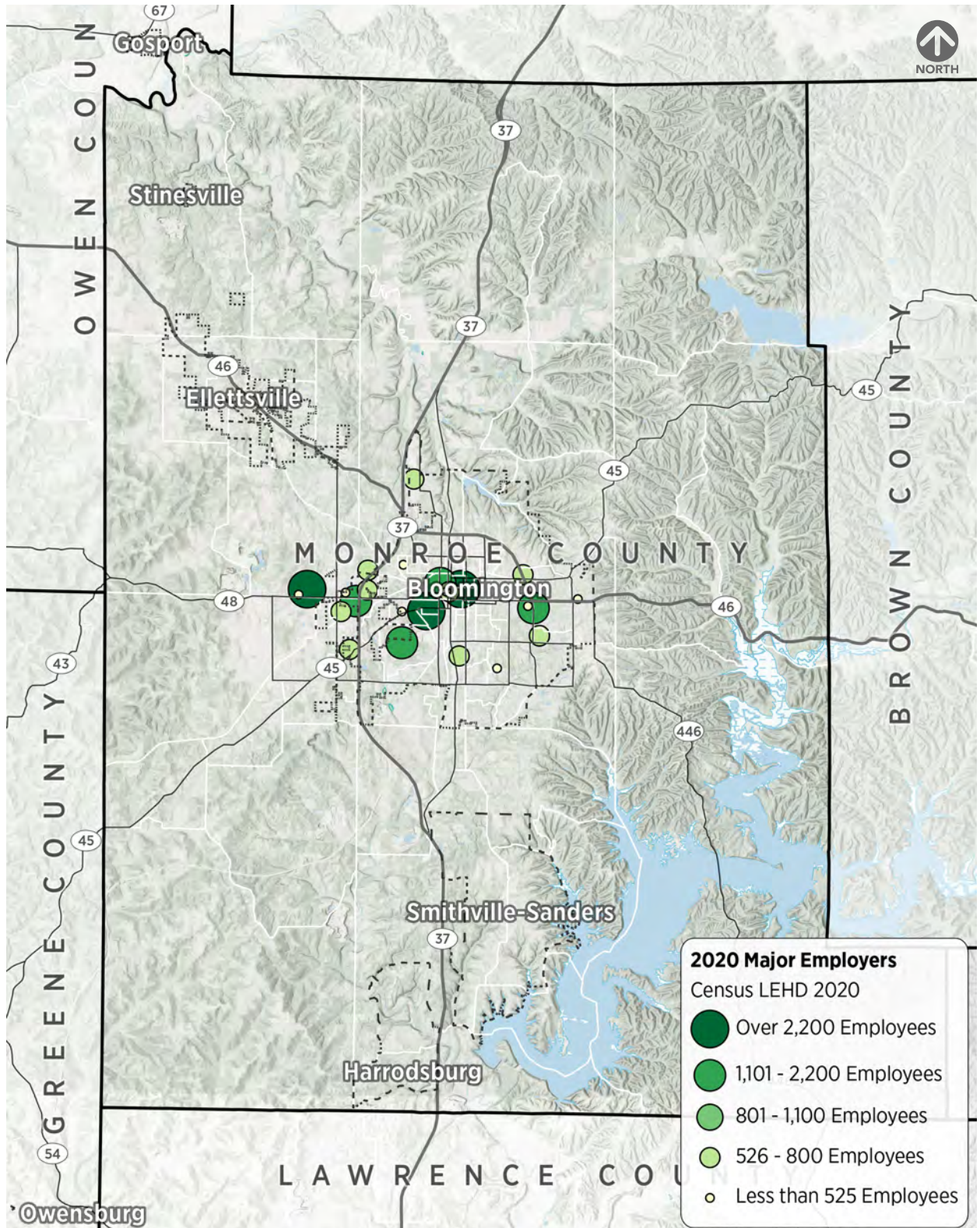
Source: Monroe County Building Department

FIGURE H.8: Occupancy Status

Occupancy	2000		2020		Change 2000-2020
	Number	% of Occupied Units	Number	% of Occupied Units	
Owner-Occupied	25,316	54.00%	30,260	51.90%	1,406
Renter-Occupied	21,582	46.00%	28,008	48.10%	1,998
Total Vacant	3,948		5,338		1,095
Vacancy rate	7.80%		8.40%		
Total Units	50,846		4,576		

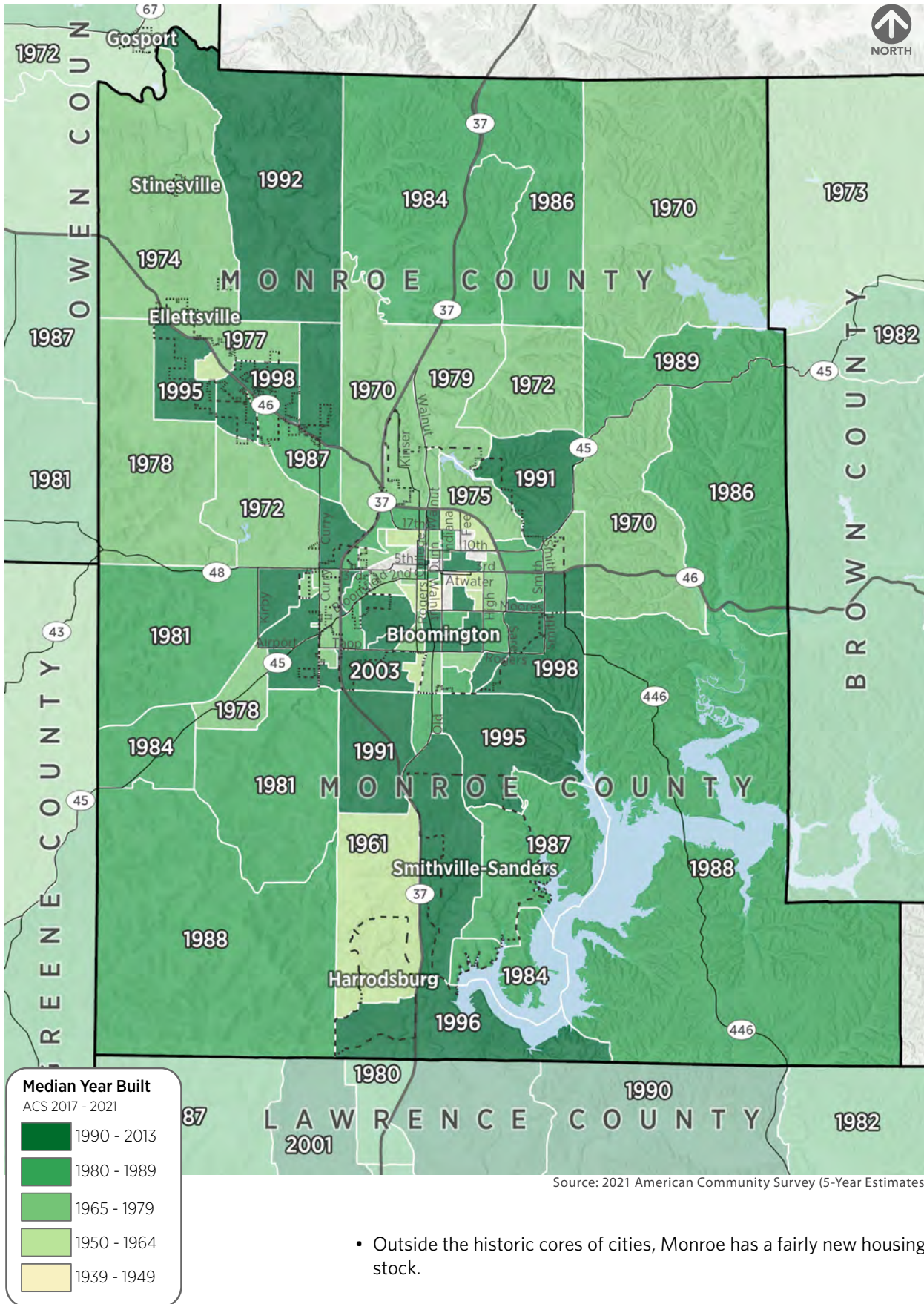
Source: US Census Bureau

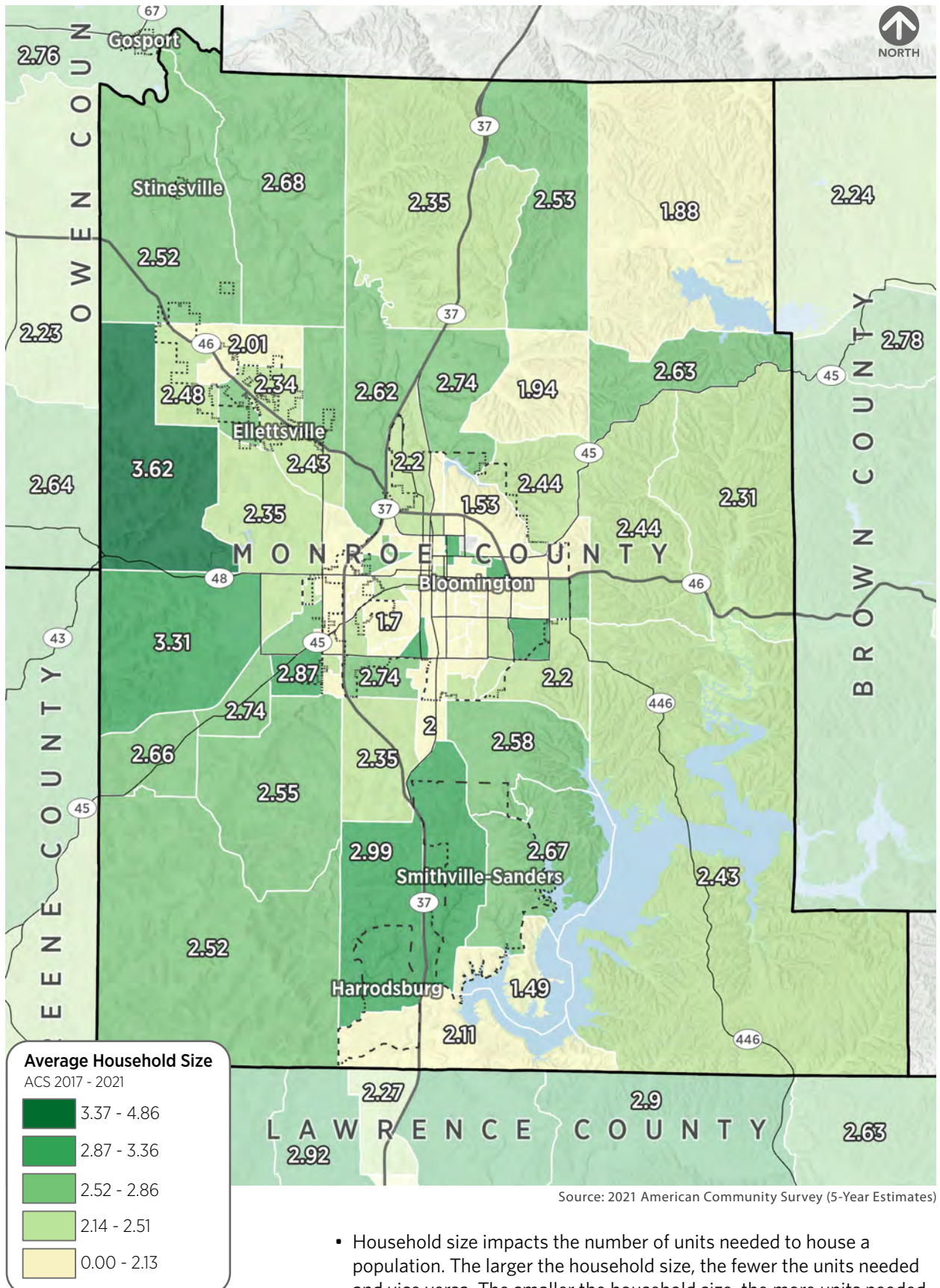
Map H.1: Employers by Size



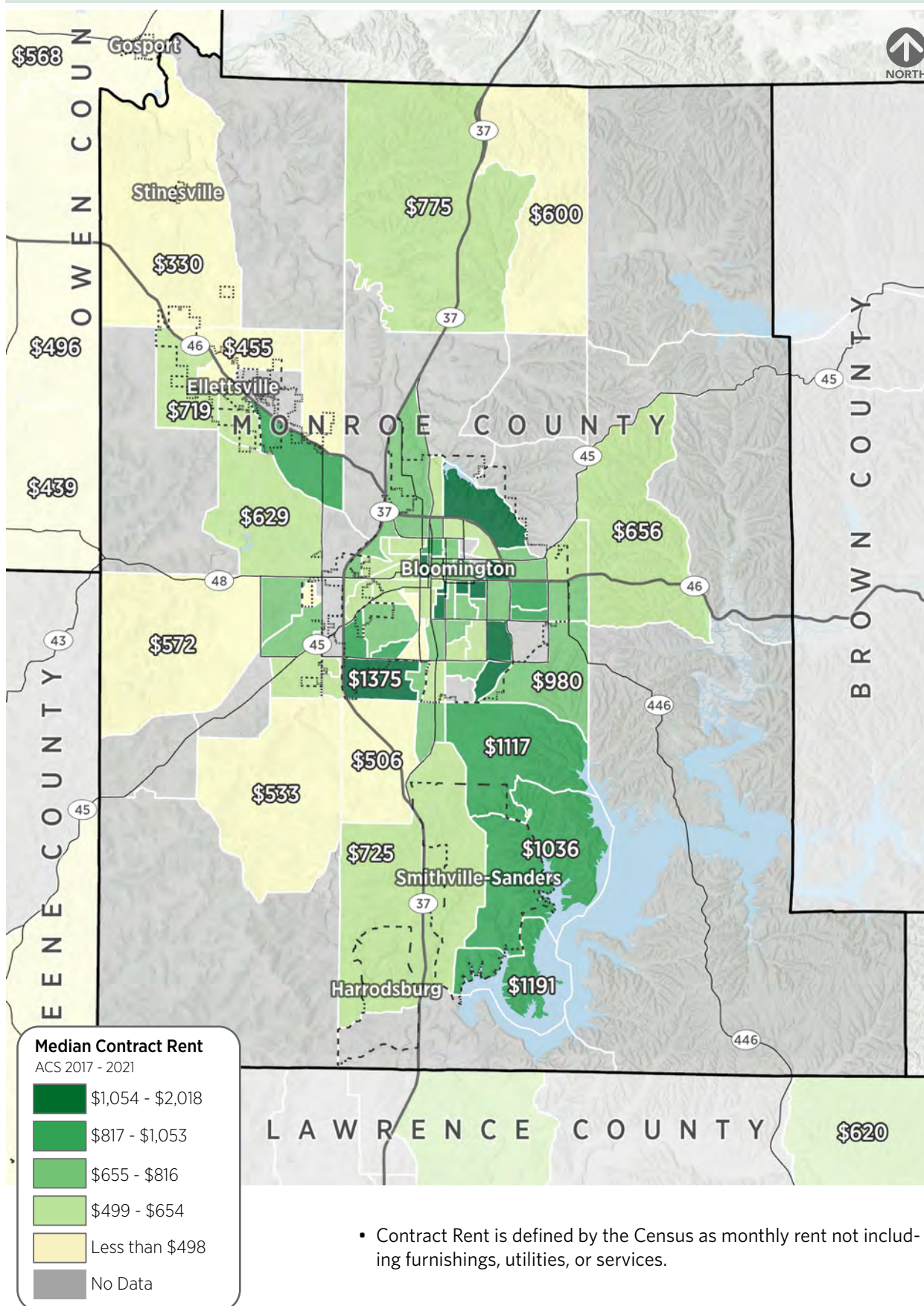
Source: 2020 Census Longitudinal Employer-Household Dynamics (LEHD)

Map H.2: Median Year Residential Structure Built

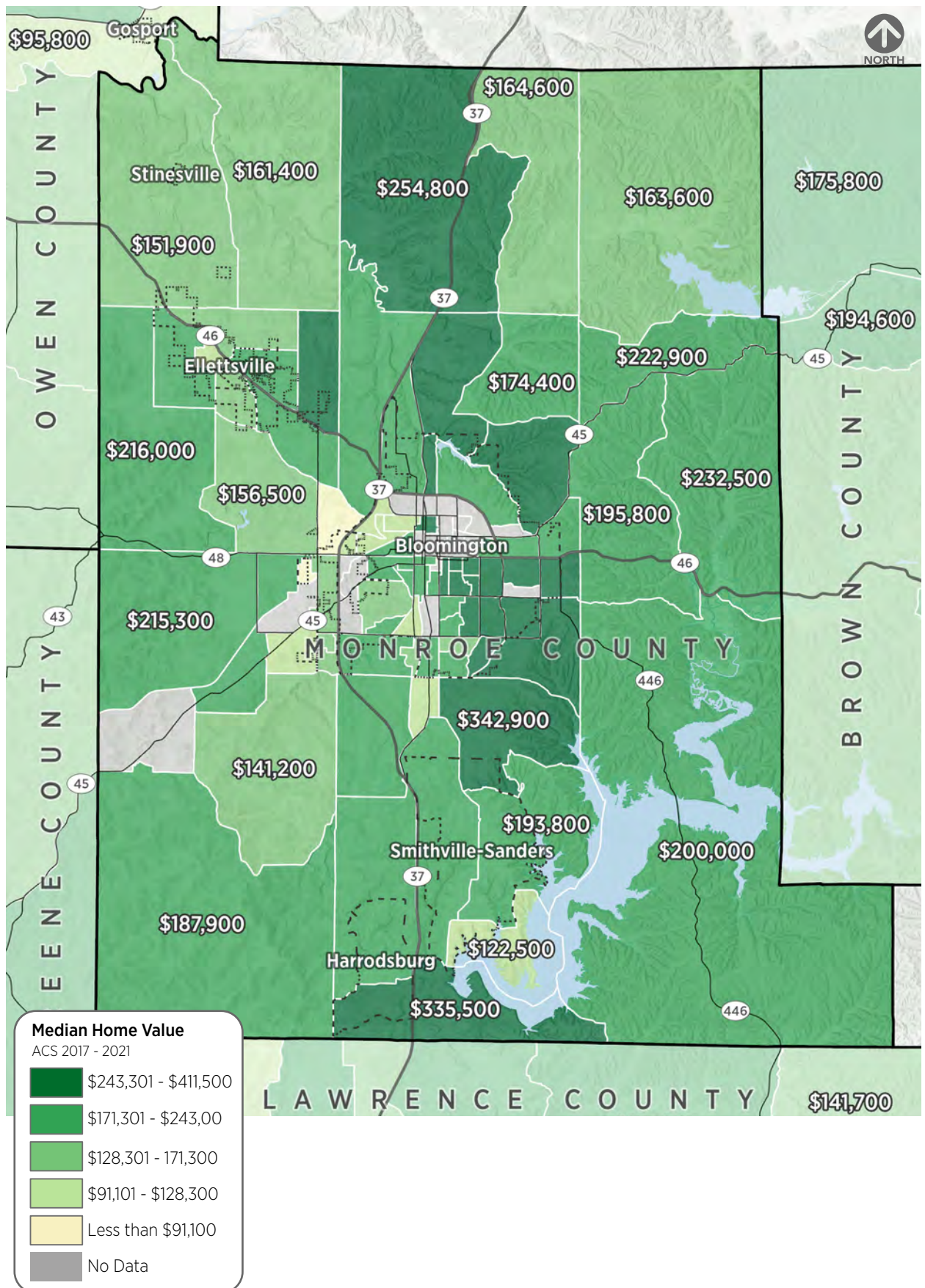


Map H.3: People Per Household

Map H.4: Median Contract Rent by Census Tract



Source: 2021 American Community Survey (5-Year Estimates)

Map H.5: Median Home Value by Census Tract

Source: 2021 American Community Survey (5-Year Estimates)

Costs and Incomes. Households that spend more than 30% of their income on housing are considered cost burdened.

- The percentage of cost burdened renters has remained fairly constant and the number of cost burdened homeowners has declined.
 - » Compared to other counties with a high percentage of students, Monroe County's renters are more likely to be cost burdened.
- Median home value in Monroe County is also the highest among the comparable counties, a trend that continues from 2019.
 - » When the median income of 25 to 44 year old households (\$61,551) is used, the value to income ratio drops to 3.28.
- Monroe, Tippecanoe, and Champaign counties probably built the most new rentals in the last decade, and therefore are more likely to have higher rents.

FIGURE H.9: Monroe County Housing Affordability

Monroe County

Median Household Income	Median Contract Rent	% paying more than 30% in Gross Rent*	% paying more than 30% for Owner Costs**	Median House Value	Value / Income Ratio
\$54,096	\$865	60.12%	14.44%	\$202,400	3.74

Delaware County (Muncie)

Median Household Income	Median Contract Rent	% paying more than 30% in Gross Rent*	% paying more than 30% for Owner Costs**	Median House Value	Value / Income Ratio
\$49,321	\$603	50.51%	15.01%	\$103,300	2.09

Tippecanoe County (West Lafayette)

Median Household Income	Median Contract Rent	% paying more than 30% in Gross Rent*	% paying more than 30% for Owner Costs**	Median House Value	Value / Income Ratio
\$53,468	\$771	55.43%	15.32%	\$169,500	3.17

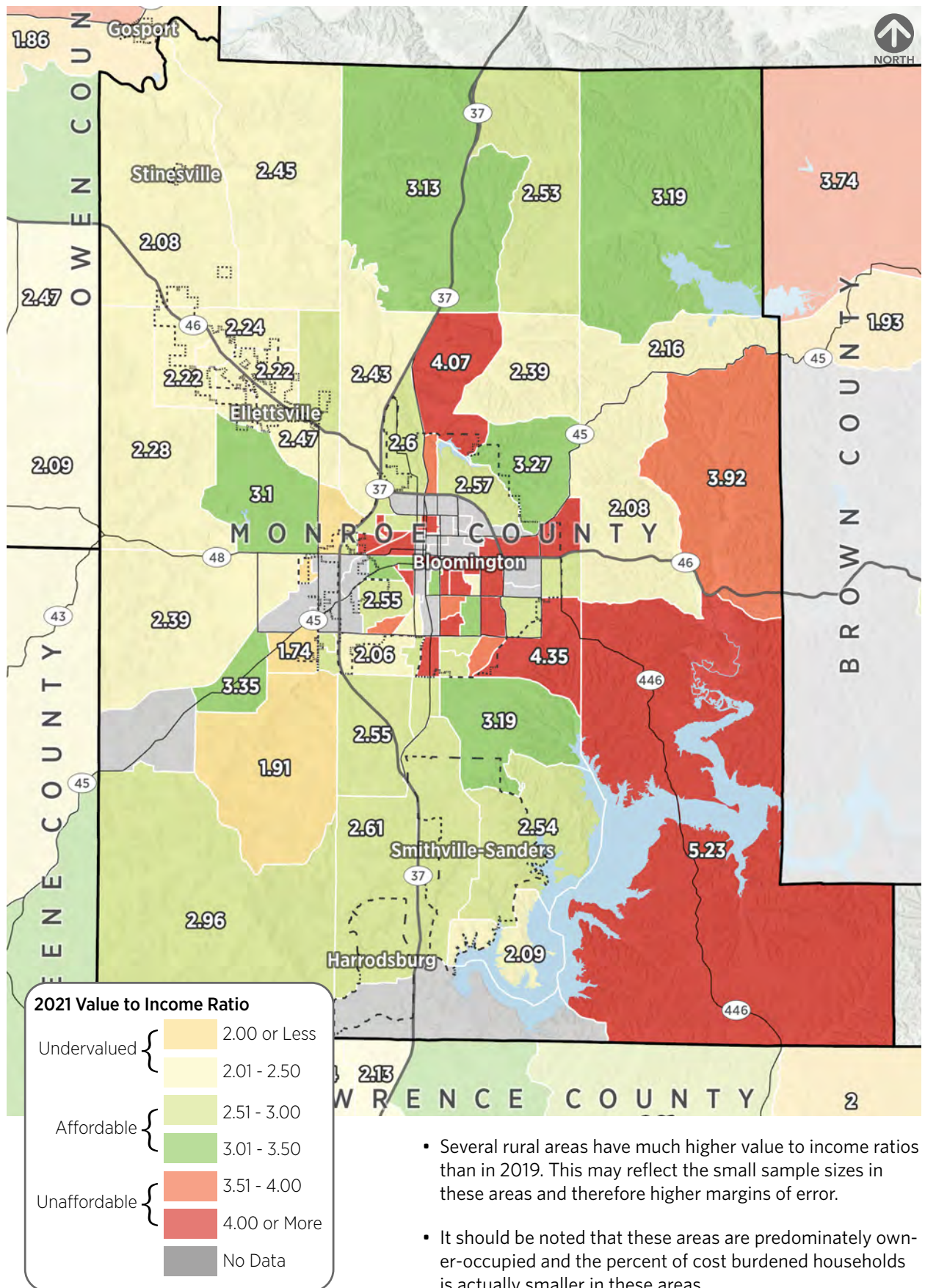
Vigo County (Terre Haute)

Median Household Income	Median Contract Rent	% paying more than 30% in Gross Rent*	% paying more than 30% for Owner Costs**	Median House Value	Value / Income Ratio
\$48,552	\$597	55.41%	17.16%	\$114,000	2.35

Champaign County, IL

Median Household Income	Median Contract Rent	% paying more than 30% in Gross Rent*	% paying more than 30% for Owner Costs**	Median House Value	Value / Income Ratio
\$56,939	\$760	52.45%	14.71%	\$170,600	3.00

* Gross rent includes utilities. **Owner costs include mortgage, mortgage interests, property taxes, and maintenance.
Source: 2021 American Community Survey (5-Year Estimates)

Map H.6: Value to Income Ratio

Source: 2021 American Community Survey (5-Year Estimates)

Figure H.10 compares the number of households in an income range with the number of units that would be affordable to that household.

- Since 2019, it appears that the shortage of housing affordable to the lowest income households has declined.
 - » This is mostly reflective of fewer households in this range but it should be noted that most students fall within this range and an undercount would affect this analysis.
 - » The rising cost of housing can have an impact on the ability of students to afford college.
- The current estimates have a greater number of households making over \$150,000 but fewer units available to them.
 - » The number of \$400,000+ units has likely not declined but the number of \$3,000 plus rental units may have declined as newer units forced pricing adjustments in the city's older rental stock.

FIGURE H.10: Housing Affordability Analysis

Income Range	# HHs* in Each Range	Affordable Range for Owner Units	# of Owner Units	Affordable Range for Renter Units	# of Renter Units	Total Affordable Units	Balance
\$0-24,999	14,857	>\$60,000	2,212	\$0-499	2,868	5,080	-9,777
\$25,000-49,999	11,696	\$60,000-124,999	4,399	\$500-999	13,667	18,066	6,370
\$50,000-74,999	9,843	\$125,000-199,999	8,798	\$1,000-1,499	6,523	15,321	5,478
\$75-99,999	6,601	\$200,000-249,999	4,632	\$1,500-1,999	1,793	6,425	-176
\$100-149,999	7,994	\$250,000-399,999	7,586	\$2,000-2,999	728	8,314	320
\$150,000+	6,169	\$400,000+	3,640	\$3000+	314	3,954	-2,215

* HH = Households

Source: 2021 American Community Survey (5-Year Estimates)

Home Sales. Demand for housing would appear to remain high while the supply has slowly declined.

- The number of homes listed for sale has steadily declined along with the days on market.
 - » A decline in the days on market means that homes are selling faster. A signal that the number of buyers has likely not declined.
- An equal or greater number of buyers in a market with fewer listings often results in price inflation as buyers compete for fewer units.
- As a side note, Realtor.com estimated an average sale price of \$380,360 for Tippecanoe County in 2022.

FIGURE H.11: Home Sales, Monroe County

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	% Change
Listings	2,793	2,605	2,604	2,567	2,418	2,441	2,374	2,269	2,144	2,207	2,106	-25%
Median Days on Market	57	47	49	50	41	33	31	31	29	17	21	-63%
Median List Price	163K	160K	165K	172K	189K	199K	225K	240K	250K	270K	302K	86%
Median Sale Price	155K	151K	157K	165K	169K	180K	200K	218K	234K	265K	295K	90%

Source: 2022 MLS

Housing Demand Analysis. The housing demand analysis builds on the assumption that the city's permanent population will grow at 1% annually and that the student population will remain steady. Items to note in this methodology:

- It is assumed that the students that were undercounted had housing, and that new housing does not need to be produced for this population.
- The vacancy rate is held steady, but if some of the "other vacant" units can be made available, the number of units needed will decline.
- In the 2019 study, demand was estimated at 449 units annually, which is below the actual production of 762, 650, and 2,086 units that were added in 2019, 2020, and 2021.
- The projected demand in H.12 is below that experienced between 2019 and 2021 but over 160 units above the average units produced between 2010 and 2019 (410 units).

FIGURE H.12: Housing Demand Summary

	2020	2030	2035	Total
Population at End of Period	139,718	152,421	159,262	
Household Population at End of Period	123,206	134,407	140,440	
Average People Per Household	2.34	2.34	2.34	
Household Demand at End of Period	52,652	57,439	60,017	
Projected Vacancy Rate	8.4%	8.4%	8.4%	
Unit Needs at End of Period	57,476	62,701	65,515	
Replacement Need (total lost units)		240	150	390
Cumulative Need During Period		4,447	2,965	7,412
Average Annual Construction		556	593	570

Source: 2021 American Community Survey (5-Year Estimates); RDG Planning & Design

Housing Development Program. Figure H.13 distributes the forecasted demand by price point based on the 2020 distribution of household incomes in Monroe County. The following assumptions create the program:

- Based on the declining number of for sale homes but the continued demand for those homes, more ownership options should be constructed then have occurred in the last five years.
 - » Ownership options should not be seen exclusively as single-family detached homes. Ownership can come in the form of townhomes, single-family attached, and even in multifamily structures.
 - » Additionally, more rental housing should be in smaller scale structures that have 16 or fewer units. These structures are more likely to meet the demands of young professionals and non-student renters.
- Due to the cost of land, materials, and labor, the production of housing priced below \$250,000 will be challenging to impossible. The over 220 units in these price ranges can be generated in four different ways:
 - » Production of ownership options that are not the traditional single-family detached, but duplexes, townhomes, or other medium and higher density configurations that reduce per unit costs.
 - » Funding assistance that offset lot development costs and smaller square footage homes.
 - » Rehabilitation of existing housing units.
 - » Construction of higher priced units that allow existing households to make the next step up.
- It is important to note that while the median sale price of a home in Monroe County is nearly \$300,000, this only reflects the homes sold in a year not the median value of the entire residential stock in the county. The Census does estimate that thousands of units exist across the county that are affordable to households making less than \$75,000 a year.

FIGURE H.13: Housing Development Program

Total Owner-Occupied	2023-2030	2030-2035	Total	
Affordable Low: <\$125k	738	492	1,230	} 4,447
Affordable Moderate: \$125-\$200k	621	414	1,035	
Moderate Market: \$200-\$250k	416	278	694	
Market: \$250-350k	504	336	840	
High Market: Over \$350k	389	259	648	
	2,668	1,779		
Total Renter-Occupied	2023-2030	2030-2035	Total	
Low: Less than \$500	615	410	1,025	} 2,965
Affordable: \$500-\$1,000	484	323	806	
Market: \$1,000-\$1,500	407	271	679	
High Market: \$1,500+	273	182	455	
	1,779	1,186		
Total Need	4,446	2,964	7,412	

Source: RDG Planning & Design

Community Profile: Bloomington

Bloomington's growth since the late 1800s has been remarkable, defying economic downturns that affected other cities. As the largest city in the Indiana Uplands, it serves as a significant hub for commerce, jobs, entertainment, and education. Indiana University's presence has not only driven the local economy but also inspired entrepreneurs to establish international businesses, though this has led to unique housing challenges.

Overview

- Bloomington has seen steady rates of growth since 1980 averaging 1.5% annual growth.
- Over the next 10 years, if the student population held steady and the city's permanent population grew by 1% annually, the city would reach a population of just over 90,000 by 2030.
 - This rate could be higher if greater housing diversity that supports households at different stages of life can be provided.
 - » To support a population of 90,300 by 2030, the city will need to produce 2,236 additional housing units.
 - » These units will need to be of a greater variety than occurred between 2015 and 2018.
- Rental rates and home values are the highest in the region, often leaving first-time home buyers and non-student renters struggling to find housing.
- Affordability is often measured by comparing housing values to income with ratios between 2 and 3 considered healthy and self-sustaining. Map H.9 shows the value to income ratios by census tract with many areas well above a ratio of 3, representing an unaffordable market. The overall ratio for Bloomington is 5.31, high even for cities with large student populations.

FIGURE H.14: Projected Growth, Bloomington

Growth Rate	2020	2025	2030	2035
1.00%	79,168	82,273	85,536	88,965
1.25%	79,168	83,068	87,219	91,635
1.87%	79,168	85,076	91,557	98,667

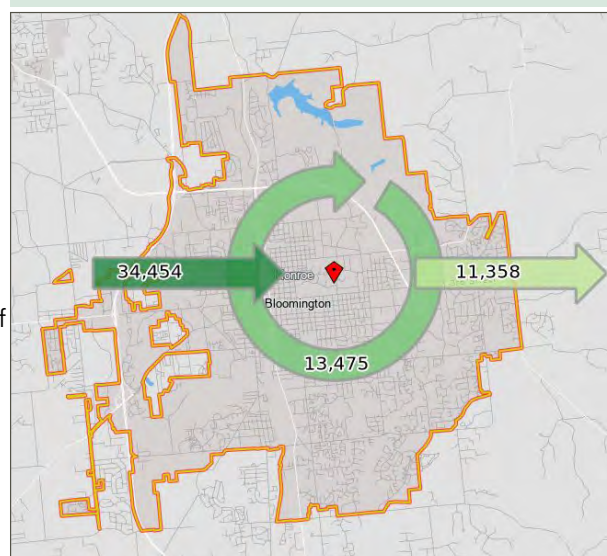
Source: US Census Bureau; RDG Planning & Design

Commuting Patterns

Bloomington draws a large portion of its workforce from surrounding Monroe County. Nearly 72% of the jobs in Bloomington are filled by employees living outside Bloomington.

- The percent of workers commuting into Bloomington has increased over the last several years.
- Only 17% of the county's workforce is commuting into work, therefore it can be assumed that much of Bloomington's workforce is finding housing within the county but outside city limits.
 - » Many Bloomington workers live in Ellettsville, but there are also a significant number that are living outside incorporated areas.

FIGURE H.15: Inflow-Outflow Diagram

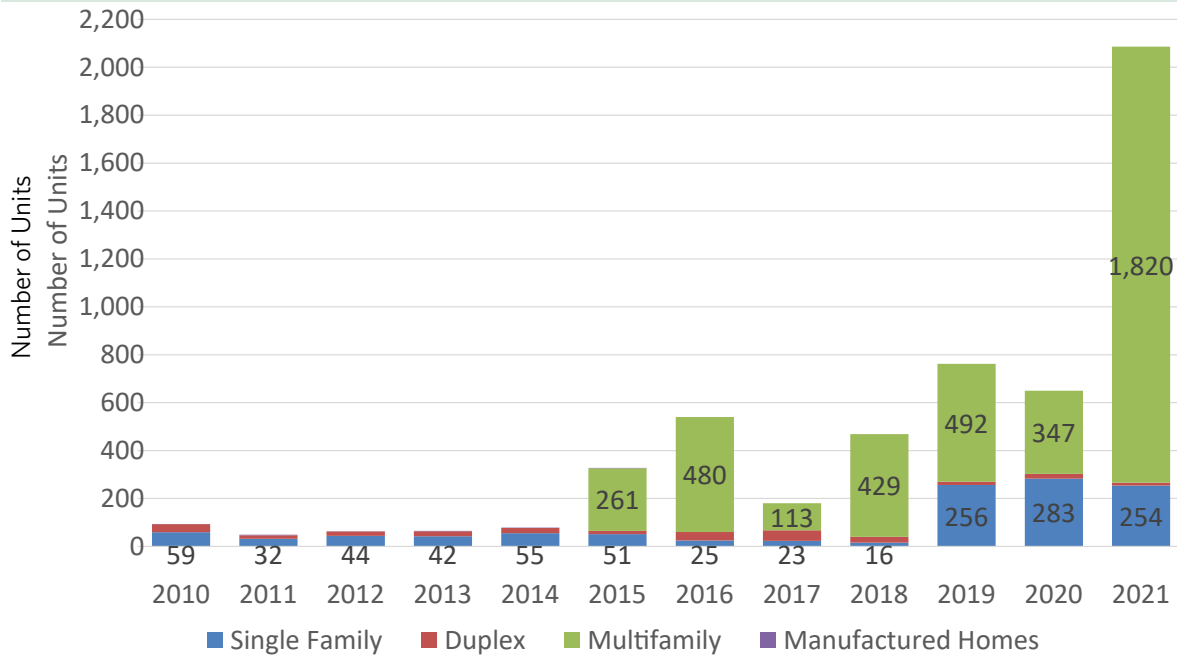


Source: 2020 US Census OnTheMap

Building Permit History

- Multifamily permit data was only tracked for buildings until 2015 when number of units could be identified based on the fees charged.
- Since 2015, almost 75% of new units have been in multifamily structures and many of those have been structures with more than 12 units.
- When a community has a limited lot supply or high land and infrastructure costs, multifamily is a much more efficient way to produce units. However, many of those units have been oriented to students, resulting in a lack of units that are appropriate for other market segments.

FIGURE H.16: Residential Building Permit History*



Source: Monroe County Building Department

*Before 2015 only the number of structures were tracked not the number of units

Housing Costs

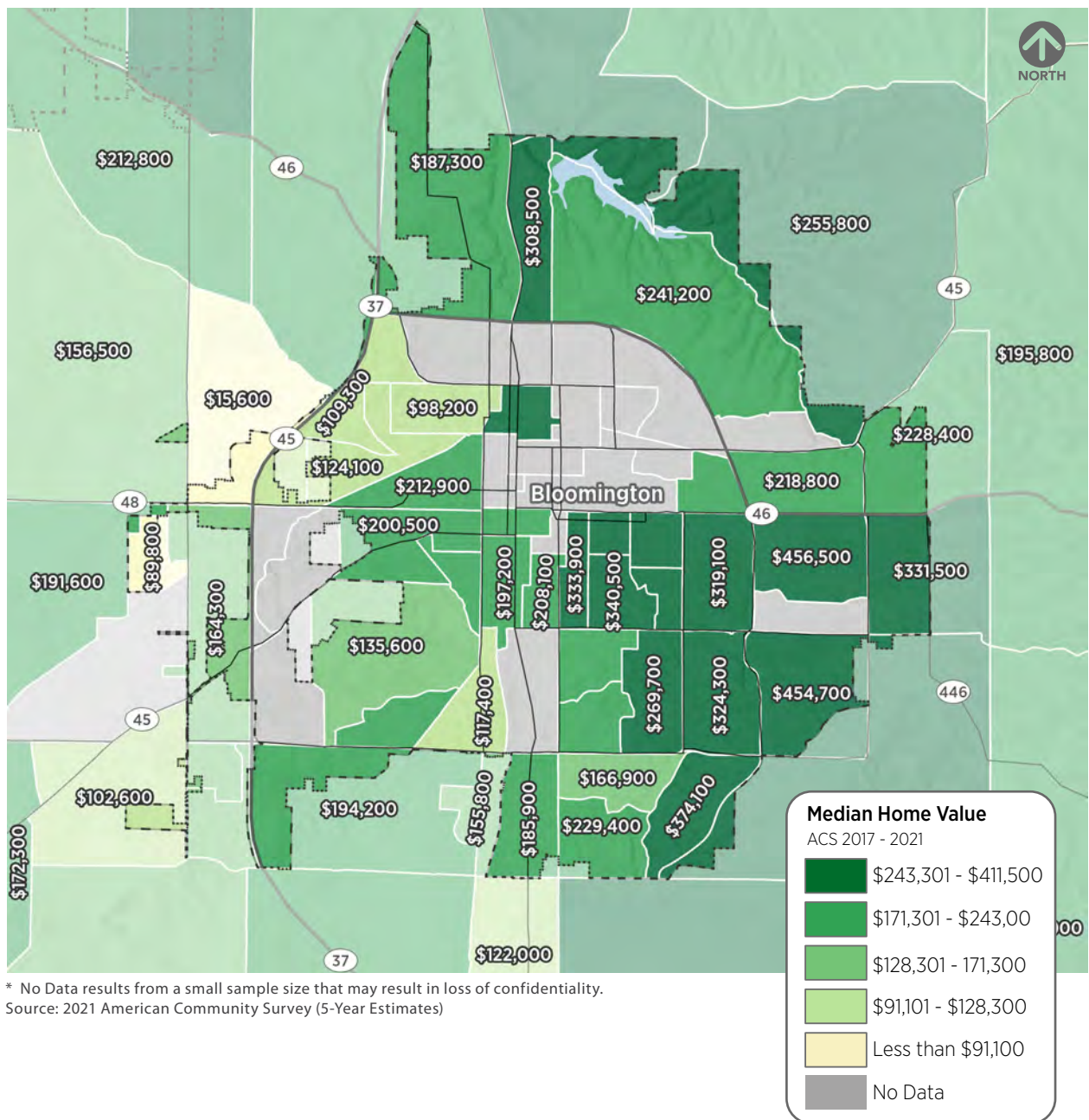
- Maps H.7 and H.8 (on the following pages) offer an overview of housing costs by census tract. The city's highest value housing continues to be located in the eastern tracts with lower values to the west.
- » Census tract boundaries are often shifted following a decennial census. For this reason there are small shifts compared to 2019 maps.

FIGURE H.17: Housing Affordability Analysis

Income Range	# HHs* in Each Range	Affordable Range for Owner Units	# of Owner Units	Affordable Range for Renter Units	# of Renter Units	Total Affordable Units	Balance
\$0-24,999	11,677	>\$60,000	672	\$0-499	1,993	2,665	-9,012
\$25,000-49,999	6,870	\$60,000-124,999	1,198	\$500-999	11,225	12,423	5,553
\$50,000-74,999	5,118	\$125,000-199,999	2,727	\$1,000-1,499	5,463	8,190	3,072
\$75-99,999	2,851	\$200,000-249,999	1,753	\$1,500-1,999	1,611	3,364	513
\$100-149,999	3,074	\$250,000-399,999	3,536	\$2,000-2,999	611	4,147	1,073
\$150,000+	3,009	\$400,000+	1,514	\$3000+	296	1,810	-1,199

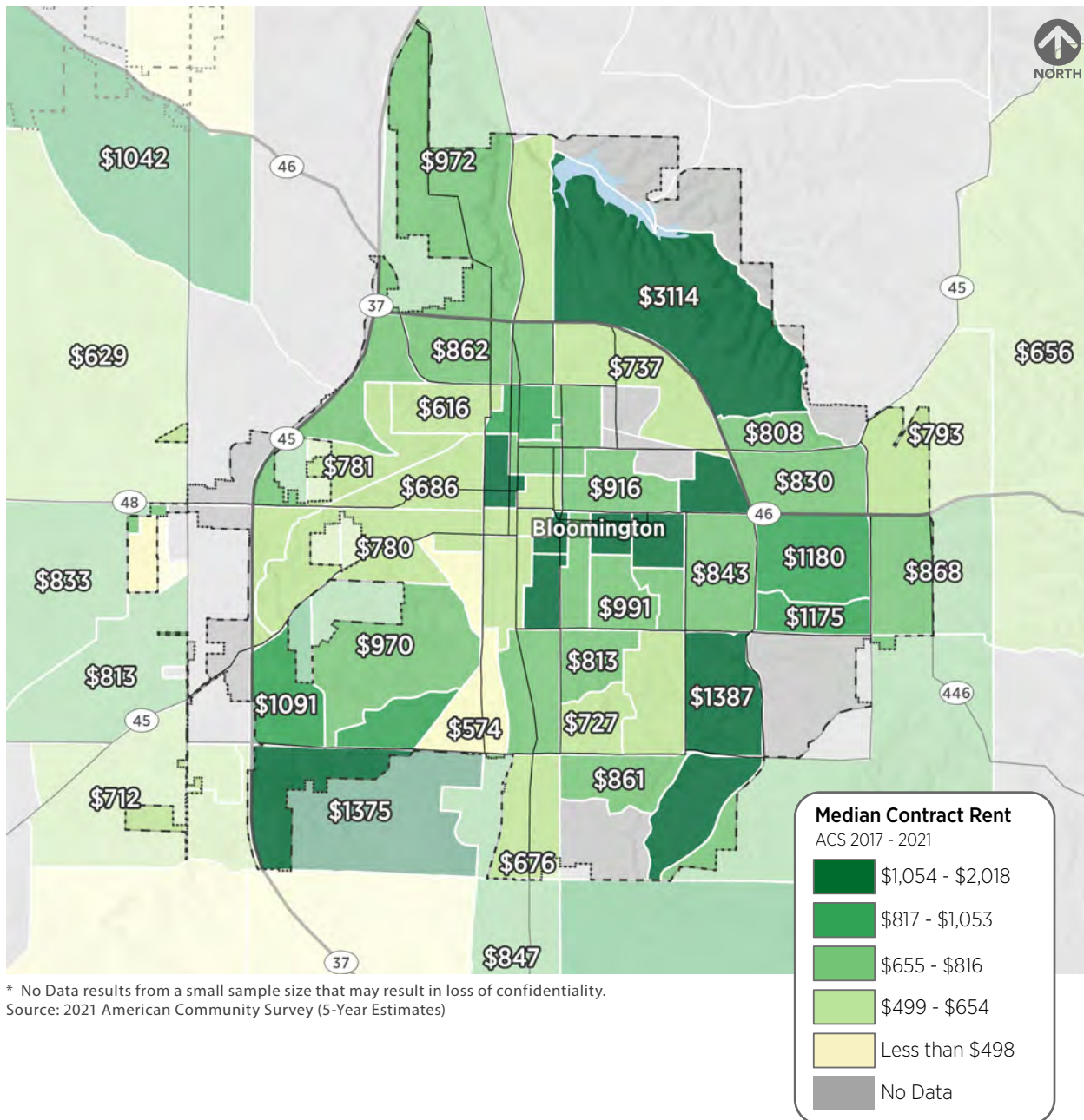
* HH = Households

Source: 2021 American Community Survey (5-Year Estimates)

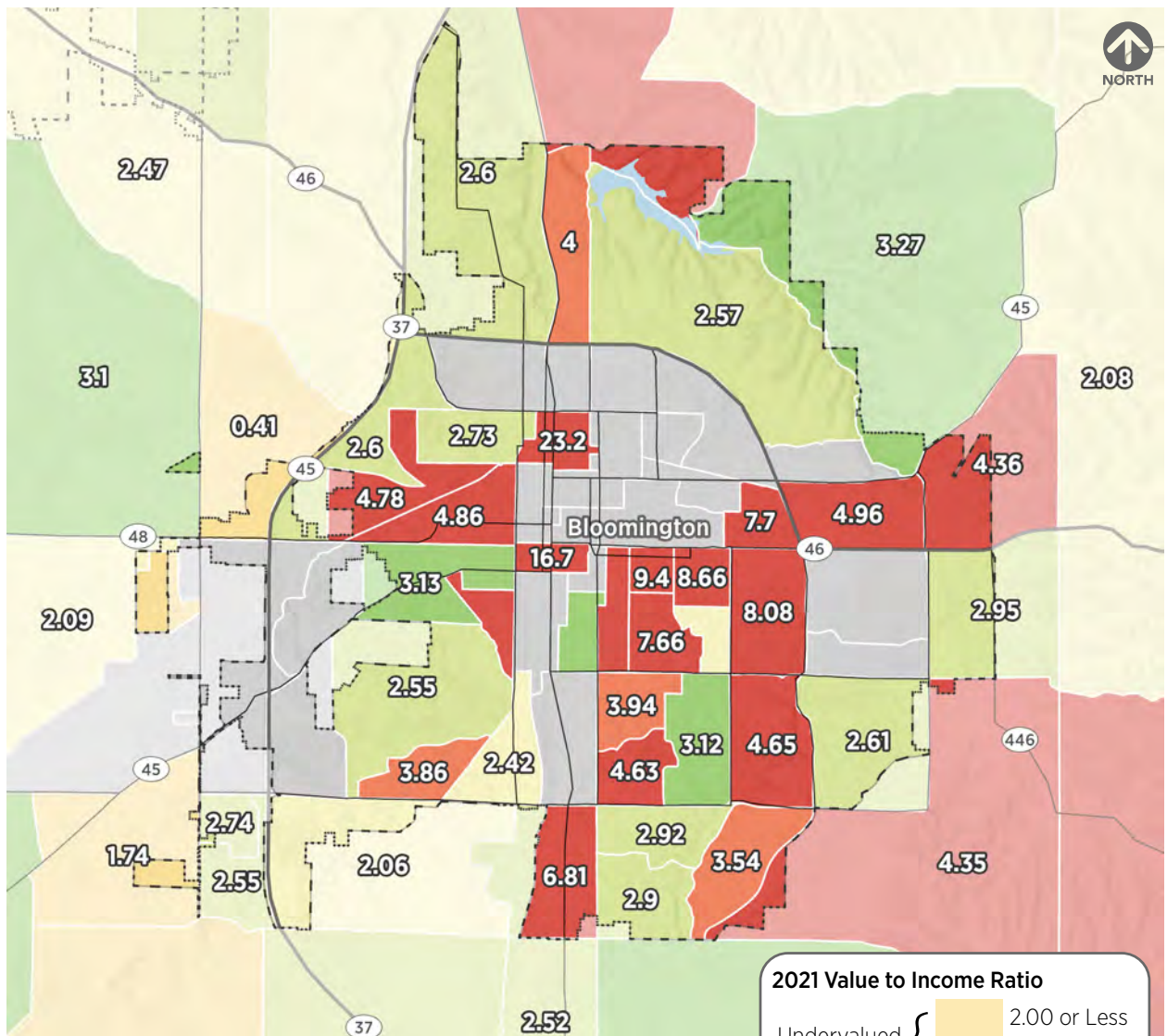
Map H.7: Median Home Value by Census Tract

- Figure H.17 (see previous page) compares the number of households in an income range with the number of units that would be affordable to that household.
 - » The city has a severe shortage of housing for households making less than \$25,000. The level of this shortage has changed very little since 2019. Many of these households are students, but this also includes a number of service workers and seniors that struggle to find affordable housing.
 - » The city's median household income in 2021 is estimated at just over \$37,700, a household that would be in the rental market. However, for households between the ages of 25 and 44, the median household income is just over \$50,000, an income level that is challenged to find ownership options in Bloomington.
 - » There now appears to be adequate upper end housing but this does not speak to the quality or the type of housing.

Map H.8: Median Contract Rent by Census Tract



- Median contract rent and median home values have a positive correlation with the most expensive census tracts south and east of the University.

Map H.9: Value to Income Ratio by Census Tract*

*See 2019 Report, page 220 for Value to Income explanation
 No Data results from a small sample size that may result in loss of confidentiality.
 Source: 2021 American Community Survey (5-Year Estimates)

- Map H.9 illustrates the value to income ratio by census tract. Areas with ratios over 3 are considered unaffordable.
 - » There are neighborhoods that appear to have extreme unaffordability that has only grown since 2019. In 2019, it was noted that some of these areas could be due to higher student or retiree populations that tend to have lower annual incomes.

Housing Demand Analysis

- The housing demand model (Figure H.18) is based on an assumed 1% annual growth rate and a stable student population, stable 2.18 people per household, and a slightly declining vacancy rate.
- Replacement need is the number of housing units demolished or converted to other uses. Homes in poor condition or obsolete should be gradually replaced in a city's housing supply. The number of units lost annually is based on the city's historic demolition permit data.
- Cumulative need shows the number of total units needed between the base year of 2023 and the year indicated at the end of the period.

These assumptions generate a demand for 4,155 housing units or an average annual construction need of 320 units. This is below the number of permitted units between 2018 and 2022 (Figure H.16) which included a large number of multifamily units. Nationally, the number of individuals between the ages of 10 and 18 is declining (the population entering colleges and universities in the next ten years), therefore the number of student oriented rental units would likely be leveling off.

FIGURE H.18: Housing Demand Summary

	2020	2023-2030	2030-2035	Total
Population at End of Period	79,168	87,219	91,635	
Household Population at End of Period	64,725	71,307	74,917	
Average People Per Household	2.18	2.18	2.18	
Household Demand at End of Period	29,690	32,709	34,366	
Projected Vacancy Rate	8.9%	8.1%	7.6%	
Unit Needs at End of Period	32,596	35,598	37,198	
Replacement Need (total lost units)		120	75	195
Cumulative Need During Period		2,480	1,675	4,155
Average Annual Construction		310	335	320

Source: 2021 American Community Survey (5-Year Estimates); RDG Planning & Design

Housing Development Program

Building on the housing demand model, the development program forecasts production targets for owner- and renter-occupied units based on the following assumptions:

- Recent market activity has been focused on rental housing with few ownership options. Over the next several years greater production of ownership options should focus on pent up demand and the need to offer more affordable housing options.
- Most low-income residents will be accommodated in rental units.
- Approximately 521 new owner-occupied units should be priced below \$130,000.
 - » It will be very difficult for the private market to produce housing in this price range in Bloomington. Most will be produced through assistance programs like Habitat for Humanity or through a filter effect created by the production of move-up housing.
- Nearly 697 rental units will need to be produced with rents below \$700 per month.
 - » A major theme during public engagement was on the lack of rental units priced below \$900. This model reflects this with over 78% of the rental units developed under this threshold. Those under \$700 will likely have to be produced through assistance programs like low-income housing tax credits, but some may result from market adjustments due to new higher quality rental units creating competition in the market.

FIGURE H.19: Housing Development Program

Total Owner-Occupied	2023-2030	2030-2035	Total
Affordable Low: <\$125k	489	330	819
Affordable Moderate: \$125-\$200k	364	246	610
Moderate Market: \$200-\$250k	203	137	340
Market: \$250-\$350k	219	148	366
High Market: Over \$350k	214	145	359
	1,488	1,005	2,493
Total Renter-Occupied	2023-2030	2030-2035	Total
Low: Less than \$500	437	295	732
Affordable: \$500-\$1,000	257	174	431
Market: \$1,000-\$1,500	191	129	321
High Market: \$1,500+	107	72	179
	992	670	1,662
Total Need	2,480	1,675	4,155

Source: RDG Planning & Design

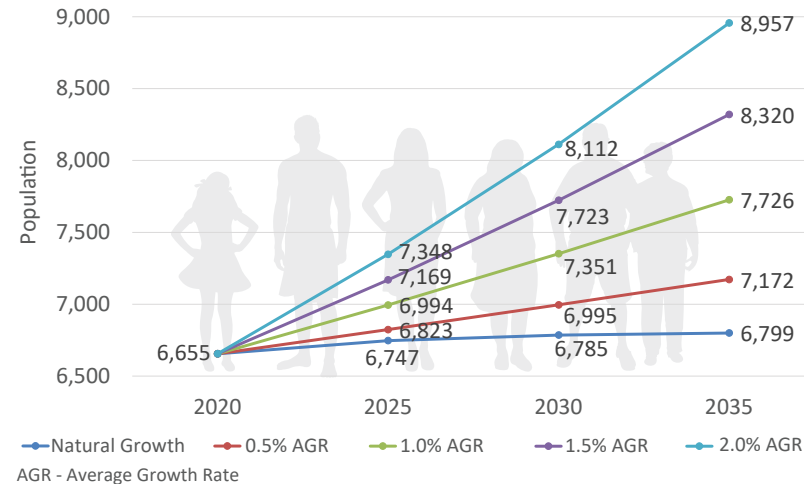
Community Profile: Ellettsville

Ellettsville, located just minutes from Bloomington, has experienced growth since 1990. Quality schools and affordable lots have attracted much of the county's single-family residential growth.

Overview

- Ellettsville has experienced less than 1% annual growth rate in the last decade. The student undercount should not have impacted Ellettsville the same way it impacted Bloomington. The rate of growth is still surprisingly low compared to the previous two decades.
- Figure H.20 illustrates four growth scenarios. Natural population growth would indicate that the city will grow solely based on a greater number of births than deaths. From 2000 to 2010, the city was above a 2% annual growth rate. With the city's strategic position, it seems likely that a 2% annual growth rate is once again feasible with adequate housing production.
- Affordability is often measured by comparing housing values to income with ratios between 2 and 3, which is considered healthy and self-sustaining. Ellettsville's ratio of 2.44 is lower than much of the county and for households between the ages of 25 and 44, that ratio is even lower.

FIGURE H.20: Future Growth Rate Scenarios

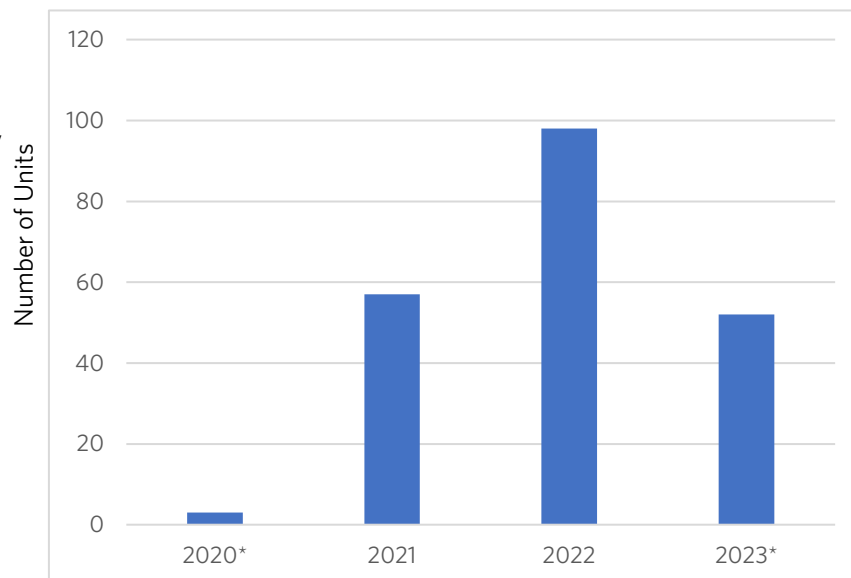


Source: 2020 US Census Bureau; RDG Planning & Design

Building Permit History

- Beginning in 2020, the City of Ellettsville began issuing building permit data.
- It would appear that most of the city's building activity has focused on single-family detached housing.

FIGURE H.20b: Residential Building Permit History*



Source: City of Ellettsville

*The City of Ellettsville began issuing permits in July 2020; 2023 data is through August

Housing Demand Analysis

- The housing demand model (Figure H.21) is based on 2% annual growth rate, generating a similar demand to that projected in 2019.
- At an average of 77 units annually, this would put production above 2021 levels but slightly below 2022. It is likely that in 2023 and 2024 interest rates may cause production be similar to 2021. Lot availability will also play a significant role in the town's ability to construct new units and support population growth.

FIGURE H.21: Housing Demand Summary

	2020	2023-2030	2030-2035	Total
Population at End of Period	6,655	8,112	8,957	
Household Population at End of Period	6,585	8,027	8,863	
Average People Per Household	2.42	2.42	2.42	
Household Demand at End of Period	2,721	3,317	3,662	
Projected Vacancy Rate	5.2%	6.8%	7.8%	
Unit Needs at End of Period	2,871	3,560	3,973	
Replacement Need (total lost units)		8	5	13
Cumulative Need During Period		577	418	996
Average Annual Construction		72	84	77

Source: 2021 American Community Survey (5-Year Estimates); RDG Planning & Design

Housing Gaps

To better understand the gaps in housing that stakeholders noted, a comparison between household incomes and appropriately priced units can be made. Figure H.22 compares the number of households in an income range with the number of units that would be affordable to that household.

- Since 2019 it would appear that the shortage of housing affordable to the lowest income households has lessened. This was driven by fewer households in the under \$25,000 income range not by an increase in the number of units affordable to this group.
- The shortage of housing affordable to households making over \$75,000 has grown. This mostly reflects a greater number of households in these income ranges despite more units affordable to the highest income ranges.
- Ellettsville likely still lacks rental options that are appealing to young professionals or young families looking to establish themselves in a smaller community before buying. Based on the income levels of these households, many can afford rents well over \$1,000 a month.

FIGURE H.22: Housing Affordability Analysis

Income Range	# HHs* in Each Range	Affordable Range for Owner Units	# of Owner Units	Affordable Range for Renter Units	# of Renter Units	Total Affordable Units	Balance
\$0-24,999	381	>\$60,000	66	\$0-499	188	254	-127
\$25,000-49,999	562	\$60,000-124,999	362	\$500-999	223	585	23
\$50,000-74,999	492	\$125,000-199,999	1,161	\$1,000-1,499	18	1,179	687
\$75-99,999	624	\$200,000-249,999	376	\$1,500-1,999	0	376	-248
\$100-149,999	530	\$250,000-399,999	328	\$2,000-2,999	0	328	-202
\$150,000+	170	\$400,000+	37	\$3000+	0	37	-133

* HH = Households

Source: 2021 American Community Survey (5-Year Estimates)

Housing Development Program

Building on the housing demand model, the development program forecasts production targets based on a 50/50 split between owner- and renter-occupied. The renter split is higher than the actual split but reflects decades long lack of rental construction that meets young professional and retirees housing needs.

The demand for units priced below \$250,000 will likely be met by the city's existing housing stock or products that do not fit the traditional detached single-family homes, creating a filtering effect.

- » Based Figure H.22, Ellettsville has an adequate supply of homes below \$250,000, however those homes are occupied. For this reason new products must be produced that will be appealing to those homeowners.
- Enough demand exists to support rentals with rates above \$1,000 a month. Production of these units does not have to be in the same form as those produced in Bloomington. Small scale rentals with 4 to 12 units, townhomes, and duplexes would all meet Ellettsville's demand for rental housing and fit the character of the community.

FIGURE H.23: Housing Development Program

Total Owner-Occupied	2023-2030	2030-2035	Total
Affordable Low: <\$125k	68	49	118
Affordable Moderate: \$125-\$200k	60	43	103
Moderate Market: \$200-\$250k	76	55	131
Market: \$250-\$350k	64	47	111
High Market: Over \$350k	21	15	36
	289	209	498
Total Renter-Occupied	2023-2030	2030-2035	Total
Low: Less than \$500	53	39	92
Affordable: \$500-\$1,000	79	57	136
Market: \$1,000-\$1,500	69	50	119
High Market: \$1,500+	87	63	151
	289	209	498
Total Need	577	418	996

Source: RDG Planning & Design



2024 WORKFORCE RENTAL HOUSING LIMIT CALCULATIONS

- These rental limit calculations are for affordable housing projects using the City of Bloomington’s Unified Development Ordinance (UDO) payment-in-lieu or affordable housing incentives, which can be found beginning on page 248 here: [https://bloomington.in.gov/sites/default/files/2023-05/UDO%20April 2023 Final APPROVED 0.pdf](https://bloomington.in.gov/sites/default/files/2023-05/UDO%20April%202023%20Final%20APPROVED%200.pdf).
 - *Please note that these limits do not necessarily apply to federally-funded projects, such as the HOME program. Those are determined by HUD and can be found here: https://www.huduser.gov/portal/datasets/home-datasets/files/HOME_RentLimits_State_IN_2023.pdf*
 - For reference on the calculations below, please go to page 34 of the UDO Administrative Manual found here: [https://bloomington.in.gov/sites/default/files/2023-07/Administrative Manual 072023.pdf](https://bloomington.in.gov/sites/default/files/2023-07/Administrative_Manual_072023.pdf)
 - Per the UDO Administrative Manual guidelines the “rental rates become applicable to Workforce Housing units the year following publication in order to increase predictability in marketing the units. For example, HUD’s 2019 published AMI rates applied to rents for 2020.”
- Adjusted AMI as published annually by HUD to be used as the baseline income to set rents. The current 2023 Adjusted AMI is \$63,300. [Please note: this is a calculation that doubles the HUD “Very Low Income” (50% of AMI) for a 1 person household. For 2023, that number is \$31,650].
 - *Reference: <https://www.huduser.gov/portal/datasets/il.html#2023> Scroll down and access “Click here for FY 2023 IL Documentation” button, then search for IN (state) and Monroe County (county). A chart will appear with income limits for 2023.*
- Rents by income sub-band should be based on 25% of monthly AMI, thereby allowing some head room below the 30% cost-burdened maximum threshold promoted by HUD to accommodate for utilities and other ancillary housing costs.
- The calculation of total beds that equal the “eligible” beds is 15% (to align with UDO Tier One Affordable Housing definition at 120% AMI and below). For Tier Two eligibility, it is permissible that 7.5% of the units be at 120% AMI and below, and 7.5% be at 90% AMI and below. Please reference pages 215-216 of the [UDO](#) for additional detail.
- Duration of the affordability period is “income-restricted permanently” unless otherwise forfeited, which means the term would be specified as at least 99 years, or longer, so long as the structure is present.
- For documentation purposes, all properties/owners are to use the Workforce Housing Eligibility Form to include the Independent Student Verification.
- Note that workforce housing units can be leased for less than the rental rates listed.
- Please contact the City’s Housing and Neighborhood Development Department with any questions at 812.349.3401 or anna.killionhanson@bloomington.in.gov

2024 WORKFORCE RENTAL HOUSING CALCULATIONS

2024 RENTS					
% of AMI	Studio	1 BR	2 BR	3 BR	4 BR
80%	817	957	1124	1492	1645
90%	891	1187	1484	1781	2078
100%	990	1319	1649	1979	2309
110%	1089	1451	1814	2177	2540
120%	1188	1583	1979	2375	2771

2024 Income AMI	1 person	2 person	3 person	4 person	6 person	6 person	7 person	8 person
80%	50,600	57,800	65,050	72,250	78,050	83,850	89,600	95,400
90%	56,970	65,070	73,170	81,270	87,840	94,320	100,800	107,280
100%	63,300	72,300	81,300	90,300	97,600	104,800	112,000	119,200
110%	69,630	79,530	89,430	99,330	107,360	115,280	123,200	131,120
120%	75,960	86,760	97,560	108,360	117,120	125,760	134,400	143,040

Calculation of Rents:

The 80% Rent amounts used are the High HOME HUD Rent Limit 80% AMI rates

90% Rent 1 BR:

- 1BR Rent (Baseline) AMI calculation: $\text{Adjusted AMI} / 12 \times \% \text{ AMI} \times 25\%$ ($\$63,300 / 12 \times .90 \times 25\%$)

100% Rent 1 BR:

- 1BR Rent (Baseline) AMI calculation: $\text{Adjusted AMI} / 12 \times \% \text{ AMI} \times 25\%$ ($\$63,300 / 12 \times 1.00 \times 25\%$)

110% Rent 1 BR

- BR Rent (Baseline) AMI calculation: $\text{Adjusted AMI} / 12 \times \% \text{ AMI} \times 25\%$ ($\$63,300 / 12 \times 1.10 \times 25\%$)

120% Rent 1 BR:

- 1BR Rent (Baseline) AMI calculation: $\text{Adjusted AMI} / 12 \times \% \text{ AMI} \times 25\%$ ($\$63,300 / 12 \times 1.20 \times 25\%$)

Rent Calculations for 90%, 100% and 120% Rent Bands for 1 Studio, 2BR, 3BR, 4BR:

The 90%, 100%, and 120% Rents are calculated using their 1 BR rent as the baseline. Studio Rents are calculated at 75% of the 1BR baseline; 2BR Rents are calculated at 125% of the 1BR baseline; 3BR Rents are calculated at 150% of the 1BR baseline (i.e. 90% AMI = $\$1187 \times .75$, 1.25, 1.50 and 1.75). Dollar values are rounded up to the nearest dollar.

Calculation of Income: The 80% AMI Income amounts used are the High HOME HUD Rent Limit as 80% AMI amounts. The 100% AMI is derived by doubling HUD's "Very Low Income" (50% AMI). The 90% AMI and 120% AMI are calculated from the 100% AMI Income amounts.

WFA Zoning Agreement

2. Binding. This written Commitment is binding on the owner of the Property. Upon the written Commitment being recorded in the office of the Monroe County Recorder, this written Commitment shall be binding on Owner's successors and assigns, including but not limited to any subsequent owner or any other person who acquires an interest in the Property, and shall run with the land.

3. Recording. This written Commitment shall be recorded in the office of the Monroe County Recorder within 30 days of the signing of this Commitment.

4. Modification. This written Commitment shall only be modified by the City of Bloomington Plan Commission after notice of the hearing in which the modification will be considered has been provided in accordance with the Rules and Procedures of said Commission.

5. Rental Commitment. Owner agrees to designate fifteen percent (15%) of its bedrooms for workforce housing; ten percent (10%) of the bedrooms shall be offered and rented to anyone earning up to 100% of the Area Median Income (AMI); five percent (5%) of the bedrooms shall be offered and rented to anyone earning up to 120% of AMI. The base rental rate for the workforce housing units shall be no more than twenty-five percent (25%) of the adjusted AMI at the time the lease is established.

6. Base Rental Rate. The base rental rate shall be inclusive of utilities with the exception of cable, internet, and/or electricity. In the event that the individual units within the Property are separately metered or sub-metered for water or sewer utility purposes, Owner shall have the right to pass through to its tenants the amount of the monthly billing that exceeds the average monthly billing for similar sized units at the Property, regardless of whether such tenant is a workforce housing tenant or not. Location premiums, unit finish premiums, furniture premiums, and washer/dryer premiums are not considered base rental rate amounts and shall not be included in base rental rates. Rather, said premiums will be in addition to any base rental rates for all units at the Property, including workforce housing.

7. Workforce Housing Qualifications. The workforce housing qualifications and rents shall be set in coordination with Bloomington's Housing and Neighborhood Development ("HAND") Department policies. HAND will annually provide income eligibility guidelines and rent structure guidelines to the Owner for use in this workforce housing project. The income eligibility and rent structure may be modified from time to time in accordance with guidelines provided by HAND, or its successor City department, in which case notice shall issue to Owner by HAND.

8. Unit Types. Owner shall make studio and one-bedroom units available as workforce housing.

2022

Rental Limits Table by Income Band

% of AMI	Studio Rents	1BR Rents (Baseline)	2BR Rents	3BR Rents
→ 120%	\$1,121	\$1,495	\$1,869	\$2,243
→ 100%	\$934	\$1,246	\$1,558	\$1,869
90%	\$841	\$1,121	\$1,401	\$1,682

Notes

- Dollar values are rounded up to the nearest dollar.

Studio Rents are calculated at 75% of the 1BR baseline; 2BR Rents are calculated at 125% of the 1BR baseline; 3BR Rents are calculated at 150% of the 1BR baseline (i.e. \$997 x .75, 1.25 and 1.50).

90% Band:

- 1BR Rent (Baseline) 80% AMI calculation: $AMI/12 \times \% AMI \times 25\%$ ($\$59,800/12 \times .90 \times 25\%$)

100% Band:

- 1BR Rent (Baseline) 80% AMI calculation: $AMI/12 \times \% AMI \times 25\%$ ($\$59,800/12 \times 1.00 \times 25\%$)

120% Band:

- 1BR Rent (Baseline) 80% AMI calculation: $AMI/12 \times \% AMI \times 25\%$ ($\$59,800/12 \times 1.20 \times 25\%$)

2023

2023 WORKFORCE RENTAL HOUSING CALCULATIONS

2023 RENTS					
% of AMI	Studio	1 BR	2 BR	3 BR	4 BR
80%	817	957	1124	1492	1645
90%	891	1187	1484	1781	2078
→ 100%	990	1319	1649	1979	2309
110%	1089	1451	1814	2177	2540
→ 120%	1188	1583	1979	2375	2771

2023 Income AMI	1 person	2 person	3 person	4 person	6 person	6 person	7 person	8 person
80%	50,600	57,800	65,050	72,250	78,050	83,850	89,600	95,400
90%	56,970	65,070	73,170	81,270	87,840	94,320	100,800	107,280
100%	63,300	72,300	81,300	90,300	97,600	104,800	112,000	119,200
110%	69,630	79,530	89,430	99,330	107,360	115,280	123,200	131,120
120%	75,960	86,760	97,560	108,360	117,120	125,760	134,400	143,040

Calculation of Rents:

The 80% Rent amounts used are the High HOME HUD Rent Limit 80% AMI rates

90% Rent 1 BR:

- 1BR Rent (Baseline) AMI calculation: $\text{Adjusted AMI} / 12 \times \% \text{ AMI} \times 25\%$ ($\$63,300 / 12 \times .90 \times 25\%$)

100% Rent 1 BR:

- 1BR Rent (Baseline) AMI calculation: $\text{Adjusted AMI} / 12 \times \% \text{ AMI} \times 25\%$ ($\$63,300 / 12 \times 1.00 \times 25\%$)

110% Rent 1 BR

- BR Rent (Baseline) AMI calculation: $\text{Adjusted AMI} / 12 \times \% \text{ AMI} \times 25\%$ ($\$63,300 / 12 \times 1.10 \times 25\%$)

120% Rent 1 BR:

- 1BR Rent (Baseline) AMI calculation: $\text{Adjusted AMI} / 12 \times \% \text{ AMI} \times 25\%$ ($\$63,300 / 12 \times 1.20 \times 25\%$)

Rent Calculations for 90%, 100% and 120% Rent Bands for 1 Studio, 2BR, 3BR, 4BR:

The 90%, 100%, and 120% Rents are calculated using their 1 BR rent as the baseline. Studio Rents are calculated at 75% of the 1BR baseline; 2BR Rents are calculated at 125% of the 1BR baseline; 3BR Rents are calculated at 150% of the 1BR baseline (i.e. 90% AMI = $\$1187 \times .75$, 1.25, 1.50 and 1.75). Dollar values are rounded up to the nearest dollar.

Calculation of Income:

The 80% AMI Income amounts used are the High HOME HUD Rent Limit as 80% AMI amounts. The 100% AMI is derived by doubling HUD's "Very Low Income" (50% AMI). The 90% AMI and 120% AMI are calculated from the 100% AMI Income amounts.

Updated Sept 2023

Workforce Housing

AFFORDABLE HOUSING COMPLIANCE REPORT

OWNER: [REDACTED]
 PROPERTY ADDRESS: [REDACTED]
 DATE MAILED: [REDACTED]

Total number of units in project: [REDACTED]
 Total number of AFFORDABLE units: [REDACTED]
 Fixed or floating: [REDACTED]

* Maximum rent, based upon the number of bedrooms, with Landlord paying all utilities. If tenants pay for any utilities, contact Matt Swinney to verify proper deductions. Deductible utilities include: heating; cooking; other electric/lighting; air conditioning; water heating; water; sewer; and, trash collection.

63300

Unit #	# of bedrooms	Low or High HOME rent unit	Tenant name	# in Hshld	Annual Income	Date income determined	% Area Median Income	Current Lease Date	Current lease rent rate ¹	Tenant paid utilities ²	Total rent plus utilities	Allowable rent & utilities ³	Comments
146	1		[REDACTED]	2	43,356	10/23/2023	68%	8/25/2023	1319	\$53	\$1,371.65		100% AMI \$ 1319
148	1		[REDACTED]	1	52,000	6/7/2023	82%	8/18/2023	1246	\$0.00	\$1,246.00		100% AMI 1246
154	1		[REDACTED]	1	45,084	7/20/2023	71%	8/18/2023	1246	\$0.00	\$1,246.00		100% AMI 1246
214	1		[REDACTED]	1	39,937	12/7/2023	63%	9/5/2023	1319	\$71.26	\$1,390.26		100% AMI 1319
232	0/studio		[REDACTED]	1	14,400	12/6/2023	23%	8/18/2023	1121	\$0.00	\$1,121.00		120% AMI 1121
238	0/studio		[REDACTED]	1	38,311	10/25/2023	61%	8/18/2023	1121	\$0.00	\$1,121.00		120% AMI 1121
252	0/studio		[REDACTED]	1	14,400	12/3/2023	23%	8/18/2023	1120	\$0.00	\$1,120.00		120% AMI 1120
256	1		[REDACTED]	1	39,840	10/23/2023	63%	9/10/2023	1319	\$41.89	\$1,360.89		100% AMI 1319
257	0/studio		[REDACTED]	1	22,660	10/27/2023	36%	8/18/2023	1121	\$0.00	\$1,121.00		120% AMI 1121
261	1		[REDACTED]	1	67,500	6/21/2023	107%	8/18/2023	1246	\$0.00	\$1,246.00		100% AMI 1246
266	1		[REDACTED]	1	12,649	12/16/2023	20%	8/17/2023	1246	\$0.00	\$1,246.00		100% AMI 1246
273	1		[REDACTED]	1	52,000	8/13/2023	82%	8/17/2023	1319	\$0.00	\$1,319.00		100% AMI 1319
309	1		[REDACTED]	1	31,000	7/22/2023	49%	8/17/2023	1246	\$0.00	\$1,246.00		100% AMI 1246
311	1		[REDACTED]	1	52,000	9/18/2023	82%	9/18/2023	1319	\$35.82	\$1,354.82		100% AMI 1319
357	0/studio		[REDACTED]	1	\$11,525	10/23/2023	18%	9/1/2023	1121	\$0.00	\$1,121.00		120% AMI 1121

WFH
 Rate Table
 2023
 2022
 2022
 2023
 2022
 2022
 2022
 2023
 2022
 2022
 2022
 2023
 2022
 2022
 2023
 2022
 2023
 2022

I certify the above information is true and correct.

Owner or property manager signature: [REDACTED]

Date: [REDACTED]

¹Including any owner-paid utilities

²If tenant pays utilities, enter from the BHA utility allowance worksheet. If utilities are included in rent, enter "Incl."

³HUD published limits for High or Low HOME rent as applicable with OWNER paying all utilities.

MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Ash Kulak, Deputy Administrator / Deputy Attorney

Date: November 15, 2024

Re: Resolution 2024-25 – To Initiate A Proposal to Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code Re: Single-Room Occupancy Residential Buildings as a Permitted Use

Synopsis

This resolution, sponsored by Councilmember Piedmont-Smith, directs the Plan Commission to prepare amendments to the Unified Development Ordinance to add Single-Room Occupancy buildings as a permitted use in the City, with further guidance as to what should be considered regarding the definition, location, and use of such structures.

Relevant Materials

- Resolution 2024-25
- Sponsor memo from Councilmember Piedmont-Smith

Summary

Resolution 2024-25 would initiate a proposal process to amend the text of the city's Unified Development Ordinance ("UDO") by directing the Plan Commission to add a new permitted use in the City for "Single-Room Occupancy" (SRO) buildings. The resolution asks the Plan Commission to pay special attention to the following, when adding such a new permitted use:

1. Allow flexible building types, including conversion of hotels, single-family houses, and commercial spaces;
2. Distinguish between the existing "Residential Rooming House" use and an SRO, or replacing Residential Rooming House with SRO, while allowing uses that would fall under the RRH definition as well as under the SRO definition;
3. Allow SROs as a permitted use in multiple zoning districts, including residential zoning districts, perhaps with use-specific standards;
4. Not require owner-occupancy for SROs in any zoning districts;
5. Encourage a diversity of residents including those who need ongoing support and those just seeking a low-cost, simple housing option. SROs should not become another form of group care housing or supportive housing, as those are already defined and allowed in the UDO;
6. Allow SRO units to be integrated into a mixed-use building with other housing types and/or commercial/office space; and
7. Allow two people per SRO.

The resolution was created in response to a deliberative session held by the Council on September 11, 2024, in which the SRO model was discussed. The [packet addendum](#) for the

September 11 Consensus Building Activity meeting contains the issue overview sheet that includes a long term action to revise the UDO by adding SROs as an allowed use. Group notes from that meeting can be found in the [October 1 Regular Session Packet](#).

Fiscal Impact

There is no direct fiscal impact associated with this legislation.

UDO Text Amendment Process

[Indiana Code \(IC\) 36-7-4-602\(b\)](#) allows either the Plan Commission or the Common Council to initiate this process to amend the text of the UDO. When the Council wishes to consider a text amendment, it may initiate the proposal via resolution and require the Plan Commission to prepare it. This resolution directs the Plan Commission to prepare and recommend UDO amendments in response to the resolution and within 90 days from its effective date.

Upon passage of [Resolution 2024-25](#), the Plan Commission will begin the process of preparing the proposal and its recommendation, which entails drafting the text changes, providing required notices to property owners, and holding the required public hearing on the proposal. Once the Plan Commission determines its recommendation on the proposal, it will certify the proposal to the Council. At this point, the process normally followed by the Council for UDO text amendments will begin. Proposals to amend the text of the UDO are governed by state law under IC 36-7-4 in the [“600 Series – Zoning Ordinance”](#).

As a threshold matter, state law provides that the purpose of the local planning and zoning laws are “to encourage units to improve the health, safety, convenience, and welfare of their citizens and to plan for the future development of their communities to the end:

1. that highway systems be carefully planned;
2. that new communities grow only with adequate public way, utility, health, educational, and recreational facilities;
3. that the needs of agriculture, forestry, industry, and business be recognized in future growth;
4. that residential areas provide healthful surroundings for family life; and
5. that the growth of the community is commensurate with and promotive of the efficient and economical use of public funds.”

Further, in considering UDO text amendments, both state and local codes require the legislative body to pay reasonable regard to:

1. the Comprehensive Plan (<https://bloomington.in.gov/planning/comprehensive-plan>);
2. current conditions and the character of current structures and uses in each district;
3. the most desirable use for which the land in each district is adapted;
4. the conservation of sensitive environmental features (a local criteria)
5. the conservation of property values throughout the jurisdiction; and
6. responsible development and growth.



[IC 36-7-4-607](#) provides the following procedure that applies to a proposal to amend or partially repeal the text of the UDO.

- After the Plan Commission determines its recommendation on a proposal, it certifies the proposal to the Council with either a favorable recommendation, an unfavorable recommendation, or no recommendation. The Council must consider the recommendation before acting on the proposal.
- At the first regular meeting of the Council after the proposal is certified (or at any subsequent meeting within 90 days after the proposal is certified), the Council may adopt, reject, or amend the proposal. The Council must post and give notice at least 48 hours in advance of its intention to consider the proposal at a meeting.
- If the Council fails to act on a proposal that received a positive recommendation within 90 days after certification, the proposal would take effect as if it had been adopted (as certified) 90 days after certification.
- Assuming the Council does act within the 90 days after a proposal is certified to it, the Council can adopt, reject or amend the proposal. If the Council amends or rejects a proposal, the Council must return that proposal to the Plan Commission along with a written statement of the reasons for the amendment or rejection. Doing so would start a 45-day period for the Plan Commission to consider the Council's amendment or rejection.
- If the Plan Commission approves of the Council's amendment(s) or fails to act within 45 days, the ordinance would stand as passed by the Council. If the Plan Commission disapproves of the amendment(s) or rejection, the Council's action on the original amendment or rejection stands only if confirmed by another vote of the Council within forty-five (45) days after the Plan Commission certifies its disapproval.

These detailed procedures may seem cumbersome, but are designed to ensure that there is a dialogue between the Plan Commission and the Council.

Contacts

Councilmember Isabel Piedmont-Smith, piedmoni@bloomington.in.gov, 812-349-3409

David Hittle, Planning Director, david.hittle@bloomington.in.gov, 812-349-3423

Jackie Scanlan, Development Services Manager, scanlanj@bloomington.in.gov, 812-349-3524

RESOLUTION 2024-25

TO INITIATE A PROPOSAL TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE)
OF THE BLOOMINGTON MUNICIPAL CODE Re: Single-Room Occupancy Residential Buildings
as a Permitted Use

- WHEREAS the Common Council, by its Resolution 18-01, approved a new Comprehensive Plan for the City of Bloomington, which took effect on March 21, 2018; and
- WHEREAS thereafter the Plan Commission initiated and prepared a proposal to repeal and replace Title 20 of the Bloomington Municipal Code, entitled "Unified Development Ordinance" ("UDO") in order to implement the vision for community development put forward in the Comprehensive Plan; and
- WHEREAS on December 18, 2019, the Common Council passed Ordinance 19-24, to repeal and replace the UDO, and the Mayor signed and approved this ordinance; and
- WHEREAS the UDO has since been revised by action of the Plan Commission and the Common Council seven times; and
- WHEREAS there is an insufficient housing supply in Bloomington, especially for low-income households, as described in the Regional Opportunity Initiatives (ROI) Housing Study update of 2024; and
- WHEREAS the Housing Action Plan released in August 2024 by Heading Home of South Central Indiana calls for increasing the number of housing units with rents under \$500/month; and
- WHEREAS according to the US Department of Housing and Urban Development, a single room occupancy (SRO) unit provides living and sleeping space for the exclusive use of the occupant, but requires that the occupant share sanitary and/or food preparation facilities with others¹; and
- WHEREAS SROs can provide housing at more affordable rental rates than many other housing types; and
- WHEREAS the Common Council held a deliberative session with the public on September 11, 2024 during which the SRO model was discussed, and participants agreed that allowing such housing could prevent homelessness in some cases and in other cases provide homes for previously unhoused people in Bloomington; and
- WHEREAS pursuant to IC 36-7-4-602, the Common Council may initiate a proposal to amend or partially repeal the text of the UDO and require the Plan Commission to prepare it; and
- WHEREAS the Common Council wishes to initiate a proposal to amend the UDO to allow SROs in the city; and
- WHEREAS in preparing and considering this proposal, the Plan Commission and Common Council shall pay reasonable regard to:
- a) the Comprehensive Plan;
 - b) current conditions and character of current structures and uses in each district;
 - c) the most desirable use for which land in each district is adapted;
 - d) the conservation of property values throughout the jurisdiction; and responsible development and growth

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

SECTION 1. The Common Council directs the Plan Commission to prepare a proposal consistent with this resolution to amend the text of the UDO to define Single Room Occupancy buildings (SROs) and to allow their use, while paying special attention to the following:

- 1) Allowing flexible building types, including conversion of hotels, single-family houses, and commercial spaces;

¹ [Housing Choice Voucher Program Guidebook](#), Special Housing Types, HUD (November 2020).

- 2) Distinguishing between the existing “Residential Rooming House” use and an SRO, or replacing Residential Rooming House with SRO, while allowing uses that would fall under the RRH definition as well as under the SRO definition;
- 3) Allowing SROs as a permitted use in multiple zoning districts, including residential zoning districts, perhaps with use-specific standards;
- 4) Not requiring owner-occupancy for SROs in any zoning districts;
- 5) Encouraging a diversity of residents including those who need ongoing support and those just seeking a low-cost, simple housing option. SROs should not become another form of group care housing or supportive housing, as those are already defined and allowed in the UDO;
- 6) Allowing SRO units to be integrated into a mixed-use building with other housing types and/or commercial/office space; and
- 7) Allowing two people per SRO.

SECTION 2. Upon passage of this resolution, the Plan Commission shall review and recommend amendments to the Unified Development Ordinance to the Common Council in response to this resolution. Pursuant to Indiana Code 36-7-4-602, the Plan Commission is instructed to prepare and submit this amendment in the same manner as any other amendment to the Unified Development Ordinance. The Plan Commission is instructed to prepare and submit the amendment within 90 days from the effective date of this resolution, unless granted an additional extension of time, of specified duration, in which to prepare and submit the amendment.

SECTION 3. If any section, sentence or provision of this legislation, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this legislation which can be given effect without the invalid provision or application, and to this end the provisions of this legislation are declared to be severable.

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 resolution, sponsored by Councilmember Piedmont-Smith, directs the Plan Commission to prepare amendments to the Unified Development Ordinance to add Single-Room Occupancy buildings as a permitted use in the City, with further guidance as to what should be considered regarding the definition, location, and use of such structures.

To: Members of the Common Council

From: Council Member Isabel Piedmont-Smith, District 1

Date: November 15, 2024

Subj: Resolution 2024-25, To initiate a proposal to amend title 20 (UDO) of the Bloomington Municipal Code re: single-room occupancy residential buildings as a permitted use

Single Room Occupancy units are generally defined as small, private, furnished living spaces for 1-2 occupants that share a kitchen and/or bathroom with other units in the same building. They are often rented by the week or by the month, rather than on a typical annual lease. Specific definitions vary between jurisdictions. SROs were commonly known as rooming houses during earlier periods in American history and became widespread in cities during industrialization. They were bottom-rung housing: not great but better than nothing. As there were few if any health or safety regulations, these rooming houses were often unsafe and unsanitary as property owners took advantage of renters who had no other place to go. After stricter zoning regulations were enacted, rooming houses were shut down in the 1970s and 1980s, and the properties were often razed to make room for higher-end housing that was more profitable. But there was no low-cost housing to replace the lost SROs.

In recent decades, as homelessness has become a growing problem across the country, SROs are making a comeback as one piece of the solution. After the COVID pandemic shut down travel and tourism, some hotels were successfully converted into SROs to house people who were previously unhoused or who were at risk of being unhoused.¹ In some cities, new construction is underway to create SROs or micro-apartments to provide more affordable options for a range of residents.²

At the September 11, 2024 “Consensus-Building Activity” session of the Bloomington Common Council, Council Members discussed SROs with members of the public as one way to address our own community’s homelessness problem. There was widespread support from attendees, who brought up a variety of related recommendations such as offering on-site support services for previously unhoused people moving into an SRO; integrating recently unhoused folks with students, retirees, and others who want to live in an SRO; allowing SROs in neighborhoods so they can be integrated into the community along with single-family homes and small multi-family houses; and having full-time staffing in the building for security and oversight.

¹ [Addressing Homelessness Through Hotel Conversions](#), Carolina Reid, Shazia Manji, and Hayden Rosenberg, The Turner Center for Housing Innovation, UC Berkeley, December 2021

² For example, Los Angeles, through the [SRO Housing Corporation](#) and Portland, OR, through [Central Housing Concern](#)

Resolution 2024-25 requests that the Plan Commission bring forward revisions to the UDO allowing SROs with the following considerations:

- 1) Allowing flexible building types, including conversion of hotels, single-family houses, and commercial spaces - *Conversion is generally less costly than new construction. Allowing use of single-family homes can provide “empty nesters” and others with a reliable source of income by adding an SRO. The idea is to be flexible so that SROs are actually offered by the private sector.*
- 2) Distinguishing between the existing “Residential Rooming House” use and an SRO, or replacing Residential Rooming House with SRO, while allowing uses that would fall under the RRH definition as well as under the SRO definition - *In recognition that we already have something similar in the UDO that could either remain or be integrated into the SRO definition.*
- 3) Allowing SROs as a permitted use in multiple zoning districts, including residential zoning districts, perhaps with use-specific standards - *The goal is to avoid SROs only in certain parts of the city or in “bad” neighborhoods. Small SROs could fit in well within existing residential neighborhoods.*
- 4) Not requiring owner-occupancy for SROs in any zoning districts - *The Residential Rooming House use-specific standards currently require the property owner to live on-site if the RRH is RM, RH, and MN districts. This requirement should be removed for SROs to allow greater flexibility.*
- 5) Encouraging a diversity of residents including those who need ongoing support and those just seeking a low-cost, simple housing option. SROs should not become another form of group care housing or supportive housing, as those are already defined and allowed in the UDO. - *If SROs are allowed only in majority student neighborhoods, they will probably become student housing. Likewise, if they are allowed only near public housing projects, they may not attract a variety of residents either.*
- 6) Allowing SRO units to be integrated into a mixed-use building with other housing types and/or commercial/office space. - *This could increase the financial viability of a project, for example, a building with 10 SROs and 10 studio apartments.*
- 7) Allowing two people per living unit - *This would provide maximum usefulness of these units.*

Remember that this resolution is just the first step in considering UDO revisions to allow SROs. The staff in Planning & Transportation would further study the issue and bring forward recommendations for specific text revisions to the Plan Commission within 90 days, there would be one or two hearings before the Plan Commission, and then it would come to the Council for one or more further meetings (with public comment) for approval. I request your affirmative vote on Resolution 2024-25 to begin this process.

Mini-Bibliography:

Single-room rentals in America's housing ecosystem

<https://www.niskanencenter.org/single-room-rentals-in-americas-housing-ecosystem/>

Losing what SROs do right

<https://thetyee.ca/News/2017/02/13/Losing-What-SROs-Do-Right/>

SRO Housing Corporation – California

<https://srohousing.org/>

The decline of SROs and its consequences for housing affordability

<https://www.aei.org/wp-content/uploads/2024/05/The-history-of-SROs-FINAL-v2.pdf>

SRO study in Bloomington, MN – landing page with links

<https://letstalk.bloomingtonmn.gov/single-room-occupancy-sro-standards>

Addressing Homelessness Through Hotel Conversions

<https://turnercenter.berkeley.edu/wp-content/uploads/2021/12/Hotel-Acquisitions-Final-December-2021.pdf>

SRO housing, nearly zoned out of existence, could re-emerge (Philadelphia)

<https://www.governing.com/community/sro-housing-nearly-zoned-out-of-existence-could-re-emerge>

Micro-apartments are back after nearly a century, as need for affordable housing soars

<https://apnews.com/article/micro-apartments-affordable-housing-homelessness-716346460edde132dd3701f8eda74331>

Current definition of Residential Rooming House (RRH):

A building in which, lodging, with or without meals, is provided for compensation, including but not limited to: a building designed as a single-family dwelling, that is occupied by a group of persons, usually for periods of 30 days or longer, that do not meet the definition of “Family,” where the use does not meet the definition of “Bed and Breakfast,” “Fraternity or Sorority House,” “Student Housing or Dormitory,” “Residential Care Facility,” or “Hotel or Motel.”

Current use-specific standards for RRH:

- A. In the RM, RH, and MN Districts, the owner of the property must occupy the rooming house as their primary residence. No residential rooming house shall contain more than four bedrooms, not including the living space occupied by the residential rooming house owner.
- B. No bedroom occupied by a person other than the residential rooming house owner shall be rented for a period of less than 30 consecutive days.

RRH as an allowed use:

Permitted use in RM, RH, MS, MN, MM, and MC districts

Conditional use in ME districts



MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Lisa Lehner, Council Administrator/Attorney

Date: November 15, 2024

Re: Resolution 2024-24 – A Resolution Revising the Bloomington Common Council Electronic Meetings Policy

Synopsis

Resolution 2024-24, sponsored by Councilmember Stosberg, amends Council's Electronic Meetings Policy to provide additional requirements for councilmembers to participate in meetings of the Council or any of its committees by electronic means of communication.

Relevant Materials

- Resolution 2024-24

Summary

On April 20, 2021, [Indiana Code 5-14-1.5 et seq.](#), commonly known as the Open Door Law, was amended, adding Section 5-14-1.5-3 entitled "Electronic Meetings of Political Subdivisions". This Section 5-14-1.5-3 enables a member of a governing body of a public agency who is not present at a meeting 1) to participate in a meeting by certain methods of electronic means of communication and 2) to be considered present for the purposes of quorum, subject to certain requirements.

Section 5-14-1.5-3(d) requires that a governing body adopt "a written policy establishing the procedures that apply to a member's participation in a meeting by an electronic means of communication." On May 27, 2021, Council adopted [Resolution 21-17](#), entitled "Electronic Meetings Policy" (the "Policy"). The Policy establishes procedures and requirements that apply to the electronic participation of Councilmembers, the public, and City staff members within meetings of the Council and any of its committees.

Through the adoption of Resolution 2024-24, Council now seeks to amend the Policy by adding additional procedures and requirements in an effort to enhance the understanding of its application and to carry out the intent of the Open Door Law. Additionally, Resolution 2024-24 seeks to clarify the application of [Ordinance 13-05](#), which contemplates meetings of Councilmembers and staff for the purpose of informal discussions ("Work Sessions"). Ordinance 13-05 was adopted prior to 2021 and the Policy.

Contact

Lisa Lehner, Council Administrator/Attorney, lisa.lehner@bloomington.in.gov, (812)349-3562.

RESOLUTION 2024-24

A RESOLUTION REVISING THE BLOOMINGTON COMMON COUNCIL ELECTRONIC MEETINGS POLICY

WHEREAS, in anticipation of Governor Holcomb’s cessation of the state-declared public health emergency, the Indiana General Assembly passed House Enrolled Act 1437 on April 20, 2021, which amended Indiana Code 5-14-1.5 et seq., commonly referred to as the Open Door Law, to require governing bodies of public agencies to follow certain minimum requirements and adopt a written policy establishing the procedures that members of the governing body must follow in order to participate in meetings using electronic communication; and

WHEREAS, the procedures adopted in such an electronic meetings policy may be more restrictive than those established by state law, under I.C. 5-14-1.5-3.5, but may not be less restrictive; and

WHEREAS, the Bloomington Common Council (“Council”) adopted its Electronic Meetings Policy (the “Policy”) by Resolution 21-17 on May 27, 2021, which establishes procedures and requirements that apply to the electronic participation of Councilmembers, the public, and City staff members within meetings of the Council or any of its committees; and

WHEREAS, this Policy has enabled the Council to conduct “hybrid” meetings using an electronic communication platform allowing, subject to the statutory and the Policy’s minimum requirements, both in-person and electronic participation at Council meetings; and

WHEREAS, Council has determined that providing Councilmembers the ability to participate in public meetings by an electronic means of communication will promote effective representation of constituents and facilitate the effective transaction of Council business; and

WHEREAS, the Council wishes to revise its Policy to establish additional rules for electronic participation by councilmembers that are more restrictive than those provided in Resolution 21-17; and

WHEREAS, the Council seeks to clarify the application of Ordinance 13-05, Section 9, which contemplates informal gatherings purely for discussion purposes (“Work Sessions”) and which Ordinance was adopted prior to the enactment of Section 3.5(g) of the Open Door law, and which Council intends to further review in the future; and

WHEREAS, the Council wishes to include some of the discretionary procedures listed in IC 5-14-1.5-3.5(d) within its revised Policy; and

WHEREAS, due to the enhanced public access that hybrid meetings provide for members of the public who cannot attend Council meetings in person, the Council wishes to only change the requirements for councilmember participation within all meetings of the Council and its committees;

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

Section I. The Bloomington Common Council hereby revises Section 3(a) of the Electronic Meetings Policy by deleting said Section 3(a) in its entirety and replacing it with the following:

Section 3.

(a) The numerical requirements of in person attendance at meetings of Council and its committees are as follows:

(1) At meetings of Council committees, at least 50% of the total committee members (meaning 2 members out of 4 total members, or 2

members out of 3 total members) must be present in person at a meeting, before an additional member(s) may participate in the meeting electronically, subject to other provisions of the Open Door Law.

(2) At meetings of the full Council, at least 5 members must be present in person at a meeting, before one or more members may participate in the meeting electronically, subject to other provisions of the Open Door Law.

Section II. The Bloomington Common Council hereby further revises the Electronic Meetings Policy and adopts additional requirements for members of the Council and its committees to participate in meetings by electronic means of communication, by inserting within Section 3 of the Electronic Meetings Policy, the following subsections after subsection (c), to read as follows:

(d) Meetings of Council committees are subject to the following rules about electronic participation:

(1) Any member who plans to attend a meeting should attempt to attend the meeting in person;

(2) Any member who can only attend a meeting by electronic means of communication must notify the presiding officer and City Clerk as required in subsection (f) below, subject to the provisions of IC 5-14-1.5 et seq.;

(3) Should 50% of the total members attend a meeting, then at least all of those members must be in attendance in person, and quorum may be fulfilled with an additional member(s) attending electronically; and

(4) If more than 50% of the members attend a meeting, but less than 50% of the members are in person, then one of the following must occur, subject to the discretion of the meeting chair:

(i) the gathering shall be delayed not more than 15 minutes until at least 50% of members are present in person, assuming quorum is met; or

(ii) the gathering shall be canceled or rescheduled.

(e) Meetings of the Council are subject to the following rules about electronic participation:

(1) Any member who plans to attend a meeting should attempt to attend the meeting in person;

(2) Any member who can only attend a meeting by electronic means of communication must notify the presiding officer and City Clerk as required in subsection (f) below, subject to compliance with the provisions of IC 5-14-1.5 et seq.;

(3) If more than 5 members attend a meeting, then at least 5 members must be in attendance in person; and

(4) If more than 50% of members attend a meeting, but less than 5 members are in person, then one of the following must occur, subject to the discretion of the meeting chair:

(i) the gathering shall be delayed not more than 15 minutes until a quorum of members are present in person;

(ii) the gathering shall be canceled or rescheduled; or

(iii) in the event that the meeting is called and noticed as a Work Session, then this Section (e)(3) may apply, as follows: all members attending the Work Session by electronic means of communication shall leave the meeting, and the gathering shall continue only for the sub-majority members in person, solely as a sub-quorum discussion voluntarily open to the public, provided that the following conditions have been met:

(A) City staff confirms there are no longer members in attendance via electronic means of communications; and

(B) The chair announces that no decision or policy or recommendation will be made and no vote will be taken; and

(C) The sub-quorum gathering shall be treated as a “meeting” subject to the requirements of IC 5-14-1.5 et seq.; and

(D) The Work Session is limited, by its definition, to a group discussion among its members and potentially Council and/or Administration staff, free from procedural formalities, including but not limited to Robert’s Rules of Order and other procedural rules of the Bloomington Municipal Code.

(f) It is preferred that, except in the case of an emergency meeting described under I.C. 5-14-1.5-5(d), any member who plans to attend a meeting by electronic means of communication notify the presiding officer and the City Clerk within no less than 48 hours before the meeting.

Section III. If any sections, sentence or provision of this resolution, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared to be severable.

Section IV. This resolution shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

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 resolution amends the Council's Electronic Meetings Policy to provide additional requirements for councilmembers to participate in meetings of the Council or any of its committees by electronic means of communication.