

In the Council Chambers of the Bloomington City Hall, Bloomington, Indiana, on Wednesday, May 15, 2024 at 6:30pm, Council President Isabel Piedmont-Smith presided over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
MAY 15, 2024

Council members present: Isak Nti Asare, Courtney Daily, Matt Flaherty, Isabel Piedmont-Smith, Kate Rosenbarger, Andy Ruff, Hopi Stosberg, Sydney Zulich  
Council members present via Zoom: Dave Rollo (left the meeting at 11:48pm)  
Council members 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]

Stosberg moved and Ruff seconded to suspend the rules to consider the minutes for approval. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

APPROVAL OF MINUTES  
[6:35pm]

- October 04, 2023 (Regular Session)

Stosberg moved and Ruff seconded to approve the minutes of October 04, 2023. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Daily shared that her third grader asked her to “adopt-a-drain” which strives to inspect, clean, and report on the status of storm drains and she encouraged the public to look into the program. She also stated that they are on week three of mental health awareness month, which focuses on post-partum depression and provides information on mental health support services.

REPORTS

- COUNCIL MEMBERS  
[6:36pm]

Stosberg shared an update on the Plan Commission. In April, 2024, the new Beacon facility and student housing were approved. In May, 2024, the first reading of a new subdivision was discussed. She also reminded the public of her monthly constituent meeting on Saturday morning. Stosberg encouraged the public to host foreign exchange students and volunteered to provide them with any information if they requested. Finally, she congratulated all recent school graduates, teachers, and students.

Ryne Shadday, Chair of the Bloomington/Monroe County Human Rights Commission (HRC), presented the 2024 Human Rights Award to an organization, Building a Thriving Compassionate Community, and a community member, Byron Bangert.

- The MAYOR AND CITY OFFICES [6:43pm]

Byron Bangert thanked all involved, and spoke on his history in the human rights field and the need to oppose human rights violations, highlighting the United States’ support of Israel in its war in Gaza. He thanked councilmembers for calling for a ceasefire in the war.

There were no council committee reports.

- COUNCIL COMMITTEES  
[6:28pm]

Darel Ruble voiced his appreciation for the street department’s work on repairing the road damage on Kirkwood and Elm, expressed the belief that more people needed to exercise their rights to freedom of speech, and thanked emergency services for their work.

- PUBLIC [6:29pm]

Paul Tarricone expressed his belief that the funds generated from the food and beverage tax could be directed towards a more effective cause than the convention center project. He

acknowledged that the center could benefit businesses in the downtown core but did not see that in its currently planned iteration.

Jami Scholl believed that the council’s land acknowledgement was performative and inaccurate. She noted the history of some of the Native American tribes in the area and proposed that the structure of planning and development should be done more ecologically.

Brian Victor asked councilmembers to include links to a website for supporting Gaza. He spoke about the homeless encampment, and thanked the “hot dog lady” for feeding members of the encampment.

Paul Post, president of Fraternal Order of Police 88, reminded everyone that May 15 was Peace Officers Memorial Day and read off the names of the eight police officers from Monroe County who died in the line of duty in the last ninety six years.

Flaherty moved and Zulich seconded to give notice to Alex Hakes of Council’s intent to remove him for cause from the Commission on Sustainability. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

- PUBLIC (cont’d)

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:12pm]

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:15pm]

Stosberg moved and Ruff seconded that Ordinance 2024-11 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.

Stosberg moved and Ruff seconded to adopt Ordinance 2024-11.

Rosenbarger moved and Flaherty seconded to postpone the legislation indefinitely.

Rosenbarger noted that there was not enough data regarding the installation of the stop signs and wished to await additional information from the engineers.

Ruff requested more details on the missing data.

Rosenbarger explained that there was data on crashes before and after the project, but not enough data on long-term trends regarding traffic fatalities.

Ruff asked whether the data was available but not yet public.

Andrew Cibor, City Engineer, explained that he had provided Rosenbarger and Flaherty with some of their requested information, but that he did not yet have data on other topics.

Rollo asked whether Cibor was satisfied with the available data to recommend the ordinance.

Cibor confirmed his satisfaction.

Rollo asked about the timeline for the ordinance.

Cibor explained that there was a 180 day order in place at 7th and Dunn Street, which could be extended if necessary. More crashes could occur if the ordinance was postponed.

Rollo asked if it would be a hazard to postpone.

Cibor stated that he would not yet call it a hazard.

Stosberg asked whether there were up-to-date traffic counts on cross streets.

Council questions:

Ordinance 2024-11–To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicle and Traffic" Re: Amending Section 15.12.010 (Stop Intersections) to Remove Stop Intersections on Seventh Street from Schedule A and Add Multi-Stop Intersections on Seventh Street to Schedule B [7:15pm]

Cibor confirmed that while he had some of that data, it was currently incomplete.

Ordinance 2024-11 (cont'd)

Stosberg stated that she would be interested in a comprehensive list of traffic counts.

Council questions:

Asare expressed the necessity for public comment on the ordinance.

Zulich stated that she would be in favor of voting to postpone and asked where the 180 day order number came from.

Cibor explained that the 180 day was part of Title 15 of city code.

Ruff asked why the data had not been provided over the long-term.

Cibor stated that he was not certain of the reason.

Rollo asked if Cibor was able to place the order for the stop signs to test their effectiveness.

Cibor confirmed that he was able to place the order but expressed concern over a temporary test.

Rollo asked whether Cibor could be undercounting pedestrians.

Cibor explained that the pedestrian crossing data was only collected from January and February 2024.

Stosberg clarified that she was interested in traffic counts rather than pedestrian counts.

Cibor stated that traffic counts had decreased.

Paul Tarricone shared in the concern over the lack of data. He had seen higher pedestrian usage, and the installation of the stop signs would create more conflicts between cars and bikes. He supported the motion to postpone.

Public comment:

Chris Sturbaum said that delaying the installation would put responsibility on the council if a pedestrian was struck and he spoke in favor of the four-way stop

Chuck Livingston presented a series of slides regarding the accidents in the area in order to put a human face on the statistics.

Wendy Bricht asked why the stop sign project was continuing to be delayed given its import and voiced her support for it.

Dave Rousseau commented that he was a frequent cyclist and noted numerous incidents of speeding and confused drivers from out of town; he expressed support for the stop signs.

Flaherty noted process concerns with the project, noting that 7th Street was no more dangerous than other intersections and that the city should focus on areas where fatalities take place.

Council comments:

Rollo regarded 7th Street as a problem area, particularly for individuals with mobility issues, and stated that he was in favor of installing the signs.

Stosberg agreed with Flaherty about process concerns and expressed her belief that there was some amount of manipulation in the data set to make it appear a certain way. She noted her concern regarding excessive stop signs in near proximity to one another.

Rosenbarger remarked that the primary focus should be on slowing driver speeds, which stop signs were not effective at doing.

Ruff stated that as a long-term cyclist he was usually against stop signs. He had investigated Idaho’s stop legislation. He believed the data would never capture the full reality of traffic and pedestrian safety in the city. He would vote against postponing the ordinance.

The motion received a roll call vote of Ayes: 7, Nays: 2 (Rollo, Ruff), Abstain: 0.

Stosberg moved and Ruff seconded that Ordinance 2024-12 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 Ruff seconded to adopt Ordinance 2024-12.

Karina Pazos, Long Range Planner, Planning and Transportation department, walked the council through the details of the ordinance.

Flaherty asked whether the county or the city would be paying for the traffic signals and how much it would cost.

Cibor explained that the proposed items would be funded entirely by the Monroe County Highway Department (MCHD), which had received federal funding. He did not know the exact cost of the project.

Flaherty asked whether the city would be responsible for maintenance costs over time and how much maintenance cost.

Cibor confirmed that the city would be responsible, and that routine maintenance costs should be minimal. He estimated that future equipment replacement would cost several hundred thousand dollars.

Stosberg asked how the trail crossing would interact with the intersection and why a pedestrian push-button signal was not proposed instead.

Cibor explained that Monroe County had engaged a consulting team to conduct a study of the area, and the project included multi-use paths, which had additional benefits.

Stosberg asked whether trail users would still have to worry about drivers turning west.

Cibor confirmed that left turns would remain a concern.

Stosberg asked if that was best for pedestrians.

Cibor agreed that further investigation was needed and that other signal timing strategies would be implemented in the future.

Daily asked if angled parking would increase traffic congestion.

Ryan Robling, Planning Services Manager, Planning and Transportation department, confirmed that was considered but staff expected fewer incidents of traffic slowdown than at other locations. Angled parking led to safer driving as people grew accustomed to it.

Ordinance 2024-11 (cont’d)

Council comments:

Vote to postpone Ordinance 2024-11 [8:08pm]

Ordinance 2024-12–To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" Re: Amending Section 15.12.010 to remove one stop intersection on Constitution Avenue and Liberty Drive; Section 15.12.030 to add one signalized intersection on Constitution Way and Liberty Drive; Section 15.32.030 to replace pull-in angle parking with back-in angle parking on Sixth Street between Walnut Street and 35’ west of Washington Street; and Section 15.32.080 to remove no parking zones on the north side of Atwater Avenue between Park Avenue and Faculty Avenue, and to codify and extend the no parking zone on the south side of Grimes Lane from Morton Street to 100’ east of Palmer Avenue [8:09pm]

Council questions:

Daily asked how serious the crashes in the area had been.

Robling explained that the injury rate of such crashes had been low, but that they were avoidable.

Ordinance 2024-12 (cont'd)

Council questions:

Rollo asked how many metered parking spots were being surrendered due to the loading zone at the hotel.

Robling said one, but another was being converted into metered parking.

Flaherty asked whether an all-way stop was considered.

Cibor explained that MCHD led the project with the city's collaboration. He did not believe that an all-way stop was seriously considered.

Stosberg asked if a pedestrian-activated signal had been considered. She expressed concern that a signalized intersection could have a detrimental impact on trail users.

Cibor explained that the cost difference between a pedestrian push-button and a signalized intersection was minimal, and that traffic volume would benefit from the signal as well.

Stosberg asked about the map and feedback from users.

Robling said that he had not received feedback.

Piedmont-Smith asked whether the road in question was Constitution Avenue or Constitution Way.

Pazos confirmed that it was Constitution Avenue and was labeled correctly in the ordinance.

Piedmont-Smith asked whether there was any parking being eliminated on the north side of Grimes Lane.

Pazos explained that there was no parking on the north side, and that the parking on the south side would not be modified.

Stosberg asked if there were parked cars at the Grimes location that were problematic.

Cibor explained that a no-parking zone would be implemented on Grimes in order to eliminate line-of-sight issues related to turning.

Piedmont-Smith noted that some of her constituents had reported feeling unsafe at the crossing due to said issues.

Yvonne Hensley said that the intersection at Liberty and Constitution was exceptionally busy, with difficult turns. She believed that was the reason for the traffic light.

Public comments:

Flaherty expressed his intent to vote in favor of the ordinance, and reported observing other locations of angled parking.

Stosberg stated that back-in angled parking would be safer for drivers and cyclists alike.

Council comments:

Piedmont-Smith expressed her support for parking at Atwater and for the change in parking at Grimes.

Ruff noted that he was obliged to report that his mother was opposed to back-in angled parking.

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

Stosberg moved and Ruff seconded that Ordinance 2024-07 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.

Vote to adopt Ordinance 2024-12  
[8:53pm]

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

Jackie Scanlan, Development Services Manager, Planning and Transportation department, presented the legislation and recent amendments to the ordinance.

Angela Parker, Attorney for Sudbury Partners LLC, introduced the petitioners for the ordinance. She focused on the reasonable conditions added to the ordinance, noting that they were ready to discuss the details of Reasonable Condition 01 but that further conditions would complicate the development plan.

Daily moved and Stosberg seconded to adopt Reasonable Condition 02 to Ordinance 2024-07. Daily explained the details regarding the maximum height reductions of Reasonable Condition 02.

Reasonable Condition 02 Synopsis: This Reasonable Condition (02) is sponsored by Cms. Daily, Stosberg, and Piedmont-Smith. It addresses concerns raised by nearby residents regarding the height of structures in the PUD. It reduces the maximum primary structure height in the MN and MX districts from 86 feet to 65 feet and from 75 feet to 55 feet, respectively. However, Tier 2 Projects that are eligible for increased primary structure height for the affordable housing and sustainable development incentives shall be eligible for additional floors or building height and additional step-back on those floors shall not be required. It also sets a maximum height of 55 feet for buildings along Sudbury Drive in Everest Center in the Arbor Ridge transition zone.

Stosberg noted that Reasonable Condition 02 would modify the shape of the building as well as its height.

Travis Vencel, Sullivan Development LLC, confirmed that they were in agreement with the Reasonable Conditions as presented.

Stosberg asked whether the reduction in height would affect the density of the development or whether the building would contain the same number of units.

Vencel confirmed that it would reduce the density.

Stosberg asked how it would affect unit affordability.

Vencel said that it would likely mean units would be smaller.

Rollo asked for a range of how much it reduced density.

Vencel stated that he would be unable to provide an estimate due to the recent introduction of the condition.

Flaherty asked whether the reduction in total unit numbers would reduce the number of affordable housing units as well.

Vencel explained that the affordable housing incentives may increase the total percentage of affordable units as the number of total units was reduced.

Ruff asked for clarification on whether there would be more or less affordable units.

Vencel expressed the belief that there would be more affordable units.

Randy Craw appreciated the change in height to the development. He talked on the potential drawbacks of the population density of the area and affordable housing concerns.

Ordinance 2024-07–To Amend the City of Bloomington Zoning Maps by Rezoning a 138.51 Acre Property from Planned Unit Development (PUD) and Residential Medium Lot (R2) to Planned Unit Development (PUD) and to Approve a District Ordinance and Preliminary Plan - Re: S. Weimer Road (Sudbury Partners LLC, Petitioner) [8:54pm]

Reasonable Condition 02 to Ordinance 2024-07

Council questions:

John Scott stated that he hoped council stood fast on limiting the maximum height of the building to eight stories.

Reasonable Condition 02 to Ordinance 2024-07 (cont'd)

Rollo expressed his concern over population density in the area but remained unsure that the reduction in height would not affect the density.

Public comments:

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

Council comments:

Piedmont-Smith moved and Ruff seconded to adopt Reasonable Condition 03 to Ordinance 2024-07. Piedmont-Smith presented the details of Reasonable Condition 03 regarding recycling and chicken flocks.

Vote to adopt Reasonable Condition 02 to Ordinance 2024-07 [9:24pm]

Reasonable Condition 03 Synopsis: This Reasonable Condition (03) is sponsored by Cm. Piedmont-Smith and was recommended by the Environmental Commission. It adds certain accessory uses to the allowed use table within the district ordinance to allow for these sustainable uses.

Reasonable Condition 03 to Ordinance 2024-07

Vencel accepted the condition.

There were no council questions.

Jami Scholl asked if councilmembers had considered the carrying capacity and food sovereignty of the proposed community.

Council questions:

There were no council comments.

Public comments:

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

Council Comments:

Piedmont-Smith moved and Ruff seconded to adopt Reasonable Condition 04 (revised) to Ordinance 2024-07. Piedmont-Smith presented the details of Reasonable Condition 04 regarding the protection of steep slopes. A minor wording change was made to item number three.

Vote to adopt Reasonable Condition 03 to Ordinance 2024-07 [9:30pm]

Reasonable Condition 04 (revised) Synopsis: This Reasonable Condition (04) is sponsored by Cm. Piedmont-Smith and was recommended by the Environmental Commission. Due to changes in Indiana Code disallowing regulation of slopes greater than 25%, this condition reflects an agreement by the Petitioner to restrict development on slopes between 12% and 25%.

Reasonable Condition 04 to Ordinance 2024-07

There were no council questions.

Paul Rousseau stated that the plan did not include the maximum slope of the roads in the area.

Piedmont-Smith confirmed that the condition included the slope of roads.

Council questions:

Stosberg noted that her interpretation of the question was how steep the roads could be and whether grading would be necessary.

Public comments:

Vencel explained that the environmental section of the Unified Development Ordinance (UDO) addressed slopes and all other features.

There were no council comments.

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

Reasonable Condition 04 to  
Ordinance 2024-07 (cont'd)

Piedmont-Smith moved and Asare seconded to adopt Reasonable Condition 06 (revised) to Ordinance 2024-07. Piedmont-Smith presented the details of Reasonable Condition 06 regarding housing affordability.

Council Comments:

Vote to adopt Reasonable Condition 04 to Ordinance 2024-07 [9:37pm]

Reasonable Condition 06 (revised) Synopsis: This Reasonable Condition (06) is sponsored by Cm. Piedmont-Smith. It changes the affordability threshold from 120% of the area median income (AMI) to 100% of the AMI for the 15% of units required to meet the permanent affordability standard in this PUD until January 1, 2027. After that date, it requires those units to meet the affordability standard that exists in the PUD qualifying standards within the UDO.

Reasonable Condition 06 to  
Ordinance 2024-07

Asare asked why the provisional change to the UDO was made and expressed concern that it would affect future housing development.

Vencel explained that the condition was a fair compromise between council and the developers.

Asare asked why it would take three years to change that portion of the UDO.

Council questions:

Piedmont-Smith explained that an exact timeline was necessary to proceed.

Scanlan read the criteria of a Planned Unit Development (PUD) under the Qualifying Standards to the council.

Asare asked whether changes to the provision in the UDO would be set at 90%.

Piedmont-Smith explained that negotiation with the developers would take place in the future.

Vencel explained that they were willing to accept the condition because it provided predictability for the future.

Asare asked if the provision could be altered in the future.

Piedmont-Smith confirmed that it could.

Stosberg asked for details regarding the gap in the housing market that would happen if the condition was adopted.

Vencel confirmed that the housing gap on the specific project would be increased, and it would allow the community to discuss further developments in the future.

John Scott stated that affordable housing had been an issue in Bloomington for a long time and detailed its history in the city. He opined that the priority should be on providing residents with a living wage.

Yvonne Hensley commented on the difficulties in obtaining affordable housing, and the small sizes of the residences. She also noted that affordable housing was often resold and converted to market-value units, rented out, or degraded in quality.

Public comment:

Wendy Bricht expressed concern that new developments in Bloomington's housing market would not make older rental properties cheaper. She encouraged council not allow housing construction without considering the effect on the city.

Kyle Davis commented that raising housing production would not necessarily raise housing prices in the long-term.



Stosberg asked for details regarding the restrictions on affordable units.

Scanlan explained there was a permanent zoning commitment that guaranteed the affordability unless removed by the governing body that instituted it.

Stosberg asked if that applied to affordable owning options.  
Scanlan confirmed that it did.

Flaherty confirmed that the data shared by Kyle Davis was accurate.

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

Piedmont-Smith moved and Stosberg seconded to adopt Reasonable Condition 08 to Ordinance 2024-07. Scanlan presented the details of Reasonable Condition 08 regarding changes to the wording of the traffic analysis that was conducted on the property.

Reasonable Condition 08 Synopsis: This Reasonable Condition (08) is sponsored by Cm. Piedmont-Smith at the request of Planning staff. Ideally, the traffic study and all of its supporting documents would have been done in time for the City Engineer and his staff to review the documents and make a recommendation on the required improvements to the Plan Commission or the Common Council. The documents were not fully completed with enough time to allow for review. This change to Plan Commission Condition 3 makes it clear that the City Engineer will decide which improvements are required to be part of the MOU.

There were no council questions.

There were no public comments.

There were no council comments.

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

Piedmont-Smith moved and Ruff seconded to adopt Reasonable Condition 09 to Ordinance 2024-07. Scanlan presented the details of Reasonable Condition 09 regarding clarifications of the stormwater detention requirements while the property was under construction.

Reasonable Condition 09 Synopsis: This Reasonable Condition (09) is sponsored by Cm. Piedmont-Smith at the request of Planning staff. This condition is meant to reflect conversations between CBU staff and the petitioner to be more in line with the originally written Plan Commission condition.

Stosberg noted that new stormwater regulations were recently approved and asked if the new regulations would apply to the construction site.

Vencel confirmed that they would.

There were no public comments.

Reasonable Condition 06 to Ordinance 2024-07 (cont'd)

Public comment:

Council comments:

Vote to adopt Reasonable Condition 06 to Ordinance 2024-07 [10:03pm]

Reasonable Condition 08 to Ordinance 2024-07

Council questions:

Public comments:

Council Comments:

Vote to adopt Reasonable Condition 08 to Ordinance 2024-07 [10:06pm]

Reasonable Condition 09 to Ordinance 2024-07

Council questions:

There were no council comments.

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

Stosberg moved and Asare seconded to adopt Reasonable Condition 10 to Ordinance 2024-07. Flaherty presented Reasonable Condition 10 regarding the desire to diversify the types of homeowner options in the area. The condition committed to a development approach that would ensure 20% of ownership in five neighborhoods and 40% in the entire PUD.

Reasonable Condition 10 (revised) Synopsis: This Reasonable Condition (10) is sponsored by Cm. Flaherty and Cm. Stosberg. It is meant to encourage opportunities for home ownership within the PUD by calling for at least 20% of the housing units in each neighborhood and 40% of the housing units throughout the PUD to be capable of individual ownership. Stosberg noted that the previous version of the condition included a 50% requirement.

Rollo asked when the requirement was lowered from 50% to 20%.

Stosberg explained that the requirement was lowered after a discussion with the petitioner and that the new percentage was sent out in the addendum earlier that day.

Rollo asked why the requirement was lowered.

Scanlan explained that the initial number reported was based on the number of units to be built in a style that was not large, multi-family.

Vencel explained that pressures that caused the size of the project to change had affected the requirement; the 20% was the minimum requirement of homeownership but they expected it to reach around 50%. He also raised other issues built into the PUD.

Rollo asked whether Sullivan Development LLC was constructing with intent to rent the majority of units.

Vencel stated that properties were not constructed on a one-to-one basis and that his company had adhered to the requirements.

Paul Rousseau said the development was overambitious given the state of uncertainty in the market, and expressed the worry that the property would not be completed.

Steven Shot commented that the scale of the project kept growing while the number of owner-occupied units kept dwindling, and opined that the development was essentially an apartment building.

At Piedmont-Smith’s request, Scanlan explained that as per the agreement, the first two neighborhoods of multi-family units were required to be constructed first.

Rosenbarger expressed her support for the condition.

Rollo said the requirement was insufficient and that the development stood to profit greatly at the city’s expense. He noted the large number of apartments compared to the number of owner-occupied units and declared that he would be voting against the condition.

Stosberg emphasized that of the five neighborhoods in the development, three were designed for smaller structures. She noted

Reasonable Condition 09 to Ordinance 2024-07 (cont’d)

Public comments:

Council Comments:

Vote to adopt Reasonable Condition 09 to Ordinance 2024-07 [10:09pm]

Reasonable Condition 10 to Ordinance 2024-07

Council questions:

Public comments:

Council Comments:

the importance that the two larger buildings would contain owner-occupied units.

Reasonable Condition 10 to Ordinance 2024-07 (cont'd)

Flaherty agreed with Stosberg's comment and highlighted the need for more homeownership options in Bloomington across different housing types.

Council comments:

Rollo added his appreciation for Stosberg and Flaherty's work on the condition, but reiterated his surprise at the late notice of the change in requirement.

The motion received a roll call vote of Ayes: 8, Nays: 1 (Rollo), Abstain: 0.

Stosberg moved and Piedmont-Smith seconded to adopt Reasonable Condition 11 to Ordinance 2024-07. Stosberg presented the details of Reasonable Condition 11 regarding a requirement for onsite recycling services.

Vote to adopt Reasonable Condition 10 to Ordinance 2024-07 [10:38pm]

Reasonable Condition 11 Synopsis: This Reasonable Condition (11) is sponsored by Cm. Stosberg and requires owners or managers of multifamily dwellings in the PUD to provide on-site recycling services if on-site trash services are provided.

Reasonable Condition 11 to Ordinance 2024-07

There were no council questions.

There were no public comments.

There were no council comments.

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

Council questions:

Public comments:

Council Comments:

Stosberg moved and Zulich seconded to adopt Reasonable Condition 12 to Ordinance 2024-07. Stosberg presented the details of Reasonable Condition 12 regarding the traffic study and sewer study on a definite cap of 4,250 units.

Vote to adopt Reasonable Condition 11 to Ordinance 2024-07 [10:40pm]

Reasonable Condition 12 Synopsis: This Reasonable Condition (12) is sponsored by Cm. Stosberg. Though the UDO no longer explicitly regulates density in most situations, the petitioner has based both a traffic analysis and a sewer capacity analysis on a maximum of 4,250 units in the PUD. Adding units above that amount should require an update of those reports, as well as approval of those reports and the new number of units on which they are based.

Reasonable Condition 12 to Ordinance 2024-07

Piedmont-Smith asked why the condition had returned to council rather than to the Plan Commission.

Scanlan explained that the department believed that it was more appropriate that the change come from the body giving final approval.

Stephen Lucas, Council Attorney, explained that the amendment to the ordinance required action by the council.

Council questions:

John Scott said approving the condition would allow other developers to construct more high-density properties and expressed doubt that such a population density would benefit the City.

Steven Shot asked whether the council had read the sewer analysis report and whether there were plans to address it.

Reasonable Condition 12 to Ordinance 2024-07 (cont'd)

Yvonne Hensley emphasized the importance of listening to residents in the area and recommended meeting with the county council regarding the construction project.

Public comments:

Piedmont-Smith asked whether there were existing problems being remediated by the sewer analysis.

Scanlan explained that the City of Bloomington Utilities (CBU) had been able to work with the petitioner in order to determine how much would be the responsibility of the developer.

Piedmont-Smith asked if CBU would be responsible for the rest of the sewer upgrade.

Council Comments:

Scanlan believed it would.

Vencel explained that they would be paying for their portion of the built-in capacity as per the Memorandum of Understanding (MOU).

Stosberg asked whether the project would be put on hold until council staff agreed to changes to the MOU.

Scanlan confirmed this to be the case.

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

Stosberg moved and Piedmont-Smith seconded to adopt Amendment 01 to Ordinance 2024-07. Stosberg presented the details of Amendment 01.

Vote to adopt Reasonable Condition 12 to Ordinance 2024-07 [10:52pm]

Amendment 01 Synopsis: This amendment would authorize the Director of the Planning and Transportation Department to incorporate reasonable conditions into the text of the District Ordinance, which is attached to Ordinance 2024-07. It would also replace the term plexes with duplexes, triplexes, and fourplexes within the District Ordinance, which are defined terms in the UDO.

Amendment 01 to Ordinance 2024-07

There were no council questions.

There were no public comments.

Flaherty expressed his appreciation regarding the clarification of the term, “plexes.”

Council questions:

Stosberg thanked the planning and transportation department for accommodating the changes into the PUD.

Public comments:

The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. (Zulich was out of the room).

Council Comments:

Rollo moved and Ruff seconded to postpone consideration of Ordinance 2024-07 as amended until the June 05, 2024, Regular Session.

Vote to adopt Amendment 01 to Ordinance 2024-07 [10:56pm]

Rollo explained that he still had questions regarding the reasonable conditions and amendments made to Ordinance 2024-07 and noted the late hour of the council meeting.

Motion to postpone Ordinance 2024-07 as amended

Stosberg commented that she was prepared to vote.

Council discussion:

Flaherty expressed sympathy for Rollo’s concerns but stated that he did not believe further changes to the project would be made.

The motion received a roll call vote of Ayes: 2 (Rollo, Ruff), Nays: 7, Abstain: 0. FAILED

Vote to postpone consideration of Ordinance 2024-07 [11:00pm]

Rollo asked when a study of the traffic impact to the area would be completed.  
Scanlan explained that the Plan Commission knew the study would not be completed in time but that the data had been compiled and no red flags were discovered.  
Rollo did not understand how an additional 10,000 people would not impact traffic.

Council questions:

Stosberg asked when the MOU regarding the traffic study needed to be completed.  
Scanlan confirmed that it had to be completed before the grading permit was issued.  
  
Rollo stated that council should be provided with the traffic data. He asked whether any borings have been conducted to determine the appropriateness of development.  
Scanlan confirmed that one of the Plan Commission’s conditions required a geologist’s report.  
Rollo asked if that included both a surface and a subsurface report.

Scanlan stated that they would need to speak with a geologist to further determine requirements.  
Rollo asked if the discovery of karst features would prevent development of the area.  
Scanlan explained that in that case, the senior environmental planner would need to be contacted.

Public comments:

Paul Tarricone spoke on Bloomington’s housing crisis from the perspective of a university student, the importance of increasing population density, and the project’s positive effect on housing affordability. He believed the development was overly regulated.  
  
Yvonne Hensley commented on the fact that much of Bloomington’s housing was unoccupied because it was unaffordable. She believed that increased population density would exacerbate existing issues.  
  
Christopher Emge thanked everyone involved for their work on the project and encouraged council to support the ordinance. He stated that the PUD would bring valuable income tax revenue to the city.  
  
Kyle Davis urged the council to approve the development, outlining the reasons for its necessity.

Paul Rousseau stated that the council’s decision should be guided by the comprehensive plan, and that arguments related to growth should not apply to their reasoning. He opined that the project was too big, and that approving it without a geological and traffic study showed a lack of transparency.  
Thomas Landis spoke on his support of the development. He emphasized that additional housing was a fundamental public benefit.

Ordinance 2024-07 as amended  
(cont’d)

Public comment:

Steven Shot asked that the council postpone their decision until more data on traffic and sewer analyses are available.

Colin Nielsen spoke on Bloomington’s need to increase the supply of housing to meet the demand.

Stosberg emphasized the due diligence she had conducted regarding the project. She highlighted the benefits of the project, including the increase in affordable housing, road and traffic improvements, land for a fire station, and walking trails.

Council comments:

Zulich seconded Stosberg’s statement. She stated that there was a bias against renters and students, and expressed the belief that retaining students in the city would be necessary for maintaining Bloomington’s workforces.

Ruff commented that the reasonable conditions introduced to the ordinance would be beneficial for the community. He then read from the Comprehensive Plan in order to illustrate the limits of growth in a finite environment and noted his concerns in the project’s long-term effects.

Asare moved and Zulich seconded to call the question on Ordinance 2024-07 as amended.

The motion received a roll call vote of Ayes: 7, Nays: 2 (Rollo, Ruff), Abstain: 0.

Vote to call the question on Ordinance 2024-07 [11:45pm]

Rollo made clear his objection to the fact that the vote was called without hearing final comment from all council members.

The motion to adopt Ordinance 2024-07 as amended received a roll call vote of Ayes: 7, Nays: 2 (Rollo, Ruff), Abstain: 0.

Vote to adopt Ordinance 2024-07 [11:46pm]

There was brief discussion on introducing Resolution 2024-12 that evening. Resolution 2024-12 was not introduced.

LEGISLATION FOR FIRST  
READING [11:49pm]

Stosberg moved and Ruff seconded that Ordinance 2024-13 be introduced and read by title and synopsis only. The motion was approved by a voice vote. (Rollo left the meeting). Bolden read the legislation by title and synopsis.

Ordinance 2024-13–To Amend  
Title 2 of the Bloomington  
Municipal Code Entitled  
“Administration and Personnel”  
Re: Amending BMC 2.04.380  
(Order of Business at Regular  
Sessions) [11:50pm]

Lucas read a comment submitted via Zoom chat from Sam Dove commented that there were too many people travelling east on the one-way section of Jackson Street and requested that one-way signs be installed.

ADDITIONAL PUBLIC COMMENT  
[11:50pm]

Piedmont-Smith moved and Zulich seconded to schedule a Council Work Session on May 30, 2024, on the topic of the Convention Center expansion. The motion was approved via voice vote.


COUNCIL SCHEDULE [11:51pm]

Piedmont-Smith moved and it was seconded to adjourn. The motion was approved by voice vote.

ADJOURNMENT [11:56pm]

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

APPROVE:

  
\_\_\_\_\_  
Hopi Stosberg, PRESIDENT  
Bloomington Common Council

ATTEST:

  
\_\_\_\_\_  
Nicole Bolden, CLERK  
City of Bloomington

