

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, November 06, 2024 at 6:30pm, Council President Isabel Piedmont-Smith presided over a Regular Session of the Common Council.	COMMON COUNCIL REGULAR SESSION November 06, 2024
Councilmembers present: Courtney Daily, Matt Flaherty, Isabel Piedmont-Smith, Kate Rosenbarger, Hopi Stosberg, Andy Ruff Councilmembers present via Zoom: Isak Nti Asare (arrived at 6:34pm) Councilmembers absent: Dave Rollo, Sydney Zulich	ROLL CALL [6:30pm]
Council President Isabel Piedmont-Smith gave a land and labor acknowledgment and summarized the agenda.	AGENDA SUMMATION [6:31pm]
	APPROVAL OF MINUTES [6:31pm]
Stosberg moved, and Ruff seconded to approve the minutes of June 12, 2024, as presented, and the minutes of August 21, 2024, and October 16, 2024, as revised. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.	June 12, 2024 (Regular Session) August 21, 2024 (Regular Session) October 16, 2024 (Regular Session)
Daily mentioned her upcoming constituent meeting.	REPORTS
Asare referenced the letter of support submitted by council for the Economic Development District zone for three counties and gave additional information.	• COUNCIL MEMBERS [6:33pm]
Stosberg moved, and Ruff seconded to authorize the Council Attorney:	Motion to authorize Council Attorney
1. To represent, defend, and act on behalf of Common Council in all aspects of litigation, including but not limited to preparing and filing pleadings; engaging in discovery; entering into settlement negotiations; appearing and arguing in court; communicating with opposing parties; and taking other appropriate action in the discretion of the Attorney; and	
2. To communicate with the Council President regarding such litigation at the discretion of the Attorney in addition to periodically reporting to Council.	
The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.	Vote to authorize Council Attorney [6:38pm]
Flaherty commented on the Deputy Mayor Gretchen Knapp’s violation of the Robert’s Rules of Order Sections No. 4 and 43, through her words to the council at the Special Session on October 30, 2024. He had acknowledged Deputy Mayor Knapp’s behavior at the time and identified possible consequences the Parliamentarian or Chair could have taken as outlined in Section 61. He said if the behavior was repeated, council should consider consequences.	
Phillipa Guthrie, President of the Board of Directors, Canopy Bloomington, gave a report on the non-profit social impact of Canopy Bloomington, and its work with the city to enhance and maintain the city’s tree canopy.	• The MAYOR AND CITY OFFICES [6:41pm]
Sarah Mincie, Vice President, Canopy Bloomington, spoke about future canopy cover assessments for the city and Canopy Bloomington’s equity focus.	

Ava Hartman, Executive Director, Canopy Bloomington explained the priority areas for canopy based on environmental and socio-economic variables and the trees that were planted. There was brief council discussion following the report.

- The MAYOR AND CITY OFFICES (cont'd)

On behalf of Zulich, Stosberg reported on the Ad Hoc Salary Committee, noting that Crowe was engaged to facilitate discussions on salaries. Committee meetings were scheduled in person for November 07th and 08th, 2024, at 8:30am and the public was welcome to attend.

- COUNCIL COMMITTEES [6:59pm]

There was brief discussion about councilmembers not on the committee attendance at the meetings. Council Attorney Lisa Lehner would confirm if it would be considered meetings of council.

Piedmont-Smith noted that Mayor Kerry Thomson wished to speak.

Daily moved, and Ruff seconded to amend the agenda to insert a report from the Mayor's Office following Council Committees. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote to amend agenda [7:05pm]

Mayor Kerry Thomson updated council on her appointment to the Historic Preservation Commission (HPC). She briefly described the process and encouraged members of the public who were interested in history to apply.

Report from the Mayor

Joe Davis spoke about the harassment he had experienced from the city. He handed out materials that he wished to be on record.

- PUBLIC [7:07pm]

Stosberg moved and Flaherty seconded to appoint Corry Smith to seat C-2 on and Christopher Moore to seat C-1 on the Commission on the Status of Black Males. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

- APPOINTMENTS TO BOARDS AND COMMISSIONS [7:13pm]

LEGISLATION FOR FIRST READING [7:14 pm]

Stosberg moved and Ruff seconded that Ordinance 2024-24 be read by title and synopsis only. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0. Clerk Nicole Bolden read the legislation by title and synopsis.

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 Bond [7:14pm]

Piedmont-Smith referred the legislation for a second reading at the Regular Session to be held on November 20, 2024.

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:16pm]

Stosberg moved and Ruff seconded that Resolution 2024-22 be read by title and synopsis only. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Resolution-2024-22 - To Approve an Update to the City of Bloomington's Americans with Disabilities Act Transition Plan [7:16pm]

Stosberg moved and Ruff seconded that Resolution 2024-22 be adopted.

Michael Shermis, Human Rights Director, Americans with Disabilities Act (ADA) Coordinator, and staff liaison for the Council for Community Accessibility (CCA), presented the legislation. The

Transition Plan was to be updated every two years and was not substantially different from 2022. The city’s Digital Accessibility Strategic Plan, currently under development, would be considered for the next Transition Plan.

Resolution 2024-22 (cont’d)

Council questions:

Piedmont-Smith asked about the mobility options listed in the ADA Standards and Guidelines section of the Transition Report, and for details on the tactile map.

Shermis said the city owned a golf cart and minibus and would confirm if all-terrain wheels had been received by the city. He said the city had selected a vendor, and the tactile map would be available in early spring of 2025. The first tactile map would be placed in Switchyard Park.

Stosberg asked about the timeline of the planned improvements on Kinser and how the city would accommodate changing traffic demands in that area.

Andrew Cibor, Director of Engineering, was unsure of the timeline but would follow up.

Flaherty asked for details on the ten inaccessible park facilities.

Shermis said the city did not have an adequate survey of park accessibility. He and Tim Street, Parks Director, would likely use the ADA compliance software platform called BlueDAG for the development of a parks inventory in the coming year.

There was no public comment.

Public comment:

Piedmont-Smith referenced an email exchange she had with Public Works (PW) Director Adam Wason regarding an in-depth sidewalk assessment. The contract, scope, and cost of the assessment would be presented to the Board of Public Works (BPW) for approval. The inspection data would be available in quarter one of 2025.

Council comments:

Flaherty appreciated the presentation and staff for updating the plan on a two-year cycle, as required.

Piedmont-Smith thanked the CCA members for volunteering their time and Shermis for his work on the Accessibility Plan.

The motion to adopt Resolution 2024-22 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote to adopt Resolution 2024-22 [7:30pm]

Stosberg moved and Ruff seconded that Resolution 2024-21 be read by title and synopsis only. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Resolution 2024-21 - Resolution of the Common Council of the City of Bloomington, Rejecting the Establishment of a Merit System for the Bloomington Police Department [7:31pm]

Stosberg moved and Ruff seconded that Resolution 2024-21 be adopted.

Christopher Wheeler, Assistant City Attorney, presented the legislation. Under state law, a merit system would automatically be established for eligible police departments in Indiana by January 01, 2025, unless the governing body adopted a resolution rejecting the establishment of such. The Police Department’s unofficial poll rejected the merit system. If council adopted a resolution, then it would be voted on by the active, full-time, paid members of the Bloomington Police Department (BPD).

Police Chief Mike Diekhoff stated that the Board of Safety existed and performed many of the same functions of a merit system. The department was not in support of a merit system board. Asare asked if a merit system could be adopted in the future, if rejected presently.

Wheeler said the resolution could be repealed and a merit system could be adopted.

Stosberg asked if a merit system had to be considered periodically even if it was initially rejected.

Wheeler said there was no requirement or time frame for review.

Piedmont-Smith asked about the benefits of a merit system and why the state would require one. She asked if the Fire Department would be presenting their views on the merit system.

Wheeler was not certain about the state's history related to the merit system. A benefit allowed BPD to provide input on decisions since it would had two appointments to the merit system board. The Fire Department supported a merit system, so that board would automatically be established on January 1, 2025. He gave additional information.

Joe Davis expressed concern on BPD's decision not to establish the merit system and commented on the benefits of a merit system.

Stosberg said council should respect the wishes of BPD regarding the merit system.

The motion to adopt Resolution 2024-21 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Stosberg moved and Ruff seconded that Ordinance 2024 -23 be read by title and synopsis only. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Stosberg moved and Ruff seconded that Ordinance 2024-23 be adopted.

Flaherty presented the legislation which would codify the all-way stop at the intersection of Dunn Street and Seventh Street. It would initiate a collaborative process to explore design or traffic control interventions for the Seventh Street corridor that aligned with the city's goals.

Stosberg said the proposed legislation supported continued discussion on measures other than a multi-stop intersection, to reduce the possibility of collisions along the Seventh Street corridor, while maintaining it as an effective transit and bicycle corridor. She reviewed options for slowing traffic and increasing awareness of crossway traffic.

Flaherty highlighted city goals that guided the Seventh Street corridor design. He reviewed the different approaches by council and the city engineer regarding traffic design. The next step was to coproduce solutions that better met the city's goals.

Ruff asked if there was data showing an increase in bicycle traffic on the Seventh Street corridor or an increase in bicycle traffic overall.

Cibor said there had been a significant increase in bicycle traffic on Seventh Street following the improvements.

Resolution 2024-21 (cont'd)

Council questions:

Public comment:

Council comments:

Vote to adopt Resolution 2024-21 [7:48pm]

Ordinance 2024-23 – To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic"-Re: Amending Section 15.12.010 (Stop Intersections) to remove one stop intersection on Seventh Street from Schedule A and add one multi-stop intersection on Seventh Street to Schedule B [7:49pm]

Council questions:

Stosberg said that increased traffic was good; from transportation mode changes and diversion from other streets.

Ordinance 2024-23 (cont'd)

Flaherty noted it was a positive step forward to make it safer on Seventh Street for any number of riders. Research in other jurisdictions showed an increase in the number of new riders due to infrastructure improvements similar to the Seventh Street corridor.

Council questions:

Daily asked about the traffic calming measures, and data about crosswalk signs and reduced traffic speeds.

Stosberg said traffic calming measures may or may not make a difference in speed, but it was worthy of discussion.

Cibor stated that traffic calming measures could be considered but they may not impact crash patterns. He recommended the use of stop signs because they reduced the number of crashes. He noted the Engineering Department was open to discussing other options.

Ruff asked if there was data that showed a reduction in bicycle accidents resulting from the Seventh Street corridor. He asked if there was an increase in pedestrian and pedestrian crashes. He asked why the stop signs on Seventh Street had been removed.

Cibor said there was inadequate data on bicycle or pedestrian accidents due to their infrequency. Following the all way stop installation at Seventh Street and Dunn Street, the crash rate per user was lower but the crash rate total was approximately on par with that prior to the corridor installation.

Stosberg said there was a reduction with incapacitated injuries following the improvements which lessened the severity of crashes.

Cibor stated that the number of pedestrian crashes was essentially the same as prior to the improvements though there were more pedestrians crossing Seventh Street. He added that the reason for adding the stop signs on Seventh Street was due to an increase in vehicle to vehicle crashes.

Ruff asked if Cibor could make the presentation he was prevented from giving to council during a meeting in early 2024.

Cibor clarified the purpose for his attendance at the meeting was to answer questions.

Joe Davis stated that pedestrians should be warned of bicycles, scooters, and skateboarders; not just cars.

Public comment:

Chris Sturbaum spoke in support of four way stop signs, noting that data indicated four-way stops were the simplest and safest solution.

Steve Bowen supported codification of the stop signs at Seventh and Dunn. He spoke about bicycle accidents.

Ruff commented on the cost of the improvements on Seventh Street and the need for data to support the investment. He asked Cibor to about a thesis study conducted by a student of Texas A&M that examined the safety of separate bike lanes.

Stosberg thanked Cibor for the presentation and her fellow councilmembers for supporting a conversation about the corridor. She noted there were two signs on the corridor warning bicycles to yield to pedestrians. She said it was important to balance city goals and safety for all users.

The motion to adopt Ordinance 2024-23 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 24-23
[8:49 pm]

Christopher Emge, Greater Bloomington Chamber of Commerce, commented on a previous council meeting and urged council to work together, and focus on governance.

ADDITIONAL PUBLIC COMMENT
[8:50pm]

Flaherty spoke about personal privilege, related to Emge’s comment. His previous comments about the deputy mayor’s behavior was with respect to the integrity of council processes.

Piedmont-Smith called a Special Session of the Common Council on Wednesday November 13, 2024, at 5:30pm in Executive Session regarding pending litigation. She reviewed the upcoming council schedule.

COUNCIL SCHEDULE [8:53pm]

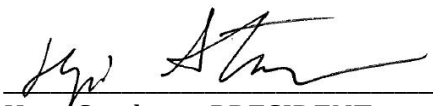
Piedmont-Smith adjourned the meeting.

ADJOURNMENT [8:55pm]


APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this
26 day of March, 2025.

APPROVE:

ATTEST:



Hopi Stosberg, PRESIDENT
Bloomington Common Council



Nicole Bolden, CLERK
City of Bloomington