In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, May 17, 2017 at 6:30pm with Council President Susan Sandberg presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
May 17, 2017

Roll Call: Sturbaum, Ruff, Chopra, Granger, Sandberg, Mayer, Piedmont-Smith, Volan, Rollo
Members Absent: None

ROLL CALL
[6:30pm]

Council President Susan Sandberg gave a summary of the agenda.

AGENDA SUMMATION
[6:31pm]

Councilmember Tim Mayer moved and it was seconded to approve the minutes of May 03, 2017 and May 10, 2017 as previously revised. The motion was approved by voice vote.

APPROVAL OF MINUTES
May 03, 2017 (Regular Session)
May 10, 2017 (Special Session)
[6:34pm]

REPORTS

- COUNCIL MEMBERS

There were no reports from Councilmembers.

- The MAYOR AND CITY OFFICES
[6:35pm]

Phillippa Guthrie, Corporation Counsel, on behalf of the Administration, asked the Council to cancel the planned public hearing on annexation set for May 31, 2017. She explained that the request was due to the state assembly's passage of the budget bill that voided annexation ordinances introduced after December 31, 2016 and before July 1, 2017.

- COUNCIL COMMITTEES

There were no reports from Council Committees.

- PUBLIC
[6:37pm]

Sandberg called for public comment.

Daniel McMullen said that the City had created a negative air in Monroe County with the annexation, and he hoped they would try to bring some positivity.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There were no appointments to Boards and Commissions at this meeting.

LEGISLATION FOR SECOND READING AND RESOLUTIONS

Resolution 17-25 - To Approve Refunding Bonds of the City of Bloomington Redevelopment District to Refund 2011 Bonds
[6:38pm]

It was moved by Mayer and seconded that Resolution 17-25 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Nicole Bolden read the legislation by title and synopsis.

Mayer moved and it was seconded that Resolution 17-25 be adopted.

Jeffrey Underwood, Controller, presented the legislation to the Council. Underwood explained that the bond refunding would produce savings of over two million dollars.

Mayer thanked Underwood for his work.

The motion to adopt Resolution 17-25 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Resolution 17-25
[6:41pm]

Mayer moved and it was seconded that Ordinance 17-22 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read the legislation by title and synopsis.

Mayer moved and it was seconded that Ordinance 17-22 be adopted.

Scott Robinson, Planning Services Manager, presented the legislation to the Council. Robinson first addressed the stop intersections at South Mitchell Street and East Southdowns Drive. He said that most of the vehicles in the area stayed in the 20-25 miles per hour speed range, which was consistent with the average neighborhood in the city.

Ordinance 17-22 - To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" - Re: Stop, Multi-Stop, and Yield Intersections, One-Way Streets, Increased or Decreased Speed Limits, Angle Parking Zones; No Parking Zones; Limited Parking Zones; Loading Zones; Parking Near Intersections, Parallel and Angle Parking Regulations, Resident-Only Parking Permits, and Removal of Abandoned Vehicles (Including Maximum Towing and Storage Charges for such Vehicles)

Council Questions:

Councilmember Dave Rollo asked when the traffic calming peninsula was installed.

Robinson thought it was around 2009.

Rollo said that it looked like the count had dropped by almost half and asked if it suggested that people were using arterials instead of cutting through.

Robinson said that it was hard to speculate.

Rollo asked if moving the sign northeast would create confusion.

Robinson said that staff's original plan called for removing two of the stop signs and would work with the traffic department to relocate the remaining sign.

Rollo asked if staff was agnostic with regard to moving the sign.

Robinson agreed that was correct.

Councilmember Steve Volan said that he checked Google Map and the intersection appeared the same in October 2013.

Councilmember Andy Ruff asked if there was some communication from staff that he missed about moving the stop sign.

Robinson said that they had not changed their position, but that they were always looking for consistency and based their decisions on guidelines and standards. Feedback for the context of the area made staff feel comfortable about moving the sign.

Ruff inquired what the procedural steps would be to ensure the placement of the stop sign.

Dan Sherman, Council Attorney, explained that it could be handled by a motion from the Council during deliberations.

Councilmembers Ruff, Mayer, Chris Sturbaum, Dorothy Granger, Allison Chopra, and Volan engaged in a discussion about the placement of the stop sign.

Robinson said the sign placement could be determined with staff, homeowners, and Council working together. He said that staff was trying to move away from codifying smaller details like sign placement that created issues for code updates.

Ordinance 17-22 (*cont'd*)

Robinson next explained that posted speed limits in the north Old State Road 37/North Dunn Street area were being updated, and showed the Council the average speeds of travel on the streets in question.

Additional Council Questions:

Mayer asked if people were traveling ten miles per hour over the speed limit on the curviest part of the road.

Robinson said that it was just on the portion between North Walnut Street and Dunn Street.

Robinson discussed Amendment 01 to Ordinance 17-22, and said that staff supported the amendment.

Robinson also discussed Amendment 02 to Ordinance 17-22, which was a loading zone on North Washington Street. He said staff suggested the spot be converted to a meter spot after 5:00 p.m. He noted that the loading zone was not meant for a particular user.

Robinson next explained how the ordinance treated parallel parking, pull-in parking, and back-in angle parking. He said that staff hoped either the Traffic or the Parking Commission would look into the issues further.

Additional Council Questions:

Volan asked when and where a back-in angle parking area would be installed in the city.

Robinson said there have been discussions but he was unaware of any specific locations other than the project at Hillside and Henderson.

Volan asked if the ordinance allowed back-in angle parking where it was not allowed before and if the Traffic Commission approved it at the Hillside and Henderson PUD.

Robinson said yes to both questions.

Volan asked if cars that were parked in parallel spots had their tailpipes just as close to the sidewalk as those that were parked via back-in angle parking.

Robinson said that some vehicle exhaust pipes were in different locations, so it could vary.

Robinson explained the abandoned vehicles portion of Title 15, and said that the changes would allow parking enforcement officers, in addition to police officers, to perform vehicle removal.

Amendment 01 to Ordinance 17-22

Councilmember Isabel Piedmont-Smith moved and it was seconded that Amendment 01 to Ordinance 17-22 be adopted.

Amendment 01 Synopsis: This amendment is sponsored by Cm. Piedmont-Smith. It attempts to address sight distance by making two adjustments to the No Parking Zones on the west side of Fairview. The first adjustment would keep the current no parking restriction from Wylie Street to 130' south of Wylie Street and the second would remove the proposed no parking zone from Dodds to 50' north of Dodds.

Vote to adopt Amendment 01 to Ordinance 17-22 [7:20pm]

The motion to adopt Amendment 01 to Ordinance 17-22 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Mayer moved and it was seconded that Amendment 02 to Ordinance 17-22 be adopted.

Amendment 02 to Ordinance 17-22

Amendment 02 Synopsis: This amendment is proposed by Andrew Cibor, Transportation and Traffic Engineer. It provides that the first parking space on North Washington Street north of the alley on the east side is a loading zone from 5:00 a.m. to 5:00 p.m., Monday through Saturday. Second, and at the request of the Council Office, it adds two standard ordinance provisions that were omitted during the drafting of this ordinance.[1]

Piedmont-Smith proposed a friendly amendment to combine proposed Amendments 02 and 03.

Mayer said that he was happy to do so.

Sherman said that their meeting memo did just that, so they had the corrected language in writing.

Granger asked what the standard clauses were that were omitted.

Sherman explained that one was a severability clause and that the other was an effectiveness clause.

Piedmont-Smith asked if the 5:00 a.m. to 5:00 p.m. was standard for loading zones or specific to that loading zone location.

Robinson said that it was very similar to what was being done at the Waldron Center and was what staff recommended for this loading zone for consistency.

Granger said that she liked having the space available after 5:00 p.m.

The motion to adopt Amendment 02 to Ordinance 17-22 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 02 to Ordinance 17-22 [7:26pm]

Rollo said he was willing to let the ordinance stand without codifying the stop sign placement. He also said there needed to be more enforcement of the speed limit on North Dunn Street.

Council Comment:

Volan spoke in favor of implementing back-in angle parking at East Hillside Drive and South Henderson Street.

Sturbaum said that others did not support back-in angle parking.

Piedmont-Smith said more enforcement was needed on North Dunn Street. She did not think that the stop sign location needed to be changed at the South Mitchell Street and East Southdowns Drive intersection. She thanked everyone involved in working on the ordinance.

Ruff thanked staff for their work and flexibility and said the main issue was that people should be able to drive safely through neighborhoods.

Rollo clarified that he was a believer of connectivity.

Volan expressed surprise that Sturbaum criticized back-in angle parking, and said that the issue should be re-opened for consideration.

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[1] Note: This second change was initially proposed as Amendment 03, but was combined with Amendment 02.

Ordinance 17-22 (cont'd)

Sturbaum agreed with Ruff that people should be able to drive through neighborhoods. He thought the majority of citizens would not be in favor of back-in parking, and did not want to move too far ahead of the citizenry.

Vote to adopt Ordinance 17-22 as amended [7:39pm]

The motion to adopt Ordinance 17-22 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Ordinance 17-08 - To Amend the Approved Planned Unit Development (PUD) District Ordinance and the Preliminary Plan Attached to Parcel I of the Woolery PUD (Allowing Multi-family dwellings as a Permitted Use and Approving Development Standards Associated with such Use) - Re: 2182 W. Tapp Road (Regency Consolidated Residential, LLC, petitioner)

Mayer moved and it was seconded that Ordinance 17-08 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read the legislation by title and synopsis.

Mayer moved and it was seconded that Ordinance 17-08 be adopted.

Eric Greulich, Zoning Planner, presented the legislation to the Council, which was a request to amend a previously-approved PUD to allow multi-family dwellings.

Doris Sims, Director of Housing and Neighborhood Development (HAND), introduced herself and said that she was there to answer any questions the Council might have.

Michael Carmin, representing the petitioner (Regency), made it clear that the 10% of the project units devoted to workforce housing was being offered by Regency and was not being required of them. He explained their definition of workforce housing was an income eligible tenant who would not be charged more than a rental price point, which would be recalculated on a yearly basis. Carmin said that the price point would vary over time, but it would be handled through the HAND office.

Jim McKinney, Regency Chairman, answered a question from the previous week's meeting posed by Volan regarding rental costs in Adams Village (AV). He said that one bedroom apartments in AV were $883 per month, the workforce housing units would be $647, and the other units would be about $1,000 due to ambient features. For two bedroom units in AV, the costs were $1,092, the workforce housing units would be $950, and the other units would be about $1,300 due to ambient features.

Council Questions:

Volan asked if workforce housing meant that both of the residents had to be employed or if it could be one resident and family.

McKinney answered that the income eligibility guidelines said the housing was available to those who worked at least 35 hours per week.

Sims said workforce housing was only available to households where both wage earners were working.

Chopra asked how the City could ensure compliance on a voluntary commitment.

Carmin answered that the voluntary offer and resultant agreements would create a zoning covenant that would move forward with future owners. He also clarified that workforce housing did not mean that a single parent could not take a two bedroom unit.

Ordinance 17-08 (*cont'd*)

Sturbaum asked staff if the PUDs had developed more slowly than expected.

Greulich said that there were some differences in the PUDs and briefly described the growth in the area.

Sturbaum asked if commercial would be expected first or last.

Greulich said that it was something the market dictated.

Sturbaum asked why staff had not pushed for more commercial in the PUD.

Greulich said it had been vacant for 25 years, and although the initial goal was to have commercial, the demand was for housing. The hope was that more housing would eventually bring commercial into the area.

Sturbaum suggested following the Renwick PUD as a model.

Greulich pointed out that the Woolery PUD had several developers while the Renwick PUD had one main developer with a heavy guiding hand.

Granger asked for a definition of workforce housing.

Sims explained that workforce housing was a component of housing within affordable housing. She said that HAND use HUD guidelines to establish the baseline of very low income, which was 60% or less of the median income line. It would then go up to 120% of the median income, which was not a number that HUD used, but that would be used in their agreement for the PUD.

Granger asked if this was the same definition used in the Urban Station downtown.

Sims said that project had different incentives and did not go as high on the workforce housing commitment as this project did.

Granger asked if that was the definition the City would use from then on out.

Sims said yes.

Piedmont-Smith asked what Sims meant when she said that Urban Station did not go as high as the Regency proposal.

Sims said Urban Station income eligibility only went up to 80% of the median income, and the Regency proposal would go up to 120% of the median income.

Piedmont-Smith asked for more clarification.

Sims explained that the maximum rent on the unit would be tied to the living wage in Bloomington, so that the unit would still be affordable to someone who was earning 60-120% of the median income. Sims stressed that the developer agreed to this voluntarily.

Piedmont-Smith verified that it was a two-part process: part one was income eligibility for the resident and part two was the rental rate set at 30% of the living wage.

Sims said that was correct.

Rollo verified that all plantings, including trees, shrubs, and ornamental perennials, would be native.

Greulich said that was correct.

Rollo said it seemed to be a missed opportunity in commercial development and that planning was putting a priority in commercial development in future PUDs.

Greulich said they recognized the opportunities for other commercial development down the line in the area.

Rollo noted that the area was not served by public transportation but that it was contingent on the expansion of Adams Street. He asked if there was a timeline.

Greulich said there were developers looking into the street completion and then the transit would have to add the route.

Ordinance 17-08 (*cont'd*)

Volan and Sims had a brief discussion clarifying income eligibility for workforce housing.

Volan asked if the front doors faced the green space or the parking lot.

McKinney said they faced the green space.

Council Comments:

Sturbaum said the Council was missing a chance to create a public good by creating a better quality of life with commercial space in the neighborhood.

Volan said the project failed to do more than to extend to the east. He noted that there were no streets or commercial spaces added. He commended the project for their commitment to workforce housing, but would not vote for it based on the lack of commercial space.

Granger appreciated what the developer did to make the project aesthetically pleasing. She thanked staff for working on a definition of workforce housing. She said the City needed to look into building a fire station in the area.

Rollo lamented the lack of commercial, but hoped habitation would induce commercial development. He thought the public good was served by the project, and thought a fire station in the area was a good idea.

Volan added that Bloomington Transit would be most likely to extend service to the area if there was a public transit tax passed.

Mayer thanked the petitioners for providing 99 years of workforce housing.

Sandberg thanked staff. She said that the affordable housing component was very important to her and she appreciated the petitioner's commitment. She said that once the commitment was put in writing, a copy of it should be filed with Ordinance 17-08.

Vote to adopt Ordinance 17-08 [8:32 pm]

The motion to adopt Ordinance 17-08 received a roll call vote of Ayes: 8, Nays: 1 (Volan), Abstain: 0.

LEGISLATION FOR FIRST READING

Mayer and seconded that Ordinance 17-23 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read the legislation by title and synopsis.

Ordinance 17-23 - To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" - Re: Adding Active Transportation Facility Definitions; Amending Bicycle Operation Parameters; Deleting Prohibition of Coasters, Skateboards and Roller Skates on Streets and Replacing It with Regulation of Coasters; Deleting Bicycle License Requirements, Bicycle License Issuance, Bicycle License Records, and Prohibition of License Decal Removal; Amending Bicycle Rentals; Deleting Bicycle Paths Established and Replacing It with Bicycle Lanes Established; Deleting Right-of-Way of Bicycle Riders on Bicycle Lanes and Replacing It with

Use of Bicycle Lanes; Adding Penalties for Violations to Bicycle Parking; Amending Violation and Penalties for Bicycles, Skateboards and Other Foot-Propelled Vehicles from a Class E to a Class G Violation; Adding a Vulnerable Road Users Section and Opening Vehicle Doors Section to the Miscellaneous Traffic Rules; Amending the Class C, D, and G Traffic Violation Sections; and, Deleting the Class E and F Traffic Violation Sections.

It was moved and seconded that Ordinance 17-24 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read the legislation by title and synopsis.

Ordinance 17-24 - To Amend Title 15 of the Bloomington Municipal Code (BMC) Entitles "Vehicles and Traffic" - Re: Deleting BMC Chapter 15.36 (Resident-Only Parking Permits)

There was no additional public comment.

PUBLIC COMMENT

Sherman reminded Council of an upcoming Internal Work Session on Friday, May 19, 2017.

COUNCIL SCHEDULE
[8:35 pm]

Mayer moved and it was seconded that the Annexation Hearings for these ordinances[2] scheduled for May 31st be cancelled and that the Council hold the previously scheduled Regular Session on that date at the usual time and place to conduct the ordinary course of Council business.

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

Vote on schedule [8:45pm]

The meeting was adjourned at 8:45 pm.

ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 14 day of June, 2017.

APPROVE:

Susan Sandberg, PRESIDENT
Bloomington Common Council

ATTEST:

Nicole Bolden, CLERK
City of Bloomington

[2] Ord 17-09, Ord 17-10, Ord 17-11, Ord 17-12, Ord 17-13, Ord 17-14, Ord 17-15, and Ord 17-17.