In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, October 19, 2016 at 7:33pm with Council President Andy Ruff presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
October 19, 2016

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

ROLL CALL
[7:33pm]

Council President Andy Ruff gave a summary of the agenda.

AGENDA SUMMATION
[7:34pm]

It was moved and seconded to approve the minutes from October 13, 2016.

The motion to approve the minutes was approved by voice vote.

APPROVAL OF MINUTES
[7:37pm]

October 13, 2016 (Special Session)

REPORTS [7:38pm]

- COUNCIL MEMBERS

Councilmember Dave Rollo commented on the war in Syria, and said people needed to appeal to the government to engage in diplomacy to avoid conflict, saying the potential for conflict between major powers was real. He encouraged the government and other governments to work out a diplomatic solution to the situation.

Councilmember Allison Chopra commented on Columbus Day, noting that she would like to celebrate Indigenous People's Day on the second Monday in October starting in 2017, to celebrate the indigenous people of North America. She noted that many other cities in the nation had abolished Columbus Day and had instituted Indigenous People's Day.

Councilmember Isabel Piedmont-Smith reminded everyone that October was domestic violence awareness month, which was an opportunity to give to organizations that supported victims of domestic violence. She recognized Middle Way House and Toby Strout, Director of Middle Way House. She noted that October 20th was Wear Purple Day, which was meant to help raise awareness of domestic violence and to show support for victims.

Councilmember Steve Volan noted the Chicago Cubs were still in the playoffs and voiced his support for the team.

- The MAYOR AND CITY OFFICES

There were no reports from the Mayor or city offices.

- COUNCIL COMMITTEES

There were no reports from council committees.

- PUBLIC

Jan Sorby introduced herself and commented on Bloomington Restoration, Inc.'s 40th Tour, saying it was a celebration of the work of the Council and the preservation community, and provided details of the event.

Gabe Rivera spoke on the war on drugs.

APPOINTMENTS TO BOARDS AND COMMISSIONS
[7:52pm]

It was moved and seconded to appoint Coleman Burnett to Bloomington Commission on Sustainability. The motion was approved by voice vote.

It was moved and seconded to appoint Birk Billingsley to the Human Rights Commission. The motion was approved by voice vote.

It was moved and seconded to appoint Seth Debro and Brian Richardson, Jr. to the Commission on the Status of Black Males. The motion was approved by voice vote.

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:38pm]

It was moved and seconded that Resolution 16-15 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Stephen Lucas read the legislation by title and synopsis, noting no committee recommendation.

Resolution 16-15 – Waiving Current Payments in Lieu of Ta: ; by the Bloomington Housing Authority to the City

It was moved and seconded that Resolution 16-15 be adopted.

Doris Sims, Director of the Housing and Neighborhood Development department, presented Resolution 16-15 and explained that it was an annual request. She detailed the purpose and effect of the resolution.

Council Comment:

Councilmember Tim Mayer pointed out that the request to waive payments in lieu of taxes was an annual event for the Housing Authority.

Councilmember Susan Sandberg thanked Ms. Osterholt for her work with the Bloomington Housing Authority, expressing her appreciation and thanks.

Ruff said the Council as a whole seconded Sandberg's comments.

Vote to adopt Resolution 16-15 [7:56pm]

The motion to adopt Resolution 16-15 received a roll call vote of Ayes: 9, Nays: 0.

Ordinance 16-15 – To Amend Title 2 of the Bloomington Municipal Code (BMC) Entitled "Administration and Personnel" – Re: Amending BMC Chapter 2.02 (Boards and Commissions) to Provide for the Common Council Appointment of No More than Four Non-Voting Advisory Members to Certain Boards, Commissions, and Councils [7:57pm]

It was moved and seconded that Ordinance 16-15 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Lucas read Ordinance 16-15 by title and synopsis, giving the committee Do Pass recommendation of 6-0-2.

It was moved and seconded that Ordinance 16-15 be adopted.

Councilmember Chris Sturbaum presented Ordinance 16-15, noting that the proposed procedure in the ordinance was elective, so only a board or commission that wanted to add advisory members would do so. He pointed out an advantage of the proposal was that it allowed younger people and more people to participate in the board and commission system, which encouraged public participation.

Council Questions:

Rollo asked whether a board or commission could reverse the creation of the advisory positions.

Sturbaum said he did not know, but said he supposed that as the process went along, a board might stop adopting the positions, or could amend the bylaws.

Rollo asked for clarification from council administrator/attorney Daniel Sherman.

Sherman said the language in the ordinance did not foresee that step being taken, but said the Council could amend the provisions to provide such method for reducing the number of voluntary advisory board members.

Rollo asked what the terms would be for the advisory positions.

Sturbaum said the terms would be set and then staggered like the regular terms on the various boards and commissions.

Rollo asked whether the positions would need to be confirmed by the board or commission itself when that term expired.

Ordinance 16-15 (*cont'd*)

Sturbaum explained how the advisory positions worked on the Historic Preservation Commission and noted the spirit of the ordinance was that it was a voluntary addition.

Sherman said the provision for filling vacancies would be similar to any other appointment to a board or commission, and detailed that process.

Volan asked Sturbaum to clarify whether the Council would still make the appointments themselves, while the board or commission would be able to decide whether that board or commission wanted the advisory position in the first place.

Sturbaum said it would be the same process as was then in place.

Volan asked what the administration's position on the ordinance was.

Sherman said the administration had indicated that it did not oppose the ordinance, but did not think it was necessary.

Chopra asked whether the Clerk's Office had weighed in on how the proposed ordinance would affect that office's workload and whether it was capable of taking on additional work with current staff.

Lucas said yes, it would increase the workload for the Clerk's Office, but the office did not have any concerns about the legislation.

Sturbaum confirmed that the Clerk had communicated the same to him, and that they had discussed the changes happening gradually.

Council Comment:

Volan said he was skeptical of the idea at first, but commended Sturbaum for persuading him that it was not a bad idea, and looked forward to supporting it.

Sandberg said she saw the merit of the proposal and viewed it as a pipeline for potential future board members, noting she was in favor of the ordinance.

Rollo said he thought the ordinance was a good evolutionary step to give boards and commissions discretion to include other advisory members.

Councilmember Dorothy Granger thanked Sturbaum for bringing the proposal forward, and said she thought many boards and commissions would welcome the opportunity to bring more people in to participate.

Sturbaum said the system of boards and commissions was something Frank McCloskey brought to the City, which helped bring the community into the system of governing. He said the proposal helped create a mentoring process for the various boards and commissions.

Ruff commended Sturbaum for being patient in bringing the ordinance forward, as the Council's schedule had previously delayed the ordinance. Ruff said the ordinance expanded on the tradition of engaging and involving citizens formally through boards and commissions, and while it might not be necessary, anything that formalized citizen engagement was a good thing and was in the spirit of what Bloomington had been doing for years.

Vote to adopt Ordinance 16-15 [8:09pm]

The motion to adopt Ordinance 16-15 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 16-23 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Lucas read Ordinance 16-23 by title and synopsis, giving the committee Do Pass recommendation of 7-1-0.

It was moved and seconded that Ordinance 16-23 be adopted.

Ordinance 16-23 – The Amend Title 8 of the Bloomington Municipal Code, Entitled "Historic Preservation and Protection" to Establish a Historic District – Re: 2233 East Moores Pike Historic District (Terry L. Kemp, Owner d Petitioner)
[8:10pm]

Bethany Emenhiser, Program Manager in the Housing and Neighborhood Development department, introduced herself, and provided background information on the request and the property in question. She noted that the house met two of the architectural criteria for local historic designation. She displayed and discussed aerial photographs of the location from different time periods. She provided additional details of the house and the architecture, adding that she was available for questions.

Council Questions:

Rollo asked how many ranches of the same style existed, and whether unaltered homes like the one in question were rare in Bloomington.

Emenhiser estimated there were ten homes of similar caliber and condition in Bloomington.

Volan asked whether the adjacent homes were considered notable or contributing.

Emenhiser said there were one outstanding, two notable, and one contributing homes nearby.

Volan asked what the process was by which a street or an area of houses would be declared historic, clarifying that it seemed to him that the home in question was being preserved by itself and the entire are might need to be preserved.

Emenhiser said the area would be a nice historic district, but the home in question was a voluntary designation, and she believed the City should take the designations as they came. She explained the process for a historic designation.

Council Comment:

Sturbaum said it was curious that modernism was historic and new traditionalism was modern. He said he was pleased that the Petitioner wanted to protect the house and was pleased it was happening.

Mayer thanked the Petitioner for bringing the request forward.

Granger echoed Sturbaum and Mayer's comments and thanked the Petitioner.

Volan said his previous concerns still existed, though he thanked the Petitioner for being willing to voluntarily seek the historic designation. He said it would be more justified if it were part of a bigger group and said he would not support it because there were other buildings around it that should be considered together.

Piedmont-Smith said she would be voting for the ordinance. She noted that nearby neighbors had been informed, and she encouraged staff to explain to the neighbors the process of designating the homes as historic. She said she did not see a problem with starting with the home in question and adding more in time

The motion to adopt Ordinance 16-23 received a roll call vote of Ayes: 8, Nays: 1 (Volan).

Vote to adopt Ordinance 16-23 [8:21pm]

It was moved and seconded that Ordinance 16-20 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Lucas read Ordinance 16-20 by title and synopsis, giving the committee Do Pass recommendation of 0-1-7.

Ordinance 16-20 – To Amend the Zoning Maps from the Residential High-Density Multifamily (RH) to Planned Unit Development (PUD) as well as Approve a District Ordinance and Preliminary Plan – Re: 405 E. 17th Street (RCR Properties, LLC, Petitioner) [8:22pm]

It was moved and seconded that Ordinance 16-20 be adopted.

Eric Greulich, Zoning Planner, presented the ordinance and described the request to rezone the property in question from Residential High-Density Multifamily (RH) to Planned Unit Development (PUD), summarizing the location of the property, the zoning of surrounding properties, and details of the petition being considered. He noted with the request was a request to vacate a section of right-of-way on Grant Street located on the north side of the petition site. Since the last hearing, petitioners had provided additional information, but overall request had essentially stayed the same. Greulich went over the Greenbelt Design and its intended design, function and appearance. He displayed various renderings of the proposed project. He noted that the petitioners and the architects for the project were available to answer questions as well. He explained that the building had one corner that followed the topography of the site would exceed the height limit, but otherwise the building would comply with height restrictions. He summarized some of the building materials proposed to be used for the project. He said he was available to answer any questions the Council had.

Michael Carmin, attorney for the Petitioner, introduced himself and the Petitioner and the individuals involved with the project. He noted that concerns about parking in the Garden Hill area could be addressed before the estimated completion date for the project in question, which was August 2018. He said the Council would have plenty of time to look into establishing a neighborhood parking zone in that area and that the Petitioner opposed connecting that issue with the petition before the Council.

Jim McKinney, speaking on behalf of Regency Consolidated Residential, LLC, introduced himself and talked about his history with Regency. He provided additional information about Regency's other properties and projects in Bloomington. He provided the Council with a document summarizing Regency's entire portfolio, reflecting its investment in Bloomington, and went through the document with the Council. He explained Regency's reasons for taking on the proposed project, noting the property in question did not reflect the quality, the style, or the type of property that Regency or Bloomington should want. They undertook a study and determined purpose build student housing was the most appropriate use of the site. He noted the current property was meant to improve a number of issues, and said he was available for questions.

Will Kreuzer thanked the Council for having the Petitioners back, and said he would attempt to answer questions and respond to comments previously raised by councilmembers or by neighbors. He first addressed the retail component of the project, noting that he had been having conversations with local businesses about occupying the space, and said he envisioned the space would have a variety of uses rather than just a single restaurant or business. Second he addressed bike storage, noting that the revised plans

Ordinance 16-20 (*cont'd*)

reflected where the bike storage would be located. He said they intended to provide 17% bike storage for the units, but they would be willing to go up to 20%. Next he explained how he went about analyzing the estimated need for parking at the proposed development. He said he did not want to provide too little parking because it could be detrimental to the Garden Hill neighborhood. The next item brought up was about bus routes. Kreuzer said the A and X routes from IU served the location, and ran every five minutes. He said he reached out to Garden Hill Historic neighborhood, and would support an ordinance for a parking zone in the neighborhood if necessary. Also discussed security with the neighborhood association, and reported that they did not want an animal house; they wanted it to be a controlled environment. He added that if concerns came up, he provided construction managers information, property managers information, and his own information for contacts. He said it would also be helpful to have some visitor parking spots on 18th street.

Dan Hronkowsky, Vice President Design and Development with CA Ventures, introduced himself and explained he would be addressing some of the same topics already raised, as well as attempting to address other questions he thought the Council might raise. He explained some of the considerations the Petitioner had undertaken when it came to the potential retail space in the building, and how that space would function with the dwelling units. He summarized ideas for the location and function of the retail space. On parking, he echoed Kreuzer's analysis of the parking need for the project, and he added additional explanation for how he had analyzed and determined what he thought the parking need of the development would be. He estimated that the development would need 0.85 parking spots per resident, and said that he did not perceive any downside if they had overestimated the parking need, as the parking garage would be at least partially hidden from sight. Hronkowsky said there had been previous discussion on the four-bedroom unit types, and acknowledged those units had a party connotation. He said the rules for the complex would be in place, any violation would not be tolerated, and said they had not experienced disproportionate issues coming from four-bedroom units in other properties. Last, he reminded the council of the exhibits of the greenbelt in the materials provided, reviewed the design and renderings of the proposed Greenbelt, and added that some changes to the project overall could still occur as the process goes forward.

Council Questions:

Rollo asked whether the development increase runoff, decrease runoff, or be neutral toward runoff, and asked where that runoff would go.

Greulich said the Utilities Department required that post-development runoff rate cannot exceed the pre-development runoff rate. He said the existing site had essentially no stormwater mitigation, so there would be a huge improvement with the proposed project, as the stormwater would be direct to rain gardens, and connected to stormwater inlets in the street.

Rollo asked whether there would be an increase or decrease in the vegetative surface with the proposed project, and also whether native plants would be used in the vegetative surfaced.

Greulich said the project had not progressed to that level of site plan detail yet, but using native species could be incorporated into the project. He said the project adhered to the maximum impervious surface coverage requirements. He noted that the council could require the use of native species only.

Ordinance 16-20 (*cont'd*)

Chopra asked Greulich to clarify the impervious surface rates for the various parcels in the project.

Greulich said the petitioners were asking to allow a 70% impervious surface coverage for the main parcel. The parcels to the north would meet the 50% requirement for impervious surface.

Chopra asked whether the parcel with 70% was a request for a variance.

Greulich said yes, the large parcel to the south included a request to allow the 70% impervious surface.

Chopra asked whether the request for additional impervious surface coverage was in addition to the zoning change requested.

Greulich said yes.

Chopra asked whether there were any other variations being requested.

Greulich said there was a request to deviate from the height requirement, allowed density for the sight, and the request to deviate from the amount of allowed impervious surface, were the main deviations requested from the underlying zoning district standards.

Chopra asked Greulich to compare the density standard to the requested variance.

Greulich said the request was for 50 dwelling units per acre, while the underlying zoning district allowed for 15 dwelling units per acre. He added that the Dunn Hill Site was about 30 units per acre at that time.

Chopra asked what the PUD would allow.

Greulich said the PUD would allow for an overall density of 50 units per acre on the entire project overall.

Piedmont-Smith asked whether there was a commitment to use pervious pavers for the Greenbelt.

Ken Ramsey, the architect for the project, explained that emergency services allowed pervious materials, but not grass-paved materials.

Piedmont-Smith asked whether they were committing to use pervious materials for the entire walkway.

Ramsey said they would use pervious materials for a certain percentage of the walkway.

Piedmont-Smith asked what percentage.

Ramsey said that number had not been worked out.

Piedmont-Smith said she would expect that percentage to be high.

Volan asked how many other developments in Bloomington had a density of 50 units per acre or greater.

Greulich said outside of downtown, there were none that he could think of. He said the downtown area was the only area he could think of that had a similar density.

Volan asked whether the rule regarding three unrelated adults would apply to the project.

Greulich said because the zoning is residential high density multifamily, it would allow for five occupants per unit, but the petitioner had committed to the occupancy matching the bedrooms, so a three-bedroom unit would only have three occupants.

Volan asked whether Regency or CA had any other rentals where people lived in a unit with more people than bedrooms.

Hronkowsky said that arrangement only works in specific situations, but does provide a lower price point. He said he could think of only a couple projects where that arrangement was allowed, and they were careful not to do plan that.

Ordinance 16-20 (*cont'd*)

Volan asked whether it was uncommon to have more people than bedrooms.

Hronkowsky said it was somewhat common, but with the business plan to be best in class, they did not think it was the best in class living accommodations, so they did not allow it very often.

Ruff asked why not have the building step down to bring it into compliance with the height requirement.

Greulich said there was nothing preventing that, but when looking at height issues, it was looked at in comparison to what surrounded it. He said the corner in question was elevated because they were using the existing topography and simply kept the floors level. He added that with it being next door to the stadium, there was not a risk of creating a corridor feeling with tall buildings and narrow streets, so impact of the variance was mitigated with the open space.

Ruff clarified that the requested height was not within the limits for that corridor, and that the mitigating factors might have been taken into account with the height limit was established. He asked whether it would be possible to step the building down.

Greulich said yes.

Hronkowsky added that the building was at the zoning grade for the majority of the property, and that only a small portion was higher due to the grade level of the land.

Ruff asked staff to clarify if they were or were not asking for a 20 foot variance.

Greulich responded that the petitioners were asking for the building to be 20 feet taller than would have been allowed. He elaborated that overall the building was at the height limit except for the one area where the topography dipped down, and made that portion of the building higher.

Piedmont-Smith asked how many stories were on the northeast corner.

Ramsey responded that it was a five-story building with a basement where people could walk out.

Piedmont-Smith asked for a walkthrough of the architecture and design of the building to provide more context for the scope of the building as a whole.

Ramsey affirmed to her request.

Chopra asked what brick veneer meant, and if it was actually brick.

Ramsey explained that it was brick, and was a true masonry product, that would not be a load bearing product.

Chopra asked if limestone was being used or a similar product.

Ramsey answered that it was a simulated limestone product that was difficult to tell the difference from real limestone.

Chopra asked about the possibility of restaurants on the site.

Kreuzer responded that the original vision was to designate one area of the building for one business. He said that after several conversations with local business owners, the idea shifted to break up the area for three or more tenants.

Rollo asked about the nature of commercial development in the area, and asked if the vision was to cater to the people in the development.

Kreuzer replied that it was what he hoped would happen, and that he thought it would be an amenity to those who lived there.

Rollo asked Greulich about the process moving forward.

Ordinance 16-20 (*cont'd*)

Greulich responded that the plans would not be changed substantially, and would look like what the council was seeing that night.

Rollo asked the architect about the variations of the building front, so that it did not look like one monolith.

Ramsey replied that the property was designed so that it looked like a series of buildings.

Rollo asked for confirmation that the developer would explore the idea of making the greenbelt into a public plaza, and asked for the width.

Ramsey said that they did want to encourage people to use the area. He also said that the space was about 40 feet.

Sturbaum asked if there would be any commercial activity on the corner of 18th and Dunn.

Greulich replied that it was all non-residential office space, but would not be commercial.

Sturbaum asked why it would not be functional as a commercial space.

The response was that there was not a great deal of parking, but the hope was to make it an amenity center for the residents.

Volan asked what problems were currently being experienced at the current property.

McKinney explained that the property was open, and allowed non-residents to use facilities they were not entitled to use. He added that the proposed plan would allow for more control over the property.

Volan asked how they would restrict access.

Hronkowsky responded that they wanted to encourage greenbelt usage, but the pool and private courtyard would be restricted.

Volan asked if there was a plan for tailgating on football Saturdays.

Hronkowsky said that they had plans in place for special events, which included more staff and community assistance. He added that no event would happen on the property that was not under control.

Public Comment:

Phil Worthington asked the council to draft a resolution to ask IU to build more on-campus housing.

Carrie Slough spoke against the PUD.

Tim Ellis spoke in favor of the PUD.

Bob Beard, Vice-President of Garden Hill neighborhood, spoke against the PUD.

Steve Watt spoke in favor of the PUD.

Council Comment:

Volan reported his discussions about parking issues and the discussion among councilmembers and the administration about parking issues in Garden Hill.

Additional Council Questions:

Rollo asked if the parking zone would work as an exclusion to anyone who did not live in the zone.

Volan responded that it would.

Rollo asked where the funding for the proposed zone would come from.

Volan replied that there were two potential sources of funding; the parking meter fund or escalating fines for successive tickets.

Ordinance 16-20 (*cont'd*)

Sandberg said that she was supportive of parking protections for Garden Hill, and noted that the council had ample time to address the issue. She asked that the council separate the issue from their review of the proposed PUD.

Ruff replied that he thought the parking discussion was relevant, and agreed that they had time to address the issue.

Rollo agreed that Garden Hill would be significantly impacted, and said that he understood the residents' concerns.

Volan added that he did not think the parking issue would address the other concerns brought forward by the residents.

Piedmont-Smith asked what the maximum percentage of permeable pavement that could be used on the greenbelt without compromising the structural integrity was.

Hronkowsky gave more background into the different types of pavers that could be used, but said that he did not have exact numbers. He said that he thought it would be about 30%, but was willing to continue to talk to the council if it was a condition of approval. He added that it would not be limited to the greenbelt, but also could include the courtyard area as well.

Piedmont-Smith asked if a condition of a footpath made of 100% permeable materials would break their project.

Hronkowsky replied that it could, because it would be out of scale with the rest of the project.

Piedmont-Smith asked if she had not made it clear that permeable materials were important a few weeks prior, and if they had enough time to get estimates.

Hronkowsky responded that she mentioned it, but that they were focused on getting approval first, and would get more specifics as they went along.

Piedmont-Smith how much percentage-wise having the entire path made out of permeable materials would bring up the total permeability of the entire project.

Greulich estimated that it would be very low, perhaps 1%. He added that from staff perspective, some materials did not work well for bicycles and skateboards, and could be an issue.

Piedmont-Smith pointed out that there was a permeable parking area at the city's utilities building.

Greulich agreed that that was true, but noted it had significant maintenance problems. He said that they had seen greater success with paver block systems. He added that there were advantages and disadvantages with the different types of materials.

Mayer commented that the city was planning to re-pave the parking lot at utilities because the permeable parking materials had been destroyed.

Hronkowsky added that he thought the project was a very green development.

Piedmont-Smith clarified that she was concerned about the variance requested in the planning commission to get 70% impermeable materials instead of the 50% required under RH zoning regulations.

Sturbaum expressed concern about the lack of first floor commercial along Dunn Street, and said that he thought the drawings showed potential for commercial space.

Greulich said that there was nothing preventing the developers from turning that space into a commercial space, but they had adhered to the minimum required.

Ordinance 16-20 (*cont'd*)

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Ordinance 16-20 (*cont'd*)

Rollo asked whether staff recommended a cool roof or reflective surface.

Greulich responded that the townhomes would have pitched roofs, and the main buildings would have white roofs.

Volan asked of any thought was given to including parking on the west side of Dunn.

Greulich responded that it could be done, but was not discussed.

Volan asked what the setback of the building was on Dunn.

Greulich responded that it was about 35 feet.

Volan concluded that it seemed there was ample room for parking, and asked the developers if they had considered that as a possibility.

Kreuzer said that it had been discussed, but there was a concern about the width and grade of the street.

Volan asked about the idea of routing commercial visitors to use the parking garage.

Kreuzer replied that it was a possibility for employees, but could become problematic for other visitors who would not want to walk the extra distance.

Granger asked if adding parking on Dunn would mean the loss of green space.

Hronkowsky answered that the green space would be diminished. He added that the grade of the street would make parking very difficult.

Rollo asked about the energy efficiency of the proposed project.

Hronkowsky answered that the building would qualify for LEED certification, and added that a lot of the increased efficiency was due to the construction.

Rollo asked if tenants would be responsible for utilities.

Hronkowsky replied that they were moving toward including all the utilities in the rent, except for electricity at that time.

Rollo asked if heating and cooling would be electric.

Hronkowsky responded that the air conditioning would be electric, and that the heating could be gas or electric.

Ramsey added that in addition to the LEED certification, the project would also have to comply with the international energy efficiency code.

Piedmont-Smith if the first floor of the parking garage could be accessible for guests.

Hronkowsky replied that it was possible, but added that the practice was to put residents on the lower levels of the garage.

Ruff asked if it made sense to decrease the capacity of the garage.

Hronkowsky said that it would not make a difference in the overall design to do so.

It was moved and seconded that Ordinance 16-20 be postponed to a Special Session on November 9, 2016.

Volan commented that postponing the consideration of the ordinance would give more time for questions to be answered and allow for additional reasonable conditions to be attached.

Sherman suggested checking with the petitioners if it worked for them, but otherwise had nothing to add.

Ordinance 16-20 (*cont'd*)

Volan addressed the schedule and pointed to November 9, 2016 as the best date to address the project.

Petitioners responded that they would have someone available if they could not have a vote that night.

Piedmont-Smith said that she supported postponing because she had several ideas for reasonable conditions and questions she wanted answered before she voted to approve the project.

Chopra commented that she was ready to move forward on the project.

Rollo said that he wanted specificity on the date of the postponement.

Sturbaum stated that he would not support the continuation.

Piedmont-Smith made a friendly amendment to postpone the ordinance to November 2, 2016 instead.

Sherman gave a brief rundown of the expected schedule on November 2, 2016.

Volan stated that he withdrew the motion.

Ruff commented that he still had several questions and would like to postpone the hearing.

Piedmont-Smith withdrew her friendly amendment and asked to allow the motion for November 9, 2016 to stand.

Volan reinstated his proposal to postpone to a Special Session on November 9, 2016.

Vote to postpone Ordinance 16-20 [10:34pm]

The motion to postpone Ordinance 16-20 received a roll call vote of Ayes: 5, Nays: 4 (Sandberg, Chopra, Sturbaum, Mayer).

Ordinance 16-21 – To Vacate A Public Parcel – Re: A 50-Foot by 120-Foot Segment of North Grant Street Located South of 18th Street and East of 1313 North Grant Street (RCR Properties, LLC, Petitioner) [10:35pm]

It was moved and seconded that Ordinance 16-21 be introduced and read by title and synopsis only.

Sherman noted that this ordinance had an advertised public hearing attached to it, and urged the council to give the public a chance to comment.

The motion was approved by voice vote.

Deputy Clerk Lucas read Ordinance 16-21 by title and synopsis, giving the committee Do Pass recommendation of 3-1-4.

It was moved and seconded that Ordinance 16-21 be adopted.

Greulich introduced the legislation, and explained the area of the parcel to be vacated.

Ruff called for public comments; there were none.

Council Comment:

Chopra commented that she was disappointed that there were no students commenting on a project for student housing, and encouraged students to come forward and talk about the project the next time it come forward.

Volan commented that they had heard from students at the committee of the whole. He added that he did not support the vacation of right-of-way. He suggested that the greenway was not necessary to the project, and thought the right-of-way could be maintained for slow-moving traffic and provide options for connectivity. He added that he did not necessarily oppose the project itself, but he was opposed the parcel vacation.

Ordinance 16-21 (*cont'd*)

Piedmont-Smith stated that she had no problem supporting the ordinance, and thought the greenbelt was a good addition to the project.

Ruff said that he did not think it made sense to vote on this ordinance, and hoped someone would move to postpone it until November 9, 2016.

It was moved and seconded that Ordinance 16-21 be postponed to a Special Session on November 9, 2016.

The motion to postpone Ordinance 16-21 received a roll call vote of Ayes: 6, Nays: 2 (Chopra, Sandberg), Abstain: 1 (Sturbaum).

Vote to postpone Ordinance 16-21 [10:41pm]

LEGISLATION FOR FIRST READING [10:42pm]

It was moved and seconded that Ordinance 16-22 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Lucas read Ordinance 16-22 by title and synopsis.

Ordinance 16-22 – To Amend Title 2 (Administration and Personnel) of the Bloomington Municipal Code (To Establish a Parking Commission)

It was moved and seconded that Ordinance 16-24 be introduced and read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Lucas read Ordinance 16-24 by title and synopsis.

Ordinance 16-24 – To Amend the Zoning Maps from Residential Single Family (RS) and Residential High-Density Multifamily (RH) to Planned Unit Development (PUD) as well as Approve a District Ordinance and Preliminary Plan – Re: 600-630 E. Hillside Drive (Dwellings LLC, Petitioner)

There was no public comment at this time.

ADDITIONAL PUBLIC COMMENT [10:43]

Sherman reminded the Council of the meetings schedule for the following week.

COUNCIL SCHEDULE [10:43pm]

It was moved and seconded to schedule a Special Session after the Committee of the Whole on November 9, 2016.

The motion to schedule a Special Session on November 9, 2016 received a roll call vote of Ayes: 6, Nays: 0, Abstain: 3 (Sturbaum, Sandberg, Chopra)

Vote on Special Session [10:44pm]

The meeting was adjourned at 10:45pm.

ADJOURNMENT

APPROVE:

Andy Ruff, PRESIDENT
Bloomington Common Council

ATTEST:

Nicole Bolden, CLERK
City of Bloomington