

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, December 12, 2018 at 6:31pm with Council President Dorothy Granger presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
December 12, 2018

Members Present: Ruff, Sturbaum, Chopra, Piedmont-Smith, Granger, Volan, Sandberg, Sims, Rollo
Members Absent: none

ROLL CALL [6:31pm]

Council President Dorothy Granger gave a summary of the agenda.

AGENDA SUMMATION
[6:31pm]

Councilmember Dave Rollo explained that the Friends of Lake Monroe asked the Council to send a letter to the USDA Forest Service. He said the letter requested a 30-day extension for a comment period on a management and restoration project called the Houston South Vegetation Management and Restoration Project.

APPROVAL OF LETTER –
HOOSIER NATIONAL FOREST

Councilmember Susan Sandberg asked if there was a website or some other means for people to express concerns.

Rollo explained how people could submit comments.

Rollo moved and it was seconded to adopt the letter.

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

Vote on motion to adopt letter
[6:38pm]

Councilmember Stephen Volan moved and it was seconded that Resolution 18-24 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 and gave the committee do-pass recommendation of Ayes: 4, Nays: 1, Abstain: 4.

LEGISLATION FOR SECOND
READING AND RESOLUTIONS
[6:37pm]

Volan moved and it was seconded that Resolution 18-24 be adopted.

Resolution 18-24 – Approving the Issuance of Tax Increment Revenue Bonds of the City of Bloomington Redevelopment District to Finance the Costs of Acquisition and Construction for Two Parking Garages in the Bloomington Consolidated Economic Development Area and Costs Incurred in Connection with the Issuance of Such Bonds

Alex Crowley, Director of Economic and Sustainable Development, gave a presentation on the proposed 4th Street and Trades District parking garages. He described discussions between the administration and the Council that took place to reach agreements on key features of the garages, which were then memorialized by the Redevelopment Commission (RDC). He noted recent economic development trends and emphasized the importance of the parking facilities to development the city was trying to encourage.

Larry Allen, Assistant City Attorney, spoke about the next steps for the project. He gave a summary of each future step of the project, and a timeline of when those steps would take place, assuming the Council passed the resolution.

Volan moved and it was seconded to amend Resolution 18-24 by substitution as it appeared in the December 5th Legislative Packet.

Motion to amend Resolution 18-24 by substitution

Councilmember Isabel Piedmont-Smith asked Council Attorney Dan Sherman for clarification on the motion.

Sherman explained the need for the motion if the Council wished to address the two garages separately.

The motion to amend Resolution 18-24 by substitution as it appeared in the December 5th Legislative Packet received a roll call vote of Ayes: 9; Nays: 0; Abstain: 0.

Vote on motion to amend Resolution 18-24 by substitution [7:01pm]

Councilmember Chris Sturbaum asked for more information about when the 4th Street garage would need to be closed.

Resolution 18-24 (cont'd)
Council Questions:

Adam Wason, from the Public Works Department, stated that there were several steps that had to be taken before demolition could occur. He said the original timeline had been delayed due to the delays in getting Council approval.

Allen stated that the project could start as early as February or March and last as long as 20-24 months.

Piedmont-Smith asked Wason to speak about the possibility of repairing the 4th Street garage.

Wason said repairing the garage had been thoroughly considered. He said the CE Solutions Structural Report provided three different models for potential repair. He spoke about the different models based on the timeline and cost of each. He stated that there were several reasons why the administration did not believe that repairing the garage was in the best interest of the community. First, he said a new garage would provide an opportunity to add capacity. Second, he noted that there might be unanticipated deterioration that would increase the cost of repair. Third, he pointed out that the planned Convention Center expansion would limit the availability of other parking options in the future. He said the garage would likely need to be closed regardless of whether the city chose to repair it or replace it.

Piedmont-Smith pointed out that the costs for annual maintenance and operation would apply to either a new garage or to a repaired garage.

Wason said that was correct and reiterated that the repair estimates for the garage did not include the cost of ongoing maintenance or operation.

Piedmont-Smith said that that statement would be true for a new garage as well.

Wason said that was correct.

Granger asked what had been budgeted for the maintenance of a new garage.

Wason thought it was around \$63,750.

Rollo asked if the city intended to acquire the property to the south of the garage.

Crowley said negotiations for that property were pending.

Rollo pointed out that the results of the negotiation could impact the size of the garage. More levels would have to be added to accommodate more spaces if the garage were built on the same footprint. He said the garage could be as tall as 108 feet if 550 spaces were built on the same footprint. He asked if that calculation was correct.

Crowley said no. He said that the plan was to work through a design and planning process that helped determine how many spots would be in the garage. He pointed out that the maximum number of spaces was used for bonding purposes.

Rollo asked why a height maximum was not specified.

Crowley said the design and planning process was in place to make those types of decisions.

Rollo said that a height limit could be part of the design process, which could be amended by the RDC if needed.

Crowley said the administration preferred not to specify a height maximum because it could unnecessarily limit the design process that would take place after approval.

Resolution 18-24 (cont'd)

Councilmember Jim Sims asked if a broad public notice would be sent out as part of the process outlined by Allen.

Allen said the notice served dual purposes. It was a community-wide notice for the public hearing and also a notice to the interested parties.

Volan asked why an ultrasonic survey had not been completed on the 4th Street Garage if the administration had actually considered the repair option.

Wason said the city's structural engineering team did a full assessment, which lead to very detailed cost estimates. He said the survey would be the next step.

Volan said the administration did not give the Council the option to repair the 4th Street Garage.

Wason said that the administration made the decision to move forward with a proposal for a new garage.

Volan asked if a story could be added to the existing garage.

Wason said no.

Volan asked who told him that.

Wason said the teams the city was working with at Core Strategic Partners and CE Solutions advised against it.

Volan asked if the administration took into account the impact of Ordinance 18-11 before estimating the need for parking spaces.

Crowley said that the ordinance was passed after the parking study had been completed by Desman Design Management. He said there was a desperate need for parking within the business community.

Volan said there was a demand for parking, but not necessarily a need for it.

Crowley said there was a growing vibrancy in the downtown area. He said many companies were growing, and those employees were driving their cars to work. He said growth would be hindered by a lack of access to parking.

Volan asked if employees currently using the parking garage would be happier if parking was available again at the 4th Street garage in six months or in two years.

Crowley said employees would most likely prefer parking to be available sooner. He said that replacing the garage would be better in the long run because it could be done while alternative parking locations were available. He also thought that employees would appreciate added capacity.

Chopra asked how the funding for the property adjacent to the 4th Street garage would be handled.

Crowley said there were accommodations in the bond proposal to acquire access to the property.

Chopra asked if the bond included an accurate estimate of how much it would cost to buy such a desirable property.

Crowley said the bond accommodated a number of scenarios.

Jeff Underwood, City Controller, stated that he believed the price had been accounted for. He said there were a variety of possible ways to acquire access to the property, one of which was an outright purchase.

Chopra asked if there was any possibility that the building would remain at its existing scale.

Underwood said it was a possibility, as the design had not been finalized.

Sturbaum asked for renderings of the garage to be displayed. He asked why a height limit had not been included in the project review form, given that city developments were subject to the same approval processes as any other development.

Mick Renneisen, Deputy Mayor, said that was exactly what the design discussion was all about. He said the city was not immune to the public process, which was why the administration wanted that process to play out.

Sturbaum asked if small changes, like going from a 70-foot garage to a 72-foot garage, were things the Plan Commission could address, even if a height limit were placed on the project.

Renneisen stated that he assumed everything that had been negotiated with the Council and put on the project review form was a hard number. He assumed that a 70-foot limit would mean nothing taller than 70 feet.

Sturbaum said the city set height limits for everyone else.

Renneisen said those limits were part of the design process. He also pointed out that the diagrams being displayed were only sketches and that nothing had been designed yet.

Sturbaum stated that the point of the renderings was to show the size of the structure in context with the surrounding buildings. He said many councilmembers would be comfortable with a 70-foot height limit.

Piedmont-Smith asked why the deliberations about repairing versus replacing the garage did not include the Council.

Wason said there was a full decision making process within the administration to come up with the recommendation that was before the Council. He said staff used their best professional judgment to come up with the proposal.

Volan pointed out that another project opposed by many councilmembers, the Graduate Hotel, was approved by the Plan Commission even though it was two to three stories higher than the rest of the buildings in that area. He thought the reluctance to set a height limit meant that the administration simply did not want the Council to make the decision on height. He asked for the administration to comment.

Renneisen said the Graduate Hotel had been approved by a different Plan Commission and a different Mayor. He said the administration understood the sensitivity to height but it preferred not to pre-design the structure.

Volan said the administration had already indicated its preference by putting an upper limit of 550 spaces on the project.

Renneisen said that number was a maximum and was used for bonding purposes.

Sandberg said Renneisen made a good point about the Graduate Hotel receiving approval from a different Plan Commission and during a different time. She said the current Plan Commission was cognizant of the strong distaste the community had expressed for buildings the size of the Graduate Hotel. She did not think the commission would ignore the lessons learned from the Graduate Hotel.

Rollo asked if there was a minimum number of spaces that would be included in a new facility. Resolution 18-24 (cont'd)

Crowley reiterated that the figure of 550 spaces was simply being used for bonding purposes and was not a goal for the new garage. He said the administration was trying to grow capacity and have the highest bonding capability. He said there was no minimum that had been discussed.

Rollo said he was taking the figure of 550 spaces as a real possibility. He asked if he was misinterpreting the potential for that number of spaces in the garage.

Crowley said yes. He said that number was associated with bonding. He said that would be the maximum number of spaces allowed, but the project would go through a design process that would dictate the final number of spaces.

Rollo said he assumed the new garage would not be smaller than the existing garage, so he thought the range would be from 350 spaces to 550 spaces.

Volan asked why the administration did not bond for less if it did not intend to build 550 spaces.

Karen Valiquett, CORE Planning Strategies, wanted to make it clear that the rendering being displayed was a garage that one architect put together as a concept drawing, which happened to have 524 spaces as shown. She said the final number of spaces was not yet known. She said it would be inaccurate to take the numbers as final because there were many other design options available.

Volan asked how many spaces could fit on each floor if the city wanted to maximize capacity.

Valiquett said if the city wanted to maximize spaces it would not include the retail and commercial space in the garage. She said the garage would not include convertible levels since those took up a lot of parking spaces as well. She said a more traditional garage could accommodate more spaces.

Sturbaum asked about the flexibility of the commitments contained in the project review form.

Crowley said that it would be better to allow for flexibility since there would be give and take as the design was finalized.

Ron Walker of CFC Properties said that CFC Properties was the largest holder of permits in the 4th Street garage. He strongly encouraged the Council to rebuild and expand the parking garage because they were out of parking. He said they created a plan for their employees to park during the interim period.

Public Comment:

Eoban Binder stated that if more parking was created then more cars would also be downtown. He strongly urged Council to vote against the resolution.

Jessika Griffin stated that the city should be spending money to create other options for transportation.

Mallory Rickbeil discussed her experience living car free in Bloomington. She stated that she needed more transportation options, not a new parking garage.

Talisha Coppock, Downtown Bloomington Inc., argued that parking was a need for many downtown employees.

Abbey Stemler, Assistant Professor at the Kelley School of Business, discussed the need for better infrastructure for other transportation modes. She asked the Council to not waste resources on parking garages. Resolution 18-24 (cont'd)

Daniel Halsey stated that driving was much easier and he would be glad to pay a reasonable rate. He said having available parking was very important to him since he did not live downtown. He said the current garage needed to be replaced.

Tracy Gates, a café owner on the square, thought that the parking garage should only be repaired, not replaced. She thought there was enough parking downtown.

Kate Rosenbarger, Executive Director of TEDxBloomington, urged Council to vote no on the new parking garage.

Matt Flaherty stated that parking prices needed to be increased in order to decrease parking demand. He thought the parking garage should be repaired. He hoped the Council would vote no.

Mark Stosberg recommended the repair option.

Jim Rosenbarger supported repairing the existing garage. He said repairs would cost less per space. He thought repairing would be fiscally sound.

Lynn Coyne, President of the Bloomington Economic Development Corporation, asked the Council to allow employees to get to their jobs and have available parking.

Daniel Bingham stated that infrastructure needed to be built that incentivized walking, biking, and other modes of transportation.

Jaclyn Ray thought that building the new garages countered the city's sustainability goals. She did not support the resolution.

Randy Lloyd appreciated the discussion and dialogue over policy in Bloomington. He supported a new garage.

Scot Davidson asked supported rebuilding the garage.

Erin Predmore, President of the Bloomington Chamber of Commerce, stated that people would have nowhere to park if the city did not replace the parking garage. She asked them to remember the working parents that needed the parking.

Greg Alexander discussed his experience as a one car family and how he walked his kids to school everyday. He opposed more cars driving in Bloomington.

Vauhxx Booker was disappointed that the City had not investigated ways to mitigate the parking demand. He stated he would like to see more specifics on the project.

Rollo moved and it was seconded to postpone the consideration of Resolution 18-24 to Wednesday, December 19, 2018. He thought the height and size of the structure needed to be discussed and considered further.

Motion to postpone
Resolution 18-24

Rollo said he wanted councilmembers to have a chance to comment on the resolution.

Sherman explained how the motion could be withdrawn.

Rollo withdrew the motion to postpone and Sturbaum withdrew his second.

Volan asked how many more non-reserved permits could be sold after the passage of Ordinance 18-11 in the 4th Street garage.

Council Comment:

Ryan Daley, Parking Garage Manager, said 4th Street garage was at capacity. He said 50 spaces were kept open for transient parking ticket holders.

Volan asked what portion of the parking spaces for permit holders were reserved versus non-reserved.

Daley said about 70 permitted spaces were reserved.

Volan asked whether more permits would be sold if the reserved permits became non-reserved.

Daley said he would add more spaces for ticket holders.

Rollo spoke about various considerations that affected his decision to either replace or repair the garage. The considerations included the extent of structural damage to the garage, the impact of each option on downtown businesses, and the sustainability of the two options. He expressed concerns about approving the funding for the garage without knowing the height or size of the structure. He said he would like to delay the vote, but would be unable to support the resolution as it existed.

Chopra moved and it was seconded to limit council comment to no more than three minutes per councilmember.

Motion to limit debate

Ruff stated that he disagreed with the motion.

Volan stated he supported some time limits, but said it was also important that they be able to debate and discuss with each other.

Chopra stated that it was better to listen than to speak. She said that the council meetings lasted too long, which was disrespectful to the public.

Rollo emphasized the importance of the decision on the resolution. He believed councilmembers needed to explain their stance on the matter thoroughly.

Volan said he supported the principle behind the motion.

Sims stated that, as elected officials, their time should not be limited. He suggested that they think about limits in the future.

Sherman stated that the motion needed a two-thirds majority to pass.

The motion to limit debate received a roll call vote of Ayes: 2 (Chopra, Piedmont-Smith), Nays: 7, Abstain: 0.

Vote on motion to limit
debate [9:07pm]

Sandberg said she appreciated all the input throughout the entire process. She explained the Council had asked for a rendering that showed the scale of the garage. She reiterated that the rendering displayed during the meeting was not the actual design of the garage. She believed that the public sector had an obligation to support public amenities and infrastructure. She said the city needed to invest in sustainability and the local economy. She urged people to let the design process play out and to not postpone the resolution. She said she would support the resolution.

Piedmont-Smith said there were several reasons to oppose the bond. She said the administration never gave the Council the option of repairing the garage, though she was confident that the garage could be repaired. She encouraged her colleagues to vote to repair the garage because it was more fiscally responsible. She said the city needed to see how parking demand responded to the new rate structure, a new transportation demand management plan, emerging transportation ride-share options, and the new parking manager position. She said the cost difference between repairing the garage or building a new garage would have a large impact on the amount of TIF money available for other infrastructure projects. She thanked the members of the public that spoke out about climate change. She stated that she strongly believed that Bloomington should stop subsidizing fossil fuel use. She said she would not be supporting the bond.

Chopra said she viewed the repair of the 4th Street garage as a compromise that would address many of the concerns expressed. She stated she would be voting no on the bond.

Sims said the business community had been asking for more parking downtown. He acknowledged that parking was not as urgent a need as other services, like hospitals, but thought there was some need for parking. He said parking needed to be managed so that Bloomington could repurpose its parking structures at a later date if they were no longer needed. He spoke about the importance of alternative transportation and working to reduce reliance on fossil fuels. He said repairing the garage was not the worst option. He noted that Bloomington was a regional hub that attracted drivers for various purposes. He said the Council would decide based on what it believed was best for the community.

Volan said the nature of the proposal meant that the Council only had one opportunity to influence the project, which also limited the opportunity to negotiate with the administration. He said there were many things that could be done to manage parking demand, such as pricing changes, reducing reserved parking spaces, and harnessing of private lots. He spoke about retrofitting the existing garage with solar panels and charging stations. He stated that repairing the garage was the least expensive choice. He believed the concerns about repairing the garage voiced by the administration all had reasonable solutions. He said repairing the garage was the best option, so he would vote against the bond.

Ruff read excerpts from the Intergovernmental Climate Change Report. He asked the Council and the public to take the excerpts literally. Ruff said many of the concerns expressed at the meeting were trivial when looking at the big picture of climate change. Ruff agreed repair of the 4th Street Garage was a good compromise. Ruff said he would like more information on repairing the garage. Sturbaum said the Council needed another week to make a decision.

Granger stated that the administration and the Council had worked very hard to get to a place where the Council could approve the garage, but she still had concerns. She did not want a large structure to change the character of downtown Bloomington. Granger said that the city needed to be more responsible regarding sustainability. Granger asked Rollo if he would like to reintroduce his motion to postpone the resolution.

Resolution 18-24 (cont'd)

Rollo moved and it was seconded to postpone consideration of Resolution 18-24 to Wednesday, December 19, 2018.

Motion to postpone Resolution 18-24

Chopra said she would be voting no on the motion. She said the council needed to vote on the resolution that evening.

Volan believed the Council needed more time to make a decision.

Granger encouraged a postponement for a week to find the best solution.

Sims asked where the funding would come from if the Council chose to repair the 4th Street garage.

Piedmont-Smith said she would support delay in order to understand the funding for repairing the garage.

The motion to postpone the consideration of Resolution 18-24 received a roll call vote of Ayes: 8, Nays: 1 (Chopra), Abstain: 0.

Vote on motion to postpone Resolution 18-24 [9:51pm]

Volan moved and it was seconded that Resolution 18-25 be introduced and read by title and synopsis only. The motion was approved by voice vote. Lucas read the legislation by title and synopsis, giving the committee do-pass recommendation of Ayes: 6, Nays: 0, Abstain: 1.

Resolution 18-25 – Approving the Issuance of Tax Increment Revenue Bonds of the City of Bloomington Redevelopment District to Finance the Costs of Acquisition and Construction of the Trades District Parking Garage in the Bloomington Consolidated Economic Development Area and Costs Incurred in Connection with the Issuance of Such Bonds.

Volan moved and it was seconded that Resolution 18-25 be adopted.

Crowley noted that the Council was familiar with the proposed Trades District garage and its importance to the Trades District. He said that he could answer any additional questions councilmembers had.

Volan asked if the end of 2020 was the earliest the garage could open.

Council Questions:

Crowley said that was correct.

Volan asked whether the garage could be build concurrently with developments built in the area.

Crowley said there were both known and unknown developments in the district. He said that the Dimension Mill, the Kiln, the development of the administration building, and a project with TASUS would all require parking. He noted that future tenants moving to the area would also remove some existing surface parking being used by those developments.

Volan asked whether there was any objective justification for the estimated demand for parking in the area.

Crowley said the resolution only asked the Council to approve a bond for a 300-space garage. He said the garage was needed to show developers and investors that the city was committed to activating the district.

Piedmont-Smith asked if the city would be encouraging businesses in the district to implement an employer transportation demand management program.

Resolution 18-25 (cont'd)

Crowley said he expected that would happen. He said the city first needed to develop a transportation demand management plan. He noted that the district would hopefully attract forward-thinking companies who would be open to creative transportation solutions. He said there would still be some need for parking even with such efforts in place.

Piedmont-Smith asked how much TIF revenue the city expected new businesses in the district to generate.

Crowley estimated between \$1 million and \$1.5 million per year, once fully built out.

Rollo asked for the sustainable features of the garage to be displayed.

Crowley reviewed the sustainable features of the garage that were included in the project review form.

Eoban Binder discussed the impacts of climate change and the effect the parking garage could have.

Public Comment:

Mark Stosberg discussed timing of execution for the parking garage.

Jane Martin discussed her support for a transitional parking garage for the Trades District.

Kate Rosenbarger thought building a sustainable parking garage did not correlate to a sustainable city and discussed the effect of subsidized parking. She asked the Council to oppose the garage.

Jim Rosenbarger discussed the supply of parking.

Greg Alexander thought the parking garage would create a greater incentive for people in the city to work in the city.

Matt Flaherty thought the Council should build a surface lot instead of a parking garage. He opposed the parking garage.

Daniel Bingham discussed using the money to update the bus system and the effects the parking garage could have on emissions.

Erin Predmore asked Council to remember that there were people who were attempting to invest in the community and needed the parking garages.

Lynn Coyne discussed the absence of mass transit but still thought the parking garage was needed to support future development.

Sturbaum said he supported the parking garage because it would encourage economic development.

Council Comment:

Rollo said that having a compact downtown was more sustainable than encouraging sprawl. He said Bloomington was promoting other forms of transportation and was making progress, through projects like the recently approved greenway on 7th Street. He hoped that the demand for parking in the Trades District could be lowered, and called for the completion of a transportation demand management plan. However, he saw a need for the 300 space garage. He said he would support the resolution.

Resolution 18-25 (cont'd)

Sandberg emphasized the importance of balancing economic development and respect for the environment. She said Bloomington did a good job of encouraging sustainability, pointing to the city's commitment to incorporating solar energy whenever possible. She said the Trades District was an investment to attract the kinds of jobs and people Bloomington wanted. She thought it was important to provide parking so that the investors and developers of the district could see the city was committed to the success of the district.

Chopra said she would vote in favor of the project. She said parking was important to the success of the district.

Volan said the city was overestimating how much parking would be needed in the district. Despite that, he said he could support the project because it only included 300 spaces. He said he would be working hard to lower the total amount of parking spaces built in the district. He also emphasized the importance of setting the price for parking at the correct amount, so that the city was not subsidizing parking. He thought parking revenues could be used to encourage public transportation. He stated he was in support of the garage.

Piedmont-Smith said she wanted to end the practice of subsidizing fossil fuels, which meant setting parking rates at prices that reflected the actual cost of that parking. She said she supported the bond issue but would also support the price increases Volan promised to propose. She also wanted to explore ways to use TIF funding to support public transportation. She said she would support the resolution.

Granger thanked the administration for working with the Council on both parking garage issues. She said it was important that the parking garage be convertible, if the city wanted to reduce the need for parking. She felt very strongly that the city needed to be pushing for alternative transportation incentives.

Ruff thought the proposal was a small, transitional facility. He was not convinced that it was necessarily needed. He still saw the garage as a subsidy that distorted the market and created more parking demand than could be sustained. He said people would choose to park if the city made it quick and easy. He was not in support of the garage.

The motion to adopt Resolution 18-25 received a roll call vote of Ayes: 8, Nays: 1 (Ruff), Abstain: 0.

Vote on Resolution 18-25
[10:54pm]

Sherman spoke about the upcoming council schedule.

COUNCIL SCHEDULE

Piedmont-Smith moved and it was seconded to approve the 2019 annual schedule. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Approval of Annual Schedule

The meeting was adjourned at 10:59pm.

ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 30th day of January, 2019.

APPROVE:

ATTEST:



Dave Rollo, PRESIDENT
Bloomington Common Council



Nicole Bolden, CLERK
City of Bloomington