



# City of Bloomington Common Council

## Legislative Packet

**Wednesday, 19 December 2018**

### **Regular Session**

For legislation and background material regarding Resolution 18-24 (Parking Garage Bond), please see the [24 October 2018 Legislative Packet](#) and [05 December 2018 Legislative Packet](#).

For legislation and background material regarding Ordinance 18-10, Ordinance 18-26, Ordinance 18-27, and please see the [05 December 2018 Legislative Packet](#).

For legislation and background material Resolution 18-26, please see the [05 December 2018 Legislative Packet](#) and [12 December 2018 Legislative Packet](#)

For legislation and background material regarding Resolution 18-27, please see the [12 December 2018 Legislative Packet](#).

All other legislation and background material contained herein.

*For a schedule of upcoming meetings of the Council and the City's boards and commissions, please consult the City's [Calendar](#).*

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**City of  
Bloomington  
Indiana**



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**To: Council Members**  
**From: Council Office**  
**Re: Weekly Packet**  
**Date: 14 December 2018**

<b>LEGISLATIVE PACKET CONTENTS</b>	
<b>REGULAR SESSION: WEDNESDAY, 19 DECEMBER, 6:30 PM</b>	
<ul style="list-style-type: none"><li>• Memo from Council Office</li><li>• Agenda</li><li>• <u>Ordinance 18-26</u> (Amendments)</li><li>• <u>Resolution 18-18</u> (New Legislation)</li><li>• Minutes</li></ul>	
<b>REMINDERS</b>	
The meeting on the 19th is the Council's last meeting of the year. The Council will next meet on <b>09 January 2019</b> for an Organizational Meeting.	

**Legislation for Consideration at the Regular Session on Wednesday, 19 December 2018**

**Second Readings and Resolutions:**

- Ordinance 18-26 - Title 15 (Vehicles and Traffic) – Miscellaneous Changes
- Ordinance 18-10 - Title 2 (Administration and Personnel) - Adding Provisions Requiring Additional Council Oversight of Certain City Fiscal Actions
- Ordinance 18-27 - Title 9 (Water) - Adding new chapter regulating backflow and cross connections
- Resolution 18-26 - Approving Lease Purchase of Smart Water Meters
- Resolution 18-27 - Preliminary Approval of Economic Development Bonds for Renovation of Canterbury House (Affordable Housing)
- Resolution 18-24 – Approving Issuance of TIF District Revenue Bonds – Re: Rebuilding the 4<sup>th</sup> Street Garage
- Resolution 18-18 – Approving Interlocal Agreement with Monroe County – Re: Building Code Authority – New Legislation

**First Readings:** None

## Legislative Material for Regular Session

**Ordinance 18-26:** Title 15 (Vehicles and Traffic) – Miscellaneous Changes

→ Please see the [05 December 2018 Legislative Packet](#) for legislation and background material.

Included in this packet:

- Am 01 (Cm. Piedmont-Smith, Sponsor) – minor corrections
- Am 02 (Cm. Granger) - removal of bar to obtain garage and lot permits based upon money owed to the City

**Ordinance 18-10:** Title 2 (Administration and Personnel) - Adding Provisions Requiring Additional Council Oversight of Certain City Fiscal Actions

→ Please see the [05 December 2018 Legislative Packet](#) for legislation and background material.

**Ordinance 18-27:** Title 9 (Water) - Adding new chapter regulating backflow and cross connections

→ Please see the [05 December 2018 Legislative Packet](#) for legislation and background material.

**Resolution 18-26:** Approving Lease Purchase of Smart Water Meters

→ Please see the [05 December 2018 Legislative Packet](#) for legislation and background material.

→ Please see the [12 December 2018 Legislative Packet](#) for Lease Purchase and Escrow Agreements

**Resolution 18-27:** Preliminary Approval to Issue Economic Development Bonds for Renovation of Canterbury

→ Please see the [12 December 2018 Legislative Packet](#) for legislation and background material

**Resolution 18-24:** Bond Resolution for the 4<sup>th</sup> Street Garage (Amendment by Substitution)

→ Please see the [24 October 2018 Legislative Packet](#) for initial legislation and background material.

→ Please see the [05 December 2018 Legislative Packet](#) for revised legislation (Amendment by Substitution) and supporting memo.

**Resolution 18-18:** Approval of Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana – Re: Building Code Authority Memo to Council from Philippa Guthrie, Corporation Counsel

- Exhibit A: Interlocal Agreement – 2019 (Proposed)

Contact:

Philippa Guthrie at 812-349-3426 or [guthriep@bloomington.in.gov](mailto:guthriep@bloomington.in.gov)

## **Second Readings and Resolutions – Summary of New Legislation**

### **Ordinance 18-26: Title 15 (Vehicles and Traffic) – Miscellaneous Changes**

The Council heard a presentation of Ord 18-26 at last week's Committee meeting. Two amendments are being proposed. Summaries of both follow. Both are included herein.

- **Am 01** (Piedmont-Smith).

This amendment makes two technical corrections to Ord 18-26. First, the amendment corrects an error in Section 7, making clear that the "No Parking Zone" being added on Eleventh Street is to extend from Morton Street to 40' east of Morton Street. The amendment also replaces all references to the street name "Trades Street" with "Maker Way" to reflect the results of a recent community contest to name this new street in the Trades District.

*The Council gave this amendment a "Do Pass" Recommendation, 6-0-1 (Volan)*

- **Am 02** (Granger)

This amendment deletes a provision of the Bloomington Municipal Code providing that no permits for garages or lots may be issued until all debts associated with the vehicle or the vehicle's owner owed to the City are paid. This provision is being deleted as there is no analogous provision associated with the issuance of neighborhood parking permits.

*This amendment will be introduced on the 19th.*

### **Resolution 18-18: Approving the Interlocal Agreement with Monroe County Regarding Building Code Authority – to Extend for One Year (1/1/19 through 1/1/20)**

Res18-18 approves an Interlocal Agreement with the County which would extend the County's authority over the administration of building codes for one year, from the end the day on January 1, 2019 through January 1, 2020. Since 1996, when the County adopted a comprehensive plan and was able to exercise zoning authority over the former 2-mile fringe, the City and County have had agreements over building codes and, for most of that time, the planning and zoning jurisdictions. As noted in previous summaries, the principal benefit of the agreement "is in providing convenient and efficient one-stop-shopping for citizens of Monroe County and the City of Bloomington" who are in need of building permits. Affirming this conclusion, Philippa Guthrie, Corporation Counsel, in her memo, states that "(t)he Administration continues to believe that vesting local building code administration in a single entity (the Monroe County Building Department) is the most cost effective and convenient way to provide necessary building code services to the citizens of the City."

Interlocal Agreements. Please note that agreements between political subdivisions (otherwise known as "interlocal agreements") are authorized and governed by I.C. 36-1-7-1 *et seq* and must include the:

- duration;
- purpose;
- manner of financing, budgeting, staffing and supplying the joint undertaking;

- method(s) for disposing of property in the event of a partial or complete termination; and
- administration either through a separate entity or a joint board (which is the approach taken here) with powers as delegated by the agreement.

In addition, these agreements may include:

- any other appropriate matters.

History of Agreements with County on Planning, Zoning, and Building Permits Over the last two decades, the parties have continued this cooperation with a series of legislation that, on occasion, called for brief extensions to allow for completion of negotiations, and more often, granted full, five-year agreements.<sup>1</sup> You may recall that, as the result of the City and County signing different versions of the agreement, two resolutions were adopted earlier this year with some changes in terms. Among other changes, the last of those agreements shortened the term from 21 months to about nine months.<sup>2</sup>

Overview of Terms and Extension of Current Agreement The proposed agreement keeps the same provisions as the existing agreement except for the extension of the term by one year from the end of the day on January 1, 2019 through January 1, 2020.<sup>3</sup> The remainder of this summary briefly describes the significant terms of this agreement and, in doing so, reiterates what was written earlier this year.

Under the agreement, the Monroe County Building Department enforces all State building, plumbing, electrical, mechanical, energy conservation and fire building safety codes within the City and unincorporated areas of the County, and the City administers all planning, zoning, and subdivision compliance functions within the City's Zoning Jurisdiction Area.<sup>4</sup>

Along with providing for the future modification of the agreement and liberal interpretation of its terms, recognizing that each term is contingent upon the appropriation of funds, and requiring that cooperation not be unreasonably withheld, the remainder of the agreement provides for the following:

- The Monroe County Building department processes all permits and fees related to the building codes. The fees collected on behalf of the City are the sole payments due under this agreement and will be transmitted on a quarterly basis (as promptly after the 1<sup>st</sup> of January, April, July, and October after allowing for the County's claims processing procedures).

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<sup>1</sup> The legislation authorizing past agreements included: Res 96-33 (authorizing a 5-year term for both the planning and building codes); Res 01-31 (authorizing a 3-month extension for both planning and building codes); Res 02-09 (authorizing a 5-year term for planning codes) and Res 02-10 (authorizing a 1-year term for building codes); Res 02-38 (authorizing a 4-year term for the building codes); Res 07-02 (authorizing a 5-year term for one agreement covering both planning, zoning and building codes); Res 12-14, authorizing a five-year term for the building code; and, Res 17-15, authorizing a one-year extension for the building code.

<sup>2</sup> These resolutions included Res 18-05, which authorized a 21-month extension, and Res 18-08, which: shortened the term from 21 to 9 months; removed text that allowed for either party to cancel the agreement upon 30-day written notice to the executive of the other party; and, lastly, corrected some job titles and grammar.

<sup>3</sup> The Agreement was approved by the County Commissioners on December 12, 2018.

<sup>4</sup> The term "City Zoning Jurisdiction Area" is defined as "those portions of the County over which the City, by law or interlocal agreement, possesses planning, zoning, and subdivision control authority."

- The City Planning and Transportation Department will pick up and drop off permit materials every day until the County is able to transmit this information electronically and, in addition, both parties agree to make their best efforts to expedite the permitting process.
- The Monroe County Building department shall not to issue a building permit within the City's planning jurisdiction without receiving a certificate of zoning compliance from the City and without transcribing the conditions onto the permit. They shall not issue any occupancy permit without requiring compliance with the conditions of the permit.
- The City will be responsible for determining zoning and subdivision compliance and administer bonds within its planning jurisdiction area and the County must e-mail any notice of certificate of occupancy permit to the City in order to facilitate simultaneous inspections. Both parties agree to provide information requested by the other party in a timely fashion.
- For residential rental property within the corporate limits, the County may not issue any type of permit that changes the disposition of the structure until the HAND department has reviewed and released the application and cannot issue a certificate of occupancy until HAND has confirmed compliance with the Property Maintenance Code.
- The County will waive fees for affordable housing projects within the City as set forth in local code and allow waiver of certain fees under specified conditions for eligible affordable housing projects.
- The County will cooperate with the City in sharing GIS information. This will entail handling and transmitting permit-related data to the City in a manner that meets the City's needs, yet accounts for the County's capabilities.
- The County will notify the appropriate fire department of pertinent applications and transcribe all the requested notations onto the temporary and permanent Certificates of Occupancy. The County will also notify the City Fire Department of all applications for variance from the fire code regarding properties within the City in order to help coordinate communication with the Indiana Fire and Building Safety Commission.
- The County shall inspect utility-related permit activity that occurs within areas between buildings and the connection to the City's main or meter, and determine compliance with applicable ordinances and regulations.
- The County shall issue Stop Work Orders upon the written request of the City Planning and Transportation Director, Transportation and Traffic Engineer, or the Director of HAND. These orders will be used to stop construction activity when there has been a violation of the zoning or subdivision ordinance, historic preservation ordinance, or in those circumstances when the matter will be presented to the Board of Zoning Appeals. The party whose ordinance(s) have been violated will be responsible for enforcing the violation.

***Happy Belated Birthday to Cm. Sims***  
*who spent his birthday on December 12<sup>th</sup>*  
*(and some of the following morning)*  
*in the Council Chambers!*

**NOTICE AND AGENDA  
BLOOMINGTON COMMON COUNCIL REGULAR SESSION  
6:30 P.M., WEDNESDAY, 19 DECEMBER 2018  
COUNCIL CHAMBERS  
SHOWERS BUILDING, 401 N. MORTON ST.**

- I. ROLL CALL**
- II. AGENDA SUMMATION**
- III. APPROVAL OF MINUTES FOR:** 31 October 2018 – Regular Session  
14 November 2018 – Regular Session
- IV. REPORTS** (A maximum of twenty minutes is set aside for each part of this section.)
  - 1. Councilmembers**
  - 2. The Mayor and City Offices**
  - 3. Council Committees**
  - 4. Public\***
- V. APPOINTMENTS TO BOARDS AND COMMISSIONS**
- VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS**

1. Ordinance 18-26 To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” – Re: Amending Chapter 15.08 (Administration) to Extend the Time Period Permissible for Temporary, Experimental, or Emergency Traffic Regulations, Chapter 15.12 (Stop, Yield and Signalized Intersections) to Codify 90-Day Orders, Chapter 15.24 (Speed Regulations) to Codify 90-Day Orders, Chapter 15.26 (Neighborhood Traffic Safety Program) to Add Traffic Calming Locations, Chapter 15.32 (Parking Controls) to Make Changes to No Parking and Limited Parking Zones; Chapter 15.34 (Accessible Parking for People with Physical Disabilities) to Authorize the Transportation and Traffic Engineer to Approve Changes in Accessible Parking; and, Chapter 15.40 (Municipal Parking Lots, Garages and On-Street Metered Parking) to Grant Authority to the Parking Services Director to Modify Parking Fees for Special Events and to Make Changes to Non-Reserved Monthly Garage Permits

Committee Recommendation	Do Pass: 7 – 0 – 0, as amended
Am – 01 (Piedmont-Smith)	Do Pass: 6 – 0 – 1
Am – 02 (Granger)	Do Pass: N/A

2. Ordinance 18-10 To Amend Title 2 of the Bloomington Municipal Code (BMC) Entitled “Administration and Personnel” (Inserting BMC 2.26.200 to Provide for Additional Council Oversight of Intra-Category Transfers of \$100,000 or More within Certain Funds; Inserting BMC 2.26.205 to Require Submittal and Approval of Capital Plans Associated with Such Funds for the Applicable Year and Council Review of Capital-Related Expenditures of \$100,000 or More Not Identified in those Plans; and, Inserting BMC 2.26.210 to Require that Certain Other Expenditures in Such Funds of \$100,000 or More be Identified and, if Not Previously Identified, then be Reviewed by the Council)

Committee Recommendation	Do Pass: 6 – 0 – 0
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3. Ordinance 18-27 To Amend Title 9 of the Bloomington Municipal Code Entitled “Water” (Adding Chapter 9.24 – Standards for the Control of Backflow and Cross Connections)

Committee Recommendation	Do Pass: 7 – 0 – 0
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4. Resolution 18-26 To Approve an Equipment Lease Purchase Agreement and Other Related Matters – Re: Purchase and Installation of Utility Metering Improvements

Committee Recommendation	Do Pass: 7 – 0 – 0
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5. Resolution 18-27 Preliminary Approval to Issue Economic Development Bonds and Lend the Proceeds for the Renovation of Affordable Housing at 540 S. Basswood Drive

Committee Recommendation	Do Pass: 7 – 0 – 0
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6. 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

*This resolution was postponed from one meeting to the next as follows: from 31 October to 14 November, then to 05 December, to 12 December, and then 19 December.*

Committee Recommendation (10/24)	Do Pass: 4 – 1 – 4
Amendment by Substitution: Cm. Volan	Do Pass: None (Postponed to 12/19)

7. Resolution 18-18 Approval of Interlocal Cooperation Agreement between the City of Bloomington and Monroe County, Indiana – Re: Building Code Authority

**VII. LEGISLATION FOR FIRST READING**

**VIII. ADDITIONAL PUBLIC COMMENT\*** (A maximum of twenty-five minutes is set aside for this section.)

**IX. COUNCIL SCHEDULE**

**X. ADJOURNMENT**

\* Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment opportunities. Citizens may speak at one of these periods, but not both. Speakers are allowed five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak. Auxiliary aids are available upon request with adequate notice. Please call (812) 349 - 3409 or e-mail [council@bloomington.in.gov](mailto:council@bloomington.in.gov).

**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 18-26  
**Amendment #:** Am 01  
**Submitted By:** Councilmember Piedmont-Smith, District V  
**Date:** 10 December 2018

**Proposed Amendment:**

1. Ord 18-26 shall be amended by making a correction to Section 7, to make clear that the “No Parking” Zone on Eleventh Street shall extend from Morton Street to 40’ east of Morton Street, such that the second row in the table listed in Section 7 shall read as follows:

Eleventh Street	Morton Street	40’ east of Morton Street	North	Anytime
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2. Ord 18-26 shall be further amended by replacing all references to the street name “Trades St.” or “Trades Street” in the following sections to “Maker Way”: Section 2 (Schedule A, Stop Intersections), Section 4 (Schedule I, Increased or Decreased Speed Limits), and Section 14 (Schedule U, Locations, On-Street Parking Metered Parking Locations and Maximum Rates).

**Synopsis**

This amendment is sponsored by Councilmember Piedmont-Smith and makes two technical corrections to Ord 18-26. First, the amendment corrects an error in Section 7, making clear that the “No Parking Zone” being added on Eleventh Street is to extend from Morton Street to 40’ east of Morton Street. The amendment also replaces all references to the street name “Trades Street” with “Maker Way” to reflect the results of a recent community contest to name this new street in the Trades District.

**12/12/18 Committee Action:** 6-0-1(*Volan, abstaining*)  
**12/19/18 Regular Session Action:** *Pending*



**\*\*\* Amendment Form \*\*\***

**Ordinance #:** 18-26  
**Amendment #:** Am 02  
**Submitted By:** Councilmember Granger, District II  
**Date:** 19 December 2018

**Proposed Amendment:**

1. Ord 18-26 shall be amended by inserting a new Section 17 and renumbering subsequent sections. The new Section 17 shall read as follows:

SECTION 17. Section 15.40.030 Garage Lots and Permits shall be amended by deleting Subsection 15.40.030(e) and renumbering subsequent subsections.

[Context: The relevant provision to be deleted is as follows:

~~(e) No permit will be issued until all outstanding debts, related to the vehicle associated with the permit or the vehicle's owner, owed to the city of Bloomington or any of its agencies, have been paid. This includes, but is not limited to, all outstanding penalties for parking violations. ]~~

**Synopsis**

This amendment is sponsored by Councilmember Granger and deletes a provision of the Bloomington Municipal Code providing that no permits for garages or lots may be issued until all debts associated with the vehicle or the vehicle's owner owed to the City are paid. This provision is being deleted as there is no analogous provision associated with the issuance of neighborhood parking permits.

**12/12/18 Committee Action:** *N/A*  
**12/19/18 Regular Session Action:** *Pending*

**RESOLUTION 18-18**  
**APPROVAL OF INTERLOCAL COOPERATION AGREEMENT BETWEEN THE**  
**CITY OF BLOOMINGTON AND MONROE COUNTY, INDIANA –**  
**Re: Building Code Authority**

WHEREAS, Indiana Code allows governmental entities to jointly exercise powers through interlocal cooperation agreements; and

WHEREAS, the City of Bloomington and Monroe County have exercised such powers since 1996 in order to coordinate and combine certain building code services, as explained and set forth in the attached Interlocal Cooperation Agreement which is incorporated herein as Exhibit A (“Agreement”); and

WHEREAS, for the sake of setting forth an accurate historical record, this resolution notes that two resolutions regarding this subject matter were adopted by the City earlier this year; and

WHEREAS, the first was Resolution 18-05, which extended the period of the agreement until the end of 2019, and the second was Resolution 18-08, which along with other changes, shortened the term of the agreement so that it will expire at the end of the day on January 1, 2019, and the latter agreement constitutes the current agreement between the parties; and

WHEREAS, it is in the best interests of the citizens of Bloomington that such cooperation continue through January 1, 2020;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. It is in the best interests of the citizens of Bloomington, Indiana, to coordinate and combine certain building code services through interlocal cooperation with Monroe County Government as has been done since 1996; therefore, the City of Bloomington intends to continue such cooperation from the end of the day on January 1, 2019 through January 1, 2020, under the terms of the attached Interlocal Cooperation Agreement (Exhibit A).

SECTION 2. The Common Council of the City of Bloomington, as the fiscal and legislative body of the City of Bloomington, in Monroe County, Indiana, hereby approves the Interlocal Cooperation Agreement, pursuant to Indiana Code § 36-1-7-1, et seq.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
DOROTHY GRANGER, President  
Bloomington Common Council

ATTEST:

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

## SYNOPSIS

The attached Interlocal Cooperation Agreement (Exhibit A) extends until January 1, 2020 the long-term arrangement between the City of Bloomington and Monroe County to combine and coordinate the provision of certain building code services. This interlocal cooperation is authorized by Indiana Code § 36-1-7-1.

INTERLOCAL COOPERATION AGREEMENT BETWEEN THE  
CITY OF BLOOMINGTON AND MONROE COUNTY, INDIANA  
REGARDING BUILDING CODE AUTHORITY THROUGH JANUARY 1, 2020

WHEREAS, Indiana Code § 36-1-7-1 et seq. permits governmental entities to jointly exercise powers through interlocal cooperation agreements; and

WHEREAS, in 1996, the City of Bloomington, Indiana ("City"), acting by and through its Mayor and its Common Council, and the County of Monroe, Indiana ("County"), acting by and through its Board of Commissioners and its County Council, determined that the interests of the citizens of Monroe County, Indiana, would be better served by coordinating and combining certain City and County building code services through an interlocal cooperation agreement; and

WHEREAS, in 1996, the City and the County entered into a five-year interlocal cooperation agreement, effective beginning April 1, 1997, that conferred County-wide Building Code administration authority on the Monroe County Building Department; and

WHEREAS, the term of the original interlocal agreement has been extended to January 1, 2019;

WHEREAS, the City and the County have determined that it is more cost effective and convenient for the citizens of Monroe County, Indiana, to continue to have the authority, power and responsibility for local building code administration, including permit application processing, project inspection, and permit issuance vested in a single entity, the Monroe County Building Department; and

WHEREAS, this Interlocal Cooperation Agreement ("Agreement") reflects the commitments and understandings agreed to by the City and the County in order to efficiently and effectively provide the transfer of powers between the City and the County;

NOW, THEREFORE, the City and the County hereby agree as follows:

Part 1. Definitions.

**"Building Permit"** shall include without limitation any permit for construction, remodeling, demolition, moving, plumbing, electrical, or any other permit that affects construction, demolition, use and/or occupancy of land, buildings or structures, provided that such permit is within the scope of "Building Code Jurisdiction" as defined herein.

**"Building Code Jurisdiction"** refers to applicability, administration and enforcement of City and County ordinances adopting state building, plumbing, electrical, mechanical, energy conservation, swimming pool, and fire safety codes; specifically, this term refers to Monroe County Code

Chapter 430 and to those portions of Bloomington Municipal Code Title 17 that concern such State codes.

**"City Zoning Jurisdiction Area"** refers to those portions of the County over which the City, by law or by interlocal cooperation agreement, possesses planning, zoning, and subdivision control authority.

**"County Zoning Jurisdiction Area"** refers to those portions of the County over which the County, by law or by interlocal cooperation agreement, possesses planning, zoning, and subdivision control authority.

## Part 2. Building Code Jurisdiction.

The Monroe County Building Department shall enforce all State building, plumbing, electrical, mechanical, energy conservation, and fire building safety codes, as adopted by City and County ordinances, within the corporate limits of the City, and within all other unincorporated areas of Monroe County, Indiana. The City will administer planning, zoning, and subdivision compliance functions within the City Zoning Jurisdiction Area, including, without limitation, the assignment of street addresses.

- A. The Monroe County Building Department shall accept building permit applications and will provide review, issue permits, receive fees, and provide inspections and enforcement, as required, for all buildings within the County in accordance with County Building Codes.
- B. City zoning compliance review and the issuance of a Certificate of Zoning Compliance ("CZC") by the City are conditions precedent to the issuance of a building permit for any project located within the City Zoning Jurisdiction Area. For projects located within the City Zoning Jurisdiction Area, the County will collect the City Zoning Compliance Review Fee, in the amount established by the City, in addition to the County Building Permit Fee.
- C. The County will not issue a building permit for a project located within the City Zoning Jurisdiction Area unless and until a Certificate of Zoning Compliance has been issued for the project by the City. The County will transcribe the CZC conditions required by the City onto the building permit; and the County will require compliance with the conditions as part of any temporary or permanent Certificate of Occupancy issued for the project by the County.
- D. The City Planning and Transportation Department will send a staff person to the Monroe County Building Department once a work day to pick up and return all permit application materials until such time as the Monroe County Building Department is able to electronically transmit such application materials directly to the City Planning and Transportation Department. Both parties agree to make their best efforts to expedite the processing of permits under this agreement, and specifically, County agrees to insure that permit applications are ready to be picked up by the City Planning and Transportation Department as soon as reasonably possible after receipt by the County, and City agrees to

review and act upon all permit applications as soon as reasonably possible after receipt from the County.

- E. The City will inspect and enforce zoning and subdivision compliance and administer bonds within the City Zoning Jurisdiction Area. The Monroe County Building Department will e-mail the City Planning and Transportation Department a Notice of Certificate of Occupancy Inspection to allow the City and the County inspections to take place simultaneously where reasonably possible. The County and the City will cooperate in providing information requested by the other party in a timely fashion.
- F. The County will not issue any construction, remodel, demolition, moving, or any other type of permit that might change the disposition of a structure to a residential rental within the corporate limits of the City until the City Code Enforcement Division ("HAND") has completed plan review and released the application. The County will schedule all final inspections of those permits with HAND where reasonably possible. The County will not issue a Certificate of Occupancy to a residential rental property within the corporate limits of the City unless and until compliance with the City of Bloomington Property Maintenance Code has been determined by HAND.
- G. For projects located within the corporate limits of the City, the County agrees to recognize and enforce Section 17.08.050(c) of the Bloomington Municipal Code which provides for the waiver of fees under specified conditions for eligible affordable housing projects up to the amount of \$2,500 .00 per year.
- H. In recognition of the City's investment in the GIS mapping system, the County agrees to collect and verify GIS data for the City in a manner consistent with both the informational needs of the City and the information gathering and processing capabilities of the County. The County shall provide such data as is customarily obtained through building permit administration and planning subdivision approvals. The County will cooperate in enhancing its computer capability and compatibility for information exchange with the City.
- I. The County will notify the appropriate Fire Department for fire code inspections and shall transcribe all notations requested by the Fire Department, with jurisdiction over the project area, on to temporary and permanent Certificates of Occupancy. The County will notify the City Fire Department to coordinate review, response, and comment to the State Fire and Building Safety Commission regarding all applications for variance within the corporate boundaries of the City.
- J. The County shall inspect for compliance with all City of Bloomington Utilities regulations and any City ordinances governing construction/connection of utilities related to permit activity between the building and the connection to City's meter or main.
- K. The County shall issue stop work orders on Building Permits issued by the County where violations of applicable City zoning/subdivision or historic preservation regulations, including erosion control, would result from continued construction activity, or where work is stayed due to an appeal to the Board of Zoning Appeals as provided in Indiana Code §

36-7-4-1001. The County shall issue such stop work order upon written request of the City Planning and Transportation Director, the Transportation and Traffic Engineer , or the Director of Housing and Neighborhood Development. Enforcement action shall be taken by the governmental entity whose ordinances or conditions of approval have been violated.

Part 3. Recitals of Commitment, Purpose, Duration, and Renewal of Agreement.

- A. The level of cooperation recited in this Agreement is intended to exist in perpetuity for the efficient and effective delivery of governmental services to the citizens of Monroe County. However, the parties recognize that modifications may be required, both to the Agreement itself, and to the practices and procedures that bring the recitals contained within this document to fruition.
- B. The County will collect the City Zoning Compliance Review Fee specified by the City, pursuant to Part 2, Paragraph B of this Agreement, and will transmit the collected fees to the City on a quarterly basis. Payments to the City will be made as promptly as possible after April 1, July 1, October 1, and January 1 of each year of this Agreement, allowing for the County's claim processing procedures. No other payments will be due to the City, from the County, under this Agreement.
- C. The term of this Agreement shall be from January 1, 2019 through January 1, 2020. This Agreement may be renewed by mutual agreement of the parties for an appropriate term of years.
- D. The City and County departments affected by the terms of this Agreement will continue to communicate and cooperate together to assure that the purposes of this Agreement are achieved on behalf of and to the benefit of the citizens of Monroe County, Indiana.

Part 4. Interpretation and Severability.

- A. Because the jurisdictional approach set forth in this Agreement departs from current practice, the parties acknowledge and agree that this Agreement shall be liberally construed so that the parties can cooperatively address unforeseen problems through the implementation of policies, with minimal need for Agreement amendment.
- B. If any provision of this Agreement is declared, by a court of competent jurisdiction, to be invalid, null, void, or unenforceable, the remaining provisions shall not be affected and shall have full force and effect.

Part 5. Approval, Consent and/or Cooperation.

Whenever this Agreement requires the approval, consent and/or cooperation of a party (or parties), said approval, consent and/or cooperation shall not be unreasonably withheld.

Part 6. Appropriation of Funds.

The parties acknowledge and agree that the performance of this Agreement is subject to the appropriation of sufficient funds by their respective councils. The parties agree to make a good faith effort to obtain all necessary appropriations from their councils and to comply with all provisions of this Agreement to the extent feasible under current or future appropriations.

SO AGREED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

MONROE COUNTY, INDIANA

CITY OF BLOOMINGTON, INDIANA

\_\_\_\_\_  
AMANDA BARGE, President  
Monroe County Board of Commissioners

\_\_\_\_\_  
JOHN HAMILTON, Mayor

\_\_\_\_\_  
DOROTHY GRANGER, President  
Bloomington Common Council

ATTEST:

ATTEST:

\_\_\_\_\_  
CATHERINE SMITH, Auditor

\_\_\_\_\_  
NICOLE BOLDEN, City Clerk





**City of Bloomington  
Legal Department**

**TO:** Members of the Common Council of the City of Bloomington

**FROM:** Philippa Guthrie, Corporation Counsel

**CC:** Dan Sherman, Council Administrator/Attorney

**RE:** Building Interlocal Agreement

**DATE:** 09/18/2018

State law allows governmental entities to jointly exercise powers through interlocal cooperation agreements. The City and Monroe County have many such interlocal agreements, including one regarding the administration of the local building codes.

In 1996, the City and Monroe County entered into a five-year interlocal agreement that resulted in the County administering the local building codes for the City and County. This meant that the County handled permit application processing, project inspection, and permit issuance for all properties within the City and within the unincorporated areas of Monroe County.

The Building Interlocal has been extended several times since its initial five-year term. The Administration continues to believe that vesting local building code administration in a single entity (the Monroe County Building Department) is the most cost effective and convenient way to provide necessary building code services to the citizens of the City.

On May 2, 2018, the Council approved an extension to the Building Interlocal Agreement (“Agreement”) that expires on December 31, 2019. The Building Interlocal that is presented to you is in substantially the same form as for the previous year and it will extend the Agreement to January 1, 2020.

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, October 31, 2018 at 6:30pm with Council President Dorothy Granger presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
October 31, 2018

Members Present: Ruff, Sturbaum, Piedmont-Smith, Granger, Volan, Sandberg, Sims, Rollo  
Members Absent: Chopra

ROLL CALL [6:30pm]

Council President Dorothy Granger gave a summary of the agenda.

AGENDA SUMMATION [6:30pm]

Councilmember Dave Rollo moved and it was seconded to approve the minutes of September 19, 2018. The motion was approved by voice vote.

APPROVAL OF MINUTES [6:32pm]

September 19, 2018 (Special Session)  
October 10, 2018 (Special Session)  
October 17, 2018 (Regular Session)

Rollo moved and it was seconded to approve the minutes of October 10, 2018. The motion was approved by voice vote.

Councilmember Isabel Piedmont-Smith moved and it was seconded to approve the minutes of October 17, 2018. The motion was approved by voice vote.

Piedmont-Smith moved and it was seconded to amend the agenda. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

REPORTS

- COUNCIL MEMBERS [6:35pm]

Rollo asked to take a moment of silence for the victims in Pittsburgh.

Councilmember Susan Sandberg spoke in memory of community activist Wayne Martin.

Councilmember Steve Volan said Pittsburgh was in his thoughts during the tragedy it was going through.

Piedmont-Smith discussed the shooting at a Kroger in Louisville and how these smaller stories are buried under larger ones such as the Pittsburgh case. She stated that leadership needed to be changed so that some gun control can be obtained as well as better healthcare.

Councilmember Chris Sturbaum stated that he voted and told everyone to exercise their right to vote, stating that there should be less talk and more action. He said to choose wisely.

Mayor John Hamilton discussed the bicentennial bond and its purposes. He said it would entail a transportation system, trail connectivity, tree inventory, as well as animate downtown alley ways, and create fitting entry ways. He stated the public infrastructure would be amenities for all. He discussed the need for jobs, housing, and services, and the commitment to raising the quality of life for all Bloomington residents. He said this bond would increase mobility and enhance the quality of life for all as a more livable and sustainable community. It would pay forward to future generations in honor of the bicentennial. He thanked the Council for their consideration and continued stewardship.

- The MAYOR AND CITY OFFICES [6:41pm]

There were no Council Committee reports.

- COUNCIL COMMITTEES

Scott Wells spoke about the county commissioner race.

- PUBLIC COMMENT

There were no appointments to boards or commissions.

## APPOINTMENTS TO BOARDS AND COMMISSIONS

### LEGISLATION FOR SECOND READING AND RESOLUTIONS [6:57pm]

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.

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

Rollo moved and it was seconded to postpone the consideration of Resolution 18-24 until the Regular Session of November 14, 2018.

Vote to postpone consideration of Resolution 18-24 [6:58pm]

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

Volan moved and it was seconded that Ordinance 18-14 be introduced and read by title and synopsis only. The motion was approved by voice vote.

Ordinance 18-14 To Expand a Planned Unit Development (PUD) and Amend the Associated District Ordinance and Preliminary Plan - Re: 4500, 4518 E. 3rd Street & 306 S. State Road 446 (Fountain Residential Partners, Petitioner)

Volan moved and it was seconded to postpone the consideration of Ordinance 18-14 until the Regular Session of November 14, 2018.

Volan reminded everyone that there was a report on the deliberations of the Land Use Committee, which he believed would be more appropriate to discuss when they took it up again. He stated it was unanimous to postpone this to the next Regular Session.

Vote to postpone consideration of Ordinance 18-14 [6:59pm]

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

Volan moved and it was seconded that Resolution 18-19 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Resolution 18-19 Approving the City of Bloomington's Sustainability Action Plan

Volan moved and it was seconded that Resolution 18-19 be adopted.

Autumn Salamack, with the Department of Economic and Sustainable Development, presented the timeline and process for the development of Bloomington's first sustainability action plan.

Stephanie Richards, with the Gnarly Tree Sustainability Institute, discussed the development of the sustainability action plan over the last eight months and the engagement of over 200 community members.

Salamack gave a high-level summary of the eight core areas of focus. She discussed the next steps of the plan.

Rollo asked how much the city's six megawatts of solar photovoltaic have contributed to greenhouse gas emissions from the baseline year to 2017.

Council Questions:

Salamack said it was difficult to say since they have been

operational at different points throughout the year, however, it was a small percentage of total community emissions. She discussed the solar PV systems throughout the community and the program.

Rollo asked how to address the goal of reducing greenhouse gas emissions by 80% by 2050.

Salamack stated that they want to push the envelope while also having realistic goals to make sure they prioritized actions and investments. She stated that 11% in five years is do-able, but would take serious effort.

Piedmont-Smith asked what category Indiana University fell into.

Salamack stated that Indiana University did not fall under the government category, but believed it fell under the commercial category in the pie chart.

Sturbaum asked about urban village centers.

Salamack said the urban village center plan referred to the creation of developments around amenities in order to reduce the need to drive.

Sturbaum asked if they would be identifying five priority focus areas.

Richards discussed the 20 year plan that would establish 23 urban village centers. She stated that to make sure continuous progress would be made, they established five priority village centers over five years.

Sims thanked the commission for their hard work and asked about the social equity component.

Salamack discussed the importance of the overlap between conservation of natural resources and opportunities for economic prosperity and creating programs that are equitable. She stated that they touched upon affordable housing and living wages because they were important for a truly sustainable community.

Richards added that some issues they addressed were in the local food and agriculture chapter on the issue of food deserts. She said they would also see the establishment of programs to improve energy efficiency in low income housing. They established a program to create water leak protection programs for low income individuals. She said those are a few examples of how they addressed social equity.

Sims asked if the action plan spoke about hazardous materials that are directed to lower income or minority communities.

Salamack stated there was not a specific action around that topic since there was no landfill in Bloomington.

Richards stated that there were some remediated sites that were outside of the City of Bloomington limits. She said they could address it in future plans.

Volan asked what the ratio of economic sustainability to social sustainability in the report was and in the future plans.

Salamack stated that the original plan had a strong focus on environmental sustainability. She said that sustainability was a vital part of the economic engine within the city of Bloomington and vice versa and also that equity be addressed primarily through inclusive participation within the community for development of the plan. That said, they recognized there was a heavy environmental slant with some of the goals that were identified but there was a conscious effort to make sure there was a lens around economic prosperity and equity applied to those conversations. They were looking at how they could work with the local business community to reduce energy use in an effort to free up additional

Resolution 18-19 (cont'd)

resources for them to grow or utilize different options for their funds. She said every goal table had an option that was tied to the economic or social element of the community. She said there was no area where it was missed. She stated that moving forward there were a lot of good opportunities to have a more conscious focus to look at a green economy, public health, and more holistic elements.

Volan asked how often the plan would be reiterated.

Salamack stated that the plan was developed as a five year plan right now, but in three years they would look at the plan and decide if their goals were still relevant. She said moving forward it would be every five years that they would reach out to city staff and the community again while also utilizing annual reports to look at how they were doing.

Volan asked to what extent Brian Payne or Beverly Calendar Anderson took part in the development of the plan.

Salamack stated Payne was certainly invited to help participate in and review the plan, as well as Alex Crowley, the Chamber of Commerce, and the BEDC. The plan was shared with Anderson but she did not believe that any of her staff had participated in the working groups. She did have conversations with her about equity and social justice training for city staff and made her aware about the programs they were looking at.

Piedmont-Smith asked what the current percentage of diverted waste was.

Salamack stated the percentage in 2017 was 36% due to recycling. One of the recommended actions in their plan was to offer a curbside compost collection program.

Piedmont-Smith asked about a section considering ecosystem health and invasive plant species. Piedmont-Smith asked if the city had such an ordinance about outlawing the planting of invasive plant species.

Salamack stated that she believed the ordinance did exist.

Richards said the ordinance existed and to talk to Linda Thompson from the Planning Department for more details. She stated that it was unlawful for commercial businesses to plant invasive species. The Planning Department had been applying this to residential homes as well. She said Thompson helped phrase that in the sustainability action plan.

Salamack said they were regulating the planting for new developments.

Piedmont-Smith asked about the distinction between individual single family property owners and developers.

Adam Wason, the Director of Public Works, stated that the unified development ordinance prohibited a new development from planting any invasive species, but they did not regulate planting for single family residences.

Richards said the state was in the process of outlawing the sale of invasive species.

Sims asked if they were having discussions with the Bloomington Transit on the topic of reducing single-driven automobiles with a stronger mass transportation system.

Salamack said Bloomington Transit was very involved in their discussions around the transportation section. She said the goal for Bloomington Transit was increasing the use of their transit by 5% in five years. She said they focused on increasing the use of existing routes, but they did discuss creating new routes.

Sims asked how realistic it was to meet their initiatives of multiple riders in cars and increasing the transit use by 5% in five years.

Salamack said they worked with the community to try to identify goals that were pushing the envelope but were still realistic. She said part of it is just a campaign to get the community to try transit options. She said part of it would require employment incentive programs. She thought it was doable but would require effort. Resolution 18-19 (cont'd)

Ruff asked about how the information in the Peak Oil Task Force report played into the plan.

Salamack said there were several conversations in the local food and agriculture working group and the climate energy and environment working group around the Peak Oil Task Force Report and there were specific requests from people who participated to make sure their work was acknowledged and represented. They wanted them to look at the report and pull best practices or goals from it that were still relevant in 2018. She pointed out references with end notes in the report. She said there also was a piece on the state of peak oil that was written by Councilmember Rollo.

Ruff asked if Rollo would give a brief summary on his piece.

Rollo stated there were two things to consider about peak oil: conventional and unconventional production. He said the city had consumed over 300 billion barrels of oil since 2009. He said demand had increased about 2% per year and the conventional fields were depleting about 4-6% per year. He said new technology had been added to conventional fields but the capacity production had peaked in production, so any new oil added had been from unconventional production: fracked oil and tar sand oil. He said fracking oil was very expensive and depleted very quickly. He said the capital expenditures of the oil had exceeded their profit. He said this was a temporary phenomenon and that the industry was going to suffer.

Piedmont-Smith asked if any of their working groups considered increasing the price of a parking permit or basing the price on if the employee lived inside city limits or not.

Salamack said yes they discussed the topic, however, there was no concrete recommendation. She discussed some of the options they offer. She said they might take another look at the parking permit price.

Volan discussed the option of giving raises to employees who used different transit options other than a single-occupant automobile, while keeping parking permits at the same price for those that cannot use other transit options. He asked if their working groups had discussed an option like this.

Salamack said the idea did not come up in the working group conversation, but it could be a discussion as part of the employee green team.

Volan recommended this option and hoped she would think about it.

Rollo asked Salamack to address local food economy.

Salamack said there were often local growers who were looking for ways to get their product to market. There were institutional buyers who would like to increase the percentage of locally grown food that they could offer, but usually had different requirements or constraints that could make it difficult. She said the city was successful in obtaining a grant from the USDA to create a series of 4 value chain coordinators in the state of Indiana. They would act as a broker between growers and buyers and they look for ways to break down barriers between the two groups. She said they would start in 2019.

Granger asked if the position was city funded or grant funded. Salamack said it was grant funded, but it was put in the 2019 budget to pay for half of the position, so it would be a city position. Granger asked what the position was called. Salamack said value chain coordinator.

Resolution 18-19 (cont'd)

Ryan Conway discussed his devotion to sustainability, some positions he held in the community, and his donation of land to be used for the new composting station in Bloomington. He said he was impressed with the care and foresight given to this plan. He said it was exciting to have and be on a track.

Public Comment:

Rollo said he thought this was an excellent plan. He thanked everyone involved and said it was great that the community was involved. He thought the goals were realistic and short-term. He said he was an enthusiastic supporter.

Council Comment:

Volan said the plan was a great first effort. He said the plan was quite environmentally heavy and there was not enough discussion on the economic portion. He said sustainability is innovation and that the composting curbside was the best way to get to 40%. He said that maybe we were underestimating the social equity and the economic potential of integrating transportation with housing. He stated they needed to find more creative ways of funding transit such as a parking shuttle. He said he did support the resolution.

Piedmont-Smith said the plan was very well done and commended Salamack and Richards. She was shocked by the poor quality of the community's water. She stated this plan would only work if everyone kept the plan and its goals in mind. She discussed the thought of combining scooters with buses.

Ruff elaborated on some of Rollo's comments. He stated that everyone was used to sacrificing one area for another, such as economic activity for the environment. He said the challenge was to see and adopt policies that were truly sustainable. He stated that by virtue, creating a sustainable environment creates social equity and economic activity and they were all interconnected.

Sims stated that he supported the resolution and appreciated the diversity of thought from his colleagues. He wanted everyone to understand that social equity had different factors. He emphasized public education and information sharing and that it was critical.

Granger thanked Salamack for pushing the resolution through. She thought this was a plan that was past due. She said it was up to everyone to keep this issues at the front of their minds when considering new legislation. She said if we did not take care of our environment then there would be nothing for our future.

The motion to adopt Resolution 18-19 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Resolution 18-19 [8:10 pm]

Volan moved and it was seconded that Resolution 18-21 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Volan moved and it was seconded that Resolution 18-21 be adopted.

Jeff Underwood, City Controller, presented the legislation on park bonds.

Les Coyne, Parks Board Member, discussed his support for the resolution.

Paula McDevitt, Director of the Parks and Recreation Department, discussed Bloomington's master planning process and its accreditation. She stated that the process began every five years with a citizen interest survey. She said they hired a consultant and took the survey results to write up their master plan. She said the community valued the trails and they wanted more. The proposed trails would provide the missing links in the trail system, it would welcome visitors through enhanced gateways, it would add to the tree canopy, and it would enhance the downtown alleyways.

Beth Rosenbarger, the Bicycle and Pedestrian Planner from the Planning and Transportation Department, noted that it was wonderful that the people loved their trails and wanted more. She presented the legislation on the 7<sup>th</sup> Street Improvements.

Kathy Crabtree stated that she appreciated the work put into each proposal. She hoped that all the projects could be funded in the future, but not all of them now. She believed people should not live in poverty while others beautified the city.

Resolution 18-21 Approving the Issuance of City of Bloomington, Indiana Park District Bonds, Series 2018A in an Amount Not to Exceed Three Million Four Hundred Thirty-Five Thousand Dollars to Finance the Costs of Capital Improvements at Certain Park Facilities and Costs Incurred in Connection with the Issuance of Such Bonds

Public Comment:

Piedmont-Smith stated that she was glad Mr. Coin discussed the long history of their Parks and Recreation Department and their successful projects. She said she would rather prioritize necessities if taxes were raised. She found most of the projects listed not needed but could be done eventually. She thought the pressing need of people not being able to find affordable housing or people who struggled with mental health and addiction. She thought Bloomington could do more regarding these areas to help on the local level. She did not support the bond issue.

Council Comment:

Volan echoed some of Piedmont-Smith's comments. He stated that the Parks Department had made the quality of life in Bloomington much better. He thought there should have been another bond to provide other services that were not directly about recreation and enjoyment. He stated he would vote in support of the project.

Sturbaum asked if they would vote for the bonds one at a time. He said the greenways were good for neighborhoods and safe bicycle riding. He said these ideas were developed over a long period of time and they were the only body who could complete them. He said he would support the bonds.

Rollo shared the concern of Piedmont-Smith, however, he stated that they were discussing park bonds for their specific purposes. He stated that he saw this as an important step forward. He said it did not mean they would not address the concerns of Piedmont-Smith in the future.



Ruff said these bonds were consistent with the city's goals such as reducing driving and addressing climate change. He thought Bloomington was more generous in addressing social services than any other city in Indiana, per capita. He said projects like the one presented make the people of the city excited and create community spirit. His biggest issue was spending money in order to have citizens ride their bikes on the street. He enthusiastically supported the bonds.

Resolution 18-21 (cont'd)

Sims discussed his concern with the increase in taxes for the residents of Bloomington. In the future, he wanted the Parks and Recreation Department to be able to continue their work, but not with bonds.

Rollo discussed the debt of the bond and the self-liquidating aspect. He stated that it was a good investment for the community.

Granger stated that she knew how great the Parks and Recreation Department was and how the parks impact the quality of life. She said the cost gave her pause. She said homelessness needed to be addressed. She stated that a lot of energy was focused into Switchyard Park. She did not think that a bond should be used for another project like this. She thought the focus should be on Switchyard Park. She wondered how affordable housing could be attained and that it was an investment in the future.

Piedmont-Smith said they gave \$300,000 to social services each year but this project was over \$3,000,000 and that the disproportionality did not match with her values. She thought a true celebration of the bicentennial would be to lift up the people who have not felt the benefits of living in Bloomington.

Volan stated that the Parks and Recreation department just considered Parks Bonds while the Common Council needed to think about everything.

The motion to adopt Resolution 18-21 received a roll call vote of Ayes: 5, Nays: 3 (Piedmont-Smith, Granger, Sims), Abstain: 0.

Vote to adopt Resolution 18-21. [7:31pm]

Volan moved and it was seconded that Resolution 18-22 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Resolution 18-22 Approving the Issuance of City of Bloomington, Indiana Park District Bonds, Series 2018B in an Amount Not to Exceed Three Million Eight Hundred Sixty-Five Thousand Dollars to Finance the Costs of Capital Improvements at Certain Park Facilities and Costs Incurred in Connection with the Issuance of Such Bonds

Volan moved and it was seconded that Resolution 18-22 be adopted.

Bruce Donaldson with Barnes & Thornburg discussed the details of the funding for parks projects.

Dave Williams, Operations Division Director from the Parks and Recreation Department, discussed trail projects in the area.

Volan asked if the bond debt limited how much bonding they could do overall.

Council Questions:

Underwood stated that the Parks Department did not have a constitutional debt limit under the statute that they operated under, unlike the city.

Volan asked what stopped other cities from issuing large amounts of debt for Parks operations.

Underwood stated there were issues with large debts. The

public could disapprove since the city's ability to pay higher taxes was taken into consideration.

Resolution 18-22 (cont'd)

Volan asked how the overall indebtedness and bond rating would not be affected.

Underwood said at one point it would impact your rating. He said Bloomington had a very strong debt rating. He said the rating agencies thought that Bloomington had a strong economy, a strong ability to repay the debt, and that they had not over issued debt per capita. He also stated that Bloomington was a low tax rate community. He said at some point, it would have a negative impact.

Volan asked how close Bloomington was to reaching their cap for issuing debt.

Underwood stated that constitutional limit they had was on civil city property tax debt. He stated they renewed their General Obligation Bond at \$8 million, but they did not ask to increase it to its maximum bond authority. At the same time, they renewed a \$12 million General Obligation Debt for the Parks Department. Bloomington was restricted in property tax debt of 2%, but not in revenue based debt, however, rating agencies and underwriters required coverage. He stated they had always had good coverage and that there were things that impacted the ability to issue debt. He said Bloomington was a low debt community with a high bond rating, a strong economy, and low tax rate.

Volan asked how much General Obligation Debt the city had.

Underwood said \$8 million and the Parks Department had \$12 million, therefore \$20 million in total.

Sturbaum asked if the trail back to the falls was involved in this project.

Williams said it was independent and already in the works.

Sturbaum asked if that trail would be useful for less nimble people.

Williams said there would be some vigorous trails, but some shorter trails could be inducted.

Underwood said there would be a fishing pier for people that are less nimble to use.

Piedmont-Smith asked why the Parks Bicentennial bonds were split into three.

Underwood said there was more flexibility doing it in a series.

Piedmont-Smith asked about the public remonstrance process and asked if that was one of the considerations for making the bonds less than \$5 million.

Underwood said yes.

Piedmont-Smith asked if there was a concern about a possible remonstrance.

Underwood said no.

Piedmont-Smith asked if there was not a concern if there would be a remonstrance.

Underwood said yes, and that it allowed them to be discussed in series rather than combined. If they bundled them together there would be less flexibility for approval.

Piedmont-Smith asked if they thought about reaching out to the Council on how to split them up.

Underwood said it was discussed with the administration.

Piedmont-Smith asked if they considered reaching out to the Council.

Underwood said no because he works for the mayor and the decisions were made in the mayor's office.

Rollo asked if the trail infrastructure was put at a high priority

based on the public's responses.

McDevitt said there was an overall interest in the trails and direct feedback from the users of Griffy Lake trails. She said they did meet with some trail users and had a public meeting.

Sandberg asked what bonding mechanism exists to obtain the money for another bond for other projects such as a year-round homeless shelter or detox center. She also asked what department would be able to do that.

Underwood said there was a legal issue of what a city can spend bonds on and the funding mechanism would be the dedication of a string of revenues proposed by the administration. He said typically bonds were financing a long-term capital asset.

Sandberg asked if these bonds financed physical assets and not services.

Underwood said yes.

Volan asked if it was true that the city owned the old city hall that housed the John Waldron Center.

Underwood believed they sold the building and was no longer a city asset.

Volan asked the same for the Buskirk-Chumley Theater.

Underwood said that was a city asset.

Volan asked about two fire stations and asked if the City had the right to reclaim those if the nonprofit gave up their rights to them.

Adam Wason, Director of the Public Works Department, stated that the fire station dedicated to Lotus would be reverted back to the City if they had not used it for the specified purpose.

Volan asked if they could not devote capital assets to a function other than parks and economic development.

Underwood said these bonds could only be used for Parks funds. He said they cannot sell a bond and dedicate it to a social service.

Volan asked if they could build a Crawford Homes 3 with city debt.

Underwood said he believed they could, but there were restrictions if it was built with RDC Funds. They could not own and manage them. He said it depended on the source of the funds that were utilized.

Volan asked if they could construct them a building that they could operate.

Underwood said yes if the funds would allow that.

Volan asked if the city could take on the debt.

Underwood said he believed so if they used General Obligation Property Tax debt.

Piedmont-Smith asked who would initiate obtaining a bond for a building for affordable housing.

Underwood said the administration would.

Piedmont-Smith asked which body.

Underwood said if it was a General Obligation debt it would go through the council. He said the use of the funds would go through the Public Works Board.

Piedmont-Smith asked if the Board of Public Works would initiate the bond.

Underwood said no the administration could propose legislation.

Piedmont-Smith asked if the cost of the boardwalk for the Griffy Lake Trail was not included in the bicentennial bond.

Williams said yes that was correct.

Piedmont-Smith asked where the funding would come from.

Williams said they had a General Obligation bond to construct the pier with additional funds to extend to the north shore trail. He

said there would need to be additional funds to connect the trail, which they would work with the county government on.

Resolution 18-22 (cont'd)

Malcolm Dalglish discussed his use and the benefits of the Griffy Lake trails. He also discussed some of his ideas for the trails.

Public Comment:

Piedmont-Smith stated that Griffy Lake was wonderful already and did not need over a \$1million investment. She thought the community had more important needs. She stated she did not support the resolution.

Council Comment:

Rollo stated that he believed they could have both the trails of Griffy Lake while fulfilling the social needs of the community. He said that they spend \$300,000 per year on social needs while the trail enhancements would be a one-time sum. He thought they were committed to investing in both. He thought by completing the loop around the trail it would reduce the ecological damage that people already create by walking through the woods. He also believed it was important to get children outdoors and into the woods since they were so wired nowadays. He thought this was a good investment backed up by the consistent surveys.

Volan stated that there was no plan presented for the social needs of the community. He said they could not do anything like this without people living in close proximity. He said this was an urban project and they would not be able to have this conversation if they were not sitting in a City Hall. He said more people would come and traffic would increase due to this investment. He thought it would make the community stronger. He asked where the mayor's commitment to the social aspect was. He said the park bonds were not the only thing they should be thinking about. He wanted to see more that was not related to park bonds.

Underwood said the mayor had committed \$1.5 million to the housing fund and \$2 million to a community development financial institution for affordable housing. He wanted the council to know that other funds were being raised for the social needs of the community.

Volan asked how many of those dollars came from developments.

Underwood said 1 million came from developers while the rest came from governmental funds.

Volan asked if any came from the General Obligation bonds.

Underwood said no.

Volan asked if they could do more with General Obligation tax dollars. He thought the administration could do more with the money.

Sturbaum stated that the bond was initiating conversation on the social needs, however, they were discussing park bonds at this time. He thought they should work on the social need aspect on another day since the parks plan was well thought out.

Sims stated that he had an aversion to using tax dollars and creating a \$10 million debt. He said he did not believe in either/or and he supported the resolution.

The motion to adopt Resolution 18-22 received a roll call vote of Ayes: 5, Nays: 3 (Piedmont-Smith, Granger, Volan), Abstain: 0.

Vote to adopt Resolution 18-22.  
[7:31pm]

Volan moved and it was seconded that Resolution 18-23 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Volan moved and it was seconded that Resolution 18-23 be adopted.

Williams presented the improvement projects at 4 or more location at a cost of about \$1.25 million, as well as street tree planting and alleyway enhancements.

Wason presented on the downtown alleyway enhancements. Sims asked what Wason meant by doing other things with the extra funds.

Wason stated that they would continue improving other alleys if they had additional funds.

Volan asked what fourth block they would choose if they had additional funds.

Wason said he would most likely continue south and work in the area by the Buskirk-Chumley.

Volan asked about the alleyway between Kirkwood and 6<sup>th</sup> street and College and Morton.

Wason said that alleyway had some development projects ongoing but eventually they would look to resurface those areas.

Rollo asked if Wason considered cameras in the alleyways since they were to put lighting in.

Wason said no.

Mary Catherine Carmichael stated that the lighting would activate the alleyways and since greater activation increases safety they did not think they would need cameras.

Rollo asked if they expected pedestrians to walk by dumpsters in the alleyway.

Wason said if the condition of some of the alleyways downtown continued to be bad they would not allow those businesses to utilize the alleyways for their trash receptacles any longer. He said he would love to do more shared trash areas.

Carmichael said it was important to work cooperatively with the businesses to decrease the overall needed number of dumpsters.

Sturbaum thought there was a link between the issue of the dumpsters and the lack of public restrooms and those should be addressed together.

Carmichael said the administration agreed and it was high on their list of things to pursue. They thought they needed public restrooms to eliminate the odor and have a safe place for people to use the restroom.

Granger asked if this was a part of the bond.

Carmichael said she did not believe so, but they had other funding and were committed to working on the issue.

Granger asked when.

Carmichael said the sooner the better, however, they needed to find a location and figure out what model would be the best for the restrooms.

Sturbaum thought these issues could be solved together.

Resolution 18-23 Approving the Issuance of City of Bloomington, Indiana Park District Bonds, Series 2018C in an Amount Not to Exceed Two Million Nine Hundred Sixty-Five Thousand Dollars to Finance the Costs of Capital Improvements at Certain Park Facilities and Costs Incurred in Connection with the Issuance of Such Bonds

Council Questions:

Resolution 18-23 (cont'd)

Piedmont-Smith asked what they had in mind for the entryway projects.

Williams said they did not have all the details of the location and budget complete. They said they knew what conceptual elements they would like.

Piedmont-Smith asked how they came to the \$1.25 million estimate.

Williams said they did have a consultant that assisted them in the allocations for each location.

Carmichael said they were proposing a design that would present a sense of place for Bloomington. She said they had not enter into the design phase because they did not have funding yet.

Sandberg asked if Sean Starowitz and the Bloomington Arts Commission would have a say in the design.

Carmichael said yes.

Volan asked about creating a public restroom in People's Park and if the funds could be used for that. He asked if any thought of public restrooms was put into these bonds.

Carmichael said not for these bonds.

Sims asked if it was possible to use the extra money to add restroom facilities.

Wason said that was a question about bond council.

Underwood said there was enough flexibility and the restrooms could be added. He said they were not able to come to a concrete idea of where they would be located and what type of restrooms they would create. He said they do have the flexibility to add things. He said they do have serious ongoing conversations about public restrooms downtown.

Ruff asked what system they would use to decide where to plant trees.

Williams said they would do a canopy analysis for under planted areas. He said they would try to distribute them equitably. He stated when they remove a tree they try to replace it, but it could not always be done. They would like to touch as many areas in the community as possible. He said they had an urban forestry consultant as well that would help them determine an action plan. They would like to have a long-term plan.

Underwood said earlier in the year they had a public sale tree program that was very successful and they would like to do one more of those.

Volan asked which of the bonds would require additional approval from Council.

Underwood said he was not aware of any that would need to come back to Council.

Carmichael said it was a possibility. They were not obligated, but they wanted to include the Council.

Volan asked if the greenway project would require final approval as well as the loop around Griffy.

Carmichael said yes to the greenway project.

Williams said the approval would be for the park board and the utilities service board for the Griffy Lake trails project.

There was no public comment.

Public Comment:

Rollo thought this was a good community investment for the city's cultural identity. He thought it went deeper than just beautification. He said all of these bonds work within their new Sustainability

Council Comment:

Action Plan. He expressed his appreciation to everyone who responded to the community's needs.

Piedmont-Smith said she would support the resolution based on trees since they were vitally important. She also supported the alleyways and their improvements to make them walkable. She believed the improvements would benefit everyone in downtown Bloomington. She did not support the Bloomington entryways, stating that Bloomington already had unique architecture.

Granger urged them to consider improving public facilities within the near future.

Volan stated his familiarity with DUPs. He commented on the absence of the Mayor, and his resilience to negotiate DUPs. He expressed his disappointment in the administration's inability to commit on a project that is neither an economic or recreational development. Volan said he would not be supporting the Resolution.

Sturbaum thanked the Park's department on working to improve downtown Bloomington.

Ruff said that he agreed with Piedmont-Smith's statement on the Bloomington entryways.

The motion to adopt Resolution 18-23 received a roll call vote of Ayes: 7, Nays: 1 (Volan), Abstain: 0.

Resolution 18-23 (cont'd)

Vote to adopt Resolution 18-23. [7:31pm]

LEGISLATION FOR FIRST READING

Volan moved and it was seconded that Ordinance 18-21 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Ordinance 18-21 to Rezone a Property from Residential Estate (RE) to Planned Unit Development (PUD) and to Amend the Associated PUD District Ordinance and Preliminary Plan – Re: 800 E Tamarack Trail (Meadowood Retirement Community, Petitioner)

Volan moved and it was seconded that Ordinance 18-21 be referred to the standing Land Use Committee on November 7th.

Vote to refer to Land Use Committee

The motion to refer Ordinance 18-21 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Volan moved and it was seconded that Ordinance 18-22 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Ordinance 18-22 To Rezone a Property from Planned Unit Development (PUD), Business Park (BP), and Residential Single Family (RS) to Planned Unit Development (PUD) and to Amend the Associated District Ordinance and Preliminary Plan –Re: 1550 N Arlington Park Drive & 1723 W Arlington Road (Trinitas Development, Petitioner)

Volan moved and it was seconded that Ordinance 18-22 be referred to the standing Land Use Committee on November 7th.

Vote to refer to Land Use Committee

The motion to refer Ordinance 18-22 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

There was no additional public comment.

ADDITIONAL PUBLIC COMMENT

Piedmont-Smith moved to cancel the Committee of the Whole Session on November 7, 2018. The motion was approved by voice vote.

COUNCIL SCHEDULE [10:39pm]

Council Attorney Dan Sherman reminded councilmembers of the Internal Work Session on November 2, 2018 at noon.

The meeting was adjourned at 10:41pm.

ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_ day of \_\_\_\_\_, 2018.

APPROVE:

ATTEST:

\_\_\_\_\_  
Dorothy Granger, PRESIDENT  
Bloomington Common Council

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

For Approval



In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, November 14, 2018 at 6:33pm with Council President Dorothy Granger presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
November 14, 2018

Roll Call: Ruff (arrived at 6:51pm), Sturbaum Chopra, Piedmont-Smith, Granger, Volan, Sandberg, Sims, Rollo  
Members Absent: None

ROLL CALL [6:33pm]

Council President Dorothy Granger gave a summary of the agenda.

AGENDA SUMMATION [6:34pm]

Councilmember Chris Sturbaum moved and it was seconded to amend the agenda to consider Ordinance 18-22 first.

Sturbaum explained that both the petitioner and staff wanted more time to work on the proposal and that the intent was to postpone the discussion until a later meeting.

Councilmember Allison Chopra said she preferred to discuss and decide the issue that evening.

The motion to so amend the agenda received a roll call vote of Ayes: 7, Nays: 1 (Chopra), Abstain: 0. Vote on motion to amend agenda

Councilmember Steve Volan moved and it was seconded to amend the agenda to consider Ordinance 18-21 second.

Volan explained that the petitioner had requested a postponement.

The motion to so amend the agenda received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Vote on motion to amend agenda

There were no minutes for approval.

APPROVAL OF MINUTES [6:39pm]

Councilmember Jim Sims spoke about the value of public comment. He thanked the public that attended the meeting.

REPORTS [6:39pm]

- COUNCIL MEMBERS

Volan spoke about the council meetings for the remainder of the year.

Councilmember Isabel Piedmont-Smith offered her condolences to the city of Paradise, California that was destroyed by the California wildfires. She said that it was important to think about climate change and the use of tax payers dollars to manage forests. Piedmont-Smith expressed the importance of communities taking steps toward reducing carbon emissions and taking climate change seriously.

Chopra talked about her experience of being a pole watcher in the most recent election. She said it was very encouraging to see the amount of people that voted. Chopra also acknowledged that some people might disagree with the Council's decisions, but councilmembers did listen to the public.

There were no reports from the Mayor and city offices.

- The MAYOR AND CITY OFFICES

There were no reports from Council Committees.

- COUNCIL COMMITTEES

Nancy Martin spoke about her father, Wayne Martin, and his motto: "Never tire of doing good."

Steve Robertson, President of A.F.S.C.M.E. Local 2487, spoke about ongoing contract negotiations between the union and the city.

Bradley Rushton spoke about the contract negotiations.

Volan moved and it was seconded to appoint Christopher Erickson to the Environmental Commission. The motion was approved by voice vote.

Volan moved and it was seconded that Ordinance 18-22 be introduced and read by title and synopsis only. The motion was approved by voice vote. Chief Deputy Clerk Stephen Lucas read the legislation by title and synopsis and gave the Land Use Committee do-pass recommendation of Ayes: 1, Nays: 2, Abstain: 1.

Volan moved and it was seconded that Ordinance 18-22 be postponed to the Regular Session of December 5, 2018.

The motion to postpone Ordinance 18-22 received a roll call vote of Ayes: 8, Nays: 1 (Chopra), Abstain: 0.

Volan moved and it was seconded that Ordinance 18-21 be introduced and read by title and synopsis only. The motion was approved by voice vote. Lucas read the legislation by title and synopsis and gave the Land Use Committee do-pass recommendation of Ayes: 1, Nays: 0, Abstain: 3.

Volan moved and it was seconded that Ordinance 18-21 be postponed to the Regular Session of December 5, 2018.

Piedmont-Smith stated she was happy to support the postponement in hopes that the petitioner would bring forth a better proposal.

The motion to postpone Ordinance 18-21 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

REPORTS (cont'd)

- PUBLIC

APPOINTMENTS TO BOARDS AND COMMISSIONS

LEGISLATION FOR SECOND READING AND RESOLUTIONS [6:46pm]

Ordinance 18-22 To Rezone a Property from Planned Unit Development (PUD), Business Park (BP), and Residential Single Family (RS) to Planned Unit Development (PUD) and to Amend the Associated District Ordinance and Preliminary Plan – Re: 1550 N. Arlington Park Drive & 1723 W. Arlington Road (Trinitas Development, Petitioner)

Vote on motion to postpone Ordinance 18-22 [6:54pm]

Ordinance 18-21 To Rezone a Property from Residential Estate (RE) to Planned Unit Development (PUD) and to Amend the Associated PUD District Ordinance and Preliminary Plan - Re: 800 E. Tamarack Trail (Meadowood Retirement Community, Petitioner)

Vote on motion to postpone Ordinance 18-21 [6:58pm]

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. Lucas read the legislation by title and synopsis and gave the committee do-pass recommendation of Ayes: 4, Nays: 1, Abstain: 4.

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

Mayor John Hamilton spoke in support of Resolution 18-24. He said the garage projects represented an investment in downtown Bloomington's economy, jobs, and vitality, through investments in mobility and transportation. He talked about the city's strong interests in sustainability, as well as innovative and creative investments downtown. He thanked the Council for supporting the Bicentennial Bonds that would supply additional funding for non-vehicular infrastructure projects. He stated that much of the costs of the parking structures would be paid for by the revenue from parking customers. The costs not covered by parking revenues would be paid for with tax increment finance (TIF) funding. He said the administration was committed to investing in serious transportation demand management, and the use of green building techniques for the garages. He spoke about the loss of manufacturing jobs during recent years and how Bloomington needed to partner with employers to encourage job growth and economic opportunities. He said the parking investments would compliment both the expanding Convention Center as well as the Trades District. He noted that the 4<sup>th</sup> Street garage would be closing within the next 6 weeks and urged the Council to take action to minimize the inconvenience to the public. He pointed out that the Redevelopment Commission unanimously approved to finance the project with revenue bonds. He reiterated the importance of both garages to the continued development of a vibrant downtown. He said there was an urgency to move forward with both projects and asked for the Council's support.

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

Granger moved and it was seconded that Resolution 18-24 be postponed to the Regular Session of December 5, 2018.

Granger explained she wanted to postpone the vote on the ordinance because there were unanswered questions she wanted to work through. She wanted the Council and the administration to meet to work through some of the issues.

Chopra said she was fine with postponing the vote but wanted to publicly discuss the matter at the meeting.

The Council discussed the most appropriate time to entertain the motion to postpone.

Granger withdrew her motion to postpone Resolution 18-24.

Resolution 18-24 (cont'd)

Adam Wason, Director of Public Works, presented information about the 4<sup>th</sup> Street parking garage project. He reviewed possible features of the garage, including convertability, electric vehicle charging stations, solar panels, bicycle lockers, showering facilities, and spaces reserves for compact vehicles. He said there would also be a management plan for the ongoing repairs and maintenance that would be required. He said the request was for a maximum amount of \$18.54 million with a maximum interest rate of 6% and a maximum term of 22 years. He said that repairing the current garage would cost at least \$1.1 million and would require closing the garage for six to eight months. He said replacement was the preferred option. He said the existing garage had 352 current spaces, but pointed out there was demand for more spaces based on the occupancy levels of the garage. He reviewed relocation plans for displaced parkers once the garage closed.

Council Questions:

Karen Valiquett, Core Planning Strategies, introduced herself and presented renderings of possible design options for the garage. She explained various conceptual designs to show different options for number of spaces, layout, and amenities. She noted that, depending on the layout chosen, the garage could be converted to other uses in the future.

Sturbaum asked if one of the design concepts envisioned a 93-foot garage.

Valiquett yes, but pointed out there were many different design options.

Piedmont-Smith asked how the garage could be adapted to other uses if there were ramps.

Valiquett explained how the garage could be designed with ramps constructed on one end of the garage with flat floor decks throughout.

Sandberg asked if there were any immediate safety issues with the 4<sup>th</sup> Street garage.

Wason said no and said there were regular inspections to monitor the issues with the garage. He said there was urgency in addressing the issues but no immediate safety issues.

Rollo asked how much of the debt would be paid for with revenue from the garages.

Jeffrey Underwood, Controller, estimated that \$500,000 of revenue would be available each year to pay for the garages. He said that represented approximately 25% of the debt.

Rollo asked for information about growth estimates.

Underwood explained that the development that would occur in the trades district could generate between \$1 million and \$1.5 million in additional tax revenue.

Sturbaum asked why the proposal included a garage that was much higher than the height limit for the downtown area.

Wason said that the renderings were early conceptual designs and nothing was set in stone.

Volan pointed out that a new garage would have to exceed the downtown height limit in order to fit the desired number of spaces.

Wason said he did not know what the height of the garage would be. He agreed that the garage would likely exceed the height limit by some amount to accommodate more spaces.

Resolution 18-24 (cont'd)

Volan asked if there had been any discussion about setting the garage rates at a higher level to cover more than 25% of the cost of the structure.

Underwood said the administration would work with the Parking Commission and the Council on setting rates for the garages at appropriate levels.

Sandberg asked if the garage might present an opportunity to construct a downtown public restroom facility.

Wason said that was certainly an option.

Rollo asked about the benefits and costs of separating the 4<sup>th</sup> Street garage and the Trades District garage into separate pieces of legislation for the Council to vote on individually.

Underwood said there would be more information about the costs of delays relating to each garage from upcoming speakers.

Granger asked what a delay of a few weeks would cost.

Underwood said Valiquett could comment on the impact of a delay on the construction schedule. He said there was also the risk of increased interest costs and increased construction costs.

Valiquett said any delay would push the completion date out by the same amount of time.

Granger asked if the cost of demolition was included in the bond.

Underwood said yes and said demolition was estimated to cost \$750,000.

Piedmont-Smith asked if the \$2 million contribution from the Redevelopment Commission (RDC) could be used to cover demolition so as not to delay the project.

Underwood explained that the RDC funds were intended to be a debt service reserve.

Piedmont-Smith asked what impact there would be if that funding was used to pay for demolition.

Underwood said the \$750,000 taken out of the debt service reserve would have to be replaced with other funding.

Sims commented that the preliminary design included convertible floors that were 15 feet in height each, but a standard floor would be less.

Valiquett said that was correct. She said that changing a convertible floor to a standard floor would reduce the height by five feet.

Sims said he supported having convertible floors but wanted to point out that difference.

Wason said that was one trade-off that needed to be considered. He said there were discussions that needed to happen about what sustainable features were desired.

Sims asked if approving the resolution that night would preclude the Council from providing input on the design of the garage.

Volan said that if the resolution were approved, the RDC and the administration could move forward with whatever design they saw fit.

Wason clarified the process and said there would be a design committee formed and that the Council would have representation on that committee

Chopra asked how the design process would move forward once the bond was approved. She said she was interested in the Council having input as there was public interest in how the garage was designed and built. Resolution 18-24 (cont'd)

Wason said that once the project was approved, a design committee would be formed that would include council representation. He said that the final design would have to be approved by the city's Plan Commission.

Volan asked for the earliest date that construction could begin.

Valiquett estimated April or May 2019.

Volan asked if it was possible to pay for the demolition of the existing structure out of the parking meter fund so as not to delay construction while the design was being discussed.

Hamilton said the administration did not want to proceed with demolition until there was funding secured and an agreement in place regarding the replacement garage.

Volan said he did not want to delay demolition while the design was still being debated.

Hamilton said that demolition would not begin while discussions were still occurring over whether or not there would be a replacement garage. He said he did not want to demolish the existing structure until the Council decided to fund a replacement. He said the design of the garage would involve both public and Council input.

Piedmont-Smith asked what other funding sources, besides garage revenue, would be used to pay for the garage.

Underwood said TIF funds would be used.

Piedmont-Smith asked Underwood to explain TIF funds.

Underwood provided a brief explanation of how TIF funds worked.

Piedmont-Smith asked if TIF funds could be used to support other transportation modes.

Underwood said that any investments made with TIF funds would have to be into assets that the RDC would then own. He said there were rigid statutory tests that had to be met for the use of TIF funds.

Rollo asked if there was a 12-month construction season for the 4<sup>th</sup> Street garage.

Underwood said the current plan contemplated construction occurring over 18 to 24 months.

Rollo asked if the project review form included specifics such as capacity, infrastructure, housing, or first floor retail space.

Underwood said that a request would be made to amend the project to include those items. He stated there was a three-step process for amending the project.

Sturbaum asked when and how the decision of buying the extra property south of the garage would be made.

Alex Crowley, Director of Economic and Sustainable Development, said that the city was negotiating with the property owner.

Wason clarified that the project would last 18 to 24 months from the date of approval of the plan.

Resolution 18-24 (cont'd)

Piedmon-Smith asked if the administration would be held to the garage features presented to the Council.

Underwood said yes and explained that the features presented were adopted by the RDC and would be included in the design. Any changes would have to go back to the RDC for approval.

Piedmont-Smith asked if the RDC meeting had taken place after the initial information was given to the Council.

Underwood said yes.

Piedmont-Smith asked whether the project would have to go back to the RDC if the Council insisted upon changing any features, such as public restrooms.

Underwood said that the commitments already allowed for public restrooms and stated that the administration intended to place public restrooms adjacent to or inside the garage.

Hamilton said that the commitments presented were from the administration and given to the RDC to adopt.

Ruff asked for clarification on how much power the RDC had to modify the commitments presented.

Underwood spoke about the role of the RDC. He said he doubted whether the RDC would remove any of the commitments being discussed.

Ruff asked if the RDC could overrule decisions made by the Council on design.

Underwood said the RDC recommended the final design but that the project would then have to be approved by the Plan Commission.

Chopra asked Underwood to explain the purpose of the RDC for the benefit of the public.

Underwood provided a brief explanation of the composition and function of the RDC.

Crowley gave a presentation on the Trades District garage and how it would benefit the community. He briefly described employment and wage trends for Bloomington. He said the Trades District was one way to attract new development and to create new jobs.

Crowley stated that the garage would help create more jobs in the Trades District, and make Bloomington more competitive for new incoming companies. He talked about the phases of the project and the new developments in the Trades District. He said the development of the district had reached the point where extra parking was needed. He spoke about the costs associated with a delaying project. He said the garage was one step in the overall plan of increasing wages and jobs.

Otto Crown, with O.W. Krohn & Associates, presented information about financing the projects through bonding.

Volan asked why the parking garages were not split between two bonds.

Council Questions:

Underwood stated that the projects were very similar so the administration proposed them as one bond. He said the Council was able to divide the projects if it so desired.

Volan asked if the costs of the garages needed to be subsidized with TIF dollars.

Underwood said the resolution before the Council did subsidize parking with TIF dollars, which was a common use of TIF funding. He stated that TIF funds were commonly used to subsidize the cost of garages.

Resolution 18-24 (cont'd)

Volan asked if such a practice was in line with concepts of sustainability.

Hamilton pointed out that many TIF projects had no revenue associated with them. He said the administration expected to work with the Council to adjust parking rates.

Piedmont-Smith wanted to clarify whether the \$29.5 million in the bond included interest.

Underwood said that was the principle amount.

Rollo asked if dividing the resolution would add costs to the projects.

Underwood said only if there was a delay. If both were approved at the same time, there would be no additional cost.

Volan asked if the retail space would be occupied if the resolution were approved.

Crowley said he did not believe the space would sit empty.

Pete Yonkman, Ron Walker Lynn Coyne, Jim Murphy, Pharyne Stephney, Michael Trotzke, Zoul Ballman, Anne Bono, Talisha Coppock, Dave Harstad, Mike McAfee, Randy Lloyd, A. John Rose, and David Sabbagh spoke in favor of the resolution.

Public Comment:

Mark Stosberg, Alex Jorck spoke against the resolution

Rollo thanked the public for speaking on the matter. He talked about the importance of the decision and how it will affect the future. He spoke about the complexity of both garages. He believed that making a decision that night would be premature. He said the matter should be postponed.

Council Comment:

Sims spoke about the future of transportation and how it would change. He stated that the needs of transportation needed to be met today. He believes the parking structures would do that, and he supported both structures.

Sandberg said she supported both of the projects. She talked about how economic development was a part of sustainability. She said that the projects would help create jobs and allow the community to do other great things. She stressed the importance of listening to the stakeholders that would be affected by the garage projects. She said there had been many people who contacted the Council or who came to the meeting to speak in favor of the garages.

Volan spoke against the city providing subsidized parking. He also called for an examination of how much parking was actually needed and how best to spend funding for parking.

Granger said she had many unanswered questions about the garages, including questions about the number of spaces and the height of the 4<sup>th</sup> Street garage. She saw the two garages as separate issues. She said more thought should be given to the plans.



Resolution 18-24 (cont'd)

Piedmont-Smith said the issue presented a dilemma between meeting the needs of the day and the necessity of changing practices in the face of climate change. She appreciated the call for transportation demand management, but thought such a management plan should be in place before committing millions of dollars for new garages. She wanted to learn more about the timeline for such a plan before supporting the resolution. She said she would have appreciated more information from the outset.

Chopra said that she appreciated the people who came to speak to the Council and wished that more people would make comments. She said that, as a former business owner in the downtown, she understood the importance of parking to attracting customers or employees. She said business in the trades district would not develop without adequate parking. She said she would vote yes for both garages.

Sturbaum said he would like to have more control over the design of the garages, but said he would try to have some faith in the process. He said he would support the garages.

Ruff said he was considering the comments of his colleagues and would support postponing the resolution.

Volan moved and it was seconded to postpone Resolution 18-24 to December 5, 2018.

Mayor Hamilton said that as the city reduced its parking needs, the spaces that would be eliminated first would be the surface lots. He said that structured parking would be the parking kept the longest.

The motion to postpone Resolution 18-24 received a roll call vote of Ayes: 5, Nays: 4 (Sturbaum, Chopra, Sandberg, Sims), Abstain: 0.

Vote on motion to postpone Resolution 18-24 [10:01pm]

Volan moved and it was seconded that Ordinance 18-14 be introduced and read by title and synopsis only. The motion was approved by voice vote. Lucas read the legislation by title and synopsis and gave the committee do-pass recommendation of Ayes: 2, Nays: 0, Abstain: 2.

Ordinance 18-14 To Expand a Planned Unit Development (PUD) and Amend the Associated District Ordinance and Preliminary Plan – Re: 4500, 4518 E. 3rd Street & 306 S. State Road 446 (Fountain Residential Partners, Petitioner)

Jacqueline Scanlan, Development Services Manager, presented the project to the Council. She reviewed the requests contained in the petition, including the requested changes for allowable uses and density. She displayed conceptual site plans and indicated the location of access points and parking. She provided crash data and commented on safety concerns that had been voiced by the public. She reviewed relevant portions of the Comprehensive Plan and pointed out that the proposal was in-fill development, as the site was located on open acreage, in the city, on two highways, that had been identified for commercial development for 40 years. She noted the transit routes near the area. She displayed architectural renderings of the various buildings. She reviewed the purpose of planned unit developments (PUDs)

Trevor Tollett, representing petitioner Fountain Residential Partner, thanked all those who had worked on the project and had provided feedback throughout the process. He reviewed some of the changes that had been implemented as a result of feedback from the community and councilmembers. He asked for the Council's support.

Steve Smith, with civil engineering firm Smith Brehob & Associates, Inc., noted that the site in question was already a PUD and the proposal before the Council was an amendment to that PUD. He spoke about the design of the project and displayed renderings of the site. He discussed traffic counts in the area and how the project could affect the counts. He said the project had a parking ration of .72 spaces per bed. He spoke about the green features of the project. He said the amendment to the PUD was consistent with the intent of PUDs and with the city's Comprehensive Plan. Ordinance 18-14 (cont'd)

Alex Crowley, Director of Economic & Sustainable Development, spoke about affordable housing and the contributions proposed to be made by both the developer and the land owner.

Volan discussed the Land Use Committee meetings held to consider the ordinance, as well as the reasonable conditions considered by the committee. He reviewed public comments made to the committee and concerns voiced by the public.

Chopra asked how the petitioner collected the letters of support for the PUD. Council Questions:

Tollett said that tables were set up at College Mall to discuss the project with residents. He said they had obtained roughly 250 letters of support.

Chopra said she wanted to know how the data was collected because she would be surprised to see if any of the people were at the meeting.

Brent Little, Found Residential Partners, stated that two people went to the mall and set up a table insidem with the mall's permission. They told people walking by about the project and asked them to sign in support. He said they also went to Panera Bread. He stated that they did not ask any of these people to show up to the meeting. He stated he thought the letters showed the efficacy of the project and that there was support in the community.

Volan asked how many of the people were within a mile of the project.

Little said the people were divided by district.

Sturbaum asked about continuing the landscaping on 3<sup>rd</sup> Street through the project area.

Tollett said they had not discussed additional landscaping but if it pleased the Council they would consider it.

Piedmont-Smith asked if the utilites were included in the rent.

Smith said the utilities were included in the rent.

Piedmont-Smith said people using the most energy should pay for that usage since they needed to be the one to make the modification.

Smith said the owner would have incentives to make the building as energy efficient as possible and he said most of the savings were in the way you built it.

Little said utilities could be separated out if the Council preferred.

Granger asked about the connection to the west and if it went right into a parking lot.

Smith said it had a connection to a parking lot.

Rollo pointed out that some of the letters were signed by students in dormitories. He asked if the letters were predominantly signed by students. Ordinance 18-14 (cont'd)

Tollett said they were not targeting students, although a percentage of the people would be students since they were targeting residents of Bloomington. He said those letters were included because the people who signed the letters were in someone's district.

Rollo asked what they used to attract people to the table.

Tollett said they requested people to look at a new project and asked people if they thought more housing was needed in Bloomington.

Volan said one of the major concerns of the project was the intensification of use and the 500% increase in density. He asked if it was common to have that kind of density and if it could be compared to other projects.

Scanlan said the existing PUD consisted of 50 units of second floor multi-family housing. She stated that was arbitrary and was not based on old code or the size of the lot.

Volan asked what year that had been established.

Scanlan said roughly 40 years ago. She pointed out that the property would be allowed to have more density if the PUD was not in place, according to the default zoning regulations.

Volan asked if the proposed unit count was normal for other projects allowed on 3<sup>rd</sup> Street.

Scanlan said yes. She said that the PUD requirements and characteristics were considered. She said staff also looked at the zoning and if the proposal was in line with the comprehensive plan.

Rollo asked about the level of service on 3<sup>rd</sup> Street.

Scanlan said she believed it was B.

Rollo asked about impacts on Lake Monroe and if the property would drain into Lake Monroe.

Scanlan said yes.

Rollo asked if the flow rate would be mediated by some capture.

Scanlan said yes.

Rollo asked where the stormwater was directed.

Scanlan said she believed directly east.

Smith confirmed that it was directed directly east. He said the water quality and rate of flow was regulated by the City of Bloomington Utilities and would have to be kept at the existing levels before the development took place.

Piedmont-Smith asked if someone could comment on the recent financial incentive offered by the developer to the nearby Bloomingfoods location.

Volan said he had been working to memorialize the offer from the developer and he would be introducing a reasonable condition to address it.

Nancy Martin, Janice Lilly, Robert Meadows, Steve Coopersmith, Barbara Hudson, Charles Reafsnyder, Peter Gould, Thomas Schwandt, Chris Bultman, Elizabeth Mooradian, Amanda Richardson, Shelli Yoder, Margaret Clements, Sherry Knighton-Schwandt, Barbara Moss, Steve Zalkowski, Steve Akers spoke against the ordinance.

Public Comment:

Jr. Blondell spoke in favor of the ordinance

Maggie Sullivan, President of Board of Directors of Bloomingfoods, commented on the financial incentive offered by the petitioner to Bloomingfoods as a part of the project proposal.

Ordinance 18-14 (cont'd)

Volan asked what efforts had been made to contact nearby neighborhoods.

Additional Council Questions:

Scanlon described the requirements placed on developers to contact nearby neighborhood associations.

Smith explained which neighborhoods had been contacted.

Piedmont-Smith moved and it was seconded to adopt Reasonable Condition 01 to Ordinance 18-14.

Reasonable Condition 01 to Ordinance 18-14

Piedmont-Smith explained the purpose of the reasonable condition.

Volan noted that the Land Use Committee unanimously recommended passing Reasonable Condition 01.

Nancy Martin spoke against the reasonable condition.

Public Comment:

Sandberg said she would vote against all reasonable conditions as she was not going to support the ordinance.

Council Comment:

Volan pointed out that voting for a reasonable condition did not necessarily indicate support for the ordinance. He thought upcoming reasonable conditions would be important to set precedents for how the city negotiated with developers for public benefits in the PUD process.

Chopra said she would vote against the ordinance but would support reasonable conditions in case the project was approved.

The motion to adopt Reasonable Condition 01 to Ordinance 18-14 received a roll call vote of Ayes: 8, Nays: 1 (Sandberg), Abstain: 0.

Vote on Reasonable Condition 01 to Ordinance 18-14 [12:07am]

Piedmont-Smith moved and it was seconded to adopt Reasonable Condition 02 to Ordinance 18-14.

Reasonable Condition 02 to Ordinance 18-14

Piedmont-Smith explained the purpose of the reasonable condition.

Volan asked if there were ways to make the right-turn only intersection less navigable.

Council Questions:

Scanlon said possibly, but anything selected for that intersection would have to be approved by INDOT.

Steve Coopersmith and Steve Akers suggested placing a median in the center of 3<sup>rd</sup> Street to discourage left turns.

Public Comment:

Margaret Clements spoke against the reasonable condition.

The motion to adopt Reasonable Condition 02 to Ordinance 18-14 received a roll call vote of Ayes: 7, Nays: 2 (Granger, Sandberg), Abstain: 0.

Vote on Reasonable Condition 02 to Ordinance 18-14 [12:11am]

Piedmont-Smith moved and it was seconded to adopt Reasonable Condition 03 to Ordinance 18-14.

Reasonable Condition 03 to Ordinance 18-14

Piedmont-Smith explained the purpose of the reasonable condition.

Volan said he thought the condition would help address concerns that were raised earlier about drainage.

Council Comment:

Sims asked for information about getting INDOT approval, and how often approval was obtained.

Scanlon said INDOT must approve access for all road ways. She said that no concerns had been raised about INDOT objecting to the access points.

The motion to adopt Reasonable Condition 03 to Ordinance 18-14 received a roll call vote of Ayes: 7, Nays: 1 (Sandberg), Abstain: 0 (Rollo out of room).

Vote on Reasonable Condition 03 to Ordinance 18-14 [12:14am]

Volan moved and it was seconded to adopt Reasonable Condition 04 to Ordinance 18-14.

Reasonable Condition 04 to Ordinance 18-14

Volan explained the purpose of the reasonable condition.

Margaret Clements asked for a guarantee that surrounding neighborhoods would not be charged extra for parking enforcement.

Public Comment:

Volan said that he did not anticipate parking issues for surrounding neighborhoods in the near future.

Council Comment:

Chopra agreed that there would not be a problem with parking.

The motion to adopt Reasonable Condition 04 to Ordinance 18-14 received a roll call vote of Ayes: 7, Nays: 2 (Sandberg, Granger), Abstain: 0.

Vote on Reasonable Condition 04 to Ordinance 18-14 [12:18am]

Volan moved and it was seconded to adopt Reasonable Condition 05 to Ordinance 18-14.

Reasonable Condition 05 to Ordinance 18-14

Volan explained the purpose of the reasonable condition.

Janice Lilly spoke against the reasonable condition.

Public Comment:

Piedmont-Smith pointed out that the condition required the developer to forego structured parking. She asked if the language should reflect that the developer was not required to do so.

Council Comment:

Volan said the language was a mistake and suggested that the condition could be amended.

Chopra asked how a condition imposed on the petitioner could also be optional.

Volan said that the petitioner would be allowed to trade parking for additional density.

Chopra asked if the condition contained any concrete dollar figures.

Volan said it was based on the cost of parking at \$10,000 per structured space.

Chopra asked if that figure was in the reasonable condition.

Volan said that the purpose of the condition was to encourage less traffic and promote density.

Granger asked if there was a Land Use Committee recommendation.  
Volan said no.

Reasonable Condition 05 to  
Ordinance 18-14 (cont'd)

Sims asked how many spaces would be eliminated.

Volan said he was unsure, but that the point was to reduce transportation demand.

Sims asked how much funding would be available to Bloomington Transit.

Volan said he hoped that there would be sufficient funds to have an additional route for a few years.

Chopra stated she would be voting no on the condition.

The motion to adopt Reasonable Condition 05 to Ordinance 18-14 received a roll call vote of Ayes: 2 (Ruff, Volan), Nays: 7, Abstain: 0.

Vote on Reasonable Condition 05 to Ordinance 18-14 [12:28am]

Sturbaum moved and it was seconded to adopt Reasonable Condition 06 to Ordinance 18-14.

Reasonable Condition 06 to  
Ordinance 18-14

Sturbaum explained the purpose of the reasonable condition.

Chopra asked when the reasonable condition was drafted.

Sturbaum said it was newly revised.

Council Question:

Peter Gould questioned the feasibility of converting units.

Public Comment:

Steve Akers spoke about his experience with the university residence halls.

The motion to adopt Reasonable Condition 06 to Ordinance 18-14 received a roll call vote of Ayes: 5, Nays: 2 (Sandberg, Sims), Abstain: 2 (Granger, Chopra).

Vote on Reasonable Condition 06 to Ordinance 18-14 [12:32am]

Volan moved and it was seconded to adopt Reasonable Condition 07 to Ordinance 18-14.

Reasonable Condition 07 to  
Ordinance 18-14

Volan explained the purpose of the reasonable condition. He noted that the condition memorialized a recent offer made by the petitioner to Bloomingfoods, as far as such an offer could be memorialized in the context of a PUD.

Peter Gould, Steve Akers spoke against the condition.

Public Comment:

Margaret Clements spoke about parking issues.

Brent Little provided additional detail about the timing of the offer.

Janice Lilly spoke about the timing of the offer.

Cary Buzzelli spoke about traffic issues.

Maggie Sullavan spoke about the next steps for Bloomingfoods.

Volan explained that he had suggested that the petitioner and Bloomingfoods discuss possible arrangements. He thought the petitioner's offer was generous and wished more developments included mixed-uses.

Council Comment:

Granger said she felt it was not the Council's place to require such a payment.

Chopra agreed with Granger, and said she did not feel comfortable with the reasonable condition.

Reasonable Condition 07 to Ordinance 18-14 (cont'd)

Rollo thought that the condition was a good concept.

Ruff said he was not as cynical about the offer as others. He read an explanation provided by the petitioner about why the offer was made.

Piedmont-Smith raised issues of enforceability of the condition. She also said that the petition should be considered based on its own merits.

Rollo said that the offer at least provided a public benefit within the PUD.

Sims said that so many people had become involved in the negotiations that it had confused the issue.

Volan said that the idea only came up within the last week, and that it was simply part of the negotiation process.

The motion to adopt Reasonable Condition 07 to Ordinance 18-14 received a roll call vote of Ayes: 3 (Ruff, Sturbaum, Volan), Nays: 4, Abstain: 2 (Rollo, Chopra).

Vote on Reasonable Condition 07 to Ordinance 18-14 [12:55am]

Chopra said that while she personally did not have many problems with the development, she had to listen to her constituents. She also thought that developments aimed at students should be closer to campus.

Council Comment:

Rollo said he took issue with the location, the increase in density, and the target demographics of the project. He did not support the ordinance.

Sandberg said she was skeptical that the project would ever be repurposed to another use and thought the city was saturated with student-oriented housing already. She did not fault the administration for attempting to negotiate with developers in an attempt to encourage affordable housing but said she could not support the project.

Piedmont-Smith took issue with the letters of support offered by the petitioner, as the letters were signed by individuals not interested or invested in the outcome of the ordinance. She said she was uncomfortable with the pay-to-play aspect of the project, though she recognized the outreach to Bloomingfoods was in response to a suggestion from Volan. She thought that the Council should have been involved earlier in the process. She recognized that the site might be appropriate for future development, but said the proposed project was inappropriate for the site.

Sims said the university housed more students than people realized. He suggested that housing was a community problem and should be addressed by the community as a whole. He said there was a need for more housing, especially affordable and workforce housing. He did not think the proposed project was what was needed.

Ruff said the administration was attempting to encourage affordable housing through whatever means available to it. He said such attempts were made out of a sincere desire to address housing needs. However, he thought the proposed location was not appropriate for such a project and he would vote no.

Ordinance 18-14 (cont'd)

Volan said there were a number of upcoming project proposals. He suggested that people rethink their assumptions about the best way to house people as the city grew. He said growth needed to be managed, not stopped. He said that the appearance of pay-to-play was a result of state regulations that prevented the city from taking different approaches to affordable housing. He said he could not support the project without the reasonable conditions he had proposed.

Granger thanked the petitioner for working with the city to try to come up with an appropriate project. She was concerned with what happened to large projects in the years that followed. She was concerned with the amount of green space and with the location of the project.

The motion to adopt Ordinance 18-14 subject to reasonable conditions received a roll call vote of Ayes: 0, Nays: 8, Abstain: 1 (Sturbaum).

Vote on Ordinance 18-14 subject to reasonable conditions [1:32am]

LEGISLATION FOR FIRST READING

Volan moved and it was seconded that Appropriation Ordinance 18-06 be introduced and read by title and synopsis only. The motion was approved by voice vote. Lucas read the legislation by title and synopsis.

Appropriation Ordinance 18-06  
To Specially Appropriate from the, Cumulative Capital Development Fund, Municipal Arts Fund and Rental Inspection Program Fund Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Parking Facilities Fund, Risk Management Fund, Police Pension Fund, Alternative Transportation Fund; and, Appropriating Additional Funds from the Cumulative Capital Development Fund, Municipal Arts Fund and Rental Inspection Program Fund)

Volan moved and it was seconded that Ordinance 18-20 be introduced and read by title and synopsis only. The motion was approved by voice vote. Lucas read the legislation by title and synopsis.

Ordinance 18-20 An Ordinance to Amend Ordinance 17-45 Which Made Changes to Chapter 20.03 "Overlay Districts" to Provide Clear Guidance on Downtown Overlay Development and Architectural Standards – Re: Extending the Expiration Date from the End of December 2018 to the Earlier Date of December 31, 2019 or the Adoption of a New Unified Development Ordinance



Volan moved and it was seconded that Ordinance 18-24 be introduced and read by title and synopsis only. The motion was approved by voice vote. Lucas read the legislation by title and synopsis.

Ordinance 18-24 An Ordinance to Amend Ordinance 17-37, Which Fixed Salaries for Certain City of Bloomington Employees for the Year 2018 – Re: Additional Pay for Dispatch Employees Who Assume Training Responsibilities

There was no additional public comment.

ADDITIONAL PUBLIC COMMENT

Council Attorney Dan Sherman spoke about the upcoming schedule.

COUNCIL SCHEDULE

The meeting was adjourned at 1:38am.

ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_ day of \_\_\_\_\_, 2018.

APPROVE:

ATTEST:

\_\_\_\_\_  
Dorothy Granger, PRESIDENT  
Bloomington Common Council

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

FOR APPROVAL