

City of Bloomington Common Council

Legislative Packet

Wednesday, 6 March 2019

Regular Session and Committee of the Whole

Resolution 19-04 confirms Resolution 19-03.

Legislation and background material regarding Resolution 19-04 is contained herein and material regarding Resolution 19-03 is contained in the [06 February 2019 Legislative Packet](#).

Legislation and background material regarding Ordinance 19-07 is contained herein.

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

Office of the Common Council
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Bloomington, Indiana 47402
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<http://www.bloomington.in.gov/council>

**City of
Bloomington
Indiana**



City Hall
401 N. Morton St.
Post Office Box 100
Bloomington, Indiana 47402

Office of the Common Council
(812) 349-3409
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To: Council Members
From: Council Office
Re: Weekly Packet
Date: 01 March 2019

LEGISLATIVE PACKET CONTENTS

REGULAR SESSION *followed by a* **COMMITTEE OF THE WHOLE**
WEDNESDAY, 06 MARCH 2019

- Memo from Council Office
- Agenda
- Notices
 - Deadlines and Schedule for Further Deliberation on Resolution 19-07 (Adopting the City's Transportation Plan)
 - Schedule for Jack Hopkins Social Services Funding Committee
- Resolution 19-04 – Confirming Resolution 19-03 (Catalent Tax Abatement)
 - Please see the [06 February 2019 Legislative Packet](#) (linked) for staff memo, abatement application, and other material relative to this petition.
Contact: Bryan Payne, Assistant Director for Small Business Development, Economic and Sustainable Development Department, 812.349.3419, payneb@bloomington.in.gov
- Ordinance 19-07 – Increasing City-initiated towing and storage fees.
 - Memo to Council from Mike Rouker, City Attorney
 - Redline Version of BMC 15.48 (Removal and Impoundment of Vehicles) and BMC 15.52 (Abandoned Vehicles) – indicating proposed changes
Contact: Mike Rouker, City Attorney, 812-349-3426; roukerm@bloomington.in.gov
- Minutes

MEETINGS ON WEDNESDAY, 06 MARCH 2019, AT-A-GLANCE

REGULAR SESSION

First Reading:

- Ordinance 19-07 Amending Title 15 of the Bloomington Municipal Code – Re: Updating Permissible Towing and Storage Fees for Authorized Towing Services

Second Reading and Resolutions:

- Resolution 19-04 To Confirm Resolution 19-03 Extending the Period of Designation of an Economic Revitalization Area, Approving the Statements of Benefits, and Authorizing Periods of Abatement for Real and Personal Property Improvements – Re: Properties at 1300 S Patterson Drive (Catalent Indiana, LLC, Petitioner)

COMMITTEE OF THE WHOLE

- Ordinance 19-07 Amending Title 15 of the Bloomington Municipal Code – Re: Updating Permissible Towing and Storage Fees for Authorized Towing Services

Preliminary Matters – Reminders, Etc.

There are two notices in this packet that touch on other upcoming Council business.

- **Transportation Plan Schedule** -- One notice sets forth the deadlines and schedule for further consideration of Resolution 19-07 (Adopting the City's Transportation Plan). The next step in those deliberations is Council sponsorship of initial amendments by contacting P&T staff (Beth Rosenbarger, Scott Robinson & Terri Porter) along with the Council Office (at Council@bloomington.in.gov) by March 20th.
- **Jack Hopkins Committee** -- The other notice sets forth the schedule for the 2019 Jack Hopkins Social Services Funding Program. The Council Office will release the solicitation material on 04 March and will hold a Technical Assistance meeting on 19 March. Applications are due on 01 April.
Please contact Council staff if any questions on the above.

Regular Session (Second Readings and Resolutions) - Summary

Item 1:

Resolution 19-04 To Confirm Resolution 19-03 which Extended the Economic Revitalization Area, Approved the Statements of Benefits, and Authorized A Period of Abatement for Real and Personal Property Improvements – Re: Properties at 1300 S Patterson Drive (Catalent Indiana, LLC, Petitioner)

As required by statute, Resolution 19-04 confirms Resolution 19-03. Resolution 19-03 is a request for a tax abatement by Catalent Indiana, LLC and extended the period of designation for an economic revitalization area, approved a statement of benefits, and authorized a period of tax abatement for the improvements in both real and personal property located at 1300 S. Patterson

Recall that the petitioner's application material and Statements of Benefits represent that Catalent intends to make the following investments:

- **Personal Property**. \$85 million in personal property improvements to install equipment to expand its packaging and sterile filling capacity and support specialized device assembly.
- **Real Property**. \$40 million in real property improvements to the site.

From the investments, Catalent has committed to creating a minimum of 200 full-time, permanent jobs, with an average annual salary of at least \$66,500/annum.

The tax abatements for both the real and personal property improvements will run for a period of 10 years. Over this period, Catalent will pay approximately \$2.19 million in taxes and will be relieved from paying approximately \$2.45 million over that period.

The staff memo and all supporting documentation submitted by Catalent in interest of this requested abatement is included in the Council's [06 February 2019 Legislative Packet](#) (linked). Please consult that packet for further details.

Note that statute requires that notice of the adoption and substance of Resolution 19-03 be published and that the Council hold a legally-advertised public hearing on the matter wherein the Council receives and hears all remonstrances and objections from interested persons. The City Clerk has published notice and the Council meeting on Wednesday, 06 March 2019 will serve as the required public hearing. IC § 6-1.1-12.1-2.5.

Council Review: With the confirmatory resolution, statute provides that the Council take final action determining whether the qualifications for an ERA have been met and taking one of three actions 1) confirming Res 19-03; 2) confirming and modifying Res 19-03; or 3) rescinding Res 19-03. This action is final, except that an appeal may be made pursuant to statute. I.C. § 6-1.1-12.1-2.5

Regular Session (First Reading) - Committee of the Whole (Discussion)-- Summary
Item 1:

Ordinance 19-07 would adjust the permissible towing and storage fees for City-initiated towing services. According to the Memo from Mike Rouker, City Attorney, this change would be the first since 2001 and would simplify and bring the City fees more in line with other agencies in the community¹ and help assure continued responsive service by these providers.

Please note that the term “City-initiated” towing services are those services requested by a police or parking enforcement officer of the City as authorized by BMC Chapter 15.48 (Removal and Impoundment of Vehicles) and BMC Chapter 15.52 (Abandoned Vehicles). The term *does not refer to* towing services arranged by the private sector. Please note that the entirety of both of these chapters are part of this packet and include annotation of changes made to identical sections of these chapters. Along with the usual circumstances for towing, like parking by a yellow curb, in a No Parking area, or without a permit where one is required, cars may also be towed where the driver is arrested or incapacitated, the car is on “hold” or unregistered, or has accrued at least four parking tickets that have remain unpaid for at least 60 days. BMC 15.48.010 The circumstances for towing under Chapter 15.52 (Abandoned Vehicles) follow IC 9-22-1 (Abandoned, Salvaged, and Scrap Vehicles) and often include a notice requirement (by, for example, “tagging” the car).

The current and proposed fees are set forth below in comparison with the range of fees provided by other local agencies. Please note that these fees do not include an administrative fee of \$25 which is collected by the police department when it issues an abandoned/impounded vehicle report (per BMC 15.48.070).

¹ Rouker’s Memo includes a table of fees for Monroe County, IU, Indiana State Police, Town of Ellettsville, and the City of Bloomington (current and proposed).

<u>Service</u>	<u>City – Current</u>	<u>City – Proposed</u>	<u>Range for Other Agencies</u>
Base Fee	\$55 (day) \$65 (night)	\$125	\$125
Special Treatment (e.g. – dollying)	\$25	Same	\$25 - \$35
Storage (per day)	\$10 \$15 (wrecked Vehicles)	\$25	\$20 - \$35 ²
Night Retrieval	\$15	\$0	\$0 - \$35
Mileage (per mile)	\$0	Same	\$0 - \$3

² Indiana State Police distinguishes between storage outdoor (\$35) and indoor (\$55).

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL
REGULAR SESSION AND COMMITTEE OF THE WHOLE
6:30 P.M., WEDNESDAY, MARCH 6, 2019
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.**

REGULAR SESSION

I. ROLL CALL

II. AGENDA SUMMATION

- III. APPROVAL OF MINUTES FOR:** 19 December 2018 – Regular Session
23 January 2019 – Special Session
13 February 2019 – Special Session
21 February 2019 – State of the City- Special 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. Resolution 19-04 To Confirm Resolution 19-03 Extending the Period of Designation of an Economic Revitalization Area, Approving the Statements of Benefits, and Authorizing Periods of Abatement for Real and Personal Property Improvements – Re: Properties at 1300 S Patterson Drive (Catalent Indiana, LLC, Petitioner)

Note that the public comment on this agenda item serves as the legally-advertised public hearing on this legislation.

Committee Recommendation Do Pass: N/A

VII. LEGISLATION FOR FIRST READING

1. Ordinance 19-07 Amending Title 15 of the Bloomington Municipal Code – Re: Updating Permissible Towing and Storage Fees for Authorized Towing Services

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

IX. COUNCIL SCHEDULE

X. ADJOURNMENT

to be followed immediately by a

COMMITTEE OF THE WHOLE

Chair: Councilmember Chopra

1. Ordinance 19-07 Amending Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic”– Re: Updating Permissible Towing and Storage Fees for Authorized Towing Services

Asked to Attend: Mike Rouker, City Attorney

Public Comment: * 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. Please note that pursuant to the Bloomington Municipal Code, at Committee of the Whole meetings, the public may comment *only* on items listed on the Agenda. BMC § 2.04.250

*Auxiliary aids are available upon request with adequate notice. Please call (812) 349 - 3409 or e-mail council@bloomington.in.gov.

Posted: March 1, 2019



City of Bloomington Office of the Common Council

Notice and Amended Schedule for Common Council Review of Resolution 19-01 (Adopting the City's Transportation Plan) (Announced by Council President Rollo – 28 February 2019)

Past Deliberations

After introduction of Resolution 19-01 (Adopting the City's Transportation Plan) on Wednesday, January 16th and an initial review of the Plan over the following three Wednesdays, on February 6th the Council tabled the resolution and delegated to the Council President the duty to set the deadlines and schedule for further consideration of this resolution and Plan and announce them by the end of February. In accordance to that action, the Council President now announces the following deadlines and schedule regarding this legislation:

Deadlines and Schedule for Further Deliberation on the Transportation Plan

Wednesday, March 20th – Initial deadline for Council Members to sponsor amendments (by contacting the Planning and Transportation and Council Office staff.

Friday, March 29th at Noon in the Council Library¹ – Council Work Session to discuss amendments, the prospect of other amendments, and how to proceed with further deliberations

Friday, April 12th – Release of sponsored amendments in the Council Office and posted online at <https://bloomington.in.gov/council/plan-schedule>

Monday, April 29th at Noon – Deadline for the public to submit amendments to the Council Office via email at council@bloomington.in.gov. *(The public is encouraged to submit amendments and to do so well before the above deadline. See Amendments below).*

Friday, May 10th at Noon in the Council Library – Council Work Session to review amendments; and, also the **Deadline** for Council members to sponsor additional amendments

Friday, May 17th – Release of weekly Council Legislative Packet containing amendments

Wednesday, May 22nd at 6:30 pm in the Council Chambers² – Council Special Session to further consider Resolution 19-01 and the Transportation Plan. Further deliberations may be necessary and, if so, the Council anticipates using the following Wednesday evenings at its usual meeting time to conclude its work on this legislation.

Amendments

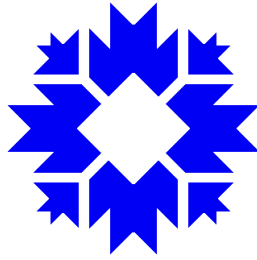
Sponsorship. Amendments must be sponsored by Council members. While members of the public may not propose amendments directly, they may request a Councilmember to do so. Requests for Councilmember sponsorship may be sent to council@bloomington.in.gov. In addition, requests may also be sent directly to a Councilmember (individual e-mail addresses can be found here: <https://bloomington.in.gov/council>)

In Writing. All amendments must be in written form and must be on a form provided by the Council Office. The form is posted [here](#).

¹ The Council Office Library is located in Room 110 of Showers City Hall, 401 North Morton Street, Bloomington, IN. If necessary, in order to accommodate all who wish to attend, the meeting may be moved to another room in City Hall (with notice posted on the door of the Council Office in advance of the meeting).

² The Council Chambers is located in Room 115 of the Showers City Hall at 401 North Morton Street, Bloomington, Indiana.

This notice was prepared and posted in accordance with the Open Door Law, in order to inform the public of these meetings of the Common Council and to give them an opportunity to attend, observe and record what transpires.



**City of Bloomington
Office of the City Clerk**

NOTICE

**Jack Hopkins Social Services
Funding Committee Meetings**

<u>Day</u>	<u>Date and Meeting Purpose</u>	<u>Time</u>	<u>Room</u>
Monday	April 22, 2019 (Review of Applications)	6:00 p.m.	Clerk/Council Office Library (Suite #110)
Thursday	May 2, 2019 (Agency Presentations)	5:30 p.m.	Council Chambers (Suite #115)
Thursday	May 9, 2019 (Pre-Allocation Meeting)	6:30 p.m.	Clerk/Council Office Library (Suite #110)
Monday	May 13, 2019 (Allocation Hearing)	5:30 p.m.	McCloskey Conference Room (Suite #135)
Tuesday	June 4, 2019 (Debriefing Meeting)	5:30 p.m.	Clerk/Council Office Library (Suite #110)

These meetings will all be held in City Hall at 401 N. Morton Street, Bloomington, IN.

Under Indiana Open Door Law (I.C. § 5-14-1.5), this statement provides notice that these meeting will occur and are open for the public to attend, observe, and record what transpires.

Posted: Friday, 01 March 2019

RESOLUTION 19-04

TO CONFIRM RESOLUTION 19-03 EXTENDING THE PERIOD OF DESIGNATION OF AN ECONOMIC REVITALIZATION AREA, APPROVING THE STATEMENTS OF BENEFITS, AND AUTHORIZING PERIODS OF ABATEMENT FOR REAL AND PERSONAL PROPERTY IMPROVEMENTS

**- Re: Property at 1300 S Patterson Drive
(Catalent Indiana, LLC, Petitioner)**

WHEREAS, Catalent Indiana, LLC, (“Petitioner”) filed an application for an extension of the existing designation of property at 1300 South Patterson Drive, Bloomington, Indiana, comprised of a parcel identified by the Parcel Number listed herein, as an “Economic Revitalization Area” (“ERA”) pursuant to Indiana Code § 6-1.1-12.1 *et seq.*; and

WHEREAS, the subject site is identified by the following Monroe County Parcel Number:

53-08-05-400-032.000-009; Alt Parcel Num: 015-43770-00; and

WHEREAS, the Petitioner applied for a tax abatement and submitted separate Statement of Benefits forms to the Common Council for personal and real property improvements to the subject site;

WHEREAS, according to this material, the Petitioner wishes to invest at least \$85 million in personal property improvements to the subject site, to install equipment to expand Petitioner’s packaging and sterile filling capacity, and support specialized device assembly at its existing facility; and

WHEREAS, according to this material, the Petitioner wishes to invest at least \$40 million in real property improvements to the subject site; and

WHEREAS, Petitioner has committed to creating a minimum of 200 new full-time, permanent jobs as part of this investment, with an average annual salary of at least \$66,500 (not including benefits); and

WHEREAS, the above real estate improvements and personal property investments constitute “the Project;” and

WHEREAS, as required by Indiana Code, Bloomington Municipal Code, and a Memorandum of Understanding to be executed pursuant to the City of Bloomington Tax Abatement General Standards, the Petitioner shall agree to provide information in a timely fashion each year to the County Auditor and the Common Council showing the extent to which the Petitioner has complied with the Statement of Benefits, complied with the City of Bloomington’s Living Wage Ordinance (B.M.C. 2.28), and complied with commitments specified in the Memorandum of Understanding; and

WHEREAS, the Project is located in the Thomson-Walnut-Winslow Tax Increment Finance (“TIF”) district; and

WHEREAS, the Economic Development Commission (“EDC”) reviewed the Petitioner’s application and Statement of Benefits and passed Resolution 19-01 and Resolution 19-02 recommending that the Common Council extend the existing ERA designation through December 31, 2033, approve both Statement of Benefits forms, and authorize ten-year periods of abatement for both the real and personal property improvements; and

WHEREAS, the Common Council has investigated the area and reviewed the Application and Statement of Benefits, which are attached and made a part hereof, and found the following:

A. the estimate of the value of the Project is reasonable;

- B. the estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the Project as proposed;
- C. the estimate of the annual salaries of these individuals who will be employed or whose employment will be retained can be reasonably expected to result from the Project as proposed;
- D. any other benefits about which information was requested are benefits that can be reasonably expected to result from the Project; and
- E. the totality of benefits is sufficient to justify the deduction; and

WHEREAS, the Common Council has further found that the Project will not negatively impact the ability of the Thomson-Walnut-Winslow TIF district to meet its debt obligations; and

WHEREAS, the Common Council adopted Resolution 19-03 on February 13, 2019, which extended the designation period of the above property as an “Economic Revitalization Area,” approved both Statement of Benefits, and authorized ten-year periods of tax abatement for both real and personal property improvements; and

WHEREAS, the City Clerk published notice of the passage of that resolution, which requested that persons having objections or remonstrance to the designation, Statement of Benefits submissions, and findings of fact appear before the Common Council at its meeting on March 6, 2019; and

WHEREAS, the Common Council has reviewed and heard all such objections and remonstrance to such designation;

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

SECTION 1. Pursuant to Indiana Code § 6-1.1-12.1-1 *et seq.*, the Common Council affirms its determination made in Resolution 19-03 that the property at 1300 South Patterson Drive, comprised of the one parcel identified above, which is within the Thomson-Walnut-Winslow TIF Area, is an “Economic Revitalization Area” as set forth in Indiana Code § 6-1.1-12.1-1 *et seq.*, and affirms extending the expiration of this designation.

SECTION 2. This designation shall expire no later than December 31, 2033, unless extended by action of the Common Council and upon recommendation of the Bloomington Economic Development Commission.

SECTION 3. The Common Council affirms its approval of Petitioner’s Statements of Benefits for both real estate and personal property improvements.

SECTION 4. The Common Council affirms its findings that the totality of the benefits of the Project entitle the owner of the property or its successor(s) to a deduction from the assessed value of the real and personal property improvements for a period of ten (10) years each.

SECTION 5. Pursuant to Indiana Code § 6-1.1-12.1-17, the Common Council hereby sets the following abatement schedules for the real estate and personal property improvements:

- a. For real estate improvements for the Project, a period of ten (10) years with the following deduction schedule:

Year 1	100%
Year 2	95%
Year 3	80%
Year 4	65%
Year 5	50%
Year 6	40%
Year 7	30%
Year 8	20%
Year 9	10%
Year 10	5%

- b. For the personal property installed and placed in service for the Project, a period of ten (10) years with the following deduction schedule:

Year 1	100%
Year 2	95%
Year 3	80%
Year 4	65%
Year 5	50%
Year 6	40%
Year 7	30%
Year 8	20%
Year 9	10%
Year 10	5%

SECTION 6. In granting this designation and deductions the Common Council expressly exercises the power set forth in Indiana Code § 6-1.1-12.1-2(i)(6) to impose additional, reasonable conditions on the rehabilitation or redevelopment beyond those listed in the Statement of Benefits, and authorizes the City of Bloomington to negotiate a Memorandum of Understanding with the Petitioner specifying substantial compliance terms and consequences and remedies for noncompliance. In particular, failure of the property owner to make reasonable efforts to comply with the following conditions is an additional reason for the Council to rescind this designation and deduction:

- a. the capital investment of at least \$85 million for equipment; and
- b. the capital investment of at least \$40 million in real property improvements; and
- c. the land and improvements shall be developed and used in a manner that complies with local code; and
- d. the Project shall be completed before or within twelve months of the completion dates as listed on the application; and
- e. Petitioner will comply with all compliance reporting requirements in the manner described by Indiana Code, Bloomington Municipal Code, and by the Memorandum of Understanding.

SECTION 7. The Common Council also affirms its incorporation of the provisions of Indiana Code § 6-1.1-12.1-12 into Resolution 19-03, so that if the Petitioner ceases operations at the facility for which the deduction was granted and the Common Council finds that the Petitioner obtained the deduction by intentionally providing false information concerning its plans to continue operations at the facility, the Petitioner shall pay the amount determined under Indiana Code § 6-1.1-12.1-12(e) to the county treasurer.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2019.

DAVE ROLLO, 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 _____, 2019.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2019.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This resolution confirms Resolution 19-03 extending the Economic Revitalization Area (ERA) designation of a parcel owned by Catalent Indiana, LLC and known as 1300 S. Patterson Drive. This designation extension was recommended by the Economic Development Commission and will enable the expansion of Catalent’s packaging, vial filling, and syringe filling capacity, creating additional jobs within the City. The resolution also authorizes a ten-year period of abatement for certain personal and real property improvements at 1300 S. Patterson Drive and sets the same abatement schedule for both real and personal property.

ORDINANCE 19-07

AMENDING TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED “VEHICLES AND TRAFFIC” -

Re: Updating Permissible Towing and Storage Fees for Authorized Towing Services

WHEREAS, in 2001, the City of Bloomington (hereafter “City”) passed Ordinance 01-33, which updated the maximum fees that authorized towing services were permitted to charge for tows initiated at the request of the City; and

WHEREAS, the City has not updated said fees since Ordinance 01-33 was passed nearly 18 years ago; and

WHEREAS, the maximum rates authorized towing services may charge for City-initiated tows are out of line with those permitted by Monroe County, Indiana University, Ellettsville, and the Indiana State Police; and

WHEREAS, the City desires to update its maximum towing fees to render them consistent with fees permitted by other government agencies operating in Monroe County; and

WHEREAS, by permitting fees that are consistent and fair to all involved, the City hopes to continue to partner with experienced and responsible local towing companies;

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

SECTION 1: Section 15.48.030 of the Bloomington Municipal code is hereby deleted in its entirety and replaced as follows:

15.48.030 – Towing and storage charges

The maximum amount that an authorized towing service may charge for hooking up, towing or removing a vehicle under this chapter may not exceed one-hundred twenty-five dollars (\$125), except where special treatment may be required. Special treatment, including dollying, may not exceed an additional twenty-five (\$25) dollars.

The maximum amount that may be charged for storage of vehicles shall not exceed twenty-five dollars (\$25) per day.

SECTION 2: Section 15.52.060 of the Bloomington Municipal code is hereby deleted in its entirety and replaced as follows:

15.52.060 – Maximum towing and storage charges

The maximum amount that an authorized towing service may charge for hooking up, towing or removing a vehicle under this chapter may not exceed one-hundred twenty-five dollars (\$125), except where special treatment may be required. Special treatment, including dollying, may not exceed an additional twenty-five dollars (\$25).

The maximum amount that may be charged for storage of vehicles shall not exceed twenty-five dollars (\$25) per day.

SECTION 3: If any section, sentence, or provision of this Ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2019.

DAVE ROLLO, 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 _____, 2019.

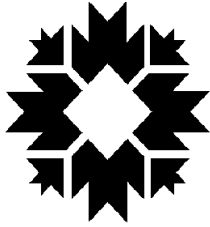
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2019.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

Ordinance 19-07 updates the maximum fees authorized towing services may charge when performing City-initiated tows. At present, the City permits a maximum towing fee of \$55 for daytime towing, \$65 for nighttime towing, \$25 for dollying, \$10 or \$15 per day of storage (depending on whether or not the vehicle is wrecked), and a \$15 night retrieval charge. These maximum permissible fees have remained unchanged since 2001 and therefore have fallen out of line with the maximum permissible fees utilized by all other government agencies in Monroe County. Ordinance 19-07 updates and simplifies permissible maximum towing fees by authorizing a \$125 base towing fee regardless of the time the tow is initiated, maintaining the existing \$25 dollying fee, and updating permissible storage fees to \$25 per day regardless of whether or not the towed vehicle is wrecked.



**CITY OF BLOOMINGTON
LEGAL DEPARTMENT
MEMORANDUM**

TO: City of Bloomington Common Council
FROM: Michael Rouker, City Attorney
RE: Ordinance 19-07
DATE: February 28, 2019

MEMORANDUM

In 2001, the City of Bloomington Common Council passed Ordinance 01-33, which adjusted the maximum permissible towing and storage fees that could be charged for City-initiated tows. Since Ordinance 01-33 was passed in 2001, there have been no additional adjustments to the City's towing and storage rates. Because these maximum rates have not been updated in nearly 18 years, they are, unsurprisingly, not consistent with the fees charged by other government agencies in Monroe County. Below is a table showing the maximum towing and storage rates permitted by agencies in Monroe County:

AGENCY	BASE FEE	SPECIAL TREATMENT	STORAGE (per day)	NIGHT RETRIEVAL	MILEAGE (per mile)
Monroe County	\$125	\$35	\$20	\$35	None
Indiana University	\$125	\$25	\$35	None	\$3
Indiana State Police	\$125	\$25	\$35 (outdoor) \$55 (indoor)	None	\$3
Town of Ellettsville	\$125	\$35	\$20	\$35	None
Bloomington (current)	\$55 (day) \$65 (night)	\$25	\$10; \$15 for wrecked vehicles	\$15	None
Bloomington (proposed Ord. 19-07)	\$125	\$25	\$25	None	None

As you can see, proposed Ordinance 19-07 increases the base fee permitted to be charged for all tows from \$55 (daytime) or \$65 (nighttime) to \$125. The daytime/nighttime rate differential is eliminated, which makes the rate schedule easier to understand for both towers and members of the public. Similarly, proposed Ordinance 19-07 increases and simplifies the per day storage charge by changing the rate from \$10 (for functioning vehicles) or \$15 (for wrecked vehicles) to \$25 for all vehicles. The increased rate for storing a wrecked vehicle is eliminated, making the storage rates easier to understand. Fees for special treatment, including dollying, are not changed in the proposed ordinance, and remain at \$25.

For several years, the authorized towing services with whom the City contracts in order to initiate tows have pointed out the disparities that are apparent in the table above. In order to keep local, responsible, experienced towing companies interested in continuing to partner with the City to handle tows, staff recommends updating permissible charges to bring them into line with the rates charged by other government agencies operating in Monroe County.

**AMENDMENTS TO CHAPTERS 15.48 (REMOVAL AND IMPOUNDMENT OF VEHICLES)
AND 15.52 (ABANDONED VEHICLES) PROPOSED BY ORDINANCE 19-07
- RE: ADJUSTMENT IN FEES
(See Maximum Towing and Storage Charges found in 15.48.010 and 15.52.060)**

Chapter 15.48 - REMOVAL AND IMPOUNDMENT OF VEHICLES*

Sections:

- 15.48.010 - General provisions.
- 15.48.020 - Removal and impoundment procedure.
- 15.48.030 - Towing and storage charges.
- 15.48.040 - Disposal of impounded vehicles.
- 15.48.050 - Liability for loss or damage.
- 15.48.060 - Payment of fines.
- 15.48.070 - Administrative fee.

15.48.010 - General provisions.

- (a) Vehicles parked in any of the following circumstances are declared public nuisances and shall be subject to removal and impoundment in accordance with this chapter, as well as any fines set by state law or city ordinance:
 - (1) Any vehicle located in such a manner as to constitute a hazard or impediment to the free movement of pedestrian or vehicular traffic;
 - (2) Any vehicle parked in a fire lane in violation of Section 15.32.160 of this code;
 - (3) Any vehicle upon which there is a police department hold;
 - (4) Any vehicle whose operator is unable to move such vehicle due to the person's arrest or other incapacity;
 - (5) Any vehicle parked in a duly authorized residential parking permit area without permission of the permit holder after complaint to the Bloomington police department, in violation of Chapter 15.36 of this code;
 - (6) Any vehicle parked in a leased stall in a municipal parking facility without displaying the proper permit for that stall for which the Parking Services Director, or his or her designee, has determined the displaying of a permit is required, or any vehicle in violation of Section 15.40.060(j) of this code;
 - (7) Any vehicle parked in violation of the snow removal, street repair and street cleaning provisions of Section 15.32.050 of this code;
 - (8) Any vehicle which has accumulated four or more parking tickets all of which remain unpaid after sixty calendar days of issuance of the tickets;
 - (9) Any vehicle required to be registered under Indiana Code 9-18-2 which does not have the proper registration or license plates attached;

- (10) Any vehicle parked on the east or west side of Hinkle Road, or on its shoulders, between the corner of Hinkle and Headley Roads and a point on Hinkle Road approximately .85 miles north of the corner of Headley and Hinkle Roads, as posted, corresponding and limited to corporate municipal jurisdiction over Hinkle Road;
 - (11) Any vehicle in a city parks and recreation parking lot in violation of Bloomington Municipal Code Section 15.40.025(b);
 - (12) Any vehicle parked in a city employee parking area in violation of any of the provisions of Bloomington Municipal Code Chapter 15.38;
 - (13) Any vehicle parked in violation of any of the provisions of Bloomington Municipal Code Section 15.40.050 regarding city hall visitor parking.
 - (14) Any vehicle parked in an unregulated parking location at a time that parking is prohibited by a posted "No Parking" sign. Notice shall be posted at least seventy-two hours before this parking restriction becomes effective, except when an emergency requires immediate action.
 - (15) Any vehicle parked in a regulated parking space at a time that parking is prohibited by a posted "No Parking" sign. Notice shall be posted at least twenty-four hours before the parking restriction becomes effective at any regulated parking space in the public right of way, except when an emergency requires immediate action.
- (b) When any vehicle is parked in any of the circumstances enumerated in subsection (a) of this section, such fact shall be prima facie evidence that the owner is chargeable for the violation.
- (16) Any vehicle parked adjacent to a yellow-painted curb; and
 - (17) Equipment or machinery, whether self-propelled or towed, parked on a public street without prior approval from the Parking Services Director, or his or her designee, and in violation of Section 15.32.060.

(Ord. 08-19 §§ 41 (part), 42—48, 2008; Ord. 07-05 § 10, 2007; Ord. 04-14 §§ 26, 27, 2004; Ord. 03-38 §§ 7, 8, 2003; Ord. 91-50 §§ 5, 6, 1991; Ord. 88-7 § 2, 1988; Ord. 83-23 § 3, 1983; Ord. 82-1 § 1 (part), 1982).

(Ord. No. 11-07, §§ 23, 24, 8-3-2011; Ord. No. 16-14, § 12, 7-12-2016)

15.48.020 - Removal and impoundment procedure.

- (a) Any officer of the Bloomington Police Department or parking enforcement officer discovering a public nuisance as described in Section 15.48.010 shall cause the vehicle to be removed by an authorized towing service. If the vehicle owner or last operator appears at the site of the violation before the vehicle is removed and provides to the towing service the vehicle owner's and last operator's names and addresses, if different, then the vehicle shall be released.
- (b) Impounded vehicles shall be released without payment of the towing and storage charges upon: provision to the towing service of names and addresses of the vehicle

owner and last operator, if different; order of the Bloomington Police Department; or order by the judge of a court of competent jurisdiction.

(Ord. 08-19 § 41 (part), 2008; Ord. 82-1 § 1 (part), 1982).

(Ord. No. 11-03, § 7, 4-6-2011; Ord. No. 14-11, § 142, 7-2-2014)

15.48.030 - Towing and storage charges.

The maximum amount that an authorized towing service may charge for hooking up, towing or removing a vehicle under this chapter may not exceed one-hundred twenty-five dollars (\$125) ~~forty-five dollars during the day, and sixty-five dollars during the night,~~ except where special treatment may be required. Special treatment, including dollying, may not exceed an additional twenty-five (\$25) dollars. ~~For purposes of this chapter, "day" includes the hours between seven a.m. and six p.m., Monday through Saturday, and "night" includes the hours between six p.m. and seven a.m. Monday through Friday, and six p.m. Saturday evening through seven a.m. Monday morning. Motorcycles are not included in the above mentioned maximums; because of their special handling, the maximum charge at any time for a motorcycle may not exceed fifty dollars.~~

~~The maximum amount that the service may charge for an arrival on the scene in response to a request by a police officer is twenty dollars during the day, and twenty-five dollars during the night hours.~~

~~Should the owner/operator wish to retrieve the vehicle from the service during night hours, in addition to any towing and storage charges, an amount not to exceed fifteen dollars may be charged. The maximum amount that may be charged for storage of wrecked vehicles shall not exceed twenty-five dollars (\$25) ~~fifteen dollars~~ per day, and the maximum amount that may be charged for storage of all other vehicles shall not exceed ten dollars per day.~~

(Ord. 01-33 § 1, 2001; Ord. 96-43 § 1, 1996; Ord. 93-01 § 1, 1993; Ord. 88-43 § 1, 1988; Ord. 82-1 § 1 (part), 1982).

15.48.040 - Disposal of impounded vehicles.

Impounded vehicles shall be disposed of in accordance with the provisions of Chapter 15.52 of this code and Indiana Code 9-22-1-5.

(Ord. 91-50 § 7, 1991; Ord. 82-1 § 1 (part), 1982).

15.48.050 - Liability for loss or damage.

Neither the owner, lessee, or occupant of the property from which a vehicle is removed, nor the police department or authorized towing service is liable for loss or damage to the vehicle during its removal or storage.

(Ord. 82-1 § 1 (part), 1982).

15.48.060 - Payment of fines.

The owner of the impounded vehicle shall be responsible for paying any applicable fine.

(Ord. 82-1 § 1 (part), 1982).

15.48.070 - Administrative fee.

- (a) If a vehicle is removed and impounded pursuant to Section 15.48.020, then in addition to any towing and storage charges assessed under Section 15.48.030, an administrative fee of twenty-five dollars shall be levied when the vehicle owner or last operator obtains a copy of the abandoned/impounded vehicle report from the police department.
- (b) This administrative fee shall be for the purpose of offsetting, to the extent practicable, the cost to the city of implementing, enforcing and administering the provisions of this chapter.
- (c) The administrative fee shall be deposited into the city's general fund.

(Ord. No. 12-23, § 2, 10-3-2012)

Chapter 15.52 - ABANDONED VEHICLES

Sections:

15.52.010 - Applicability.

15.52.020 - Responsibility of owner.

15.52.030 - Vehicles in possession of person other than owner.

15.52.040 - Removal of abandoned vehicles.

15.52.060 - Maximum towing and storage charges.

15.52.070 - Towing contracts.

15.52.080 - Liability for loss or damage.

15.52.010 - Applicability.

(a) This chapter shall apply to vehicles in possession of persons other than owners of the vehicles and to abandoned vehicles as defined in Chapter 15.04.

(b) This chapter shall not apply to any vehicle:

- (1) In operable condition specifically adapted or constructed for operation on privately owned raceways;
- (2) Stored as the property of a member of the armed forces of the United States who is on active duty assignment;
- (3) Located on a vehicle sale lot or at a commercial vehicle servicing facility;
- (4) Located upon property licensed or zoned as an automobile scrapyard; or
- (5) Registered and licensed under Indiana Code 9-18-12 as an antique vehicle.

(Ord. 08-19 § 49, 2008; Ord. 91-50 § 8, 1991; Ord. 82-1 § 1 (part), 1982).

15.52.020 - Responsibility of owner.

The owner of an abandoned vehicle is responsible for the abandonment and is liable for all of the costs incidental to the removal, storage, and disposal of the vehicle or its parts.

(Ord. 89-30 § 4, 1989; Ord. 82-1 § 1 (part), 1982).

15.52.030 - Vehicles in possession of person other than owner.

When a police officer discovers a vehicle in the possession of a person other than the owner and the person cannot establish his/her right to the possession of that vehicle, the police officer shall act in accordance with Indiana Code 9-22-1-5.

(Ord. 08-19 § 50, 2008; Ord. 82-1 § 1 (part), 1982).

15.52.040 - Removal of abandoned vehicles.

- (a) An officer or parking enforcement officer who finds a vehicle or parts believed to be abandoned shall attach in a prominent place a notice tag containing the following information:
- (1) The date, time, officer's or parking enforcement officer's name, city police department, and address and telephone number to contact for information.
 - (2) That the vehicle or parts are considered abandoned.
 - (3) That the vehicle or parts will be removed after seventy-two hours.
 - (4) That the owner will be held responsible for all costs incidental to the removal, storage, and disposal of the vehicle or parts.
 - (5) That the owner may avoid costs by removal of the vehicle or parts within seventy-two hours.
- (b) If the tagged vehicle or parts are not removed within the seventy-two hour period, the police officer or parking enforcement officer shall prepare a written abandoned vehicle report in accordance with Indiana Code Section 9-22-1-12.
- (c) If, in the opinion of the officer or parking enforcement officer, the market value of the abandoned vehicle or parts is less than \$750.00, the officer or parking enforcement officer shall immediately dispose of the vehicle to a storage yard. A copy of the abandoned vehicle report and photographs relating to the abandoned vehicle shall be forwarded to the bureau. The police department shall retain the original records and photographs for at least two years.
- (d) If, in the opinion of the officer or parking enforcement officer, the market value of the abandoned vehicle or parts is \$750.00 or more, the officer or parking enforcement officer, before placing a notice tag on the vehicle or parts, shall make a reasonable effort to ascertain the owner or person who may be in control of the vehicle or parts. After seventy-two hours, the officer or parking enforcement officer shall require the vehicle or parts to be towed to a storage area.

(Ord. 08-19 §§ 51—54, 2008; Ord. 82-1 § 1 (part), 1982).

(Ord. No. 17-22, § 13, 5-17-2017)

15.52.060 - Maximum towing and storage charges.

The maximum amount that an authorized towing service may charge for hooking up, towing or removing a vehicle under this chapter may not exceed one-hundred twenty-five dollars (\$125) ~~\$55.00 during the day, and \$65.00 during the night~~, except where special treatment may be required. Special treatment, including dollying, may not exceed an additional twenty-five dollars (\$25). ~~\$25.00. For purposes of this chapter, "day" includes the hours between seven a.m. and six p.m., Monday through Saturday, and "night" includes the hours between six p.m. and seven a.m. Monday through Friday, and six p.m. Saturday evening through seven a.m. Monday morning. Motorcycles are not included in the above mentioned maximums; because of their special~~

~~handling, the maximum charge at any time for a motorcycle may not exceed \$50.00. The maximum amount that the service may charge for an arrival on the scene in response to a request by a police officer or parking enforcement officer is \$20.00 during the day, and \$25.00 during the night hours.~~

~~Should the owner/operator wish to retrieve the vehicle from the service during night hours, in addition to any towing and storage charges, an amount not to exceed \$15.00 may be charged. The maximum amount that may be charged for storage of wrecked vehicles shall not exceed twenty-five dollars (\$25) \$15.00 per day, and the maximum amount that may be charged for storage of all other vehicles shall not exceed \$10.00 per day.~~

(Ord. 01-33 § 2, 2001; Ord. 96-43 § 2, 1996; Ord. 93-01 § 2, 1993; Ord. 88-43 § 2, 1988; Ord. 82-1 § 1 (part), 1982).

(Ord. No. 17-22, § 14, 5-17-2017)

15.52.070 - Towing contracts.

To facilitate the removal of abandoned vehicles or parts or vehicles declared public nuisances, the police department may enter into towing contracts or agreements for the removal and storage of abandoned vehicles and parts.

(Ord. 82-1 § 1 (part), 1982).

15.52.080 - Liability for loss or damage.

Neither the owner, lessee, or occupant of the property from which an abandoned vehicle or parts are removed nor the police department, authorized towing service, or automobile scrapyard is liable for loss or damage to the vehicle or parts occurring during its removal, storage, or disposition.

(Ord. 82-1 § 1 (part), 1982).

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, December 19, 2018 at 6:33pm with Council President Dorothy Granger presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
December 19, 2018

Members present: Ruff, 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]

APPROVAL OF MINUTES [6:36pm]

Councilmember Steve Volan moved and it was seconded to approve the minutes of October 31, 2018 as corrected. The motion was approved by voice vote.

October 31, 2018 (Regular Session)

Volan moved and it was seconded to approve the minutes of November 14, 2018 as corrected. The motion was approved by voice vote.

November 14, 2018 (Regular Session)

Councilmember Jim Sims wished everyone a happy holiday season and encouraged people to be more considerate. Sims also said he would respond to citizen requests as quickly as possible.

REPORTS [6:37pm]

- COUNCIL MEMBERS

Volan said the meeting that evening was the last of the year and that the first meeting of the new year would be January 9, 2019.

Granger thanked the residents, city staff, administration, and Council for all the work that had been put into the issues that were important to the community.

Councilmember Andy Ruff discussed his response time to requests from the public.

Gavin Everett presented the annual report for the Commission on Hispanic and Latino Affairs.

- The MAYOR AND CITY OFFICES [6:43pm]

Councilmember Allison Chopra asked what contributed to the high attendance.

Everett stated that the commission was very active. He said commission meetings and festivals were always well attended.

Chris Aver gave a report on the Indiana Recovery Alliance (IRA) and provided opioid epidemic statistics.

Chopra asked to hear more about the legislation that Aver was working on and if the IRA was going to expand to surrounding communities.

Aver said the legislation was called the "Tell an Officer Bill" and explained the details. Aver also said the IRA was expanding.

Ruff asked what could be learned from the example of Dayton, Ohio.

Aver stated they were already doing everything that Dayton was doing.

Sims thanked Aver for the report.

Volan thanked Aver and asked if there was per capita data for Bloomington.

Aver said that the information could be found on Stat Explorer.

Amanda Clerkin-Barge thanked the Council for supporting the IRA. Mayor and City Offices (*cont'd*)

Dr. Carrie Lawrence noted that Fayette County, Indiana had challenges with its needle exchange program.

Dr. Alicia Suarez stated she supported everything Aver said.

There were no Council Committee reports.

- COUNCIL COMMITTEES

Steve Roberston discussed union negotiations with the city, and thanked those involved in the process.

- PUBLIC

Greg Alexander discussed his disappointment in the city's pedestrian infrastructure.

Penny Caudill, Monroe County Health Department, discussed her support of the IRA and the public health services that the County provided.

Daniel Bingham discussed climate change statistics.

Volan counted 37 people that were in attendance for support of the Indiana Recovery Alliance.

Councilmember Dave Rollo moved and it was seconded to appoint Matt Flaherty to the Commission on Sustainability. The motion was approved by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:25pm]

Volan moved and it seconded to appoint Savannah Wormley to the Commission on the Status of Women. The motion was approved by voice vote.

Volan moved and it was seconded that Ordinance 18-26 be introduced and read by title and synopsis only. The motion was approved by voice vote. Clerk Nicole Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation for Amendment 01 of Ayes: 6, Nays: 0, Abstain: 1 and the committee do-pass recommendation for Ordinance 18-26 as amended of Ayes: 7, Nays: 0, Abstain: 0.

Volan moved and it was seconded that Ordinance 18-26 be adopted.

Scott Robinson, Assistant Director for Planning and Transportation, presented the legislation to the Council.

Councilmember Isabel Piedmont-Smith asked how the \$10 per day maximum was chosen for when the equipment in the garage was not working.

Robinson said it came from the idea of having a flat rate fee for special events like the Lotus Festival. The amount was based on the Desman parking study.

Piedmont-Smith asked about 90 day orders being turned into 180 day orders.

Robinson stated that the intent was to reduce the amount of times an order had to be renewed.

Sims asked for clarification on how the \$10 would be charged if the arms stopped working.

Robinson stated that the Board of Public Works would have to sign off on it.

Volan noted that 180 day orders might cause problems for neighborhoods.

Robinson said that 90 day orders were for safety concerns. He added that the only complaints he heard were related to detours.

Piedmont-Smith said there were parking issues on Rogers Street and Walnut Street due to 90 day orders.

Robinson noted that there were scheduling issues that had negatively impacted the completion times for those streets.

Volan asked how 180 days was an improvement over 90 days.

Robinson stated that the best time to do work was summer time when a lot of the population left town. He noted that having 180 days would decrease the chances of doing a job when the Council was in recess.

Piedmont-Smith moved and it was seconded that Amendment 01 to Ordinance 18-26 be adopted.

Amendment 01 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.

LEGISLATION FOR SECOND
READING AND RESOLUTIONS
[7:26pm]

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

Amendment 01 to Ordinance 18-26

Volan asked if the name of Trades Street was going to be decided by the Council or just approved. Council Questions:

Robinson stated that Brian Payne, Assistant Director of Small Business Development, ran the contest and would know more about the street name.

There was no public comment. Public Comment:

Volan stated he would not support the amendment. Council Comment:

Chopra stated she voted to make the name Brad Wisler Way.

Piedmont-Smith explained why she included the street name change.

Volan moved and it was seconded to amend Amendment 01 to Ordinance 18-26 by striking Section 2. Amendment to Amendment 01 to Ordinance 18-26

Chopra thanked Volan for bringing up the point.

Sturbaum said he would be abstaining from the vote.

Piedmont-Smith supported striking Section 2.

The motion to amend Amendment 01 to Ordinance 18-26 received a roll call vote Ayes: 8, Nays: 0, Abstain: 1 (Sturbaum). Vote on motion to amend Amendment 01 to Ordinance 18-26 [7:52pm]

The motion to adopt Amendment 01 to Ordinance 18-26 as amended received a roll call vote Ayes: 9, Nays: 0, Abstain: 0. Vote to adopt Amendment 01 as amended to Ordinance 18-26 [7:52pm]

Granger moved and it was seconded that Amendment 02 to Ordinance 18-26 be adopted. Amendment 02 to Ordinance 18-26

Amendment 02 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.

Granger stated she wanted the provision removed because she believed the city had a responsibility to provide services and parking permits were one of those services. She felt the city had other ways of getting the money without penalizing people who really needed a permit.

Sims asked Granger what alternatives the city had to get the fines paid. Council Questions:

Granger stated the city could take someone to small claims court.

There was no public comment. Public Comment:

Piedmont-Smith thanked Granger for the amendment. Council Comment:

The motion to adopt Amendment 02 to Ordinance 18-26 received a roll call vote of Ayes: 5, Nays: 3 (Sturbaum, Chopra, Sims), Abstain: 0 (Volan out of the room). Vote to adopt Amendment 02 to Ordinance 18-26 [7:56pm]

Scott Burke stated he disapproved of the \$10 fee for when the parking garage machines did not work.

Public Comment:

Brian Payne, Assistant Director of Small Business Development, stated that a list of the names that were the most popular were sent to the Mayor and he expressed his interest in Makers Way. The list was then sent back to Dimension Mill and the folks there also expressed interest in that name, which was how the name was finally determined.

Chopra asked how the vote was presented to the public.

Council Questions:

Payne stated that, in an effort to avoid inappropriate names for the street, Dimension Mill had the ability to cull the list. After that, the City would take a name from the culled down list. The procedure was messaged out by Dimension Mill.

Chopra stated she did not know that was how the name would be picked.

Councilmember Susan Sandberg asked how many members of Dimension Mill reviewed and agreed on the name of the street.

Payne stated that it was not a unilateral decision by the Mayor but was done in conjunction with Dimension Mill.

Chopra asked what the most popular name was.

Payne said he did not know.

Chopra asked if the decision was done by popular vote.

Payne did not believe popularity was used to get to the subset.

Chopra asked what was the point of the survey.

Payne stated the point of the list was to get a lot of different name suggestions.

Piedmont-Smith asked Crowley to explain the \$10 fee for the garage when the equipment was not working.

Robinson stated that it would be a huge disincentive to leave the equipment broken. There were leases that the equipment would monitor and if they left the equipment broken it would interfere with those leases. It was also a cap and it could be less.

Piedmont-Smith stated that she supported the ordinance.

Volan discussed parking permits for the unreserved, part-time spots in the garages. He supported the ordinance.

The motion to adopt Ordinance 18-26 as amended received a roll call vote Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 18-26 as amended [8:11pm]

Volan moved and it was seconded that Ordinance 18-10 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation for Ordinance 18-10 of Ayes: 6, Nays: 0, Abstain: 0.

Volan moved and it was seconded that Ordinance 18-10 be adopted.

Piedmont-Smith presented the legislation to the Council and explained the details in the ordinance.

Granger stated that the legislation added a public component, so people were made aware that they could comment on large expenditures.

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)

Chopra asked if the administration was on board with the ordinance.

Granger said yes.

Council Questions:

Vauhxx Booker thanked the Council for its support of Ordinance 18-10.

Public Comment:

Chopra thanked Piedmont-Smith and Granger for their work on the legislation.

Council Comment:

The motion to adopt Ordinance 18-10 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

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

Volan moved and it was seconded that Ordinance 18-27 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation for Ordinance 18-27 of Ayes: 7, Nays: 0, Abstain: 0.

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)

Volan moved and it was seconded that Ordinance 18-27 be adopted.

Vic Kelson, Director of Utilities, presented the legislation to the Council. He explained that the ordinance would give Utilities enforcement capabilities when it came to having someone get an inspection done.

Sims asked if irrigation systems represented the main threat for backflow in residential areas.

Council Questions:

Kelson stated that people were required to have a backflow preventer on their irrigation systems.

Piedmont-Smith moved and it was seconded that Amendment 01 to Ordinance 18-27 be adopted.

Amendment 01 to Ordinance 18-27

Amendment 01 Synopsis: This amendment is sponsored by Cm. Piedmont-Smith. The changes correct some typographical and grammatical errors and maintain a gender-neutral document.

Piedmont-Smith explained the changes made by the amendment.

Ordinance 18-27 (*cont'd*)

The motion to adopt Amendment 01 of Ordinance 18-27 received a roll call vote Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 to Ordinance 18-27 [8:26pm]

The motion to adopt Ordinance 18-27 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 18-27 as amended [8:27pm]

Volan moved and it was seconded that Resolution 18-26 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation for Resolution 18-26 of Ayes: 7, Nays: 0, Abstain: 0.

Resolution 18-26 To Approve an Equipment Lease Purchase Agreement and Other Related Matters – Re: Purchase and Installation of Utility Metering Improvements

Volan moved and it was seconded that Resolution 18-26 be adopted.

Kelson presented the legislation to the Council. He said the legislation would approve a lease purchase agreement for an advanced metering infrastructure project. He explained the advanced metering infrastructure would provide several benefits to the city and its customers: by reducing the amount of non-revenue water, advancing services for customers, helping detect leaks, improving efficiency of water bill calculations, and providing smart city applications.

Ruff asked what was the nearest community in Indiana that had implemented similar technology.

Council Questions:

Kelson said Evansville had it and Indianapolis might get it in the future.

Ruff asked if Kelson had discussed the benefits with those communities

Kelson said yes.

Piedmont-Smith asked if the estimated pay back period would be seven and a half years.

Kelson stated that the additional revenue that would be gained from more accurate meter readings was estimated at being \$1.2 million, which would pay for the system in seven and a half years.

Rollo asked if the meters were hackable.

Kelson said no.

Sims asked if the revenue increase would be solely from more accurate meter readings and not from a rate increase for water.

Kelson stated that the expected revenue increase would only come from more accurate meter readings.

Sims discussed an issue where his church had been surprised by a higher water bill than usual. He stated that having the new meters could prevent situations like that from happening, by being able to keep up to date with how much water was being used by the hour.

Daniel Bingham stated that he was generally supportive of the smart meters, but felt that information collected by the smart meters should be well guarded.

Public Comment:

Scott Burke agreed with Bingham. He supported the meters.

Mark Stosberg stated that the Council should ask for the smart meters certifications.

Vauhxx Booker urged the Council to enact general data protection.

Resolution 18-26 (cont'd)

Volan asked if there was any provision for two-factor authentication.

Council Questions:

Kelson stated the system selected had a specific frequency that the provider had purchased, that no one was legally able to use except the purchaser. He explained that customers' information was sent to a bay station, then to the provider's hosting service, and then to the Utilities Department. He said he would check and get back to Volan about the two-factor authentication.

Volan felt it was time for the city to have a comprehensive policy on data privacy.

Council Comment:

Granger stated that she worked at an organization that had a very costly leak. She said she would be supporting the resolution.

Piedmont-Smith stated she appreciated the public's comment on data security and she agreed with Volan about the city having a comprehensive policy on data privacy.

The motion to adopt Resolution 18-26 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Resolution 18-26 [8:55pm]

Volan moved and it was seconded that Resolution 18-27 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation for Resolution 18-27 of Ayes: 7, Nays: 0, Abstain: 0.

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

Volan moved and it was seconded that Resolution 18-27 be adopted.

Alex Crowley, Director of Economic Sustainable Development, presented the legislation to the Council.

Granger asked the city had ever had a program like this in the past. Crowley said yes.

Council Questions:

Rollo asked about the longevity of the project.

Crowley stated the affordable housing was meant to last for 15 years.

Rollo asked if the affordability would change if the property were sold.

Crowley said the bonds remained with the property until the 15 year period was up.

Volan was pleased with the ease of getting the project started.

Council Comment:

Sandberg was also pleased with the project.

Piedmont-Smith recalled that she protested against the development in 2001. She now supported the project.

Granger was excited for the project.

The motion to adopt Resolution 18-27 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Resolution 18-27 [9:05pm]

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. Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation for Resolution 18-24 of Ayes: 4, Nays: 1, Abstain: 4.

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

Volan asked Dan Sherman, Council Attorney, if the amendment by substitution was what they were voting on.

Sherman said yes.

Volan asked if Sherman could give a brief synopsis of what was being replaced in the amendment.

Sherman said the Council would just be considering the Fourth Street garage.

Volan moved and it was seconded that the Council amend Resolution 18-24 by substitution as it appeared in the December 5, 2018 Legislative Packet.

Daniel Bingham asked for clarification on the process.

Vauhxx Booker asked if there was additional information about the resolution that would be discussed or if only the Fourth Street garage would be discussed.

Volan stated that the effect of the substitution was to remove the Trades District garage from consideration of Resolution 18-24.

The motion to amend Resolution 18-24 by substitution received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Crowley explained why the administration wanted the Fourth Street garage to be rebuilt. He also explained that if the Council decided to repair the garage instead, the parking fund would be depleted.

Piedmont-Smith asked if there were other funds to pay for the repair besides the parking fund.

Jeff Underwood, Controller, explained that TIF funds could not be used for repairs. The three different sources that could be used were the parking facilities fund, the rainy day fund, and the general reserves fund. Depleting those reserves could cause the city to lose the AA Bond rating it just recently achieved.

Piedmont-Smith asked how much the city had in its reserves and the rainy day fund.

Underwood stated the city had \$10 million in reserves.

Volan asked if the administration could bring an ordinance to transfer dollars from the parking meter fund to the rainy day fund or general fund to make up for any deficiency created by paying for the garage repair.

Underwood stated that after the end of the year a determination could be made by the fiscal officer that there was a surplus in the account. That money then could come as an appropriation to move it to either the city's general fund or the rainy day fund.

Volan asked if the city could pay for repairs with the meter fund.

Underwood said it could happen.

Volan asked if the administration had a plan for if the bond did not pass.

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

Motion to Amend Resolution 18-24 by substitution

Public Comment:

Vote on motion to amend Resolution 18-24 by substitution [9:11pm]

Council Questions:

Underwood stated that the administration did not have a plan. They could prepare information on the repair option and where that money would come from.

Resolution 18-24 (cont'd)

Rollo asked if there was any indication of a height limit for the garage or would that be decided as part of the design process.

Crowley said there was a maximum height in the area of 70 feet, and to exceed that one would need to go through a planning review process. He explained that a height could not be determined yet because the garage had not been designed yet.

Sandberg asked if the garage could get more levels added underground to avoid getting taller.

Crowley said the garage was still in the planning and design process.

Piedmont-Smith asked what the balance of the parking fund was.

Underwood said he did not know exactly, but would get it to the Council.

Volan thought it was \$3-4 million.

Volan asked about the cost to repair the garage.

Ryan Daily, Parking Garage Manager, said previous repairs totaled \$400,000.

Volan asked if the estimated \$1.1 million to fix the garage included the \$400,000, and if the \$400,000 would be rolled into the bond.

Daily said the \$400,000 was not included in the \$1.1 million repair cost.

Underwood said that the \$400,000 would not be rolled into the bond.

Scott Burke, Erin Predmore, Ron Walker, Molly Nagy, Moriah Sowders, Jourdan Seib, Talisha Coppock, and Susie Johnson voiced their support for rebuilding the garage.

Public Comment:

Matt Flaherty, Quintin Thompson, James Rosenbarger, Mallory Rickbeil, Tracy Gates, Mark Stasberg, Kate Rosenbarger, Abbey Stemler, Bronson Bast, and Daniel Bingham urged the Council to vote against rebuilding the garage.

Chopra read a statement from a constituent who was against rebuilding the Fourth Street garage.

Council Comment:

Rollo stated that he was initially open to rebuilding the Fourth Street garage. He thought it was council's job to transition to the future and not compromise it. He thought the proposed capacity by the administration was excessive and did not go with council's conservation efforts. He said Bloomington was making those transitions. He thought adding 100 spaces to the existing capacity would not be excessive. He addressed the height of the garage and thought 90 feet would be too tall. He said without a height limit he would vote to repair the garage instead. He said council would have a demand management study going forward.

Resolution 18-24 (cont'd)

Sims thanked the community members for attending multiple meetings. He said the city had responsibility for the height, convertibility, and mass of the garage. He thought council should negotiate further and rebuild. He discussed both sides of the argument. He wanted to know how council would incentivize public transportation if council did not rebuild the parking structure. He supported rebuilding but not the maximum capacity.

Councilmember Chris Sturbaum thought council could get a lot more life out of the parking garage and he did not have a lot of confidence in a huge structure taking its place. He thought repairing the garage would be less disruptive for people who use the downtown area. He thought repairing the garage would give the city five more years to think through a difficult problem.

Ruff recognized the work that the administration had done by making the city a more walkable and bikable environment. He felt that what the community faced now was a fundamental transformation. He believed the city had to change or else condemn its children to an unimaginable future. He stated electric cars would not get it out of the mess of climate change in time. He said the city could use different techniques to open up parking spots. He thought repairing the existing garage would be a significant compromise; especially since the Trades District garage was approved. He stated the only alternative would be to not provide the parking. He stated he would vote against the bond and would support repairing the existing garage.

Granger reminded everyone that there were many competing issues that council looked at. She said council listened to people and tried to balance the challenges. She believed the city had a responsibility to conduct a demand management study. She thought the city should pay attention to greenhouse emissions and global warming. She said she would be voting against rebuilding the garage. She thought the city should start planning for the future. She stated it would buy the city time to think about what the demand was and help facilitate changing peoples' practices.

Volan thought the logistics for providing parking did not require a new structure and the city had inefficient time for planning the structured parking. He said the Fourth Street parkers would be accommodated in other parking areas. He thought repairing the garage was more optimal than building a new one. He said it was less expensive per space, per year. He said the city could repair without taking on debt, and get funds from the meters. He said repairing the garage would allow it to be open sooner, barring any structural problems. He said a new garage would take 18-24 months; while repairing would only take six months. He thought the city needed better certainty on supply before rebuilding. He discussed some different parking policies and how the city could accommodate people during the repairs. He wanted to send a strong message that the city needed to rethink its assumptions now. He thought the ease and low cost of city parking encouraged more people to drive. He thought the administration should be more careful in the future. He said the overall parking system in 2017 did not have a gross profit. He said subsidized garages were unsustainable environmentally and socially. He said planning was insufficient and repair would allow for better planning. He said he would be voting against the bond.

Piedmont-Smith said it might not seem important for global climate change if council approved a parking garage, but if everyone took small changes, it would help. She thought it was time to make unpopular decisions. She did not think the city should rebuild the garage. She said the city did not know what the demand would be since the city had been subsidizing parking for years. She said it was irresponsible to use tax dollars to keep subsidizing parking. She said 25% of the total cost of the garage would be paid for by parking fees so 75% of the cost would come from tax dollars that could go to true public benefits that did not harm the public through increased gas emissions. She said the administration did not discuss the repair option with the Council. She said she did not trust the process. She said the city would aggressively pursue transportation demand management. She read a study that said it was better to reuse buildings than build energy efficient ones. She said the city needed to stop the greenhouse gas emissions and repairing the garage was a small but important step.

Resolution 18-24 (cont'd)

The motion to adopt Resolution 18-24 as amended received a roll call vote of Ayes: 0, Nays: 7, Abstain: 2 (Sandberg, Sims). FAILED.

Vote to adopt Resolution 18-24
[11:06pm]

Volan moved and it was seconded that Resolution 18-28 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 18-28 Resolution
Expressing the Preference of the
Common Council for the Repair of
the Fourth Street Parking Garage
at this Time

Volan moved and it was seconded that Resolution 18-28 be adopted.

Ruff presented the legislation to the council. He explained that the legislation was to emphasize the preference of the council for a repair of the Fourth Street Parking Garage rather than the replacement.

Volan added that if the city repaired the parking garage for five years, then the Council should support to rebuild the garage. He said there was not enough money to fund a 15-year repair option.

Matt Flaherty thanked the Council for its engagement over the last few weeks. He echoed Piedmont-Smith's comments on climate change. He supported the 15-year repair option.

Public Comment:

Greg Alexander asked the Council to see how people reacted when the parking garage was closed.

Mark Stosberg thought the city should repair the garage and not rebuild it yet.

Kate Rosenbarger thought it was a good idea to preserve the building.

Daniel Bingham pushed for the five-year repair option.

Jim Rosenbarger supported the 15-year repair option.

Crowley said in order to be fiscally responsible the city needed to look at the implications of spending cash and thought it was premature to try and answer that question now. He thought it was easy to be swayed by people coming up and talking; but his concern was that there was a whole population that did not have the luxury of being at the meeting. He discussed how some could not live in the downtown area because of rent prices and those were the ones forced into the cost of car ownership. He cautioned everyone to look beyond the bubble in Bloomington. He stated there were a lot voices not being heard.

Resolution 18-28 (cont'd)

Piedmont-Smith clarified that the resolution did not specify which repair option was best.

Council Comment:

Volan stated that building in Bloomington was happening constantly. He gave some statistics of buildings and parking built. He supported five years.

The motion to adopt Resolution 18-28 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Resolution 18-28
[11:24pm]

Volan moved and it was seconded that Resolution 18-18 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 18-18 Approval of
Interlocal Cooperation Agreement
between the City of Bloomington
and Monroe County, Indiana – Re:
Building Code Authority

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

Phillipa Guthrie, Corporation Counsel, presented the legislation.

There was no public comment.

Public Comment:

Piedmont-Smith thanked Guthrie for her patience.

Council Comment:

Volan apologized for making Guthrie wait through a long meeting.

The motion to adopt Resolution 18-18 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote on Resolution 18-18
[11:27pm]

There was no legislation for first reading.

LEGISLATION FOR FIRST
READING

There were no changes to the council schedule.

COUNCIL SCHEDULE

The meeting was adjourned at 11:27pm.

ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ____ day of _____, 2019.

APPROVE:

ATTEST:

Dave Rollo, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, January 23, 2019 at 6:30pm with Council President Dave Rollo presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
January 23, 2019

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

ROLL CALL [6:36pm]

Council President Dave Rollo gave a summary of the agenda.

AGENDA SUMMATION [6:36pm]

There were no minutes for approval.

APPROVAL OF MINUTES

Volan moved and it was seconded that Resolution 19-01 be introduced and read by title and synopsis only. The motion was approved by voice vote. City Clerk Nicole Bolden read the legislation by title and synopsis.

RESOLUTION 19-01 – TO ADOPT
THE CITY’S TRANSPORTATION
PLAN AS AN AMENDMENT TO
THE CITY’S COMPREHENSIVE
PLAN [6:37pm]

Volan moved and it was seconded that Resolution 19-01 be adopted.

Volan moved and it was seconded to adopt a statement of procedure as follows:

Motion to adopt Statement of
Procedure

Consideration of the Transportation Plan and Amendments

The Council will consider the adoption of the *Transportation Plan (Plan)* (as proposed by Res 19-01) over a series of meetings. First, the Council will hear a staff presentation of the *Plan* over three consecutive Wednesdays, January 23rd through February 6th. Then, Councilmembers will submit any amendments to the Council Office by February 13th. The Council will deliberate on these proposed amendments and if ready, vote on the *Plan* as amended on February 27th.

The conduct of the deliberations will proceed as follows:

- Planning and Transportation staff will present the relevant portion of the *Plan*;
- Council members may then ask questions relevant to that portion of the *Plan* for response that evening or at a later time;
- The public may offer comments (see below); and
- Lastly, Council members may ask further questions (with leave of the Council), comment, and take whatever actions are in order at that time.
- The Council will consider the adoption of the *Plan* “in seriatim.” This is a parliamentary procedure that provides for a section-by-section review of the document while also allowing sections and changes to be revisited before a final vote is taken. In accordance with this procedure, the Council will end each meeting by recessing until the next time it deliberates on this proposal.

Public Comment

When public comment is requested, members of the public may speak once and for no more than 5 minutes. In addition, members of the public are encouraged to submit written comments to the Council at council@bloomington.in.gov.

Amendments

Motion to adopt Statement of Procedure (*cont'd*)

Sponsorship. Amendments must be sponsored by Council members. While members of the public may not propose amendments directly, they may request that a Councilmember do so. Requests for Councilmember sponsorship may either be sent to council@bloomington.in.gov or sent directly to a Councilmember (individual e-mail addresses can be found here: <https://bloomington.in.gov/council>)

In Writing. All amendments must be in written form and must be on a form provided by the Council Office. The form is posted here.

Deadline. All amendments are due no later than **FEBRUARY 13th at NOON**. Amendments should be submitted directly to Council staff by Councilmembers. Members of the public who wish to have a Councilmember sponsor an amendment should contact the Council or Councilmember *well in advance* of the February 13th deadline.

All amendments timely submitted will be issued in the Council's Legislative Packet on 22 February and the Council will discuss these amendments at its meeting on 27 February. The time between the deadline for sponsorship of amendments and the release of amendments in the legislative packet the following week is intended assure that the amendments have been adequately reviewed by the Council members, Council Office staff, and City Planning and Transportation staff prior to consideration by the Council as a whole.

Consideration of Amendments and Transportation Plan on February 27th

The Council will review amendments at the meeting on February 27th. At the conclusion of that meeting, the Council may vote to adopt Res 19-01 and *Transportation Plan*, as amended. If not ready to take that step on the 27th, the Council may schedule further meetings to complete its deliberations. Please note that at this stage of the deliberations:

- The entire document will be open to further amendments subject to whatever deadlines adopted by the Council;
- Amendments previously voted upon by the Council may be also reconsidered upon a *Motion to Reconsider*, which is offered by someone from the prevailing side of the previous vote, and once reconsidered, must have a majority vote of the Council in order to be adopted; and
- After considering any new amendments and revisited amendments, the Council is expected to take a single vote to adopt the entire document as amended.

Suspension of the Rules

The procedures and meetings set forth in this Statement anticipates actions to be taken during the course of these deliberations. This procedure may be altered by a *Motion to Suspend the Rules*, which requires a 2/3s majority in order to succeed.

Time and Place of Meetings

These meetings will be held in the Council Chambers in the Showers Center at 401 North Morton Street. All the meetings will begin at 6:30 p.m.

The motion to adopt the statement of procedure received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote on motion to adopt Statement of Procedure [6:44pm]

Beth Rosenbarger, Planning Services Manager, summarized the schedule for review of the Transportation Plan (Plan). She described some concepts that were addressed throughout the Plan, including access, equity, affordability, public health, climate change, and land use. She provided statistics related to the area median income, average household transportation spending, and the percentage of households with one vehicle. She explained the relationship between the Plan and the adopted Comprehensive Plan, noting the goals of the Comprehensive Plan that were implicated by the Plan.

Review of the Transportation Plan

Volan asked whether the data on average household transportation spending was reliable.

Council Questions:

Rosenbarger said the data came from the U.S. Department of Labor.

Rollo asked whether the average household transportation spending data included all types of transportation, like flights for vacations.

Rosenbarger said she would have to review the source data to provide more information.

Marc Cornett spoke about the need to focus on outcomes and what was actually happening in the community.

Public Comment:

Bella Harrison spoke about the importance of clearing sidewalks of snow and ice to encourage people to walk.

Volan pointed out that the discussion on the Plan had just started. He reminded everyone to direct comments to the Council chair.

Council Comment:

Ruff asked Rosenbarger to comment on the concept of mobility and whether that idea was included in the concept of access.

Rosenbarger said mobility was included in access.

Rollo said he appreciated the public input.

Rosenbarger presented Chapter 1 of the Plan. She noted that state law required the city to have a Transportation Plan as part of its Comprehensive Plan. She noted the city had a Master Thoroughfare Plan from 2002 and a Bicycle and Pedestrian Transportation and Greenways System Plan from 2001. She said the proposed Plan would combine both previous documents and would be based on the goals stated in the Comprehensive Plan. She described the process of drafting the Plan. She noted the Plan was revised by the Plan Commission in October, 2018 and sent to the Council in November, 2018. She said one main concern voiced by the public was public transportation. She explained that the city did not fully control Bloomington Transit, so the Plan did not address many things that fell under the purview of Bloomington Transit. She said the Plan did address access to transit and other items related to transit.

Chapter 1: Introduction

Councilmember Jim Sims said that transit's ridership had been dropping over the past few years. He asked if Rosenbarger had an opinion as to the cause of the drop. He wondered if improving access to transit might help reverse the trend.

Council Questions:

Rosenbarger said that gas prices and the availability of other transportation options influenced transit ridership. She said that gas prices were relatively low at the moment. She also noted that

options like Lyft, Uber, rental scooters, or apartment shuttles provided other ways for people to get around.

Sims asked if transit ridership was made up primarily of individuals with low incomes.

Rosenbarger said yes, and noted that students also made up a large portion of the ridership.

Piedmont-Smith asked what plans there were to keep the Plan up to date after adoption.

Rosenbarger noted that the Plan had a time horizon of 20 years, but thought it should be revisited every five years.

Sandberg asked Rosenbarger to comment on the idea that Bloomington was not dense enough to have an efficient transit system. She also asked Rosenbarger to elaborate on what entity did exercise control over the transit system and its funding.

Rosenbarger said that Bloomington was denser than Indianapolis or Fort Wayne, and thought the city could have a successful transit system, depending on the ridership goals the city set. She said the city could work with transit to come up with new ways to use city right-of-way to encourage transit ridership. She said Lew May, General Manager of Bloomington Transit, would have more information about funding.

Granger hoped that the city communicated regularly with Bloomington Transit.

Rosenbarger said that was the case.

Rollo asked if the proposed Plan should somehow include route information from Transit so the city could better plan how to ensure access to transit for people.

Rosenbarger said the Plan did not specify locations where sidewalks should be constructed, but instead included a framework for considering existing transit routes when addressing pedestrian facilities.

Volan asked if Bloomington Transit was taking the proposed Plan into account for its route optimization study, or whether it was simply focused on ridership.

Rosenbarger said Transit was good at working with the city, and explained how Transit was conducting its optimization study.

Piedmont-Smith clarified that most of Transit's funding came from state and federal funding. She said it did not receive any funding from sales tax. She said a local income tax for transit had been proposed before to the state, but had not yet passed.

Marc Cornett spoke about transit facilities.

Public Comment:

Volan spoke about the need to set parking prices so that drivers paid for the true cost of parking. He noted that the majority of riders on buses were students, and that without buses, Bloomington would have more traffic and more demand for parking.

Council Comment:

Rosenbarger presented Chapter 2 of the Plan to the Council. She displayed the percentages of various forms of transportation used in the city. She briefly summarized the topics addressed in the chapter, including a review of previous and related transportation plans, information on transportation network companies, and crash data.

Chapter 2: The State of Transportation in Bloomington

Sturbaum said that scooters presented safety challenges to the city and wondered if the Plan should address the issue.

Rosenbarger said safety was an overarching concern in the Plan. She thought that portions of the Plan that addressed bicycle safety could also serve to address scooters. She thought it was an issue to study in the future.

Rollo pointed out that some of the information on traffic volume was up to 10 years old. He asked if that information was still reliable. He asked if the Plan should include information about the level of service for city roads, to indicate whether those roads were at capacity.

Rosenbarger said staff had discussed whether to include the outdated information. She said it was fair to ask whether such information was helpful or whether it needed to be updated. She said it might be possible to add information about the level of service, but said that was a flawed metric that focused on adding capacity for vehicular traffic.

Rollo said the information might be useful and thought it could be included.

Marc Cornett commented on using level of service as a metric.

Chopra thanked Rosenbarger and planning staff for their work on the Plan and reminded everyone that they were professional planners who deserved an amount of deference.

Rollo said that the service level mattered as a metric if for no other reason but to ensure that emergency responders could access different parts of the city.

Sims suggested that Rosenbarger confirm the number of Indiana University faculty and staff that lived within three miles of campus. He also wondered how much the Plan should attempt to address outcomes related to physical activity and public health.

Rosenbarger explained why such information was included in the Plan. She said many of the goals of the Plan would correlate to better outcomes for levels of physical activity in the community.

Rosenbarger presented the Executive Summary to the Council. She listed the key recommendations presented in the summary, which included: planning for future street connections; integrating transportation and land use; redesigning Kirkwood Avenue as a shared street with a focus on pedestrians; improving multimodal travel along major east-west and north-south corridors; extending the B-Line and investing in high-priority multimodal routes; expanding the neighborhood greenways network; and adopting a complete streets policy. She briefly described why each recommendation was included, the level of public support for each recommendation as voiced in a community survey, and where in the Plan the recommendations were discussed.

Volan asked if the city already had a complete streets policy.

Rosenbarger said no. She said the Metropolitan Planning Organization (MPO) had one, which applied to any project that received MPO funding.

Volan asked if there were questions in the survey about how safe people felt using one-way streets.

Rosenbarger said no.

Council Questions:

Public Comment:

Council Comment:

Executive Summary

Council Questions:

Rollo pointed out that some street connections could be negotiated in the planned unit development process.

Rosenbarger agreed, but said it was better to include any possible street connection in the Plan to help provide transparency and set expectations for developers.

Marc Cornett encouraged the city to emphasize seating areas on public sidewalks.

Public Comment:

Jean Capler suggested that the city think about the placement of benches along sidewalks.

Janet Dunigan voiced concerns about a planned project along 7th Street.

Sturbaum asked how the Seventh Street project would fit into the existing street space.

Additional Council Questions:

Rosenbarger said that was a problem staff dealt with all the time. She said it meant there would be discussions about the features and priorities that were most important to the city for the project.

Rollo asked when the public would have an opportunity to review and provide input on the Seventh Street greenway project.

Rosenbarger said that a survey had been issued to better understand the limitations that the city would need to work within. She explained that a public meeting and a stakeholder meeting would be scheduled in the future.

Sturbaum asked if the project would reduce the amount of available parking on Seventh Street.

Rosenbarger said that the plans were still conceptual, but that some parking would likely be displaced.

Sturbaum asked what the process for review would be for the project.

Rosenbarger said there would be a public meeting and outreach to the neighborhood and businesses along the corridor.

Scott Robinson, Assistant Director of the Planning and Transportation Department, elaborated on the opportunities for public participation in the process of designing the project.

Sandberg encouraged concerned citizens to participate in public meetings and to spread the word about projects affecting their neighborhoods.

Council Comment:

Rollo asked whether benches along sidewalks should be considered.

Rosenbarger said that was not something specifically called for in the Plan, but might be a good topic for discussion.

The Council discussed voicing its support for the passage of hate crime legislation by the state, as well as the form such support might take.

OTHER BUSINESS [9:01pm]

Sandberg disclosed a financial conflict of interest. Volan moved and it was seconded to accept the disclosure. The motion was approved by voice vote.

Disclosure of conflict of interest

Rollo appointed Volan to serve on the Trades District Garage Design Initiative.

Appointments to Boards and Commissions

Rollo moved and it was seconded to schedule a Committee of the Whole meeting after the Regular Session on February 6, 2019, and to schedule a Special Session before the Committee of the Whole meeting on February 13, 2019. The motion was approved by voice vote.

COUNCIL SCHEDULE [9:09pm]

The meeting went into recess at 9:14pm.

RECESS

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ____ day of _____, 2019.

APPROVE:

ATTEST:

Dave Rollo, 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, February 13, 2019 at 6:33pm with Council President Dave Rollo presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
February 13, 2019

Members present: Ruff, Sturbaum, Chopra, Piedmont-Smith, Granger, Volan, Sandberg, Sims, Rollo
Members absent: None

ROLL CALL [6:33pm]

Council President Dave Rollo gave a summary of the agenda.

AGENDA SUMMATION [6:34pm]

Councilmember Steve Volan moved and it was seconded to approve the minutes of January 16, 2019. The motion was approved by voice vote.

APPROVAL OF MINUTES [6:35pm]

January 16, 2019 Regular Session

Volan moved and it was seconded that Resolution 19-03 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, giving the committee do-pass recommendation of Ayes: 5, Nays: 0, Abstain: 3.

LEGISLATION FOR SECOND
READING AND RESOLUTIONS
[6:36pm]

Volan moved and it was seconded that Resolution 19-03 be adopted.

Resolution 19-03 To Extend the Designation of an Economic Revitalization Area, Approve the Statements of Benefits, and Authorize A Period of Abatement for Real and Personal Property Improvements – Re: Properties at 1300 S Patterson Drive (Catalent Indiana, LLC, Petitioner)

Brian Payne, Assistant Director of Small Business Development, presented the legislation to the Council. He explained that the resolution would support job and wage growth in the community. He noted that the proposed expansion would happen in two phases and would involve both real and personal property. He said that the petitioner was planning to invest \$125 million in total, which would include adding 200 full-time jobs. He reviewed the proposed abatement schedule, which would amount to an estimated \$2.45 million over the term of the abatement. He said that staff and the Economic Development Commission strongly recommended approval of the resolution.

Councilmember Dorothy Granger asked how the abatement would impact other taxpayers.

Council Questions:

Jeff Underwood, Controller, explained the effect of an abatement on property tax rates.

Councilmember Isabel Piedmont-Smith asked if the costs of job growth, such as demand on city services and infrastructure, were calculated by the city when analyzing a proposed tax abatement.

Payne said that calculation was not part of the application form, nor was it included in the staff memorandum. He said there were also ancillary benefits from job growth that were not explicitly included.

Rollo asked about the wage floor for the added jobs.

Payne said that the lowest paying job added would pay approximately \$18 per hour.

Rollo asked if there was data available on wage floors broken down by economic sector.

Payne said that there was aggregated data available from the federal government, but there was work being done to disaggregate that data.

Piedmont-Smith asked if there was an example of an abatement that led to a decrease in property taxes. Resolution 19-03 (cont'd)

Underwood said he could not think of a specific example because tax rates were so variable year to year. He said the total assessed value was so large that an abatement would have to be quite big before it had a noticeable impact on tax rates. He said the planned investment by the petitioner might decrease the rate by two cents.

There was no public comment:

Public Comment:

Councilmember Chris Sturbaum said that international corporations could choose where to locate, and abatements were one way to welcome them to the community while also gaining good jobs. He said that the resolution encouraged the kind of growth Bloomington wanted to see.

Council Comment:

Councilmember Andy Ruff said he did not think the costs of growth were completely measured but should be a consideration. He said he was pleased the petitioner planned to make the investments, but hoped that the added jobs were filled by local residents. He thought that the petitioner would make the same investment, regardless of whether the Council approved the abatement. He said he would oppose the abatement for that reason, not because he disapproved of the investment or of the petitioner.

Granger voiced concerns with the impact of the abatement on other taxpayers in the community. She also noted that the petitioner was already operating under an abatement.

Piedmont-Smith said she appreciated Ruff's research into abatements. She questioned how much abatements actually impacted the decision of a company to invest or not invest in a community. She thought the abatement was an odd mechanism that presented some of the problems noted by other councilmembers. She said she would support the resolution, but would closely examine future abatements.

Volan commented that past abatements were much more generous and the community received much less in return. He said that abatements could also be thought of as a phase-in of taxes owed on new investments. He agreed that the city should be judicious with abatements without fear that companies would relocate or forego investments. He thought the proposed abatement struck a good balance, and he supported the resolution.

Councilmember Susan Sandberg agreed that abatements were given out more readily in the past. She said the proposed abatement furthered the community's goal of attracting and encouraging quality job growth. She said she took a broad view of abatements and saw them as a tool to incentivize job growth with community partners. She said she would vote in favor of the resolution.

Councilmember Jim Sims said his position on the Bloomington Economic Development Commission gave him a chance to consider the issue from different perspectives. He said he took a broad view of the issue and viewed it as an investment in the overall community. He hoped that Catalent would continue to be a good community partner. He said he would support the resolution.

Councilmember Allison Chopra thought tax abatements should be used as incentives, rather than as a reward. She thought the petitioner would make the same investment without the abatement. She said she would vote no on the abatement.

Piedmont-Smith said that tax abatements helped perpetuate income inequality by rewarding corporate shareholders rather than average workers. She thought that was an issue to think about moving forward.

Sturbaum said that it was sometimes tough to find a good job in Bloomington, and thought the abatement helped incentivize the addition of 200 good jobs to the community.

Rollo supported the abatement but agreed that abatements should be used judiciously. He said that Catalent had other locations, so it could have chosen to expand its operations elsewhere. He said there were natural benefits to Catalent expanding in Bloomington, but did not want to take that for granted. He said the jobs the petitioner planned to add were the jobs that the city and local educational institutions were targeting, so he thought the jobs would be filled with local residents. He appreciated the petitioner partnering with the city.

The motion to adopt Resolution 19-03 received a roll call vote of Ayes: 6, Nays: 3 (Ruff, Chopra, Granger), Abstain: 0.

Resolution 19-03 (cont'd)

Vote to adopt Resolution 19-03
[7:30pm]

Rollo moved and it was seconded to schedule an internal work session for February 15, 2019. The motion was approved by voice vote.

COUNCIL SCHEDULE [7:31pm]

The meeting was adjourned at 7:33pm.

ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this ____ day of _____, 2019.

APPROVE:

ATTEST:

Dave Rollo, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

In the Buskirk-Chumley Theater, 114 East Kirkwood Avenue,
Bloomington, Indiana on Thursday, February 21, 2019 at 7:00pm
with Council President Dave Rollo presiding over a Special Session
of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
February 21, 2019

Council President Dave Rollo welcomed everyone and called the
meeting to order. He noted that the meeting would be considered
adjourned when the Mayor's State of the City remarks concluded. He
then asked Clerk Nicole Bolden to call the roll.

CALL TO ORDER
[7:13pm]

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

ROLL CALL

Mayor Hamilton presented the State of the City Remarks (text
provided by the Office of the Mayor), attached hereto.

STATE OF THE CITY REMARKS

The meeting was adjourned at 8:09pm.

ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this
____ day of _____, 2019.

APPROVE:

ATTEST:

Dave Rollo, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

“It Starts Here”

Wow, what a fantastic video!! Thank you to the video participants, for sharing the reasons why you love Bloomington. And to Laura Collins the mastermind and director. Wasn't that fun?

Good evening, and welcome. It's my honor to bring an update tonight on the State of our City of Bloomington. Thank you President Rollo, and Council Members, for the opportunity to present tonight; thank you to all our wonderful performers. And thanks to all of you here to listen, or live streaming or on CATS, to engage in the business of your city, to build community, to participate in democracy. This being the political season, many local candidates who are seeking elected office are here. Please, if you are on the ballot for a local office in the May primary, stand up or raise your hand and be acknowledged.....Thank staff and family.

We're a city where folks like Emily Bobo, our poet tonight, and Nathan Dillon, who led the band, do their creative work in community. They're in good company. Every day imaginative, hardworking, courageous, caring people enrich this city. You start software companies and kitchen shares, resettle refugees and run festivals, solarize your house of worship, offer harm prevention programs, or earn a Nobel prize. So many efforts start here, and go far.

Don't just take my word for it. Bloomington has won an incredible run of recent awards! We've been recognized on top-ten lists of the best cities to raise a family and to be an entrepreneur, and as one of the nation's most LGBTQ+-friendly small cities. For three years running, we have received a 100% rating on the Human Rights Campaign's Municipal Equality Index, the only city in Indiana. We're also Indiana's only Gold winner Bike Friendly city. Just last fall, Bloomington won the Gold Medal for having the best Parks Department of all mid-sized cities in the US! The Center for Digital Government Digital Cities Award named us a top ten cities of our size for our application of information technology. Four weeks ago we won a national award for leadership in the arts from the US Conference of Mayors and Americans for the Arts. Last week we became a finalist for a Mira award as Indiana's Rising Tech City. Wow!!

Bicentennial reflection:

This evening is a time to look back and look forward. To assess where we are and consider where we should be heading. In the newspaper today some people shared what they wanted to hear tonight: some wanted me to address homelessness. Someone downtown parking. Legalize marijuana. Someone said they just wanted a few good jokes. (Sorry, that was the last mayor's strong suit). And one actually just requested a very short speech saying "I'm quitting."

Three years ago, in my first State of the City, I emphasized transparency; accountability; government basics; big opportunities ahead. I borrowed a motto from Dr. Seuss. "Say what we'll do. Do what we'll say." In 2017 we talked about building the world (city) we want to live in, and named four local areas of challenge ahead: energy, food, water, pre-K (all of which we have been addressing by the way). And in 2018 we of course talked about the TWOS, the big 200. We celebrated our Bicentennial in style, with 6,000 of you out on Kirkwood for the Street Fair in April. Thousands more filling downtown for the Independence Day fireworks. On your bikes for the Bike-Centennial in June.

With our Bicentennial we celebrated what we cherish about Bloomington and honored people who brought us to today. We are justifiably proud of our city. Not to pat ourselves on the back, but to thank those who brought us this far, and to redouble our efforts and improve on where we are. Our next 100 years start here. That's a big scale of time. But everything big starts somewhere. And our next century starts here. Bloomington's story, as we'll talk about a bit later, also is more than our own story. It's part of America's story. And our planet's story. Our Bloomington makes a difference. [Note to Vegas: what happens in Bloomington DOESN'T stay in Bloomington. It reaches out!] Each one of us makes a difference here. As we begin our third century, each of us has a part to play. It's impossible to imagine Bloomington at 300. Impossible. But It starts here. We know the values and qualities that will be critical to sustain here, to address such unknowns. Compassion. Kindness. Imagination. Perseverance. Inclusion. Attention to Facts and Truth. It Starts Here.

Let's take a few minutes to consider where we're starting FROM. A lot has been going on these past few years. You can check out a long list on our website. Bear with me as we recount just some of these important aspects:

Strong Economy and Good Jobs

Let's consider the economy. Bloomington long was a hub of heavy industry, with railroads hauling limestone blocks and furniture products all over the US, and then refrigerators, elevators, color TVs. But by the time of our Bicentennial, that heavy manufacturing sector was decimated. Bloomington had to reinvent ourselves and our economy. Fortunately, our largest employers are thriving. Indiana University grows and offers thousands of good jobs and careers. IU Health's new hospital and regional academic center is rising out of the ground with a \$400 million investment, retaining 2,700 jobs and stepping into the future of healthcare. We witnessed our first "unicorn" start-up, as Catalent bought Cook Pharmica for one billion dollars, retaining 750 jobs and within a year committing to a 125 million dollar expansion and adding 200 more good-paying jobs. Our largest private employer Cook Group is investing 100 million dollars to reopen the shuttered GE plant and add 500 more new jobs. Bloomington is a place where businesses can and do thrive!

And not just big employers. Bloomington is fertile ground for the new economy, where new jobs can grow by the dozens, or in twos and threes, as home-grown companies mix talent and ideas to make things happen. Check out all these local businesses thriving in our community. Check out many of the startups and emerging companies flourishing at The Mill, the just-opened nerve center of Bloomington's Trades District. The Mill hosts young companies like DataSprout, MetroStar, and the Bee Corp.

Our administration supports a sustainable economy in other ways too:

Consider the String of Pearls. Projects that set the table for our third century of thriving. In between the buzzing Trades District and the beautiful Switchyard Park, the expanding convention center will transform underutilized downtown land into a lively and attractive urban core, supporting jobs, civic engagement and economic vitality throughout downtown. We're purchasing 24 acres at the current hospital property, which once it's vacated offers a new hub in the heart of downtown, a future limited only by our imagination and mutual commitment for new civic space, vibrant offices and affordable homes. Both the convention center and hospital site planning will offer extensive public engagement in the months ahead.

We harnessed another engine of renewal for our city when Bloomington became the nation's first CDFI-Friendly city in 2018. This positions us to attract mission-oriented financing to support community-strengthening projects that are often hard to finance -- affordable housing, for example, or community facilities.

Our exciting collaboration with the city of Columbus and the state's Elevate program, called Velocities, is bringing \$2.5 million of new venture capital and start-up support.

And we're setting an important example as an employer having adopted the 15 dollar an hour minimum wage for our regular city employees. Would you please let state government hear us, that while they dither and deny any increase in the meager state minimum wage, our city government has proudly gone to 15 dollars an hour here in our town!

Good jobs and good wages help our community thrive.

Affordable Housing.

At the same time we're seeing such progress in the economy, a question faces every employee, employer, student, and resident: how do we all afford to live here? We know Bloomington has the most expensive median rental and ownership home prices in Indiana. How can we continue to retain and attract young families, artists and artisans, entrepreneurs, teachers, so many future residents -- how can we be the inclusive community we should and must be -- if we don't have decent, affordable housing for people from every walk of life?

Perhaps you are tired of hearing me talk about affordable housing, because I speak of it nearly every chance I get. I do it because it's vital. Rampant income and wealth inequality is eroding our whole society, and affordable housing is an existential challenge to Bloomington's future. People in bigger, wealthier cities we read in national stories, suffer greatly, in Seattle, Austin, San Francisco, Chicago, New York. We are not immune. The same severe pressures are coming. Are here. And we need to figure it out.

I'm pleased to report we are making real progress. In the past three years we added more than 600 bedrooms of long-term affordable housing, and more is on the way. They include units for people who were homeless, including families, and people who are earning a living wage. For low-income elderly and young workers. These projects are on all sides of town: east, west, south and north.

We've also put new tools in place: the Housing Development Fund, new ordinances allowing accessory dwelling units and pocket neighborhoods, new provisions in the draft zoning law to support affordability, and the previously mentioned CDFI-Friendly Bloomington, bringing \$14 million of public and private money together. And sometimes just plain buying available land at good prices is the best way to accomplish affordable housing.

Some exciting and important opportunities await us. I will be urging a community commitment to significant, SIGNIFICANT affordable housing in large undeveloped areas of our city -- like the 24 downtown acres at the current hospital site. And at the 100s of undeveloped acres known as Sudbury Farm -- that commitment is critical to our future together.

We are BEGINNING to make the progress we need to assure Bloomington remains open for people from all walks of life. All walks of life. Would you let the state house hear that, even when they cozy up with developers and prohibit cities from using tools like inclusionary zoning, we in Bloomington remain committed to supporting affordable housing for all.

Quality of Life: Basic Services / Infrastructure / Arts / Parks

Good jobs and decent housing are not sufficient. A job and a place to live, on their own, do not a city make. We depend upon our government to provide BASIC SERVICES, like safe water and sustainable mobility and public safety and sanitation. When I came into office three years ago, we had some big problems, major problems with basic services, including:

Our drinking water quality was deteriorating at Lake Monroe, threatening to violate federal Clean Water standards

Water pipes were bursting all over town, as they lacked a regular replacement schedule

Fire engines were failing, stalling on the way to a fire

Dozens of buildings and major pieces of equipment were obsolete, needing replacement

Our entire sanitation system needed updating from a 1950s model

Even many governing documents were long overdue for updates -- comprehensive plan, zoning ordinance, transportation plan, sustainability plan

But today, entering Bloomington's third century, these basic services are back on track, with more transparency, more accountability and more efficiency and innovation than ever before:

Our water quality now is excellent, and we're protecting Lake Monroe.

The utilities department is undergoing regular, major replacements of water mains and more

Our transit system, fire, street and police departments have gotten the investments they need to deliver top quality services

We implemented comprehensive sanitation reform, adding weekly recycling (remember these stickers?? Gone!!)

Our mobility system -- roads, paths, sidewalks, trails, transit, parking -- has been upgraded with millions of new dollars to increase options and reduce our carbon footprint

We've updated our Comprehensive Plan for the first time in 16 years, debuted a Sustainability Action Plan, and Transportation and Zoning Plans are in progress

Just a little more on the most basic of these services. Last week we shared our third annual report detailing the state of public safety in Bloomington. Check out the full presentation on the city website, but in summary:

During the last three years we have dramatically increased training and enhanced equipment for our police officers and firefighters. To maintain public safety and their safety. And promote justice. And it's working. We've seen a 32 percent decline in fire calls over the last three years. Our average response time to an emergency has been cut dramatically. In the last two years our firefighters have directly saved the lives of seven people. Seven precious lives. The fire department's national rating has improved, now placing us among top 2% of departments in the nation.

Our police department has for the first time ever earned national accreditation. Very few Indiana departments achieve this status with its nearly 200 criteria. We're exceeding state training requirements by 300%. We've created new positions such as a police social worker, and neighborhood resource specialists, to provide community connections and services that resolve situations before they become crimes. And this too is working. The last three years have seen a 10% reduction in crime rates.

We're also supporting our outstanding nonprofit partners with hundreds of thousands of dollars of direct annual funding, and please join me in recognizing two special collaborations: partnering with Centerstone to create jobs in City parks and public works efforts, and extending weekend operations at the Shalom Community Center so our friends and neighbors have options on Saturday and Sunday.

All these major improvements were done together with city council, as we have doubled the investments in these basics over the past three years, going from \$19 million to \$39 million. And all of it reflects the outstanding work of 700 plus people who work for the City. Will you join me in thanking all of these fine public servants; wave if you're among the 700!

This new efficiency is built on values of innovation and transparency in your city government: When I took office I promised to open wide the doors to City Hall. For greater access to information and a greater sense of ownership of city functions and services. We built B-Clear, a one-stop place for useful data, that currently hosts 170 sets of data about everything from city finances to energy use to potholes repaired. After conducting the first-ever scientific City Survey in 2017 (and posting the results on our website) the 2019 edition has just been mailed to a random sample of 3,000 households. We're demo-ing a web-based service called PolCo, where, once you subscribe, you are asked to weigh in on community issues -- from trash collection to scooters, every two weeks! If you haven't subscribed yet, please do, and let your opinion be heard!

For all this and its navigability, our newly redesigned website was recognized as a Best of Indiana.

We've overhauled our annual budgeting process to include detailed goals and outcomes for every department -- what you get for every tax dollar -- and regular public tracking of progress toward those goals. A report card if you will for every department. Maybe that sounds dry and tedious, but we are convinced that the more carefully we set goals and keep track, and the more we share, the more progress we make. That same philosophy motivates our participation in the national Police Open Data initiative, and sharing detailed pavement and sidewalk conditions with TransMap. and the Traffic Bot.

Throwing open the doors to City Hall has been literal, too. I meet in my office with any city resident who requests a meeting (whether human or not), during regular open office time. And others of you visit with me and City department heads Saturdays at our Farmers' Market booth. And hundreds of you play key roles on our dozens of boards and commissions.

We all know, too, that good jobs, decent housing, and top shelf basic services also do not a city make, on their own. QUALITY OF LIFE depends on a lot more. Bloomington has been building a quality of life for 200 years and more. We remember that part of that effort through history has been remedying gross injustices, to evolve and become the city that fully welcomes into civic life many left out for too long: women, and people of color, and people speaking different languages, and people loving different people, and bringing different abilities -- becoming an inclusive city that equally welcomes all with open arms and with justice. We still have challenges, but in 200 years we've made great progress toward the Quality of Life that begins with, depends upon, is built upon, EQUALITY and JUSTICE for all. And then is enhanced by the things that add meaning to our lives, things like parks, arts, entertainment, volunteering, special events and festivals, and more and more.

Over the past three years we have together achieved big investments in and enhancements of quality of life in Bloomington. With big things on the way too. Perhaps I should start just by repeating that our City Parks and Recreation Department won the GOLD MEDAL as best parks department in the nation for cities our size in 2018. Wow!! And In May, we broke ground on the city's most ambitious Parks project to date: the conversion of a former railroad switchyard to a fabulous urban getaway park, with ball courts, a skatepark and a splash pad, an entertainment pavilion and outdoor stage, and accessible playgrounds with shady seating for caregivers nearby. When it opens in nine months, Switchyard Park will beautifully enhance the southwestern quadrant of Bloomington and be a regional destination.

We've improved facilities, like an expanded Animal Shelter. We're planting thousands of new trees and taking care of 15,000 existing street trees. And just last year, with the support of City Council, we issued Bicentennial Bonds that will finance 7 miles of new trails, activate downtown alleyways, and establish several proud gateways to our beautiful city.

Art is in Bloomington's DNA, so my job has been to nurture and grow that thriving art culture. We've doubled the arts grants to organizations that enrich our city, increased our public art commissions--including our first six-figure commission--and our city's happening vibe keeps growing, with the Black y

Brown Arts Fair, the Kirkwood Street Fair, and the Vonnegut Fest, a/k/a Gran Falloon. And our efforts netted us the 2019 national Public Art Leadership Award for small cities.

Sustainability is in Bloomington's DNA too. We're committed to responding to a rapidly changing world, which we'll talk about more in a moment. But know we've installed solar PV systems in 30 city properties, extended low-cost solar installation to almost 200 homeowners, including lower-income residents; ramped up efforts to increase access to locally grown food and invigorate the local farm economy with our Year of Food campaign; implemented changes in our water and wastewater systems to conserve water and limit runoff; planted those trees. And we've achieved Tree City USA and Gold-level Bicycle Friendly-City designations.

So Bloomington is Blooming. There is a LOT of GOOD happening in our community as we stride into our third century. And by the way, with all this going on, we also have protected our cash balances and improved our city's credit rating to a DOUBLE A. C'mon, can we get a shout out for a double AA credit rating!??? That's saves us money today and in the future.

Of course amid this progress, real challenges continue to confront us: we have neighbors who are hungry, including children. We have fellow residents who are without a safe and decent place to live, including children. We have far too many people without healthcare in this wealthiest nation on earth. We have friends and family members who struggle every day with substance use disorder. We always want to reduce crime even further. We would like even fewer kids to drop out of school. This compassionate community works every day on these and similar issues. We invest financial and personal resources. We build housing. We share food. We provide counseling and support and jobs, sponsor harm reduction programs and free medical care and more. We can and must and will do more together. Our community must work for people from all walks of life, at all stages in life.

We act with good intentions, and with everyone's best interests in mind...But not everything we work on at City Hall comes to pass or works out as we hope. I said on my first day in office we'll be trying some things that won't work. From the mundane -- like a new white line painted on west Kirkwood that was an inexpensive experiment to slow traffic, which it did but only by 1.5 miles an hour. To the bigger picture challenges. Sometimes we try things as a progressive city that a regressive state steps on: Inclusionary Zoning, plastic bags, solar net metering, annexation, gun control. I have to say, this state legislature seems to be looking backward. They refuse to pass a real Hate crime bill. They are close to passing a bill effectively banning abortion after 12 weeks in our state. They may arm our teachers. They shut their eyes to climate change. BUT I can pledge this: we in this progressive community will keep fighting for our future.

Threats and challenges beyond the local front:

But here's the rub. Even as we do all we can here at home, in Bloomington, to chart our future, to take care of each other, to respond to challenges and pursue opportunities. Even if we're knocking it out of the park as a community -- and we do have an unprecedented level of very positive activity happening in Bloomington -- even now, our efforts can sometimes feel overshadowed by larger trends. It can feel like even if we get it right here at home, it may not be enough.

We know when we say It Starts Here, it doesn't End Here. What WE do matters greatly. As we walk the walk of a progressive community. But we're also in a struggle for the soul of our country. For our future. We're in a struggle over very basic issues.

Take gun violence. With 96 fellow Americans dying every day from gun violence, we mourn the continual collapse of state and national sanity on this issue. As House Speaker Nancy Pelosi said, this is a real national emergency, not a made-up, fabricated one. For progress, it really does start here. Through powerful advocates like Moms Demand Action. And in suicide prevention and de-escalation training for law enforcement, and adding a social worker and new Neighborhood Resource Specialists to our police department. Even our Youth Participatory Budgeting, to let our young residents steer some public money toward issues they care about -- like gun violence. And Maybe it Starts Here with additional steps: Maybe, like the City of Pittsburgh did after the Tree of Life massacre, we should directly challenge outrageous state laws in acts of municipal civil disobedience, saying enough is enough. Or maybe we should join Toledo, Ohio, organizing city purchasers of firearms into collectives that insist on more responsible behavior from the gun manufacturers. It Starts Here.

It Starts Here in resisting the Erosion of Democracy we see all around us. Suppression of voting. Gerrymandering. Declaring war on the free press. Relentless and scurrilous efforts to cleave us one from another along hateful lines. It Starts Here for us to cherish and nurture the civility and inclusiveness of our city, and to operate our government with deep transparency, from B-Clear to our Surveys to dozens of boards and commissions, with inclusiveness and sensitivity, with our dozens of outstanding neighborhood organizations. To record and respond to every act of hate. To advocate for a real hate crime law in Indiana. To insist on protecting women's fundamental liberties over their own bodies. And Maybe it Starts Here with more efforts to promote democracy: Perhaps we should consider public financing of local elections? Or Youth voting? Or redistricting reform here at home?

We could, sadly, go on about external threats and just get flat out depressed. Threats to Public education. Persistent and worsening Income and wealth inequality. International conflict and refugees and immigration as wedge issues. And nuclear threats. Take a deep breath.

Let's talk about one more looming challenge. Climate Change.

The international scientific community sounded an all-alarm fire bell last October, calling on urgent measures to be taken around the world over the next 12 years to limit global warming to 1.5 degrees Celsius. Our national leadership has been atrocious since 2017, and strong advocacy is needed to change national policies. It Starts Here: We know we have an energized community of advocates. Fighting for carbon taxes. For mobility options. For energy conservation. For attention to science. And we've dramatically increased local solar energy. We've got the best mass transit system in the state: we bought 18 new busses in the past 3 years, versus 10 in the previous six years, including hybrids and our first all-electric on order.

We continue to make major investments in mobility infrastructure and options to reduce single-driver, fossil-fuel-powered automobiles. We've affirmed the Paris Agreement locally. We've adopted a local sustainability plan, which will guide our actions, and we've declared 2019 the Year of Food, to improve our sustainability in this most basic part of our community. And Maybe it Starts Here with more and new efforts: Maybe we should offer more direct grants for more solar (we helped 12 low-income homeowners, but 27 more applied)? Maybe we should find new revenue for enhancing our transit system?

And tonight I am announcing a new step. I am announcing the formation, within the next 60 days, of a local task force to examine a big challenge that links energy, mobility, food and infrastructure. Fact 1: About 40% of the waste in our community is compostable. Over 100 tons of compostables are being landfilled every day. Fact 2: locally we use over half a million gallons of gasoline and diesel fuel annually for city operations -- busses, plows, trucks and more. Fact 3: Our largest wastewater plant protects our environment but is nearly maxed out, and needs to be expanded soon, at a cost of many millions of dollars.

Perhaps, we can address all three of these challenges at once. I'm directing this new task force to evaluate whether and how we might convert our wastewater plant to an ANAEROBIC digestion process, which could turn local compostable organic material into compressed natural gas, saving landfills and reducing methane release, and creating a local fuel source to power our own public vehicles. This is a complex and expensive challenge, but one we ought to tackle together. I'll ask for a report within a year to recommend a path forward. It Does START HERE.

So much to do, and It Starts Here. In our beloved Bloomington. We're 200 years young. We're starting our third century. We've got a lot going for us, and a lot going on around us, sometimes to us. Sometimes, when the global news is dark, or obstacles keep arising, it's good to remember faces of our friends and neighbors -- maybe some you saw in that opening video. It Starts Here.

And remember this. We are not alone. We're one among hundreds of cities where it starts. Where it is starting. People just like us work on these same issues locally in progressive cities all across our country, indeed the world. We are a FORCE together. We are not alone. There is POWER in local movements. Yes, regressive states and an abysmal national government can be obstacles. They can preach divisiveness. They can try to roll back basic liberties. They can ignore income inequality or climate change or political corruption or gun violence or lack of health care. But there is a great RESILIENCE, shall we say RESISTANCE, or PERSISTENCE!, in our country, community by community. People galvanized to make things better. Everywhere.....Do NOT UNDERESTIMATE the power of communities, one by one, and together, working on these issues. We can change the world.

And remember this too. Bloomington is so very connected to the world. We are changing it every day. Thousands of people from outside our city, from around the world, come to our city every year, and thousands leave us and move all over the nation and globe. Not many cities our size have the global connections that we do. We live together here, all kinds of people from all over, and create a progressive, caring, inclusive community. Many of us stay. Some go from here to every country in the world and carry things back. We welcome visitors from around the world, every year at Lotus World Music Festival, every day at Indiana University. DO NOT UNDERESTIMATE the power of individuals who know each other, who know each other's culture and hopes and dreams, to change the world for the better. To avoid conflict or war. To grow in compassion. To defeat demonizing or dividing. It Starts Here.

What happens here does change the world. Think about a company launched in a spare bedroom in the Bart Villa apartments on Second Street. Today stents made by our home-grown Cook Medical literally keep hearts beating all across the world.

Think about the people of Catalent, who recently manufactured an experimental therapy shipped from Bloomington to the Democratic Republic of Congo to treat patients infected with the terrifying and deadly Ebola virus.

Think about a new company housed at The Mill, founded by Ellie Symes who belonged to the Beekeepers Club while a student at IU. Ellie won an Indiana rising entrepreneur award last year, and now the Bee Corp uses sophisticated technology to monitor beehive health and protect this critical global resource for our food.

And just last week four Bloomington firefighters returned from a State Department funded trip to Sierra Leone. That started here, when Fire Chief Jason Moore met a group of Mandela Fellows visiting from Africa. After the chief's presentation, one of the visitors from Sierra Leone told him of a tragic fire that had killed several of her family members, and of the woeful state of fire preparedness in her country. From that meeting here, Chief Moore launched a partnership that took four of our firefighting professionals to offer a week of instruction in Freetown, Sierra Leone. That is a beautiful connection. We have invited, and hope to welcome several firefighters from Sierra Leone to participate in this year's training for our own new firefighter recruits in Bloomington. They would become the first professional, internationally certified firefighters in their country.

One day, perhaps a Freetown family will be saved from a fire because of this. Perhaps they will visit Bloomington. We don't know. We probably never can know. But we do know what happens here matters. Every day. With every one of us. For every one of us. We know It Starts Here. What do you love about Bloomington? What do you see for our next century? It Starts Here. Let's Go!!

Thank you, and good evening. We are adjourned.