

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, April 17, 2019 at 6:33pm, Council President Dave Rollo presided over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
April 17, 2019

Members present: Ruff, Piedmont-Smith, Granger, Rollo, Volan, Sims, Sturbaum, Sandberg  
Members absent: Chopra

ROLL CALL [6:33pm]

Council President Dave Rollo summarized the agenda.

AGENDA SUMMATION [6:33pm]

There were no minutes for approval.

APPROVAL OF MINUTES

Councilmember Susan Sandberg spoke about the fire at the Notre-Dame Cathedral and offered her condolences.

REPORTS  
• COUNCIL MEMBERS  
[6:36pm]

Councilmember Chris Sturbaum commented on the proposed changes to the city’s unified development ordinance (UDO) and highlighted threats to single-family zoning.

Councilmember Jim Sims commented on a recent forum held at Bloomington High School North for candidates and elected officials to speak to students.

Councilmember Steve Volan reminded everyone that the Volunteers in Tutoring Adult Learners (VITAL) Quiz Bowl was taking place that week. He encouraged people to watch and support the event.

Councilmember Isabel Piedmont-Smith commented on her previous experience on a VITAL Quiz Bowl team. Her team departed from the competition upon failing to answer how many stiches there were on a standard baseball (108 double stitches, 216 single stitches).

There were no reports from the Mayor or city offices.

• The MAYOR AND CITY  
OFFICES

There were no council committee reports.

• COUNCIL COMMITTEES

Joe Bergin introduced himself as Director of City Relations for Indiana University’s student government.

• PUBLIC [6:48pm]

Deborah Myerson spoke about the need for affordable housing.

Peter Dorfman spoke about the importance of single-family zoning and voiced his concerns with proposed changes to the city’s UDO.

Elizabeth Cox-Ash voiced concerns with proposed changes to the city’s UDO.

Judy Berkshire spoke about accessory dwelling units (ADUs) and protecting single-family zoning.

Tom Shafer spoke about concerns he had with the UDO update process.

David Stewart said he was opposed to changing single-family zoning.

Linda Stewart said she supported single-family zoning and did not want to see it changed.

Allen Quaderer voiced concerns with a traffic project along 17<sup>th</sup> Street.

Marc Cornett spoke about potential changes to the UDO and provided suggestions related to single-family zoning.

Jan Sorby spoke about concerns related to the proposed UDO changes.

Jon Lawrence voiced concerns with the proposed UDO update.

John Kruschke expressed concerns regarding increased density called for by the proposed UDO changes.

Greg Alexander spoke about car ownership and housing.

Sandberg moved and it was seconded to appoint Adriana Mendoza to an advisory seat on the Commission on Hispanic and Latino Affairs. The motion was approved by voice vote.

Sandberg moved and it was seconded to reappoint Tom Coleman to the Tree Commission. The motion was approved by voice vote.

Granger moved and it was seconded to reappoint Chris Etter to the Traffic Commission. The motion was approved by voice vote.

Granger moved and it was seconded to appoint Donté Miller to the Dr. Martin Luther King Jr. Birthday Commission. The motion was approved by voice vote.

Volan moved and it was seconded that Appropriation Ordinance 19-02 be 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: 7, Nays: 0, Abstain: 2.

Volan moved and it was seconded that Appropriation Ordinance 19-02 be adopted.

Jeff Underwood, Controller, explained the purpose of the appropriation ordinance. He explained that allowing departments to request spending out of reverted funds was meant to encourage judicious use of funds by the departments. He summarized the reversion requests based on the funding source and the department. He noted requests of \$100,000 or greater.

Granger asked if the Police Department request was more than \$100,000.  
Underwood said no.

Piedmont-Smith asked what the Police Department had requested.  
Underwood corrected himself and said the Police Department had made requests totaling \$119,000. He said the requests were for two vehicles and in-car video systems.  
Piedmont-Smith asked for Underwood to go through questions previously submitted by councilmembers. (see attached memo).  
Underwood read questions that had been submitted previously by councilmembers and restated the answers that had been provided by staff.

REPORTS (cont'd)

APPOINTMENTS TO BOARDS AND COMMISSIONS

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:25pm]

Appropriation Ordinance 19-02  
To Specially Appropriate from the General Fund, Parks General Fund, Local Road & Street Fund, Motor Vehicle Highway Fund, Risk Management Fund, Housing Development Fund, and Vehicle Replacement Fund Expenditures Not Otherwise Appropriated (Appropriating a Portion of the Amount of Funds Reverted to Various City Funds at the End of 2018 for Unmet Needs in 2019)

Council Questions:

Granger asked if the Community and Family Resources Department knew what its next series of videos would address.

Appropriation Ordinance 19-02  
(cont'd)

Underwood said he did not know.

Granger asked if the money for a diversity advisory team would include paid staff.

Underwood said the team would be made up of city staff members. He explained the money would be for a consultant to provide training to those staff members.

Piedmont-Smith questioned the need to spend \$5,000 for a mission statement for the Community and Family Resources Department. She asked why it was necessary.

Underwood said he could not speak about the request as it was not made by his department.

Rollo asked how much the request from the Controller's Office for a consultant would cost.

Underwood said it would cost no more than \$75,500, and he anticipated it would cost less.

Rollo asked if it was common to bring in a consultant to assist cities in transitioning to Generally Accepted Accounting Principles (GAAP) for reporting purposes.

Underwood said yes.

Sims asked what was meant by large units of government.

Underwood said it referred to second-class cities in Indiana, as defined by their populations.

Rollo asked if the transition to GAAP reporting was a requirement.

Underwood said it was required by state statute.

Piedmont-Smith asked if the Controller's Office would have asked for money for the transition to GAAP reporting in the 2020 budget if the reversions had not been available.

Underwood said the money could have come from other projects in the Controller's Office budget, but that would mean giving up something else.

Piedmont-Smith asked how long the transition would take.

Underwood said it would be completed by the end of 2019.

Sims asked if the Fire Department funding gap was due to the Public Safety Local Income Tax (PS-LIT) Committee deciding to fund self-contained breathing apparatus (SCBAs) for township fire departments.

Underwood said that did contribute to the gap, as the city would have received more money from the PS-LIT if the townships had not received funding.

Granger asked how much the Housing and Neighborhood Development Department was requesting to pay for a consultant to assist with completing a Consolidated Plan.

Underwood said \$49,200.

Granger asked if the city used a consultant the last time it updated its Consolidated Plan, and wondered who that was.

Underwood said he believed the city did use a consultant, but he did not know who the consultant was.

Piedmont-Smith asked if the Human Resources diversity training would be available to councilmembers.

Underwood said yes.

Granger asked how much the Human Resources strategic plan consulting would cost.

Appropriation Ordinance 19-02  
(cont'd)

Underwood said \$25,000.

Granger asked whether the Human Resources project manager was a full-time position or a consultant.

Underwood said that work would be done by a consultant.

Rollo asked when the consulting would be completed.

Underwood said in 2019.

Piedmont-Smith asked how much it would cost.

Underwood said the \$25,000 would pay for both the strategic plan consulting and the project management.

Piedmont-Smith asked if the Mayor's Office had already purchased the tent it had requested.

Underwood said all departments, including the Mayor's Office, had been instructed to not proceed with purchases or projects until funds had been appropriate, unless they had identified other projects to forego.

Granger asked if the project manager requested by the Mayor's Office would be a duplication of services.

Underwood said no, and detailed the work the project manager would perform.

Sturbaum asked if the position was temporary.

Underwood said it would be a contractual position that would only last as long as certain projects were ongoing.

Piedmont-Smith asked why the city needed the help of Schmidt Associates in planning for the current hospital site when the city was already looking for a master site manager.

Underwood said Schmidt Associates would provide assistance in developing a subarea plan that would be created in coordination with neighboring subarea plans.

Piedmont-Smith asked if that work was ready to proceed in 2019.

Underwood said that was what he had been told.

Granger asked why the Planning and Transportation Department was still understaffed.

Underwood said it was a combination of key members of the department being out for health-related reasons, and openings in major positions due to people leaving for other opportunities. He said it was often difficult to fill positions in the department because it was a highly technical field.

Volan asked if the Third Street corridor planning would be done by the same company hired to help design the Convention Center expansion.

Underwood said the work might be completed by different companies, but added that the administration would ensure that the projects were completed in coordination with each other.

Sturbaum asked if Schmidt Associates was on retainer to do work for the city.

Underwood said yes.

There was no public comment.

Public comment:

Granger said she did not like that the city was using so many consultants to do work.

Piedmont-Smith said that spending \$5,000 to create a mission statement was ridiculous. She also thought it was worth examining why the city was using so many consultants. She said she would still support the appropriation ordinance.

Volan reminded the Council that they could reduce or remove an item from the appropriation ordinance that they thought was inappropriate.

Sandberg said she understood that consultants were needed in some circumstances, but thought that consultants should understand the community in which they were working.

Rollo agreed that the Council should get some more information regarding the use of consultants, especially when it came to discussing innovation design-thinking. He suggested considering a systems approach to discuss complicated issues that come before the city.

The motion to adopt Appropriation Ordinance 19-02 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 1 (Granger).

Volan moved and it was seconded that Ordinance 19-09 be read by title and synopsis only. The motion was approved by voice vote. Lucas read the legislation by title and synopsis, giving the committee do-pass recommendation of Ayes: 3, Nays: 0, Abstain: 6.

Volan moved and it was seconded that Ordinance 19-09 be adopted.

Volan moved and it was seconded to suspend the rules to structure and limit deliberations on Ordinance 19-09. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Mary Catherine Carmichael, Director of Public Engagement, introduced the legislation to the Council. She described how motorized scooters were introduced suddenly to the city in 2018, which was followed by an interim operating agreement with scooter rental companies. She explained the work and considerations that had gone into drafting the proposed ordinance, as well as the stakeholders that had been consulted during that process.

Mike Rouker, City Attorney, presented the legislation to the Council. He provided a broad explanation of the purposes and requirements of the ordinance. He detailed the proposed parking and use regulations of the legislation. He noted the enforcement options available to the city to ensure the regulations were followed by both scooter companies as well as scooter users.

Alex Freeman, General Manager of scooter operator Lime, introduced himself and said he was available to offer comments on amendments or to answer questions.

Appropriation Ordinance 19-02  
(cont'd)

Council Comment:

Vote on Appropriation Ordinance 19-02 [8:04pm]

Ordinance 19-09 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" – Re: Amending Chapter 15.04 (Definitions), 15.56 (Bicycles, Skateboards, and Other Foot-Propelled Vehicles), 15.60 (Miscellaneous Traffic Rules), 15.64 (Traffic Violations Schedule) and Adding a New Chapter 15.58 (Motorized Scooters and Shared Use Motorized Scooters) to Provide for Regulations Governing Motorized Scooters, Shared-Use Motorized Scooters, and Shared-Use Motorized Scooter Operators

Volan asked for more information about how tickets would be issued when a scooter was illegally parked by a rider who had already left the scene.

Rouker said the ticket could be issued to the company.

Volan asked if the scooter companies would require riders to photograph where they parked the scooters in an attempt to recover any fines imposed by the city.

Rouker said a company could do that if it wished.

Volan asked if citizens could document poorly-parked scooters and report them to the city.

Rouker explained how people could submit complaints through the city's website.

Granger asked how the city would respond to a scooter that was initially parked legally, but later moved to an illegal location.

Rouker said impoundment was also an enforcement option.

Piedmont-Smith asked if a rider could appeal a citation to the City Clerk's Office.

Rouker said he believed that was the case.

Piedmont-Smith asked if the City Clerk's Office had been consulted about adding that provision to the ordinance.

Rouker said no.

Sturbaum asked how many scooters were in the city.

Rouker said there were between 500 and 600 scooters.

Rollo asked why the scooter companies did not approach the city to work on regulations before deploying their scooters in Bloomington.

Freeman said he had joined Lime after the company came to Bloomington. He said the company was taking a more collaborative approach moving forward.

Piedmont-Smith asked if the city could require that scooter users wear helmets.

Rouker said he would have to look into whether state law would preempt such action.

Sims asked if Lime knew how many riders were wearing helmets.

Freeman said he did not have any information on that.

Piedmont-Smith moved and it was seconded to adopt Amendment 11 to Ordinance 19-09.

Ordinance 19-09 (cont'd)  
Council questions:

Amendment 11 to Ordinance 19-09

Amendment 11 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and corrects the date of the arrival of scooters in Bloomington in the first "Whereas" clause of the ordinance.

Piedmont-Smith presented the amendment to the Council.

The motion to adopt Amendment 11 to Ordinance 19-09 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote on Amendment 11 to Ordinance 19-09 [8:52pm]

Piedmont-Smith moved and it was seconded to adopt Amendment 10 to Ordinance 19-09.

Amendment 10 to Ordinance 19-09

Amendment 10 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and allows shared-use motorized scooter operators to provide discounts other than a straight 50% price discount as long as the consequence of the discount is at least equivalent to a 50% straight price discount.

Piedmont-Smith presented the amendment to the Council.

The motion to adopt Amendment 10 to Ordinance 19-09 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote on Amendment 10 to Ordinance 19-09 [8:53pm]

Sandberg moved and it was seconded to adopt Amendment 09 to Ordinance 19-09.

Amendment 09 to Ordinance 19-09

Amendment 09 Synopsis: This amendment is sponsored by Councilmember Sandberg and removes a requirement for shared-use motorized scooter operators to provide periodic monthly reports in addition to real-time reporting in MDS format. In addition, this amendment clarifies that while the City may publish real-time information received from shared-use motorized scooter operators, it may not publish or make available to the public at large any information that qualifies as a trade secret or as personally identifiable information.

Sandberg presented and explained the amendment to the Council.

Volan asked how scooter data would be made available to the public.

Council questions:

Rouker explained that the IT Department was working on how to make information accessible to the public, without divulging trade secrets or personal identifying information.

The motion to adopt Amendment 09 to Ordinance 19-09 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 1 (Volan).

Vote on Amendment 09 to Ordinance 19-09 [8:58pm]

Rollo moved and it was seconded to introduce for discussion Amendment 01 to Ordinance 19-09.

Amendment 01 to Ordinance 19-09

Amendment 01 Synopsis: This amendment is sponsored by Councilmembers Rollo and Sturbaum. It removes the allowance for the operation of motorized scooters and shared-use motorized scooters on sidewalks. Such a prohibition is warranted by the volume and speed of shared use motorized scooters.

Rollo explained that the amendment would remove the allowance for the operation of motorized scooters and shared-use motorized scooters on sidewalks.

Sturbaum added that many other cities had similarly prohibited such scooters from being operated on sidewalks due to the dangers they presented to other pedestrians.

Rollo agreed that it was common for other cities to prohibit such scooters from sidewalks, and noted that a physician had previously attended a council meeting to describe the hazards of irresponsible scooter usage to both the rider and pedestrians.

Volan asked why the amendment sponsors did not propose to ban all scooters, as that would be safer.

Sturbaum said he was concerned with pedestrian safety, so he thought it was appropriate to ban scooters from sidewalks.

Volan asked if the sponsors would also prefer to ban bicycles from sidewalks.

Sturbaum said no.

Rollo said he had previously voted against allowing bicycles on sidewalks. He thought the amendment would reduce hazards for pedestrians.

Volan thought scooter riders wanted to use sidewalks to avoid conflicts with car drivers. He asked if Rollo would continue to support Amendment 03 to reduce the maximum speed of scooters from 15 to 10 miles per hour if Amendment 01 were passed.

Rollo said no.

Granger said Amendment 03 would no longer be necessary if Amendment 01 was adopted.

Rollo said that prohibiting scooters altogether might invite state action.

Granger asked for clarification on the difference between sidewalks, sidepaths, and multi-use trails.

Stacy Jane Rhoads, Deputy Council Administrator/Deputy Attorney said Neil Kopper, Interim Engineer in Planning and Transportation, recommended prohibiting scooters from multi-use paths if they were prohibited from sidewalks, as multi-use paths were a type of sidewalk.

Volan asked whether the B-Line trail was a multi-use trail and if scooters would still be allowed on it under Amendment 01.

Rhoads said yes.

Piedmont-Smith asked if someone from the administration could speak on whether the state would prevent Bloomington from banning scooters.

Carmichael said she could not predict what state action might happen, but did not think scooters were that sensitive of a topic at the state house.

Sturbaum asked Rhoads to explain a proposed state bill that would allow local governments to regulate scooters.

Rhoads provided a brief explanation of House Bill 1649, which was pending at the time.

Christine Missik spoke against Amendment 01.

Amendment 01 to Ordinance 19-09 (cont'd)

Council questions:

Public comment:

Volan thought the amendment went too far. He said there were better approaches to addressing safety concerns.

Council comment:

Granger thanked the amendment sponsors.

Piedmont-Smith said the amendment went too far in banning scooters from all sidewalks. She thought scooters should be allowed on certain sidewalks, subject to rules and regulations for their usage. She did not support the amendment.

Sims said he was more concerned about scooters in areas where there were more pedestrians. He said he was not sure if it was appropriate to ban scooters from every sidewalk in the city.

Ruff said he agreed with Piedmont-Smith and Sims. He thought it was too broad a rule to ban scooters from all sidewalks.



Rollo said injuries had increased since the scooters arrived in the city. He said pedestrians deserved protection and allowing scooters or bicycles on sidewalks was a bad idea. He also thought the amendment would simplify enforcement.

Amendment 01 to Ordinance 19-09 (*cont'd*)

Volan urged councilmembers to avoid appeals to emotion.

Ruff said that a lot of the information being discussed was anecdotal. He also said the injuries were occurring to scooter riders, not pedestrians. He related his experience commuting by bicycle and how unused many city sidewalks were.

Rollo pointed out that 59% of respondents to a recent city survey favored prohibiting scooters from sidewalks.

Volan moved and it was seconded to introduce for discussion Amendment 06 to Ordinance 19-09.

Amendment 06 to Ordinance 19-09

Amendment 06 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and extends the boundaries of the dismount zone for scooters, bicycles and coasters.

Piedmont-Smith explained the areas which would become part of the dismount zone.

Sturbaum asked if it made sense to include the north-south streets between 4<sup>th</sup> Street and 6<sup>th</sup> Street in the dismount zone.

Piedmont-Smith said they were not currently in the dismount zone, but she was open to suggestions for amending the boundaries of the zone.

Volan asked if Piedmont-Smith was concerned with signage in the zone.

Piedmont-Smith thought the signage on the pavement needed to be renewed. She also suggested adding some eye-level signage. She thought strict enforcement was also important.

Volan asked the administration if there were any plans for eye-level signage.

Carmichael said there were no specific plans, as the administration wanted to see what was included in the ordinance once it was passed. She said the current signage was not sufficient. She also noted that existing parking spaces in the zone might be removed if the zone were expanded.

Piedmont-Smith said that an upcoming amendment addressed parking scooters on sidewalks.

Freeman said different communities had come up with different solutions, and applauded Bloomington for doing what made sense for its residents. He thought signage was most visible for scooter riders when it was on the sidewalk.

Public comment:

Missik spoke against rules that forced scooters to ride on unsafe roads.

Sandberg said expanding the dismount zone made a lot of sense and agreed the signage should be improved.

Council comment:

Sturbaum said it made sense to add Indiana Avenue between 4<sup>th</sup> Street and 6<sup>th</sup> Street to the zone, and thought it might make sense to add other streets as well.

Piedmont-Smith pointed out that many pedestrians in the downtown area wore headphones or earbuds and would not be able to hear scooter riders approaching. She thought the exact boundary of the zone should be examined.

Amendment 06 to Ordinance 19-09 (cont'd)

Granger said if Amendment 01 did not pass she would support Amendment 06. She also agreed that the signage could be improved.

Sims said he was not interested in expanding the zone throughout the city, but did support expanding it near the city's core area.

Volan suggested that painting streets and sidewalks could be further explored to help improve safety for all road users.

Rollo agreed with Sturbaum that some of the north-south streets downtown should be included in the zone.

Volan moved and it was seconded to introduce for discussion Amendment 07 to Ordinance 19-09.

Amendment 07 to Ordinance 19-09

Amendment 07 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and deletes a provision that allows motorized scooter parking at bike racks on sidewalks in the dismount zone. However, scooter parking in dismount zones is still permitted in designated painted boxes on the street.

Piedmont-Smith explained the ordinance and its purpose.

Rollo asked if the administration had a position on the ordinance.

Council questions:

Rouker said the administration preferred a shared-space model for all multimodal transportation. He also noted that one appealing feature of scooters was the idea of point-to-point transportation. He said the more the city limited that feature, the less attractive the scooters would be as a transportation option.

Piedmont-Smith said that using a scooter would still allow a rider to get closer to a destination than a car would, even if the scooter could not be parked on the sidewalk.

Missik said that personally-owned scooters were different since the owner would likely lock the scooter before leaving it.

Public comment:

Freeman agreed that point-to-point travel was one of the major appeals of scooters. He said that painted boxes or corrals generally worked, but cautioned that mandating where people could park would require more enforcement, which could detract from more pressing enforcement challenges.

Sturbaum asked if any corrals or stalls had been designed within the industry.

Freeman said there were lots of different solutions being tried out in various locations, but the most common solution was a painted area on the ground.

Piedmont-Smith said scooters could be knocked over in the way of pedestrians or people trying to use the sidewalk, especially downtown. She thought the appropriate remedy was to not allow scooter parking on sidewalks downtown.

Council comment:

Ruff said that privately-owned bicycles were different than shared scooters and should not necessarily be treated the same.

Amendment 07 to Ordinance 19-09 (*cont'd*)

Volan moved and it was seconded to introduce for discussion Amendment 08 to Ordinance 19-09.

Amendment 08 to Ordinance 19-09

Amendment 08 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and replaces the words “painted boxes” with “scooter corrals” to describe the on-street parking areas designated for scooter parking. The amendment also provides that scooter corrals shall be designed to prevent scooters from falling outside of the boundaries of the corral.

Piedmont-Smith described the amendment and the type of corral she was envisioning. She said the point of the proposal was to keep scooters out of the right-of-way.

Beth Rosenbarger, Planning Services Manager, suggested not limiting the corrals to only hold scooters, but to also be available for bicycles.

Volan asked what Piedmont-Smith thought of Rosenbarger’s suggestion.

Council questions:

Piedmont-Smith said she had no problem with it.

Volan moved and it was seconded to introduce for discussion Amendment 03 to Ordinance 19-09.

Amendment 03 to Ordinance 19-09

Amendment 03 Synopsis: This amendment is sponsored by Councilmembers Granger and Rollo and changes the equipment requirement of shared-use motorized scooters by reducing the maximum speed at which such scooters are equipped to operate from 15 MPH to 10 MPH.

Granger explained that the amendment was meant to increase safety for scooter riders on the sidewalk. She said that if scooters were not allowed on sidewalks, she would withdraw the amendment.

Rollo agreed that reducing the speed would increase safety.

Rouker said the administration opposed the amendment. He said it was difficult to find any other community that had intentionally imposed a similar restriction for such a low speed. He said scooters might struggle to travel uphill at a reduced speed. He expressed concerns about the hazard of slow-moving scooters in the roadway. He also pointed out that limiting the speed would increase the cost of the ride to the user, because trips would take longer.

Sims said he had witnessed scooters struggling to climb hills around town.

Council questions:

Volan asked if there was a way limit the acceleration of the scooters so that it took a while to reach top speed.

Freeman said he did not believe that was currently possible. He said the next model scooter did have a throttle with better control over speed.

Ruff asked if the administration would oppose limiting the speed to 15 MPH.

Amendment 03 to Ordinance 19-09 (cont'd)

Rouker said no, and pointed out that 15 MPH was the limit in the proposed ordinance. He said 15-20 MPH was the typical range for scooters, but the ordinance limited scooters to 15 MPH given that it also allowed scooters on sidewalks.

Ruff asked if the ordinance applied to private scooters.

Rouker said no.

Ruff asked if speed limits on roadways applied to private scooters.

Rouker said yes, and noted that speed limits on roadways applied to anyone operating in the roadway.

Ruff asked if the increased time of exposure would increase the risk to slower scooter riders.

Rouker said that had not been considered, but was something that the administration could look into.

Rollo asked if the administration supported allowing scooters to travel at 15 MPH on sidewalks. He said he read a study which claimed the average speed of a bicyclist was 10 MPH.

Rouker said the administration wanted scooters to be governed generally to go no faster than 15 MPH. He said the administration encouraged safe, reasonable driving, which might require slower speeds depending on the conditions.

Ruff asked if it was true that 10 MPH was the average speed for a bicyclist.

Rosenbarger said she did not know, but estimated that the average speed was between 10-15 MPH.

Freeman spoke against the amendment.

Public comment:

Granger reiterated that she would withdraw the amendment if scooters were not allowed on sidewalks.

Council comment:

Rollo agreed with Granger.

Volan related an experience he had riding a scooter. He voiced some concerns with the speed of scooters, especially in the downtown area.

Volan moved and it was seconded to introduce for discussion Amendment 04 to Ordinance 19-09.

Amendment 04 to Ordinance 19-09

Amendment 04 Synopsis: This amendment is sponsored by Councilmember Granger and caps the number of scooters permitted to be operated by shared-use motorized scooters operators at a maximum of 200 per company and provides that no more than 600 shared-use motorized scooters may be deployed in the City in aggregate. Because this amendment adds a new section to the ordinance and renumbers subsequent sections, this amendment revises in-text citations.

Granger explained the amendment and noted she was not attached to the specific number limit included in the amendment. She said she wanted to ensure the community was not overrun with scooters.

Rouker said the administration had concerns with the amendment. He said artificially limiting the number of scooters would limit their availability to the entire community. He said it would also limit the amount of licensing fees, which could reduce the ability of the city to enforce regulations. He suggested tying the cap, if the Council wanted to impose one, to some objective measure. He said other communities had required companies to average one ride per scooter per day.

Amendment 04 to Ordinance 19-09 (cont'd)

Carmichael reiterated that the city wanted to make data-driven decisions, so she suggested allowing some time for the city to collect data.

Sandberg asked how many scooters were in operation in the city.

Council questions:

Rouker said it was between 500-600 scooters.

Freeman said that his company was much more focused on utilization rates than any specific number of scooters.

Ruff wondered about the possibility of not allowing companies to replace impounded scooters with a replacement scooter. He asked if that idea had been considered.

Rouker said the idea had been considered. He suggested another approach would be to make the impound fees into municipal fines, so that the company had to pay the fee regardless of whether it picked up the impounded scooter.

Missik suggested that the concerns addressed by the amendment could be handled in other ways.

Public comment:

Rollo said he was not convinced that the number of scooters had normalized, so he supported the amendment.

Council comment:

Piedmont-Smith said she opposed the amendment for the reasons stated by the administration. She liked Ruff's idea regarding impounding scooters.

Volan said that the city survey on scooters was anecdotal and not scientific. He also cautioned against companies trying to work around the limits imposed by the city.

Rollo disagreed that the limit in the amendment was arbitrary.

Volan moved and it was seconded to introduce for discussion Amendment 05 to Ordinance 19-09.

Amendment 05 to Ordinance 19-09

Amendment 05 Synopsis: This amendment is sponsored by Councilmembers Granger, Rollo, and Sturbaum and requests that the Administration propose a new Bloomington Police Department officer as part of its 2020 Civil City budget to help with the enforcement of motorized scooter moving violations.

Granger described the amendment.

Sturbaum thought there would be enough money from fees to pay for an officer to enforce the regulations needed because of the scooters.

Rollo agreed that the amendment was a way to internalize the cost of the scooters.

Carmichael said that using the ordinance as a way to put something into the budget was odd. She noted that additional officers were regularly deployed downtown during summer months. She also noted that there were limits on how the city could use fees generated from scooter companies. She suggested allowing for more time to see how the situation evolved with the new ordinance.

Amendment 05 to Ordinance 19-09

Sandberg pointed out that police officers were part of a union, which could impact how duties were assigned to an officer.

Council questions:

Carmichael said that the budget impact of adding such an officer could be \$100,000, which was not insignificant. She said that only the portion of time an officer spent enforcing scooter regulations could be recouped from the scooter companies. She again suggested taking an incremental approach.

Sturbaum asked if someone other than a police officer could be hired to do enforcement work.

Carmichael passed along that the police chief said it needed to be a sworn officer.

Volan said that the police department did not like enforcing what it saw as low-level violations when it had greater concerns. He asked what assurance there was that scooter regulations would be enforced without an officer dedicated to enforcing them.

Carmichael said that she could not guarantee that officers would want to enforce the regulations, but could guarantee that they would be directed to enforce them.

Piedmont-Smith agreed that the city needed strict enforcement but said she would not want to make an officer's salary dependent on revenue from scooter fees. She also thought the ordinance was not an appropriate place for a budgeting issue.

Council comment:

Sandberg agreed with Piedmont-Smith, but said she was still concerned with enforcement.

Volan said there were still questions to answer regarding how to get strict enforcement and who is best positioned to do it.

Sturbaum spoke about the need for enforcement and education on scooter usage.

David VanDeventer, representative with Lime scooters, spoke about outreach efforts.

Rollo said he thought it was a good amendment because it internalized costs. He said it was a request, not a demand.

Sturbaum thought there was a lot of money being generated by the scooters, so he thought it was appropriate to use some revenue to help pay for enforcement.

Kaleb Crain spoke in support of the ordinance but also asked for an amendment to ban scooter parking on all city sidewalks.

Ordinance 19-09 (as amended)  
Public comment:

Freeman spoke against limiting the time of day when the scooters could be made available and limiting the scooter speeds below 15 MPH.

VanDeventer thanked the city for listening to the concerns voiced by all.

Piedmont-Smith suggested exploring a partnership with Centerstone to help with enforcement of scooter regulations. She also noted that the scooters helped generate income for people, while also providing another transportation option.

Council comment:

Sandberg agreed that the limits on the times when scooters could be operated should be examined further.

Volan appreciated the data-driven approach taken by the administration. He said signage would be important for enforcement and compliance. He agreed that the time limit for riding should be reexamined, but said he still had concerns with people riding at night. He thought there should be a direct contact point where people could submit complaints.

Sturbaum said it was such a new issue that more information was needed. He said things could always be fixed later.

Rollo spoke against companies taking advantage of an unregulated environment at the expense of the community. He questioned how environmentally-friendly the scooters were. He reiterated that scooters should not be allowed on sidewalks.

Volan moved and it was seconded to postpone further consideration of Ordinance 19-09 as amended until the Regular Session on May 1, 2019.

Motion to postpone Ordinance 19-09 as amended

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

Vote on motion to postpone Ordinance 19-09 as amended  
[11:28pm]

LEGISLATION FOR FIRST  
READING

Volan moved and it was seconded that Ordinance 19-10 be introduced and read by title and synopsis only. The motion was approved by voice vote. Lucas read the legislation by title and synopsis.

Ordinance 19-10 Approval to Issue Economic Development Revenue Bonds Up to an Aggregate Principal Amount of \$26,000,000 and Lend the Proceeds for the Renovation of Affordable Housing – Re: Limestone Crossing (formerly Canterbury House) Apartments Project, 540 S. Basswood Drive (Herman & Kittle Properties, Inc., Petitioner)

There was no additional public comment.

ADDITIONAL PUBLIC COMMENT

It was moved and seconded to cancel the Committee of the Whole meeting scheduled for April 24, 2019. The motion was approved by voice vote.

COUNCIL SCHEDULE

Volan moved and it was seconded to reschedule the internal work session scheduled for April 18, 2019 to April 26, 2019. The motion was approved by voice vote

The meeting was adjourned at 11:37pm.

ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 12 day of June, 2019.

APPROVE:

ATTEST:



Dave Rollo, PRESIDENT  
Bloomington Common Council



Nicole Bolden, CLERK  
City of Bloomington