



**City of Bloomington
Common Council
Legislative Packet**

**Wednesday, 15 May 2019
Regular Sessions**

Reconvene 01 May 2019 Regular Session

Legislation and background material regarding Ordinance 19-09 [Regulating Motorized Scooters], please consult [03 April 2019 Legislative Packet](#). For proposed amendments, please consult [01 May 2019 Legislative Packet](#).

Immediately Followed by

15 May 2019 Regular Session

Legislation and background material regarding Appropriation Ordinance 19-03, please consult [01 May 2019 Legislative Packet](#).

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

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In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, April 3, 2019 at 6:33pm, Council President Dave Rollo presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
April 3, 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]

Councilmember Dorothy Granger moved and it was seconded to approve the minutes of February 6, 2019. The motion was approved by voice vote.

APPROVAL OF MINUTES [6:33pm]

February 6, 2019 (Regular Session)

Councilmember Chris Sturbaum spoke about the proposed unified development ordinance (UDO) update, and highlighted portions that he believed threatened single-family zoning. He encouraged the public to participate in the process of updating the UDO.

REPORTS

- COUNCIL MEMBERS [6:37pm]

Councilmember Jim Sims spoke about Volunteers in Medicine (VIM) and the organization's mission. He noted recent efforts by VIM to become a federal qualified health center to ensure it could continue providing services to the community. He encouraged people to read about VIM and support the organization.

Councilmember Steve Volan said that the community radio station WFHB was having its spring fund drive and encouraged people to donate.

Councilmember Andy Ruff recognized Jim Blickensdorf's service on the city's Parking Commission.

Granger encouraged people to complete a route optimization study on Bloomington Transit's website.

Granger moved and it was seconded that the Council send a letter to the Indiana Department of Environmental Management (IDEM) regarding JB's Salvage.

Motion to approve letter

The motion was approved by voice vote.

Vote on motion to approve letter

Granger read the letter.

Nico Sigler proposed to marry Kaisa Goodman. The proposal was accepted.

- The MAYOR AND CITY OFFICES [6:56pm]

Mayor John Hamilton said that Alex Crowley would be presenting the 2018 Sustainability Progress Report to the Council. Hamilton spoke about the importance of economic sustainability, environmental sustainability, and social equity. He said the city's first Sustainability Action Plan had been adopted the previous year, and he noted some accomplishments that had followed.

Alex Crowley, Director of Economic and Sustainable Development, thanked the Council for its support of sustainability efforts, as well as other individuals and groups that had contributed to the Sustainability Action Plan. He described the goals of the Action Plan and noted where people could find the Progress Report. He reported that the City Hall building had achieved LEED Gold certification. He described a pilot composting project for City Hall that began in 2018. He summarized other sustainability efforts by the city and detailed priorities for such efforts in 2019.

The Mayor and City Offices
(cont'd)

Volan moved and it was seconded that the Council request that the Food and Beverage Tax Advisory Commission recommend expenditures of Food and Beverage Tax funds regarding the Convention Center for consideration by the Council.

- COUNCIL COMMITTEES [7:14pm]

The motion was adopted by a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Ryan Pedigo proposed a change to Title 7 of the Bloomington Municipal Code.

- PUBLIC [7:17pm]

Daniel Bingham spoke about climate change.

Richard Vonnegut asked for the Council to support the designation of United States Bike Route 37 through portions of Bloomington.

Rollo appointed Ruff to serve on the Interviewing Group for the Transportation Demand Management Consultant process.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Volan moved and it was seconded that Resolution 19-06 be read by title and synopsis only. The motion was approved by voice vote. City Clerk Nicole Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation of Ayes: 3, Nays: 2, Abstain: 3.

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

Volan moved and it was seconded that Resolution 19-06 be adopted.

Resolution 19-06 Approving the Issuance of Tax Increment Revenue Bonds of the City of Bloomington Redevelopment District to Finance the Costs of Acquisition and Construction of the 4th Street Parking Garage in the Bloomington Consolidated Economic Development Area and Costs Incurred in Connection with the Issuance of Such Bonds

Rollo explained that the Council was reconsidering the issuance of bonds for the construction of a new 4th Street parking garage due to new information that had been received since the issue was last addressed. He explained that the cost to repair the garage was higher than originally thought. He noted that the existing garage would also need regular, costly inspections due to its condition. Because of those reasons, Rollo said the councilmembers decided that the issue should be addressed again.

Mick Renneisen, Deputy Mayor, thanked the Council for taking the new information into account and reconsidering the issuance of the bonds to replace the garage. He said the administration supported replacing the garage given the age of the structure and the cost to repair it to simply extend its life by five years. He explained the ways in which the city was supporting multimodal transportation in an effort to reduce carbon emissions.

Sturbaum asked for more information about the different repair options.

Council Questions:

Adam Wason, Director of Public Works, explained that the original report provided to the city detailed repair options that would last five, ten, or 15 years, which all varied in cost.

Renneisen said that the most recent reports also expressed doubt about whether the longer-term repair options were viable. He said there was uncertainty about whether the garage could be repaired so that it would last longer than five years.

Resolution 19-06 (cont'd)

Granger asked if the neighboring property owner to the south of the garage was no longer interested in selling his property to the city.

Renneisen said that the Council needed to make a decision about whether to repair or replace the garage before the city could effectively negotiate with the property owner.

Volan said he had been contacted by the property owner. Volan reported that the property owner was no longer interested in selling the property.

Volan asked if the city knew about the need to repair the garage the previous year.

Renneisen said yes.

Volan asked when the administration decided that it was not worth repairing the garage and instead decided that replacement was the better option.

Renneisen said the administration received cost estimates for the repair of the garage. He said the administration then started to work on bringing a proposal forward to the Council for the replacement of the garage.

Wason explained that the city received a report in May, 2018. He said there were immediate repairs that were then completed over the summer of 2018 just to keep the garage in operation at that time.

Volan asked what assurances the administration could offer that a rebuilt garage would last at least 50 years.

Renneisen explained the maintenance plans that the city would follow after the construction of a new garage.

Councilmember Isabel Piedmont-Smith asked what the garage would cost, including the bond issuance and the interest.

Jeff Underwood, City Controller, said the bond would cost \$16,765,000, with interest not to exceed 6%, to be paid over 22 years maximum.

Piedmont-Smith pointed out that the cost was listed as \$18,540,000 in the resolution.

Underwood said he would check his figures.

Piedmont-Smith asked how much of the cost would be recouped in parking fees paid by people who used the facility.

Underwood said the city anticipated garage revenue to cover 25% of the cost of the garage, with the rest to be paid for with tax increment financing (TIF) revenues.

Ruff pointed out that the city had a goal of reducing vehicular travel. He asked if building a new garage was contradictory to that goal.

Renneisen said that the city did not have to choose between the two, but could accomplish both.

Ruff asked for input from planning staff.

Scott Robinson, Assistant Director of Planning and Transportation, commented on the challenges of economic rearrangement and how to properly manage growth in a community, while also working to address climate change.

Rollo noted that the engineering reports recommended regular inspections of the garage if the city chose to repair it. He asked if that indicated uncertainty about whether the garage could remain open even after repairs.

Wason said that there would be inspections conducted at increasing frequencies if the city chose to repair the garage. He said those inspections could reveal unanticipated degradation.

Rollo asked what those inspections would cost.

Wason did not know the exact cost, but estimated they would cost around \$40,000 to \$50,000.

Michael Cassidy, Lynn Coyne, Gabe Gloden, Emily Pike, Danielle McClelland, Melinda Seader, Macey Dale, Zach Rody, Paul Daily, Jeremy Sowders, Moriah Sowders, Vickie Davidson, Amber Riley, John West, Karen Jepson-Innes, Danielle Smith, Kendell Reeves, Andrew Guenther, Ryan Maloney, Alison McGlothlin, Kelly Jennings, Randy Lloyd, Jim Regester, Scott Shishman, Jessica Messmer, Suzanne Halvorson, Becky Higgins, Talisha Coppock, Ruth Conway, Sue West, George Huntington, Mike McAfee, Ron Walker, David Sabbagh, Erin Predmore, Jeff Mease, and Sue Sgambelluri spoke in favor of the resolution.

David Keppel and Jean Capler spoke about the need for improvements to public transportation.

Jessika Griffin, Eoban Binder, Teal Larsen, Daniel Bingham, Mark Stosberg, Quintin Thompson, Bronson Bast, Kate Rosenbarger, Greg Alexander, Matt Flaherty, and Marc Cornett spoke against the resolution.

Volan asked if the garage could be open by August 2019 if it were repaired.

Wason said that was the hope.

Volan asked if there was any reason to expect delays.

Wason said it would depend on how construction went and whether any additional problems were found.

Volan asked what the annual payment would be for the bond.

Underwood said the payment would be approximately \$1.1 million.

Volan asked how close the city was to its bonding capacity.

Underwood explained the different types of bonds that were available to the city, as well as the various requirements for funding them.

Volan asked if paying for the repairs would hurt the city's bond rating.

Underwood said that rating agencies might look negatively at the city paying for the repairs with cash reserves.

Volan asked if the administration would be interested in funding a shuttle that would transport people from various parking locations to downtown destinations.

Renneisen said it made sense to talk about such an idea after the city completed the transportation demand management study.

Volan asked why it made sense to wait until after that study to talk about a downtown circulator but it did not make sense to wait for the study to decide what to do with the garage.

Renneisen said repairing the garage would only be a temporary fix that would force the city to face the same issue in a few years. He said the idea for a downtown circulator was ripe for discussion.

Resolution 19-06 (cont'd)

Public Comment:

Additional Council Questions:

Ruff asked what would happen if the rates for the garage were set so that the fees covered the entire cost of the garage, replacing the subsidy coming from TIF funding. Resolution 19-06 (cont'd)

Renneisen said it would likely be a shock to people. He thought there would be an adjustment period, but said that adjustment might not happen quickly. He thought it could cause some people to avoid coming downtown or even force businesses to relocate. He also disagreed that paying for the garage with TIF funding was a subsidy. He explained the source and purpose of TIF funding. He noted that TIF funding had also been used to pay for trails and parks, which most people would not want to pay for with user fees.

Ruff asked if charging full price might actually reduce the amount of revenue from fees that was available to help pay for the garage.

Renneisen said that was possible if the city charged more than the market was willing to bear.

Ruff said there was a difference between spending TIF funding on things like trails and parks as opposed to a parking garage, because driving was not a behavior the city wanted to encourage. He thought it was a complicated issue and that the concerns about climate change could not be ignored. He said there was an opportunity cost to committing so much money to the project and he wanted to hear other councilmembers' comments before deciding how to vote.

Council Comment:

Piedmont-Smith said everyone at the meeting had the community's best interests in mind, even if they saw the issue in different ways. She thought the easiest way to fix the problem was to repair the garage. She said it was the less expensive option, both in direct costs and in the opportunity cost of going into debt. She thought it was premature to commit to a certain number of spaces in a new garage, given the recent increase in parking prices throughout the city. She also thought the city should wait for the transportation demand management study to be complete. She said driving was just one mode of transportation and she would rather invest in alternative modes that did not contribute to climate change. She thought it was irresponsible to use such a large amount of funding to build a garage when the city could be investing in public transit.

Granger said she was concerned about the safety of the existing garage. She said she had some concerns with issuing such a large bond, but recognized it would be paid for with TIF funding, which came from businesses. She said she heard the business community's concerns about parking. She appreciated the focus on climate change but also recognized the city would hurt the downtown businesses if it ignored their needs. She added she still had concerns about the height of the structure. She said it was not an easy decision but said she would vote to rebuild the garage.

Volan thought the 15-year and 10-year repair options were off the table. He said the city could still proceed with the 5-year repair option, which was what council approved before. He said the neighboring property owner was unwilling to sell the adjacent property, which would impact the height of the building. He said the city needed to think more rationally about pricing its parking. He was confused as to why downtown businesses wanted to rebuild the garage when that meant the garage would not reopen for years, when the repair option meant the garage would be open in a few months. He said the convention center expansion project would progress so that it could handle displaced parkers at the end of the five years. He suggested that, if the garage were rebuilt, the city should fund it entirely with TIF funding so that the revenue from the garage could be spent to operate a downtown circulator.

Resolution 19-06 (cont'd)

Sturbaum said he appreciated the concerns voiced by downtown businesses and wanted to see downtown Bloomington succeed. He said he would support the resolution.

Sims said parking was expensive, but a dead downtown was more expensive. He said he was interested in some of the ideas for improved transit, but thought public transit worked best in dense areas. He also recognized that the sources of TIF funding were the same people calling for the garage to be rebuilt. He said climate change was real and there was more work to be done. He said he would support rebuilding the garage.

Councilmember Susan Sandberg said the city tried its best to focus on social equity. She said more investment was needed for public transit, but that would not address the immediate needs being voiced by the business community. She said the city needed to listen to its local businesses, because they helped make the downtown into something everyone loved. She thought the garage was important to the downtown economy and said the city should listen to those stakeholders. She said it was unreasonable to suggest that small business owners should band together to pay for a garage. She said she would vote yes on the resolution.

Rollo said the height of the garage was yet to be determined, but would be addressed by multiple groups in the future, taking public opinion into account. He thought public transit needed more investment, but acknowledged the funding difficulties. He thought the garage could be built to be as sustainable as possible, including charging stations for electric vehicles. He commented on the growth experienced by the downtown and said that the focus on compact urban form was working. He said rebuilding the garage would further those efforts.

Ruff said that there was enough new information since the Council last voted on the issue to justify changing his vote. However, he still thought rebuilding the garage would subsidize behaviors that the city wanted to discourage.

The motion to adopt Resolution 19-06 received a roll call vote of Ayes: 5, Nays: 3 (Ruff, Piedmont-Smith, Volan), Abstain: 0.

Vote to adopt Resolution 19-06
[11:29pm]

Volan moved and it was seconded to take a recess. The motion was approved by voice vote.

Volan moved and it was seconded that Resolution 19-07 be read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Resolution 19-07 Calling for the Rejection of Senate Bill 613

Volan moved and it was seconded that Resolution 19-07 be adopted.

Piedmont-Smith read the resolution.

Granger asked why the state legislator thought that such a bill was a good idea.

Council Questions:

Piedmont-Smith suggested that the pay-day lending industry lobbied for it.

Georg'ann Cattelona spoke in favor of the resolution.

Public Comment:

Granger said it was an easy resolution to support.

Council Comment:

Piedmont-Smith thanked Cattelona for suggesting the resolution, and she acknowledged others who had opposed the senate bill.

Sims said he was concerned about the senate bill because it impacted individuals with lower incomes, as well as minorities.

Rollo said he was appalled by the senate bill.

The motion to adopt Resolution 19-07 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Resolution 19-07 [11:50pm]

LEGISLATION FOR FIRST READING

Volan moved and it was seconded that Appropriation Ordinance 19-02 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Appropriations 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)

Volan moved and it was seconded that Ordinance 19-09 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Ordinance 19-09 To Amend Title 15 of the Bloomington Municipal Code Entitles "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, Share-Used Motorized Scooters, and Share-Use Motorized Scooter Operations

There was no additional public comment.

ADDITIONAL PUBLIC COMMENT

There were no changes to the council schedule.

COUNCIL SCHEDULE

The meeting was adjourned at 11:55pm.

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

For Approval