

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Tuesday, November 28, 2006 at 6:00pm with Council President Chris Sturbaum presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
November 28, 2006

Clerk's Note: On November 27, 2006, the Common Council called to order a Special Session, which began the Council's consideration of Ordinance 06-24 to be completed over a series of meetings. Please refer to the minutes from that meeting for a description of the motion made in regard to the consideration of Ordinance 06-24.

Roll Call: Wisler, Gaal, Rollo, Sturbaum, Ruff, Sabbagh, Volan
Members Absent: Mayer, Diekhoff

ROLL CALL [6:09pm]

Council President Chris Sturbaum gave a summary of the agenda.

AGENDA SUMMATION
[6:09pm]

Tom Micuda (Planning Director) introduced Chapter 20.05: Development Standards. He stated it was the longest chapter of the Unified Development Ordinance (UDO). The chapter governed site plan review and stated the standards for development. Micuda highlighted the significant changes to the new document. He stated there was nothing regarding affordable housing in the previous UDO document and the updated UDO attempted to make affordable housing projects easier to complete.

Chapter 20.05: Development
Standards [6:10pm]

Micuda explained that the alternative transportation standards section covered sidewalks, side paths, bicycle lanes, multi-use trails, connector paths, transit facilities, and bicycle parking. The ordinance laid out standards for those facilities. It codified recommendations of the Alternative Transportation and Greenways System Plan and construction standards for bicycle and pedestrian facilities, while also increasing bicycle parking requirements. It also added public transit stop standards.

Micuda explained the environmental standards section and outlined requirements of development on steep slopes, water features, wetlands, places of forest conservation, and floodplains. Green development incentives were added and were based on LEED Green Building standards from the U.S. Green Building Council. Incentives included building setback reductions and residential density increases. Landscaping standards generally required the same amount of landscape planting as the existing ordinance. Stronger requirements for parking lot landscaping and buffer yards were added. The new document established minimum parking requirements for all uses.

Sexually oriented businesses were permitted within the Commercial Arterial (CA) and Industrial General (IG) zones but they must be established at least 500 feet away from places of worship, schools, daycare centers, parks, libraries, residential districts, large-scale multi-tenant non-residential centers, and other sexually oriented businesses.

For signage, temporary signs had display periods of 90 days total, with special event provisions. Non-residential signs had separate provisions for wall and freestanding sign allotments. Pole signs were prohibited, and there would be reduced signage allotments in the Commercial Limited (CL) zoning district. Downtown signage would have no freestanding signs except under limited circumstances and would have a greater allowance for projecting signs than the existing zoning ordinance.

Rollo asked if there were any amendments regarding environmental sensitivity as a result of the City of Bloomington Environmental Inventory.

Micuda said no.

Rollo asked for clarification on an approved amendment for exemption for parcels less than one acre from the proposed 75 foot riparian buffer.

Micuda said the amendment proposed originally dealt with platted lots of one acre or less and there was a compromise to reduce it to half an acre. The idea was that a platted lot for a subdivision had created a certain property right. There was an expectation that someone would be able to develop that land because it was subdivided. The concern was that if there was a lot that was an acre in size, created by subdivision, 75 foot buffers on either side would render a lot unbuildable. A person with a viable project would not be able to develop there. Micuda supported the amendment.

Rollo said it seemed that the effect would be small but there could be many of those lots along a riparian corridor, increasing the impact. He asked if there were examples of those lots and where they would be concentrated regarding streams or riparian areas.

Micuda replied that he did not have examples but could collect them.

Rollo asked how close to a stream could something be built if it was exempt from the 75 foot requirement.

Micuda explained that it depended on the location of the stream. If there was a stream on the back of the lot, there was a 25 foot building set-back. If a stream was in the middle of the lot, a building could not interfere with the stream but might be close in proximity.

Rollo asked for more description on steep slopes.

Micuda answered that there may be 50% development in land sloped between 12% and 18%. Areas with highly erodible soils, adjacent to slopes of 18% or greater, adjacency to water resources, or adjacent to other environmental features like karst were given additional preservation priority over other areas.

Rollo confirmed that previous erosion control measures would be kept in place.

Micuda said yes.

Rollo asked about compliance with emphasizing native plants.

Micuda responded that Planning staff conducted initial inspections of properties and checked plant lists. They did not conduct follow up inspections of plant growth and health.

Rollo stated that the city should be planning for a future of energy scarcity. He asked if there were other incentives Planning could implement in regards to native plants.

Micuda said they struggled with that area because incentives have been limited to zoning. Planning was not read to make it a mandatory part of the code because it was a relatively new concept. He believed it would become mandatory in later codes.

Rollo said he was disappointed in the lack of urgency of the United States to become energy efficient.

Sabbagh asked for help understanding the affordable housing provisions. He wanted to know the qualifications of an affordable housing project and if there were ways to ensure that it truly was an affordable housing project.

Micuda said that developers started with the Housing and Neighborhood Development Department (HAND) and HAND would verify projects as affordable housing.

Sabbagh asked what happened if a developer initially started an affordable housing project and ended up not following the agreement.

Chapter 20.05: Development Standards (cont'd)
Council Questions:

Chapter 20.05: Development Standards (*cont'd*)

Micuda acknowledged that was an issue HAND and Planning had faced before. He explained that the affordable housing programs had various time restrictions associated with them including how long the housing had to be affordable. Presumably someone would indicate through HAND what the program was and staff would know, based on that program, what the time limitation was.

Sabbagh indicated that he liked the idea of incentives and waivers if it was an affordable housing project. He asked for Micuda's opinion of them.

Micuda said Planning took variances that were normally granted for affordable housing and put them into the ordinance because the projects benefitted the community.

Sabbagh asked if the Federal Emergency Management Agency (FEMA) had to approve work in the floodplain.

Micuda replied that any work in the floodplain would be regulated by FEMA, the Department of Natural Resources, and the local government.

Gaal commended the Plan Commission's work with the 170 amendments. However, he thought the Plan Commission made a mistake with bicycle covered parking. He asked if Class 1 was a stored area where bicycles would be locked and Class 2 was covered storage.

Micuda said Class 2 included both open air and covered storage.

Gaal asked why bicycle parking requirements were eliminated in the UDO when the original UDO had requirements for Class 1 and Class 2 covered bicycle parking.

Micuda explained that the Plan Commission deleted the requirement for a development with more than 64 bedrooms to have $\frac{1}{4}$ of bicycle facilities be Class 1 lockers. The Plan Commission kept the covered bike parking in the ordinance but took the locker storage out.

Sturbaum asked if that would have been 4 lockers out of 64.

Micuda said yes. He clarified that the Plan Commission took the provision out because of cost.

Gaal said the public policy position was that the city was trying to encourage bicycling. He thought a requirement for covered parking was absolutely essential.

Volan asked why the UDO only gave a single car parking space to biking.

Micuda said he would not be opposed to increasing the number of parking spaces allotted to bicycles.

Volan said he did not understand why there was a restriction given to bicycle parking.

Micuda said he was okay with striking the language.

Volan asked if there were any unintentional consequences of striking the language.

Micuda replied that it would be unclear if there was required parking or non-required parking.

Volan said he did not agree with required car parking as a whole.

Micuda suggested drafting an amendment over the issue.

Volan asked if there was a requirement of 100 feet between blade signs.

Micuda said the spacing requirements between projecting signs increased from 50 feet to 100 feet through an amendment.

Volan asked if there was also a requirement that allowed one blade sign per business storefront.

Micuda said the requirement was one projecting sign per tenant.

Volan asked if there was a conflict between tenants that were less than 100 feet from each other and each having a blade sign.

Micuda said yes.

Volan asked why the spacing was increased from 50 feet to 100 feet.

Micuda said it was part of an overall discussion on the amount of signs that the Commission thought was appropriate for the downtown. Some people thought the signs were an eclectic addition to downtown and others felt that they detracted from the historic character. The amendment drafted was an attempt to restrict area, projection, and numbers of blade signs.

Volan asked if there were rules about putting messages on awnings.

Micuda answered that awnings were allowed as a projection and they could be used for signage. They were considered to be part of a wall allotment.

Volan asked if the awning could exceed the allotment given to signage.

Micuda said the awning could exceed the allotment but the sign itself or the lettering would have to conform to the rule.

Volan clarified that it was the lettering on the awning that mattered. He asked how a business that used a color scheme specific to the store and matched the awning and lettering to that color scheme would be handled.

Micuda said he had encountered that situation before. The letters made it a sign and the area of the letters was what was calculated.

Volan asked to clarify the rules on total square footage of signage. He said that before, it could be 10% of a building's total façade and asked if the new rule would be 1 square foot per lineal feet, per façade.

Micuda said the allotment was 1.5 square feet, which was an increase for downtown signs.

Volan asked who said it was \$20,000 to build bicycle lockers.

Micuda said Jim Murphey from CFC gave that number, but included land cost. The locker cost was a small percentage of that cost and the rest was land.

Volan asked for Micuda's opinion on the cost of a parking space inside a parking garage.

Micuda estimated \$15,000 per space.

Wisler asked if the \$15,000 estimate for a parking space included land cost.

Micuda said he did not know but had heard that number.

Volan agreed that he thought it was \$15,000.

Wisler asked if the reason staff was reducing the number of required number of spaces for an affordable housing project was because it would have less demand for parking or because it would be a financial incentive to create affordable housing.

Micuda said one of the most used variances was to reduce parking by two spaces per unit down to one. He explained that people who lived in affordable housing had less disposable income and fewer vehicles, so one parking space per unit seemed to fit well with those projects.

Wisler asked if it had worked as an incentive.

Micuda said it had worked as an incentive but it was not the most important incentive. It was less infrastructure cost for the development because there was less stone surface needed for a parking spot.

Wisler asked if the green development incentives were all about density and set-backs, and if there were any reasons there was not a similar parking incentive for a green development.

Micuda indicated that one of the sustainable development practices that was eligible for incentives was for significantly reduced parking with increased bicycle parking. He said in that case it was considered a sustainable development practice that would enact incentives if it went further than what the code required.

Chapter 20.05: Development Standards (*cont'd*)

Wisler asked if that also included bicycle parking.

Micuda said the bicycle and car parking were linked together.

Wisler asked if logos or elements that were not letters, but part of an image or brand, counted as letters in regards to signage restrictions.

Micuda replied that logos counted toward signage.

Wisler asked about elements of a logo that were included in the actual façade of the building.

Micuda asked for an example.

Wisler suggested a logo that was part of the stone structure of the building.

Micuda said yes because there was a broad definition of what a sign was.

Wisler asked what the reasoning was to have three types of buffers rather than increasing it to 75 feet.

Micuda said a tiered buffer approach, where each portion of the buffer had a different function, was a common way of dealing with riparian areas. He explained that each buffer had different purposes and requirements.

Wisler asked how that applied if a stream formed a property line and there was a development adjacent to it.

Micuda said if there was a stream on a property line, there should be one buffer on the development side of the stream.

Wisler asked if the land owner needed any buffer requirements if a neighbor had a stream.

Micuda said there did not need to be a buffer in that case.

Sturbaum asked if, for green development, one of each of the groups of four was chosen, if there was a 25% increase in density and set-back requirements.

Micuda said yes.

Sturbaum asked if a 75% increase in density in multi-use zones was considered a big incentive and if it was expected to work.

Micuda said Planning wanted to catch people's attention. He said the area of green development was new in the field, and when developers propose a project, Planning wanted to incentivize sustainability.

Sturbaum said the twelve options did not seem equal and it was possible to pick the easiest six incentivizing projects in order to avoid doing affordable housing, since it was the hardest of the twelve. He suggested making affordable housing more incentivized or mandatory. He wanted to make the 15% affordable housing goal achievable.

Micuda asked for ideas on how to amend it.

Sturbaum thought it must include the affordable housing component to qualify by adding a sub-note for level two.

Micuda said he was intrigued with Sturbaum's idea. However, he pointed out that by making those changes it would make a policy decision that that one element was more important than all others. He thought it would disincentive the others because it was now a mandate.

Rollo asked how mandating affordable housing would be a disincentive to others.

Micuda thought it created a dual purpose regulation. He pictured a developer not wanting to meet an affordable housing mandate and moving into the conventional development.

Rollo thought incentives should be provided but he did not want to exclude possibilities because of a mandate.

Micuda said he wanted to work with Sturbaum more but he suggested making such changes to the affordable housing section instead of Chapter 5.

Sturbaum asked for explanation on the lighting standards.

Micuda said his goal for lighting standards was to reduce the foot candle casting from three candles. It would give Planning more control to modify the lighting of existing home owners.

Sturbaum asked if there was anything to help neighbor-to-neighbor issues.

Micuda said there was a "light trespass" initiative that helped.

Sturbaum asked if an officer would come with a light meter.

Micuda said yes.

Volan said he would like the representative from Stahl Furniture to speak and asked for an explanation on having a tent sale for longer than 30 days.

Micuda said temporary retail was allowed for 15 days and a permit was required.

Volan asked Ty Osbourne with Stahl Furniture to speak to the regulation.

Osbourne said he ran a tent sale for 25 years and never had an issue with a permit or a limited time frame. When he realized the problem, he said he obtained a 15-day permit. He wanted to renew the permit and found out he could not. He encountered a fine that cost \$2,000. He explained that his company needed the tent sale to survive and at the time he could not stop the tent sale because he had furniture on order for the remainder of the sale. He thought tax-paying businesses should have a tent sale.

Volan asked the dates of the tent sale.

Osbourne said it ran from the last weekend in July to the first weekend in September. It was around 35-40 days.

Volan asked if Osbourne wanted an ordinance that allowed tent sales for that length of time. He asked if Osbourne knew of any other businesses that had tent sales longer than 15 days.

Osbourne said yes to both.

Volan asked for Micuda's opinion on the situation.

Micuda said the permit requirement had been on the books since 1973. Planning enforcement was more active than it had been in the past. Planning did a lot of complaint-driven enforcement and did contact businesses in advance so they would have time to comply. Micuda said temporary sales displaced customer parking, blocked drives or public right-of-way. That was why Planning enforced the permit. Micuda did not oppose an increase in days for the permit. He warned that businesses and people would take advantage of the longer time.

Volan asked Osbourne where his tent sale was located.

Osbourne explained that it was in his parking lot and did not take space away from any other businesses.

Sturbaum asked Micuda what kind of provisions were available for a variance.

Micuda said possibly a zoning variance, though practical difficulty would have to be claimed. He thought it would be problematic to claim practical difficulty for a tent sale.

Sturbaum asked if an exemption process could be created.

Micuda suggested not creating an exemption process. He suggested looking into extending the days allotted for the permit after consulting businesses. He said another angle would be to separate out the term tent sale from temporary retail use.

Sturbaum asked if there was a review to consider if a business was blocking the right-of-way and if that kept the businesses from obtaining a 15-day permit.

Micuda said businesses submitted a sketch of where the activity would occur.

Sturbaum asked if Planning would allow for a temporary renewal if businesses were in compliance with the rules.

Micuda said that would be possible with an inspection to see if there were changes with the original layout.

Wisler asked if a traditional annual sale could be considered a seasonal sale and have the sale exemptions as a seasonal sale.

Micuda asked if Patricia Bernens, city attorney, wanted to comment.

Bernens said she was not sure of the answer to Wisler's question but would look into it.

Wisler said the logic between a traditional annual sale and a seasonal sale seemed similar to him.

Bernens said she understood but that the logic with seasonal sales was that it was self-limiting in terms of the time it was likely to go on.

Wisler asked if it was possible to only renew so long as the merchant was the property owner or long-term lessor as to eliminate every vacant lot from becoming a flea market.

Bernens thought it would be better to approach it from being associated with non-temporary businesses at those locations.

Ruff asked how far Bloomington was on the light pollution to dark skies spectrum.

Micuda said Bloomington was well over half way to the dark skies area. The proposed lighting section added significant regulation whereas previously there was almost no regulation.

Ruff asked how Bloomington's new lighting standards compared to other college towns.

Micuda did not know because he used models from non-college communities.

Wisler asked how the lighting rules effected areas with intended night-time use.

Micuda said outdoor recreational facilities were subject to the ordinance.

Wisler asked if flood lights were permitted.

Micuda said that flood lights had to comply with the requirements.

Ruff asked if there were special provisions made for sandwich board signs in the downtown area.

Micuda said yes.

Ruff asked Micuda to summarize the changes made to sandwich board sign regulation.

Micuda said the only change was to add the CL zoning district as an eligible area for sandwich board signs.

Volan thought Chapter 5 was the most significant chapter in the ordinance. He was encouraged by the inclusion of an affordable housing section. He was concerned with how parking was handled throughout and said that the requirements for parking spaces seemed arbitrary. He wanted to emphasize alternative transportation and planned to submit several amendments regarding parking. Overall he wanted to reduce the maximum parking required.

Council Comments:

Rollo liked the emphasis on LEED standards and promoting energy efficiency. He wanted to fund incentives for such projects and also encourage affordable housing.

Wisler was pleased with green development and affordable housing initiatives but was concerned with making the affordable housing incentive a requirement with green development. He thought both would be too cumbersome. He wanted to make riding bicycles more plausible.

Chapter 20.05: Development Standards (*cont'd*)

Sturbaum believed it was feasible to require both affordability and sustainability with higher density and wanted to work with councilmembers to come to an agreement.

Volan wanted to introduce an amendment to eliminate the 100 feet requirement between blade signs. He thought the 100 feet rule was unfair and unnecessary. He also thought covered parking would make a difference in how often people rode bicycles.

Sabbagh thought having incentives upfront for affordable housing was a good idea. He mentioned that affordable housing was easier when developers did not have to pay for the price of land.

Ruff agreed with Volan that covered parking for bicycles was important.

Gaal believed ensuring bicycle and alternative transportation use was one of the most important things that the Council was doing.

Micuda presented Chapter 6. There were four subdivision types outlined and all subdivisions were to conform to one of the four types, unless authorized by the Plan Commission. The Conventional Subdivision (CV) was allowed in all residential zoning districts, had mandatory open space depending on the number of lots (10%-20%), had cul-de-sac length standards, and had requirements for the following: alternative transportation, right-of-way, street width, on-street parking, and tree plots. The Conservation Subdivision (CS) was allowed in the RE and RS zoning districts, had a five-acre minimum tract size, required 50% open space, and had reductions in lot area and width. The Traditional Subdivision (TD) was allowed in Residential and Commercial zoning districts, had a three-acre minimum tract size, required 5% open space, prohibited cul-de-sacs, had reductions in lot area, and included setbacks. That subdivision type had increases in impervious surface coverage and density. The Commercial/Industrial Subdivision (CI) was allowed in Nonresidential zoning districts, had no minimum tract size, and had requirements for alternative transportation, right-of-way, street width, and tree plots.

Chapter 20.06: Subdivision Regulations [8:12pm]

Rollo asked why traditional forms in CS were not encouraged. He suggested including a grid pattern to encourage density but also to accommodate green space.

Council Questions:

Micuda said the density came out very similar in CS and TD. He said CS mostly dealt with a constrained parcel. Karst and trees were typically constrained by topography. If someone had a property that was environmentally constrained but had the ability to do something grid-like, Planning would not turn them away if the topography was conducive to it.

Rollo asked if there was an amendment for cul-de-sacs.

Micuda said it did not pass.

Rollo asked what the reasoning was to keep the cul-de-sacs.

Micuda said planners did not like cul-de-sacs, but the option was available to make a cul-de-sac if the property had constraints. The constraints were usually environmental.

Chapter 20.06: Subdivision
Regulations (*cont'd*)

Rollo felt that Bloomington was susceptible to post-war winding roads in land with no reason. He feared that the standard was to have a grid pattern that was full of cul-de-sacs.

Micuda said it was a question of whether there should be a code that assumed it might be necessary or a code which excluded them and forced people to ask for them.

Wisler asked if it was a requirement that a TD had mixed-use, or if it was simply allowed that they were mixed-use.

Micuda said Planning did not feel it was appropriate to automatically build in mixed-use so that the neighborhoods could be involved in decisions on how land was used.

Volan asked if existing neighbors had the ability to override the developers if the developers were not building something that the neighbors wanted.

Micuda said the rights deferred to the developers.

Volan was concerned about discouraging mixed-use.

Micuda said that would be situational.

Volan said for a CS option, there was a possibility that a neighboring subdivision did not want connectivity. He asked if that neighborhood had protection from connectivity if one road was called for by the Council.

Micuda said the default was that the connection would occur and a lack of connectivity must be justified. He said it was further covered in Chapter 7.

Volan asked where the mixed-use subdivisions were.

Micuda said TD was considered a mixed-use subdivision option. He thought it was important to remember that a lot of the properties were not subdivided. Mixed-use development was encouraged in any of these parcels and Planning did want to create a subdivision option that was oriented toward mixed-use.

Volan asked if CI had potential for housing.

Micuda said housing was an option in all districts.

Wisler asked if a developer had a right to retail or office space on a property where the developer already owned land and wanted TD with mixed-use. Wisler asked how the developer would be approved for retail on that kind of property.

Micuda envisioned that the developer would come forward and propose a project in a parallel path. Developers would understand that they would need to obtain approvals from the Plan Commission and the Council.

Wisler asked if it was possible then to have the retail part turned down, making the proposal CS instead of TD via the process.

Micuda said the developer would still have the option to do higher density residential throughout the property if the use was not deemed acceptable by the surrounding residential.

Wisler said he was concerned that the policy said the city was promoting mixed-use and then certain retail projects would be turned down. He stated the importance of predictability and asked if the policy increased or decreased predictability.

Micuda said it increased the predictability because the layout of the subdivision and the basic design principles of the subdivision were within the ordinance. They were not in the existing ordinance. Planning was giving people set options to choose from and the argument for building use approval into the ordinance made it a predictable path. The alternative outcome was that there would be a room full of people who had residential zoning and were not able to influence the outcome because there was no discretion. Residents who lived there already would potentially disagree with the developer's plan.

Wisler clarified that there was no change in the use issue.

Chapter 20.06: Subdivision Regulations (cont'd)

Micuda stated there was no change in the use issue, but all the design associated with the subdivision would need a package of variances in addition to the use.

Wisler asked if the process would be simpler for that type of development.

Micuda said the process was easier.

Volan asked what the need was to have a CS.

Micuda said it was an option because there were developers who would not have properties that were significantly environmentally constrained. They would have another option, and Planning thought that was important. Planning was concerned people would take the conventional route but recognized that not every property was alike and options were necessary.

Rollo asked if Micuda thought TD was highly disorienting when it contained multiple cul-de-sacs and snake-like winding drives, discouraged connectivity and encouraged sprawl. Rollo wanted to discourage that type of development and encourage green development.

Micuda said the incentives for green development were in CS and a developer had the option to set aside space and build up density. Planning wanted to see how other subdivision types were used through implementation of the ordinance.

Eve Corrigan wanted the Council to promote alternative transportation.

Public Comment:

Buff Brown agreed with Eve Corrigan.

Volan emphasized that Bloomington was a city and thought Chapter 6 encouraged development like a suburb. He wanted to introduce an amendment to eliminate CV and another to rename 'alternative transportation' to 'traditional transportation'.

Council Comments:

Sabbagh said he liked the chapter and was pleased to be emphasizing connectivity.

Rollo asked if Sabbagh wanted to join him in denouncing cul-de-sacs.

Sabbagh said he did not support cul-de-sacs but thought Micuda's definition of cul-de-sacs made sense. He would not want to completely eliminate cul-de-sacs because he thought some were probably needed.

Micuda presented Chapter 7. He said it consisted of the design standards for the subdivision types. The definition of easement had been broadened. Environmental standards required the placement of easements for certain environmental features and some environmental features were required to be placed in common areas. Chapter 7 also concerned the submittal of facilities plans and had an illustration of all environmental preservation/conservation easements, common areas, and commonly-owned detention/retention ponds. It outlined special requirements for residential subdivisions that included more than 75 lots or 20 acres as well as the need to have a centrally-located common area. Chapter 7 described on-street parking standards, including the dimensions, striping, and signage standards for on-street parking created as part of a subdivision. It set open space standards, pedestrian network standards and cul-de-sac standards. Chapter 7 addressed street and right-of-way standards and sustainable development incentives.

Chapter 20.07: Design Standards [9:06pm]

Rollo asked if common garden space was a potential option to set aside for common green space.

Micuda said yes.

Chapter 20.07: Design Standards
(cont'd)

Council Questions:

Volan asked why there was not a Chapter 8.

Micuda explained that Chapter 8 was purposefully left blank in case there would be a policy issue the city wanted to put forward at a later time.

Sturbaum asked if Planning helped associations maintain the common spaces over time.

Micuda said associations had dissolved for whatever reason and there was an amendment for it. In a situation where an association dissolved, the city still had recourse in dealing with individual owners in taking care of those spaces.

Sturbaum asked if that meant the money originally allocated to the association went to the city for maintenance.

Micuda said there probably were not funds available.

Bernens said if the city had to go in and do maintenance and incurred costs, the city recovered it from them. The city would maintain spaces only if they needed to from a public safety point of view.

Sturbaum asked if the cost would be split amongst the parties involved.

Bernens said yes.

Buff Brown encouraged the city to become more sustainable. He believed the UDO created sprawl, which he opposed.

Public Comment:

Sabbagh thanked the staff for the time they put in.

Council Comments:

The meeting went into recess at 9:22pm.

RECESS

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 5th day of February, 2020.

APPROVE:

ATTEST:



Steve Volan, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

