

# City of Bloomington Common Council

## Legislative Packet

**Wednesday, 04 March 2020**

***Regular Session***

*Starting at 6:30 PM*

For legislation and background material regarding Ordinance 20-04, please view the [05 February 2020 Legislative Packet](#) and [26 February 2020 Legislative Packet](#).

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

Office of the Common Council  
P.O. Box 100  
401 North Morton Street  
Bloomington, Indiana 47402  
812.349.3409  
[council@bloomington.in.gov](mailto:council@bloomington.in.gov)  
<http://www.bloomington.in.gov/council>

City of  
Bloomington  
Indiana

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



Office of the Common Council  
(812) 349-3409  
Fax: (812) 349-3570  
email: [council@bloomington.in.gov](mailto:council@bloomington.in.gov)

To: Council Members  
From: Council Office  
Re: Weekly Packet  
Date: 28 February 2020

## LEGISLATIVE PACKET AGENDA ITEMS & PACKET CONTENT

### REGULAR SESSION: 04 MARCH 2020 - 6:30 PM

- Memo from Council Office
- Regular Session Agenda
- Minutes – May 1, 2019; July 31, 2019; January 15, 2020; January 29, 2020
- Notice – Meeting at the Mill: A Conversation about a Sustainability Investment Fund

#### *Regular Session – Wednesday, 04 March 2020 - Second Readings and Resolutions*

- **Ordinance 20-04** - To Amend the City of Bloomington Zoning Maps by Rezoning Property from Business Park (BP) and Residential Single Family (RS) to join an existing Planned Unit Development (PUD) and to approve the associated District Ordinance and Preliminary Plan-Re: 1550 N. Arlington Park Drive(Trinitas, Petitioner)
  - Land Use Committee Report to the Council (*Signatures Needed*)
  - Reasonable Condition (RC) – 03 (Cm. Flaherty, Sponsor) – Contribution for Additional Transit Service (*further changes anticipated*)
  - Reasonable Condition (RC) – 04 (Cm. Volan, Sponsor) – Street Alignment of Townhomes in Area B (*further changes anticipated*)
  - Reasonable Condition (RC) – 05 (Cm. Piedmont-Smith, Sponsor) – Solar Panels on Carports
  - (Possible) Reasonable Condition (RC) -07 (No Sponsor) – Increase Mix of Housing Types in Areas B and D
  - (Possible) Reasonable Condition (RC) – 08 – Reduction of Perpendicular Parking between Townhomes in Area B

→ Please see the weekly Council Legislative Packet issued for the [05 February 2020 Regular Session](#) and for the [26 February 2020 Land Use Committee meeting](#) for the above legislation, material, and summary.

Contact: Eric Greulich, 812-349-3423, [greulice@bloomington.in.gov](mailto:greulice@bloomington.in.gov)

## **PRELIMINARY MATTERS**

### **Reminders of upcoming meetings:**

- Joint Session of the Monroe County Commissioners, County Council, City of Bloomington Mayor, & Common Council Re: Convention Center Project -- Monday, March 2 at 5:00pm in the Monroe County Courthouse (Nat U. Hill Room)
- Common Council Regular Session -- Wednesday, March 4 at 6:30pm in Council Chambers
- Meeting at the Mill: A Conversation about a Sustainability Investment Fund -- Thursday, March 5 at 7:00pm at The Mill (642 North Madison Street)

## **REGULAR SESSION – SECOND READINGS & RESOLUTIONS – COMMITTEE REPORT & UPDATES**

### **Item 1:**

**Ordinance 20-04 - To Amend the City of Bloomington Zoning Maps by Rezoning Property from Business Park (BP) and Residential Single Family (RS) to Join an Existing Planned Unit Development (PUD) and to Approve the Associated District Ordinance and Preliminary Plan - Re: 1550 N. Arlington Park Drive (Trinitas, Petitioner) (TRINITAS NORTHWEST PUD)**  
**- Report with Reasonable Conditions -**

The Land Use Committee (LUC) met last Wednesday for its second hearing on Ordinance 20-04 (Trinitas NW PUD). The first hearing was held on February 12<sup>th</sup> and concluded with general comments and thoughts on possible Reasonable Conditions.

### **Highlights of Second Hearing – Report of LUC Deliberations.** At the second hearing, the LUC:

- Heard and discussed responses to unanswered questions (including possible changes to the Preliminary Plan);
- Explored what might be done to alter the on-street parking between two rows of townhomes in Area B;
- Heard from the neighbors, who were primarily concerned about increased traffic on W. 17<sup>th</sup> Street and the development of the 25 lots to the City for workforce housing; and
- Concluded with unanimous positive recommendations on three Reasonable Conditions (*two of which may see further changes*) as well as the proposal as would be changed by those recommendations. *Please note that one or two additional Reasonable Conditions may come forward as members, staff, and petitioner work through remaining issues.*

Upon the signature of a majority of the LUC members, the Report, which has been prepared by Chairperson Piedmont-Smith and is included in this packet, will be ready for consideration by the Council next Wednesday.

**Reasonable Conditions.** Early on, the concepts for seven Reasonable Conditions were circulated among the LUC members. Three of them, numbered RC-03, RC-04, and RC-05, were prepared, discussed, and all given unanimous Do Pass recommendations last Wednesday. These and two other possible Reasonable Conditions are listed below:

- **RC- 03 - Transit – Frequency of Weekday/Weekend Service Paid By Trinitas - Cm. Flaherty, Sponsor – Unanimous Do Pass Recommendation – Attached (with Exhibits) - Further Change Anticipated**
  - **Synopsis (Same as Last Week):** This Reasonable Condition is sponsored by Cm. Flaherty. It addresses the Petitioner’s commitment to fund transit services and sets forth the minimum frequency, days of operation per year, and hours of operation per weekday and weekends. It also establishes a minimum contribution each year to be adjusted to account for inflation. Lastly, it requires that the commitments run with the District Ordinance, be in writing, and be recorded.
  - **Unanimous Do Pass Recommendation – But Further Changes Anticipated:** *This is just the second Planned Unit Development where the petitioner has worked with Bloomington Transit to fund services in lieu of operating a private shuttle for residents.<sup>1</sup> In each instance, the commitment to fund those services “runs with the land” and, in essence, will be required until amended by action of the City. Given the open-ended term of the commitment, the Petitioner wanted to offer some language covering eventualities that would terminate this obligation. .*
  
- **RC - 04 - Require Townhomes Along Main Street through Area B to Follow the Curve of the Street - Cm. Volan, Sponsor – Unanimous Do Pass Recommendation – Attached with Suggested Change**
  - **Synopsis:** This Reasonable Condition is sponsored by Cm. Volan. It is intended to orient the townhomes along the main street in Area B toward the street in order to improve the street’s residential character and shall be in the form of a written and recorded commitment.
  - **Unanimous Do Pass Recommendation – Attached with Suggested Change:** *During discussion at the second LUC hearing, a second location was identified for this same treatment. The Reasonable Condition in the packet includes the second location and clarifies that the townhomes should present a “pedestrian-friendly” appearance on the side fronting the street. Note: This change may be proposed as a change in the Preliminary Plan presented to the Council next Wednesday.*

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<sup>1</sup> The other was [Ordinance 19-12](#) - To Amend the City of Bloomington Zoning Maps by Rezoning 3.85 Acres of Property from Commercial Arterial (CA) to Planned Unit Development and to Approve a District Ordinance and Preliminary Plan - Re: 1800 N. Walnut Street (CDG Acquisitions, LLC, Petitioner). For information and links to other relevant packets, please see the [Council Legislative Packet](#) appearing under the Regular Session on 18 September 2019 (but also discussing a Special Session held on 16 September 2019).

- **RC - 05 - Increase the Minimum Number of EV Charging Stations from 8 To 12 - Cm. Piedmont-Smith, Sponsor – Unanimous Positive Recommendation – No Change - Attached**
  - **Synopsis (Same as last Week):** This Reasonable Condition is sponsored by Cm. Piedmont-Smith. Under the Sustainability Initiatives of the District Ordinance, the petitioner indicates that there would be a minimum of 2% or 8 plug-in ready parking spaces in Areas B-D for electrical vehicles. In elaboration, this provision also states that the petitioner intends to cover a total of 12 parking spaces with solar arrays sufficient to generate the electricity for those charging stations. This Reasonable Condition would hold the petitioner to those stated intentions and would require that the commitment be in writing and recorded.
  - **Unanimous Positive Recommendation – No Change**
  
- **RC - 07 - Possible Mixing of Duplex and Townhome Housing Types in Area "B" and "D" - No Sponsor – Preliminary Plan Change - No Text Yet**
  - Following LUC discussion on February 12<sup>th</sup>, the petitioner added more townhomes in Area D and some cottage homes in Area B. This, too, may be proposed as a change in the Preliminary Plan presented to the Council next Wednesday.
  
- **RC-08 – Conversion of Perpendicular Parking Between Two Rows of Townhomes in Area B – Possible Reasonable Condition**
  - During the course of the LUC discussion on February 26<sup>th</sup>, members inquired about having less of a “parking lot” feel to the roadway running between two rows of townhomes in Area B. The petitioner offered to redraw that streetscape and share it with staff and members before next Wednesday. This might generate another Reasonable Condition which would might, as above, be reflected in a change to the Preliminary Plan.

**Item 2:**

**Resolution 20-01 - To Establish Standing Committees and Abolish Other Certain Committees of the Common Council**

**Update on Resolution 20-01:** Resolution 20-01 was introduced and considered by the Council on January 8, 2020. Please see the weekly Council Legislative Packet issued for the [January 8, 2020 Organizational Meeting](#) for the resolution, materials, and a summary of the governing provisions of local code dealing with Council standing committees. Included in the January 8 packet was a memo from the sponsor to the Council.

The resolution was also considered by the Council on January 29, 2020. Please see the weekly Council Legislative Packet issued for the [January 29, 2020 Special Session](#) for additional materials, including responses to feedback received by the sponsor of the resolution.

The Council adopted Resolution 20-01 at its meeting on February 19, 2020. The resolution was presented by the Clerk to the Mayor for signature on February 21, 2020. At the time this memo was released, the resolution had not yet been returned to the Clerk with the Mayor's signature. If the Mayor does not return the resolution with his signature within 10 days of presentation (which falls on Monday, March 2<sup>nd</sup>), the resolution will be vetoed.

In the event the resolution is vetoed, IC 36-4-6-16 and BMC 2.04.350 require that the Council pass the resolution by a 2/3's majority vote at its first Regular or Special Session following that 10th day, if it intends for the resolution to go into effect. Neither a motion to amend nor a motion to postpone would be in order. Failure to attain a 2/3's majority on a Motion to Adopt the resolution would result in the resolution being defeated by veto. An amended agenda along with further procedural instructions will be provided for the March 4 meeting in the event of a veto.

**NOTICE AND AGENDA  
BLOOMINGTON COMMON COUNCIL**

**6:30 P.M., WEDNESDAY, 04 MARCH 2020  
COUNCIL CHAMBERS (#115)  
SHOWERS BUILDING, 401 N. MORTON ST.**

**REGULAR SESSION**

**I. ROLL CALL**

**II. AGENDA SUMMATION**

<b>III. APPROVAL OF MINUTES</b>	01 May 2019 – Regular Session
	31 July 2019 – Regular Session
	05 January 2020 – Regular Session
	29 January 2020 – Special Session

**IV. REPORTS** (*A maximum of twenty minutes is set aside for each part of this section.*)

**1. Councilmembers**

**2. The Mayor and City Offices**

- Commission on Aging
- Transportation Demand Management (TDM) Consultant

**3. Council Committees**

**4. Public\***

**V. APPOINTMENTS TO BOARDS AND COMMISSIONS**

**VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS**

1. Ordinance 20-04 To Amend the City of Bloomington Zoning Maps by Rezoning Property from Business Park (BP) and Residential Single Family (RS) to join an existing Planned Unit Development (PUD) and to approve the associated District Ordinance and Preliminary Plan - Re: 1550 N. Arlington Park Drive (Trinitas, Petitioner)

Land Use Committee Action (26 February 2020)

Reasonable Condition 03 Do Pass: 4 – 0 – 0

Reasonable Condition 04 Do Pass: 4 – 0 – 0

Reasonable Condition 05 Do Pass: 4 – 0 – 0

Committee Recommendation

*[Including Reasonable Conditions]* Do Pass: 4 – 0 – 0

Land Use Committee Action (12 February 2020)

Forward to Land Use Committee  
on 26 February 2020 Do Pass 4 – 0 – 0

**VII. LEGISLATION FOR FIRST READING**

*None*

**VIII. ADDITIONAL PUBLIC COMMENT\***

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

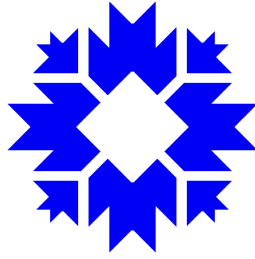
**IX. COUNCIL SCHEDULE**

**X. ADJOURNMENT**

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\* Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment opportunities. Citizens may speak at one of these periods, but not both. Speakers are allowed five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.

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



**City of Bloomington  
Office of the Common Council**

# **NOTICE**

**Bloomington Mayor John Hamilton and  
Common Council will host  
*A Conversation About a Sustainability Investment Fund***

<b>Location:</b>	<b>Date:</b>
<b>The Mill, Atrium 642 North Madison Street</b>	<b>Thursday, 05 March 2020 From 7 PM to 9 PM</b>

*This meeting will be broadcast live by Community Access TV Services (CATS). As a quorum of the Council may be present, this gathering constitutes a meeting of the Common Council under Indiana Open Door Law (I.C. § 5-14-1.5). For that reason, this statement provides notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.*

**Posted: Friday, 28 February 2020**



**Land Use Committee  
City of Bloomington Common Council**

Report on Referral of:

Ordinance 20-04 - To Amend the City of Bloomington Zoning Maps by Rezoning Property from Business Park (BP) and Residential Single Family (RS) to Join an Existing Planned Unit Development (PUD) and to Approve the Associated District Ordinance and Preliminary Plan - Re: 1550 N. Arlington Park Drive (Trinitas, Petitioner) (aka Trinitas Northwest PUD)

Referral and Deliberations

Date	Entity	Action
1/16/20	Plan Commission	Certification of Action (8-0-0) taken on 1/13/20
2/05/20	Council Regular Session	Introduction and Referral to Land Use Committee
2/12/20	Land Use Committee	Considered the proposal and forwarded for further consideration on 2/26/20
2/26/20	Land Use Committee	Further considered the proposal; Discussed and made recommendations on three Reasonable Conditions; Identified the need for some further information; and, Returned the proposal to the Common Council Regular Session on 3/4/20 with three Reasonable Conditions.

Recommendations

Discussion on Feb. 12 and Feb. 26 underlined the following issues, in addition to the issues taken up in the 3 Reasonable Conditions below.

- 1) Committee members supported more of a street grid with alley connectivity throughout the site but recognized the limitations due to slope, utility easement, and wetland preservation.
- 2) Committee members investigated bicycle, pedestrian, and auto connectivity.
- 3) On Feb. 12, committee members expressed support for a greater mixture of different housing types throughout the site. In response, petitioner added more townhomes in Parcel D and some cottage homes in Parcel B.
- 4) Committee members were glad to see petitioner’s agreement to cede the 45 lots in Parcel A to the city for workforce housing.

- 5) On Feb. 26, committee members expressed support for an idea brought forward at that meeting by Cm. Volan to put parallel parking on the streets in Parcel B and reduce the number of perpendicular parking spaces between the two rows of townhomes. This may well lead to another Reasonable Condition for the Council Regular Session on Mar. 4.
- 6) On Feb. 26, committee members and petitioner discussed the unfortunate split incentive for installing solar panels on the buildings. The tenants pay the electric bills and thus would reap the benefit of the petitioner's considerable capital investment.

Public Comment from neighbors at both meetings focused on auto traffic and the uncertainty of what the build-out of Parcel A would look like. Follow-up questions to staff and petitioner established that the traffic study conducted by the petitioner based on 2018 data showed that traffic delays, if any, would affect people trying to pull into or pull out of the development, and not the neighboring residents.

3 Reasonable Conditions were considered and given a recommendation by the Committee. Those Reasonable Conditions and Recommendations were as follows:

- RC-03 (Cm. Flaherty, Sponsor) – Commitment to Fund Additional Transit Service
  - Do Pass: 4-0-0
- RC-04 (Cm. Volan, Sponsor) – Orientation of Townhomes along Main Drive in Area B
  - Do Pass: 4-0-0
- RC-05 (Cm. Piedmont-Smith, Sponsor) – Requirement for Solar Panels on 12 EV Charging Stations Instead of 8
  - Do Pass: 4-0-0

At the conclusion of its deliberations, the Committee returned Ordinance 20-04 to the Council with a recommendation for the Council to adopt the proposal with the Reasonable Conditions recommended by the Committee. The vote was 4-0-0.

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Isabel Piedmont-Smith, District V Representative (Chair)

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Matt Flaherty, At-Large Representative

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Kate Rosenbarger, District I Representative

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Steve Volan, District VI Representative

**\*\*\* Reasonable Conditions Form \*\*\***

**Ordinance #:** 20-04  
**Reasonable Condition #:** 03 (*Revised – Minor Formatting Changes*)  
**Submitted By:** Cm. Flaherty, At-Large  
**Date:** 26 February 2020

**Proposed Reasonable Condition:**

1. The Petitioner commits to fund a Bloomington Transit route (Route 10) with the following minimum level of service:
  - 40-minute frequency
  - 360 days of service per year
  - Hours of operation: 7 AM to 10 PM Monday through Friday, and 10 AM to 6 PM Saturday and Sunday
2. The route is estimated to cost \$358,875 in its first year of operation, from August 2022 to August 2023. Petitioner commits to provide this amount of funding at a minimum, including a three (3) percent inflation index for the following two (2) years.
3. Beginning in year four of operation, and every three (3) years thereafter (the beginning of year seven (7), year ten (10), etc.), this commitment is subject to renegotiation between Petitioner and Bloomington Transit. However, Petitioner commits to providing a similar level of service or funding.
4. Should Bloomington Transit choose to alter the proposed service in the future, such as through increased frequency, a different route length, or any other change, in order to better serve Bloomington residents, Petitioner agrees to continue to provide funds equivalent to the amount stipulated in provision 2, above.
5. Petitioner and Bloomington Transit staff will reach consensus on a draft agreement within 90 days of the approval of the District Ordinance. The final agreement between Petitioner and Bloomington Transit will be subject to the approval of the Bloomington Transit Board of Directors.
6. The commitment to funding transit will run with the District Ordinance and be required of any future owner as long as the District Ordinance applies.
7. This Reasonable Condition shall be in the form of written commitment and shall be recorded.

**Synopsis**

This Reasonable Condition is sponsored by Cm. Flaherty. It addresses the Petitioner's commitment to fund transit services and sets forth the minimum frequency, days of operation per year, and hours of operation per weekday and weekends. It also establishes a minimum contribution each year to be adjusted to account for inflation. It allows for renegotiation with Bloomington Transit every three years and notes that any agreement is subject to Bloomington Transit Board of Directors approval. Lastly, it requires that the commitments run with the District Ordinance, be in writing, and be recorded.

**2/12/20 Land Use Committee Action:** None  
**2/26/20 Land Use Committee Action:** Do Pass 4-0-0 Positive Recommendation  
**3/4/20 Regular Session Action:** *Pending*

(26 February 2020)

Email Between Cm. Flaherty and Lew May  
Re: Transit Services for Trinitas NW PUD – Alternatives and Estimated Costs  
(2/21/20)

Matt and all,

Please see my responses in red below for each question:

(1) Can you confirm the price of the proposed route 10 with 40-minute frequency, 7 AM - 10 PM M-F and 10 AM - 3 PM Sa-Su, 360 days of service? I believe it was ~\$338k, but I'm looking for the exact amount for our draft language. **The exact amount proposed is \$338,187.00.**

(2) Is the proposal tacked to a specific inflation index in any way? **The costs proposed are for the first year of operation beginning in August 2022 and continuing through August 2023. Beyond the initial year, we would propose an inflation index of 3 percent annually for the following two (2) years. Years 4 and beyond would be subject to renegotiation between the petitioner and BT. I would suggest you add this language to any conditions you set for the petitioner.**

(3) What would it cost to have 360-day service with 40-minute frequency, 7 AM - 10 PM M-F and **10 AM - 6 PM** Sa-Su (instead of 10 - 3)? **We've updated the cost proposals for Alternative 1 and 2 to include service on Saturday and Sunday from 10 AM to 6 PM. Attached you'll find these updated proposals labeled as Alternative 1B and Alternative 2B. We haven't shared these with the petitioner but could if you like.**

(4) Is BT comfortable with the suggestion I made at the 2-12 meeting re: a commitment to a dollar amount equivalent to the 40-minute route plan? Specifically, if BT later decides to run the route differently, for example the proposed longer 60' route but with two buses (and thus a 30' frequency), I want BT to have the flexibility to do so consistent with Trinitas's commitment. Thus, the alternative of providing an equivalent dollar amount for transit, even if the route changes in response to future needs or if BT has increased funding (e.g., from a LIT). Let me know if you are OK with this proposal, and if not, if you would suggest something else in this vein? **I'm fine with what you're suggesting in terms of flexibility for BT to change the route while at the same time maintaining the petitioner's financial commitment to the service.**

(5) We only briefly discussed the possibility of a BT microtransit service as an alternative to a private after-hours shuttle provided by Trinitas. My impression is that this would be more expensive for the petitioner, and thus, perhaps at odds with our goal of expanding their commitment to the proposed #10 route. Do share this assessment or have any other thoughts specific to the after-hour shuttle? **I would agree that an after-hours microtransit service could in certain circumstances be more expensive compared to expanding the petitioner's commitment to the proposed new transit route. The one exception could be if BT introduces an extensive microtransit program in other areas of the City, it may be somewhat less expensive (as compared to late night fixed route service) to simply expand the microtransit service area to include the petitioner's development at the expense of the petitioner. If you're looking to have the petitioner make a commitment to funding and providing an after-hours service, I would**

simply suggest language that says something like, "The petitioner agrees to provide and fund a late transit service using BT with service provided X number of days annually between the hours of Y and Z. The petitioner and BT shall mutually agree on the form of service to be provided."

It will be important to note that the final agreement between BT and the petitioner is subject to the approval of the BT Board of Directors. I would suggest that the petitioner and BT staff reach consensus on a draft agreement within 90 days of the Council's approval of the development. Such agreement would then be considered for approval by the BT Board of Directors.

Just some general commentary - in my discussions with the petitioner, they have expressed that at some point the Council's "ask" of the petitioner will reach the point where amendments to the proposed development no longer make financial sense for them. I don't know what that point is but the petitioner has expressed that concern to me. I'll leave that to the Council to discern what that tipping point may be.

Hope this helps. Let me know if you have any additional questions.

**Attachments**

# Route 10

## Alt. 1B

### Service to Trinitas NW PUD & IU Campus

Service to be provided by 40' ADA-accessible bus

Final cost subject to review and adjustment 6 months prior to project startup.

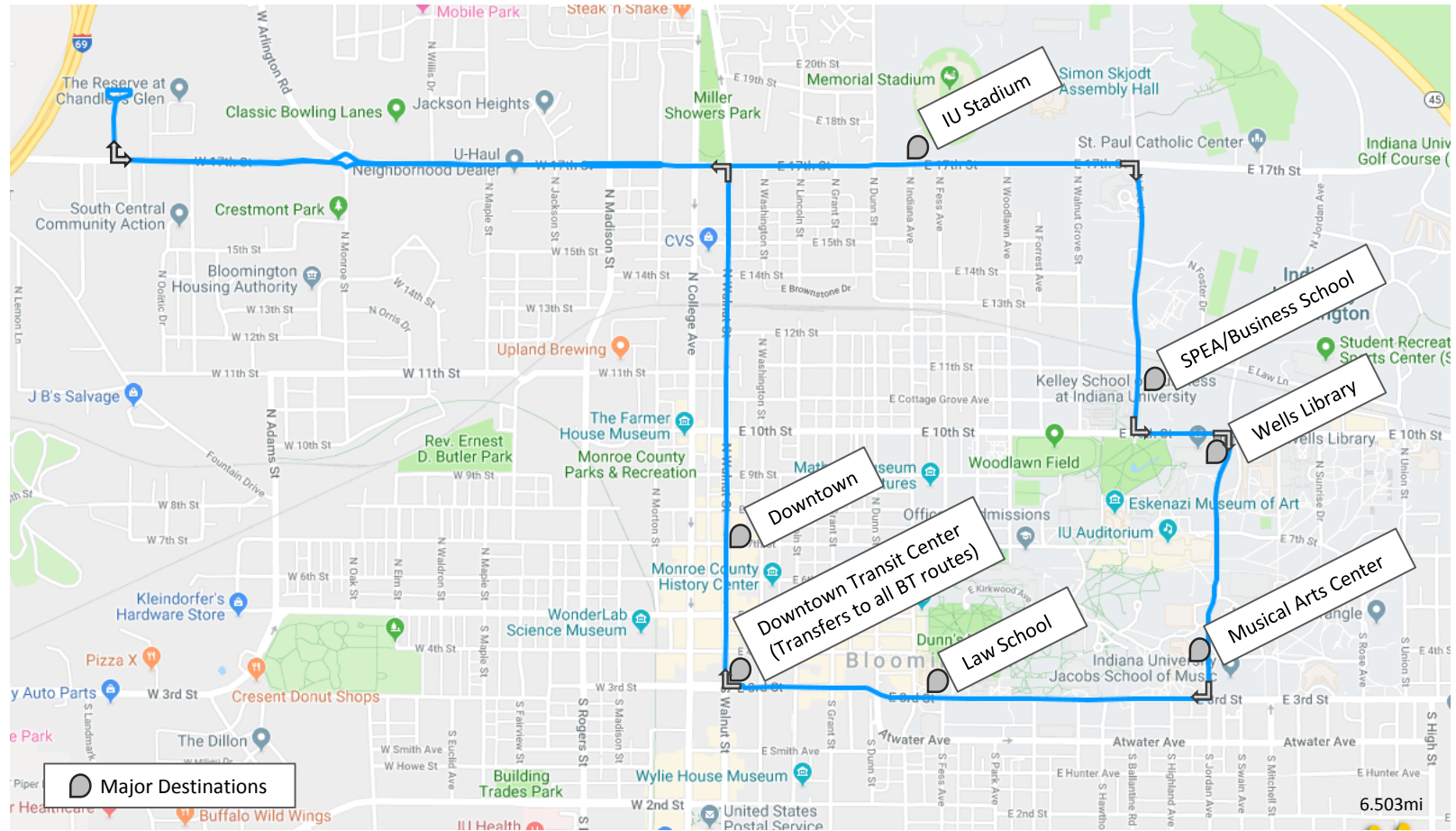
Final proposal subject to approval by BT Board of Directors

#### 2022-2023

#### Direct Operating Costs

- Operator, mechanic wages & benefits
- Parts, tools
- Fuel, fluids

**\$75.32/revenue hour**



#### Monday-Friday

60-Minute Frequency  
Year-Round, 257 days

7:00a-10:00p

**\$290,359**

#### Saturday & Sunday

60-Minute Frequency  
Year-Round, 103 days

10:00a-6:00p

**\$62,064**

#### Total Annual Cost

Year-Round, 360 days

**\$352,423**



# Route 10

Alt. 2B

## Service to Trinitas NW PUD & IU Campus

Service to be provided by 40'  
ADA-accessible bus

Final cost subject to review  
and adjustment 6 months  
prior to project startup.

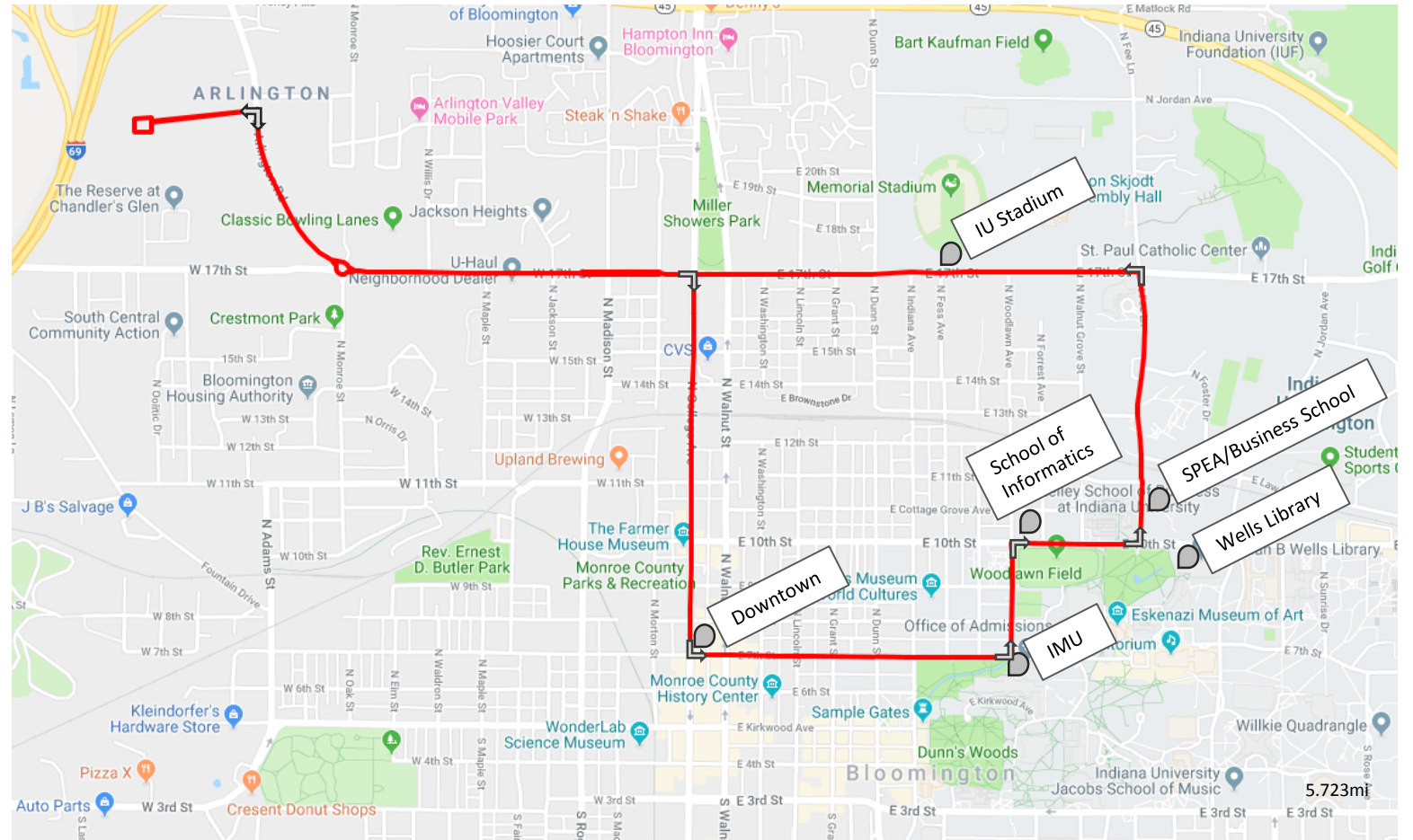
Final proposal subject to  
approval by BT Board of  
Directors

2022-2023

### Direct Operating Costs

- Operator, mechanic  
wages & benefits
- Parts, tools
- Fuel, fluids

**\$75.32/revenue hour**



**Monday-Friday**  
40-Minute Frequency  
Year-Round, 257 days

7:00a-10:20p

**\$296,811**

**Saturday & Sunday**  
40-Minute Frequency  
Year-Round, 103 days

10:00a-6:00p

**\$62,064**

**Total Annual Cost**  
Year-Round, 360 days

**\$358,875**



**\*\*\* Reasonable Conditions Form \*\*\***

**Ordinance #:** 20-04  
**Reasonable Condition #:** 04  
**Submitted By:** Cm. Volan, District VI  
**Date:** 19 February 2020

**Proposed Reasonable Condition:**

1. The townhomes at two locations within Area B shall follow the curve and offer a pedestrian-friendly presence along the nearest roadway. The first location is along the main street at the northern boundary of Area B as it curves to the northeast and the second location is along the drive in the southeast portion of Area B as it curves to the northeast and connects with the townhomes to the north. A commitment to this effect shall be in writing and shall be recorded.

Synopsis

This Reasonable Condition is sponsored by Cm. Volan. It is intended to orient the townhomes along the main street in Area B toward the street in order to improve the street's residential character and shall be in the form of a written and recorded commitment.

*Note: After discussion at the Land Use Committee on 26 February 2020, the sponsor added a second location in the southeast portion of Area B for the same treatment.*

**2/12/20 Land Use Committee Action:** None

**2/26/20 Land Use Committee Action:** Do Pass 4-0-0 Positive Recommendation

**3/4/20 Regular Session Action:** Pending

(26 February 2020)



**\*\*\* Reasonable Conditions Form \*\*\***

**Ordinance #:** 20-04  
**Reasonable Condition #:** 05  
**Submitted By:** Cm. Piedmont-Smith, District V  
**Date:** 19 February 2020

**Proposed Reasonable Condition:**

1. The petitioner shall provide a minimum of 12 parking spaces in Areas B-D that are plug-in ready and that solar arrays shall be installed to generate sufficient electricity to power these stations. The commitment shall be in writing and recorded.

**Synopsis**

This Reasonable Condition is sponsored by Cm. Piedmont-Smith. Under the Sustainability Initiatives of the District Ordinance, the petitioner indicates that there would be a minimum of 2% or 8 plug-in ready parking spaces in Areas B-D for electrical vehicles. In elaboration, this provision also states that the petitioner intends to cover a total of 12 parking spaces with solar arrays sufficient to generate the electricity for those charging stations. This Reasonable Condition would hold the petitioner to those stated intentions and would require that the commitment be in writing and recorded.

**2/12/20 Land Use Committee Action:** None  
**2/26/20 Land Use Committee Action:** Do Pass 4-0-0 Positive Recommendation  
**3/4/20 Regular Session Action:** *Pending*

(26 February 2020)

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, May 1, 2019 at 6:32pm, Council President Dave Rollo presided over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
May 1, 2019

Members Present: Ruff, Chopra (left at 10:47pm), Piedmont-Smith, Granger, Rollo, Volan, Sims, Sturbaum, Sandberg  
Members Absent: None

ROLL CALL [6:33pm]

Council President Dave Rollo summarized the agenda.

AGENDA SUMMATION [6:33pm]

Council Vice-President Dorothy Granger moved and it was seconded to approve the minutes of February 20, 2019 as corrected. The motion was approved by voice vote.

APPROVAL OF MINUTES [6:36pm]  
February 20, 2019  
March 20, 2019

Granger moved and it was seconded to approve the minutes of March 20, 2019. The motion was approved by voice vote.

Councilmember Susan Sandberg reminded people that Jack Hopkins Grant presentations were scheduled for the following evening.

REPORTS

- COUNCIL MEMBERS [6:35pm]

Councilmember Chris Sturbaum made a statement that it was not a conflict of interest for him to serve on the historic preservation commission and to have a construction business that specialized in renovations.

Councilmember Jim Sims reported that several organizations were providing free rides to the polls on election day.

Councilmember Steve Volan spoke about the Unified Development Ordinance (UDO) revision process.

Rollo said public concerns about the UDO were justified. Rollo also expressed concern about several acres that were clear cut on the shore of Lake Monroe. He called for a Watershed Summit to have all interested parties discuss how the lake is managed.

Mary Catherine Carmichael, Director of Community Engagement, presented a Proclamation designating May 5-11, 2019 the 50<sup>th</sup> Anniversary of Municipal Clerks Week in Bloomington, Indiana.

- The MAYOR AND CITY OFFICES [6:40pm]

City Clerk Nicole Bolden accepted the proclamation and thanked the administration and the council.

There were no reports from council committees.

- COUNCIL COMMITTEES [6:50pm]

Jennifer Martin-Herring spoke in opposition to the UDO, and discussed a petition she circulated.

- PUBLIC [6:53pm]

Richard Linnemeier spoke about the risk of having student housing mixed in with family neighborhoods.

Steve Layman spoke in support of Martin-Herring's petition.

Christine Linnemeier spoke in support of Martin-Herring's petition.

Paul Post, Fraternal Order of Police, spoke to the Council about the need for a better contract for the Bloomington Police Department.

Sandberg moved and it was seconded to appoint Pamela Jackson to the Human Rights Commission. The motion was approved by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:08pm]

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

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:09pm]

Volan moved and it was seconded that Ordinance 19-10 be adopted.

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)

Bryan Payne, Assistant Director of Business Development-Economic and Sustainable Development Department, presented the legislation to the Council. Payne explained that the petitioners applied for and received a federal tax bond that required a publicly issued bond. He said the city would act as a conduit, but the petitioner would pay all bond service and there would be no financial or opportunity cost to the city.

Mike Rodriguez, Herman & Kittle, gave more information about the renovations for Limestone Crossing Apartments, formerly Canterbury apartments.

Michael Allen, bond counsel, gave more information about the bond and tax credit process for the renovation of Caterbury House. Allen emphasized the fact that the City of Bloomington would not be liable for the bonds.

There was brief council discussion.

There was no public comment.

The motion to adopt Ordinance 19-10 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 19-10 [7:34pm]

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

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

Volan moved and it was seconded to suspend the rules to structure deliberations on Ordinance 19-09 such that anticipated amendments would be considered in a particular order, with public comment on each amendment limited to two minutes per speaker.

Volan noted that this was the same structure that the council used to structure deliberations on the legislation two weeks prior.

The motion to suspend the rules to structure debate on Ordinance 19-09 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to suspend the rules to structure and limit deliberations on Ordinance 19-09 [7:39pm]

Carmichael noted that there was not a new presentation of the legislation after the one given on April 17, 2019. Carmichael said representatives for Bird and Lime scooter companies were available for questions.

Sturbaum moved and it was seconded to adopt Amendment 01a to Ordinance 19-09.

Amendment 01a to Ordinance 19-09

Amendment 01a to Ordinance 19-09 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 prohibition is warranted by the volume and speed of shared use motorized scooters.

Sturbaum presented the amendment to the council. There was extensive council discussion.

The motion to adopt Amendment 01a to Ordinance 19-09 received a roll call vote of Ayes: 3 (Granger, Rollo, Sturbaum), Nays: 6, Abstain: 0. FAILED

Vote to adopt Amendment 01a to Ordinance 19-09 [8:58pm]

Piedmont-Smith moved and it was seconded that Amendment 06a to Ordinance 19-09 be adopted.

Amendment 06a to Ordinance 19-09

Admendment 06a to Ordinance 19-09 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and extends the boundaries of the dismount zone for scooters, bicycles, and coasters. See attached map. Note that this amendment and associated map were revised subsequent to discussion on 17 April 2019 to add north-south streets (Indiana Ave., Dunn St., Grant St., Lincoln St., and Washington St.) to the dismount zone.

Piedmont-Smith presented the amendment to the council. There was council discussion.

The motion to adopt Amendment 06a to Ordinance 19-09 received a roll call vote of Ayes: 6, Nays: 2 (Ruff, Chopra), Abstain: 1 (Volan).

Vote to adopt Amendment 06a to Ordinance 19-09 [9:20pm]

Piedmont-Smith moved and it was seconded that Amendment 07a to Ordinance 19-09 be adopted.

Amendment 07a to Ordinance 19-09

Admendment 07a to Ordinance 19-09 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and prohibits motorized scooter parking on any public sidewalk. This amendment is made in the interest of maximizing sidewalk accessibility. Notably, motorized scooters may be parked proximate to sidewalks at designated painted boxes on the street. Note that this amendment was revised subsequent to discussion on 17 April, 2019 to extend the prohibition on scooter parking to all public sidewalks, not just those sidewalks in the dismount zone.

Piedmont-Smith presented the amendment to the council. There was extensive council discussion.

The motion to adopt Amendment 07a to Ordinance 19-09 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 1 (Sims).

Vote to adopt Amendment 07a to Ordinance 19-09 [10:30pm]

Piedmont-Smith moved and it was seconded that Amendment 08a to Ordinance 19-09 be adopted.

Amendment 08a to Ordinance 19-09

Admendment 08a to Ordinance 19-09 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and replaces the words "painted boxes" with "corrals" to describe the on-street parking areas designated for scooter and bicycle parking. The amendment also provides that corrals shall be designed to prevent scooters and bicycles from falling outside of the boundaries of the

corral. Note that this amendment was revised subsequent to discussion on 17 April 2019 to switch the term “scooter corral” with the more general term “corral” as these designated parking spaces are intended for use by both scooters and bicycles.

Amendment 08a to Ordinance 19-09 (*cont'd*)

Piedmont-Smith presented the amendment to the council. There was extensive council discussion.

The motion to adopt Amendment 08a to Ordinance 19-09 received a roll call vote of Ayes: 5, Nays: 4 (Chopra, Granger, Rollo, Sturbaum), Abstain: 0.

Vote to adopt Amendment 08a to Ordinance 19-09 [10:43pm]

Rollo called for a brief recess.

Recess ended at 10:50pm

Rollo moved and it was seconded that Amendment 03 to Ordinance 19-09 be adopted.

Amendment 03 to Ordinance 19-09

Admendment 03 to Ordinance 19-09 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.

Rollo moved and it was seconded that Amendment 03 to Ordinance 19-09 be adopted.

Rollo presented the amendment to the council. Carmichael announced there was nothing further the staff could add to the debate and they were leaving the meeting. There was extensive council discussion.

The motion to adopt Amendment 03 to Ordinance 19-09 received a roll call vote of Ayes: 2 (Granger, Rollo), Nays: 6, Abstain: 0. (Chopra left the meeting at 10:47pm).

Vote to adopt Amendment 03 to Ordinance 19-09 [11:04pm]

Piedmont-Smith moved and it was seconded that Amendment 12 to Ordinance 19-09 be adopted.

Amendment 12 to Ordinance 19-09

Admendment 12 to Ordinance 19-09 Synopsis: This amendment is sponsored by Councilmembers Sandberg, Granger, and Ruff and deletes a subsection of the ordinance providing that shared-use motorized scooters shall not be made available to the public between the hours of 10:01 PM and 5:59 AM. Sponsors are eliminating this provision in the interest of making shared-use motorized scooters available to low-income residents working service-industry jobs, second- or third-shift jobs, or other jobs with non-traditional hours.

Sandberg presented the amendment to the council. There was extensive council discussion.

The motion to adopt Amendment 12 to Ordinance 19-09 received a roll call vote of Ayes: 6, Nays: 1 (Rollo), Abstain: 1 (Sturbaum).

Vote to adopt Amendment 12 to Ordinance 19-09 [11:14pm]

Volan moved and it was seconded to postpone consideration of Ordinance 19-09 until the end of the meeting. The motion to postpone Ordinance 19-09 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to postpone Ordinance 19-09 [11:23pm]

Volan moved and it was seconded that Appropriations Ordinance 19-03 be read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

LEGISLATION FOR FIRST READING [11:24pm] Appropriations Ordinance 19-03 To Specially Appropriate From The Food And Beverage Tax Fund Expenditures Related To The Convention Center Expansion, And Making A Standing Request For Recommendations From The Food And Beverage Tax Advisory Commission As Future Needs For Those Expenditures Arise

Volan moved and it was seconded that Ordinance 19-08 be read by title and synopsis only. The motion to introduce Ordinance 19-08 received a roll call vote of Ayes: 1 (Ruff), Nays: 7, Abstain: 0. FAILED

Ordinance 19-08 To Amend The City Of Bloomington Zoning Maps By Rezoning 3.2 Acres Of Property From Commercial Limited (Cl) To A Planned Unit Development (PUD) And To Approve A District Ordinance And Preliminary Plan. - Re: 105 S. Pete Ellis Drive (Curry Urban Properties, Petitioner)

Greg Alexander spoke about sidewalks.

ADDITIONAL PUBLIC COMMENT

Volan moved and it was seconded to cancel the Internal Work Session scheduled for May 3, 2019. The motion was approved by voice vote.

COUNCIL SCHEDULE

Piedmont-Smith expressed disappointment in the early departure of the administration.

LEGISLATION FOR SECOND READING AND RESOLUTIONS (cont'd)

Ruff said it should not be such a polarizing issue.

Volan said the council had the right to amend legislation.

Sturbaum spoke about the importance of compromise.

Piedmont Smith moved and it was seconded to recess until a Special Session on May 15, 2019 at 6:30pm for continued consideration of Ordinance 19-09. The motion to recess Ordinance 19-09 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

RECESS [11:42PM]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_ day of \_\_\_\_\_, 2020.

APPROVE:

ATTEST:

\_\_\_\_\_  
Stephen Volan, PRESIDENT  
Bloomington Common Council

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

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, July 31, 2019 at 6:33pm, Council Vice-President Dorothy Granger presided over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
July 31, 2019

Members present: Ruff, Chopra (left at 10:41pm), Piedmont-Smith, Granger, Volan, Sims, Sturbaum, Sandberg  
Members absent: Rollo

ROLL CALL [6:33pm]

Council Vice-President Dorothy Granger summarized the agenda.

AGENDA SUMMATION [6:33pm]

Granger moved and it was seconded to approve the minutes of June 12, 2019. The motion was approved by voice vote.

APPROVAL OF MINUTES

Councilmember Andy Ruff introduced Blake Albertson and his father, as well as Adam Pucket who was not present. Ruff congratulated Albertson and Pucket on their recent National Collegiate Bass Fishing tournament. Ruff then read a proclamation honoring Albertson and Pucket.

REPORTS

- COUNCIL MEMBERS

Shelly Albertson spoke about her son Blake.

There were no reports from the Mayor or city offices.

- The MAYOR AND CITY OFFICES

There were no council committee reports.

- COUNCIL COMMITTEES

Cynthia Bretheim spoke about housing availability.

- PUBLIC COMMENT

Peter Kaczmarczyk stated his interest in Bloomington erecting a monument commemorating Captain Kathryn Janeway, the first female captain on Star Trek, who was from Bloomington, Indiana.

Greg Alexander spoke about the need for sidewalks.

Kaleb Crein spoke about the need to maintain sidewalks so people with disabilities could efficiently maneuver around town.

Randy Paul voiced his concerns about the Bloomington farmers market.

Lee Jones, the Vice President of the Board of Commissioners, voiced her concerns with the lack of funding for the upcoming convention center. Jones said a public work session with the county and city council would be in the best interest of the city.

There were no appointments to Boards and Commissions.

APPOINTMENTS TO BOARDS AND  
COMMISSIONS

LEGISLATION FOR SECOND  
READING AND RESOLUTIONS  
[7:22pm]

Councilmember Steve Volan moved and it was seconded that Ordinance 19-09 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: 0, Abstain: 6.

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

Michael Rouker, City Attorney, said there would not be another presentation of the legislation from the administration because one had been done in the past and there was not any new information.

Councilmember Isabel Piedmont-Smith moved and it was seconded that the Council suspend the rules to reconsider Amendment 07a to Ordinance 19-09. The motion to suspend the rules received a roll call vote of Ayes: 7, Nays: 1 (Chopra), Abstain: 0.

Amendment 07a to Ordinance 19-09 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and prohibits motorized scooter parking on any public sidewalk. This amendment is made in the interest of maximizing sidewalk accessibility. Notably, motorized scooters may be parked proximate to sidewalks at designated painted boxes on the street.

Piedmont-Smith elaborated that due to the state law on proximate parking and the feedback from the Mayor's office that reevaluating this amendment was in the best interest of the city. There was extensive council discussion.

Piedmont-Smith moved and it was seconded that Amendment 07a to Ordinance 19-09 be repealed.

Piedmont-Smith moved to remove Amendment 07a until later in the evening.

Piedmont-Smith moved and it was seconded that Amendment 15a to Ordinance 19-09 be adopted.

Amendment 15a to Ordinance 19-09 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and seeks to further ensure ADA access to public sidewalks by specifically calling out pedestrian crosswalk buttons as an item in the public right of way that shall not be blocked and by clarifying that the mandatory 54-inch clearance that must be maintained on sidewalks is measured from the widest part of the scooter and does not include the width of the curb. Further, the amendment requires operators of shared-use motorized scooters identify scooter parking scofflaws and inflict increasingly severe disciplinary actions against them, in an effort to change their behavior and keep the right of way clear for all sidewalk users.

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

Vote on suspension of the rules to reconsider Amendment 07a to Ordinance 19-09 [7:27pm]

Amendment 07a to Ordinance 19-09

Amendment 15a to Ordinance 19-09



Piedmont-Smith presented the amendment to the council. There was extensive council discussion.

Ordinance 19-09 (cont'd)

The motion to adopt Amendment 15a to Ordinance 19-09 received a roll call vote of Ayes: 7, Nays: 1 (Chopra), Abstain: 0.

Vote to adopt Amendment 15a to Ordinance 19-09 [9:20pm]

Volan moved and it was seconded that Amendment 18 to Ordinance 19-09 be adopted.

Amendment 18 to Ordinance 19-09

Amendment 18 to Ordinance 19-09 Synopsis: This amendment is sponsored by Cm. Volan and would allow parking on unimproved surfaces as long as no more than two are placed parallel to the street and touching a city traffic or parking sign.

Volan presented the amendment to the council. There was extensive council discussion. Volan moved to withdraw Amendment 18.

Motion to withdraw Amendment 18 [9:19pm]

Piedmont-Smith moved and it was seconded that Amendment 19 to Ordinance 19-09 be adopted.

Amendment 19 to Ordinance 19-09

Amendment 19 to Ordinance 19-09 Synopsis: This amendment suspends implementation of e-scooter parking restrictions contemplated for the dismount zone (specifically the requirement that shared-use motorized scooters be parked only within painted boxes or at bike racks) and instead directs the City of Bloomington Parking Commission and Bicycle and Pedestrian Safety Commission to study the issue of shared-use motorized scooter parking. Specifically, the Commissions are directed to review parking in downtown Bloomington and also in any neighborhoods that have received a substantial number of documented scooter complaints. The Commissions are to prepare and forward a report on shared-use motorized scooter parking to the Council.

Piedmont-Smith presented the amendment to the council. There was extensive council discussion.

Councilmember Chris Sturbaum moved and it was seconded to delete item 1 of Amendment 19. There was extensive council discussion.

The motion to delete Item 1 of Amendment 19 received a roll call vote of Ayes: 2 (Sturbaum, Ruff), Nays: 4, Abstain: 2 (Piedmont-Smith, Sims). FAILED

Vote to amend Amendment 19 to Ordinance 19-09 [9:56pm]

The motion to adopt Amendment 19 to Ordinance 19-09 received a roll call vote of Ayes: 5, Nays: 2 (Ruff, Chopra), Abstain: 1 (Piedmont-Smith).

Vote to adopt Amendment 19 to Ordinance 19-09 [9:57pm]

Piedmont-Smith moved and it was seconded that Amendment 13a to Ordinance 19-09 be adopted.

Amendment 13a to Ordinance 19-09

Amendment 13a to Ordinance 19-09 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and would require all persons operating a scooter on a sidewalk to dismount when passing any pedestrian and would require persons operating a scooter on a multiuse path, multiuse trail, or within a crosswalk to dismount before overtaking a person with a visual impairment.

Piedmont-Smith presented the amendment to the council. There was council discussion.

The motion to adopt Amendment 13a to Ordinance 19-09 received a roll call vote of Ayes: 7, Nays: 1 (Chopra), Abstain: 0. Vote to adopt Amendment 13a to Ordinance 19-09 [10:12pm]

Piedmont-Smith moved and it was seconded that Amendment 16 to Ordinance 19-09 be adopted. Amendment 16 to Ordinance 19-09

Amendment 16 to Ordinance 19-09 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith at the request of advocates from the accessibility community. The amendment makes clear that the Americans with Disabilities Act (ADA) is one of the federal laws whose violation would trigger revocation of a shared-use motorized scooter operator's license.

Piedmont-Smith presented the amendment to the council. There was brief council discussion. Rouker stated the administration's agreement.

The motion to adopt Amendment 16 to Ordinance 19-09 received a roll call vote of Ayes: 7, Nays: 1 (Chopra), Abstain: 0. Vote to adopt Amendment 16 to Ordinance 19-09 [10:14pm]

Volan moved and it was seconded that Amendment 18a to Ordinance 19-09 be adopted. Amendment 18a to Ordinance 19-09

Amendment 18a to Ordinance 19-09 Synopsis: This amendment is sponsored by Cm. Volan and would allow parking on unimproved surfaces as long as no more than two are placed parallel to the street and touching a city traffic or parking sign.

Volan presented the amendment to the council. There was council discussion.

The motion to adopt Amendment 18a to Ordinance 19-09 received a roll call vote of Ayes: 6, Nays: 1 (Chopra), Abstain: 1 (Sturbaum). Vote to adopt Amendment 18a to Ordinance 19-09 [10:17pm]

Piedmont-Smith moved and it was seconded that Amendment 07a to Ordinance 19-09 be adopted. Amendment 07a to Ordinance 19-09

Piedmont-Smith presented the amendment to the council. There was brief council discussion.

The motion to adopt Amendment 07a to Ordinance 19-09 received a roll call vote of Ayes: 1 (Chopra), Nays: 7 Abstain: 0. FAILED Vote to adopt Amendment 07a to Ordinance 19-09 [10:20pm]

Piedmont-Smith moved and it was seconded that Amendment 17 to Ordinance 19-09 be adopted. Amendment 17 to Ordinance 19-09

Amendment 17 to Ordinance 19-09 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and shifts the effective date of the ordinance from July 1, 2019 to September 1, 2019.

Piedmont-Smith presented the amendment to the council. There was brief council discussion. Rouker stated the administration's agreement.

The motion to adopt Amendment 17 to Ordinance 19-09 received a roll call vote of Ayes: 7, Nays: 1 (Chopra), Abstain: 0. Vote to adopt Amendment 17 to Ordinance 19-09 [10:22pm]

Volan moved and it was seconded to allow council staff to make any scrivener's corrections to the legislation. The motion was approved by voice vote.

Ordinance 19-09 (cont'd)

Rouker thanked the council for their attention and said it was a good piece of legislation.

Kaleb Crein thanked Piedmont-Smith for reaching out to the disability community as a whole.

Public comment:

Miles Schuck thanked the council for their deliberation.

David VanDeventer said scooters brought value to Bloomington. and that trouble shooting scooters is worth it.

There were several council comments.

Council comment:

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

Vote to adopt Ordinance 19-09 as amended [10:41pm]

Volan moved and it was seconded that Ordinance 19-12 be read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

LEGISLATION FOR FIRST READING

Volan moved and it was seconded to refer Ordinance 19-12 to the Land Use Committee for discussion on August 7, 2019 and report back to the Council at the Regular Session on September 4, 2019. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0. (Chopra left the meeting at 10:41pm)

Ordinance 19-12 To Amend the City of Bloomington Zoning Maps by Rezoning 3.85 Acres of Property from Commercial Arterial (CA) to Planned Unit Development and to Approve a District Ordinance and Preliminary Plan - Re: 1800 N. Walnut Street (CDG Acquisitions, LLC, Petitioner) [10:43pm]

Volan moved and it was seconded that Ordinance 19-13 be read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Ordinance 19-13 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles & Traffic" - Re: Amending 15.32.080 (No Parking Zones)

Volan moved and it was seconded that Ordinance 19-14 be read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Ordinance 19-14 To Amend Title 2 (Administration and Personnel) of the Bloomington Municipal Code - Re: Amending Chapter 2.12.110 (Parking Commission) to Loosen Requirements for Appointments to the Parking Commission

There was no additional public comment.

ADDITIONAL PUBLIC COMMENT

Volan moved and it was seconded to cancel the Committee of the Whole scheduled for August 7, 2019. The motion was approved by voice vote.

COUNCIL SCHEDULE [10:48pm]

Volan moved and it was seconded to adjourn. The motion was approved by voice vote.

ADJOURNMENT [10:49pm]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVE:

ATTEST:

\_\_\_\_\_  
Stephen Volan, PRESIDENT  
Bloomington Common Council

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

FOR APPROVAL

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, January 15, 2020 at 6:31pm, Council President Steve Volan presided over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
January 15, 2020

Members present: Rollo, Sgambelluri, Rosenbarger, Sims, Volan, Piedmont-Smith, Flaherty, Smith, Sandberg  
Members absent: None

ROLL CALL [6:32pm]

Council President Steve Volan summarized the agenda.

AGENDA SUMMATION [6:32pm]

There were no minutes for approval.

APPROVAL OF MINUTES

Councilmember Susan Sandberg spoke about the passing of Peter Jacobi.

REPORTS

- COUNCIL MEMBERS [6:33pm]

Councilmember Sue Sgambelluri thanked Beth Rosenbarger for her leadership on a discussion about transit.

Adam Wason, Director of Public Works, gave a report on sidewalk repairs and alley improvements throughout the city. There was brief council discussion following the report.

- The MAYOR AND CITY OFFICES [6:35pm]

Vic Kelson, Director of Utilities, gave a report on the waste to energy initiative of the city. There was council discussion following the report.

Sandberg reported that the Plan Commission passed the UDO and the Trinitas development, which was a Planned Unit Development (PUD).

- COUNCIL COMMITTEES [6:55pm]

Greg Alexander spoke about the importance of sidewalks.

- PUBLIC [7:00pm]

Sandberg motioned and it was seconded to appoint Bronson Bast to the Bloomington Commission on Sustainability. The motion was approved by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:05pm]

Piedmont-Smith moved and it was seconded that Ordinance 20-02 be introduced and read by title and synopsis only. The motion was approved by voice vote. City Clerk Nicole Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation of 8-0-0.

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:06pm]

Piedmont-Smith moved and it was seconded that Ordinance 20-02 be adopted.

Ordinance 20-02 Final Approval to Issue Economic Development Notes and Lend the Proceeds for the Renovation of Affordable Housing – Re: Walnut Woods, 818 E. Miller Drive, and Reverend Butler Apartments, 1202 W. 11<sup>th</sup> Street (Bloomington RAD I, LP, Petitioner)

Larry Allen, Assistant City Attorney, presented the legislation to the council. He explained that the city was lending its tax exempt status and its status as a public entity, but that it did not bear any general obligation for the bonds.

Amber Skoby, Executive Director of the Bloomington Housing Authority, explained that RAD stood for the Rental Assistance Demonstration Program.

There was council discussion of the legislation.

Greg Alexander spoke about the lack of sidewalks in the area of the project discussed.

Public comment

There were some council comments on the legislation.

Ordinance 20-02 (cont'd)

The motion to adopt Ordinance 20-02 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 20-02 [7:21pm]

LEGISLATION FOR FIRST READING

Piedmont-Smith moved and it was seconded that Ordinance 20-03 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 20-03 To Amend Title 4 of the Bloomington Municipal Code Entitled "Business Licenses and Regulations" - Re: Adding Chapter 4.32 (Non-Consensual Towing Businesses)

Dan Sherman, Council Attorney, reviewed the upcoming schedule.

COUNCIL SCHEDULE [7:22pm]

Piedmont-Smith moved and it was seconded to hold the Special Session on January 29, 2020 no earlier than 8pm.

The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to hold Special Session [7:30pm]

Rollo moved and it was seconded to adjourn. The motion was approved by voice vote.

ADJOURNMENT [7:31pm]

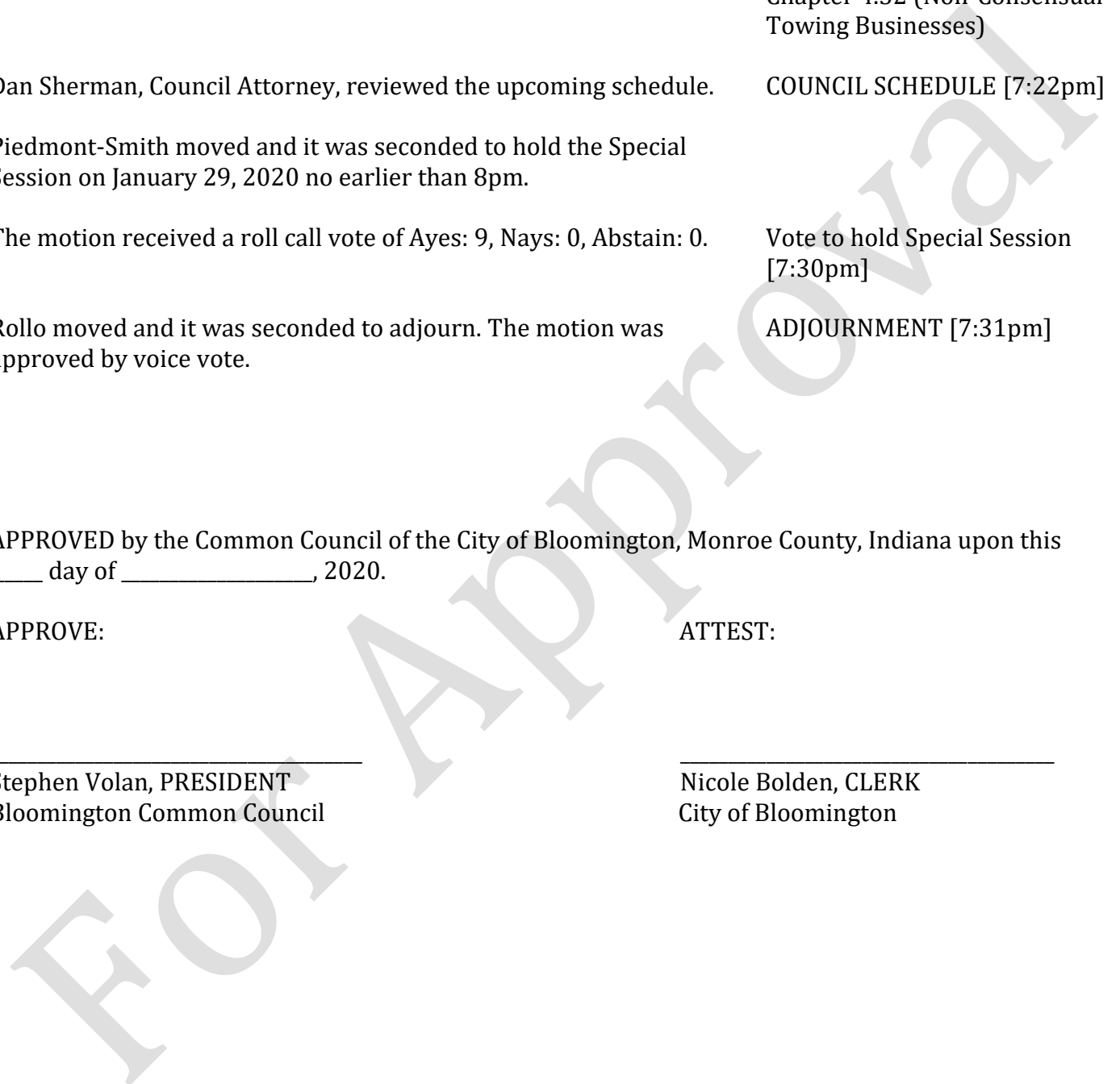
APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVE:

ATTEST:

\_\_\_\_\_  
Stephen Volan, PRESIDENT  
Bloomington Common Council

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



In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, January 29, 2020 at 8:01pm, Council President Steve Volan presided over a Special Session of the Common Council.

COMMON COUNCIL  
SPECIAL SESSION  
January 29, 2020

Members present: Rollo, Sgambelluri, Rosenbarger, Sims, Volan, Piedmont-Smith, Flaherty, Smith, Sandberg  
Members absent: None

ROLL CALL [8:02pm]

Council President Steve Volan summarized the agenda.

AGENDA SUMMATION [8:02pm]

Councilmember Sue Sgambelluri spoke about a constituent meeting that she planned to hold.

REPORTS

- COUNCIL MEMBERS [8:03pm]

Councilmember Jim Sims spoke about the United Way fundraiser. He also congratulated Jacinda Townsend-Gides on her new post on the local school board.

Shatoiya Moss, Safe and Civil City Director, gave a report on the 2020 Black History Month activities to the Council.

- The MAYOR AND CITY OFFICES [8:05pm]

Rollo moved and it was seconded to accept a Conflict of Interest Disclosure from Dan Sherman, Council Attorney. The motion to accept the Disclosure was approved by voice vote.

- COUNCIL COMMITTEES [8:10pm]

Sims presented the Sidewalk Committee report. He said the committee allocated funds in order to improve connectivity throughout the City. He went over the project prioritization grid, with over 60 projects listed. The committee looked at walkability, residential density, transit routes, linkages, and costs. Sims discussed the funding recommendation for 2020 and the different projects.

There was council discussion about the report.

Rollo moved and it was seconded to approve the 2020 Council Sidewalk Committee Report. The motion to approve the report received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to Approve the Council Sidewalk Committee Report [8:29pm]

Mary Morgan, Greater Bloomington Chamber of Commerce, spoke to the council about public transit.

- PUBLIC [8:29pm]

Daniel Bingham spoke about Utilities Director Vic Kelson's presentation about anaerobic digesters on January 15, 2020.

Piedmont-Smith moved and it was seconded that Resolution 20-01 be introduced and read by title and synopsis only. The motion was approved by voice vote. City Clerk Nicole Bolden read the legislation by title and synopsis.

LEGISLATION FOR SECOND READING AND RESOLUTIONS [8:39pm]

Piedmont-Smith moved and it was seconded that Resolution 20-01 be adopted.

Resolution 20-01 To Establish Standing Committees and Abolish Other Certain Committees of the Common Council

Volan passed the gavel to Sims and presented the legislation.

Volan moved and it was seconded Amendment 01 by substitution to Resolution 20-01.

There was some council discussion of the legislation.

Peter Dorfman expressed concerns about the legislation.  
Daniel Bingham spoke in favor of the legislation and in favor of oversight.

Resolution 20-01 (cont'd)  
Public comment

There was additional council discussion.

Piedmont-Smith moved and it was seconded to postpone discussion of Resolution 20-01 until the Regular Session on February 19, 2020.

The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to postpone Resolution 20-01  
[9:11pm]

Sims passed the gavel back to Volan.

Sherman reviewed the upcoming schedule. There was extended council discussion.

COUNCIL SCHEDULE [9:11pm]

The meeting was adjourned at 9:29pm.

ADJOURNMENT

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this \_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVE:

ATTEST:

\_\_\_\_\_  
Stephen Volan, PRESIDENT  
Bloomington Common Council

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

