

City of Bloomington Common Council

LEGISLATIVE PACKET

Meetings for the Week of 07-11 September 2020

Tuesday, 08 September 2020

Administration Committee

5:00 PM

Wednesday, 09 September 2020

Land Use Committee

6:00 PM

Wednesday, 09 September 2020

Special Session

7:30 PM

- Legislation and background materials for Resolution 20-13 are contained herein.
- For legislation and background materials on Ordinance 20-15 please view the [02 September packet](#).

**Please see the notes on the [Agenda](#) addressing public meetings during the public health emergency
For a schedule of upcoming meetings of the Council and the City's boards and commissions, please consult the City's [Calendar](#).*



Legislative Packet Memo – from Council Office

Materials pertaining to the week of September 7 - 11

AGENDAS & NOTICES FOR MEETINGS OF SEPT 7 - 11

- Administration Committee Meeting – Notice (posted September 3, 2020); Agenda forthcoming
 - Tuesday, September 8, 2020 at 5:00 pm, accessible via:
<https://bloomington.zoom.us/j/95186358052?pwd=RTRRN3RtS0RsR0hBMjhZnVDZ3E2UT09>
- Land Use Committee Meeting (6:00 pm) followed by Special Session (7:30 pm) – Agenda and Notice
 - Wednesday, September 9, 2020 beginning at 6:00 pm, accessible via:
<https://bloomington.zoom.us/j/96508547280?pwd=OHYrRzJhQUdXVIRHUF RiQ3llYjBqQT09>

LEGISLATION FOR COMMITTEE DISCUSSION - WEEK OF SEPT 7 - 11

- **Ordinance 20-15** – To Rezone a 19.73 Acre Property from Employment (EM) to Residential Estate (RE) - Re: 2300 W. Tapp Road (Duncan Campbell, Petitioner)

The Land Use Committee meeting on September 9 will be the first committee discussion of this ordinance. If, after discussion on September 9, the Land Use Committee is ready to make a do-pass recommendation, the ordinance would return to the full Council on September 16 for final action at that evening's Regular Session. If the committee decides it needs to further consider the legislation, the ordinance would return for a second Land Use Committee meeting on September 23.

→ Please see the [Council Legislative Packet issued for the week of August 31- September 4](#) for the above legislation, background material, and summary.

→ Contact: Ryan Robling, robtingr@bloomington.in.gov, 812-349-3423



LEGISLATION FOR FIRST READING AND RESOLUTIONS - WEEK OF SEPT 7 - 11

- Resolution 20-13 - Resolution Proposing An Ordinance To Modify The Monroe County Local Income Tax Rate, Allocate The Additional Revenues To Economic Development And Cast Votes In Favor Of The Ordinance
 - Memo from Administration
 - Draft Capital Improvement Plan

Monroe County Local Income Tax Council Membership

Resolution 20-13 proposes an ordinance to the Monroe County Local Income Tax Council ("Tax Council") that would increase the local income tax rate and allocate the additional revenues for economic development purposes. The Bloomington Common Council is one member of the Tax Council, which also includes the Monroe County Council, the Ellettsville Town Council, and the Stinesville Town Council.

Local Income Tax Rates

Indiana Code § 6-3-6-1 and the provisions that follow it govern the procedures that the Tax Council and its members must follow to adopt, increase, decrease, or rescind a tax or tax rate. As detailed in the resolution, the local income tax currently includes the following components, for a total local income tax rate of 1.345%:

Local Income Tax Type		Existing Rate	
Property Tax Relief Rate (Indiana Code 6-3.6-5)		0.0518%	
Total Expenditure Rate (Indiana Code 6-3.6-6)		1.1982%	
<i>Components of Total Expenditure Rate</i>	Public Safety		0.1846%
	Public Safety Answering Point		0.0654%
	Economic Development		0.0000%
	Certified Shares		0.9482%
Special Purpose Rate (Juvenile Local Income Tax) (Indiana Code 6-3.6-5)		0.095%	
Total:		1.345%	

Resolution 20-13 proposes an increase of .25% to the total expenditure rate, with the additional revenues to be allocated for economic development purposes.



Procedure for Proposing Ordinance Adjusting Local Income Tax Rates

For such a change to the local income tax rate to occur, a majority of the Tax Council (which is the adopting body for local income taxes in Monroe County under Indiana Code § 6-3-6-3-1) must vote in favor of an ordinance increasing the local income tax. Any member of the Tax Council may present an ordinance for passage by the Tax Council. To do so, the member must adopt a resolution to propose the ordinance to the Tax Council.¹ Resolution 20-13 is therefore a resolution of the Bloomington Common Council that contains within it a proposed Ordinance Modifying Local Income Tax Rates, which would be an ordinance of the Tax Council.

The Monroe County Tax Council has 100 total votes divided among its 4 members.² Each member is allocated a percentage of the total 100 votes that may be cast, based on population.³ Each year, the Auditor certifies to each member of the Tax Council the number of votes, rounded to the nearest one hundredth (0.01), each member has for that year. Per the Auditor, the votes on the Monroe County Tax Council are as follows:

Unit of Government	2010 Census Pop.	% of Total County Pop.	# of Local Income Tax Council Votes/Member
City of Bloomington (9 Common Council Members)	80,405	58.28%	6.48/Council Member
Town of Ellettsville (5 Town Council Members)	6,378	4.62%	.92/Council Member
Town of Stinesville (3 Town Council Members)	198	0.14%	.05/Council Member
Unincorporated County area (voted on by 7 members of Monroe County Council)	50,993	36.96%	5.28/Council member
Total Monroe County	137,974	100%	100.03

Due to a recent change in state law, the members of the Tax Council no longer cast their votes as a block on a proposal to increase a tax rate in the county.⁴ Instead, each individual who sits on the fiscal body of a county, city, or town that is a member of the Tax Council is

¹ IC 6-3.6-3-8

² IC 6-3.6-3-6

³ Id.

⁴ Id.



allocated a certain number of votes, which is detailed in the far right column of the table above. Each of the nine members of the Bloomington Common Council has 6.48 votes of the Tax Council that can be cast individually.

Before a member of the Tax Council may vote to propose an ordinance or vote on a proposed ordinance, the member must hold a public hearing on the proposed ordinance and provide the public with notice of the time and place where the public hearing will be held. This notice must be published at least 10 days in advance of the hearing and must include the proposed ordinance. The public hearing on Resolution 20-13 will be held September 16, 2020. Therefore, while the Council may consider and deliberate on the resolution at the September 9 meeting, a vote on the resolution could occur no earlier than September 16.

After a member of the Tax Council adopts a resolution proposing an ordinance, that member must distribute a copy of the proposed ordinance to the County Auditor. The Auditor shall then deliver copies of the proposed ordinance to all other members of the Tax Council within ten (10) days of receipt.⁵ Once a member of the Tax Council receives a proposed ordinance from the Auditor, the member shall vote on it within thirty (30) days after receipt.⁶

Effective Date of Ordinance

Under state law, an ordinance that increases a local tax or a tax rate takes effect as follows:

- (1) An ordinance adopted after December 31 of the immediately preceding year and before September 1 of the current year takes effect on October 1 of the current year.
- (2) An ordinance adopted after August 31 and before November 1 of the current year takes effect on January 1 of the following year.
- (3) An ordinance adopted after October 31 of the current year and before January 1 of the following year takes effect on October 1 of the following year.⁷

Therefore, for the proposed rate increase to take effect on January 1, 2021, the Tax Council would need to adopt an ordinance no later than October 31, 2020.

⁵ IC 6-3.6-3-8

⁶ Id.

⁷ IC 6-3.6-3-3



Permissible Uses of Revenue

Indiana Code § 6-3.6-10-2 details how the city may use revenues allocated for economic development, which includes the following purposes:

- (1) To pay all or a part of the interest owed by a private developer or user on a loan extended by a financial institution or other lender to the developer or user if the proceeds of the loan are or are to be used to finance an economic development project.
- (2) For the retirement of bonds for economic development projects.
- (3) For leases or for leases or bonds entered into or issued before the date the county economic development income tax was imposed if the purpose of the lease or bonds would have qualified as a purpose under this article at the time the lease was entered into or the bonds were issued.
- (4) The construction or acquisition of, or remedial action with respect to, a capital project for which the unit is empowered to issue general obligation bonds or establish a fund under any statute listed in [IC 6-1.1-18.5-9.8](#).
- (5) The retirement of bonds issued under any provision of Indiana law for a capital project.
- (6) The payment of lease rentals under any statute for a capital project.
- (7) Contract payments to a nonprofit corporation whose primary corporate purpose is to assist government in planning and implementing economic development projects.
- (8) Operating expenses of a governmental entity that plans or implements economic development projects.
- (9) Funding of a revolving fund established under [IC 5-1-14-14](#).
- (10) For a regional venture capital fund or a local venture capital fund.
- (11) *For any lawful purpose for which money in any of its other funds may be used.*

Notably, purpose (11) listed above provides for a broad range of uses for revenues allocated for economic development purposes.



Capital Improvement Plan Required

Under Indiana Code § 6-3.6-6-9.5, the city executive may adopt a capital improvement plan specifying the uses of the additional revenue allocated for economic development purposes. If the city fails to adopt a capital improvement plan, it may not receive its amount of additional revenue to be allocated for economic development purposes. Until such a plan is adopted, the County Treasurer would retain the amounts that would otherwise go to the city.

The capital improvement plan required under Indiana Code § 6-3.6-6-9.5 must include the following components:

- (1) Identification and general description of each project that would be funded by other additional revenue allocated for economic development purposes.
- (2) The estimated total cost of the project.
- (3) Identification of all sources of funds expected to be used for each project.
- (4) The planning, development, and construction schedule of each project.

A capital improvement plan must also:

- (1) encompass a period of not less than two (2) years; and
- (2) incorporate projects the cost of which is at least seventy-five percent (75%) of the fractional amount of additional revenue allocated for economic development purposes that is expected to be received by the county, city, or town in that period.

The draft capital plan included in this packet is not meant to meet all of these specific statutory requirements. Rather, it is meant to be illustrative. The administration has indicated it would complete a full capital plan as required by statute before the new tax rate would take effect on January 1, 2021.

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL**

**LAND USE COMMITTEE
WEDNESDAY, 09 SEPTEMBER 2020 at 6:00 PM**

Per Executive Orders issued by the Governor, this meeting will be conducted electronically. The public may access the meeting at the following link:

<https://bloomington.zoom.us/j/96508547280?pwd=OHYrRzJhQUdXVIRHUFRIQ3llyjBqQT09>

Chair: Isabel Piedmont-Smith

1. Ordinance 20-15 - To Rezone a 19.73 Acre Property from Employment (EM) to Residential Estate (RE)
– Re: 2300 W. Tapp Road (Duncan Campbell, Petitioner)

Asked to attend: Ryan Robling, Zoning Planner

Statement on public meetings during public health emergency:

As a result of Executive Orders issued by the Governor, the Council and its committees may adjust normal meeting procedures to adhere to guidance provided by state officials. These adjustments may include:

- *allowing members of the Council or its committees to participate in meetings electronically;*
- *posting notices and agendas for meetings solely by electronic means;*
- *using electronic meeting platforms to allow for remote public attendance and participation (when possible);*
- *encouraging the public to watch meetings via Community Access Television Services broadcast or livestream, and encouraging remote submissions of public comment (via email, to council@bloomington.in.gov).*

Please check <https://bloomington.in.gov/council> for the most up-to-date information about how the public can access Council meetings during the public health emergency.

(Continued on Next Page)

Posted: 04 September 2020

**NOTICE AND AGENDA
THE BLOOMINGTON COMMON COUNCIL**

**SPECIAL SESSION
WEDNESDAY, 09 SEPTEMBER 2020 AT 7:30 PM**

Per Executive Orders issued by the Governor, this meeting will be conducted electronically. The public may access the meeting at the following link:

<https://bloomington.zoom.us/j/96508547280?pwd=OHYrRzJhQUdXVIRHUFRiQ3lUYjBqQT09>

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES

25 September 2019 – Special Session
02 October 2019 – Regular Session
02 September 2020 – Regular Session

IV. LEGISLATION FOR FIRST READING AND RESOLUTIONS

1. Resolution 20-13 – Resolution Proposing an Ordinance to Modify the Monroe County Local Income Tax Rate, Allocate the Additional Revenues to Economic Development and Cast Votes in Favor of the Ordinance

Note: The Bloomington Common Council is a member of the Monroe County Local Income Tax Council. Before a member may propose an ordinance to the local income tax council, the member must hold a public hearing on the proposed ordinance and provide the public with notice of the time and place where the public hearing will be held. While discussion of Resolution 20-13 will occur tonight, a vote to adopt Resolution 20-13 can occur no earlier than September 16, 2020 (due to statutory advertising requirements), when the Common Council will hold a public hearing on the proposal.

V. COUNCIL SCHEDULE

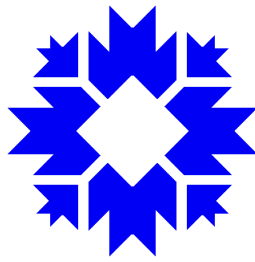
VI. ADJOURNMENT

Statement on public meetings during public health emergency:

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

NOTICE

Tuesday, 8 September 2020

**5:00 PM – Administration Committee
of the Common Council**

***Per [Executive Orders](#) issued by the Governor, this meeting will be conducted electronically. The public may access the meeting at the following link:
<https://bloomington.zoom.us/j/95186358052?pwd=RTRRN3RtS0RsR0hBMjhZbnVDZ3E2UT09>***

Statement on public meetings during public health emergency

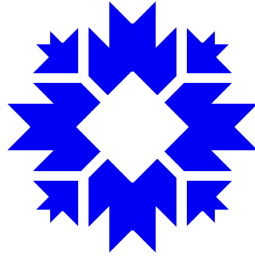
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As a quorum of the Council or its committees may be present, this gathering constitutes a meeting under the Indiana Open Door Law (I.C. § 5-14-1.5). For that reason, this statement provides notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.

Posted: Thursday, 03 September 2020



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

NOTICE

Wednesday, 09 September 2020 at 6:00 PM

Land Use Committee

***Per [Executive Orders](#) issued by the Governor, this meeting will be conducted electronically. The public may access the meeting at the following link:
<https://bloomington.zoom.us/j/96508547280?pwd=OHYrRzJhQUdXVIRHUFRiQ3llYjBqQT09>***

Statement on public meetings during public health emergency

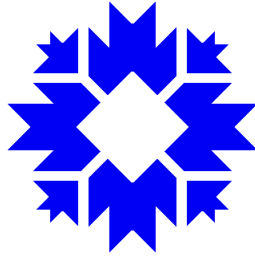
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Posted: Friday, 04 September 2020



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

NOTICE

Wednesday, 09 September 2020 at 7:30 PM

Special Session

***Per [Executive Orders](#) issued by the Governor, this meeting will be conducted electronically. The public may access the meeting at the following link:
<https://bloomington.zoom.us/j/96508547280?pwd=OHYrRzJhQUdXVIRHUFRiQ3llyjBqQT09>***

Statement on public meetings during public health emergency

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As a quorum of the Council or its committees may be present, this gathering constitutes a meeting under the 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, 04 September 2020

RESOLUTION 20-13

**RESOLUTION PROPOSING AN ORDINANCE TO MODIFY THE MONROE COUNTY
LOCAL INCOME TAX RATE, ALLOCATE THE ADDITIONAL REVENUES TO
ECONOMIC DEVELOPMENT AND
CAST VOTES IN FAVOR OF THE ORDINANCE**

WHEREAS, pursuant to Indiana Code § 6-3.6-3-1(a), the Monroe County Local Income Tax Council having previously adopted a County Option Income Tax under Indiana Code 6-3.5-6, the Monroe County Local Income Tax Council continues to serve as the adopting body for the Local Income Tax with, pursuant to Indiana Code 6-3.6-3-1(b), the same membership; and

WHEREAS, in September 2016, after notice and a hearing and in support of public safety for all county residents, the Monroe County Local Income Tax Council adopted an ordinance that increased the local income tax expenditure rate by twenty five hundredths percent (0.25%) (“2016 Increased Expenditure Rate”) from nine thousand four hundred eighty two ten-thousandths percent (0.9482%) (“Previous Expenditure Rate”) to one and one thousand nine hundred eighty two ten-thousandths percent (1.1982%) pursuant to Indiana Code § 6-3.6-6-2; and

WHEREAS, upon the passage of that 2016 ordinance, the total Local Income Tax Rate rose to one and three hundred forty five thousandths percent (1.345%), with the Increased Expenditure Rate allocated between the Public Safety Answering Point (“PSAP”) (0.0725%) and other public safety purposes (0.1775%) pursuant to Indiana Code § 6-3.6-6-8 (“Public Safety Income Tax”), and the Previous Expenditure Rate remaining allocated to Certified Shares pursuant to Indiana Code § 6-3.6-6-10; and

WHEREAS, in 2017, 2018, and 2019 the Monroe County Local Income Tax Council adopted ordinances modifying the allocation between the PSAP and other public safety purposes and said modifications took effect for fiscal years 2018, 2019, and 2020 as depicted in the following table:

Local Income Tax Type	2017	2018	2019	2020
Public Safety Answering Point Rate	0.0725%	0.0916%	0.0816%	0.0654%
Public Safety Rate	0.01775%	0.1584%	0.1684%	0.1846%

WHEREAS, the resulting overall Local Income Tax allocation as of January 1, 2020 is depicted in the following table and, pursuant to Indiana Code § 6-3.6-6-4, continues in effect until rescinded or modified:

Local Income Tax Type		Existing Rate	
Property Tax Relief Rate (Indiana Code 6-3.6-5)		0.0518%	
Total Expenditure Rate (Indiana Code 6-3.6-6)		1.1982%	
<i>Components of Total Expenditure Rate</i>	Public Safety		0.1846%
	Public Safety Answering Point		0.0654%
	Economic Development		0.0000%
	Certified Shares		0.9482%
Special Purpose Rate (Juvenile Local Income Tax) (Indiana Code 6-3.6-5)		0.095%	
Total:		1.345%	

WHEREAS, Indiana Code 6-3.6 permits a Local Income Tax rate to be imposed for, among other things, economic development purposes (Economic Development Income Tax or “EDIT”); and

WHEREAS, the Bloomington Common Council is a member of the Monroe County Local Income Tax Council and is adopting this resolution in order to propose to the other members of the Monroe County Local Income Tax Council the following ordinance; and

WHEREAS, pursuant to Indiana Code § 6-3.6-3-7, before a member of the Monroe County Local Income Tax Council may propose an ordinance or vote on a proposed ordinance, the member must hold a public hearing on the proposed ordinance and provide the public with the time and place where the public meeting will be held in accordance with Indiana Code 5-3-1 and include the proposed ordinance or resolution to propose an ordinance in that notice; and

WHEREAS, pursuant to Indiana Code § 6-3.6-3-7(d), the adopting body shall also provide a copy of the notice required by Indiana Code § 6-3.6-3-7(b) to all taxing units in the county at least ten (10) days before the public hearing; and

WHEREAS, the Bloomington Common Council has published notice in accordance with Indiana Code 5-3-1 and Indiana Code § 6-3.6-3-7 and has provided a copy of the notice to all taxing units in the county in accordance with Indiana Code § 6-3.6-3-7(d).

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

SECTION 1. A need now exists in Monroe County, Indiana, to impose an Economic Development Income Tax rate (“EDIT”) to serve economic development purposes throughout Monroe County. As a member of the Monroe County Local Income Tax Council, the Common Council of the City of Bloomington is adopting this resolution in order to propose the ordinance below to the other members of the Monroe County Local Income Tax Council.

**AN ORDINANCE OF THE MONROE COUNTY LOCAL INCOME TAX
COUNCIL MODIFYING LOCAL INCOME TAX RATES
WITHIN MONROE COUNTY**

**BE IT ORDAINED BY THE LOCAL INCOME TAX COUNCIL OF MONROE
COUNTY, INDIANA, THAT:**

1. A need now exists in Monroe County, Indiana, to impose an Economic Development Income Tax rate (“EDIT”) under Indiana Code § 6-3.6-6-4 to serve economic development purposes throughout Monroe County. The proposed EDIT rate is twenty-five hundredths percent (0.25%), resulting in the current total tax rate under Indiana Code 6-3.6-6 (“Expenditure Tax Rate”) of one and three hundred and forty-five thousandths percent (1.345%) increasing to one and five hundred ninety-five thousandths percent (1.595%).

2. For the avoidance of doubt, no change is intended or authorized by this Ordinance to: (1) the special purpose tax rate imposed by the Monroe County Council under Indiana Code § 6-3.6-7-16 (“Juvenile Local Income Tax”) (which is currently ninety five thousandths percent (0.095%)); (2) the property tax rate under Indiana Code 6-3.6-5 (“Property Tax Relief Rate”) (which is currently five hundred eighteen ten thousandths percent (0.0518%)); (3) the tax rate under Indiana Code § 6-3.6-6-10 (Certified Shares) (which is currently nine thousand four hundred and eighty two ten thousandths percent (0.9482%)) or (4) the public safety tax rate (“Public Safety Tax”) (currently twenty-five hundredths percent (0.25%)) which is divided between the Public Safety Answering Point (0.0654%) and the General Public Safety rate (0.1846%).

3. As a result of the actions in this Ordinance, the Local Income Tax will be allocated as follows, beginning on January 1, 2021:

Local Income Tax Type	2019 Rate	2020 Rate
Certified Shares (IC 6-3.6-3)	.9482%	.9482%
Public Safety:		
Public Safety Answering Point Rate	0.0816 %	0.0654%
Public Safety Rate	0.1684 %	0.1846%
Economic Development (IC 6-3.6-6)	0.0000%	0.25%
Property Tax Relief Rate (IC 6-3.6-5)	0.0518%	0.0518%
Special Purpose Rate (IC 6-3.6-5)	0.095%	0.095%
Total Tax Rate	1.345%	1.595%

The revenue associated with the EDIT rate shall be directed via the certified distribution to taxing units who are members of the Monroe County Local Income Tax Council as set forth under Indiana Code § 6-3.6-6-9.

5. For further avoidance of doubt, no other change in the ordinance adopted in 2019 is intended or authorized. In that regard, the ordinance affirms and clarifies that, pursuant to Indiana Code § 6-3.6-6-4, the Monroe County Local Income Tax Council continues to retain the right to change the allocation of taxes comprised within the expenditure rate on an annual basis. At this time in Monroe County, the components of the expenditure rate that may be affected by this allocation include the EDIT rate and the Total Tax Rate. Any future change to the allocation of these local income taxes must be done via an ordinance of the Monroe County Local Income Tax Council in a manner and with an effective date as set forth Indiana Code § 6-3.6-3-3, as may be amended by the Indiana General Assembly from time to time. Currently, the effective date for an ordinance increasing a tax rate adopted after August 31st and before November 1st of the current year is January 1 of the following year.
6. This ordinance shall take effect upon passage and in accordance with Indiana Code 6-3.6-3.
7. The Monroe County Auditor shall record all votes taken on this ordinance and immediately send a certified copy of the results to the Indiana Department of Revenue and Department of Local Government Finance by certified mail.
8. Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this resolution, to the extent feasible, shall remain in full force and effect.

SECTION 2. BE IT FURTHER RESOLVED that by adopting this resolution, the City of Bloomington Common Council is casting the number of votes recorded below of its fifty-eight and twenty-eight hundredths (58.28) votes as a member of the Monroe County Local Income Tax Council in favor of the proposed ordinance. In accordance with Indiana Code § 6-3.6-3-6, Indiana Code § 6-3.6-6-8, and the Monroe County Auditor’s 2020 Income Tax Council Voting Allocation, each member of the Bloomington Common Council may cast six and forty-eight hundredths (6.48) votes in favor of or against this Resolution.

SECTION 3. BE IT FURTHER RESOLVED that a public hearing was held on this resolution and the proposed ordinance on September 16, 2020. Proper notice of the public hearing was provided pursuant to IC 5-3-1 and IC 6-3.6-3-7.

SECTION 4. This resolution shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

Duly adopted by the following vote of the members of said Common Council of the City of
Bloomington, Monroe County, on this 16th day of September, 2020.

<u>Name</u>	<u>(circle one)</u>			<u>Signature</u>
Stephen Volan, President	Aye	Nay	Abstain	_____
Jim Sims, Vice President	Aye	Nay	Abstain	_____
Isabel Piedmont-Smith, Parliamentarian	Aye	Nay	Abstain	_____
Matt Flaherty	Aye	Nay	Abstain	_____
Dave Rollo	Aye	Nay	Abstain	_____
Kate Rosenbarger	Aye	Nay	Abstain	_____
Susan Sandberg	Aye	Nay	Abstain	_____
Sue Sgambelluri	Aye	Nay	Abstain	_____
Ron Smith	Aye	Nay	Abstain	_____

Total Number of Votes Cast in Favor of the Proposed Ordinance: _____

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana upon
this _____ day of September, 2020.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of September, 2020.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

Resolution 20-13 proposes an ordinance to the Monroe County Local Income Tax Council that would impose an economic development tax rate (“EDIT”). The Monroe County Local Income Tax Council is the body that must approve modifications to the Local Income Tax, and it consists of four member-fiscal bodies: (1) the City of Bloomington Common Council; (2) the Monroe County Council; (3) the Town of Ellettsville Town Council; and (4) the Town of Stinesville Town Council. This Resolution would cast some percentage of the City of Bloomington’s votes on the Monroe County Local Income Tax Council in favor of the Ordinance modifying the Local Income Tax to impose an EDIT, depending on the votes of the individual members of the City of Bloomington Common Council.

**CITY OF BLOOMINGTON
LEGAL DEPARTMENT
MEMORANDUM**

TO: Members of the Common Council of the City of Bloomington

FROM: Mayor John Hamilton

CC: Stephen Lucas, Council Administrator/Attorney
Philippa Guthrie, Corporate Counsel, City of Bloomington

RE: Ordinance 20-13

DATE: September 9, 2020

The Administration proposes an increase to the Monroe County Local Income Tax (“LIT”) rate, which is governed by the provisions of Indiana Code 6-3.6-1, *et seq.*, to be allocated to economic development. This memo provides the reasons for enacting a LIT increase of 0.25%, as well as information on the LIT process and the proposed change.

The Administration proposes this modest increase for several reasons. First, our local economy has been devastated by the COVID-19 pandemic and we need to find sustainable ways to reverse the decline. The LIT offers one of the few ways that local governments in Indiana are able practically to generate new revenue.

Second, the administration believes it is imperative to take advantage of this source of sustainable funding now, as we see certain revenues significantly reduced already – gas tax, parks program revenues, and Food & Beverage revenues for example – and other revenues predicted to be negatively affected over the next several years, as well as uncertainty over our ability to determine future revenue choices. Without new revenues, we may find ourselves struggling responsibly to fund even basic services we provide.

Third, our recovery depends not just on short-term fixes to our precipitous economic decline, but on our long-term ability to address major challenges that seriously threaten our community’s future health and vitality. Those challenges include economic inequality, racial inequality and injustice, and climate change. The COVID pandemic has unfortunately widened already existing economic disparities among our residents, and these added major challenges threaten to exacerbate the situation. It is critical that we have resources needed to Recover Forward into a more equitable and just future in order to achieve a sustainable economic health.

It is important to note that Monroe County has a very low income tax rate, in fact the lowest among our 7 contiguous counties and the 3rd lowest of 21 counties in our region. The proposed 0.25% increase would move us only to the 2nd lowest of the 7 contiguous counties and 5th lowest of the 21 regionally (and the county with that potential lowest rate, Owen, is actively considering an increase that would again place Monroe with the lowest rate of the 7). It is also worth noting that current state law places a maximum cap of 2.5% on the total baseline income tax a local jurisdiction may impose. Thus, even after this modest proposed increase we will still

be below that maximum by nearly a full percentage point (and well below the state average of county rates as well). Thus, our local Tax Council retains very substantial ability, if needed, to increase the rate in the future for unforeseen or additional needs, unfunded mandates, supplement lost revenues due to property tax caps or other lost or reduced revenue sources.

The administration proposes to create a separate fund to receive the increased EDIT revenues from which annual appropriations would be made, to strengthen and institutionalize full transparency, reporting and accountability for the uses and impact of the increased revenues. The administration supports regular review of the fund and its uses, to consider its relevance and ongoing need. In addition, the Capital Plan that is required by state law to guide the expenditures will be reviewed regularly with the Council and the public.

As a precursor and preview of the Capital Plan -- which is expected to be established by first quarter 2021 -- and as an outline of the appropriation ordinance(s) that would be required before any expenditures of the new revenues could take place, the Administration is including with this proposal an itemization of potential uses of new revenue in a series of projects and needs that we believe embody the type of expenditures expected in the future.

The LIT revenues will be directed at protecting our basic services and improving our overall economy by supporting sustainable economic development projects and programs to help create jobs and support small businesses, with a focus on those who are and have been struggling to survive at a very basic level, and on recovering toward a more equitable economy and community. The Administration believes that true economic development requires a commitment to equity and sustainability, to helping grow jobs as well as quality of life for all those living in the community, in ways that enhance justice for all. Otherwise, economic development can amplify inequities or injustice and diminish our collective future as a community.

The following projects and programs are illustrative of the investments the EDIT revenues could support, in advancing these community-wide, economic development goals. A more detailed document is also shared to amplify details for these potential activities. But as mentioned, these are only proposed as potential uses -- in the months ahead significant additional public input will inform the Capital Plan and the City Council appropriation ordinance that would eventually deploy any such investments:

- Net new job incentives for small businesses, in particular to employ unemployed, under-employed, and returning citizens
- Support for life sciences employers to hire new employees facing barriers to entry
- Energy efficiency improvements, including weatherization and solar, to lower costs and carbon footprints of low- and moderate-income households and small businesses, in order to advance economic equity and climate progress for a sustainable community
- Sidewalk and sidepath enhancements to facilitate more equitable transportation options
- Transportation Demand Management programs to reduce reliance on single-rider auto usage in local employers
- Support for local agriculture, community gardens and food systems to enhance local employment and a more resilient community
- Investments in the arts community to support local employment and higher quality of life for all
- Support for child care costs of low- and moderate-income workers, to facilitate more equitable access to employment

- Investments in digital equity to enhance access to employment, health care, and education to low- and moderate-income households or others lacking access to the internet
- Support for individuals and households threatened with or experiencing homelessness, to facilitate equitable access to employment, health care and education
- Down payment and second mortgage assistance to first-time home buyers to diminish inequitable access to the stability and wealth building of home ownership in a high-cost housing market
- Support for social service agencies that enhance opportunity and justice for all in the community, facilitating access to health care, housing, education and employment
- Program to replace all street lights with LEDs, to reduce operational costs and lower our collective carbon footprint
- Expanded composting options for commercial and residential locations
- ITS mission critical network hardware, to facilitate government operations and community digital access, in light of declining telecommunications funding revenues

Funding these kinds of efforts will bolster our collective economic and community resilience, and steer us toward a better future. An extensive public process will prioritize and allocate among these and other potential options, in connection with any appropriations to be made in coming years after the tax is implemented.

Background on the LIT

The Monroe County Local Income Tax Council (“LIT Council”) serves as the adopting body for the LIT, with the members of the LIT Council consisting of the four fiscal bodies in the County: the Bloomington Common Council, the Monroe County Council, the Ellettsville Town Council, and the Stinesville Town Council.

In September 2016, the LIT Council adopted an ordinance that increased the existing local income tax rate by 0.25% and allocated the increased revenues to public safety purposes, with separate allocations for both the Public Safety Answering Point (“PSAP” also known as “Dispatch”) and for other public safety purposes. Subsequently, in 2017, 2018, and 2019 the LIT Council adopted ordinances modifying the allocation between the PSAP and other public safety purposes depending on the needs foreseen for the upcoming years. The resulting overall Local Income Tax rates and allocations as of January 1, 2020 are depicted in the following table:

Local Income Tax Type		Existing Rate
Property Tax Relief Rate (Indiana Code 6-3.6-5)		0.0518%
Total Expenditure Rate (Indiana Code 6-3.6-6)		1.1982%
<i>Components of Total Expenditure Rate</i>	Public Safety	0.1846%
	Public Safety Answering Point	0.0654%
	Economic Development	0.0000%
	Certified Shares	0.9482%
Special Purpose Rate (Juvenile Local Income Tax) (Indiana Code 6-3.6-5)		0.095%
Total:		1.345%

In addition to allocations noted above, Indiana Code 6-3.6-6-4 permits a LIT rate to be imposed for economic development purposes. This allocation is commonly referred to as the Economic Development Income Tax or “EDIT.” The Administration proposes an ordinance that would increase the overall LIT rate by 0.25% and allocate the increase to economic development throughout Monroe County. This increase would generate an estimated \$4 million a year for our County.

Currently, the effective date for an ordinance increasing a tax rate adopted after August 31st and before November 1st of the current year is January 1 of the following year. The resulting LIT would therefore be allocated as follows, beginning on January 1, 2021:

Local Income Tax Type	2019 Rate	2020 Rate
Certified Shares (IC 6-3.6-3)	.9482%	.9482%
Public Safety:		
Public Safety Answering Point Rate	0.0816 %	0.0654%
Public Safety Rate	0.1684 %	0.1846%

Economic Development (IC 6-3.6-6)	0.0000%	0.25%
Property Tax Relief Rate (IC 6-3.6-5)	0.0518%	0.0518%
Special Purpose Rate (IC 6-3.6-5)	0.095%	0.095%
Total Tax Rate	1.345%	1.595%

The additional revenue from the EDIT rate would be directed via the certified distribution to the taxing units in the County who are members of the Monroe County Local Income Tax Council as provided in Indiana Code § 6-3.6-6-9.

There has recently been a change to the voting procedure for the LIT Council. Each member council of the LIT Council is allocated a portion of the 100% total voting percentage based on population. The Common Council's voting allocation is 58.28%. Prior to the 2020 Indiana legislative session, if a majority of the individuals making up a member council voted in favor of, or against, a proposed LIT ordinance, that majority vote served to cast the member's entire percentage of votes in favor of or against the measure. Due to amendments made during the 2020 session, however, each individual on each member Council now has a proportional voting percentage of that member's total voting percentage. Therefore, in accordance with Indiana Code §§ 6-3.6-3-6 and 8, and the Monroe County Auditor's 2020 Income Tax Council Voting Allocation, each member of the Bloomington Common Council may cast six and forty-eight hundredths (6.48) votes in favor of or against this Resolution.

This voting procedure is currently only in place until May of 2021 as the legislature has signaled its intent to look at more comprehensive changes to the LIT in the 2021 session.

Thank you for your consideration, and the Administration asks for your support of this ordinance.

seen through the lenses of Climate Justice (CJ) Economic Justice (EJ) Racial Justice	RECOVER FORWARD PACKAGE: DRAFT 5-Year Capital Plan			D R A F T						
	ED-Local Income Tax									
	Potential Projects / Programs			2022	2023	2024	2025	2026	Special Fund Sources	Notes
CJ and EJ	Lower Energy Use/Cost for Built Environment	Subsidies for energy conservation investments, homes/apartments/businesses, & jobs (inc plumbing, appliances, etc)	350,000	350,000	350,000	350,000	350,000			Target low/mod areas and individuals; compare map on Solarize distribution
CJ		LED replacements, all street lights	300,000	300,000	300,000	300,000	300,000			Five-year payment plan for 100% replacement
CJ and EJ	Improve Mobility Options	Sidewalk and Path enhancements (maintenance)	400,000	400,000	400,000	400,000	400,000			Both contracted and matching program
CJ and EJ		Accessibility improvements for BT stops	25,000	25,000	25,000	25,000	25,000			Continued enhancement of BT accessibility
CJ and EJ and RJ		Transportation Demand Management (TDM) Program	250,000	275,000	300,000	350,000	400,000			Operational funds for TDM efforts, including EV infrastructure deployments and covered bicycle parking
CJ and EJ and RJ		High Priority Bicycle Network per Adopted Transportation Plan		1,250,000	1,250,000	1,250,000	1,250,000	Matching State/Federal Grants		Estimate to complete 32 capital projects that total approximately 21 miles in total length (leveraging federal grants and annual budget; 2022 grant funded presently)
CJ and EJ and RJ		High Priority Trail network projects per parks/greenway Master Plan	750,000	750,000	750,000	750,000	750,000	Matching State/Federal Grants		Cascades phase 4; Jackson Creek
CJ and EJ and RJ	Improve Local Food	Local Agriculture support	200,000	200,000	200,000	200,000	200,000			Broad local agriculture program support, including personnel to support
EJ and RJ	Other Quality of Life	Jack Hopkins Special Round - above current program	300,000	300,000	300,000	300,000	300,000			City Council determines criteria / directions
EJ		Arts Community, recovery grants - operational grants, expansions	300,000	350,000	350,000	350,000	350,000	BUEA		Waldron support, BCT annual operating \$50k included
EJ and RJ		Digital Equity investments, for low-income students/residents (WiFi? etc?)	50,000	50,000	50,000	50,000	50,000			High impact, equity-focused opportunities
EJ and RJ		Fire Department, pilot community paramedicine preventive care (PS-LIT)	50,000	100,000	100,000	100,000	100,000	PS-LIT		Use EMS for preventive care, outreach to high 9-1-1 users
CJ and EJ and RJ		Parks Capital Improvements	150,000	175,000	200,000	225,000	250,000			Annual replacement of playgrounds and other parks amenities.
CJ and EJ and RJ		Urban Forestry, Tree Pruning and Planting	350,000	350,000	350,000	350,000	350,000			Management, maintenance of urban forest and planting of trees and native vegetation.
CJ		Curbside Composting Program				875,000	875,000	MC Solid Waste District		Potential support from county wide effort, MCSWD, addressing 40% of waste stream (3rd year est: \$500k)
	Jobs Supports	Helping underemployed and underserved residents with new jobs, thru Building Trades program for new workers, Re-Entry program for long-out-of-workforce, Parks & Rec and Centerstone partnership for public works efforts, and direct net jobs support. Max \$5,000 per job subsidy	375,000	375,000	375,000	375,000	375,000			Helps small businesses grow good jobs, hire nontraditional employees
EJ and RJ		Life science job support (and support to other key traded sectors)	50,000	50,000	50,000	50,000	50,000			Helps nontraditional employees access a key sector
EJ		Child Care support, focused on low/mod households	150,000	150,000	150,000	150,000	150,000			Replacing ESD annual budget now at \$100K
EJ and RJ	Housing Supports	\$10,000 downpayment assistance for home buyer (< 120% AMI)	100,000	100,000	100,000	100,000	100,000			10-12/year first time homebuyers helped
		Up to \$50,000 (and at least 20% of sale price) per home buyer, shared-appreciation, low-cost 2nd mortgage (< 120% AMI)	300,000	300,000	300,000	300,000	300,000	Housing Development Fund		6-8/year first time homebuyers helped
EJ and RJ		Services to people experiencing or at risk of homelessness	250,000	250,000	250,000	250,000	250,000			Direct assistance to most vulnerable - rehousing, emergency needs, eviction protection
	City Govt Infrastructure	IT infrastructure upgrades	250,000	300,000	350,000	400,000	500,000			Replacing declining Telecom Fund, and upgrading essential IT infrastructure
CJ		City Facility Upgrades (Capital Improvement Plans Completed)	350,000	350,000	350,000	350,000	350,000			List based on Overall Condition Index of facilities; includes interior and exterior energy efficiency improvements.
	Cost Adjustments:	Housing Development Fund, dedicated to housing programs	-200,000	-200,000	-200,000	-200,000	-200,000			
		PS-LIT, for Fire Dept pilot program	-50,000	-100,000	-100,000	-100,000	-100,000			
		General overhead/admin expenses (4%)	212,000	270,000	274,000	314,000	321,000			
	NET COST		5,262,000	6,720,000	6,824,000	7,864,000	8,046,000			



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

Council Meeting Minutes for Approval

09 September 2020

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, September 25, 2019 at 6:32pm, Council President Dave Rollo presided over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
September 25, 2019

Councilmembers present: Andy Ruff, Isabel Piedmont-Smith, Dorothy Granger, Dave Rollo, Stephen Volan, Jim Sims, Chris Sturbaum, Susan Sandberg
Councilmembers absent: Allison Chopra

ROLL CALL [6:33pm]

Council President Dave Rollo summarized the agenda.

AGENDA SUMMATION [6:34pm]

APPROVAL OF MINUTES [6:35pm]

Volan moved and it was seconded to approve the minutes of August 14, 2019. The motion was approved by voice vote.

August 14, 2019 (Regular Session)

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

Volan moved and it was seconded that Resolution 19-14 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: 7, Nays: 0, Abstain: 0.

Resolution 19-14 Resolution Proposing an Ordinance Modifying Local Income Tax Allocations in Monroe County and Casting Fifty-Eight Votes in Favor of the Ordinance - Re: Adjusting the Allocations between the Public Safety Answering Point (PSAP) and General Public Safety Purposes Tax Rates Without Changing Other Allocations or the Total Expenditure Tax Rate

Volan moved and it was seconded that Resolution 19-14 be adopted.

Piedmont-Smith presented the legislation. She explained that the adjustment of the allocation between the public safety answering point (PSAP) and the general public safety purposes tax rates did not change the other allocations or the total expenditure tax rate.

Council questions:

There were no council questions.

Public comment:

There was no public comment.

Council comment:

There were no final comments.

The motion to adopt Resolution 19-14 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Resolution 19-14
[6:41pm]

LEGISLATION FOR FIRST
READING [6:41pm]

Volan moved and it was seconded that Appropriation Ordinance 19-05 be read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Appropriation Ordinance 19-05
An Ordinance for Appropriations and Tax Rates (Establishing 2020 Civil City Budget for the City of Bloomington)

Volan moved and it was seconded that Appropriation Ordinance 19-06 be read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Appropriation Ordinance 19-06
An Ordinance Adopting a Budget for the Operation, Maintenance, Debt Service and Capital Improvements for the Water and Wastewater Utility Departments of the City of Bloomington, Indiana for the Year 2020

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

Appropriation Ordinance 19-07
Appropriations and Tax Rates for
Bloomington Transportation
Corporation for 2020

Volan moved and it was seconded that Ordinance 19-20 be read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Ordinance 19-20 An Ordinance
Fixing the Salaries of Officers of
the Police and Fire Departments
for the City of Bloomington,
Indiana, for the Year 2020

Volan moved and it was seconded that Ordinance 19-21 be read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Ordinance 19-21 An Ordinance
Fixing the Salaries of Appointed
Officers, Non-Union and
A.F.S.C.M.E. Employees for All the
Departments of the City of
Bloomington, Monroe County,
Indiana, for the Year 2020

Volan moved and it was seconded that Ordinance 19-22 be read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.

Ordinance 19-22 To Fix the
Salaries of All Elected City Officials
for the City of Bloomington for the
Year 2020

Dan Sherman, Council Attorney, reviewed the upcoming council schedule.

COUNCIL SCHEDULE [6:45pm]

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

ADJOURNMENT [6:47pm]

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, October 02, 2019 at 6:30pm, Council President Dave Rollo presided over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
October 02, 2019

Councilmembers present: Andy Ruff (arrived at 7:32pm), Allison Chopra (left at 10:41pm), Isabel Piedmont-Smith, Dorothy Granger (left at 7:56pm), Dave Rollo, Stephen Volan, Jim Sims, Susan Sandberg
Councilmembers absent: Chris Sturbaum

ROLL CALL [6:30pm]

Council President Dave Rollo summarized the agenda.

AGENDA SUMMATION [6:32pm]

APPROVAL OF MINUTES [6:34pm]

Volan moved and it was seconded to approve the minutes of September 25, 2019. The motion was approved by voice vote.

September 25, 2019 (Special Session)

Rollo recognized Lee Huss for serving as City of Bloomington Urban Forester from 1983-2019.

REPORTS

- COUNCIL MEMBERS [6:35pm]
- The MAYOR AND CITY OFFICES
- COUNCIL COMMITTEES
- PUBLIC [6:40pm]

There were no reports from the Mayor or other city offices.

There were no council committee reports.

Greg Alexander spoke about sidewalks and pedestrian deaths.

Paul Post, Fraternal Order of Police, Lodge 88, spoke about the Bloomington Police Department contract negotiations.

Piedmont-Smith moved and it was seconded to appoint Eoban Binder to the Parking Commission. The motion was approved by voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS [6:48pm]

Piedmont-Smith moved and it was seconded to appoint Katie Rodriguez to the Commission on the Status of Children and Youth. The motion was approved by voice vote.

LEGISLATION FOR SECOND
READING AND RESOLUTIONS
[6:50pm]

Volan moved and it was seconded that Resolution 19-15 be read by title and synopsis only. The motion was approved by voice vote. Deputy Clerk Nico Sigler read the legislation by title and synopsis.

Resolution 19-15 Preliminary Approval to Issue Economic Development Bonds and Lend the Proceeds for the Renovation of Affordable Housing – Re: Walnut Woods, 818 E. Miller Drive, and Reverend Butler Apartments, 1202 W. 11th Street (Bloomington RAD, I, LP, Petitioner)

Volan moved and it was seconded that Resolution 19-15 be adopted.

Tyler Kalachnik, from Ice Miller in Indianapolis, explained the preliminary details of the bond request. Amber Skoby, Bloomington Housing Authority, provided information on Walnut Woods and Reverend Butler Apartments and the planned updates. Kalachnik explained the Rental Assistant Demonstration (RAD).

Sandberg asked about the current occupancy for the properties.

Skoby said that the Reverend Butler and Walnut Woods properties were about 85% occupied, and that the vacant units were not being filled until the renovations were complete. There was further discussion about the units and occupancy.

Piedmont-Smith asked about the new roofs and if the material would be reflective.

Skoby said she would research and get back to council.

Piedmont-Smith asked about the diversification of industry clause in the resolution.

Kalachnik said it was based on state statute, and that affordable housing was diverse from market-rate housing.

Sims asked about completion date.

Skoby said it was estimated that from start to finish would be 18 months. There was further discussion about the retention of jobs.

Sims inquired about hiring local and lower socio-economic entities.

Skoby stated that they were working with the Housing and Neighborhood Development department (HAND) and other local groups that had lists of women-owned and minority business enterprises.

Rollo asked about high-efficiency appliances and low energy use.

Skoby said they were implementing energy efficiency measures.

Piedmont-Smith moved and it was seconded to adopt Amendment 01 to Resolution 19-15.

Resolution 19-15 (cont'd)
Council questions:

Amendment 01 to Resolution 19-15

Amendment 01 synopsis: This amendment is sponsored by Cm. Piedmont-Smith and strikes reference to some statutory purposes that do not seem related to this project.

Piedmont-Smith explained the amendment was intended to strike the diversification of industry clause from the legislation.

There was no public comment.

Public comment:

The motion to adopt Amendment 01 to Resolution 19-15 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0 (Ruff, Sturbaum absent)

Vote to adopt Amendment 01 to Resolution 19-15 [7:13pm]

There was no public comment.

Public comment:

Granger said she supported the project.

Council comment:

The motion to adopt Resolution 19-15 as amended received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0 (Ruff, Sturbaum absent).

Vote to adopt Resolution 19-15 as amended [7:14pm]

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

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

Barbara McKinney, Human Rights Director/Attorney, presented the legislation.

Piedmont-Smith asked if the city relied on employees to self-report potential conflicts of interest.

McKinney said that was correct.

Piedmont-Smith asked what would happen if another employee knew about a non-disclosed conflict of interest.

McKinney said employees should report it to the department head.

There was no public comment.

Sandberg thanked McKinney, and said it was reassuring to know the city was going above and beyond what was required by law.

Piedmont-Smith said she supported the legislation, and appreciated the gender neutral language.

The motion to adopt Ordinance 19-19 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0 (Ruff, Sturbaum absent).

Volan moved and it was seconded that Resolution 19-17 be introduced and read by title and synopsis only. The motion was approved by voice vote. Sigler read the legislation by title and synopsis

Volan moved and it was seconded that Resolution 19-17 be adopted.

Piedmont-Smith read the full text of the legislation for the council.

Chopra thanked Piedmont-Smith for the work she put into the legislation.

There were no council questions.

Caleb King spoke in favor of the resolution, and said that it would mean a lot to future indigenous students.

Nicky Belle, Director of the First Nations Educational & Cultural Center, thanked Piedmont-Smith for her work, and said he was looking forward to what it would mean for the future.

Agnes Woodward thanked the council for the legislation and said that it meant a lot to her family.

Keisha Beyal thanked Piedmont-Smith for the legislation. She said she saw it as a step towards progress.

Volan spoke about the history of Indiana, and said he was grateful to his colleagues and members of the public who showed up in support of the legislation.

Ordinance 19-19 To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration and Personnel" - Re: Amending Title 2 to Create a Procedure to Address Conflicts of Interest by Employees Responsible for Issuing Permits

Council questions:

Public comment:

Council comment:

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

Resolution 19-17 To Declare the Second Monday of October as Indigenous Peoples' Day in the City of Bloomington and Encouraging Other Institutions to Recognize the Day

Council questions:

Public comment:

Council comment:

Granger talked about the importance of shifting the historical focus, and said she was proud of the small step the council was taking that evening.

Sims thanked Piedmont-Smith, Chopra, and Granger for sponsoring the legislation. He said he supported the resolution and that it enhanced the feeling of inclusiveness.

Sandberg spoke in support of the resolution.

Piedmont-Smith thanked Lindsey Hummel and Nicky Belle for their help writing the legislation. She read a Christopher Columbus quote, and talked about how shameful parts of the country's history was. She hoped the resolution would be a step toward changing history. She clarified what the resolution would mean for the city.

Rollo spoke in favor of the resolution.

The motion to adopt Resolution 19-17 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0 (Sturbaum absent).

Volan moved and it was seconded that Resolution 19-16 be introduced and read by title and synopsis only. The motion was approved by voice vote. Sigler read the legislation by title and synopsis

Volan moved and it was seconded that Resolution 19-16 be adopted.

Mike Diekhoff, Chief of Police, presented the legislation.

Chopra asked if there were requirements for how the funds from the grant were spent.

Diekhoff said there were.

There was no public comment.

Sims said he was sure that there would be good records kept on how the grant was spent.

The motion to adopt Resolution 19-16 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0 (Sturbaum absent).

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

Resolution 19-17 (cont'd)

Vote to adopt Resolution 19-17
[7:48pm]

Resolution 19-16 To Approve an Interlocal Cooperation Agreement with the County in Regards to Use of 2019 Edward Byrne Memorial Justice Assistance Grant (JAG)

Council questions:

Public comment:

Council comment:

Vote to adopt Resolution 19-16
[7:51pm]

Council Recess [7:51-7:56pm]

LEGISLATION FOR FIRST
READING [7:56pm]

Volan moved and it was seconded that Ordinance 19-24 be read by title and synopsis only. The motion was approved by voice vote. Sigler read the legislation by title and synopsis.

Ordinance 19-24 To Repeal and Replace Title 20 of the Bloomington Municipal Code entitled, "Unified Development Ordinance"

Rollo moved and it was seconded to announce and approve the following motion related to the Council consideration of the Ordinance 19-24, Unified Development Ordinance (UDO).

Notice and Announcement Regarding Consideration of the UDO

I move that the Council provide notice of, and announce, the following statement about Council consideration of Ordinance 19-24 (UDO) and direct the City Clerk to enter it into the memoranda and minutes:

In accordance with IC 36-7-4-606(c), the Common Council is providing notice of, and announcing the following:

First, it will begin its formal deliberations on Ordinance 19-24, which repeals and replaces Title 20 of the municipal code entitled "Unified Development Ordinance," at its Regular Session on Wednesday, October 16, 2019 at 6:00 p.m. This meeting will be held in the Council Chambers, Room 115, 401 North Morton Street, Bloomington, Indiana and will start a half-hour earlier than normal Council Regular Sessions.

At this meeting, the Council intends to learn about, discuss, and hear public comment on Chapter 1 (Ordinance Foundation) and Chapter 2 (Districts), and announce the date, time, and place for further meetings.

Second, the Council intends to continue the hearing to future meetings and may, as found necessary, revise that schedule. The dates, times, and places of those meetings will be announced at a meeting of the Council, posted in accordance with IC 5-14-1.5-5 (Open Door Law), and will be available at the City Council's website. The website will also include other pertinent and useful information and can be found at:
<https://bloomington.in.gov/council/plan-schedule>.

Third, the Council will hear written objections that have been filed with the following offices at or before the hearing: Office of City Clerk, Room 110, City Hall, 401 N. Morton Street, P.O. Box 100, Bloomington, Indiana, 47402, or Monroe County Auditor at 100 W. Kirkwood Avenue, Bloomington, IN, 47404.

The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0 (Granger, Sturbaum absent).

Volan moved and it was seconded to adopt a schedule for the Common Council's consideration of Ordinance 19-24.

Volan gave a summary of the proposed schedule.

There was council discussion related to the motion.

The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0 (Granger, Sturbaum absent).

Ordinance 19-24 (cont'd)

Dan Sherman, Council Attorney, suggested that the council consider a motion to structure debate on October 16, 2019.

Chopra moved and it was seconded to schedule the meeting for October 16, 2019 to start at 6:00 p.m. and recess no later than 10:00 p.m. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0 (Granger, Sturbaum absent).

There was additional council discussion about structuring debate during the UDO review process.

There was no additional public comment.

ADDITIONAL PUBLIC COMMENT

Sherman reviewed the upcoming council schedule.

COUNCIL SCHEDULE [8:29pm]

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

ADJOURNMENT [8:31pm]

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 Bloomington, Indiana on Wednesday, September 02, 2020 at 6:30pm, Council President Stephen Volan presided over a Regular Session of the Common Council. Per the Governor's Executive Orders, this meeting was conducted electronically.

COMMON COUNCIL
REGULAR SESSION
September 02, 2020

Councilmembers present via teleconference: Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger, Susan Sandberg, Sue Sgambelluri, Jim Sims, Ron Smith, Stephen Volan
Councilmembers absent: none

ROLL CALL [6:31pm]

Council President Stephen Volan summarized the agenda.

AGENDA SUMMATION [6:31pm]

Piedmont-Smith moved and it was seconded to approve the minutes of September 04, 2019. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

APPROVAL OF MINUTES [6:33pm]

September 04, 2019 (Regular Session)
September 16, 2019 (Special Session)
September 18, 2019 (Regular Session)

Piedmont-Smith moved and it was seconded to approve the minutes of September 16, 2019 as revised and the minutes of September 18, 2019. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Piedmont-Smith reminded people to wear face masks.

REPORTS

Sgambelluri told people about an upcoming constituent meeting.

- COUNCIL MEMBERS [6:35pm]

Mayor John Hamilton gave a presentation on the health emergency. He also asked the council to schedule a special session to consider a modification of the local income tax rate.

- The MAYOR AND CITY OFFICES [6:38pm]

Lauren Travis, Assistant Director of Sustainability, presented the Climate Vulnerability Assessment Report. There was council discussion following the report.

There were no council committee reports.

- COUNCIL COMMITTEES [6:48pm]

Randy Paul spoke about the Election Board meeting.

- PUBLIC [7:18pm]

Greg Alexander spoke about sidewalks proposed in the budget hearings. He also spoke about the proposed modification to the local income tax.

Janna Arthur urged the council to take anti-racist training offered by the local Black Lives Matter organization. She also asked that they declare racism a public health emergency,

There were no appointments to boards or commissions.

APPOINTMENTS TO BOARDS AND COMMISSIONS

LEGISLATION FOR FIRST READING [7:28pm]

Piedmont-Smith moved and it was seconded that Ordinance 20-15 be read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. City Clerk Nicole Bolden read the legislation by title and synopsis.

Ordinance 20-15 - To Rezone a 19.73 Acre Property from Employment (Em) to Residential Estate (Re) - Re: 2300 W. Tapp Road (Duncan Campbell, Petitioner)

There was no public comment.

ADDITIONAL PUBLIC COMMENT

Stephen Lucas, Council Attorney, reviewed the council schedule. COUNCIL SCHEDULE [7:29pm]

Volan scheduled a Land Use Committee meeting on Wednesday, September 9, 2020 at 6:00pm, with a Special Session of the Council to begin at 7:30pm on the same night.

Piedmont-Smith moved and it was seconded to extend the suspension of the rules under BMC 2.04.255 and 2.04.270 until December 31, 2020 to give the Council President, in consultation with the Vice President and the various committee chairs, the authority to approve the agendas and starting times for meetings of council standing committees. The President shall also have the authority to refer legislation to the appropriate committee before the meeting at which the legislation is introduced for first reading, but such a referral may be changed by a motion approved by a majority of the Council when the legislation is introduced for first reading. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 1 (Sandberg).

Piedmont-Smith moved and it was seconded to adjourn. The motion was approved by voice vote. ADJOURNMENT [7:39pm]

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