

<p>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.</p>	<p>COMMON COUNCIL REGULAR SESSION May 1, 2019</p>
<p>Members Present: Ruff, Chopra (left at 10:47pm), Piedmont-Smith, Granger, Rollo, Volan, Sims, Sturbaum, Sandberg Members Absent: None</p>	<p>ROLL CALL [6:33pm]</p>
<p>Council President Dave Rollo summarized the agenda.</p>	<p>AGENDA SUMMATION [6:33pm]</p>
<p>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.</p>	<p>APPROVAL OF MINUTES [6:36pm] February 20, 2019 March 20, 2019</p>
<p>Granger moved and it was seconded to approve the minutes of March 20, 2019. The motion was approved by voice vote.</p>	
<p>Councilmember Susan Sandberg reminded people that Jack Hopkins Grant presentations were scheduled for the following evening.</p>	<p>REPORTS</p>
<p>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.</p>	<ul style="list-style-type: none"> <li>COUNCIL MEMBERS [6:35pm]</li> </ul>
<p>Councilmember Jim Sims reported that several organizations were providing free rides to the polls on election day.</p>	
<p>Councilmember Steve Volan spoke about the Unified Development Ordinance (UDO) revision process.</p>	
<p>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.</p>	
<p>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.</p>	<ul style="list-style-type: none"> <li>The MAYOR AND CITY OFFICES [6:40pm]</li> </ul>
<p>City Clerk Nicole Bolden accepted the proclamation and thanked the administration and the council.</p>	
<p>There were no reports from council committees.</p>	<ul style="list-style-type: none"> <li>COUNCIL COMMITTEES [6:50pm]</li> </ul>
<p>Jennifer Martin-Herring spoke in opposition to the UDO, and discussed a petition she circulated.</p>	<ul style="list-style-type: none"> <li>PUBLIC [6:53pm]</li> </ul>
<p>Richard Linnemeier spoke about the risk of having student housing mixed in with family neighborhoods.</p>	
<p>Steve Layman spoke in support of Martin-Herring's petition.</p>	
<p>Christine Linnemeier spoke in support of Martin-Herring's petition.</p>	
<p>Paul Post, Fraternal Order of Police, spoke to the Council about the need for a better contract for the Bloomington Police Department.</p>	

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 <u>Ordinance 19-10</u> 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 <u>Ordinance 19-10</u> be adopted.	<u>Ordinance 19-10</u> 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 <u>Ordinance 19-10</u> received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.	Vote to adopt <u>Ordinance 19-10</u> [7:34pm]
Volan moved and it was seconded that <u>Ordinance 19-09</u> 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.	<u>Ordinance 19-09</u> 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 <u>Ordinance 19-09</u> be adopted.	
Volan moved and it was seconded to suspend the rules to structure deliberations on <u>Ordinance 19-09</u> 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 <u>Ordinance 19-09</u> received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.	Vote to suspend the rules to structure and limit deliberation on <u>Ordinance 19-09</u> [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 (C1) 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.

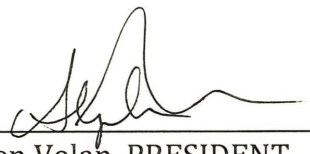
Piedmont Smith moved and it was seconded to recess until a Special Session on May 15, 2019 at 6:30pm for continued consideration of Ordinance 19-09. The motion to recess Ordinance 19-09 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.


RECESS [11:42PM]

APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 16<sup>th</sup> day of September, 2020.  
4<sup>th</sup> day of March, 2020 NB

APPROVE:

ATTEST:

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

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

