

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, 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

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

- COUNCIL MEMBERS [6:35pm]

There were no council committee reports.

- The MAYOR AND CITY OFFICES

Greg Alexander spoke about sidewalks and pedestrian deaths.

- COUNCIL COMMITTEES

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

- PUBLIC [6:40pm]

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 Assistance Demonstration (RAD) Program.

Resolution 19-15 (cont'd)

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.

Council questions:

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.

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 were. 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 Ordinance 19-24 (cont'd)
(Granger, Sturbaum absent).

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

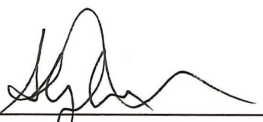
Sherman reviewed the upcoming council schedule. COUNCIL SCHEDULE [8:29pm]

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 16th day of September, 2020.
Gen NB

APPROVE:

ATTEST:



Stephen Volan, PRESIDENT
Bloomington Common Council



Nicole Bolden, CLERK
City of Bloomington