



City of Bloomington Common Council

Legislative Packet – Addendum

(Issued on Wednesday, 16 December 2020)

Containing materials related to the following meetings:

Wednesday, 16 December 2020

Regular Session

6:30 PM

**Please see the notes on the [Agenda](#) about this week's Standing Committee and about 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](#).

In Bloomington, Indiana on Wednesday, March 25, 2020 at 6:30pm, Council President Stephen Volan presided over a Special Session of the Common Council. Per the Governor's Executive Orders, this meeting was conducted electronically.

COMMON COUNCIL
SPECIAL SESSION
March 25, 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 [6:32pm]

Council President Stephen Volan summarized the agenda.

AGENDA SUMMATION

Piedmont-Smith moved and it was seconded that council suspend its rules to conduct this meeting and future meetings electronically during the public health emergency in accordance with the Governor's Executive Orders 20-04 and 20-09, and any future executive orders or related guidance provided by the Public Access Counselor of the state of Indiana. As part of this motion, Piedmont-Smith also moved that the council affirm the decision to conduct this meeting electronically and to suspend the state requirement of explicitly adopting a policy for electronic participation and to allow members to participate in meetings electronically pursuant to applicable state guidance and instruction.

Motion to suspend the rules
[6:36pm]

There were no council questions.

Council questions:

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

Vote to suspend the rules
[6:38pm]

Volan explained that the executive orders from the Governor required that all business conducted by council had to be considered essential or should not be taken up. Volan affirmed that per Bloomington Municipal Code §2.040.070, the matters on the agenda were essential matters critical to operation of the city government.

Piedmont-Smith moved and it was seconded to suspend the rules of the Bloomington Municipal Code §2.040.050 (Regular Meetings) and 2.040.380 (Order of Business at Regular Session) and any other rule hindering the conduct of essential business at this time of a public health emergency. In addition, the Council President shall have the authority to cancel or reschedule any meetings deemed non-essential or as necessary to conduct essential business. The council may also, by majority vote, decide how to place time limits on matters or speakers before the council including delegating such authority to the presiding officer. Such suspension of the rules shall last until the expiration of the Governor's Executive Orders 20-04 and 20-09.

Motion to suspend the rules of the
Bloomington Municipal Code
[6:39pm]

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

Vote to suspend the rules of the
Bloomington Municipal Code
[6:40pm]

Mayor John Hamilton provided a report on the public health emergency and gave examples of new protocols and programs in response to the pandemic.

There was council discussion related to the mayor's report, testing data, personal protective equipment, agency coordination, and safety protocols.

Flaherty, Chair of the Climate Action and Resilience Committee, reported that the committee would be working on community resilience in the face of the public health emergency, and provided examples. Flaherty also reported on the consideration of the local income tax, as proposed by Mayor Hamilton at the State of the City.

Rollo reported that the Continuity of City Government (COCG) group had made a lot of progress and that it was developing subgroups to determine needs and actions. Rollo explained he was on the supply subgroup, along with Fire Chief Jason Moore, Police Chief Michael Diekhoff, Director of Utilities Vic Kelson, Director of Bloomington Transit Lew May, and Director of Information Technology Services Rick Dietz, and explained the purpose and planning of the subgroup.

Sandberg reported on the Jack Hopkins Social Services Funding (JHSSF) processes including the extension of the application deadline, that the applications would be reviewed and vetted virtually, and on the priorities of the funding. Sandberg stated that the technical assistance meeting did not occur. Sandberg listed the members of the committee as Mark Fraley, Tim Mayer, Sue Sgambelluri, Ron Smith, Matt Flaherty, and Sandberg.

Piedmont-Smith moved and it was seconded that Ordinance 20-05 be read by title and synopsis only. The motion was approved by voice vote. Clerk Nicole Bolden read the legislation by title and synopsis.

Piedmont-Smith moved and it was seconded that Ordinance 20-05 be read by title only. The motion was approved by voice vote. Clerk Bolden read the legislation by title.

Volan explained that for Ordinance 20-05 to be considered, it required unanimous consent and that if there was not, the legislation would need to be sent to committee.

REPORTS

- The MAYOR AND CITY OFFICES

Council discussion:

- COUNCIL COMMITTEES

LEGISLATION FOR FIRST READING

Ordinance - 20-05 An Ordinance Authorizing the Refunding of Certain Outstanding Waterworks Revenue Bonds of the City; Authorizing the Issuance of the City of Bloomington, Indiana Waterworks Revenue Refunding Bonds of 2020 to Provide Funds for Such Refunding and the Payment of the Costs Thereof; and Addressing Other Matters Connected Therewith

LEGISLATION FOR SECOND READING AND RESOLUTIONS

Ordinance - 20-05 An Ordinance Authorizing the Refunding of Certain Outstanding Waterworks Revenue Bonds of the City; Authorizing the Issuance of the City of Bloomington, Indiana Waterworks Revenue Refunding Bonds of 2020 to Provide Funds for Such Refunding and the Payment of the Costs Thereof; and Addressing Other Matters Connected Therewith

FOR APPROVAL

Deleted: of a two-thirds vote

Piedmont-Smith moved and it was seconded that the council introduce and consider Ordinance 20-05 for adoption at the same meeting and on the same night it was introduced.

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

Piedmont-Smith moved and it was seconded that Ordinance 20-05 be adopted.

Jeff Underwood, Controller, presented the legislation and explained the refinancing of the four outstanding bonds into one, and discussed the savings to the city.

Buzz Krohn, Krohn & Associates, provided additional details on the bonds, legislation, and the savings.

Bruce Donaldson, Barnes and Thornburg, explained that the Utilities Service Board adopted a resolution recommending the legislation to the council.

Vic Kelson, Utilities Director, discussed the legislation.

There was council discussion.

There was no public comment.

There were no council comments.

The motion to adopt Ordinance 20-05 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Piedmont-Smith moved and it was seconded that Resolution 20-05 be read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read the legislation by title and synopsis.

Piedmont-Smith moved and it was seconded to adopt Resolution 20-05.

Volan presented the legislation.

Alex Crowley, Economic and Sustainable Development (ESD) Director, spoke about the short- and long-term economic impact. Crowley spoke about the group comprised of Bloomington Economic Development Corporation, Dimension Mill Inc., the city's Economic and Sustainable Development department, and CDFI-Friendly Bloomington.

There was council discussion related to funding, scheduling, covered businesses, employee support, and fund distribution.

Erin Predmore, President and CEO of the Greater Bloomington Chamber of Commerce, spoke in support of the legislation.

Curtis Cummings, Switchyard Brewing Company, thanked the council and spoke in support of the legislation.

Chris Martin, Director of Operations, Finney Hospitality, spoke in favor of the legislation.

There was additional council comment.

Ordinance 20-05 (cont'd)

Vote to consider Ordinance 20-05 [7:43pm]

Council questions:

Public comment:

Council comments:

Vote to adopt Ordinance 20-05 [8:03pm]

Resolution 20-05 A Resolution From the Common Council Requesting the Food and Beverage Tax Advisory Commission to Make a Recommendation for Expenditure of Food and Beverage Tax Revenues [8:04pm]

Council discussion:

Public comment:

Council comment:

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The motion to adopt Resolution 20-05 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Resolution 20-05
[9:17pm]

Sims moved and it was seconded to cancel the Regular Session scheduled for Wednesday, April 1, 2020. The motion was approved by voice vote.

COUNCIL SCHEDULE

Piedmont-Smith moved and it was seconded to schedule a Special Session on Wednesday, April 1, 2020 at 6:30pm.

Sims stated his appreciation for Clerk Bolden for her part in facilitating Zoom for the virtual meeting.

Volan thanked Andrew Krebbs and Stephen Lucas for their part in coordinating the meeting.

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

ADJOURNMENT [9:21pm]

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

APPROVE:

ATTEST:

Stephen Volan, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

For Approval

In Bloomington, Indiana on Wednesday, April 07, 2020 at 6:30pm, Council President Stephen Volan presided over a Special Session of the Common Council. Per the Governor's Executive Orders, this meeting was conducted electronically.

COMMON COUNCIL
SPECIAL SESSION
April 07, 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 [6:34pm]

Council President Volan summarized the agenda and stated that the items on the agenda were matters critical to the operation of the city government.

AGENDA SUMMATION

There were no minutes for approval.

APPROVAL OF MINUTES

Piedmont-Smith spoke of her frustration with the Supreme Court's decision to not extend absentee voting in Wisconsin and the recent decisions by Republicans at the federal level.

REPORTS

- COUNCIL MEMBERS

Sgambelluri thanked those who attended her constituent's meeting and spoke of the next meeting in May.

Rosenbarger spoke of the opening of Cascades Park for biking and walking.

Mayor John Hamilton reported on the public health emergency, social distancing, organizations that provided emergency assistance, and the Families First Coronavirus Response Act.

- The MAYOR AND CITY OFFICES

Deleted: needs

Alex Crowley, Economic and Sustainable Development Director, gave an update on the Economic Stabilization and Recovery Working Group (ESRWG).

Hamilton gave an update on the COVID-19 Social Services Working Group projects on behalf of Beverly Calender-Anderson.

There was council discussion following the reports related to the Farmer's Market, homeless shelters, a regional isolation center, and masks.

Sandberg discussed the upcoming John Hopkins Social Service Funding Committee meetings and application process.

- COUNCIL COMMITTEES

LEGISLATION FOR SECOND
READING AND RESOLUTIONS

Piedmont-Smith moved and it was seconded that Appropriation Ordinance 20-01 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Appropriation Ordinance 20-01 –
To Specially Appropriate from the
Food and Beverage Tax Fund
Expenditures Related to the
Convention Center Expansion and
Support of Local Tourism During
the COVID-19 Emergency

Clerk Nicole Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation of 9-0-0.

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

Philippa Guthrie, Corporation Counsel, presented the legislation to the council. She discussed the importance of using the funds from the Food and Beverage Tax as opposed to the General Fund and explained how that funding would be used.

Jeff Underwood, City Controller, said Appropriation Ordinance 20-01 would follow the normal allocation review process.

Alex Crowley, Economic and Sustainable Development Director, explained the allocation review process between various departments to receive the necessary funding.

There was council discussion related to the Food and Beverage Tax Fund, CARES Act funding, business size limits, criteria, employee protections, an appeal process, and funding sources.

Council discussion:

Piedmont-Smith moved and it was seconded to adopt Amendment 01 to Appropriation Ordinance 20-01.

Amendment 01 to Appropriation Ordinance 20-01

Amendment 01 to Appropriation Ordinance 20-01 Synopsis: This amendment adds a Whereas clause to explicitly address recommendations issued by the State Board of Accounts regarding expenditures by local units that relate to addressing the economic burden incurred by citizens and businesses as a result of the public health emergency.

Piedmont-Smith presented the amendment to the council.

There was no council discussion.

Council discussion:

There was no public comment.

Public comment:

There was no further council discussion.

Council discussion:

The motion to adopt Amendment 01 to Appropriation Ordinance 20-01 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 to Appropriation Ordinance 20-01 [8:29pm]

There was additional council comment related to federal funding and public disclosure of recipients.

Council discussion:

Randy Paul spoke against the expansion of the Convention Center and suggested diverting that funding to mitigate the effects of climate change.

Public comment:

Erin Predmore, President & CEO of The Greater Bloomington Chamber of Commerce, discussed the development of the Rapid Response Loan Program and her support of the legislation.

Jennifer Pearl, President of the Bloomington Economic Development Corporation (BEDC), spoke in support of Appropriation Ordinance 20-01.

David Rooker spoke of his concerns with Appropriation Ordinance 20-01.

Vauhxx Booker spoke of the importance of the Council remaining vigilant to ensure the success of the Rapid Response Loan Program.

Susan Bright spoke about struggling businesses.

There was additional council comment related to council participation on the approval board, accountability, review criteria, and the economy.

Council discussion:

The motion to adopt Appropriation Ordinance 20-01 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Appropriation Ordinance 20-01 [9:09pm]

LEGISLATION FOR FIRST READING

Piedmont-Smith moved and it was seconded that Ordinance 20-09 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Clerk Bolden read the legislation by title and synopsis.

Ordinance 20-09 - To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration and Personnel" and to Grant Authority to Act in Accordance with Declared Disaster Emergencies - Re: Amending 2.22.030 Entitled "Employee Policies" and Complying with the State of Indiana's Declaration of Disaster Emergency under I.C. § 10-14-3-12

Piedmont-Smith moved and it was seconded to suspend the rules to allow Ordinance 20-09 to be referred to the Committee of the Whole on April 15, 2020 for report back to the Council on April 22, 2020. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

COUNCIL SCHEDULE

Stephen Lucas, Deputy Council Attorney, reviewed the upcoming council schedule.

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

ADJOURNMENT [9:17pm]

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, June 03, 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
June 3, 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

Piedmont-Smith moved and it was seconded to approve the minutes of August 07, 2019 and August 28, 2019.

APPROVAL OF MINUTES [6:32pm]

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

August 07, 2019 (Regular Session)
August 28, 2019 (Special Session)

Sims spoke of an upcoming peaceful protest titled "Enough is Enough." Sims spoke against police brutality and systemic racism against people of color, and stated the need for change concerning racism in the United States.

REPORTS

- COUNCIL MEMBERS

Sgambelluri discussed ways white people could be allies to people of color and fight against racial injustice.

Piedmont-Smith spoke against systemic racism and police brutality.

Deleted: in response to the peaceful protests for George Floyd's murder.

Sandberg stated that she supported and sympathized with Sims and his statement and expressed her support for every person of color.

Rollo stated his support for the protestors. Rollo also discussed economic inequalities within the United States.

Flaherty provided an update from the Metropolitan Planning Organization (MPO) policy; expressed his grief and anger over the murder of George Floyd; spoke against state sanctioned violence and systemic discrimination against African Americans; and pledged to do more to educate himself.

Smith stated that he was saddened that another black person was killed during a police action, spoke against systemic racism, and demanded change.

Rosenbarger spoke about how community members felt excluded from political, social, and economic systems and the need to make changes to these systems to be more inclusive and not perpetuate racism.

Volan thanked the council for their thoughtful remarks. Volan thanked everyone for their patience and consideration concerning the current political climate.

Mayor John Hamilton discussed low hospitalization rates and low numbers from those testing positive for COVID-19. Hamilton spoke in support of social distancing and the use of masks. Hamilton spoke about racial inequalities and systemic racism within the U.S.

- The MAYOR AND CITY OFFICES

There were no council committee reports.

- COUNCIL COMMITTEES

Randy Paul spoke on the importance of continuing with zoom meetings once the pandemic was over.

- PUBLIC

Greg Alexander commented on social form, sidewalks, and privilege.

Piedmont-Smith moved and it was seconded to hire Stephen Lucas, currently serving as the Deputy Administrator/Attorney, to be the Council Administrator Attorney no later than August 1, 2020.

APPOINTMENTS TO BOARDS AND COMMISSIONS

There was council discussion related to hiring process, salary, paid time off, and reporting.

Council discussion:

Rollo moved and it was seconded to postpone the appointment of Stephen Lucas to Council Administrator Attorney until June 10, 2020.

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

Vote to postpone appointment [7:41pm]

LEGISLATION FOR SECOND READING AND RESOLUTIONS

Piedmont-Smith moved and it was seconded that Ordinance 20-10 be read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation of Ayes: 9, Nays: 0, Abstain: 0.

Ordinance 20-10 – To Amend Title 15 of the Bloomington Municipal Code (BMC) Entitled “Vehicles and Traffic” – Re: Amending BMC Chapters 15.48 (Removal and Impoundment of Vehicles) and 15.52 (Abandoned Vehicles) to Align Rules for City-Initiated Tows with Nonconsensual Tows

Piedmont-Smith moved and it was seconded that Ordinance 20-10 be adopted.

Michael Rouker, City Attorney, explained the importance of having a unified set of rules to be better understood by the public and city staff. He asked for the council’s support in passing Ordinance 20-10.

There were no council questions.

Council questions:

There was no public comment.

Public comment:

There were no council comments.

Council comments:

The motion to adopt Ordinance 20-10 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 20-10 [7:48pm]

Piedmont-Smith moved and it was seconded that Resolution 20-08 be read by title and synopsis only. The motion was approved by voice vote. Clerk Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation of Ayes: 9, Nays: 0, Abstain: 0.

Resolution 20-08 – Approving the City of Bloomington’s Transportation Demand Management Plan

Piedmont-Smith moved and it was seconded to adopt Resolution 20-08.

Beth Rosenbarger, Planning Services Manager, presented the Transportation Demand Management Plan, and explained the key recommendations.

Deleted: ¶

There was council discussion about the plan.

Council discussion:

Greg Alexander spoke about the plan.

Public comment:

Mary Morgan, Director of Advocacy and Public Policy, Greater
Bloomington Chamber of Commerce, made suggestions for the city.

There was additional council comment.

Council comments:

The motion to adopt Resolution 20-08 received a roll call vote of
Ayes: 8, Nays: 1 (Smith), Abstain: 0.

Vote to adopt Resolution 20-08
[9:27pm]

There was no legislation for first reading.

LEGISLATION FOR FIRST
READING

There were no additional public comments.

Additional public comments:

Lucas reviewed the Council schedule.

COUNCIL SCHEDULE

Piedmont-Smith moved and it was seconded to schedule a Special
Session for June 10, 2020 at 6:30pm.

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

Vote to schedule a Special Session
on June 10, 2020 [9:30pm]

Piedmont-Smith moved and it was seconded to adjourn. The
motion was approved by voice vote.

ADJOURNMENT [9:31pm]

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



Public Safety Committee City of Bloomington Common Council

Report of Referral of:

Resolution 20-18 – This resolution approves and authorizes the execution of a four-year Collective Bargaining Agreement between the City of Bloomington and the Bloomington Metropolitan International Association of Fire Fighters, Local 586.

Referral and Deliberations:

Date	Entity	Action
12/9/2020	Common Council Public Safety Committee Meeting	Presentation, discussion, public comment, do pass vote, forward to Council.

Summary and Recommendations

The Public Safety Committee met on Wednesday, December 9, 2020 and spent approximately 30 minutes discussing Resolution 20-18. Corporation Counsel, Philippa Guthrie, gave the presentation regarding the Collective Bargaining Agreement (“CBA”) and stated that from May through September, 2020, the administration and the Bloomington Metropolitan International Association of Fire Fighters, Local 586 (“Union”) bargaining teams worked together to reach terms on a CBA. The negotiations were fair, amicable, and productive. In October, the Union voted in favor of the CBA.

The CBA represents a four-year settlement of terms covering years 2021, 2022, 2023, and 2024. Substantive changes in the CBA include base salary, longevity, certification pay, command appointments, no cap on additional pay, acting pay, and clothing allowance. Several changes in the CBA will have a major fiscal impact on the City, which the staff estimates to be \$1,946,339 over four years.

The Union Vice-President, Robert McWhorter, Jr. thanked the City for reaching the agreement and expressed his appreciation for the same on behalf of the Union. Chief Jason Moore also expressed his support and stated that the negotiations were done in good faith.

Discussion centered on the change in longevity pay and the fiscal impact to the City. Controller, Jeff Underwood, provided additional insight into the fiscal impact of this resolution. Councilmember Sims asked about information on gender and racial diversity in the department.



City of Bloomington Indiana

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Chief Moore estimated that the department was approximately 5% female and approximately 3-4% BPOC. He also indicated that the department was beginning to reap the rewards of the Hoosier Hills training program in terms of good quality candidates and that as they move forward they will target more gender and racial diversity.

There was no public comment.

The do pass recommendation received a vote of 4-0.

/s/ Jim Sims
Jim Sims (Chair)

December 15, 2020
Date

/s/ Isabel Piedmont-Smith
Isabel Piedmont-Smith

December 15, 2020
Date

/s/ Susan Sandberg
Susan Sandberg

December 15, 2020
Date

/s/ Sue Sgambelluri
Sue Sgambelluri

December 15, 2020
Date



**BLOOMINGTON COMMON COUNCIL
FISCAL IMPACT STATEMENT**

Per BMC §2.04.290, any legislation that makes an appropriation or has a major impact on existing city appropriations, fiscal liability, or revenues shall be accompanied by a fiscal impact statement.

LEGISLATION NUMBER AND TITLE

Resolution 20-18

PROPOSED EFFECTIVE DATE

01/01/2021

FISCAL IMPACT. Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

YES

NO. If the legislation will not have a major fiscal impact, briefly explain below.

Total 4 year fiscal impact is \$1.544M for the this resolution.

FISCAL IMPACT FOUND. If the legislation appropriates funds and/or will have a major fiscal impact, please complete the following:

	FY -- CURRENT	FY -- SUCCEEDING	ANNUAL CONTINUING COSTS THEREAFTER
REVENUES	0	0	0
EXPENDITURES	0	486,000	486,000
NET	0	486,000	486,000

IMPACT ON REVENUE (DESCRIBE)

No impact

IMPACT ON EXPENDITURES (DESCRIBE)

This is a four year contract with the Fire union for which funds will need to be appropriated via the annual budget and/or thru additional appropriation if needed

FUTURE IMPACT. Describe factors which could lead to significant additional expenditures in the future.

FUNDS AFFECTED: TO BE COMPLETED BY CITY CONTROLLER

If the proposal affects City funds, please describe the funds affected and the effects of the legislation on these funds.

General Fund - Fire Department

Signature of Controller

Signature of City Official
responsible for submitting legislation



Public Safety Committee City of Bloomington Common Council

Report of Referral of:

Ordinance 20-32 – This ordinance sets the minimum and maximum salary rates for all sworn fire and police personnel for the year 2021 in accordance with Council-approved collective bargaining agreements.

Referral and Deliberations:

Date	Entity	Action
12/2/2020	Common Council Regular Session	Introduction and referral to Public Safety Committee
12/09/2020	Council Public Safety Committee Meeting	Presentation, discussion, public comment, do pass vote, return to Council

Summary and Recommendations

The Public Safety Committee met on Wednesday, December 9, 2020 and spent approximately 15 minutes discussing Ordinance 20-32, which replaces Ordinance 20-22 fixing the 2021 salaries of officers of the police and fire departments. This ordinance updates 2021 salaries for officers of the Fire Department in accordance with the recently agreed upon Collective Bargaining Agreement (“CBA”) between the City and the Bloomington Metropolitan International Association of Fire Fighters, Local 586 (“Union”). Caroline Shaw, Human Resources Director, gave the presentation. This ordinance reflects the terms of the CBA.

There are no changes to police salaries for 2021 in this ordinance. Fire department salary changes are as outlined in the CBA, which was discussed during the presentation of Resolution 20-18. Updates include:

1. The salaries of Captain, Chauffeur, and Firefighter 1st Class increase by 1% for 2021.
2. The \$4,800 annual cap for additional pay has been eliminated.
3. Longevity pay - Firefighters in their second year will now receive an extra \$400 in longevity pay instead of \$800. Longevity pay increases by \$100 each year thereafter through year 19. For the 20th year of service and beyond, longevity pay is capped at \$3,750, which is the current cap.
4. The City’s current annual contribution to the Public Employees Retirement Fund (PERF) is 4% of the salary of a Firefighter 1st Class with twenty years of longevity, and



City of Bloomington Indiana

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- the 20 years of longevity is equal to \$3,750. Under the new contract, the 20 years of longevity will be equal to \$12,500 for the purposes of calculating PERF contributions.
5. Certification pay has been simplified to \$100 per certification, and firefighters may now be compensated for a maximum 15 certifications (\$1,500 annually) instead of eight (8). Additionally the number of qualifying certifications has increased from 29 to 51.
 6. Squad Driver, Squad Officers, and Shift Logistics Technician were added to the list of command appointments, and Shift Investigator and Air Mask Technician were removed. Compensation for several of the command appointments was adjusted.
 7. Mandatory Training Pay now has a max of eight (8) hours.
 8. The annual clothing allowance has increased by fifty dollars to five hundred dollars.
 9. When a firefighter fills in for a higher-ranking firefighter for more than 30 consecutive days, they will receive an increase in their base salary. Currently they must work more than 60 days in the higher-ranking role to receive the increase.

There were no council questions, public comment, or council comment.

The do pass recommendation received a vote of 4-0.

/s/ Jim Sims
Jim Sims (Chair)

December 15, 2020
Date

/s/ Isabel Piedmont-Smith
Isabel Piedmont-Smith

December 15, 2020
Date

/s/ Susan Sandberg
Susan Sandberg

December 15, 2020
Date

/s/ Sue Sgambelluri
Sue Sgambelluri

December 15, 2020
Date



**BLOOMINGTON COMMON COUNCIL
FISCAL IMPACT STATEMENT**

Per BMC §2.04.290, any legislation that makes an appropriation or has a major impact on existing city appropriations, fiscal liability, or revenues shall be accompanied by a fiscal impact statement.

LEGISLATION NUMBER AND TITLE

PROPOSED EFFECTIVE DATE

FISCAL IMPACT. Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

YES NO. If the legislation will not have a major fiscal impact, briefly explain below.

Total 4 year fiscal impact is \$1.544M for the Fire portion of this ordinance (see resolution 20-18). There is no fiscal impact for the Police portion of this ordinance (funds were included in the annualbudget appropriation (see App Ord 20-04)

FISCAL IMPACT FOUND. If the legislation appropriates funds and/or will have a major fiscal impact, please complete the following:

	FY -- CURRENT	FY -- SUCCEEDING	ANNUAL CONTINUING COSTS THEREAFTER
REVENUES	0	0	0
EXPENDITURES	0	486,000	486,000
NET	0	486,000	486,000

IMPACT ON REVENUE (DESCRIBE)

No impact

IMPACT ON EXPENDITURES (DESCRIBE)

This is a four year contract with the Fire union for which funds will need to be appropriated via the annual budget and/or thru additional appropriation if needed

FUTURE IMPACT. Describe factors which could lead to significant additional expenditures in the future.

FUNDS AFFECTED: TO BE COMPLETED BY CITY CONTROLLER
If the proposal affects City funds, please describe the funds affected and the effects of the legislation on these funds.

General Fund - Fire Department

Signature of Controller

Signature of City Official responsible for submitting legislation



**BLOOMINGTON COMMON COUNCIL
FISCAL IMPACT STATEMENT**

Per BMC §2.04.290, any legislation that makes an appropriation or has a major impact on existing city appropriations, fiscal liability, or revenues shall be accompanied by a fiscal impact statement.

LEGISLATION NUMBER AND TITLE

PROPOSED EFFECTIVE DATE

FISCAL IMPACT. Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

YES NO. If the legislation will not have a major fiscal impact, briefly explain below.

This legislation does not appropriate any City funds. While there is some lost revenue from parking meters which are blocked by PUDO zone signs, parklets, and Kirkwood closures, this lost revenue does not constitute a major impact on City revenue.

FISCAL IMPACT FOUND. If the legislation appropriates funds and/or will have a major fiscal impact, please complete the following:

	FY -- CURRENT	FY -- SUCCEEDING	ANNUAL CONTINUING COSTS THEREAFTER
REVENUES			
EXPENDITURES			
NET			

IMPACT ON REVENUE (DESCRIBE)

IMPACT ON EXPENDITURES (DESCRIBE)

FUTURE IMPACT. Describe factors which could lead to significant additional expenditures in the future.

FUNDS AFFECTED: TO BE COMPLETED BY CITY CONTROLLER
 If the proposal affects City funds, please describe the funds affected and the effects of the legislation on these funds.

Signature of Controller



 Signature of City Official responsible for submitting legislation



Land Use Committee City of Bloomington Common Council

Report of Referral of:

Ordinance 20-28 – This ordinance would rezone 7.22 acres from Planned Unit Development (PUD) to Mixed-Use Student Housing (MS).

Referral and Deliberations:

Date	Entity	Action
12/2/2020	Common Council Regular Session	Introduction and referral to Land Use Committee
12/09/2020	Council Land Use Committee Meeting	Presentation, discussion, public comment, do pass vote, return to Council

Summary and Recommendations

The Land Use Committee met on Wednesday, December 9, 2020 for approximately one hour and fifteen minutes to discuss Ordinance 20-28. Senior Zoning Planner, Eric Gruelich, gave the staff presentation. Petitioner, Landmark Properties, is requesting to rezone 7.22 acres located at 301 E. 14th Street from Planned Unit Development (PUD) to Mixed-Use Student Housing (MS).

The site is bounded by 14th Street along the north property line, Indiana Rail Road tracks to the south, and Dunn Street to the east. Surrounding land uses include a railroad line to the south, single and multifamily residences to the north, multifamily residences and mixed-use commercial buildings to the west, and a Duke substation to the east. The property is currently developed with a multifamily residential development that was approved as Planned Unit Development (PUD-73-83). If approved, Petitioner would remove all of the current structures and construct a new student oriented, multifamily development with 433 units and 1072 bedrooms.

Ordinance 20-28 was certified by the Plan Commission on October 21, 2020 with a favorable recommendation (9-0) with the condition that Petitioner must coordinate with Bloomington Transit on the incorporation of a shuttle pick-up and shuttle service. No private shuttle service is allowed.



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Aaron Stange (Landmark Properties), Kendall Knoke (engineer), and Jack Borman (architect) presented information about the project after Mr. Greulich’s presentation of the staff report.

Discussion focused on the estimated longevity of the structures Petitioner planned to construct, which was estimated at 100-150 years. Also discussed were the building materials for proposed new structures and whether the Petitioner was willing to meet, at a minimum, the Silver Level of the National Green Building Standard. Specific points of concern were:

- The lack of balconies on the south side of the building (eliminated due to neighborhood concerns)
- Too many parking spaces
- Lack of a commitment to a commercial space within the new complex

Committee members expressed support for the affordable housing component of the project, the number of covered bicycle parking spots, the wrapped parking garage, and the plan to make one unit available, for free, to a member of the local police.

During public comment, two commenters expressed concerns. One commenter expressed concerns about the beauty of the project and expressed that they did not feel it enhanced the beauty of Bloomington. Another commenter expressed concerns about both the time frame for construction and the general price range of units within the proposed complex.

Committee members addressed some of the public’s questions during the second round of council questions.

While three committee members were in support of the project, Council Member Volan opposed it for several reasons, including the number of parking spaces, lack of funding for public transit, and lack of a commitment to real “mixed use.” The other three committee members expressed a desire to see a commitment to obtaining green building certification rather than just aiming to meet at least the silver level without actually getting the project certified.

The do pass recommendation received a vote of 3-1.

/s/ Isabel Piedmont-Smith
Isabel Piedmont-Smith, Chair

December 15, 2020
Date

/s/ Matt Flaherty
Matt Flaherty

December 15, 2020
Date



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/s/ Kate Rosenbarger
Kate Rosenbarger

December 15, 2020
Date

/s/ Stephen Volan
Stephen Volan

December 15, 2020
Date



**BLOOMINGTON COMMON COUNCIL
FISCAL IMPACT STATEMENT**

Per BMC §2.04.290, any legislation that makes an appropriation or has a major impact on existing city appropriations, fiscal liability, or revenues shall be accompanied by a fiscal impact statement.

LEGISLATION NUMBER AND TITLE ORD 20-28 - To Amend the City of Bloomington Zoning Maps by Rezoning 7.22 Acres of Property from Planned Unit Development (PUD) to Mixed Use Student Housing (MS).

PROPOSED EFFECTIVE DATE TBD

FISCAL IMPACT. Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

YES NO. If the legislation will not have a major fiscal impact, briefly explain below.

This legislation seeks to rezone 7.22 acres of property from PUD to MS. There is no major fiscal impact associated with rezoning the property. Fiscal impact will be re-evaluated at the time that the property is developed.

FISCAL IMPACT FOUND. If the legislation appropriates funds and/or will have a major fiscal impact, please complete the following:

	FY -- CURRENT	FY -- SUCCEEDING	ANNUAL CONTINUING COSTS THEREAFTER
REVENUES			
EXPENDITURES			
NET			

IMPACT ON REVENUE (DESCRIBE)

IMPACT ON EXPENDITURES (DESCRIBE)

FUTURE IMPACT. Describe factors which could lead to significant additional expenditures in the future.

FUNDS AFFECTED: TO BE COMPLETED BY CITY CONTROLLER
If the proposal affects City funds, please describe the funds affected and the effects of the legislation on these funds.

Signature of Controller

Signature of City Official responsible for submitting legislation

12/15/2020

Voluntary Written Zoning Commitment

WHEREAS, The Standard at Bloomington, LLC (“Owner”), is, or will soon become, the fee simple owner of property at 301 E. Brownstone Drive (“the Property”); and

WHEREAS, Owner petitioned the Bloomington Common Council for an amendment to the City of Bloomington Zoning Maps by rezoning 7.22 acres of property from Planned Unit Development to Mixed-Use Student Housing (the “Petition”).

NOW, THEREFORE, Owner voluntarily provides and records this *Voluntary Written Zoning Commitment* in connection with the Petition.

1. Legal Description of Property

LEGAL DESCRIPTION

PART OF THE NORTHWEST QUARTER SECTION 33, TOWNSHIP 9 NORTH, RANGE 1 WEST, MONROE COUNTY INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT WHERE THE EAST LINE OF N. WALNUT STREET INTERSECTS THE SOUTH LINE OF EAST FOURTEENTH STREET; THENCE ON AND ALONG SAID SOUTH LINE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST (ASSUMED BEARING), 200.00 FEET TO A ½ INCH REBAR FOUND AND BEING THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREE 04 MINUTES 31 SECONDS WEST 254.91 FEET TO THE NORTH LINE OF THE ILLINOIS CENTRAL GULF RAILROAD COMPANY AND BEING AN INTERSECTION WITH A NON-TANGENT CURVE, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 01 DEGREES 23 MINUTES 18 SECONDS EAST, 1037.45 FEET FROM SAID INTERSECTION, SAID CURVE HAVING A CENTRAL ANGLE OF 02 DEGREES 39 MINUTES 57 SECONDS; THENCE EASTERLY ALONG SAID CURVE 48.27 FEET TO A POINT OF TANGENCY; THENCE SOUTH 88 DEGREES 43 MINUTES 20 SECONDS EAST, 154.78 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 360.25 FEET; THENCE EASTERLY 62.88 FEET NORTH 81 DEGREES 16 MINUTES 39 SECONDS EAST 12.96 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTH ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10 DEGREES 00 MINUTES 00 SECONDS TO A POINT OF TANGENCY; THENCE HAVING A RADIUS OF 380.25 FEET; THENCE EASTERLY 66.36 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10 DEGREES 00 MINUTES 00 SECONDS TO A POINT OF TANGENCY; THENCE SOUTH 88 DEGREES 43 MINUTES 20 SECONDS EAST, 882.27 FEET; THENCE LEAVING SAID RAILROAD LINE NORTH 00 DEGREES 05 MINUTES 01 SECOND WEST 267.60 FEET TO THE SOUTH LINE OF SAID FOURTEENTH STREET; THENCE ON AND ALONG SAID SOUTH LINE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 1221.50 FEET TO THE POINT OF BEGINNING, CONTAINING 7.22 ACRES, MORE OR LESS.

THE PROPERTY DESCRIBED ABOVE IS THE SAME PROPERTY THAT IS INSURED IN THE TITLE POLICY ISSUED BY CHICAGO TITLE INSURANCE COMPANY PURSUANT TO TITLE FILE NO.: RAIN-36012, EFFECTIVE ON JUNE 19, 2019.

2. Binding

This *Voluntary Written Zoning Commitment* is binding on the Owner of the Property. Upon recordation in the Office of the Recorder of Monroe County, Indiana, this commitment shall become binding on any subsequent owner, or anyone who acquires an interest in the Property.

3. Recording

This *Voluntary Written Zoning Commitment*, if approved, shall be recorded in the Office of the Recorder of Monroe County, Indiana on or before December 17, 2020.

4. Modification

This *Voluntary Written Zoning Commitment* shall only be modified by action of the Bloomington Common Council.

5. Termination

This *Voluntary Written Zoning Commitment* shall terminate upon the first of either: (1) action by the Bloomington Common Council; or (2) a determination that the project as described in the Petition (the "Project") was, or will not be, built in whole or in part.

6. Enforcement

An action to enforce any provision of this *Voluntary Written Zoning Commitment* may be brought in Monroe Circuit Court by the Bloomington Common Council pursuant to I.C. § 36-7-4-1015(d)(1).

7. National Green Building Standard Certification

The Owner voluntarily commits to obtain National Green Building Standard Silver level certification within one (1) year of the Owner's receipt of a final certificate of occupancy of the Project.

8. Commercial Space

The Owner voluntarily commits to incorporate a commercial space into the Project subject to approval of a landscape buffer yard variance from the Board of Zoning Appeals.

9. Private Shuttle

The Owner voluntarily commits to not operate a private shuttle service from the site.

10. Copy

Prior to the issuance of any permits, a copy of the recorded *Voluntary Written Zoning Commitment* shall be provided to the City of Bloomington's Planning and Transportation Department and to the Office of the Bloomington Common Council.

11. Violation

Failure to honor this *Voluntary Written Zoning Commitment* shall constitute a violation of the City of Bloomington's Unified Development Ordinance and shall be subject to all penalties and remedies provided thereunder. Failure to honor this *Voluntary Written Zoning Commitment* shall subject person(s) obligated hereby to revocation of occupancy permits and other legal action.

[Signature on following page]

DATED this 15th day of December, 2020.

The Standard at Bloomington, LLC

By: [Signature]

ATTEST:

STATE OF Georgia)
)
COUNTY OF Clarke, SS:)

On the 16th day of December, 2020, W. Christopher Hart personally appeared before me, the undersigned Notary Public, personally known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and by his/her/their signature(s) on the within instrument, the person(s), or the entity(ies) on behalf of which the person(s) acted, executed the within instrument.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, on the day set forth above.

[Signature]

Notary Public

My Commission expires: 12/21/21



(SEAL)



Administration Committee City of Bloomington Common Council

Report of Referral of:

Ordinance 20-29 – This ordinance repeals and replaces Bloomington Municipal code Chapter 1.08 entitled “City Seal,” to adopt a new city seal that harmonizes the designs of the City logo and City seal. It also creates standards for the use of the City seal, prohibits unauthorized use of the City seal, and prescribes penalties for violation of the chapter.

Referral and Deliberations:

Date	Entity	Action
11/18/2020	Common Council Regular Session	Introduction and referral to Administration Committee
12/09/2020	Council Administration Committee Meeting	Presentation, discussion, public comment, do pass vote, return to Council

Summary and Recommendations

The Administration Committee met on Wednesday, December 9, 2020 for approximately twenty minutes to discuss Ordinance 20-29. This ordinance amends Title 1 of the Bloomington Municipal Code in order to update the city seal so that it is more harmonious with the design of the city logo. City Clerk, Nicole Bolden, gave the presentation.

Ordinance 20-29 proposes a new City seal that more closely aligns with the well-known city logo. In addition to codifying a description and image of the new City seal, the ordinance adds cod provisions related to the use of the City seal. These provisions include an affirmation that the City Clerk has charge of the City seal consistent with Indiana Code 36-4-10-4, which states that the City Clerk shall keep the City seal. New provisions also detail which persons within the City may use the official City seal, and under what circumstances the official City seal can be used. It allows outside entities or agencies to request to use the City seal under limited circumstances. The ordinance prohibits unauthorized use of the City seal and includes provisions for enforcing the prohibitions added by the legislation. Finally, the ordinance provides for a fine of \$100 for a first violation of the added code provisions, with increasing fines for subsequent violations. It is important to note that the proposed prohibitions on use would apply only the official City seal as described and depicted in the ordinance.



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Discussion centered on protections of use and that this legislation is essentially a housekeeping matter.

There was no public comment.

The do pass recommendation received a vote of 4-0.

/s/ Stephen Volan
Stephen Volan, Chair

December 16, 2020
Date

Dave Rollo

Date

/s/ Sue Sgambelluri
Sue Sgambelluri

December 16, 2020
Date

/s/ Jim Sims
Jim Sims

December 16, 2020
Date



Community Affairs Committee City of Bloomington Common Council

Report of Referral of:

Ordinance 20-30 – To Establish the Citizens’ Redistricting Advisory Commission (To Establish an Independent Redistricting Commission)

Referral and Deliberations:

Date	Entity	Action
12/02/2020	Common Council Regular Session	Introduction and referral to Community Affairs Committee
12/09/2020	Council Administration Committee Meeting	Presentation, discussion, public comment, do pass vote, return to Council

Summary and Recommendations

The Community Affairs Committee met on Wednesday, December 9, 2020 for approximately forty minutes to discuss Ordinance 20-30. This ordinance is sponsored by Councilmember Volan who gave the presentation.

Ordinance 20-30 amends Title 2 of the Bloomington Municipal Code (“Administration and Personnel”) to create a nine-member Citizens’ Redistricting Advisory Commission. This Commission would have a two-year mandate to make recommendations to the Common Council on how to divide the City into six councilmanic districts following a federal decennial Census.

Ordinance 20-30 arises out of concerns about councilmembers choosing their own constituents and is a local version of legislation proposed by the League of Women Voters at the state level.

Discussion focused on concerns about a lack of participation in the Census due to the pandemic and how that might impact redistricting.

The do pass recommendation received a vote of 4-0.



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/s/ Ron Smith
Ron Smith, Chair

December 16, 2020
Date

Dave Rollo

Date

/s/ Susan Sandberg
Susan Sandberg

December 16, 2020
Date

/s/ Jim Sims
Jim Sims

December 16, 2020
Date

***** Amendment Form *****

Ordinance #: 20-30
Amendment #: Am 01
Submitted By: Cm. Sandberg
Date: 16 December 2020
Proposed Amendment:

1. Ord 20-30, Section 1 shall be amended by revising the proposed BMC 2.12.120(d)(2) as follows:

2.12.120 – Citizens’ Redistricting Advisory Commission

(d) Membership Selection Process. Commissioners shall be selected after an open application process:

(2) The process shall be conducted by **a selection committee made up of the three at-large councilmembers** ~~an executive committee of the Council (made up of the president, vice-president, and parliamentarian)~~ with the assistance of the City Clerk. The **selection executive** committee shall review all applications and in a public meeting choose 18 applicants in three pools of six, one pool for each of the party affiliations noted in BMC 2.12.120(c)(2), whom they believe are the most qualified to carry out the Commission’s duties. At least two applicants from each pool shall be eligible to be student members.

Synopsis

This amendment is sponsored by Councilmember Sandberg and states that the three at-large councilmembers, rather than an executive committee of the Council, shall help conduct the commission’s selection process.

Committee Action (12/09/2020): N/A
Regular Session Action: Pending

***** Amendment Form *****

Ordinance #: 20-30
Amendment #: Am 02
Submitted By: Cm. Sgambelluri
Date: 16 December 2020
Proposed Amendment:

1. Ord 20-30, Section 1 shall be amended by revising the proposed BMC 2.12.120(c)(4) as follows:

2.12.120 – Citizens’ Redistricting Advisory Commission

(c) Membership Qualifications. The Commission shall consist of nine members, subject to the following qualifications and limitations.

(4) Voting Record. Each commission member, ~~other than student members,~~ shall have voted as a resident of the city of Bloomington in at least ~~three of the last five general elections immediately preceding their application.~~ ~~Student members shall have voted as a resident of the city of Bloomington in at least one of the last two general elections immediately preceding their application.~~

Synopsis

This amendment is sponsored by Councilmember Sgambelluri and revises the membership qualifications such that the voting record requirements are the same for all members (student or non-student).

Committee Action (12/09/2020): N/A
Regular Session Action (12/16/2020): Pending

***** Amendment Form *****

Ordinance #: 20-30
Amendment #: Am 03
Submitted By: Cm. Volan
Date: 16 December 2020
Proposed Amendment:

1. Ord 20-30, Section 1 shall be amended by revising the proposed BMC 2.12.120(d)(2) by striking the phrase “with the assistance of the city clerk.”
2. Ord 20-30, Section 1 shall be amended by revising the proposed BMC 2.12.120(d)(3) by replacing the word “Clerk” wherever it appears with “the ranking at-large councilmember.”
3. Ord 20-30, Section 1 shall be amended by revising the proposed BMC 2.12.120(d)(4) by replacing the word “Clerk” with “the ranking at-large councilmember.”

Synopsis

This amendment is sponsored by Councilmember Volan and states that the ranking (longest-serving) at-large councilmember, rather than the City Clerk, shall determine and administer the method of random selection.

Committee Action (12/09/2020): N/A
Regular Session Action (12/16/2020): Pending

***** Amendment Form *****

Ordinance #: 20-30
Amendment #: Am 04
Submitted By: Cm. Volan
Date: 16 December 2020
Proposed Amendment:

1. Ord 20-30, in the tenth Whereas clause, shall be corrected by changing “effects” to affects.”

Synopsis

This amendment is sponsored by Councilmember Volan and corrects a misspelled word in the tenth Whereas clause.

Committee Action (12/09/2020): N/A
Regular Session Action: Pending



**BLOOMINGTON COMMON COUNCIL
FISCAL IMPACT STATEMENT**

Per BMC §2.04.290, any legislation that makes an appropriation or has a major impact on existing city appropriations, fiscal liability, or revenues shall be accompanied by a fiscal impact statement.

LEGISLATION NUMBER AND TITLE

Ordinance 20-30

PROPOSED EFFECTIVE DATE

Upon passage

FISCAL IMPACT. Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

YES

NO. If the legislation will not have a major fiscal impact, briefly explain below.

The impact of the legislation will come in the form of staff time and office supplies/materials needed to facilitate the work of the commission. It is expected that meetings of the commission convened outside of city hall can be held at other city-owned locations.

FISCAL IMPACT FOUND. If the legislation appropriates funds and/or will have a major fiscal impact, please complete the following:

	FY -- CURRENT	FY -- SUCCEEDING	ANNUAL CONTINUING COSTS THEREAFTER
REVENUES			
EXPENDITURES			
NET			

IMPACT ON REVENUE (DESCRIBE)

IMPACT ON EXPENDITURES (DESCRIBE)

FUTURE IMPACT. Describe factors which could lead to significant additional expenditures in the future.

FUNDS AFFECTED: TO BE COMPLETED BY CITY CONTROLLER
 If the proposal affects City funds, please describe the funds affected and the effects of the legislation on these funds.

 Signature of Controller

/s/Stephen Volan

 Signature of City Official
 responsible for submitting legislation

ANNUAL COUNCIL LEGISLATIVE SCHEDULE FOR 2021

(Subject to Revision by Common Council)

The Legislative Cycle. The Council’s regular sessions are held twice a month on first and third Wednesdays. A “legislative cycle” is the period between and including regular sessions, which usually spans three consecutive Wednesdays (14 days). Upon the introduction of a legislative item (typically through a "First Reading" at a regular session), the Council usually schedules it for public deliberation at a subsequent meeting.

Referral to Committee. Legislation is typically referred to one of the Council's committees, which hold meetings to consider such items on second and fourth Wednesdays. A standing committee has two legislative cycles to make recommendations on an item referred (i.e., it can hold a hearing on the second and fourth Wednesdays after referral).

A standing committee must return the item to the full Council by the second Regular Session following its referral, but may choose to return the item within a single cycle (i.e., after having held only one meeting).

Location and Time of Meetings: Unless otherwise indicated, the Council meets on the first four Wednesdays each month in the Council Chambers, Suite 115 of City Hall, at 6:30 p.m. It also meets for Work Sessions on Fridays about 12 days before the beginning of the next legislative cycle. See the first column of the chart below. When considering referred legislation, standing committee meetings start between 5:30 and 9:45 pm (BMC 2.04.255).

Work Sessions. These provide an opportunity for members to preview city initiatives, many of which are legislative items close to being

formally introduced at Council. These meetings are typically held in the Library in Suite 110 of City Hall at 12 noon. If the Library is too small for the meeting, the Council may move it to another room in City Hall and post notice on the door Suite 110 the day of the change in location. Work Sessions will be held on the dates noted below.

Deadlines for Legislation: There are typically two deadlines for submitting legislation for each cycle: one for ordinances and another for resolutions. All accompanying materials, including a summary memo must be submitted to the Council Office via email by noon on the date listed below. For the manner for submitting these materials, please inquire with the Council Office.

LEGISLATIVE CYCLE	COUNCIL WORK SESSION	DEADLINE (NOON) FOR EMAIL SUBMISSION OF ORDINANCES	DEADLINE (NOON) FOR EMAIL SUBMISSION OF RESOLUTIONS	1ST READINGS (ORDINANCES): REGULAR SESSION	ORDINANCES & RESOLUTIONS: COMMITTEE MEETINGS	2ND READINGS & RESOLUTIONS: REGULAR SESSION
		FRIDAYS	MONDAYS	MONDAYS	WEDNESDAYS	WEDNESDAYS
0				1 Jan. 6		
1	2020 Dec. 14 <i>M</i>	2020 Dec. 16 (W)	2020 Dec. 16 (W)	1 Jan. 13	1 Jan. 13	Jan. 20
2	Jan. 8	Jan. 11	Jan. 18	Jan. 20	Jan. 27	Feb. 3
3	Jan 22	Jan. 25	Feb. 1	Feb. 3	Feb. 10	Feb. 17
4	Feb. 5	Feb. 8	Feb. 12 (F)	Feb. 17	Feb. 24	Mar. 3
5	Feb. 19	Feb. 22	Mar. 1	Mar. 3	Mar. 10	Mar. 17
6	Mar. 5	Mar. 8	Mar. 15	Mar. 17	Mar. 24	Apr. 7
7	Mar. 19	Mar. 29	Apr. 5	Apr. 7	Apr. 14	Apr. 21
8	Apr. 9	Apr. 12	Apr. 19	Apr. 21	2 Apr. 28	May 5
9	Apr. 23	Apr. 26	May 3	May 5	May 12	May 19
10	May 7	May 10	May 17	May 19	May 26	June 2
11	May 21	May 24	May 28 (F)	3 June 2	3 June 9	3,4 June 16
<i>SUMMER RECESS (ENDING WITH REGULAR SESSION ON JULY 21) ³</i>						
12	July 9	July 12	July 19	3 July 21	3 July 28	3 Aug. 4
13	July 23	July 26	Aug. 2	Aug. 4	Aug. 11	Aug. 18
14	Aug. 6	Aug. 9	Aug. 9	5 Aug. 18	5 Aug. 18	5 Sept. 1
<i>[BUDGET WEEK – DEPARTMENTAL HEARINGS TO BE HELD – AUG 23-27]</i>						
15	Aug. 20	Aug. 23	Aug. 30	Sept. 1	Sept. 8	Sept. 15
16	Sept. 3	Sept. 3 (F)	Sept. 13	6 Sept. 15	6 Sept. 22	6 Oct. 6
17	[Budget]	Sept. 13	Sept. 13	7,8 Sept. 29	7,8 Sept. 29	8 Oct. 13
18	Sept. 24	Sept. 27	Sept. 27	6 Oct. 6	6 Oct. 6	6 Oct. 20
19	Oct. 8	Oct. 8 (F)	Oct. 18	Oct. 20	Oct. 27	Nov.3
20	Oct. 22	Oct. 25	Nov. 1	Nov. 3	Nov. 10	Nov. 17
21	Nov. 5	Nov. 8	Nov. 8	9 Nov. 17	9 Nov. 17	9 Dec. 1
22	Nov. 19	Nov. 15	Nov. 29	Dec. 1	Dec. 8	10 Dec. 15
<i>YEAR-END RECESS ¹⁰ followed by Organization Day (Jan. 5) and First Legislative Cycle of 2022</i>						
1	Dec. 13 (M)	Dec. 15 (W)	Dec. 15 (W)	1 2022 Jan. 12	1 2022 Jan.12	2022 Jan. 19

1. Organizational Meeting and First Legislative Cycle. The Council will hold its annual Organizational Meeting on Jan. 6 when, along with other matters, it elects officers and appoints members to serve on various boards and commissions. Under local code, the meeting must be held no later than the second Wednesday in January unless rescheduled by a majority of the Council. (BMC 2.04.010 and BMC 2.04.050[a, c & d]).

The Council will hold a Regular Session immediately followed by committee meetings on January 13 in order to avoid losing a legislative cycle due to the Jan. 6 Organizational Meeting.

2. Budget Hearings. The Council will hold a Budget Advance hearing in the Council Chambers at 6:00 p.m. on Tuesday, April 27.

The Council will hold Departmental Budget Hearings in the Council Chambers at 6:00 p.m. each of the four nights of the week of Aug. 23 through 27 (a.k.a. "Budget Week"). Budget Books are scheduled to be delivered to members one week before, on Monday, Aug. 16.

3. Summer Recess. BMC 2.04.050[e] calls for the Council to recess after the first Regular Session in August. At this Regular Sessions, legislation may not be introduced for First Reading.

By approving this Annual Schedule, the Council will be starting and ending the Summer Recess earlier than set forth in the BMC. The Summer Recess will begin after the first legislative cycle in June (which ends with the Regular Session of June 16) and will end with the Regular Session of July 21. Please note that this will move three legislative cycles from before to after

the Summer Recess, but will split the year into an equal number of legislative cycles.

4. Tax Abatement Report. The Council will hear Annual Tax Abatement Reports no later than this Regular Session, during Reports from the Mayor and City Offices.

5. Legislative Cycle Overlapping Budget Week. In order to avoid losing a legislative cycle because of Budget Week (see Note #2), the second legislative cycle in August will entail doubling-up a Regular Session and committee meetings on Aug. 18. That legislative cycle also includes a Work Session on Fri., Aug. 6, and a Regular Session Sept. 1.

6. Legislative Cycles Overlapping the Budget Cycle. The second legislative cycle in September and the first legislative cycle in October overlap with the Budget Cycle (see Note #8). They are intended to allow for consideration of routine, non-budget legislation during that time. Those weeks will include a Regular Session on Sept. 15, committee meetings on Sept. 22, a Regular Session and committee meetings on Oct. 6 (a first Wednesday), and a Regular Session on Oct. 20.

7. Fifth Wednesdays. The Council does not generally meet on a fifth Wednesday of the month. In 2021, there are four such Wednesdays, which occur in March, June, September, and December. According to this schedule, the Council would meet on the fifth Wednesday in September (for a Special Session and committee hearing regarding the Budget for the following year). The fifth Wednesday in

September will allow for a legislative cycle that would otherwise be lost due to the unique scheduling needs of the Budget Cycle (see Note #8).

8. Budget Cycle. After holding Departmental Budget Hearings in mid-August (see Note #2), the Council will formally consider the several items making up the City Budget for 2022 during a separate legislative cycle known as the "Budget Cycle," starting in late September and ending in mid-October. In keeping with the Wednesday meeting schedule, this Budget Cycle starts with a Special Session and Committee of the Whole on the fifth Wednesday in September and ends with a Special Session on the second Wednesday in October.

Please note that the statutorily required initial public hearings associated with the City Budget package will be held during the aforementioned committee hearing, and the official adoption meeting will be held at Second Reading during the Special Budget Session in October.

9. Thanksgiving Week. The Council will not meet on the Wednesday before Thanksgiving per BMC 2.04.050[f]. In order to hold a full complement of Wednesday meetings during the two legislative cycles in November, this schedule doubles-up a Regular Session and committee meetings on Nov. 17.

10. Year-End Recess. BMC 2.04.050[g] calls for the Council to recess after the second Regular Session in December. At this session, legislation may not be introduced for First Reading.

Additional Notes on the Council's Annual Legislative Schedule

Note: If additional meetings are scheduled, or if the date, time or place of a scheduled meeting changes, additional public notice will be posted. By adoption of this schedule, the Council gives staff the authority to correct typographical errors and align the narrative and notes to mesh with changes made in the course of and after Council approval of this schedule. These changes will not alter the date, time, or place of any meeting approved by the Council upon schedule adoption.

Special Note related to the ongoing 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).

The Council has been meeting via Zoom during the public health emergency. These virtual meetings are accessible to the public via links provided in advance of each meeting. 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.

For background and more information, consult Chapter 2.04 of the Bloomington Municipal Code, visit the Council website at bloomington.in.gov/council, or contact the Council office at 812-349-3409 | council@bloomington.in.gov.