

In Bloomington, Indiana on Wednesday, September 23, 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
September 23, 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 [6:30pm]

Council President Stephen Volan summarized the agenda.

AGENDA SUMMATION [6:31pm]

Alex Crowley, Director of Economic and Sustainable Development (ESD), presented an overview of an Economic Development Administration (EDA) grant for the Trades District Technology Center (TDTC).

REPORTS

- MAYOR AND CITY OFFICES [6:32pm]

Kaisa Goodman, Special Projects Manager, provided details on the concept of the TDTC.

Sims asked who would be responsible for the financial sustainability of the TDTC.

Council questions:

Crowley explained that there was a detailed operations plan that included the building and programming components. He said that there was a cost breakdown of the expenses and a conservative projection of what the building revenues would be, including leased office space, building income, and programming income. Crowley stated that staff had looked at examples of event income for places like The Mill. Crowley explained that in the first year, there would be a gap in income, but that the EDA required that a building, post-opening, be self-sufficient, and break even by the third year. Crowley clarified that the first year cost gap could be around \$250,000 if there was no income, but that it would operate in the \$100,000-150,000 range as income started to come in from the building.

Piedmont-Smith asked if the building would be built to LEED standards, or other green building standards.

Crowley responded that the green building standards applied to the TDTC and that staff was looking at ways to best adhere to the standards, including solar panels. He clarified that the preliminary drawings of the TDTC would be redrawn if the project was granted.

Goodman stated that the preliminary engineering report included that a large portion of the roof would be green and the rest would be white.

Piedmont-Smith asked where the solar panels would be placed.

Crowley explained that they would be from the top to the south portion of the roof.

Smith asked about the timeline for marketing, when the building would have tenants, if there would be tech centers with personnel, or would be a company's headquarters with hardware.

Crowley said that the TDTC was intended to be an office building in order to create a space for companies to interact together, and provided examples of collaborations.

LEGISLATION FOR SECOND
READING AND RESOLUTIONS
[6:56pm]

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

Resolution 20-15 A Resolution
Extending the Term of Ordinance
20-11

Piedmont-Smith moved and it was seconded that Resolution 20-15 be adopted.

Crowley presented the legislation and explained the need for the extension of Ordinance 20-11 which waived certain formalities of the Bloomington Municipal Code (BMC) related to signs and seating encroachments.

Goodman provided more details including the pick-up/drop off zones, parklets, relaxation of signage guidelines, and the weekend closure of Kirkwood Avenue.

Volan asked if a resolution could extend an ordinance.

Council questions:

Stephen Lucas, Council Attorney/Administrator confirmed that Ordinance 20-11 allowed that a resolution be adopted to adjust certain components of the ordinance.

Flaherty asked about parklets since they were not included in Ordinance 20-11 and if the relaxation of codes was enough to allow parklets.

Mike Rouker, City Attorney, stated that Public Works had the authority to take that action without the Common Council.

Flaherty asked if that department also had to update the action.

Rouker clarified that the Public Works had taken responsibility for certain closures so no additional action was needed.

Flaherty asked if this fell under the 180-day orders.

Rouker confirmed that was correct.

Piedmont-Smith asked if there were any businesses on the blocks of Kirkwood that were closed, who expressed that the closure hurt their business.

Goodman stated that in determining which blocks to close, staff worked with Kirkwood Community Association (KCA) who reached out to the businesses and other impacted establishments. Goodman clarified that while there was not 100% consensus, there was overwhelming support for the closure, though some restaurants had not taken advantage of the outdoor seating.

Piedmont-Smith asked if the city had heard from specific businesses who said the closure hurt their business.

Crowley explained that staff relied on KCA as the interface with businesses and stated that he had not been contacted by restaurants about the street closure. Crowley said that he was contacted by community members who complained about less parking.

Piedmont-Smith asked if there were concerns from non-restaurant businesses about the closures.

Crowley stated that there had only been concerns about the placement of parklets near non-restaurant businesses.

Clerk Bolden read a question from Dave Askins of B Square Beacon regarding council consideration of legislation enabling flexibility in the BMC so that city staff can make decisions similar to what was done in the health emergency, in a more nimble way.

Public comment:

Piedmont-Smith commented that she had enjoyed patronizing two restaurants on Kirkwood Ave., and that both restaurant managers had expressed that the closure had been helpful to the business. She said that she was in support of continuing the closure.

Resolution 20-15 (cont'd)

Flaherty echoed Cm. Piedmont-Smith and stated that the changes were useful outside of the pandemic, and that he would consider how to continue the changes long term, and what role the council had.

Volan stated that originally he had predicted that an extension to Ordinance 20-11 would need to be done, and further predicted that in the future, portions of the ordinance would be permanent. He commented that the closure of some parking spaces did not harm businesses and spoke about parking in the city.

The motion to adopt Ordinance 20-15 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 20-15
[7:15pm]

Piedmont-Smith moved and it was seconded that Resolution 20-16 be read by title and synopsis. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Clerk Bolden read Resolution 20-16 by title and synopsis.

Resolution 20-16 Supporting the Painting of Two Black Lives Matter Street Murals - One on Elm Street and One at a Downtown Location to be Determined

Piedmont-Smith moved and it was seconded that Resolution 20-16 be adopted.

Sean Starowitz, Assistant Director for the Arts of ESD, presented Resolution 20-16. Starowitz referenced the importance of September 23 as the day that Emmett Till's murderers were acquitted and the justice system's failure towards Breonna Taylor and her family. He said that Resolution 20-16 came about by recommendation of the Banneker Community Center Advisory Council (BCCAC).

Erik Pearson, Program Facility Coordinator of Banneker Community Center (BCC), and staff liaison for the BCCAC, discussed the proposed Black Lives Matter murals in Resolution 20-16.

Nichelle Whitney, BCCAC, commented that the proposal asked that the city join in the commitment to painting two Black Lives Matter murals as a community engagement project. Whitney highlighted key points in the proposal including artistic design, the determination of the second mural's location, and spoke about the accountability that comes with the painting of the murals.

There were no council questions.

Council questions:

Autumn Brunelle, BCCAC, spoke in favor of Resolution 20-16 and as an Indigenous community member, she valued the importance of the anti-racist approach in the proposal.

Public comment:

Sims thanked the presenters of Resolution 20-16 and stated that it had unanimous support from the Office of the Mayor, the Community and Family Resources (CFR) department, the Economic and Sustainable Development department (ESD), and Public Works. Sims expressed his support for Resolution 20-16 and spoke about the Black Voices section in the Indiana Daily Student (IDS). He mentioned that Jacquelyn Ferguson was the Editor for Black Voices and that Jacob DeCastro was the Editor-in-Chief. Sims discussed the changes that were arising, including policies, practices, and laws.

Council comments:

Sims also discussed the approval process Resolution 20-16 went through via the Board of Parks Commissioners and the Arts Commission and hoped that created a continued dialogue, meaningful actions, and education for the community.

Sgambelluri thanked the individuals who worked on the proposal and asked if local Black and Brown artists would be painting the mural.

Starowitz confirmed that local Black and Brown artists were commissioned for the work, and stated that the Elm Street mural would be more artistic while the downtown mural (location to be determined) would be in a higher traffic area, so would use high traffic paint for longevity. Starowitz also commented that it would be a community event, and the city would work with the Monroe County Health Department to ensure Covid-19 protocols for safety.

Sandberg thanked all the individuals who worked on the proposal and commented on the importance of art in a variety of aspects within the community. She also stated that it was especially important during the nation's time of turmoil and that those voices needed to be heard. Sandberg stressed the importance of finding common ground for social justice.

Piedmont-Smith added her thanks to the BCCAC and city staff who helped bring forward Resolution 20-16 and spoke about the unofficial Black Lives Matter mural in Peoples' Park. She said that the murals needed to be followed by action, and that she was committed to have community conversations regarding public safety.

Rollo thanked those involved in the project and said that he overwhelmingly supported Black Lives Matter and its sentiment. He spoke about injustices including current events regarding Breonna Taylor. Rollo commented that there was a difference between Black Lives Matter sentiment and the political organization called Black Lives Matter, and that they were sometimes conflated. He said that he was apprehensive to use government funds to promote a political organization. Rollo spoke about petitions and court cases that other political organizations had brought forward to challenge cities that had adopted legislation like Resolution 20-16. Rollo stated that because of the reasons he listed, he would be passing on Resolution 20-16.

Flaherty stated that he would be proudly supporting Resolution 20-16 and that he appreciated the presentation. He said that the resolution was a statement of support and only one piece in a larger civil rights movement that council had a high-level responsibility of furthering. Flaherty commented that he looked forward to ongoing conversations, trainings, and policy changes to address racial inequities. He stated that he appreciate Ms. Whitney calling for accountability.

Volan stated that he would be supporting Resolution 20-16 and suggested that the ESD and BCCAC could interface with a council committee, perhaps the Community Affairs committee.

Sims stated that Joy Roberts was having AV trouble in the Zoom meeting and asked him to thank everyone on her behalf. Smith thanked individuals for the proposal and stated he hoped there was a way to begin a more direct dialogue and asked the presenters to reach out to him.

The motion to adopt ~~Resolution 20-16~~ received a roll call vote of Ayes: 8, Nays: 0, Abstain: 1 (Rollo).

Vote to adopt ~~Resolution 20-16~~ [7:46pm]

Stephen Lucas, Council Attorney/Administrator discussed the upcoming schedule.

COUNCIL SCHEDULE [7:47pm]

Sandberg stated that the Jack Hopkins Social Services Funding (JHSSF) had extended more time for applications.

Lucas stated that the new deadline was October 2, 2020 at 12:00pm (noon) and that more information could be found on the JHSSF website.

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

ADJOURNMENT [7:50pm]


APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 18 day of August, 2021.

APPROVE:

ATTEST:



Jim Sims, PRESIDENT
Bloomington Common Council



Nicole Bolden, CLERK
City of Bloomington