



City of Bloomington Common Council

Legislative Packet

Containing legislation and materials related to:

Wednesday, 01 December 2021

Regular Session

6:30 pm

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



CITY OF BLOOMINGTON COMMON COUNCIL

AGENDA AND NOTICE:
REGULAR SESSION
WEDNESDAY | 6:30 PM
01 DECEMBER 2021

*Per IC 5-14-1.5-3.7, this meeting will be conducted electronically.
The public may access the meeting at the following link:*

<https://bloomington.zoom.us/j/84969096750?pwd=M3pGVTFZZExxMnZoNmVHVWR6Q2VBZz09>

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES

- 13 January 2021 (Regular Session)
- 20 January 2021 (Regular Session)
- 03 February 2021 (Regular Session)

IV. REPORTS *(A maximum of twenty minutes is set aside for each part of this section.)*

- A. Councilmembers**
- B. The Mayor and City Offices**
- C. Council Committees**
- D. Public***

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READINGS AND RESOLUTIONS

- A. Appropriate Ordinance 21-05 - To Specially Appropriate from the General Fund, Public Safety LIT Fund, Solid Waste Fund, Cumulative Capital Development Fund, Food and Beverage Tax Fund, Motor Vehicle Highway Fund, Parks and Recreation General Fund, Police Pension Fund, Alternative Transportation Fund, and the Rental Inspection Program Fund Expenditures Not Otherwise Appropriated, and to Appropriate the Proceeds of the Solar Refunding Bonds of 2021 (Appropriating Various Transfers of Funds Within the General Fund, Public Safety LIT Fund, Parks & Recreation General Fund, Alternative Transportation Fund, Cumulative Capital Development Fund, Police Pension Fund, and Appropriating Additional Funds from the General Fund, Food and Beverage Tax, Rental Inspection Fund, Motor Vehicle Highway, Solid Waste Fund, and the Proceeds from the Solar Refunding Bonds of 2021)

Committee of the Whole Recommendation (17 Nov. 2021) – Do Pass: 8-0-0

- B. Ordinance 21-45 - To Amend Title 7 of the Bloomington Municipal Code Entitled “Animals” – Re: Amending Chapter 7.01 (Definitions); Chapter 7.16 (Commercial Animal Establishment Permits); Chapter 7.54 (Fees); and Chapter 7.56 (Enforcement Procedure)

Committee of the Whole Recommendation (17 Nov. 2021) – Do Pass: 7-0-2

Posted: 19 November 2021

VII. LEGISLATION FOR FIRST READINGS

- A. Ordinance 21-46 - To Amend Title 8 of the Bloomington Municipal Code, Entitled “Historic Preservation and Protection” to Establish a Historic District – Re: the James Faris House Historic District (William Bianco, Owner And Petitioner)

- B. Resolution 21-36 - A Resolution Supporting the Establishment of a Sibling City Relationship with the City of Palo Alto, California

VIII. ADDITIONAL PUBLIC COMMENT* (*A maximum of twenty-five minutes is set aside for this section.*)

IX. COUNCIL SCHEDULE

- A. Common Council Annual Schedule for 2022

X. ADJOURNMENT

*Members of the public may speak on matters of community concern not listed on the agenda at one of the two public comment opportunities. Citizens may speak at one of these periods, but not both. Speakers are allowed five minutes; this time allotment may be reduced by the presiding officer if numerous people wish to speak.

STATEMENT ON PUBLIC MEETINGS DURING THE PUBLIC HEALTH EMERGENCY

Under Indiana Code 5-14-1.5-3.7, during a declared public health emergency, the Council and its committees may meet by electronic means. The public may simultaneously attend and observe this meeting at the link provided above. Please check [the Council Website at https://bloomington.in.gov/council](https://bloomington.in.gov/council) for the most up-to-date information on how the public can access Council meetings during the public health emergency.

Posted: 19 November 2021



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

NOTICE

Wednesday, 01 December 2021

Regular Session at 6:30 pm

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

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City of Bloomington
Office of the Common Council

Minutes for Approval

13 January 2021 | 20 January 2021 | 03 February 2021

In Bloomington, Indiana on Wednesday, January 13, 2021 at 6:30pm, Council President Jim Sims presided over a Regular Session of the Common Council. Per the Governor's Executive Orders, this meeting was conducted electronically via Zoom.

COMMON COUNCIL
REGULAR SESSION
January 13, 2021

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 Jim Sims summarized the agenda.

AGENDA SUMMATION [6:32pm]

Flaherty moved and it was seconded that for the duration of 2021, the Council suspend the rules to allow the Council to consider minutes for meetings held before 2020 in the ordinary course of business. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

APPROVAL OF MINUTES [6:36pm]

Flaherty moved and it was seconded to approve the minutes of the June 18, July 2, August 6, September 3, September 10, November 19, December 3, December 17, 2008 meetings, and the October 21, and November 4, 2009 meetings. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

June 18, 2008 (Regular Session)
July 2, 2008 (Regular Session)
August 6, 2008 (Regular Session)
September 3, 2008 (Regular Session)
September 10, 2008 (Special Session)
November 19, 2008 (Regular Session)
December 3, 2008 (Regular Session)
December 17, 2008 (Regular Session)
October 21, 2009 (Regular Session)
November 4, 2009 (Regular Session)

There were no reports from councilmembers.

REPORTS

- COUNCIL MEMBERS [6:38pm]

There were no reports from the Mayor or city offices.

- The MAYOR AND CITY OFFICES [6:39pm]

There were no council committee reports.

- COUNCIL COMMITTEES [6:39pm]

Jim Shelton spoke about Court Appointed Special Advocates (CASA). He said a training session for volunteers was coming up and more volunteers were needed.

- PUBLIC [6:40pm]

Barbara Moss, a resident of Hoosier Acres, commented about the Biden housing proposal and the affirmatively furthering fair housing rule. She spoke about home ownership for the black middle class, the effects of upzoning and high density zoning.

Alex Goodlad expressed his discontent with the Office of the Mayor's eviction of the tents in Seminary Park. He spoke in support of a low barrier emergency shelter for the homeless.

Nathan Mutchler echoed and amplified Alex Goodlad's comments.

Annalise Kane, a student at Indiana University (IU), spoke in support of Goodlad and Mutchler's comments. She said the encampments should remain undisturbed at this time without low barrier, safe shelters available.

- Public (cont'd)

Tassie Gnaidy spoke about the vulnerability of the homeless population.

Sam Barbash Riley, a social worker in the area, spoke about the homeless population. He expressed a need for housing solutions and low barrier, safe shelters.

Nicole Johnson, spoke about the Seattle City Council and their strategies for allowing encampments for the homeless population. She asked the City of Bloomington Council to consider this type of legislation.

There were no appointments to boards or commissions.

APPOINTMENTS TO BOARDS AND COMMISSIONS [6:58pm]

LEGISLATION FOR SECOND READING AND RESOLUTIONS [6:58pm]

Flaherty moved and it was seconded that Resolution 21-02 be read by title and synopsis only. The motion was approved by voice vote. Chief Deputy Clerk Sofia McDowell read the legislation by title and synopsis.

Resolution 21-02 To Approve the Interlocal Agreement Between Monroe County, the Town of Ellettsville and the City of Bloomington for Animal Shelter Operation for the Year 2021

Flaherty moved and it was seconded that Resolution 21-02 be adopted.

Virgil Sauder, Director of the Animal Shelter, presented the legislation. He said the agreement allowed the shelter to accept animals from Monroe County sources outside of the city limits. They do not charge surrender fees like they do for animals coming from outside Monroe County. He presented statistics from the shelter.

Rollo asked for more detail about how the reimbursement figure was derived.

Council questions:

Sauder elaborated on the calculation.

Piedmont-Smith asked about the percentage of animals adopted or transferred.

Sauder said the percentages shared were for animals that left their care through positive means.

Piedmont-Smith asked if the percentage that were not relocated or placed in homes were euthanized.

Sauder said that four percent of all animals in 2020 were euthanized. The remaining percentage of animals were still in the care of the shelter.

Piedmont-Smith asked why the four percent were euthanized.

Sauder said that those animals were sick, severely aggressive animals or injured beyond saving.

Piedmont-Smith asked how that percentage of euthanasia compared to previous years.

Sauder responded it was the lowest percentage yet. In the last couple of years it had been around five to six percent.

There was no public comment.

Public comment:

Rollo stated his support of the resolution. He thanked Sauder's team for making efforts to lower the percentage of animals euthanized.

Council comment:

Sgambelluri thanked Sauder for the work of the shelter. She also thanked volunteers of the shelter.

Sims recognized the success of the shelter's operations.

The motion to adopt Resolution 21-02 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Resolution 21-02 [7:10pm]

Flaherty moved and it was seconded that Resolution 21-01 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. McDowell read the legislation by title and synopsis.

Resolution 21-01 To Consolidate Standing Committees of the Common Council [7:11pm]

Flaherty moved and it was seconded that Resolution 21-01 be adopted.

Volan presented the legislation. The legislation proposed the Housing Committee would be consolidated into the Land Use Committee, the Utilities & Sanitation Committee consolidated into the Community Affairs Committee, the Climate Action & Resilience Committee would be consolidated into the Sustainable Development Committee, the Sidewalk Committee would be eliminated, and the Jack Hopkins Social Services Fund (JHSSF) Committee would be elevated to a "full" committee. The legislation clarified that the Public Safety Commission would appoint members to the CAPS Commission.

There were no council questions.

Council questions:

Smith moved and it was seconded to adopt Amendment 01 to Resolution 21-01.

Amendment 01 to Resolution 21-01 [7:18pm]

Amendment 01 Synopsis: This amendment is sponsored by Councilmembers Smith and Rollo to remove a provision that would otherwise dissolve the Council Sidewalk Committee.

Smith summarized the amendment.

Rollo stated his opinion that the Sidewalk Committee did a lot of good work and thought it should remain a stand-alone committee.

Volan asked Smith why he commented that he had a lot to learn about the Sidewalk Committee.

Council questions:

Smith said because he was a new member on the Sidewalk Committee, he wanted to gain more experience on the committee to speak knowledgeably about sidewalk issues and merits of the Sidewalk Committee.

Rollo said equity was addressed on the Sidewalk Committee. The criteria was being revamped to identify metrics that would be used to determine needs for sidewalks throughout the city.

Sgambelluri asked about other sources of funding that could be used to improve sidewalks.

Amendment 01 to Resolution 21-01(cont'd)

Rollo and Smith responded that an analysis had not been undertaken. Rollo mentioned some examples of sidewalk projects that benefited from other sources of funds.

Sgambelluri asked how equity had been incorporated in decisions for sidewalks.

Rollo spoke about the criteria used to prioritize sidewalk projects that would be funded, and said it would be done in an equitable manner.

Mark Stosberg, creator of the sidewalk equity audit analyzing the Sidewalk Committees' funding over the last 17 years, spoke about Amendment 01 to Ordinance 21-01. He spoke against the existing process that was in place with the Sidewalk Committee.

Public comment:

Alex Goodlad spoke in opposition to Amendment 01 to Resolution 21-01.

Mark Sturdivant spoke about addressing the problem of homeless people sleeping in Seminary Park.

Sims told Mr. Sturdivant that comments for Amendment 01 to Resolution 21-01 were being taken at this point in the meeting.

Flaherty, Council Parliamentarian, explained that Mr. Sturdivant would be allowed to speak during the point in the meeting when additional public comments were taken.

Rosenbarger asked the sponsors of the amendment why not follow national best practices of using an objective process.

Council questions:

Rollo stated that a certain amount of subjectivity is unavoidable. Rollo explained that objective standards were being used.

Smith believed it was impossible to eliminate subjectivity entirely.

Sandberg asked Rollo if he wanted to defend the finding in the sidewalk equity audit that his district has benefited disproportionately over other districts in the city.

Rollo cited various examples of why different sidewalk projects were chosen in his district, 4. He explained that reasons could be nuanced and complicated.

Volan asked if it would be a better idea to have decisions for funding of sidewalks be made by the Committee of the Whole (COW) so that each district was represented by their councilmember.

Rollo explained that the meetings had been time consuming and he agreed that there are merits to the COW to review sidewalk projects.

Sandberg spoke in support of keeping the Sidewalk Committee intact as it is now.

Council comment:

Flaherty clarified that Resolution 21-01 proposed to strike the Sidewalk Committee from existence entirely after the end of 2021. He said that Amendment 05, to be discussed later in the meeting, proposed that the duties of the Sidewalk Committee be folded into the duties of the Transportation Committee. He noted the Bicycle and Pedestrian Safety Commission voted unanimously to adopt the findings of Stosberg's sidewalk equity audit report. They also recommended that sidewalk funding decisions should be done by city staff. He stated his opinion that the existing process by which the Council Committee decided how sidewalk funds be spent was

not how the Council should be spending their time. He said the existing process was not as objective as it could be. He stated that he would not vote for Amendment 01 of Resolution 21-01.

Amendment 01 to Resolution 21-01(cont'd)

Sgambelluri stated her support of Amendment 01 of Resolution 21-01. She stated that council members were the frontline hearing from constituents and that the committee should be allowed to exist for another year and have this subject revisited in another year.

Piedmont-Smith spoke against Amendment 01 of Resolution 21-01. She felt the existing process led to the possibility of inadvertent inequity in sidewalk funding. She supported that sidewalk funding should be decided by city staff.

Rollo said that comments from constituents was useful in informing decisions. He stated that city staff do not meet with constituents on a regular basis and will not take their views into consideration. Rollo said neighborhood meetings bring forth good information that should be considered.

Volan spoke in support of the work that Rollo had done for the Sidewalk Committee. He stated that no one councilmember decided sidewalk funding unfairly, but rather that the existing process may not be as objective as possible. He supported the idea of the Sidewalk Committee becoming a part of the Transportation Committee. He discussed the different ways sidewalk funding could be decided by either councilmembers or city staff.

Rosenbarger spoke in support of sidewalk funding being decided by the COW so that all council members had a say in the process. Rosenbarger said a lot of city staff had participated in the Sidewalk Committee meetings. City staff had gathered data on all city sidewalks that could be used in planning and decision making in the future. Rosenbarger expressed her interest in working on a project to do bonding for large sidewalk projects.

Sims pointed out that words matter. He stated his support of keeping the Sidewalk Committee for at least another year. He said that city staff was committed and willing to update the criteria for decision making. He supported some recommendations from Mr. Stosberg's report for decision making.

Piedmont-Smith said that sidewalks were geographic issues and could lead to council bias whereas other policy decisions were not tied to a council member's districts. She stated her desire to attempt to represent citizens who were unable to attend constituent meetings. People who attend the meetings were a self-selected group and she hoped to listen to the voices of those who could attend and those who could not.

Smith spoke in support of keeping the Sidewalk Committee as it currently existed.

Volan said he supported eliminating bias in decision making as much as possible but sees the merits of opinions at times too.

Sims described the complexity of sidewalk project planning.

The motion to adopt Amendment 01 to Resolution 21-01 received a roll call vote of Ayes: 5, Nays: 4 (Flaherty, Piedmont-Smith, Volan, Rosenbarger), Abstain: 0.

Vote to adopt Amendment 01 to Resolution 21-01 [8:29pm]

Sgambelluri moved and it was seconded to adopt Amendment 02 to Resolution 21-01.

Amendment 02 to Resolution 21-01 [8:30pm]

Amendment 02 Synopsis: This amendment is sponsored by Councilmember Sgambelluri. It removes the first three Whereas clauses from the resolution to avoid implying there is a consensus on the assessment of the Council's standing committees and their impact on the legislative process, as there are a variety of opinions among stakeholders.

Sgambelluri explained the amendment.

Volan asked why the third Whereas clause was considered by Sgambelluri to be subjective in nature. He did not take exception to the first two Whereas clauses being omitted.

Council questions:

Sgambelluri thought that all three were subjective.

There was no public comment on Amendment 02 to Resolution 21-01.

Public comment:

Sandberg appreciated the neutrality of amending the Whereas clauses.

Council comment:

Volan said he understood the intent of the amendment.

Smith appreciated the amendment and would be supporting it.

The motion to adopt Amendment 02 to Resolution 21-01 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 02 to Resolution 21-01 [8:38pm]

Sgambelluri moved and it was seconded to adopt Amendment 03 to Resolution 21-01.

Amendment 03 to Resolution 21-01 [8:39pm]

Amendment 03 Synopsis: This amendment is sponsored by Councilmember Sgambelluri. The Sustainable Development Committee has evolved to focus on the City's economic vision and, most recently, the response to COVID-19's devastating impact on local employers. These efforts have primarily been in coordination with the Department of Economic and Sustainable Development. In contrast, Bloomington's response to climate change must involve every City department as well as multiple boards and commissions, private sector partners, colleagues in County government, and others. A stand-alone Climate Action and Resilience Committee is better positioned to play such a boundary-spanning role.

Sgambelluri explained Amendment 03.

Piedmont-Smith asked Sgambelluri, for the sake of the public, to explain the purpose of the amendment.

Council questions:

Sgambelluri said Resolution 21-01 proposed to discontinue the Climate Action and Resilience Committee as a stand-alone committee, and that Amendment 03 removed that proposed action from the resolution.

Volan asked if he could comment on the amendment since he was the sponsor of Resolution 21-01.

Flaherty confirmed that was appropriate and Sims allowed it.

Volan reminded council that the resolution had proposed to implement the single Sustainability Climate Action and Resilience committee as proposed the prior year. He stated that he had no issues with Amendment 03.

Flaherty commented on council's committee system and the hearing of legislation. He asked how committees would be affected if Amendment 03 failed.

Amendment 03 to Resolution 21-01 (*cont'd*)

Sgambelluri responded that the usefulness of a particular committee was based on how much legislation was sent to it. She said that the value of a committee was more than just the legislation that was sent to it, and that climate was a pervasive issue, and would get diluted if folded in to another committee.

Alex Goodlad commented on his support for Amendment 03.

Public comment:

Mark Sturdevant spoke against Centerstone.

Nathan Mutchler discussed climate crisis and the role of the city.

Volan commented on councilmembers' focus on sustainable development, and climate action, and said that resilience need to be discussed further. He said that the Economic and Sustainable Development (ESD) department had the most to do with the resilience of the community with dispersal of monies. He stated he did not have strong feelings either way regarding Amendment 03.

Council comments:

Sandberg stated she supported keeping the committees separate and thanked city staff for their work in responding to the pandemic. She spoke about the council's expertise and stated that some committees would not have as much legislation referred to it.

Flaherty said he would support Amendment 03 and that he saw benefits in keeping the committees separate, and in combining them. He commented that climate modified both action and resilience, climate change mitigation, and adaptation. He said that climate resilience was the adaptive capacity in responding to things like climate migration and other impacts.

Smith stated his support of Amendment 03.

Volan thanked Sandberg for pointing out that it was the Community and Family Resources (CFR) and its staff played a crucial role in the response to the pandemic. He also thanked Flaherty for expressing that climate modified action and resilience. He stated his support for Amendment 03.

The motion to adopt Amendment 03 to Resolution 21-01 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 03 to Resolution 21-01 [9:01pm]

Piedmont-Smith moved and it was seconded to adopt Amendment 04 to Resolution 21-01.

Amendment 04 to Resolution 21-01 [9:02pm]

Amendment 04 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and removes provisions that would abolish the Council's Housing Committee, while also clarifying that committees not abolished or otherwise affected by the resolution would continue unchanged.

Piedmont-Smith presented Amendment 04.

Volan stated that he did object to Amendment 04.

Flaherty asked Piedmont-Smith's opinion on placing housing within land use and why she thought it was not ideal.

Piedmont-Smith responded that there were synergies between land use and housing, and the efficient use of land. She commented that the Land Use Committee (LUC) was already very busy and that there was a steady stream of petitions from the Plan Commission. She commented that she knew the work load having been on the LUC for three years, and having chaired the committee. She explained the value in having a separate committee that could focus on just the housing issues.

Alex Goodlad spoke about climate's role in committees.

Stephen Lucas, Council Attorney, read a statement submitted via Zoom chat from the B Square Beacon pertaining to the situation in Seminary Park being either a housing issue or a public safety issue, and asked if it was a housing issue, why the Public Safety Committee was hosting a meeting regarding the situation the following day.

There was no comment from the council.

The motion to adopt Amendment 04 to Resolution 21-01 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Piedmont-Smith moved and it was seconded to adopt Amendment 05 to Resolution 21-01.

Amendment 05 Synopsis: This amendment is sponsored by Councilmember Rosenbarger and specifies that the function performed by the Council Sidewalk Committee shall be performed by the Transportation Committee (in addition to the existing functions of the Transportation Committee).

Rosenbarger presented Amendment 05.

Volan stated that he did not object to Amendment 05.

Piedmont-Smith asked if Amendment 05 was moot because Amendment 01 was passed which preserved the Sidewalk Committee.

Flaherty stated that council chose to pass Amendment 01 and not strike the Sidewalk Committee, and that Amendment 05 proposed something different.

Rosenbarger explained that Amendment 05 proposed moving the duties of the Sidewalk Committee into the Transportation Committee.

Volan asked if Amendment 05 retained the sidewalk fund and that the Transportation Committee would be responsible.

Rosenbarger confirmed that was correct.

Lucas commented on the ninth whereas clause which might need to be revised.

Smith asked what happened if Amendment 05 passed.

Rosenbarger stated that the duties of the Sidewalk Committee would become the duties of the Transportation Committee.

Smith asked for the rationale.

Rosenbarger explained that it was an attempt to merge some committees, based on feedback that there were too many

Amendment 04 to Resolution 21-01 (cont'd)

Council questions:

Public comment:

Council comment:

Vote to adopt Amendment 04 to Resolution 21-01 as amended [9:09pm]

Amendment 05 to Resolution 21-01 [9:09pm]

Council questions:

committees. She also stated that sidewalks were a form of transportation.

Amendment 05 to Resolution 21-01 (cont'd)

Sgambelluri asked if the Transportation Committee would only take over the duties or would also absorb the Sidewalk Committee members.

Council questions:

Rosenbarger stated that it would only be the duties and that there were two councilmembers on both the Transportation Committee and Sidewalk Committee.

Sgambelluri asked if she was correct in that it would effectively eliminate the Sidewalk Committee.

Lucas explained that was correct, that Amendment 01 preserved the Sidewalk Committee, but it was essentially superfluous.

Sgambelluri asked if there were other funds controlled by the Transportation Committee aside from the Alternative Transportation Fund monies and the sidewalk fund.

Rosenbarger stated there were no other funds.

Smith stated that his interpretation was that since Amendment 01 passed, that Amendment 05 was moot.

Rosenbarger explained that Amendment 01 asked if council wanted to eliminate the Sidewalk Committee and its duties, and that Amendment 05 asked if council wanted the duties moved to the Transportation Committee.

Smith said that it would essentially dissolve the Sidewalk Committee.

Rosenbarger stated that it wouldn't dissolve the Sidewalk Committee but that it would not have anything in its portfolio and would not have a reason to meet.

Volan asked that regardless of how council oversaw the sidewalk funds, that council would still have control over those funds, and that it was only a question of which committee would do so.

Rosenbarger confirmed that was correct.

Volan said that the net result of Amendment 05 would obviate the Sidewalk Committee but that there would still be a committee deliberating on the use of the sidewalk funds.

Rosenbarger stated that was correct.

Volan asked Smith if that was his understanding, too.

Smith stated that it was.

Sims mentioned the issues regarding inherent biases by elected officials, and asked Rosenbarger how Amendment 05 impacted that, if at all.

Rosenbarger responded that all councilmembers had inherent biases and it wouldn't be different.

Sims commented on the discussion during consideration of Amendment 01 regarding a reason to dissolve the Sidewalk Committee being the inherent biases in sidewalk equity.

Alex Goodlad supported Amendment 05 and provided reasons for his support.

Public comment:

Mark Sturdevant commented on Centerstone.

Sgambelluri asked why sidewalk funds would be better housed in the Transportation Committee, when it could be that the Sidewalk Committee could inform the Transportation Committee.

Council comment:

Rosenbarger stated that it made sense to have all transportation issues under one committee, especially given the workload of the

committees. She said that the Sidewalk Committee did not inform the Transportation Committee over the last year.

Amendment 05 to Resolution 21-01 (cont'd)

Flaherty stated that council had discussed other funding sources for sidewalks. He asked if moving the duties of the Sidewalk Committee to the Transportation Committee would result in better integration of broader policy issues like better sidewalk funding and how trails and bike lanes interacted.

Council comment:

Rosenbarger stated that it would be a good way to look at the broader transportation issues. She explained that combining the committee duties created a cohesive and collaborative approach to dealing with everything at once. Rosenbarger also stated that she was on both committees, and that councilmembers could give their committee preference to the council president.

Volan commented that he had not addressed the questions of the Sidewalk Committee with Resolution 20-01, the previous year, because it was well established and there were other issues that merited a Transportation Committee. He stated that he knew some standing committees would need to evolve, and said that Amendment 05 made sense because sidewalks were transportation. He said that a majority of councilmembers voted to keep being directly in charge of sidewalk funds, and that Amendment 05 proposed that it be the Transportation Committee. Volan stated that he would be willing to yield his seat on the Transportation Committee, to another councilmember, if Amendment 05 passed.

Rollo said he thought Amendment 05 was a bad idea, and that he had served on the Sidewalk Committee for a long time, and thought it was an effective committee. He explained that it had a specific role involving connectivity in the city. Rollo said that was why he believed that some of the larger projects were out of the purview of the Sidewalk Committee because they were miles long, or too costly. He clarified that the Transportation Committee had a broader role to play. Rollo commented on funding for sidewalk projects. He reiterated the role and schedule of the Sidewalk Committee and its efficiency. He said that it would be useful to maintain the Sidewalk Committee for at least another year because it was currently evaluating projects.

Flaherty stated that he would support Amendment 05, and that he appreciated council's comments. He analyzed the proposals and stated that it made sense to have a single committee to looking at transportation issues. He clarified that it would not undermine the Sidewalk Committee's work or quality, and that the same procedures and processes would be in place, just under another committee.

Rollo explained that he had been on the Sidewalk Committee for several years, and knew how it operated. He said that it was different from the broad scope of the Transportation Committee.

Volan invited Rollo to take his seat on the Transportation Committee, and talked about the Parking Commission. He said that the Transportation Committee's broader scope did not mean that it could not also take on the Sidewalk Committee's duties.

The motion to adopt Amendment 05 to Resolution 21-01 received a roll call vote of Ayes: 5, Nays: 4 (Rollo, Sandberg, Sims, Smith), Abstain: 0.

Vote to adopt Amendment 05 to Resolution 21-01 as amended [9:42pm]

Flaherty moved and it was seconded to authorize staff to reconcile Section 4 of Resolution 21-01.

Motion to authorize staff to reconcile Section 4 [9:43pm]

Piedmont-Smith asked for clarification on how Section 4, which listed the Sidewalk Committee as being dissolved, would be amended.

Council questions:

Lucas responded that the ninth whereas clause also listed the abolition of the Sidewalk Committee and the Transportation Committee subsuming its functions, which might need to be revised. He explained further considerations, and said that council could reconsider Amendment 01 or a future resolution might be needed to abolish the Sidewalk Committee.

Sims asked what the will of the sponsors of Amendment 01 was.

Smith stated that he was not sure.

Flaherty provided context that Sgambelluri was a councilmember on the prevailing side of Amendment 01 and Amendment 05, and said that she could make a motion to reconsider Amendment 01 in light of Amendment 05. He said that a future resolution would also suffice.

Sims asked for clarification on the process including commenting.

Lucas stated that it would be council's normal process.

Sgambelluri asked if the options were to reconsider Amendment 01 or to draft a housekeeping resolution at a later date.

Flaherty confirmed that was correct, and that a future resolution might be preferred action.

Sgambelluri declined to move to reconsider Amendment 01.

Sims asked if council needed to postpone action on Resolution 21-01.

Flaherty stated that council could pass the resolution in its current form with the understanding that there was future housekeeping.

Lucas confirmed that was correct, and that council had the ability to create or abolish standing committees. He clarified that a future resolution would be sufficient and explained additional information regarding standing committees.

Flaherty asked about the ninth whereas clause which did not dictate anything in the meeting, and that it could be stricken via an amendment.

Lucas stated that was correct.

The motion to authorize staff to reconcile Section 4 of Resolution 21-01 received a roll call vote of Ayes: 7, Nays: 2 (Rollo, Smith), Abstain: 0.

Vote to authorize staff to reconcile Section 4 of Resolution 21-01 [9:53pm]

Resolution 21-01 as amended

There were no questions from the council.

Council questions:

Mark Sturdevant commented on Centerstone.

Public comment:

There were no comments from the council.

Council comment:

The motion to adopt Resolution 21-01 as amended received a roll call vote of Ayes: 8, Nays: 1 (Rollo), Abstain: 0.

Vote to adopt Resolution 21-01 as amended [9:56pm]

Flaherty moved and it was seconded that Ordinance 21-03 be read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. McDowell read the legislation by title and synopsis.

Flaherty noted that he had intended to make a motion to extend the amount of time the Administration Committee had to report to the council. He asked if it made more sense to extend the time to after January 20, 2021.

Sims asked Lucas to weigh in.

Volan asked when the next Regular Session would be.

Flaherty confirmed it was January 20, 2021.

Volan stated that the council could have a third reading at the February 3, 2021 meeting.

Flaherty stated that due to the constraints of the evening, that made sense.

Sims noted that he would defer to council staff.

Lucas commented that the motion could extend the time for the Administration Committee to report on Ordinance 21-03 to the Regular Session on February 3, 2021. He also stated that there were city staff and petitioners at the meeting that might prefer to continue with the LUC meeting that evening.

Flaherty asked if there was a time limit past which a motion would need to be made to start the LUC meeting.

Lucas stated that it was past 9:45pm and that code called for committee meetings to be held between 5:30pm and 9:45pm.

Volan commented that it would be ideal to hear from staff and petitioners.

Flaherty moved and it was seconded to extend the Administration Committee's time for reporting on Ordinance 21-03 to the February 03, 2021 Regular Session. The motion received a roll call vote of Ayes: 8, Nays: 1 (Rollo), Abstain: 0.

Ordinance 21-03 (formerly Ordinance 20-33) To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration and Personnel" – Re: Chapter 2.02 (Boards and Commissions – revised) and Chapter 2.04 (Common Council – revised)

Vote to extend the Administration Committee's time for reporting on Ordinance 21-03 [10:05pm]

LEGISLATION FOR FIRST READING [10:05pm]

Flaherty moved and it was seconded that Ordinance 21-01 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. McDowell read the legislation by title and synopsis.

Ordinance 21-01 To Amend the City of Bloomington Zoning Maps by Rezoning 7 Acres of Property from Residential Medium Lot (R2) to Employment (EM) - Re: 1600 W. Fountain Drive (Comcast, Petitioner)

Sims asked if it was proper to check with staff regarding the referral of Ordinance 21-01 to the LUC.

Lucas stated that he received a message via Zoom chat from a representative from Comcast, petitioner, that stated they would prefer to move forward with the meeting that night. Lucas stated that a motion to suspend the rules would be necessary.

Volan moved and it was seconded to suspend the rules to allow the meeting of the Land Use Committee immediately following the Regular Session. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to suspend the rules [10:09pm]

Mark Sturdevant commented on Centerstone and asked why it was allowed to make people homeless.

ADDITIONAL PUBLIC COMMENT [10:10pm]

Renee Miller spoke about her appreciation for council's meeting that evening and the process of making council committee appointments.

Sims announced upcoming council meetings.

COUNCIL SCHEDULE [10:15pm]

There was brief council discussion.

Flaherty moved and it was seconded to adjourn. Sims adjourned the meeting.

ADJOURNMENT [10:17pm]

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

APPROVE:

ATTEST:

Jim Sims, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

For Approval

In Bloomington, Indiana on Wednesday, January 20, 2021 at 6:30pm, Council President Jim Sims presided over a Regular Session of the Common Council. Per the Governor's Executive Orders, this meeting was conducted electronically via Zoom.

COMMON COUNCIL
REGULAR SESSION
January 20, 2021

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 Jim Sims summarized the agenda.

AGENDA SUMMATION [6:33pm]

Flaherty moved and it was seconded to approve the minutes of June 1, June 15, October 5, and November 16 of 2005. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

APPROVAL OF MINUTES [6:36pm]

June 1, 2005 (Regular Session)

June 15, 2005 (Regular Session)

October 5, 2005 (Regular Session)

November 16, 2005 (Regular Session)

Sandberg commented on the inauguration and wished the best to President Joe Biden and Vice President Kamala Harris. She also congratulated Dawn Johnsen who was sworn in as Senior Counsel in the Department of Justice.

REPORTS

- COUNCIL MEMBERS [6:35pm]

Piedmont-Smith thanked the staff of Beacon, Inc. and its board, and the volunteers, who worked to establish a low-barrier winter shelter for those experiencing homelessness. She referenced a conference she attended, at Indiana University (IU), in honor of Martin Luther King, Jr. where she was fortunate to listen to Angela Davis and Alicia Garza. She spoke about a panel on the lack of progress from slavery to mass incarceration, and the movie "13th" by Ava DuVernay.

Flaherty stated that he was holding his first constituent meeting the following Monday at 5:30pm via Zoom. He commented on the city's annual Martin Luther King Jr.'s birthday celebration with keynote speaker Dr. Khalid el-Hakim and stated that it was recorded and on the website. He thanked the Martin Luther King, Jr Birthday Celebrations Commission and city staff for the program.

Sims congratulated Dawn Johnsen for her appointment. He also thanked the organizers of the Martin Luther King, Jr Birthday Celebrations Commission program. He also thanked the African American Choral Ensemble and speaker Dr. Khalid el-Hakim. Sims commented on the peaceful transition of power at the inauguration and stated that he had a renewed sense of hope.

Nico Sigler, President of the Commission on Hispanic and Latino Affairs (CHLA), presented the Annual Report. He discussed events, community discussions, and work with Hispanic and Latino students at Monroe County Community School Corporation (MCCSC).

- The MAYOR AND CITY OFFICES [6:45pm]

Mayor John Hamilton discussed the inauguration, housing and people experiencing homelessness, affordable housing and its funding sources, Jack Hopkins Social Services Fund (JHSSF), an isolation shelter, overnight camping in Seminary Square, and collaborations and partnerships between the city and community organizations. Hamilton commented on the tragic death of an individual on Christmas Eve and the dangers of sleeping outside in Indiana winters. He also thanked city staff who were working in the collaborations. Hamilton referenced his request for new funding the previous fall, including \$250,000 annually for increased services for the homeless community, but council was not ready to take that step then. He stated the need continued to grow and he would continue to ask for new revenue for that purpose and others. He thanked council for the shared commitment for housing as a right for all, and for the time to speak that evening.

- The MAYOR AND CITY OFFICES (*cont'd*)

Rollo expressed his appreciation for the city's efforts in the community. He asked for additional information on the low-barrier shelter and the city's role in the implementation.

Hamilton stated that he spoke with Reverend Forrest Gilmore on January 2, 2021 and urged that they consider expanding the space. He said that lots of city staff worked to help make the shelter.

Sandberg said there had been meetings regarding the community need for shelters and commented on an upcoming meeting convened by United Way and the Community Foundation. She asked what Hamilton hoped would be accomplished in that meeting.

Hamilton responded that, considering the challenges to the social safety net, he had asked community leaders to form a task force to coordinate meetings for emergency community needs. He said that it was ideal to continuously examine housing insecurity and urged United Way and Community Foundation to take a regional approach in attempting to coordinate and align investments, and to then measure impacts. Hamilton explained that the task force would be able to work towards housing first goals and that the city would have a strong presence.

Sandberg asked Hamilton if he anticipated additional federal dollars to provide housing. She said she wasn't sure if the city had local resources to sufficiently provide housing.

Hamilton stated that there was Covid-19 related federal funding, and that there might be more, which helped facilitate emergency shelters, etc. He said that for the housing first model and non-emergency housing, the city was leveraging funds and was making progress, but that the city needed federal and state assistance. He reminded council that the Bloomington Housing Authority (BHA) was housing several thousand people mainly through Section 8, and that there were 700 people on a waiting list.

Smith thanked Hamilton for outlining the city's steps over the previous few months, and asked if there was a dollar figure that could be identified that the city had spent to decrease homelessness.

Hamilton stated there were direct personnel cost, program costs, infrastructure, and more. He was attempting to get the total cost and would do so soon.

Smith asked if the city could obtain additional Housing and Urban Development (HUD) certificates for BHA or the city to distribute.

Hamilton stated that he was not aware of additional certificates. He commented that Doris Sims, Director of Housing and Neighborhood Development (HAND) department, had been involved in the production of housing. He also mentioned that

Amber Skoby, Director of BHA, was working hard to find additional resources.

- The MAYOR AND CITY OFFICES (*cont'd*)

Volan appreciated the report and stated that there was an opportunity with the hospital site, and asked how much housing Hamilton hoped to see on that land, and what quantity would be affordable or for low-income individuals.

Hamilton responded that the master plan had been released the previous week contemplated developing six hundred to eight hundred units. He said that there would be ongoing discussions about the percentage of the units that would be dedicated to the affordable housing. Hamilton explained that it was a question of cost and opportunity, and that there would be a wide range of housing including market rate to very affordable.

Volan stated that the land was unique and since the city would own the land, it could be specific.

Sgambelluri thanked the mayor for the report and asked for him to expound on the regional efforts.

Hamilton explained that Bloomington was a regional hub in many ways, including emergency housing and sheltering, and that the surrounding counties did not have the same resources. He said that it was important to work with the region and that often the best solution to homelessness was for the individual to be back home, around their families and networks. Hamilton clarified that it was complex and that it would be difficult to use city monies to support someone living in Owen County, for example. He said it was necessary to coordinate with Monroe County, and the regional neighbors.

Volan stated that there was an opportunity to make many units at the hospital site available to low-income, or very-low income, residents.

Hamilton agreed and said that it was an important opportunity to create a fair, just, and equitable community with housing for all. He would be advocating for a wide range of housing types and would be listening to community feedback.

Sims stated that on January 20, the Public Safety Committee had a meeting to listen to the community, including those experiencing homelessness, advocates, and community organizations. Sims stated that there was a need to address some of the questions and comments that were identified at the meeting. He clarified that the purpose of the meeting was to hear from the community, and thanked them for their participation.

- COUNCIL COMMITTEES [7:10pm]

Sims commented on standing committee appointments of the Common Council, which was included in the packet, and said that since there were nine, that allowed for each councilmember to be chair of one committee each. Sims listed the following:

- Administration Committee: Volan (Chair), Sgambelluri, Flaherty, Sims
- Climate Action & Resilience: Flaherty (Chair), Rollo, Piedmont-Smith, Smith
- Community Affairs: Rollo (Chair), Volan, Sandberg, Sgambelluri
- Housing: Rosenbarger (Chair), Flaherty, Sims, Piedmont-Smith
- JHSSF: Sandberg (Chair), Smith, Sgambelluri, Rosenbarger

- Land Use: Piedmont-Smith (Chair), Rosenbarger, Flaherty, Volan
- Public Safety: Sims (Chair), Sandberg, Volan, Piedmont-Smith
- Sustainable Development: Sgambelluri (Chair), Sandberg, Smith, Rollo
- Transportation: Smith (Chair), Rosenbarger, Rollo, Volan

- COUNCIL COMMITTEES
(cont'd)

Sims adjusted public comment to two minutes per speaker.

- PUBLIC [7:20pm]

Tassie Gniady spoke about the clearing of the tents at Seminary Square.

Will Stahly discussed housing prices and rent costs.

Jim Shelton commented on volunteer opportunities with the Court Appointed Special Advocates (CASA) and upcoming training.

Nicole Johnson thanked all those in Bloomington who continued to help the most vulnerable in the community, and about risks of upcoming evictions.

Greg Alexander spoke about sidewalks, and the use of police officers to remove tents and people from Seminary Square.

Marshall Bailey talked about the removal of tents and individuals at Seminary Square.

Nathan Mutchler discussed the difficulties people experiencing homelessness have with being placed in shelters.

Alex Goodlad spoke about misinformation at all levels of government and about individuals experiencing homelessness.

Sam Curry commented on increasing the availability of housing in Bloomington and that council considered those who rent in the city.

Renee Miller discussed the problems with the removal of tents in encampments and thanked certain councilmembers for actually listening.

There were no appointments to boards or commissions.

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:41pm]

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:42pm]

Flaherty moved and it was seconded that Ordinance 21-01 be read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Clerk Nicole Bolden read the legislation by title and synopsis, giving the Land Use Committee do-pass recommendation of Ayes: 4, Nays: 0, Abstain: 0.

Ordinance 21-01 - To Amend the City of Bloomington Zoning Maps by Rezoning 7 Acres of Property From Residential Medium Lot (R2) to Employment (EM) - Re: 1600 W. Fountain Drive (Comcast, Petitioner)

Flaherty moved and it was seconded that Ordinance 21-01 be adopted.

Ordinance 21-01 (cont'd)

Eric Greulich, Senior Zoning Planner of the Planning and Transportation Department, presented the legislation. He explained the reasons for the request for a rezone as well as any impacts on the area. Greulich also explained that the rezone would comply with the Comprehensive Plan. He mentioned that the Plan Commission voted with a favorable recommendation of nine to zero with two conditions.

Piedmont-Smith, Chair of the Land Use Committee (LUC), commented on the committee's discussion pertaining to Ordinance 21-01. She summarized that the project was low impact because the new building would replace an existing building and would not disturb new land.

Matthew Kelley, representative for the petitioner, stated that he was looking forward to working with the city and was happy to answer any questions from the council.

Rollo asked Greulich asked about a sinkhole and the 20 foot buffer.

Council questions:

Greulich responded that there would be no encroachment within the sinkhole and the area of disturbance would be to the north side of the site that was already developed.

Rollo asked if it was a 20 foot buffer.

Greulich stated it was a 25 foot buffer.

Rollo commented that there was parking near that area, and asked if the city reviewed whether the runoff from the parking lot went into the sinkhole. Rollo said if it was a Planned Unit Development (PUD), council would have more say.

Greulich responded that he did not know if the parking lot had a standing curb to dissuade runoff. He said that there was no prohibition on diverting to a sinkhole, but that he was not certain.

Rollo clarified that runoff was a concern and that in the future it could be council's discretion to mitigate it.

There was no public comment.

Public comment:

Flaherty mentioned that the LUC had an extensive discussion regarding Ordinance 21-01 and duly considered the legislation.

Council comment:

Rollo reiterated that for future code considerations could include karst features that might receive runoff from impervious surfaces.

Volan commented that it was his understanding the new Unified Development Ordinance (UDO) was designed to reduce the arbitrariness of PUDs, and that with that reduction, it also reduced council's ability to control over the development. He said that there would be a reduction in PUDs.

The motion to adopt Ordinance 21-01 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 21-01
[8:01pm]

Flaherty moved and it was seconded that Ordinance 21-04 be read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Flaherty reminded council that code required that legislation be first considered for referral to a standing committee, prior to the Committee of the Whole (COW).

Piedmont-Smith moved and it was seconded that Ordinance 21-04 be referred to the LUC.

Bolden requested that the motion include a date and time for the LUC meeting.

Piedmont-Smith moved and it was seconded to refer Ordinance 21-04 to the LUC, to meet on January 27, 2021 at 6pm.

Sims stated that he preferred referring Ordinance 21-04 to COW because there would be a valuable discussion with the full council regarding property on the hospital site, and further discussion on the historic preservation process.

The motion to refer Ordinance 21-04 to the LUC meeting on January 27, 2021 at 6pm received a roll call vote of Ayes: 2 (Piedmont-Smith, Volan), Nays: 7, Abstain: 0. FAILED

Sandberg moved and it was seconded to refer Ordinance 21-04 to the COW, to meet on January 27, 2021 at 6:30pm.

Flaherty mentioned that he had considered a variety of referrals including Housing Committee or LUC. He commented that Historic Preservation was under the Housing Committee, but thought that it would be ideal, in this case, for a referral to the COW.

The motion to refer Ordinance 21-04 to the COW, to meet on January 27, 2021 at 6:30pm received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Flaherty moved and it was seconded that Ordinance 21-05 be read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Sandberg asked if it would be appropriate to refer the legislation to the COW.

Flaherty responded that, by code, legislation must first be considered for referral to a standing committee.

Volan moved and it was seconded to refer Ordinance 21-05 to the Housing Committee.

LEGISLATION FOR FIRST READING [8:02pm]

Ordinance 21-04 – To Amend Title 8 of the Bloomington Municipal Code Entitled “Historic Preservation and Protection” to Establish a Historic District – Re: The Kohr Building Historic District [8:02pm]

Motion to refer Ordinance 21-04 to Land Use Committee [8:04pm]

Council comment:

Vote to refer Ordinance 21-04 to Land Use Committee [8:10pm]

Motion to refer Ordinance 21-04 to Committee of the Whole [8:11pm]

Council comment:

Vote to refer Ordinance 21-04 to Committee of the Whole [8:13pm]

Ordinance 21-05 - To Amend Title 8 of the Bloomington Municipal Code Entitled “Historic Preservation and Protection” To Establish a Historic District – Re: The Boxman-Mitchell Building Historic District [8:14pm]

Motion to refer Ordinance 21-05 to the Housing Committee [8:17]

Rollo asked if the proper sequence for referral of legislation was first to a standing committee, and if that motion failed, then a new motion would be necessary for referral to COW.

Lucas stated that the local code did not address that, but that there was a provision that stated that absent a motion to refer to a committee, a motion to introduce an item and refer to COW was implied. He stated that was on the assumption that there was no standing committee to refer to. Lucas advised that for the purposes of the night's meeting, council should make a motion and vote on referral of legislation to COW.

Volan withdrew the motion to refer Ordinance 21-05 to the Housing Committee.

Lucas clarified that the code was not clear on whether council had to consider referrals to standing committees before COW, or must prioritize a motion if one was made. If no motion to a standing committee was made, council could consider a motion to refer to COW.

Sims thanked Lucas for the information and reiterated his earlier question regarding there not being a motion and a second for referral to a standing committee.

Flaherty read the code pertaining to referral of legislation to standing committees and COW.

Sandberg moved and it was seconded to refer Ordinance 21-05 to the COW.

Bolden asked for if Sandberg intended to include the date and time of COW, to meet on January 27, 2021 at 6:30pm.

Sandberg responded that she would defer to President Sims regarding the agenda since there would be two items to hear.

Sims confirmed that the COW was set to meet on January 27, 2021 at 6:30pm and that the legislation would be sequential.

Volan stated that he did not agree with the idea that due to the Kohr building being on the hospital site, merited that the legislation be heard by the COW. He clarified that the hospital site as a whole would be ideal to be considered by the COW because it was a multifarious proposal. He also mentioned that it was disappointing that there were so many questions regarding procedure, as well as a lack of interest among some of his colleagues regarding procedure. Volan asked councilmembers to be more cognizant of procedure.

Sims commented that because the buildings were on the hospital site, it was ideal to refer to the COW. He explained that in following procedure, it was necessary to consider referral to standing committees.

Volan stated that there had always been opportunity for legislation to be considered with the full council at Regular Sessions. He said that a third reading had always been available and that the COW did not create a special opportunity that wasn't always available.

The motion to refer Ordinance 21-05 to the Committee of the Whole, to meet on January 27, 2021 at 6:30pm received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Ordinance 21-05 (cont'd)

Council questions:

Withdrawal of motion to refer Ordinance 21-05 to the Housing Committee

Council discussion:

Motion to refer Ordinance 21-05 to COW [8:20pm]

Council comment:

Vote to refer Ordinance 21-05 to the Committee of the Whole [8:25pm]

Tyna Honeycutt spoke about the pandemic and the need for sanitation stations for those experiencing homelessness.

ADDITIONAL PUBLIC COMMENT [8:26pm]

Renee Miller spoke about time limits to public comments.

Lucas stated that the Administration Committee had a holdover item from the previous year, Ordinance 21-03, as renumbered. He said the Administration Committee had been set to meet the previous week, but the meeting had been canceled. Lucas asked council when it would like to reschedule the Administration Committee meeting.

COUNCIL SCHEDULE [8:28pm]

There was brief council discussion.

Volan moved and it was seconded for the Administration Committee to meet on January 27, 2021 at 5:30pm. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to schedule the Administration Committee [8:39pm]

Lucas reviewed additional meetings on the council schedule.

Flaherty moved and it was seconded to adjourn. Sims adjourned the meeting.

ADJOURNMENT [8:41pm]

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

APPROVE:

ATTEST:

Jim Sims, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

In Bloomington, Indiana on Wednesday, February 3 at 6:30pm, Council President Jim Sims presided over a Regular Session of the Common Council. Per the Governor's Executive Orders, this meeting was conducted electronically.

COMMON COUNCIL
REGULAR SESSION
February 3, 2021

Councilmembers present via teleconference: Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger (left meeting at 9:42pm), Susan Sandberg, Sue Sgambelluri, Jim Sims, Ron Smith, Stephen Volan
Councilmembers absent: none

ROLL CALL [6:31pm]

Council President Jim Sims summarized the agenda.

AGENDA SUMMATION [6:32pm]

Flaherty moved and it was seconded to approve the minutes of March 23, September 21, November 2 of 2005, and June 7, June 21, and July 5 of 2006. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

APPROVAL OF MINUTES [6:36pm]
March 23, 2005 (Regular Session)
September 21, 2005 (Regular Session)
November 2, 2005 (Regular Session)
June 7, 2006 (Regular Session)
June 21, 2006 (Regular Session)
July 5, 2006 (Regular Session)

Sandberg spoke on the passing of Monroe County Community School Corporation (MCCSC) school board member Keith Klein.

REPORTS

- COUNCIL MEMBERS [6:38pm]

Volan commented on the passing of Keith Klein. Volan also commented on the minutes that were just passed which included the passage of the living wage within the city.

Sgambelluri acknowledged Keith Klein's passing. She also extended an invitation to her constituent meeting on February 6, 2021.

Piedmont-Smith stated she too would have a constituent meeting on February 13, 2021.

Sims spoke about the passing of Keith Klein and about his interactions with Mr. Klein.

There were no reports from the Mayor.

- The MAYOR AND CITY OFFICES [6:44pm]

There were no council committee reports.

- COUNCIL COMMITTEES [6:44pm]

Alex Goodlad spoke about unhoused individuals, his wellbeing, and about the Covid-19 positive cases amongst the unhoused.

- PUBLIC [6:46pm]

Stephen Lucas, Council Attorney/Administrator, read a comment by Dave Stewart, which commented on owner-occupied accessory dwelling units (ADU) and plexes.

Chaz Mottinger discussed the Unified Development Ordinance (UDO) and encouraged pausing the passing of the UDO and developing better compromises.

Russ Skebo commented on the UDO, upzoning, and the history of racism in policies.

Barbara Moss spoke about density, dangerous upzoning, and owner-occupied duplex conversions that strengthen the community, especially in the core neighborhoods.

• Public (*cont'd*)

Tyna Hunnicutt discussed the unhoused community that was at risk during the cold temperatures, and urged the city to do more.

Rollo moved and it was seconded to extend public comment to 11 additional participants with one minute each.

Piedmont-Smith moved a friendly amendment to allow each speaker two minutes.

Rollo moved and it was seconded to extend public comment to 11 additional participants at two minutes each for a total of 22 minutes.

Motion to extend public comment [7:06pm]

The motion received a roll call vote of Ayes: 8, Nays: 1 (Volan), Abstain: 0.

Vote to extend public comment [7:08pm]

Renee Miller expressed her concern for the Covid-19 positive cases in Wheeler Mission and in other shelters, and urged the city to facilitate isolation.

Ed Bernstein stated he did not understand the rush to approve the upzoning in the UDO.

Steven Sibley spoke about his family's decision about moving to Bloomington and being able to live in relatively large house that was within walking/biking distance to Indiana University. He urged council to not rush the UDO.

Anna Cain stated that the city had the resources to place unhoused individuals in hotels and asked the city to step up and help that community.

Ann Connors spoke against plexes and stated that the onus was on those individuals to prove that there were benefits.

John Bickley agreed that the UDO needed to be delayed until after Covid-19 was over, and that upzoning should be citywide. He said that the city should provide case studies that show that upzoning benefits communities like Bloomington.

Cynthia Brethem commented on the sustainability issue within current code, and the proposed UDO, as well as single-family zones and covenants.

Bill Baus stated that the Near West Side Neighborhood was the most diverse neighborhood with a variety of types of housing. He said it was the most affordable neighborhood because there were restrictions for developers that did not allow for plex conversions.

Lucas read a comment from Wilbur Cooley which stated that there was a large shift in Bloomington. The comment spoke against density in the downtown areas.

Lucas read a comment from Constance Glen who opposed upzoning and was concerned about equity and accessibility in housing.

There were no appointments to boards or commissions.

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:24pm]

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:25pm]

Flaherty moved and it was seconded that Resolution 21-04 be read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Clerk Nicole Bolden read the legislation by title and synopsis.

Resolution 21-04 – Approval of Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana – Re: Building Code Authority [7:26pm]

Flaherty moved and it was seconded that Resolution 21-04 be adopted.

Michael Rouker, City Attorney, Legal Department, presented the legislation. Rouker described the history of the interlocal agreements and the details within Resolution 21-04.

Piedmont-Smith asked about converting the building code paperwork to an electronic format.

Council questions:

Rouker said that he was not aware of any plans to do so, but that the concern could be raised with the Planning Department.

Volan asked why Resolution 21-04 was only a 1-year agreement.

Rouker stated that he was not sure, but that it was a retroactive agreement, and made renegotiations difficult.

Volan asked if it was an annual renewal.

Rouker stated that it was an annual renewal since 2018 and that from 1996-2017 the renewal was for 5 years.

Volan asked why it changed to an annual renewal.

Rouker clarified that he did not know.

Smith wondered why the interlocal agreement was in the best interest of Bloomington and asked Rouker to clarify.

Rouker explained that it was for efficiency for individuals who wanted to obtain a building permit. He said it was better than having multiple departments performing similar actions.

There was no public comment.

Public comment:

Volan commented that he was concerned that paper was still being used, and said that the county did good work. He also expressed concern and surprise that the agreement was before council on a yearly basis. Volan said that perhaps a 2-year agreement might be more efficient.

Council comment:

The motion to adopt Resolution 21-04 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 21-04 [7:37pm]

Flaherty moved and it was seconded that Resolution 21-05 be read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Resolution 21-05 - Preliminary Approval to Issue Economic Development Revenue Bonds and Lend the Proceeds for the Renovation of Affordable Housing - Re: Crestmont Community, 1007 Summit Street (Bloomington Rad II, LP, Petitioner)[7:38pm]

Flaherty moved and it was seconded that Resolution 21-05 be adopted.

Tyler Kalachnik, Ice Miller Indianapolis, introduced Amber Skoby, Executive Director, Bloomington Housing Authority (BHA) who presented the legislation. Skoby described the Crestmont Community, the BHA, and the proposed renovations and its funding.

Resolution 21-05 (cont'd)

Chris Kashman, attorney, Ice Miller, discussed the bond characteristics and credit structure for the project.

Sgambelluri asked Skoby to comment on the acquisition component of Resolution 21-05.

Council questions:

Skoby clarified that the acquisition was of the structures, which were currently owned by the BHA. She said that the ownership would be transferred to the Bloomington RAD II, LLP.

Sgambelluri asked if the transfer was permanent.

Skoby explained that it would be for about 15-20 year range.

Kalachnik added that transfer was the only way to obtain the tax credit for the improvements.

Sandberg inquired about the relocation and if it was done for current residents, and who conducted the relocating.

Skoby stated that it was a team effort, including a consultant, with considerations for fair housing, civil rights, accessibility.

Sims asked about improvements for air conditioner condensers and if it was just that piece or the entire unit.

Skoby believed it was for the entire unit which would be replaced.

Sims also asked about the hiring practices, and if minority and women contractors were sought out.

Skoby clarified that outreach was conducted ahead of other projects to encourage contractors to apply for the work. She said that about 25% of the money paid out for other projects went to minority-owned, and women-owned, businesses and Section 3 workers, which were low income workers or businesses. Skoby explained that it was tracked monthly and the data was maintained for other projects.

There was no public comment.

Public comment:

Smith thanked the individuals who worked on this project and expressed support for it.

Council comment:

Sims also thanked Skoby, petitioners, and staff. He appreciated the work that was done to utilize the workforce.

The motion to adopt Resolution 21-05 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Resolution 21-05 [8:03pm]

Flaherty moved and it was seconded that Ordinance 21-04 be read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis and gave the do-pass recommendation of Ayes: 9, Nays: 0, Abstain: 0.

Ordinance 21-04 – To Amend Title 8 of the Bloomington Municipal Code Entitled “Historic Preservation and Protection” to Establish a Historic District – Re: The Kohr Building Historic District [8:05pm]

Flaherty moved and it was seconded that Ordinance 21-04 be adopted.

Conor Herterich, Historic Preservation Program Manager, Housing and Neighborhood Development (HAND) Department, presented the legislation. Heterich described the history of the Kohr Building Historic District.

There were no council questions.

Council questions:

Mark Dollase spoke in favor of Ordinance 21-04 and asked council to support it. He appreciated the transparent way in which the city conducted the redevelopment consideration of the hospital site.

Public comment:

Alex Crowley, Director, Economic and Sustainable Development (ESD) Department, said that adaptive reuse would be precluded for medical use and spoke about low income housing tax credits and historic designation. Crowley explained that there were no restrictions on the Kohr Building, but that there was a restrictive covenant on Parcel A which could not be transferred in part, or in whole, to a competitor of IU Health. He also discussed the timeline for the applications for tax credits and when they were awarded. Crowley explained there were certain limitations for historic designations and tax credits. Crowley outlined other considerations.

Rollo asked about the number of affordable units in the existing structure and how many more could be added.

Council questions:

Crowley explained that staff had been presented with a wide range of options, which could be in excess of 100 units.

Rollo questioned if an unattached structure could be added to expand affordable housing.

Crowley clarified that the tax credit did not require the structures to be connected. He said that the structures could be paired with other historic building projects.

Rollo stated that there could be ways to keep the building intact and add more affordable units.

Crowley further clarified that there would need to be more affordable units within the building.

Chris Sturbaum commented on the history of the Kohr building and the uncertainty on the hospital site project. He spoke about other historic buildings in the community.

Public comment:

Sandberg stated her support for the historic designation of the Kohr building. She also expressed appreciation for the women who had been dedicated to having a hospital in Bloomington and fought to ensure there was adequate medical care.

Council comment:

Volan appreciated the Kohr building and expressed gratitude to staff for their work in designating it historic.

The motion to adopt Ordinance 21-04 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 21-04 [8:32pm]

Flaherty moved and it was seconded that Ordinance 21-05 be read by title and synopsis only. The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis and gave the do-pass recommendation of Ayes: 0, Nays: 8, Abstain: 0.

Ordinance 21-05 - To Amend Title 8 of the Bloomington Municipal Code Entitled "Historic Preservation and Protection" To Establish a Historic District – Re: The Boxman-Mitchell Building Historic District [8:33pm]

Flaherty moved and it was seconded that Ordinance 21-05 be adopted.

Conor Herterich, Program Manager, Historic Preservation, presented Ordinance 21-05. He explained the history of the site and the evolution of the Boxman-Mitchell structural and architectural building.

Volan asked for clarification on when the building first had an address.

Herterich explained that by using local city directories, one can see when an address was first listed.

Volan referenced an Indiana Business Studies report on Land Uses in Bloomington, Indiana, 1818-1950. Volan displayed a map of Bloomington in 1841 and stated that a professor had found the information via property tax records.

Herterich clarified that he looked at the fire insurance maps, and specifically the 1913 map. He said that there were no buildings in the area where the Boxman-Mitchell building was until it appeared on a 1927 map.

Rollo commented on the notification to the building owner, and asked if the notification was done properly.

Herterich explained how the Housing and Neighborhood Development (HAND) Department worked with the Historic Preservation Commission (HPC) and about the communication to the property owners before and through the HPC designation process.

Rollo said there was a break in communication to the property owner regarding scheduling the legislation to go before council, and asked who notified the property owner.

Herterich stated that it wasn't clear who was responsible for notifying the property owner, but that it had not been HAND.

Lucas commented that it had not been consistent in the past, and in this case, staff believed other staff had notified the stakeholders.

Rollo explained that he did not intend to affix blame, but that the property owner needed to be prepared and in attendance.

Sgambelluri asked Herterich about the condition of the building and what would be needed to fix the building.

Herterich stated that he was not qualified to speak to the quality of the structure since he was not a structural engineer.

Sims stated that Josh Alley was in attendance and was the property owner/representative, and was welcome to speak to the quality of the structure.

Josh Alley highlighted the importance of notifying the property owner of the process and scheduling. He also spoke about other Mitchell buildings that he owned that were restored to current conditions. He stated that there was an economic component to consider and that a structural engineer had said that it would be \$300,000+ to make the Boxman-Mitchell building safe for people to enter. Alley summarized other structural and aesthetic problems of the building including sinking ground, six different types of bricks, different types of windows, and the façade being refaced multiple times in different ways. He explained that three different contractors told him that he should start fresh because the building was not salvageable.

Sgambelluri stated that the reason for the historic designation of the Boxman-Mitchell building was because Mr. Boxman operated a restaurant during segregation in southern Indiana. She asked Herterich if he knew more information about Mr. Boxman.

Herterich explained that Alley had shared information about Mr. Boxman's participation in segregation. He said it was a sort of indictment and that it was most likely that Mr. Boxman participated in de facto segregation, but that it was not 100% clear. He clarified that he couldn't find supporting evidence of Mr. Boxman's participation in segregation.

Ordinance 21-05 (cont'd)

Council questions:

Alley clarified that he did not intend to indict anyone, and spoke about the history of segregation in restaurants in Bloomington, and referenced Herman B. Wells' actions and Indiana University's (IU) statement on George Taliaferro, who played football at IU and was the first African American to be drafted by the National Football League (NFL).

Chris Sturbaum spoke about demolition delay and its role in the HPC, and the importance of historic buildings.

Public comment:

Rollo asked Alley what he envisioned for the site.

Council comments:

Alley stated that the original intent when he purchased the building was to restore it. He spoke about filing for demolition, the delays with that, and then more delays with the pandemic. He stated that the next steps were dependent on what the UDO required.

Rollo asked if Alley was considering multi-story buildings.

Alley stated that if he had to decide tomorrow what to do, he would demolish the building and plant grass seed and wait until after the pandemic.

Volan commented on residential use on the first floor of buildings, and asked if Alley would consider using a commercial hood in a new building.

Alley stated that he couldn't answer that question that day because it depended on the viability of a potential commercial tenant. Alley explained that he was having trouble with the unhoused community members breaking in to the building.

Volan asked Alley if he thought that would be a viable spot for commerce.

Alley responded that he thought it absolutely could be a viable spot for commerce.

Volan explained that the next best way to saving the building would be to ensure a restaurant would be in the new building.

Alley clarified that he could not answer the question at the time.

Rollo commented that he was interested in the prospects for the site, given that the Comprehensive Plan called for mix use, and likely a multi-story building. Rollo commented on the history and fond memories of the Player's Pub, that occupied the building, but that he believed the structure was fundamentally unsound. Rollo commented on the history of Mr. Boxman and the Boxman-Mitchell building, and said that he would be voting against Ordinance 21-05.

Volan spoke about the Player's Pub and stated that the building needed a lot of work. He explained that within ten years, the area would be commercially viable and shouldn't be all residential. Volan stated that he didn't think that the building itself needed to be preserved, but did think it needed to include commerce with residential above. Volan stated that he had difficulty with the demolition and thought that only residential was viable.

Sgambelluri commented on the historic properties that had been restored over time in Bloomington, including Fountain Square, which had been done by the Cook family. Sgambelluri explained that Ordinance 21-05 was also considering the safety concerns of the building. She also stated that she was interested in the history of the Boxman and Mitchell families and if Mr. Boxman had been involved in segregation, then it was important to tell that story. Sgambelluri commented that there wasn't a clear plan for a cost-effective restoration of the building, and that she would be voting against Ordinance 21-05.

Flaherty stated that he agreed with Volan and Sgambelluri but respectfully disagreed with Volan's point regarding commercial or residential use. He explained that that shouldn't be the factor in determining if the Boxman-Mitchell building should be designated as historic. He clarified that was more of a zoning code issue.

Ordinance 21-05

Council comment: (cont'd)

Sandberg stated she would be voting against Ordinance 21-05. She said that historic buildings should be preserved when possible and in a beneficial way. Sandberg explained that the condition of the buildings were poor and would be difficult for a developer to restore. She stated that the future use of the site was more of a Planning staff issue and wasn't relevant for Ordinance 21-05.

Smith stated that he would be voting against Ordinance 21-05 because the building was in such poor condition. He urged the developer to build something that was good for Bloomington.

Piedmont-Smith commented that she too could not support the historic designation because it had been altered many times, and couldn't reasonably be called historic in its current state. She also said that the condition of the building was poor and it would ask too much of the owner to try to resurrect something that had been altered and had declined over time.

Sims spoke about segregation and its history in the city, and referenced educational and community discussions. He also spoke about the historical importance of the building. Sims explained that he wasn't surprised that there was not clear history on the segregation component of the building because Black history was not taught or preserved. Sims spoke about some history including the National Association for the Advancement of Colored People (NAACP). Sims also stated that it was the council's business to consider the concerns about the potential for higher rent for a future tenant. Sims expressed appreciation for the discussion and stated that he would be voting against Ordinance 21-05.

Volan commented on the commercial use of the property and why it was important to consider the future use of a new building. He explained that, for example, a restaurant required a commercial hood be installed, which was expensive. He echoed Sims in that what happened at the site in the future was the council's business.

Volan further commented on the buildings that would have been by the original location for IU prior to moving to Dunn Woods in 1983.

Rollo explained that when imposing historic preservation on a structure, it could come at a cost, in terms of restoration. He explained that there was not an objective measure on what the cost would be. He explained that the city or the HPC could not measure it, and the property owner had a vested interest in that measurement. He stated that moving forward, it would be ideal to have an objective measure to determine if an existing structure was sound enough to restore.

Sgambelluri thanked Alley for his attendance and comments.

The motion to adopt Ordinance 21-05 received a roll call vote of Ayes: 0, Nays: 9, Abstain: 0. FAILED.

Vote to adopt Ordinance 21-05
[9:41pm]

Flaherty moved and it was seconded that Ordinance 21-03 be read by title and synopsis only. The motion received a roll call vote of Ayes: 8 (Rosenbarger left the meeting), Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Sims passed the gavel to Sgambelluri.

Flaherty moved and it was seconded to extend consideration of Ordinance 21-03 to the Administration Committee, to meet on February 17, 2021 at 6:30pm.

Flaherty explained that the reason for the motion was due to the Administration Committee running out of time to discuss concerns regarding Ordinance 21-03.

Volan stated that more deliberation was better than less, and that required a motion, for, effectively, a third reading.

Sgambelluri passed the gavel back to Sims.

There were no council comments.

The motion received a roll call vote of Ayes: 8 (Rosenbarger left the meeting), Nays: 0, Abstain: 0.

Sims referred Ordinance 21-03 to the Administration Committee.

Flaherty moved and it was seconded that Ordinance 21-02 be read by title and synopsis only. The motion received a roll call vote of Ayes: 8 (Rosenbarger left the meeting), Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Piedmont-Smith moved and it was seconded to refer Ordinance 21-02 to the Land Use Committee, to meet on February 10, 2021 at 5:30pm. The motion received a roll call vote of Ayes: 8 (Rosenbarger left the meeting), Nays: 0, Abstain: 0.

Volan stated that when there were items to come before the Land Use Committee, the addresses were included.
Sgambelluri gave the addresses.

Lucas read a comment received via Zoom chat from Carl Swinson who asked how many of the councilmembers lived in neighborhoods that would be affected by the zoning change that would allow plexes.

Nathan Mutchler spoke about zoning and urged council to consider the difficulties concerning the unhoused community members.

Nicole Johnson discussed affordable housing. She also spoke about Covid-19 cases at Wheeler Mission, FEMA funding, and emergency public safety funding within the city.

Ordinance 21-03 - (formerly Ordinance 20-33) - To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration And Personnel" - Re: Chapter 2.02 (Boards and Commissions - revised) and Chapter 2.04 (Common Council - revised)

Motion to extend consideration of Ordinance 21-03 to the Administration Committee [9:45pm]

Council discussion:

Council comments:

Vote to extend consideration of Ordinance 21-03 to the Administration Committee [9:48pm]

LEGISLATION FOR FIRST READING [9:50pm]

Ordinance 21-02 - To Rezone a 10.097 Acre Property from Planned Unit Development (PUD) to Mixed Use Corridor (MC) - Re: (Bill C. Brown Revocable Trust, Petitioner)

Vote to refer Ordinance 21-02 to the Land Use Committee [9:54pm]

Council questions:

ADDITIONAL PUBLIC COMMENT [9:56pm]

Rollo moved and it was seconded cancel the Council Work Session scheduled for Friday, February 5, 2021. The motion received a roll call vote of Ayes: 8 (Rosenbarger left the meeting), Nays: 0, Abstain: 0.

COUNCIL SCHEDULE [10:08pm]

There was brief council discussion.

Flaherty moved and it was seconded to adjourn. Sims adjourned the meeting.

ADJOURNMENT [10:11pm]

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

APPROVE:

ATTEST:

Jim Sims, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

For Approval



MEMO FROM COUNCIL OFFICE ON

Appropriation Ordinance 21-05 – To Specially Appropriate from the General Fund, Public Safety LIT Fund, Solid Waste Fund, Cumulative Capital Development Fund, Food and Beverage Tax Fund, Motor Vehicle Highway Fund, Parks and Recreation General Fund, Police Pension Fund, Alternative Transportation Fund, and the Rental Inspection Program Fund Expenditures Not Otherwise Appropriated, and to Appropriate the Proceeds of the Solar Refunding Bonds of 2021 (Appropriating Various Transfers of Funds within the General Fund, Public Safety LIT Fund, Parks & Recreation General Fund, Alternative Transportation Fund, Cumulative Capital Development Fund, Police Pension Fund, and Appropriating Additional Funds from the General Fund, Food and Beverage Tax, Rental Inspection Fund, Motor Vehicle Highway, Solid Waste Fund, and the proceeds from the Solar Refunding Bonds of 2021)

Synopsis

This ordinance appropriates various transfers of funds within the General Fund, Public Safety LIT Fund, Parks and Recreation General Fund, Alternative Transportation Fund, Cumulative Capital Development Fund, and Police Pension Fund. It also appropriates additional funds from the General Fund, Food and Beverage Tax Fund, Rental Inspection Fund, Solid Waste Fund, and the Motor Vehicle Highway Fund, and appropriates the proceeds from the 2021 Solar Refunding Bonds.

Relevant Materials

- Appropriation Ordinance 21-05
- Memo from Jeff Underwood, Controller

Summary

Appropriation Ordinance 21-05 is a proposal often referred to as the end-of-year appropriation ordinance. For several years, the Council has considered appropriation requests during at least three occasions in a given year. The first is the “reversion” ordinances instituted by this Mayor, where some of the funds reverted at the end of the previous year are appropriated for departmental and city-wide purposes for the current year (note that a reversion ordinance was not proposed in 2021). The second is the “budget” ordinances, which estimate the tax rates and revenues and propose expenditures for the following year. The last is the “end-of-year” appropriation ordinance, which shifts, increases, or decreases appropriations to address budgetary needs for the latter part of the current year.



In the past, end-of-year appropriation ordinances have proposed to make a number of transfers: 1) within departments who wish to move monies between major budget classifications, and 2) from departments with an anticipated budget surplus to those departments that anticipate shortages. This year, the legislation also includes requests for additional appropriations in the amount of \$2,241,274 across five different funds (General Fund, Food and Beverage Tax Fund, Rental Inspection Program Fund, Solid Waste Fund, and the Motor Vehicle Highway Fund). Please consult the supporting memorandum from Controller Jeff Underwood for details on the nature and rationale of each additional appropriation.

In addition to these requests, the legislation would also appropriate the proceeds of the 2021 Solar Refunding Bonds, which are the subject of Ordinance 21-42 (included separately in this packet), for the purpose of paying the costs to refund and prepay a 2017 equipment lease-purchase agreement.

Indiana Code 36-4-7-8 provides that the legislative body may, on the recommendation of the city executive, make further or additional appropriations by ordinance, as long as the result does not increase the city’s tax levy that was set as part of the annual budgeting process. The additional appropriations requested by Appropriation Ordinance 21-05 should not result in such an increase to the city’s tax levy. Recall that currently, within certain bounds, departments may transfer monies within a classification without Council authorization, but any transfer between classifications requires Council authorization.¹

In order to provide some historical context, the table below lists the last ten end-of-year appropriation ordinances along with the grand total additional appropriations out of the General Fund and out of all funds combined.

Year & Appropriation Ordinance	General Fund Grand Total Additional Appropriation	All Funds Grand Total Additional Appropriation
2020 – App Ord 20-07	\$871,400	\$1,630,400
2019 – App Ord 19-08	\$0	\$430,000
2018 – App Ord 18-06	\$0	\$497,030
2017 – App Ord 17-06	\$0	\$750,800
2016 – App Ord 16-07	\$40,600	\$525,600
2015 – App Ord 15-06	\$0	\$632,640
2014 – App Ord 14-06	\$0	\$282,551
2013 – App Ord 13-04	\$0	\$264,813
2012 – App Ord 12-04	-\$3,000	\$263,000
2011 – App Ord 11-08	\$0	\$290,000

Contact

Jeffrey Underwood, Controller, 812-349-3412, underwoj@bloomington.in.gov

¹ Budget Classifications are as follows: 1 (Personnel Services), 2 (Supplies), 3 (Services and Charges), and 4 (Capital).

APPROPRIATION ORDINANCE 21-05

TO SPECIALLY APPROPRIATE FROM THE GENERAL FUND, PUBLIC SAFETY LIT FUND, SOLID WASTE FUND, CUMULATIVE CAPITAL DEVELOPMENT FUND, FOOD AND BEVERAGE TAX FUND, MOTOR VEHICLE HIGHWAY FUND, PARKS AND RECREATION GENERAL FUND, POLICE PENSION FUND, ALTERNATIVE TRANSPORTATION FUND, AND THE RENTAL INSPECTION PROGRAM FUND EXPENDITURES NOT OTHERWISE APPROPRIATED, AND TO APPROPRIATE THE PROCEEDS OF THE SOLAR REFUNDING BONDS OF 2021

(Appropriating Various Transfers of Funds within the General Fund, Public Safety LIT Fund, Parks & Recreation General Fund, Alternative Transportation Fund, Cumulative Capital Development Fund, Police Pension Fund, and Appropriating Additional Funds from the General Fund, Food and Beverage Tax, Rental Inspection Fund, Motor Vehicle Highway, Solid Waste Fund, and the proceeds from the Solar Refunding Bonds of 2021)

- WHEREAS, various Departments within the General Fund desire to transfer Classifications – 1, 2, 3 & 4 amounts for Personnel Services, Supplies, Services and Charges, and Capital replacement not included in the adopted budgets and to increase their budgets; and
- WHEREAS, the Police Department -- Dispatch desires to transfer funds to Classification – 3 Services and Charges from Classification – 1 Personnel Services in the Public Safety LIT Fund for expenditures not included in the adopted budget; and
- WHEREAS, the Police Department desires to transfer funds to Classification – 2 Supplies from Classification – 4 Capital Outlays in the Public Safety LIT Fund for expenditures not included in the adopted budget; and
- WHEREAS, the Office of the Controller desires to increase its budget in Classification – 3 Services and Charges in the Food & Beverage Tax Fund for expenditures not included in the adopted budget; and
- WHEREAS, the Parks and Recreation Department desires to transfer funds in the Parks and Recreation General Fund budget from Classification – 1 Personnel Services to Classification – 2 Supplies and Classification – 3 Services and Charges for expenditures not included in the adopted budget; and
- WHEREAS, the Public Works - Parking Division desires to transfer funds from Classification – 2 Supplies to Classification – 1 Personnel Services in the Alternative Transportation Fund for expenditures not included in the adopted budget; and
- WHEREAS, the Public Works Department desires to transfer funds from Classification – 2 Supplies to Classification – 3 Services and Charges and Classification – 4 Capital Outlays in its budget for the Cumulative Capital Development Fund; and
- WHEREAS, the Public Works - Sanitation Division desires to increase its budget in Classification – 3 Services and Charges in the Solid Waste Fund for expenditures not included in the adopted budget; and
- WHEREAS, the Public Works - Street Division desires to increase its budget in Classification – 3 Services and Charges in the Motor Vehicle Highway Fund for expenditures not included in the adopted budget; and
- WHEREAS, the Police Department desires to transfer funds from Classification – 3 Services and Charges to Classification – 1 Personnel Services in the Police Pension Fund for expenditures not included in the adopted budget; and
- WHEREAS, the Housing & Neighborhood Development Department desires to increase its budget in Classification – 3 Services and Charges in its Rental Inspection Program Fund to reimburse the General Fund for program expenses; and

WHEREAS, the Common Council of the City of Bloomington, Indiana (the “Common Council”) adopted Ordinance 21-42 on November 17, 2021, (the “Bond Ordinance”) authorizing the issuance of the City of Bloomington, Indiana General Revenue Annual Appropriation Refunding Bonds of 2021 (the “Refunding Bonds”) in an aggregate principal amount not to exceed \$13,100,000, for the purpose of providing funds to (i) effect a current refunding of the 2017 Lease (as defined in the Bond Ordinance) for the purpose of achieving interest cost savings, (ii) fund a debt service reserve fund or pay the premium for a debt service reserve surety policy, if necessary, and (iii) pay the costs incurred on account of the issuance and sale of the Refunding Bonds, including any premiums for any municipal bond insurance policies, if any (collectively, the “Refunding”); and

WHEREAS, the Common Council has determined and found that there are insufficient funds available and provided in the existing budget and tax levy that may be applied to the costs of the Refunding and that the proceeds of the Refunding shall be applied through this additional appropriation to pay the costs of the Refunding; and

WHEREAS, notice of a hearing on said appropriation has been duly given by publication as required by law, and the hearing on said appropriation has been held, at which all taxpayers and other interested persons had an opportunity to appear and express their views as to such appropriation; and

WHEREAS, the Common Council now finds that all conditions precedent to the adoption of an ordinance authorizing an additional appropriation of the City have been complied with in accordance with Indiana law;

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

SECTION 1. For the expenses of said Municipal Corporation the following additional sums of money are hereby appropriated and ordered set apart from the funds herein named and for the purposes herein specified, subject to the laws governing the same:

	AMOUNT REQUESTED
General Fund (F101)	
General Fund – Animal Care & Control	
Classification 1 – Personnel Services	11,500
Classification 2 – Supplies	(7,000)
Classification 3 – Services and Charges	(4,500)
Total General Fund – AC&C	-
General Fund – Public Works Administration	
Classification 3 – Services and Charges	(55,000)
Classification 4 – Capital	184,921
Total General Fund – PWA	129,921
General Fund – HAND	
Classification 1 – Personnel Services	102,502
Classification 3 – Services and Charges	(14,000)
Total General Fund – HAND	88,502

General Fund – Clerk	Classification 3 – Services and Charges	<u>(5,000)</u>
	Total General Fund – Clerk	<u>(5,000)</u>
General Fund – Community and Family Resources	Classification 1 – Personnel Services	(91,500)
	Classification 3 – Services and Charges	<u>(5,000)</u>
	Total General Fund – CFRD	<u>(96,500)</u>
General Fund – Common Council	Classification 3 – Services and Charges	<u>(13,000)</u>
	Total General Fund – Common Council	<u>(13,000)</u>
General Fund – Controller	Classification 1 – Personnel Services	(95,000)
	Classification 3 – Services and Charges	<u>(114,022)</u>
	Total General Fund – Controller	<u>(209,022)</u>
General Fund – Economic and Sustainability Development	Classification 1 – Personnel Services	(40,700)
	Classification 2 – Supplies	(5,000)
	Classification 3 – Services and Charges	<u>(3,000)</u>
	Total General Fund – ESD	<u>(48,700)</u>
General Fund – Fire	Classification 1 – Personnel Services	550,000
	Classification 3 – Services and Charges	<u>100,000</u>
	Total General Fund – Fire	<u>650,000</u>
General Fund – Legal	Classification 1 – Personnel Services	4,000
	Classification 3 – Services and Charges	<u>250,000</u>
	Total General Fund – Legal	<u>254,000</u>

General Fund – Office of the Mayor

Classification 1 – Personnel Services	31,000
Classification 2 – Supplies	2,500
Classification 3 – Services and Charges	<u>(25,000)</u>
Total General Fund – OOTM	<u>8,500</u>

General Fund – Police

Classification 1 – Personnel Services	(238,000)
Classification 2 – Supplies	30,000
Classification 3 – Services and Charges	<u>208,000</u>
Total General Fund – Police	<u>-</u>

General Fund – Human Resources

Classification 1 – Personnel Services	(70,000)
Classification 3 – Services and Charges	<u>158,460</u>
Total General Fund – HR	<u>88,460</u>

General Fund – Information & Technology Services

Classification 1 – Personnel Services	(70,000)
Classification 2 – Supplies	<u>(10,000)</u>
Total General Fund – ITS	<u>(80,000)</u>

General Fund – Engineering

Classification 1 – Personnel Services	37,000
Classification 3 – Services and Charges	(7,500)
Classification 4 – Capital	<u>1,050,000</u>
Total General Fund – Engineering	<u>1,079,500</u>

General Fund – Planning and Transportation

Classification 1 – Personnel Services	(87,500)
Classification 2 – Supplies	(4,200)
Classification 3 – Services and Charges	<u>(22,100)</u>
Total General Fund – P&T	<u>(113,800)</u>

Grand Total General Fund (F101)

1,732,861

**Public Safety Local Income Tax
Fund - Dispatch**

Classification 1 – Personnel Services	(15,000)
Classification 3 – Services and Charges	15,000
Total Public Safety LIT - Dispatch	<u>-</u>

**Grand Total Public Safety Local
Income Tax Fund (F151)**

-

**Public Safety Local Income Tax
Fund - Police**

Classification 2 – Supplies	45,000
Classification 4 – Capital	(45,000)
Total Public Safety LIT - Police	<u>-</u>

**Grand Total Public Safety Local
Income Tax Fund (F151)**

-

Food & Beverage Tax Fund

Classification 3 – Services and Charges	122,500
Total Food & Beverage Tax	<u>122,500</u>

**Grand Total Food & Beverage
Tax Fund (F152)**

122,500

**Parks & Recreation General Fund
– Parks & Rec**

Classification 1 – Personnel Services	(135,000)
Classification 2 – Supplies	60,000
Classification 3 – Services and Charges	75,000
Total Parks & Rec General Fund- Parks	<u>-</u>

**Grand Total Parks & Recreation
General Fund (F200)**

-

**Alternate Transportation Fund –
Public Works Parking Division**

Classification 1 – Personnel Services	2,100
Classification 2 – Supplies	(2,100)
Total Alt Transportation – PW Parking	<u>-</u>

**Grand Total Alternate
Transportation Fund (F454)**

-

**Motor Vehicle Highway Fund --
Public Works Street Division**

Classification 3 – Services and Charges	39,074
Total MVH - PW Street	<u>39,074</u>

**Grand Total Motor Vehicle
Highway Fund (F451)**

39,074

**Solid Waste Fund – Public Works
Sanitation Division**

Classification 3 – Services and Charges	46,839
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Total Solid Waste - PW Sanitation	46,839
	<hr/>
Grand Total Solid Waste Fund (F730)	46,839
	<hr/>

Cumulative Capital Development Fund – Public Works

Classification 2 – Supplies	(196,633)
Classification 3 – Services and Charges	50,000
Classification 4 – Capital	146,633
	<hr/>
Total Cumulative Capital Development Fund – Public Works	-
	<hr/>
Grand Total Cumulative Capital Development Fund (F601)	-
	<hr/>

Police Pension Fund - Controller

Classification 1 – Personnel Services	10
Classification 3 – Services and Charges	(10)
	<hr/>
Total Police Pension Fund	-
	<hr/>
Grand Total Police Pension Fund (F900)	-
	<hr/>

Rental Inspection Program Fund – HAND

Classification 3 – Services and Charges	300,000
	<hr/>
Total Rental Inspection Program Fund - HAND	300,000
	<hr/>
Grand Total Rental Inspection Program Fund (F411)	300,000
	<hr/>

Grand Total All Funds

2,241,274

SECTION 2. There is hereby appropriated the sum of Thirteen Million One Hundred Thousand Dollars (\$13,100,000), out of the proceeds of the Refunding Bonds, together with all investment earnings thereon, for the purpose of providing funds to pay the costs to refund and prepay the 2017 Lease, including related costs and the costs of issuing the Refunding Bonds, as provided in the Bond Ordinance. Such appropriation shall be in addition to all appropriations provided for in the existing budget and shall continue in effect until the completion of the described purposes.

SECTION 3. Each of the Mayor and the Controller is hereby authorized and directed, for and on behalf of the City, to execute and deliver any agreement, certificate or other instrument or take any other action which such officer determines to be necessary or desirable to carry out the intent of this Ordinance, including the filing of a report of an additional appropriation with the Indiana Department of Local Government Finance, which determination shall be conclusively evidenced by such officer’s having executed such agreement, certificate or other instrument or having taken such other action, and any such agreement, certificate or other instrument heretofore executed and delivered and any such other action heretofore taken are hereby ratified and approved.

2021 Solar Refunding Bonds

	Total Proceeds from Refunding Bonds	\$13,100,000
Grand Total 2021 Solar Refunding Bonds		\$13,100,000
Grand Total Before Refunding Bonds		\$2,241,274
Grand Total All Funds		<u>\$15,341,274</u>

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2021.

JIM SIMS, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2021.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2021.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance appropriates various transfers of funds within the General Fund, Public Safety LIT Fund, Parks and Recreation General Fund, Alternative Transportation Fund, Cumulative Capital Development Fund, and Police Pension Fund. It also appropriates additional funds from the General Fund, Food and Beverage Tax Fund, Rental Inspection Fund, Solid Waste Fund, and the Motor Vehicle Highway Fund, and appropriates the proceeds from the 2021 Solar Refunding Bonds.

Note: This ordinance was revised after distribution in the Legislative Packet but before introduction at the November 17, 2021 Regular Session to:

- *revise the second Whereas clause and insert the third Whereas clause to separate out transfers between the Police Department and Dispatch and to specify the sources for those transfers;*
- *correct the fifth Whereas clause to reflect a transfer of funds by the Parks and Recreation Department from Classification 1 to Classifications 2 and 3 as opposed to a transfer from Classifications 2 and 3 to Classification 1; and*
- *amend the corresponding portions of Section 1 of the ordinance to reflect these changes.*



JOHN HAMILTON
MAYOR

CITY OF BLOOMINGTON

401 N Morton St
Post Office Box 100
Bloomington IN 47402

JEFFREY H. UNDERWOOD
CONTROLLER

CONTROLLER'S OFFICE

p 812.349.3416
f 812.349.3456
controller@bloomington.in.gov

Memorandum

To: Council Members
From: Jeffrey Underwood, CPA, Controller
Date: November 12, 2021
Re: Appropriation Ordinance 21-05

Appropriation Ordinance 21-05 is our comprehensive 2021 year-end appropriation. The total additional appropriation is \$2,241,274. This request covers 10 different funds of which only 5 funds are needing additional funds. The other 5 funds only request moving funds between major categories.

In addition, as noted at the committee of the whole meeting, we have added the required appropriation request for the Solar Refunding Bonds. This request is to appropriate the proceeds of the bonds in the amount of \$13,100,000. The combined total of this appropriation request is \$15,341,274.

Additional details on our request follows.

General Fund – Various The majority of this ordinance transfers appropriations between departments and categories in order to cover changes between the initial budget prepared, and actual operational results. Unlike previous years, the gross request from the General Fund is \$1,732,862. However, we will be receiving a total of \$1,150,921 in reimbursements (\$1,050,000 in TIF funding to reimburse for road improvement costs in Engineering, \$16,000 in fees for a conference hosted by the Police Department and \$84,921 from Bloomington Transit for cost share on Bus Shelter improvements), in addition we will be transferring into the Fund as a result of this Ordinance \$300,000 from the Rental Inspection Fund. Accounting for these funds the request for the General Fund is a total of \$281,940. The bulk of this request is for the Fire department to cover wages and benefits related to Fire Union contract that was ratified after the budget had been approved. This ordinance will have no fiscal impact on the City's property tax rate.

- a. **Animal Care & Control – the Public Works Department** is requesting a transfer of \$7,000 from Classification 2 – Supplies and a \$4,500 transfer from Classification 3 – Services to Classification 1 – Personnel Services. This will assist in covering for higher than anticipated temporary salaries & wages for staff absences and overtime.
- b. **Public Works Administration – the Public Works Department** is requesting a \$55,000 transfer from Classification 3 – Services to Classification 4 – Capital and an additional appropriation of \$129,921 – Capital to assist in covering costs related to Transit Bus

Stop project and additional sidewalk repairs. (\$84,921 being reimbursed by Transit).

- c. **Housing & Neighborhood Development** – the **HAND** is requesting a \$14,000 transfer from Classification 3 – Services to Classification 1 Personal Services to cover additional wages and benefits due to allocations between the general fund and grants as well as the payment of accumulated leave for the Corporation Counsel in accordance with City policy. The surplus funds are due to reduce training costs related to COVID-19 and an additional appropriation of \$88,502 in Classification 1 Personal Services due to allocations between the general fund and grants as well as the payment of accumulated leave for the Corporation Counsel in accordance with City policy.
- d. **Clerk** – the **Office of the Clerk** is requesting a release of \$5,000 in Classification 3 – Services. This release will assist in covering needs of other departments.
- e. **Community and Family Resources** – the **Community & Family Resources Department** is requesting a release of \$91,500 Classification 1 – Personal Services due to several vacancies during the year and a release of \$5,000 Classification 3 – Services due to less travel by staff due to COVID-19.
- f. **Common Council** – the **Office of the Common Council** is requesting a release of \$13,000 from Classification 3 – Services due to not needing to utilize ASL services due to meetings being conducted virtually. This release will assist in covering needs of other departments.
- g. **Controller** – the **Office of the Controller** is requesting a release of \$95,000 from Classification 1 – Personal Services due to vacancies during the year and a release of \$114,022 from Classification 3 – Services due to savings from project management needs due to COVID-19. This release will assist in covering needs of other departments.
- h. **Economic & Sustainable Development** – the **Economic & Sustainable Department** is requesting to release of 40,700 from Classification 1 – Personnel Services due to several vacancies during the year, a release of \$5,000 from Classification 2 – Supplies due to reduced needs related to supplies need for programs that were provided virtually and a release of \$3,000 from Classification 3 – Services due to less travel related to COVID-19. This release will assist in covering needs of other departments.
- i. **Fire** – the **Fire Department** is requesting an additional appropriation of \$550,000 in Classification 1 – Personal Services due to costs related to the union contract that was ratified after the budget was approved and an additional appropriation of \$100,000 in Classification 3 Services to cover costs related to the cleanup of the voluntary burn.
- j. **Legal** – the **Legal Department** is requesting an additional appropriation \$4,000 in Classification 1 – Personal Services to cover costs related to the payment of accumulated leave for the

Corporation Counsel in accordance with City policy, and an additional appropriation of \$250,000 in Classification 3 – Services to cover outside counsel related to annexation that was not included in the 2021 budget.

- k. **Mayor** – the **Office of the Mayor** is requesting a \$25,000 transfer from Classification 3 – Services to Classification 1 – Personnel Services. In addition the office is requesting an additional appropriation of \$6,000 in Classification 1 – Personnel Services due to pay outs of accumulated leave for two positions in accordance with City policy and an additional appropriation of \$2,500 in Classification 2 – Supplies to provide funding for additional supplies to cover for COVID-19 expenditures.
- l. **Police** – the **Police Department** is requesting a \$30,000 transfer from Classification 1 Personal Services to Classification 2 Supplies to cover costs related to higher fuel costs and a transfer of \$208,000 to Classification 3 Services to cover costs related to the hosting of a conference (\$16,000 in conference fees offset this need), higher insurance premiums and costs related to repairs for flooding in the building. The surplus funds in Classification 1 are due to vacancies during the year.
- m. **Human Resources** – the **Human Resources Department** is requesting a transfer of \$70,000 from Classification 1 – Personnel Services to Classification 3 – Services and an additional appropriation of \$88,460 for Classification 3 Services to cover costs related to Center for Equity and Inclusion for anti-racism training program not included in the 2021 budget. The surplus funds in Classification 1 are due to vacancies during the year.
- n. **Information Technology** – the **Office of Information Technology Services** is requesting a release of \$70,000 in Classification 1 – Personnel Services due to vacancies during the year and a release of \$10,000 in Classification 2 – Supplies due to less training related costs due to COVID-. This release will assist in covering needs of other departments.
- o. **Engineering** – the **Engineering Department** is requesting a transfer of \$7,500 from Classification 2 – Services to Classification 1 – Personnel Services and an additional appropriation of \$29,500 to cover costs related to differences in budgeted salaries and actual salaries paid as well cost sharing of an Officer Manager with the Planning & Transportation department. The surplus funds in Classification 2 related to reduce training costs due to COVID-19. In addition, they are requesting an additional appropriation of \$1,050,000 in Classification 3 - Services related to road improvements and repairs. As noted earlier these funds will be reimbursed by TIF funding.
- p. **Planning & Transportation** – the **Planning & Transportation Department** is requesting a release of \$87,500 from Classification 1 – Personal Services due to vacancies during the year, a release of \$4,200 from Classification 2 – Supplies and \$22,100 from Classification 3 – Services. This release of funds is mainly due to a reduction in the use of supplies along with travel & training due to

the restrictions created by COVID-19. This release will assist in covering needs of other departments.

1. **Public Safety Local Income Tax Fund** – the **Police Department** is requesting a \$45,000 transfer of funds from Classification 4 – Capital to Classification 2 – Supplies. This transfer is needed to pay for needed unanticipated repairs due to flooding. The surplus is due to a decrease in funds needed for the training simulator.
2. **Public Safety Local Income Tax Fund** - the **Central Dispatch** department is requesting a transfer of \$15,000 from Classification 1 Personal Services to Classification 3 – Services to cover increased costs related to applicant recruiting and testing. The surplus is due to vacancies during the year.
3. **Food & Beverage Fund** – the **Economic & Sustainable Department** is requesting an additional appropriation of \$122,500 for Classification 3 – Services to cover costs associated with Recover Forward loans made from this fund. These costs will be recovered in future years as repayments are completed.
4. **Parks General Fund** – the **Parks Department** is requesting a transfer of \$60,000 from Classification 1 – Personal Services to Classification 2 – Supplies to cover increased cost of goods & materials overall and increased operating costs related to Switchyard Park and a transfer of \$75,000 from Classification 1 – Personal Services to Classification 3 Services to cover costs associated with increase insurance premiums. The surplus funds in Classification 1 is due to vacancies during the year and smaller staffing needs due to gathering sizes related to COVID-19.
5. **Alternative Transportation Fund** – the **Parking Services Department** – is requesting a transfer \$2,100 from Classification 2 - Supplies to Classification 1 – Personnel Services to cover actual wages which were slightly higher than budgeted.
6. **Motor Vehicle Highway Fund** – the **Street Division** is requesting an additional appropriation of \$39,074 for Classification 3 – Services to cover higher insurance premiums.
7. **Solid Waste Fund** – the **Sanitation Division** is requesting an additional appropriation of \$46,839 for Classification 3 - Services to cover fees related to increases in solid waste and recycling and higher insurance premiums. There is no fiscal impact due to this request as the additional funds have been previously budgeted for in the General Fund.
8. **Cumulative Capital Development Fund** – the **Public Works Department** is requesting to transfer \$50,000 from Classification 2 – Supplies to Classification 3 – Services and a transfer of \$146,633 from Classification 2 – Supplies to Classification 4 - Capital to accommodate the contracting of companies to provide services related to the removal of sidewalk trip hazards program and provide matching funds related to the 2021 INDOT Community Crossings grant.
9. **Police Pension Fund** – the **Controller Office** is requesting a transfer of \$10 from Classification 3 – Services to Classification 1 – Personnel Services to cover costs related to rounding of payroll costs

10. **Rental Inspection Program – HAND** In 2012 the state legislature created new rules regarding rental inspection programs. This requires the City to deposit receipts from the program in a designated fund. As of September 30, that fund has collected approximately \$300,000 for the 11 prior months. Although the revenue is now accounted for in the new fund, expenses for the program are still appropriated in the general fund. As such, we will be creating an invoice to reimburse the general fund from the rental inspection program fund. There is no fiscal impact to this fund as this is simply a transfer of revenues collected in this fund to the General Fund where the expenses for the program are budgeted and paid. This has a positive fiscal impact of \$300,000 to the General Fund.

11. **2021 Solar Refunding Bonds Fund** – the Controller’s Office is requesting appropriation of \$13,100,000 bond proceeds for the purpose of providing funds to pay the costs to refund and repay the 2017 Lease, including related costs and the costs of issuing the Refunding Bonds.

Thank you for your consideration of this request. As always, I am happy to answer questions related to this request.





MEMO FROM COUNCIL OFFICE ON:

Ordinance 21-45 - To Amend Title 7 of the Bloomington Municipal Code Entitled "Animals" Re: Amending Chapter 7.01 (Definitions); Chapter 7.16 (Commercial Animal Establishment Permits); Chapter 7.54 (Fees); and Chapter 7.56 (Enforcement Procedure)

Synopsis

Ordinance 21-45 is sponsored by Councilmember Sandberg, Councilmember Piedmont-Smith, and Councilmember Rollo and would amend portions of Title 7 of the Bloomington Municipal Code entitled "Animals." The ordinance makes the following changes:

- It revises BMC Section 7.01.010 to add, remove, and revise various defined terms.
- It revises BMC Section 7.16.040 to remove the requirement that the breeder's name be posted on the animal's kennel.
- It removes BMC Section 7.16.045 in its entirety.
- It revises BMC Section 7.54.030 to make the commercial animal establishment fee for pet shops \$250.
- It adds BMC Section 7.16.070, which prohibits the sale of dogs and cats by pet shops.
- It revises BMC Section 7.56.030 to add a penalty for the sale of dogs or cats by a pet shop.

Relevant Materials

- [Ordinance 21-45](#)
- [Ordinance 21-45 Proposed Amendments in Context](#)
- *Puppy Mills: Facts and Figures*, The Humane Society of the United States, May 2021
- *Puppy Mills and Pet Stores*, The Humane Society of the United States

Summary

[Ordinance 21-45](#) proposes to amend four (4) sections of Title 7 ("Animals") of the Bloomington Municipal Code ("BMC"), accessible online [here](#). This ordinance was presented to the Animal Control Commission (ACC) on November 8, 2021 and was given a recommendation of approval by a vote of 6-0.

[Ordinance 21-45](#) proposes to prohibit the sale of dogs and cats by pet shops and adds a penalty of \$500 for each violation. Additionally the ordinance:

- revises, adds and deletes various defined terms;
- removes the requirement that the breeders name be posted on the animal's kennel;



- removes Section 7.16.045 “Consumer protection requirements” in its entirety (This section applies to the sale of dogs and cats by major pet shop permit holders and would no longer be necessary if the sale of dogs and cats by pet shops is prohibited); and
- revises the permit fee for Commercial Animal Establishment (Commercial Animal Establishment is a defined term which means any pet shop, non-municipal animal shelter/sanctuary, auction, riding school or stable, zoological park, circus or animal exhibition);
- has an effective date of January 1, 2023 (This date was selected in order to give pet shops that currently sell dogs and cats time to make the necessary adjustments to come into compliance with the provisions of Ordinance 21-45).

Pursuant to [BMC 7.56.010](#), enforcement lies with the director of the animal care and control department, or his or her designees.

Ordinance 21-45 would impact two pet shop businesses locally – Anthony’s Pets in the mall and Delilah’s Pet Shop on West Third. Correspondence was forwarded to both Anthony’s (by USPS on November 4, 2021) and Delilah’s (by email on November 4, 2021) alerting them to this proposed legislation, explaining the legislative cycle, and how they can comment. Both PetSmart and Petco already have in place corporate policies prohibiting the sale of dogs and cats.

Ordinance 21-45 would not affect a consumer’s ability to obtain a dog or cat of their choice directly from a breed-specific organization or shelter, or from a responsible breeder where the consumer can see directly the conditions in which the animals are bred. Additionally, the ordinance would allow pet shops to collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises.

Rationale

Ordinance 21-45 proposes to prohibit the sale of dogs and cats by pet shops because prohibiting the retail sale of dogs and cats is likely to decrease the demand for dogs and cats bred in puppy and kitten mills.¹ Decreasing demand is one component of reducing or eliminating puppy/kitten mills altogether.

A puppy/kitten mill is a commercial breeding facility that ignores the needs of parent animals and their progeny in favor of high-volume births in order to generate maximum profit.² The abuses endemic to puppy/kitten mills are well-documented.³ Further, it is widely accepted

¹ Humane Society of the United States; Internal Audit of the Animal and Plant Health Inspection Service, *Animal and Plant Health Inspection Service Animal Care Program Inspections of Problematic Dealers*

² PAWS, <https://www.paws.org/resources/puppy-mills/>; The Humane Society of the United States, <https://www.humanesociety.org/>;

³ The Humane Society of the United States



that poor care of the parent animals contributes to poor health and behavior problems in the offspring.⁴

The Humane Society of the United States estimates that there are 10,000 active puppy mills in the United States with approximately 500,000 dogs kept solely for breeding purposes, and that 2.6 million puppies originating from a puppy mill are sold each year. The majority of dogs sold in pet stores in the United States are from puppy mills.⁵

The Animal Welfare Act passed by Congress in 1966 is the only federal law regulating the standard of care for animals bred for commercial resale. Pursuant to the Act, any person who is an animal dealer must have a USDA license. A dealer is defined as any person who buys and sells any dog for use as a pet, research or teaching subject, or sells dogs wholesale for hunting, security, or breeding. However, retail pet stores are not considered dealers, unless they sell dogs to research facilities, exhibitors, or other pet stores.⁶

The Animal Welfare Act is enforced by the Animal and Plant Health Inspection Services (APHIS). There are currently 120 inspectors nationwide who are experts in animal care and husbandry and have received formal training in animal related fields. These inspectors are responsible for performing pre-licensing inspections, unannounced compliance inspections, and follow-up inspections after public complaints. Loopholes and inefficiencies in the Act in addition to funding and staffing shortages make it a relatively ineffective tool for regulating puppy/kitten mills.⁷

Indiana has anti-cruelty laws intended to prevent neglect and mistreatment of dogs. These laws apply to commercial breeders and commercial dog brokers. However, there is no requirement that commercial breeders or commercial dog brokers submit to inspections. Without a mechanism for regular inspection, it is all but impossible to ensure compliance with any requirement or standard.

Federal and state regulations set forth minimum standards for survival, but not for humane care. These minimal standards of care, the lack of commercial breeding facility inspections, and low accountability for noncompliance contribute to the poor care received by animals that are kept, bred, and sold in puppy/kitten mills where parent animals live the entirety of their lives in cage without the opportunity for socialization with other animals, tender care from humans, and/or proper veterinary care.⁸

⁴ The Humane Society of the United States

⁵ The Humane Society of the United States

⁶ Animal and Plant Health Inspection Service,

https://www.aphis.usda.gov/animal_welfare/downloads/breeders/commercial-dog-introduction-aphis-animal-care-and-regulatory-process-slides.pdf

⁷ Internal Audit of the Animal and Plant Health Inspection Service, *Animal and Plant Health Inspection Service Animal Care Program Inspections of Problematic Dealers*

⁸ The Humane Society of the United States, PAWS



Similar Legislation in Other Indiana Counties

Several Indiana counties and towns have enacted or are currently considering legislation similar to [Ordinance 21-45](#).

- St. Joseph County, Indiana passed [Ordinance 32-17](#) in May 2017, prohibiting the sale of dogs and cats by pet shops unless the animals have been placed for the purpose of adoption through the Animal Control Agency or other animal welfare organization.
- Columbus, Indiana passed an ordinance on April 6, 2021 prohibiting the sale of dogs, cats and rabbits in pet shops. Similar to [Ord. 21-45](#), the pet shops are free to work with the City's Animal Care Services, or non-profit animal rescue organizations to provide adoptions at their locations.
- Highland, Indiana passed [Ordinance 1750](#) in September 2021, prohibiting the sale of dogs, cats and rabbits by pet shops. This ordinance also has a provision which allows pet shops to coordinate with animal care facilities or rescue organizations to showcase adoptable dogs, cats and rabbits.
- Dyer, Indiana passed [Ordinance 2021-20](#) in September 2021, prohibiting the sale of dogs and cats by pet shops. Likewise this ordinance does not prohibit pet shops from collaborating with animal care facilities or rescue organizations to offer space to showcase adoptable dogs and cats.
- Crown Point passed an Ordinance banning the sale of dogs and cats in pet stores in November 2, 2021.
- Munster, Lake Station, Hammond, and Hobart are considering similar legislation that would ban the sale of dogs and cats in pet shops. ⁹

Contact

Susan Sandberg, sandbers@bloomington.in.gov, (812) 349-3409

Isabel Piedmont-Smith, piedmoni@bloomington.in.gov, (812) 349-3409

Dave Rollo, rollod@bloomington.in.gov, (812) 349-3409

⁹ The Humane Society of the United States

ORDINANCE 21-45

**TO AMEND TITLE 7 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED
“ANIMALS”**

– Re: Amending Chapter 7.01 (Definitions); Chapter 7.16 (Commercial Animal Establishment Permits); Chapter 7.54 (Fees); and Chapter 7.56 (Enforcement Procedure)

WHEREAS, Title 7 of the Bloomington Municipal Code (“BMC”) sets forth provisions regarding the care and control of animals through the Animal Care and Control Division of the Department of Public Works for the City of Bloomington; and

WHEREAS, the Humane Society of the United States estimates that 10,000 puppy mills (both licensed and unlicensed) produce more than 2,600,000 dogs a year in the United States and that most pet shop dogs and cats come from puppy mills and kitten mills; and

WHEREAS, according to the Human Society of the United States, the conditions endemic to puppy mills and kitten mills include over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water, and shelter; lack of socialization; lack of adequate space; and lack of adequate exercise; and

WHEREAS, according to the Humane Society of the United States, the care and treatment of animals in puppy and kitten mill facilities can lead to health and behavioral issues in the animals kept and bred in those facilities, which may not present themselves until sometime after the purchase of the animals, and can lead to exorbitant financial and emotional costs on consumers; and

WHEREAS, current Federal and State regulations do not properly address the sale of puppy and kitten mill dogs and cats in pet shops; and

WHEREAS, BMC Title 7 does not currently include restrictions on the sale of dogs and cats at pet shops; and

WHEREAS, prohibiting the retail sale of dogs and cats is likely to decrease the demand for dogs and cats bred in puppy and kitten mills, and is likely to increase demand for animals from animal shelters and rescue organizations; and

WHEREAS, across the country, thousands of independent pet shops as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of dogs and cats. Many of these pet shops collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises; and

WHEREAS, this ordinance will not affect a consumer’s ability to obtain a dog or cat of their choice directly from a breed-specific rescue organization or a shelter, or from a responsible breeder where the consumer can see directly the conditions in which the dogs or cats are bred, or can confer directly with the responsible breeder concerning these conditions; and

WHEREAS, it is in the best interests of the community as a whole and of the animals who reside here for the City of Bloomington to prohibit the sale of dogs and cats by pet shops.

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

SECTION 1. Section 7.01.010, entitled “Definition of terms”, shall be amended by adding a

new defined term, “Animal rescue organization”, which shall read as follows:

“Animal rescue organization” means a not-for-profit organization having tax exempt status under Section 501(c)(3) of the United States Internal Revenue Code and a mission and practice of rescuing animals and placing them into permanent homes. Animal rescue organization does not include any person who:

- (1) breeds dogs or cats;
- (2) in exchange for compensation of any kind, obtains dogs or cats from a person who breeds dogs or cats; or
- (3) facilitates the sale of dogs or cats obtained from a person who breeds dogs or cats.

SECTION 2. Section 7.01.010, entitled “Definition of terms”, shall be amended by deleting the words “major and/or minor” before the words “pet shop” in the definition of “Commercial animal establishment”.

SECTION 3. Section 7.01.010, entitled “Definition of terms”, shall be amended by deleting the defined term “Major pet shop” in its entirety.

SECTION 4. Section 7.01.010, entitled “Definition of terms”, shall be amended by deleting the defined term “Minor pet shop” in its entirety.

SECTION 5. Section 7.01.010, entitled “Definition of terms”, shall be amended by adding a new defined term, “Pet shop”, which shall read as follows:

"Pet shop" means any retail establishment engaging in the purchase and sale of any species of animal.

SECTION 6. Section 7.01.010, entitled “Definition of terms”, shall be amended by adding a new defined term, “Offer for sale”, which shall read as follows:

“Offer for sale” means to proffer, advertise, or display for the sale, trade, barter, lease, giving away, or any other transfer.

SECTION 7. Section 7.01.010, entitled “Definition of terms”, shall be amended by deleting the words “or corporation” after the word “partnership” and replacing them with the words “corporation, or any other legal entity” in the definition of “Person”.

SECTION 8. Section 7.01.010, entitled “Definition of terms”, shall be amended by adding a new defined term, “Sell”, which shall read as follows:

“Sell” means to exchange for consideration, adopt out, barter, auction, trade, lease, or otherwise transfer animals.

SECTION 9. Section 7.16.040, entitled “Standards for commercial animal establishments” shall be amended by deleting subsection (f) in its entirety and re-lettering all remaining subsections accordingly.

SECTION 10. Section 7.16.040, entitled “Standards for commercial animal establishments” shall be amended by deleting the words “major or minor” in subsection (g).

SECTION 11. Section 7.16.045, entitled “Consumer protection requirements”, shall be deleted in its entirety, and the table of contents for the Chapter shall be updated accordingly.

SECTION 12. Section 7.54.030, entitled “Commercial animal establishment permit fees” shall be amended by deleting the word “minor” in subsection (a)(6).

SECTION 13. Section 7.54.030, entitled “Commercial animal establishment permit fees” shall be amended by deleting subsection (a)(7) in its entirety and renumbering all remaining subsections accordingly.

SECTION 14. A new section shall be added to Title 7, Chapter 7.16 entitled “Section 7.16.070 - Sale of dogs and cats by pet shops prohibited” which shall be listed as such in the Table of Contents for the Title and shall read as follows:

Section 7.16.070 – Sale of dogs and cats by pet shops prohibited.

- (a) No pet shop shall sell or offer for sale a dog or a cat.
- (b) This section shall not prohibit a pet shop from offering space to a municipal animal shelter or to an animal rescue organization, as defined in Section 7.01.010, to display dogs and cats for adoption.
- (c) No part of any fees associated with the display or adoption of dogs or cats, including but not limited to adoption fees or fees for the provision of space, shall be paid to the host pet shop or to any legal entity affiliated with or under common ownership with the host pet shop.
- (d) The host pet shop shall not have any ownership interest in any of the dogs or cats displayed for adoption.
- (e) Each sale or offer for sale made in violation of subsection (a) of this section shall constitute a separate violation subject to the penalties set forth under Chapter 7.56.

SECTION 15. Section 7.56.030, entitled “Penalties” shall be amended by adding the following violation and corresponding fine to the table contained in subsection (b):

Sale of dog or cat by pet shop in violation of Section 7.16.070.	\$500.00
--	----------

SECTION 16. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 17. This ordinance shall be in full force and effect beginning on January 1, 2023.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2021.

JIM SIMS, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2021.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____,
2021.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

Ordinance 21-45 is sponsored by Councilmember Sandberg, Councilmember Piedmont-Smith, and Councilmember Rollo and would amend portions of Title 7 of the Bloomington Municipal Code entitled “Animals.” The ordinance makes the following changes:

- It revises BMC Section 7.01.010 to add, remove, and revise various defined terms.
- It revises BMC Section 7.16.040 to remove the requirement that the breeders name be posted on the animal’s kennel.
- It removes BMC Section 7.16.045 in its entirety.
- It revises BMC Section 7.54.030 to make the commercial animal establishment fee for pet shops \$250.
- It adds BMC Section 7.16.070, which prohibits the sale of dogs and cats by pet shops.
- It revises BMC Section 7.56.030 to add a penalty for the sale of dogs or cats by a pet shop.

Amendments to the Bloomington Municipal Code Title 7
proposed by Ordinance 21-45 in context.
(Additions are shown in **Bold**, deletions are shown in ~~strikeout~~)

Sections 1, 2, 3, 4, 5, 6, 7, and 8 of Ordinance 21-45

7.01.010 Definition of terms.

As used in this title, the following terms mean, unless otherwise designated:

"Abandoned" means any animal whose owner/guardian has knowingly, intentionally or recklessly left it unattended, without proper food, water or shelter, for twenty-four (24) hours or more.

"Altered" means any animal which has been spayed or neutered.

"Animal" means any live, nonhuman vertebrate creature, domestic or wild.

"Animal exhibition, permanent" means any spectacle, display, act or event other than circuses, in which animals perform or are displayed, with the exception of education programs presented by persons or organizations with proper state and federal education permits, as required, and which are perpetual in nature and in a stationary location.

"Animal exhibition, transient" means any spectacle, display, act or event other than circuses, in which animals perform or are displayed, with the exception of education programs presented by persons or organizations with proper state and federal education permits, as required, and which are traveling shows of a temporary duration.

"Animal rescue organization" means a not-for-profit organization having tax exempt status under Section 501(c)(3) of the United States Internal Revenue Code and a mission and practice of rescuing animals and placing them into permanent homes. Animal rescue organization does not include any person who:

- (1) Breeds dogs or cats;**
- (2) in exchange for compensation of any kind, obtains dogs or cats from a person who breeds dogs or cats; or**
- (3) facilitates the sale of dogs or cats obtained from a person who breeds dogs or cats.**

"At large" means a stray animal or any animal whose owner/guardian knowingly, intentionally, or recklessly allows the animal to stray beyond premises owned, lawfully occupied or controlled by the owner/guardian unless under restraint. This section does not apply to dogs engaged in lawful hunting accompanied by the owner/guardian or custodian or to feral cats which belong to a managed colony.

"Auction" means any place or facility where domestic livestock are regularly bought, sold, or traded, except for those facilities otherwise defined in this chapter.

"Chicken" means Gallus gallus domesticus, a domestic bird typically kept on a farm. This definition does not include other fowl, such as, but not limited to, peacocks, turkeys or waterfowl.

"Chicken coop" means an enclosed structure for housing chickens that provides shelter from the elements.

"Chicken flock" means one (1) chicken or a group of two (2) or more chickens which:

- (a) Contains no more than five (5) hens and no roosters; and
- (b) Is issued a permit by the City of Bloomington Animal Care and Control Department; and
- (c) Is not otherwise permitted by Section 20.05.093 - SC-07 (Special conditions—Crops and pasturage, and accessory chicken flocks) of the Bloomington Municipal Code as the same may be hereafter amended or replaced; and

- (d) Reside in an area zoned estate residential (RE), single-dwelling residential (RS), Residential Core (RC), or those estate residential or single-dwelling residential portions of a planned unit development (PUD) as defined in Chapter 20.02 of the Bloomington Municipal Code, as the same may be hereafter amended or replaced.

"Chicken run" means an enclosed outside yard for keeping chickens.

"Circus" means a commercial variety show featuring animal acts for public entertainment.

"Colony" means one or more feral cats, whether unmanaged or managed.

"Colony caretaker" means a person who provides food, water and/or shelter for feral cats in a managed colony. Colony caretakers shall not be deemed to own or harbor said cats.

"Commercial animal establishment" means any ~~major and/or minor~~ pet shop, nonmunicipal animal shelter/sanctuary, auction, riding school or stable, zoological park, circus or animal exhibition.

"Commercial kennel" means any person engaged in the business of boarding, training for a fee and/or grooming animals.

"Designee" means an organization or individual recognized by the city of Bloomington animal care and control department that uses the trap-neuter-return method for stabilizing and reducing the feral cat population.

"Domestic livestock" means any animal, other than a domestic pet, that is a member of one (1) of the following species:

- (1) Bison;
- (2) Elk;
- (3) Poultry;
- (4) Cattle;
- (5) Donkey;
- (6) Horse;
- (7) Goat;
- (8) Llama;
- (9) Mule;
- (10) Ostrich;
- (11) Pig; or
- (12) Sheep.

"Domestic pet" means any animal that is a member of one (1) of the following species:

- (1) Dog (*Canis familiaris*);
- (2) Cat (*Felis catus* or *Felis domesticus*);
- (3) Rabbit (*Oryctolagus cuniculus*);
- (4) Mouse (*Mus musculus*);
- (5) Rat (*Rattus rattus*);
- (6) Reptile (*Reptilis*), as defined herein;
- (7) Guinea pig (*Cavia porcellus*);
- (8) Chinchilla (*Chinchilla laniger*);

- (9) Hamster (*Mesocricetus auratus*);
- (10) Gerbil (*Gerbillus gerbillus*);
- (11) Ferret (*Mustela putorius furo*);
- (12) Sugar glider (*Petaurus breviceps*);
- (13) African Pygmy Hedgehogs (*Erinaceus europaeus*); or
- (14) Degu (*Octodon Degus*).

"Exotic animal" means an animal belonging to a species that is not native to the United States, or an animal that is a hybrid or cross between a domestic animal and an animal that is not native to the United States.

"Feral cat" means a cat that has lived its life with little or no human contact, is not socialized or is ear-tipped or tattooed.

"Harboring" means the actions of any person that permit any animal habitually to remain or lodge or to be fed within his or her home, store, enclosure, yard or place of business or any premises on which such person resides or controls. An animal shall be presumed harbored if it is fed or sheltered for three (3) consecutive days.

"Intact animal permit" means the permit required by any person engaged in owning or harboring more than four (4) dogs over the age of twelve (12) months, any one (1) of which is unaltered, and/or more than six (6) cats over the age of twelve (12) months, any one of which is unaltered.

"Litter permit" means the permit required by any person who intentionally or unintentionally causes or allows the breeding of a litter of dogs or cats in a twelve-month period. Exception: if the parent animal(s) are altered within fourteen (14) weeks after giving birth or the parent animal(s) and the litter are relinquished to the City of Bloomington Animal Care and Control Department within fourteen (14) weeks after birth of the litter, all permit requirements shall be waived.

~~"Major pet shop" means any retail establishment engaging in the purchase and/or sale of cats and/or dogs, either solely or in addition to the purchase and/or sale of other species of animal.~~

"Managed colony" means a colony of feral cats that is registered with the city of Bloomington animal care and control department or its designee and is maintained by a colony caretaker using the trap-neuter-return method to stabilize and reduce the feral cat population.

~~"Minor pet shop" means any retail establishment engaging in the purchase and sale of any species of animal, with the exception of cats and dogs.~~

"Municipal animal shelter" means any facility operated by a municipal agency, or its authorized agents for the purpose of impounding or caring for animals held under the authority of this title or of state law.

"Noncommercial kennel" means any person engaged in owning or harboring, with the exception of dogs and/or cats fostered for the city of Bloomington animal care and control department or feral cats belonging to a managed colony, more than four altered dogs; more than six (6) altered cats; or more than a total of ten (10) altered dogs and cats combined.

"Nonmunicipal animal shelter/sanctuary" means any facility operated by a person or organization other than a municipality for the purpose of harboring and/or rehoming animals.

"Offer for sale" means to proffer, advertise, or display for the sale, trade, barter, lease, giving away, or any other transfer.

"Owner/guardian" means a person owning or harboring one or more animals for a period of longer than twenty-one (21) days.

"Person" means any individual, firm, association, joint stock company, syndicate, partnership, **corporation, or any other legal entity** ~~or corporation.~~

"Pet shop" means any retail establishment engaging in the purchase and sale of any species of animal.

"Potentially dangerous, Level 1" means any:

- (1) Animal which, when unprovoked, on two (2) separate occasions within the prior thirty-six (36) month period, engages in or displays any behavior that requires a defensive action by any person to prevent bodily injury to the person or the person's own animal, when the person or the animal are off of property owned, lawfully occupied or controlled by the owner/guardian or keeper of the animal; or
- (2) Animal which, when unprovoked, and when off of property owned, lawfully occupied or controlled by the owner/guardian or keeper of the animal, causes injury to a domestic pet, domestic livestock or to a person that results in any of the following injuries: injury which results in bruising or abrasions; or injury that results in less than four (4) punctures wounds.

"Potentially dangerous, Level 2" means any an animal which has been declared a Level 1 potentially dangerous animal and within thirty-six (36) months of said declaration, when off of property owned, lawfully occupied or controlled by the owner/guardian or keeper of the animal, causes injury to a domestic pet, domestic livestock or to a person that results in any of the following injuries: injury which results in bruising or abrasions; or injury that results in less than four (4) punctures wounds. A Level 2 potentially dangerous animal is also an animal which causes severe injury or death to a domestic pet or to domestic livestock.

"Potentially dangerous, Level 3" means any animal which has been declared a Level 1, or Level 2 potentially dangerous animal and continues, when off of property owned, lawfully occupied or controlled by the owner/guardian or keeper of the animal, and when unprovoked, to cause injuries to persons, domestic pets or domestic livestock within thirty-six (36) months of the original declaration. A Level 3 potentially dangerous animal is also an animal which, when off of property owned, lawfully occupied or controlled by the owner/guardian or keeper of the animal, and when unprovoked, causes a severe injury to a person or injures a person in that the injury results in four (4) or more puncture wounds.

"Public nuisance" means any animal that:

- (1) Molest passersby or passing vehicles;
- (2) Attack persons or other animals;
- (3) Damage public property or private property;
- (4) Bark, whine or howl in an excessive or continuous fashion;
- (5) Defecate on public or private property, other than the owner/guardian's/harbinger's/colony caretaker's property, unless the waste is immediately removed and disposed of in a sanitary manner by the animal's owner/guardian/harbinger/colony caretaker; or
- (6) Otherwise interferes with the free use and comfortable enjoyment of life or property.

"Reptile" means any air-breathing vertebrate of the class Reptilia.

"Research laboratory" means any animal research facility registered with the United States Department of Agriculture under authority of the Federal Laboratory Animal Welfare Act, 71 United States Code Section 2132 et seq.

"Restraint" means the securing of an animal by a leash or lead or confining it within the real property limits of property owned, lawfully occupied or controlled by its owner/guardian or keeper.

"Riding school or stable" means any place that has available for hire, boarding, and/or riding instruction, any horse, pony, donkey, mule or burro.

"Sell" means to exchange for consideration, adopt out, barter, auction, trade, lease, or otherwise transfer animals.

"Service dogs" means any dog engaged in working or training to work for the assistance of hearing or sight impaired, or physically handicapped or disabled persons.

"Severe injury" means any physical injury to a human being or domestic pet or domestic livestock that results in multiple bites, broken bones, muscle tears or disfiguring lacerations or requires multiple sutures or corrective or cosmetic surgery.

"Stray" means any animal that does not appear, upon reasonable inquiry, to have an owner/guardian.

"Tether" means attaching a domestic pet to a stationary object or pulley run by means of a chain, rope, tether, cable, or similar restraint. "Tether" does not include the use of a leash to walk a domestic pet.

"Trap-neuter-return" means a full management plan in which feral cats already living outdoors are humanely trapped, then evaluated, sterilized and ear-tipped or tattooed by veterinarians. Kittens under ten weeks old are adopted into good homes if they become socialized. Healthy adult cats too wild to be adopted are returned to their familiar habitat under the lifelong care of volunteers.

"Veterinary hospital" means any establishment maintained and operated by a veterinarian for surgery, diagnosis, and treatment of diseases and injuries of animals.

"Vicious animal" means any animal which, when unprovoked, in an aggressive manner has bitten or attacked a person, domestic pet or domestic livestock at least three (3) times in the prior thirty-six (36) month period. A vicious animal is also an animal which has bitten a person causing severe injury; or causing wounds that are potentially dangerous to the person's health or life; or result in permanent scarring or disfiguring to a person.

"Wild animals" means any animal not a domestic animal, with the exception of small, nonpoisonous aquatic or amphibious animals and birds of the order Psittaciformes, canaries, and finches.

"Wildlife rehabilitator" means any person or persons that acquire the necessary state and federal permits to allow the rehabilitation of wildlife in their homes, on their property or in a professional facility, with the intent of releasing such animals according to state and federal guidelines.

"Zoological park" means any facility, other than a pet shop or kennel, displaying or exhibiting, without the predominant purpose of selling, one or more species of nondomesticated animals. The facility must be accredited by the American Zoological Association (AZA) or The Association of Sanctuaries (TAOS).

Sections 9 and 10 of Ordinance 21-45

7.16.040 Standards for commercial animal establishments.

In order to be eligible to obtain a permit, a commercial animal establishment must:

- (a) Be operated in such a manner as not to constitute a nuisance;
- (b) Provide an isolation area for animals which are sick or diseased to be sufficiently removed so as not to endanger the health of other animals;
- (c) Keep all animals caged, within a secure enclosure or under the control of the owner/guardian or operator at all times;
- (d) With respect to all animals kept on the premises, comply with all of the provisions of Chapter 7.36, Animal Care, of this title providing for the general care of animals;
- (e) Not sell dogs and/or cats which are unweaned, less than eight weeks of age, or obviously diseased;
- ~~(f)~~ ~~If it is a major pet shop, post the name of the breeder of all dogs and cats for sale on the animal's kennel;~~
- ~~(g)~~ ~~(f)~~ If it is a major or minor pet shop, keep records of the name, address and telephone number of the breeder and seller of each animal for a period of two years after the date the animal is sold and make those records available for inspection by the City of Bloomington Animal Care and Control Department.

~~(h)~~(g) Recommend that any animal sold, transferred or given away be examined by a licensed veterinarian within one week of the date of transfer and notify the new owner/guardian of state requirements for rabies vaccinations.

~~(i)~~(h) Be in compliance with all zoning laws.

Section 11 of Ordinance 21-45

7.16.045 Consumer protection requirements.

- (a) ~~This section applies to the sale of dogs and cats by major pet shop permit holders.~~
- (b) ~~Major pet shop permit holders shall provide a purchaser of a dog or cat with a health record for the animal at the time of sale. The health record shall include the following:~~
- ~~(1) The animal's breed. If the breed is unknown or mixed, the health record shall so indicate. If the animal is advertised or represented as registerable, the following information shall be provided: the breeder's name and address; the name and registration number of the dam and sire of the purchased dog's litter; and the name and address of the pedigree registry organization where the dam and sire are registered. Providing registration papers, if available, shall meet this requirement;~~
 - ~~(2) The date of the animal's birth;~~
 - ~~(3) The animal's sex, color and markings;~~
 - ~~(4) A list of all vaccinations administered, if known; the date and type of vaccinations and the name of the person, business, or entity who administered them, if known, up to the date of sale; a record of any known disease, illness or condition with which the dog is or has been afflicted at the time of the sale; and record of any veterinary treatment or medication received by the animal;~~
 - ~~(5) The date, dosage and type of any anti-parasitic medicine, if known, that was administered; and~~
- (6) ~~The name, address, and signature of the major pet shop permit holder's representative.~~

Sections 12 and 13 of Ordinance 21-45

7.54.030 Commercial animal establishment permit fees.

(a) Fees for commercial animal establishment permits shall be as follows:

(1) For each riding school or stable	\$100.00
(2) For each auction	\$500.00
(3) For each zoological park	\$500.00
(4) For each circus or animal exhibition—transient	\$1,000.00 per day
(5) For each animal exhibition—permanent	\$500.00 per year
(6) For each minor pet shop	\$250.00
(7) For each major pet shop	\$500.00
(8) (7) For each nonmunicipal animal shelter/sanctuary	\$0.00 private/\$0.00 nonprofit

(b) No fee shall be required of any municipal animal shelter, research laboratory, or government-operated zoological park.

Section 14 of Ordinance 21-45

Add a new section immediately following 7.16.060 and immediately before Chapter 7.21 as follows:

Section 7.16.070 Sale of dogs and cats by pet shops prohibited.

- (a) No pet shop shall sell or offer for sale a dog or cat.
- (b) This section shall not prohibit a pet shop from offering space to a municipal animal shelter or to an animal rescue organization, as defined in Section 7.01.010, to display dogs and cats for adoption.
- (c) No part of any fees associated with the display or adoption of dogs or cats, including but not limited to adoption fees or fees for the provision of space, shall be paid to the host pet shop or to any legal entity affiliated with or under common ownership with the host pet shop.
- (d) The host pet shop shall not have any ownership interest in any of the dogs or cats displayed for adoption.
- (e) Each sale or offer for sale made in violation of subsection (a) of this section shall constitute a separate violation subject to the penalties set forth under Chapter 7.56.

Section 15 of Ordinance 21-45

7.56.030 Penalties.

- (a) Any first offense violation that is subject to Chapter 7.56 shall be subject to a civil penalty of not more than two thousand five hundred dollars (\$2,500.00) for each such violation for a first violation, and any second or subsequent violation that is subject to Chapter 7.56 shall be subject to a civil penalty of not more than seven thousand five hundred dollars (\$7,500.00) for each such second or subsequent violation. These financial penalties are in addition to any and all other remedies available to the city, except where a lesser fine is specified herein.
- (b) The following violations of this title shall be subject to the fines listed in the below table.

Falsification of Application for a Commercial Animal Establishment Permit	Triple the applicable permit fee for first offense. Second and subsequent offenses within twelve consecutive months of the first offense shall be double the fine associated with the most prior offense.
Commercial Animal Establishment's Violation of Animal Care Standards in Section 7.16.040	Triple the applicable permit fee for first offense. Second and subsequent offenses within twelve consecutive months of the first offense shall be double the fine associated with the most prior offense.
Commercial Animal Establishment's Violation of Chapter 7.16	Double the applicable permit fee for first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Operation of a Commercial Animal Establishment without a Permit	\$2,500.00 for the first offense. \$5,000.00 for a second offense in a two year period. \$7,500.00 for a third and all subsequent offenses in a two year period.
Falsification of Application for a Kennel Permit	Triple the applicable permit fee for first offense. Second and subsequent offenses within twelve consecutive months of the first offense shall be double the fine associated with the most prior offense.

Kennel Permittee's Violation of Animal Care Standards in Section 7.21.040; 7.21.050; or 7.21.057.	Triple the applicable permit fee for first offense. Second and subsequent offenses within twelve consecutive months of the first offense shall be double the fine associated with the most prior offense.
Kennel Permittee's Violation of Chapter 7.21	Double the applicable permit fee for first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Operation of a Kennel without a Permit	\$2,500.00 for the first offense. \$5,000.00 for a second offense in a two year period. \$7,500.00 for a third and all subsequent offenses in a two year period.
Falsification of Application for a Breeder Permit	Triple the applicable permit fee for first offense. Second and subsequent offenses shall be double the fine associated with the most prior offense.
Breeder Permittee's Violation of Consumer Protection Requirements in Section 7.22.035	Double the applicable permit fee for first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Breeder Permittee's Violation of Chapter 7.22	Double the applicable permit fee for first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Breeding without a Permit	Double the applicable permit fee for first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Failure to Restrain an Altered Animal	\$20.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Failure to Restrain an Unaltered Animal	\$100.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense, unless the owner has the animal altered, in which case the fine shall be that which is associated with restraint on an altered animal.
Allowing an animal to be a public nuisance	\$50.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Giving animals as prizes	\$100.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Poisoning animals	\$2,500.00 for the first offense. \$5,000.00 for a second offense in a two year period. \$7,500.00 for a third and all subsequent offenses in a two year period.
Cruelty, abuse or neglect of an animal resulting in serious injury or death to the animal	\$2,500.00 for the first offense. \$5,000.00 for a second offense in a two year period. \$7,500.00 for a third and all subsequent offenses in a two year period.

Torturing, beating, mutilating or neglecting an animal which result in injury or pain to the animal	\$1,500.00 for the first offense. \$3,000.00 for a second offense in a two year period. \$6,000.00 for a third offense in a two year period. \$7,500.00 for a fourth and all subsequent offenses in a two year period.
Failure to report hitting a dog or cat with a motor vehicle	\$50.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Using a device to induce an animal to perform	\$2,500.00 for the first offense. \$5,000.00 for a second offense in a two year period. \$7,500.00 for a third and all subsequent offenses in a two year period.
Violations of General Animal Care Standards in Section 7.36.050	\$50.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Violations of Provisions for Animals Used to Draw Vehicles in Section 7.36.060	\$50.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Abandonment of Animal	\$2,500.00 for the first offense. \$5,000.00 for a second offense in a two year period. \$7,500.00 for a third and all subsequent offenses in a two year period.
Wild Animal Violations in Chapter 7.40	\$500.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Reptile Violations in Chapter 7.42	\$50.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Failure to Vaccinate an Animal Against Rabies	\$200.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Failure to Quarantine an Animal in Accordance with Section 7.44.020	\$200.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Failure to restrain a female in heat	\$100.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Failure to restrain a potentially dangerous or vicious animal.	\$100.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Failure to post warning signs for a potentially dangerous or vicious animal.	\$50.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.

Failure to notify City of Bloomington Animal Care and Control Department of a change in status for a potentially dangerous or vicious animal.	\$50.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Failure to prevent potentially dangerous or vicious animal from breeding.	\$100.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Failure to alter potentially dangerous or vicious animal in accordance with this Title.	\$100.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Failure to comply with a provision of Chapter 7.26 not specifically addressed in this Table.	\$100.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Failure to comply with an Order of the Animal Control Commission.	\$100.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Habitual offender.	\$200.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most prior offense.
Sale of dog or cat by pet shop in violation of Section 7.16.070	\$500

- (c) Any of the above-described fines can be waived at the discretion of the director of the animal care and control department, or his or her designees, or by the city's legal department.

Puppy mills and pet stores

Most Americans have pets.

About 50% of people in the United States own a dog and about 34% own a cat. Yet only about 30% of pets in homes come from shelters and rescues. Three million adoptable dogs and cats are euthanized in shelters every year.¹

Pet store puppies come from puppy mills.

Responsible breeders do not sell their puppies to pet stores because they want to meet their puppy buyers in person—and a majority of national breed clubs' codes of ethics prohibit or discourage their members from selling their dogs to pet stores. The suppliers of pet store puppies are largely puppy mills, commercial facilities that mass-produce puppies for sale without adequate attention to their physical, behavioral, or psychological needs. The Humane Society of the United States has conducted several hidden-camera investigations² showing that many of the breeding facilities that supply pet stores are mills.

Puppies sold in pet stores come from all over the country—and many come from breeders with one or more Animal Welfare Act violations.

Some breeders found selling to pet stores have a record of repeat violations of the federal Animal Welfare Act. USDA inspection reports reveal breeders with sick and injured dogs who had not been treated by a vet; underweight dogs with their ribs, hips and spines protruding; puppies with their feet falling through wire floors; puppies with severe deformities or missing limbs; dogs standing in piles of feces; and food contaminated by mold and insects.

Pet stores often do not disclose the origin of the puppies they sell.

Most pet stores do not disclose the true origins of their puppies, instead using deceptive sales pitches about “USDA-licensed” or “professional” breeders. Unfortunately, the federal Animal Welfare Act prescribes survival standards for dogs, not humane care standards. The USDA has repeatedly asserted that their regulations and standards are *minimum* requirements.³ Indeed, the agency's own Animal Welfare Act Fact Sheet⁴ states “*Although Federal requirements establish basic standards, regulated businesses are encouraged to exceed the specified minimum standards.*”

The pipeline of puppy sales to pet stores exposes puppies to stress and disease

As they are shipped to pet stores, very young puppies typically spend days in cramped cages on a truck, exposed to puppies from a variety of other sources, some of whom may be sick. During this time, their immune systems are not fully developed and they can be exposed to a range of diseases. In addition, puppies have died from overheating on unattended transport vehicles and other dangerous incidents on the road.

¹ Pet Industry Market Size and Ownership Statistics,

https://www.americanpetproducts.org/press_industrytrends.asp (accessed January 13, 2020).

² Read about our pet store investigations <https://www.humanesociety.org/resources/investigations-reports>

³ See 7 U.S.C. § 2143(A)(8), stating that the federal Animal Welfare Act does not preempt state laws.

⁴ U.S. Department of Agriculture, Animal Plant and Health Inspection Service, “Fact Sheet: Animal Care. The Animal Welfare Act,” in https://www.aphis.usda.gov/publications/animal_welfare/2012/animal_welfare_act_english.pdf (accessed January 13, 2020).



Puppies sold at pet stores often have serious health or psychological problems.

Some of the illnesses common to pet store puppies include zoonotic diseases, which can be spread to other pets and humans. Buyers are often faced with enormous vet bills or even the death of the puppy within days or weeks of purchase. A puppy may seem healthy for months only to develop symptoms of serious congenital conditions much later. These health problems are often the result of unsanitary conditions, insufficient veterinary care and poor breeding at puppy mills.

Pet stores do not have to sell puppies to be successful.

More than 3,000 pet stores nationwide have signed an HSUS pledge not to sell puppies,⁵ demonstrating that it is possible to have a successful pet-related business without supporting puppy mills.



PHOTO BY THE HSUS

The HSUS recommends never purchasing a puppy from a pet store due to the health, safety and animal welfare concerns described above. People who want to add a puppy to their family are urged to visit a reputable shelter or rescue organization, or purchase only from a small, responsible breeder who will show the buyer the parent of the puppy and allow them to see where the puppy was born and raised. For more information on buying a puppy, see [humanesociety.org/puppy](https://www.humanesociety.org/puppy).

Find out more information at [humanesociety.org/puppymills](https://www.humanesociety.org/puppymills).



⁵ Learn more about Puppy Friendly Pet Stores at [humanesociety.org/puppystores](https://www.humanesociety.org/puppystores).



City of Bloomington
Office of the Common Council

Public Comments on Pet Shop Ordinance 21-45

November 13, 2021 – November 19, 2021

Messages to Council Office | Ordinance 21-45 – Pet Shops

Nov 13, 2021

Suzanne Hampton <drdoolittle007@yahoo.com>

I heard about this yesterday while shopping at T and T pet store who by the way does not sell animals but adopts them out . There is a huge difference vs Anthony's and Delilah's .

This is long over due to stop selling animals at pet stores. As they don't tell the truth where the animals come from. They do not take care of the animals the way BACC does . And someone should look into where they really buy the animals to sell.

I pray not just hope ord 21-45 goes through.

Thank you for your time

Suzanne Hampton

Nov 15, 2021

Andrea Tomaso <andtomaso@gmail.com>

Hello Bloomington City Council,

I am writing this morning to please ask that you support Ordinance 21-45 which would ban pet stores from selling cats and dogs. The lives that puppy mill dogs have to live is the most unbearable image in my mind. They are meant to be safe, secure, warm, loved, and most of all they depend on us.

This movement would get us one step closer to shutting down puppy mills and would truly show the world how compassionate Bloomington is. Please, I beg of you, help us move animal welfare in the right direction.

Thank you so much for your time.

Sincerely,

Andrea Tomaso

Nov 16, 2021

Elizabeth Oreck <elizabetho@bestfriends.org> NOTE: ATTACHEMENTS IN THIS PACKET

Honorable Mayor Hamilton, Council President Sims and Councilmembers:

On behalf of [Best Friends Animal Society](#) and our thousands of Indiana members, supporters and partners, please find attached a letter in support of Ordinance 21-45 to restrict the retail sale of dogs and cats in Bloomington pet stores. Also attached are a few resource documents that you may find helpful.

Best Friends is one of the leading animal welfare organizations in the United States. We are committed to fighting the cruelty of puppy and kitten mills, and we believe that a humane pet sales ordinance in Bloomington will be a positive step to that end.

We have been proud to work with the majority of the [more than 400 cities, counties and states](#) that have enacted humane pet sales ordinances, and I hope you will not hesitate to contact me if you should have any questions.

Thank you very much in advance for your support of this important proposal.

Respectfully,

Elizabeth Oreck

National Manager, Puppy Mill Initiatives

Best Friends Animal Society

bestfriends.org

Nov. 16, 2021

Jennifer Ferency <ptl200@frontier.com>

1601 Paige Drive

Terre Haute, IN 47803

Dear Bloomington IN City Council,

A pet sale ban is bad for pets, pet owners, and small business. Instead, I urge you to support local Bloomington pet stores and consider other options instead of a pet sale ban. Common sense solutions include pet store sourcing requirements, pet warranty requirements, and strengthening enforcement of federal and state animal care laws, including setting and enforcing strong and uniform standards of care and applying them to pet sources including stores, licensed breeders, shelters and rescues. Balanced regulations provide better protection for Indiana's pets, pet owners and small businesses.

I urge you to oppose the pet sale ban. Banning the sale of dogs and cats by pet stores in Bloomington won't stop inhumane breeding or do anything to address shelter populations. What the bill will do is limit future pet owners' ability to find the best pet for their families. It is important that consumers have pet choice and the ability to consider safe, humane and fully regulated sources for pets. If a prospective pet owner needs or wants a specific breed due to common situations like allergies, the presence of small children or living space concerns, their options will be limited if a pet sale ban is passed.

During these difficult times, pet stores are a transparent and trusted source helping families find the companion animal that's right for them. Preventing responsible and regulated stores from selling pets will hurt Bloomington small business, force families to turn to the unregulated pet sources where they could fall victim to fraud, and do nothing to keep pets any safer. Please oppose the pet sale ban.

If a prospective pet owner wants to purchase a puppy, they won't be able to buy one from a pet under a pet sale ban. This will drive people away from regulated sources that provide healthy, well-nurtured companion animals. If a pet sale ban becomes law, we will see significant growth in the unregulated black market for puppy sales that lacks transparency, has zero oversight and no system in place to protect animals' welfare, or the families who bring the pets into their homes. Last year, the Better Business Bureau reported that pet scams now comprise 24 percent of all online fraud, tripling in 2020 compared to previous years.

The past year has been incredibly challenging, particularly for small business owners. These days, our government should be doing everything in its power to support responsible small businesses, especially those that are regulated. This legislation would do just the opposite. Rather than banning the sale of pets, lawmakers should focus instead on making sure that all breeders and sellers are held to the same high standards as responsible pet stores in Indiana. Say NO to a pet sale ban in Bloomington.

Sincerely,
Jennifer Ferency

Nov 16, 2021

Anthony Taboas <ataboas@alumni.iu.edu>

To the Bloomington City Council.

I got into this business because I loved animals. I still do. Both of my dogs came through my store, as have many puppies that went into my family or my friends' homes. I visit my breeders, so that I can see the conditions. I have no trouble looking in the mirror, mainly because my conscience is clear and my standards are based on what I think is right, not on a legal minimum. I have zero Animal Control citations in 30 years.

Having said that, I do not disagree with the intention of this proposed ordinance, but it will not meet the stated goals. And since our economy is still greatly weakened from that pandemic, this is hardly the time to pass legislation that will hurt any business, regardless of intentions.

The "Whereas" section of the proposed ordinance relies heavily on supposition and has very faulty "logic" in many places. I will highlight a few. The few hundred puppies a year that I find homes for, are not even a grain of sand in the 2.6 million puppy "beach" the HSUS estimates. The original draft of this proposal that was "leaked" in 2019, showed an extensive amount of checking into breeders that I used, with no dirt found, so whether or not "most pet shop dogs come from puppy mills," mine don't. Prohibiting retail sales in Bloomington isn't going to change demand, just shift it. It will shift to the internet, and/or to other pet stores outside of Bloomington.

My current lease ends 6-30-23. If this bill passes as is, I will have 6 months left, and an inability to pay that rent. To that end, I would suggest the following options:

- Push back the beginning date of this proposal to 1-1-2025
- Grandfather in Anthony's Pets LLC, so that I can finish out my lease,
- Bloomington could pay the remaining balance of my lease.

Any of those options fix the problem. If none of these options are acceptable, then I will have to consider one of two options, fighting it in court or figure out a way around it. The most likely way around this proposal would be to move my store out of Bloomington. When my lease ends on 6-30-23, my intention was to retire from the pet business. 30 Years is enough. But if this ban goes into effect and leaves me with an unpaid portion on my lease, I may well have no choice but to move Anthony's Pets to a different Simon Mall. Simon has repeatedly offered me spots in different malls, but that is not what I want. And while it might keep me from selling puppies in Bloomington, it also goes against the flavor of this proposal. In fact, since my new store will have to absorb the unpaid portion of this lease into the new one, after construction costs, instead of me here for 6 months more than the original date of 1-1-23, I estimate that I'll be forced to sign one for 5 years.

I would ask you to consider one of the 3 options above. I think that 6 more months of Anthony's Pets in Bloomington, is better than 5 more years somewhere nearby.

Anthony Taboas – Owner of Anthony's Pets LLC

Nov 18, 2021

Veda Stanfield vedast@comcast.net

Dear Council Members,

I want to let you know that I support the proposed ordinance that would prohibit the sale of dogs and cats at pet shops.

Thank you for helping curb the horror of puppy mills.

Veda Stanfield

Nov. 18 2021

Mayra Venzor mayra_venzor@yahoo.com

vote YES on ordinance 21-45

Nov 19, 2021

Claudia Webster <gardinec@yahoo.com>

Ms. Webster called the Council Office to say that she supports Ordinance 21-45 and believes that it will help other cities do the same.

Nov 19 2021

Carolyn Geduld <cgeduld1@gmail.com>

Dear Council:

I am opposed to puppy mills and support legislation banning sales of animals from mills.

But I hope you will make an exception for Delilahs, which is an ethical store that does not sell puppy mill dogs or cats.

I am a Bloomington resident and the owner of a puppy purchased at Delilah's. I depend on that store for products and advice for my three pets.

Delilahs, as you know, is a long-established "mom and pop" business in Bloomington. Please don't pass a regulation that jeopardizes its ability to remain in business.

Thank you for your consideration.

Carolyn Geduld
2739 E Brigs Bend, Bloomington, IN 47401
(812) 369-8389

Nov 19, 2021

Cheryl L. Mansell <cheryl@newoutlookcc.org>

Mayor and Council

I do not understand the logic behind banning the sale of puppies and kittens from a store. The fact is Delilahs is an icon in Bloomington, their livelihood is at stake, and they have always cared for their animals as well as their customers.

I have gotten three of my dogs from them and they have always been amazing animals. Two have become part of my therapy practice and I could not be happier.

Why not focus your attention on the homeless population, cleaning up the streets or making affordable housing in Bloomington.

--

Cheryl L Mansell, MSW, LCSW, RPT
Owner of New Outlook Counseling Center, Inc.
5010 N Stone Mill, Suite B
Bloomington, IN 47408
Business Line: 812-929-2193
Therapist Line: 812-329.2856
Fax: 888-789-8394
cheryl@newoutlookcc.org
www.newoutlookcc.com

November 16, 2021

Common Council
City of Bloomington
401 N Morton St
Suite 110
Bloomington, IN 47404

RE: Pet Industry Joint Advisory Council (PIJAC) Opposition to the Proposed Bloomington Pet Sale Ban (Ordinance 21-45)

Dear Council Members:

As the advocacy voice of the responsible pet care community, PIJAC represents the interests and expertise of retailers, companion animal suppliers, manufacturers, distributors, pet owners and others involved in the many aspects of pet care throughout the state of Indiana and across the United States.

PIJAC works to promote animal well-being and responsible pet ownership, foster environmental stewardship, and ensure the availability of healthy pets through our work at the state and federal levels—including the United States Department of Agriculture, U.S. Fish and Wildlife Service, and the Centers for Disease Control and Prevention. PIJAC routinely advocates on legislative and regulatory proposals to advance the public interest-of protecting public health and the safety, health and availability of companion animals.

All of us in the responsible pet care community don't just care about animals, we provide care for them on a daily basis—and are dedicated to ensuring that appropriate care of animals is the primary focus of any law or regulation. As such, we offer an unmatched depth and breadth of experience on legislative efforts to verify and certify the health and well-being of pets from the time they are born all the way until they are taken home and made a part of families.

Respectfully, PIJAC Asks that you reject proposed Ordinance 21-45. Everyone agrees that bad breeders who mistreat or neglect animals need to be put out of business. However, those who seek to stop bad breeders by targeting responsible pet stores with retail pet sale bans such as this proposed ordinance are misinformed.

While well-intentioned, retail pet sale bans such as this proposal will not stop bad breeders who are unregulated, unlicensed, and are not held accountable to any animal care standards. What bans will do is harm highly regulated pet stores, eliminating a transparent and trusted source of pets that provides purchasers with legal protections, and driving prospective pet owners to unregulated, unlicensed and potentially unscrupulous pet-sellers.

In California, for example, where a statewide retail pet sale ban (CA AB 485) was passed and enacted in 2017, the state's well-intentioned ban has been shown to hurt animal wellbeing, families, and small businesses. The unfortunate consequences of the California ban include:

- **93% of stores (26 of 28 stores) operating in California selling puppies or kittens went out of business** after CA AB 485 was enacted. As a result, employees have lost their jobs, customers of these local small businesses lost a trusted relationship for care advice, communities lost important tax revenue, and future pet owners lost a regulated and inspected source for purebred pets.
- **17 of 21 animal and consumer protection provisions from California's Lockyer-Polanco-Farr Pet Purchase Protection Act were eliminated** or rendered useless after the state passed the ban CA AB 485.
- **350% increase in puppy scams.** According to the Better Business Bureau, puppy scams in California have skyrocketed in the 2.5 years after the ban when compared to the same timeframe before California's ban went into place. Even California's veterinarians are reporting an increase in sick dogs from unregulated sources since the ban.

The fact is that Indiana pet stores and the licensed breeders they work with are a highly regulated, best-in-class source of pets that are inspected regularly, provide veterinary exams, and keep detailed records of the condition and care of their animals:

- The U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) established and enforces humane care standards under the federal government's Animal Welfare Act that regulate the transportation, purchase, sale, housing, care, handling and treatment of animals for use as pets.
- Breeders with five or more breeding females that are not USDA-licensed are prohibited from selling to pet stores.
- USDA-licensed breeders are routinely inspected to ensure they are complying with humane standards for veterinary care, shelter, food, and clean water.
- Pet stores are also regulated by state laws regarding animal care and warranties and are required to keep records related to the health, veterinary care and source of the animals they sell.

Beyond the legal requirements, our retail pet store members across Indiana feel a responsibility to the animals themselves. These local, small businesses across the state provide the public with safe access to pets and work with families to find the ideal pets for their individual situations because that is the single best way to ensure successful lifelong pet relationships and keep pets from being surrendered to shelters and rescues.

Pet stores are a valuable and transparent option for prospective pet owners across Indiana. These retail pet stores provide the peace-of-mind and the opportunity for families to personally interact with and choose a pet that will be the best fit for their circumstances that was raised under federal and state care standards, has a detailed medical history, and in many cases, is protected by a consumer warranty. Pet stores also have a significant incentive to adhere to the highest standards of care and sourcing because they depend on their reputation, and positive word of mouth to stay in business.

The best option for pet ownership for many of Indiana’s families are the pure- or purpose-bred puppies offered by pet stores in the state. For example, a family may need a specific breed due to health considerations – 30 percent of Americans suffer from pet allergies. Or, with young children, they may not be able to take on the behavior risks of bringing a dog with an unknown history into their home – 47 percent of rehomed dogs are relinquished because of pet problems, including aggressive behaviors. If a future pet owner in Indiana needs or wants a specific breed due to such common circumstances, their options will be severely limited.

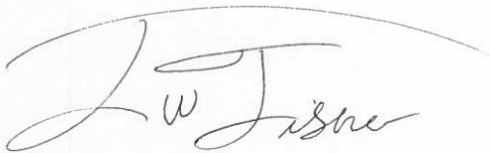
The proposed ordinance will boost the unregulated, underground market for pets. Without pet stores to personally interact with and select their new pet, families may turn to online sources, where they could fall victim to the “puppy scams” that have surged in recent years—tricked into sending unrecoverable money for a nonexistent dog. While there are reputable and responsible online sellers, the **Better Business Bureau has recently stated that up to 80 percent of sponsored online ads for puppies may be fake.** Victims of these puppy scams often have no legal recourse because they purchased from a source without regulatory oversight and without a purchase warranty to protect them.

The past year has been incredibly challenging, particularly for small business owners. These days, state and local governments should be doing everything in its power to work alongside and support responsible small businesses, especially those that are regulated. Unless fixed, the proposed ordinance will not impact bad actors, but it will punish consumers and law-abiding pet stores, often small, local businesses that depend on establishing life-long relationships with pet owners to sustain their businesses because they can’t compete with the volume pricing that online or big-box retailers are able to offer. These local businesses are committed to the health, safety, and wellbeing of the animals they provide to Indiana families.

PIJAC and our members request that you amend oppose the pet sale ban provision in this ordinance to ensure that good businesses are not harmed by overly broad legislation.

We appreciate your consideration and would welcome the opportunity to work with state officials to find ways to meaningfully address bad breeders. By working together, we can make sure that Hoosiers continue to have access to healthy animals to love as pets now and in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Wesley Fisher". The signature is fluid and cursive, with a large initial "J" and "W".

J. Wesley Fisher
Senior Director of Government Affairs
Pet Industry Joint Advisory Council



Atlanta • Kanab • Los Angeles • New York City • Northwest Arkansas • Salt Lake City

16 November 2021

Bloomington City Council
Sent via Email

Re: Support for a humane pet sales ordinance (#21-45)

Honorable Mayor Hamilton, Council President Sims and Councilmembers:

On behalf of Best Friends Animal Society and our Indiana members, supporters and partners and staff, I am pleased to offer support for Ordinance 21-45 to restrict the sale of companion animals in Bloomington pet stores. We urge you to join St. Joseph County, Columbus, Crown Point, Dyer, Highland and [more than 400 other cities, counties and states](#) throughout North America that have enacted legislation to prevent pet stores from selling commercially bred pets, and instead allow for the adoption of pets sourced from shelters or rescue groups.

Pet mills, particularly puppy mills, are a serious problem in the U.S. These facilities, which supply nearly 100% of commercial puppy stores, are cruel and inhumane breeding factories in which profit takes priority over the health, comfort and welfare of the animals.

Although the USDA regulates most commercial breeders, the minimum federal standards do not ensure a safe or healthy life for pets. These types of kennels can legally have more than a thousand dogs in one facility, and these dogs are allowed to be confined to cages only six inches larger than their bodies for their entire lives, breeding continuously in order to produce as many puppies as possible for the pet trade. And USDA inspection reports show that many USDA-licensed breeders continue to sell animals to pet stores even after being cited for serious violations at their facilities. In other words, having a USDA license does **not** guarantee humane or responsible breeding.

Because the focus is solely on profit, commercial breeding operations typically cut all possible corners to keep their overhead low, at the expense of the health and well-being of their animals. For the unsuspecting consumer, this frequently results in the purchase of a pet facing an array of immediate [veterinary problems](#) or harboring genetic diseases that surface down the line. This creates a financial burden on the consumer and can result in pets being surrendered to overcrowded, taxpayer-subsidized shelters. Thus, this is not just an animal welfare issue but a consumer protection concern that has a direct impact on local taxpayers.

It makes little sense to continue manufacturing dogs and cats while so many are being killed for lack of space. Public education has been effective, but until communities take the initiative to halt the supply of pets imported from substandard commercial facilities, there can be no hope of preventing these unnecessary deaths.

Pet stores rely on commercial pet mills and their distributors to supply their pets because reputable breeders won't sell to pet stores for two simple reasons: it's not financially viable and they don't sell to third parties. And this pledge never to sell a puppy to a pet store can be found in every reputable breeder's code of ethics, including virtually all of the parent breed clubs of the American Kennel Club (see attached document).

On the contrary, [responsible breeders](#) encourage potential buyers to visit the home where the animals were bred, they conduct an interview to be sure the match is the best one for both the buyer and the animal, and they require a contract that requires the buyer to provide good care, to spay and neuter the animal, and to return him/her to the breeder if things don't work out. These sensible provisions cannot apply when animals are sold through pet stores.

Also concerning is the fact that 21 states have been hit by an outbreak of a strain of bacteria ([Campylobacter](#)) that is linked to puppies sold through puppy stores. Campylobacter is resistant to antibiotics and contagious to humans. Bloomington residents should not be exposed to this serious public health threat — particularly now, when public health is so vulnerable.

Those who benefit most from companion animal sales in pet stores are the retailers themselves. While they may profit from the practice of buying these pets at a low price from commercial brokers and then selling them at a high price (typically without first spaying or neutering them), it is the taxpaying public who pays for animal control to house and kill unwanted animals in the community.

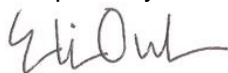
Further, many pet stores are frequently accused of [predatory lending](#) by offering financing upwards of 160%, creating a serious and unexpected financial strain on the consumer, sometimes resulting in an obligation for ongoing payments for [a pet that is deceased](#).

Pet stores that sell commercially bred pets can choose to be part of the solution rather than the problem by phasing out the sale of animals in favor of other common revenue streams such as pet product sales, grooming and day care, and by offering space for animal rescue organizations to adopt out animals from those stores, as hundreds of pet stores across the country already do with great success.

Pet stores that have transitioned from selling companion animals to offering rescued pets for adoption have found this animal-friendly model to be both viable and embraced by the communities in which the stores are located. Therefore, a humane pet sales ordinance would not prevent any current or future pet stores from doing business, and would alleviate a significant burden on local shelters and rescue groups by increasing pet adoptions. Further, ***it would not prevent anyone from purchasing a pet directly from a private breeder.***

Best Friends and our Indiana members thank you in advance for taking a reasonable and effective measure to protect consumers, pets and taxpayers in Bloomington. We have been proud to work with cities, counties and states within Indiana and across the country to enact humane pet sales legislation, and I hope you will not hesitate to contact me if there is anything we can do to help realize this important effort.

Respectfully,



Elizabeth Oreck

National Manager, Puppy Mill Initiatives

Best Friends Animal Society

bestfriends.org/pupmills

elizabetho@bestfriends.org



Executive Summary: Scientific studies of dogs and puppies from commercial dog-breeding establishments (puppy mills)

BACKGROUND

Commercial breeding establishments, or puppy mills, are large-scale facilities where dogs are confined in small enclosures for their entire reproductive lives with little to no exercise or positive human contact. The sole purpose of such facilities is to mass-produce puppies to sell them for profit through retail pet stores and via the Internet.

SYNOPSIS

In two large-scale studies of dogs from high-volume commercial breeding establishments (one study focusing on the adult breeding dogs and the other on the puppies sold through pet stores), the evidence showed conclusively that these breeding facilities are highly injurious to both groups of dogs, resulting in severe, extensive and long-term harm to the behavioral and psychological well-being of the dogs.

Study 1: The adult breeding dogs

WHAT THE STUDY LOOKED AT

This study compared a wide array of psychological and behavioral characteristics of 1,169 dogs formerly kept for breeding purposes in commercial breeding establishments with pet dogs owned by members of the general public.

RESEARCHERS

Franklin D. McMillan, DVM, Best Friends Animal Society

Deborah L. Duffy, PhD, University of Pennsylvania School of Veterinary Medicine

James A. Serpell, PhD, University of Pennsylvania School of Veterinary Medicine

THE PUBLISHED PAPER

Mental health of dogs formerly used as 'breeding stock' in commercial breeding establishments. FD McMillan, DL Duffy, JA Serpell. *Applied Animal Behaviour Science* 2011; 135: 86-94.

WHAT THE STUDY FOUND

- The results showed a broad range of abnormal behavioral and psychological characteristics in the former breeding dogs from large-scale commercial breeding establishments, including significantly elevated levels of fears and phobias; pronounced compulsive and repetitive behaviors, such as spinning in tight circles and pacing; house soiling; and a heightened sensitivity to being touched and picked up.
- The psychological harm demonstrated in these dogs is severe and long-lasting. Much of the harm is irreparable and will remain a continued source of suffering for years after the dogs leave the breeding facility, in some cases for the entire lifetime of the dog.

CONCLUSIONS

- Current laws at both the national and state levels are not based on current scientific knowledge of animal psychology, quality of life, suffering, and welfare, and are thus inadequate to protect dogs from the psychological harm resulting from living in commercial breeding establishments.
- Legislation to adequately protect the welfare of dogs in confinement needs to be updated to reflect current scientific knowledge.

To obtain a copy of the published study, contact Dr. Frank McMillan (dr.frank@bestfriends.org).

Study 2: The puppies

WHAT THE STUDY LOOKED AT

This study compared the psychological and behavioral characteristics of 431 adult dogs who were purchased as puppies from pet stores with adult dogs purchased as puppies from small-scale, private breeders.

RESEARCHERS

Franklin D. McMillan, DVM, Best Friends Animal Society

James A. Serpell, PhD, University of Pennsylvania School of Veterinary Medicine

Deborah L. Duffy, PhD, University of Pennsylvania School of Veterinary Medicine

Elmabrok Masaoud, PhD, Atlantic Veterinary College, University of Prince Edward Island

Ian Dohoo, DVM, PhD, Atlantic Veterinary College, University of Prince Edward Island

THE PUBLISHED PAPER

Differences in behavioral characteristics between dogs obtained as puppies from pet stores and those obtained from noncommercial breeders. FD McMillan, JA Serpell, DL Duffy, E Masaoud, IR Dohoo. *Journal of the American Veterinary Medical Association* 2013; 242: 1359-1363.

WHAT THE STUDY FOUND

- Dogs obtained as puppies from pet stores received significantly less favorable scores than breeder-obtained dogs on most behavioral variables measured. Compared with dogs obtained as puppies from noncommercial breeders, dogs from pet stores had significantly greater aggression toward human family members, unfamiliar people and other dogs; greater fear of other dogs and typical life events; and greater separation-related problems and house soiling.
- For no behavior evaluated in the study did pet store dogs score more favorably than noncommercial breeder dogs.
- The chances of a dog developing serious behavior problems is much higher for dogs purchased as puppies from pet stores, as compared to dogs obtained from small, noncommercial breeders.

CONCLUSIONS

- On the basis of these findings, combined with findings from earlier small-scale studies of dogs obtained from pet stores, until the causes of the unfavorable differences detected in this group of dogs can be specifically identified and remedied, the authors of this study withhold any recommendation that puppies be obtained from pet stores.

- Dogs sold by pet stores are misrepresented to consumers as a high-quality product, because the data now shows that consumers are not receiving what they believe they are paying for. The increased risk of behavior problems that pet store customers face as their dog matures includes aggression issues, which pose a significant risk of human injury. Consumer protective legislation is urgently needed in this area.
- Legislation to improve the conditions in the large-scale commercial breeding facilities supplying puppies to pet stores is needed to assure that the puppies are not at any increased risk of maturing into adult dogs with serious behavior problems.

To obtain a copy of the published study, contact Dr. Frank McMillan (dr.frank@bestfriends.org).

Overall Conclusions

- Current laws provide inadequate protection against harm to breeding dogs and puppies associated with commercial breeding establishments.
- Consumers purchasing puppies from pet stores are unknowingly assuming a risk of difficult and serious behavior problems in their dogs, including dog behavior that can endanger their own safety.
- If dogs are to be bred to produce puppies for sale, all of the dogs and puppies should be assured a decent quality of life based on the most current scientific research.

For More Information

For more about Best Friends Animal Society, go to bestfriends.org. To learn about Best Friends' puppy mill initiatives and what you can do to help, visit puppymills.bestfriends.org.



Ongoing Outbreak of Extensively Drug-Resistant *Campylobacter jejuni* Infections Associated With US Pet Store Puppies, 2016-2020

Louise K. Francois Watkins, MD, MPH; Mark E. Laughlin, DVM, MPH-VPH; Lavin A. Joseph, MS; Jessica C. Chen, PhD; Megin Nichols, DVM, MPH; Colin Basler, DVM, MPH; Robert Breazu, MPH; Christy Bennett, MFT; Lia Koski, MPH; Martha P. Montgomery, MD, MHS; Michael J. Hughes, MPH; Scott Robertson, DVM, MS, MPH; Charlotte G. Lane, MS; Amber J. Singh, DVM; Danielle Stanek, DVM; Ellen Salehi, MPH; Eric Brandt, BS; Glen McGillivray, PhD, MS; Jade Mowery, MPH; Jamie DeMent, MNS; Rachael D. Aubert, PhD; Aimee L. Geissler, PhD, MPH; Sietske de Fijter, MS; Ian T. Williams, PhD, MS; Cindy R. Friedman, MD

Abstract

IMPORTANCE Extensively drug-resistant *Campylobacter jejuni* infections cannot be treated with any commonly recommended antibiotics and pose an increasing public health threat.

OBJECTIVES To investigate cases of extensively drug-resistant *C jejuni* associated with pet store puppies and describe the epidemiologic and laboratory characteristics of these infections.

DESIGN, SETTING, AND PARTICIPANTS In August 2017, health officials identified, via survey, patients with *C jejuni* infections who reported contact with puppies sold by pet stores. In conjunction with state and federal partners, the Centers for Disease Control and Prevention investigated cases of culture-confirmed *C jejuni* infections in US patients with an epidemiologic or molecular association with pet store puppies between January 1, 2016, and February 29, 2020. Available records from cases occurring before 2016 with genetically related isolates were also obtained.

MAIN OUTCOMES AND MEASURES Patients were interviewed about demographic characteristics, health outcomes, and dog exposure during the 7 days before illness onset. Core genome multilocus sequence typing was used to assess isolate relatedness, and genomes were screened for resistance determinants to predict antibiotic resistance. Isolates resistant to fluoroquinolones, macrolides, and 3 or more additional antibiotic classes were considered to be extensively drug resistant. Cases before 2016 were identified by screening all sequenced isolates submitted for surveillance using core genome multilocus sequence typing.

RESULTS A total of 168 patients (median [interquartile range] age, 37 [19.5-51.0] years; 105 of 163 female [64%]) with an epidemiologic or molecular association with pet store puppies were studied. A total of 137 cases occurred from January 1, 2016, to February 29, 2020, with 31 additional cases dating back to 2011. Overall, 117 of 121 patients (97%) reported contact with a dog in the week before symptom onset, of whom 69 of 78 (88%) with additional information reported contact with a pet store puppy; 168 isolates (88%) were extensively drug resistant. Traceback investigation did not implicate any particular breeder, transporter, distributor, store, or chain.

CONCLUSIONS AND RELEVANCE Strains of extensively drug-resistant *C jejuni* have been circulating since at least 2011 and are associated with illness among pet store customers, employees, and others who come into contact with pet store puppies. The results of this study suggest that practitioners should ask about puppy exposure when treating patients with *Campylobacter* infection, especially when they do not improve with routine antibiotics, and that the commercial dog industry should take action to help prevent the spread of extensively drug-resistant *C jejuni* from pet store puppies to people.

JAMA Network Open. 2021;4(9):e2125203. doi:10.1001/jamanetworkopen.2021.25203

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JAMA Network Open. 2021;4(9):e2125203. doi:10.1001/jamanetworkopen.2021.25203

Key Points

Question Are pet store puppies a source of extensively drug-resistant *Campylobacter jejuni* infection in the US?

Findings This survey study identified 168 cases from public health reports of *Campylobacter* infections with an epidemiologic or molecular link to pet store puppies from 2011 to 2020; 97% of patients reported contact with a dog, of whom 88% reported contact with a pet store puppy. Isolates were resistant to 7 antibiotic classes, including all recommended treatment agents.

Meaning Extensively drug-resistant *C jejuni* strains have emerged as a cause of illness among pet store customers, employees, and visitors; infections caused by these strains cannot be treated with commonly recommended oral antibiotics.

+ Supplemental content

Author affiliations and article information are listed at the end of this article.

Introduction

In the US, *Campylobacter* is the most common bacterial cause of diarrhea, with an estimated 1.5 million illnesses and an estimated 450 000 antibiotic-resistant infections each year.^{1,2} The proportion of resistant *Campylobacter* infections has doubled during the last 20 years.³ Approximately 30% have decreased susceptibility to fluoroquinolones (eg, ciprofloxacin) or macrolides (eg, azithromycin), agents used to treat severe infections.¹ Resistant bacterial infections can require longer hospital stays, more medical visits, and more costly treatments with more toxic effects than susceptible infections.¹

More than 90% of human *Campylobacter* infections are caused by *Campylobacter jejuni*. Major symptoms include diarrhea (often bloody), fever, and abdominal cramps. Most recover within 1 week. Antibiotics are recommended for persons severely ill or at risk for severe disease, including those 65 years or older, infants, pregnant individuals, and immunosuppressed persons.⁴ Macrolides and fluoroquinolones are the recommended antibiotic classes.⁴

In August 2017, the Florida Department of Health received reports of 6 patients diagnosed with *C jejuni* infections who reported contact with puppies sold by a national pet store chain based in Ohio. Samples from puppies yielded isolates highly related by whole-genome sequencing (WGS) to an isolate from a patient in Ohio who had recently purchased a puppy from the same pet store chain. In response, the Centers for Disease Control and Prevention (CDC), along with federal and state partners, initiated a national outbreak investigation of *C jejuni* infections linked to pet store puppies.⁵

From August 1, 2017, to February 29, 2020, we conducted 2 investigations and enhanced surveillance of illnesses linked to pet store puppies. In this report, we summarize the epidemiologic, laboratory, and traceback findings to characterize these persistent, extensively drug-resistant strains.

Methods

Data Collection, Case Definitions, and Investigations

Since 1996, the CDC has conducted *Campylobacter* surveillance predominantly through 10 sentinel sites of the Foodborne Diseases Active Surveillance Network (FoodNet), which encompasses 15% of the US population; a subset of isolates from FoodNet sites is submitted to the National Antimicrobial Resistance Monitoring System (NARMS) laboratory for antibiotic susceptibility testing.³ All state laboratories submit isolate information to PulseNet, the national molecular subtyping network for foodborne disease surveillance at the CDC.⁶ PulseNet introduced WGS as a *Campylobacter* subtyping method in 2015 and replaced pulsed-field gel electrophoresis as the primary method for *C jejuni* subtyping by October 2018. Some state public health laboratories performed WGS on older isolates. Additional background on *Campylobacter* surveillance in the US is provided in eFigure 1 in the Supplement. To understand the epidemiologic mechanisms of extensively drug-resistant strains, we conducted case finding and investigation in 4 periods. We merged information on culture-confirmed cases collected during 2 investigations, a period of enhanced surveillance, and retrospective case finding. Patients gave verbal informed consent to be interviewed. Laboratory analysis of *C jejuni* specimens was considered to be part of public health surveillance, and consent was not required. Race and ethnicity were assessed by patient self-report. Data were considered coded (not deidentified) because state health departments maintain records that include patient identifiers such as name or address. The CDC epidemiologists did not request and did not receive patient identifiers as a result of this work. Both investigations and the enhanced surveillance protocol were reviewed by the CDC and were consistent with applicable federal law and CDC policy.

Investigation 1

For this report, we defined a case as culture-confirmed *C jejuni* infection in a patient with (1) an epidemiologic association with a pet store puppy (defined as contact with a pet store puppy before

or after purchase, including contact resulting from pet store employment or during pet store visitation) or (2) an isolate highly related by core genome multilocus sequence typing (cgMLST)⁷ to an isolate from a patient with an epidemiologic association. State and local public health officials interviewed patients with cases from January 1, 2016, to February 12, 2018, using a focused questionnaire that included demographic characteristics (age, sex, race, ethnicity, and state of residence), outcomes (hospitalization or death), and exposures 7 days before illness began (contact with a dog or puppy, type of exposure, pet store, or breeder affiliation). During 3 weeks in October 2017, public health officials collected fecal specimens from puppies at implicated pet stores in Kentucky, Ohio, Pennsylvania, and Wisconsin and transported them in Cary Blair media to state laboratories for culture and WGS. Investigators collected information about breeders, distributors, and transporters for all sampled pet store puppies. We conducted traceback of puppies that (1) had a sample with a *C jejuni* isolate highly related to investigation strains by cgMLST or (2) had an epidemiologic association with an infected patient with *Campylobacter* infection (including patients diagnosed by polymerase chain reaction only). We obtained information from state-led investigations.

Enhanced Surveillance

After investigation 1, we conducted enhanced surveillance from February 13 to December 31, 2018, for illness caused by the same cgMLST-defined strains. State public health laboratories transmitted WGS data through PulseNet. Then, CDC investigators used cgMLST- and a ResFinder, version 3.0 (Center for Genomic Epidemiology)-based workflow to identify related isolates, including those from investigation 1 for which sequencing was performed later. State and local health departments collected information from patients about exposures using a shortened version of the investigation 1 questionnaire.

Investigation 2

In response to identification of ongoing cases, we conducted an investigation in from January 1, 2019, to February 29, 2020. We defined a case as a culture-confirmed *C jejuni* infection with a strain highly related by cgMLST to an isolate from a patient in investigation 1 or to an isolate linked to a pet store puppy. Health officials interviewed patients with the questionnaire used for enhanced surveillance.

Retrospective Case Finding

Beginning in 2019, we regularly screened all *Campylobacter* sequences uploaded to PulseNet for genetic relatedness to study isolates to identify isolates from cases that occurred before January 2016 and were sequenced later. We obtained information from interviews health officials had conducted with these patients.

Isolate Sequencing and Antibiotic Susceptibility Testing

Whole-genome sequencing was performed using PulseNet guidelines. We compared sequences uploaded to PulseNet by cgMLST and estimated isolate relatedness by number of allele differences.⁷ We generated de novo assemblies using Shovill software, version 1.0.9,⁸ analyzed them for resistance determinants using the ResFinder database (90% identity and 50% cutoff), and screened for *gyrA* mutations using the PointFinder scheme for *Campylobacter* species implemented in Staramr software, version 0.4.0.⁹ We identified mutations in the 23S ribosomal RNA region using ARIBA (Sanger Pathogens), version 2.12.0.¹⁰ Sequence accession numbers are provided in eTable in the [Supplement](#).

All study isolates submitted to the CDC underwent testing for susceptibility to 9 agents from 7 antibiotic classes using a standard broth microdilution assay, CAMPY panel from Sensititre (Thermo Fisher Scientific) per the manufacturer's directions.^{11,12} Antibiotic classes included aminoglycosides (gentamicin), ketolides (telithromycin), lincosamides (clindamycin), macrolides (azithromycin and

erythromycin), quinolones (ciprofloxacin and nalidixic acid), phenicols (florfenicol), and tetracyclines (tetracycline).

We classified isolates as susceptible or resistant using the European Committee on Antimicrobial Susceptibility Testing epidemiological cutoff values or clinical break points.¹³⁻¹⁵ We categorized an isolate as resistant if it had a mean inhibitory concentration above the clinical break point (ciprofloxacin and erythromycin)¹³ or epidemiologic cutoff value (azithromycin, clarithromycin, florfenicol, gentamicin, nalidixic acid, telithromycin, and tetracycline).^{14,15} For isolates not tested phenotypically, we predicted resistance based on the presence of known resistance determinants in the genome.¹⁶ We defined extensively drug resistant as resistant to macrolides and fluoroquinolones (the antibiotic classes recommended for treatment of *Campylobacter*)⁴ and 3 or more additional antibiotic classes.^{7,17}

Statistical Analysis

We described the epidemiologic characteristics of patients and compared proportions with given characteristics from the 2 investigations using χ^2 analysis or the Fisher exact test for a cell size of 5 or less (a 2-sided $P \leq .05$ was considered to be statistically significant). All calculations were performed using SAS statistical software, version 9.4 (SAS Institute Inc) or Epi Info, version 7.2.3.1 (CDC). The phylogenetic tree was annotated using Interactive Tree of Life, version 5 (BioByte Solutions).¹⁸

Results

Epidemiologic Analysis

A total of 168 patients (median [interquartile range] age, 37 [19.5-51.0] years; 105 of 163 female [64%]) with an epidemiologic or molecular association with pet store puppies were identified from February 2, 2011, to February 20, 2020 (**Table 1**). Thirty-one of 126 (25%) with known hospitalization status were hospitalized; none died.

Forty-eight cases were included in investigation 1; 14 more occurred during the same period but were identified during enhanced surveillance (**Figure 1**). We identified 42 cases during investigation 2, 33 between these investigations as a result of enhanced surveillance, and 31 with patients' illnesses before 2016. A total of 137 patients had illness onsets from January 8, 2016, to February 20, 2020. More patients were from northeastern states in investigation 1 than in investigation 2 (27% vs 7.1%, $P = .02$); otherwise, study periods did not differ significantly in patient demographic characteristics, outcomes, or exposures.

Overall, 117 of 121 patients (97%) reported contact with a dog in the week before symptoms began (**Table 1**). Among patients with additional information, 69 of 78 (88%) reported contact with a puppy from a pet store; 34 of 60 (57%) were customers, 20 of 60 (33%) were pet store employees, and 3 of 60 (5%) were pet store visitors. Among 63 patients with information, 38 (60%) had exposure to puppies from pet stores in 10 states affiliated with a common pet store chain (**Figure 2**), 22 (35%) had exposure to 16 stores of unrelated companies in 11 states, and 3 (5%) reported contact with puppies purchased directly from breeders in Florida, Kansas, and North Carolina unaffiliated with pet stores. No patients reported contact with puppies from a shelter or rescue organization.

Pet Store Investigations and Traceback (Investigation 1)

Investigators visited 33 pet stores and collected fecal samples from 211 puppies, including 5 whose specimens yielded a *C jejuni* isolate highly related to investigation strains by cgMLST. State investigators traced 8 additional puppies that were epidemiologically linked to patients. Breeder, distributor, and transportation company information was available for these 13 puppies; each was a different breed from a distinct breeding operation (**Figure 2**; eFigure 2 in the **Supplement**). No single breeder, distributor, or transporter was the sole source of infected puppies.

Isolate Association and Antibiotic Susceptibility

All human (n = 168) and dog isolates (n = 23, including 5 from puppies identified through traceback) were clustered by cgMLST into 3 clades with allele ranges of 0 to 50 alleles (n = 97), 0 to 41 alleles (n = 53), and 0 to 62 alleles (n = 41); the clades differed from each other by 125 to 1232 alleles (Figure 3). All contained isolates from both humans and dogs. Isolates from investigation 1 fell into 2 clades; isolates from the other periods were distributed across all 3 clades.

One hundred sixty-eight isolates (88%) were extensively drug resistant (Table 2) compared with only 126 of 9358 NARMS surveillance isolates (1.3%) during 2011 to 2019 (P < .001); these isolates were distributed throughout all clades (Figure 3). Resistance was significantly higher than among NARMS surveillance isolates for all antibiotic classes (aminoglycosides: 150 of 191 [79%] vs 113 of 9358 [1%]; ketolidides: 174 of 191 [91%] vs 201 of 9358 [2%]; lincosamides: 176 of 191 [92%] vs 617 of 9358 [7%]; macrolides: 176 of 191 [92%] vs 200 of 9358 [2%]; phenicols: 13 of 48 [18%] vs 105 of 9358 [1%]; quinolones: 181 of 191 [95%] vs 2441 of 9358 [26%]; and tetracyclines: 191 of 191 [100%]

Table 1. Characteristics of Patients With Culture-Confirmed *Campylobacter jejuni* Infections Associated With Contact With Pet Store Puppies in the United States, 2011-2020^a

Characteristic ^b	Total (February 1, 2011, to February 29, 2020) (N = 168) ^c	Investigation 1 (January 1, 2016, to February 29, 2018) (n = 48)	Investigation 2 (January 1, 2019, to February 29, 2020) (n = 42)	P value for investigation 1 vs investigation 2
Age median (IQR), y	37 (19.5-51.0)	36.5 (17.5-49.0)	36 (18.0-51.5)	NA
Age group, y				
<5	13/164 (8)	2/48 (4)	6/40 (15)	.13
5-17	20/164 (12)	10/48 (21)	4/40 (10)	.24
18-64	121/164 (74)	34/48 (71)	26/40 (65)	.65
≥65	10/164 (6)	2/48 (4)	4/40 (10)	.41
Sex				
Female	105/163 (64)	33/48 (69)	23/40 (58)	.38
Male	58/163 (36)	15/48 (31)	17/40 (42)	
Race or ethnicity				
Black or African American	8/92 (9)	4/26 (15)	1/20 (5)	.64
Hispanic	6/89 (6)	2/25 (8)	3/20 (15)	.88
White	84/92 (91)	22/26 (85)	18/20 (95)	.37
Geographic region ^d				
Northeast	44/168 (26)	13/48 (27)	3/42 (7)	.02
Midwest	67/168 (40)	21/48 (44)	21/42 (50)	.67
South	29/168 (17)	7/48 (15)	8/42 (19)	.59
West	28/168 (17)	7/48 (15)	10/42 (24)	.40
Hospitalization	31/126 (25)	14/44 (32)	6/32 (19)	.31
LOS, median (range), d ^e	3 (1-31)	3 (2-31)	NA	NA
Death	0/135	0/48	0/37	NA
Exposures				
Any dog or puppy contact	117/121 (97)	40/42 (95)	30/31 (97)	.72
Any pet store puppy contact	69/78 (88)	38/41 (93)	20/24 (83)	.45
Store customer	34/60 (57)	16/29 (55)	12/20 (60)	.97
Store employee	20/60 (33)	10/29(34)	6/20 (30)	.98
Store visitor	3/60 (5)	3/29 (10)	0/20	NA
Other	3/60 (5)	0/29	2/20 (10)	NA
Company affiliation				
Common pet store chain	38/63 (60)	21/31 (68)	12/20 (60)	.79
Other company	22/63 (35)	9/31 (29)	8/20 (40)	.61
No company affiliation	3/63 (5)	1/31 (3)	0/20	NA

Abbreviations: IQR, interquartile range; LOS, length of stay; NA, not applicable.

^a Data are presented as number/total number (percentage) of patients unless otherwise indicated.

^b Proportions of patients from investigation 1 and investigation 2 were compared by χ^2 analysis (Fisher exact test was used for calculations with a cell value of ≤ 5).

^c Total includes 48 patients from investigation 1, 41 patients from investigation 2, 45 patients from enhanced surveillance (February 1 to December 31, 2018), and 31 patients from retrospective case finding (before 2016).

^d Northeast includes Connecticut, Maryland, Massachusetts, New Hampshire, and New York; Midwest includes Illinois, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin; South includes Florida, Georgia, Kentucky, South Carolina, and Tennessee; and West includes Nevada, Oregon, Utah, and Wyoming.

^e No information on length of stay was available for patients from investigation 2.

vs 4404 of 9358 [47%]; $P < .001$ for all comparisons). Resistance determinants for antibiotics tested phenotypically on a subset of isolates included the *gyrA* (T86I) mutation (ciprofloxacin and nalidixic acid), 23S mutation (azithromycin, clindamycin, erythromycin, and telithromycin), *tetO* gene (GenBank M18896) (tetracycline), and *aph(2'')-Ih* gene (GenBank KF652096) (gentamicin).¹⁶ The cause of florfenicol resistance, seen in 13 of 72 isolates (18%) tested phenotypically, was not determined²⁰; therefore, florfenicol resistance could not be predicted by WGS. Resistance genes *ant(3'')-Ia* (GenBank KF864551), *aph(3'')-III* (GenBank M26832), *blaOXA-61* (GenBank AY587956), *blaOXA-193* (GenBank CP013032), *blaOXA-448* (GenBank KRO61497), *blaOXA-453* (GenBank KRO61507), and *blaOXA-461* (GenBank KRO61509), which have been associated with decreased susceptibility to streptomycin, kanamycin, amikacin, and β -lactam antibiotics, were present in some isolates; these agents were not tested phenotypically.^{16,21,22}

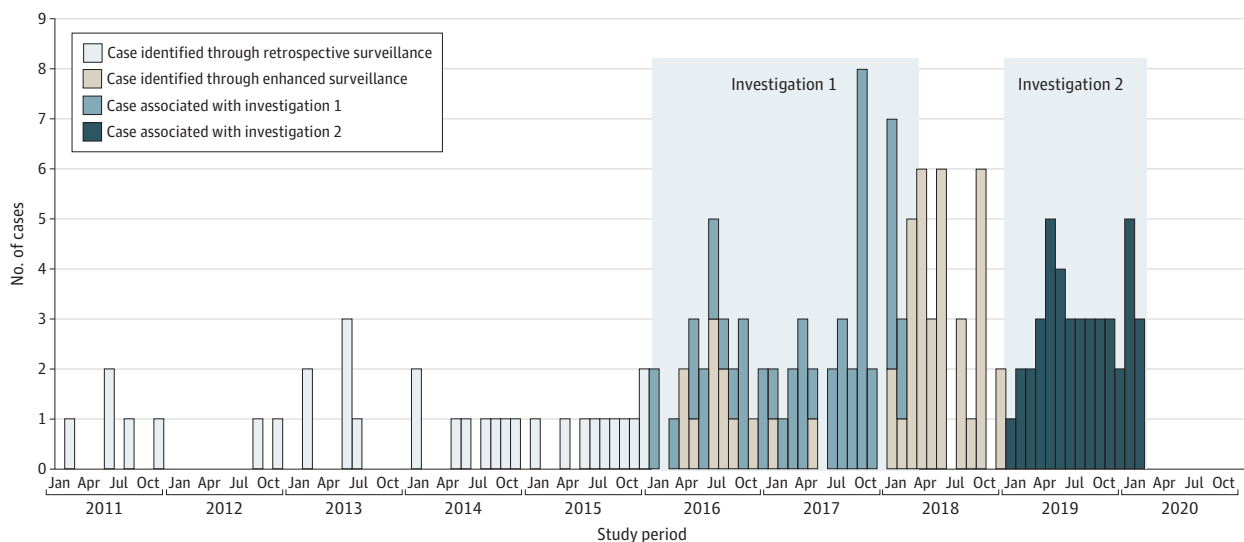
Discussion

This survey study found that human extensively drug-resistant *C jejuni* infections were associated with contact with puppies sold through the commercial dog industry. Surveillance data indicate the extensively drug-resistant *C jejuni* strains have been circulating for at least 10 years and continue to cause illness among pet store customers, employees, and others who encounter pet store puppies. The extensively drug-resistant isolates are resistant to all recommended treatment agents.^{4,7}

Most sporadic *Campylobacter* illnesses in the US have been associated with the consumption of raw or undercooked poultry, international travel, and animal contact.²³⁻²⁵ A high proportion of antibiotic-resistant *Campylobacter* infections have been associated with international travel.²⁶ However, these extensively drug-resistant strains have been associated with only dogs. More than 1 in 3 US households has a dog,²⁷ and dogs, especially puppies, can carry *Campylobacter*.²⁸⁻³⁰ Dogs carrying *Campylobacter* are frequently asymptomatic,²⁹ underscoring the importance of primary prevention among pet store puppies.

Extensively drug-resistant isolates account for only 1.3% of *C jejuni* surveillance isolates submitted to the NARMS during 2011 to 2019.³¹ Antibiotic treatment of extensively drug-resistant *C jejuni* infection requires intravenous antibiotics, such as carbapenems, which are costly and normally reserved for hospital-associated infections. Failure of traditional antibiotics can lead to

Figure 1. Cases of Culture-Confirmed *Campylobacter jejuni* Infection Linked to Contact With Pet Store Puppies, by Month, US, 2011-2020



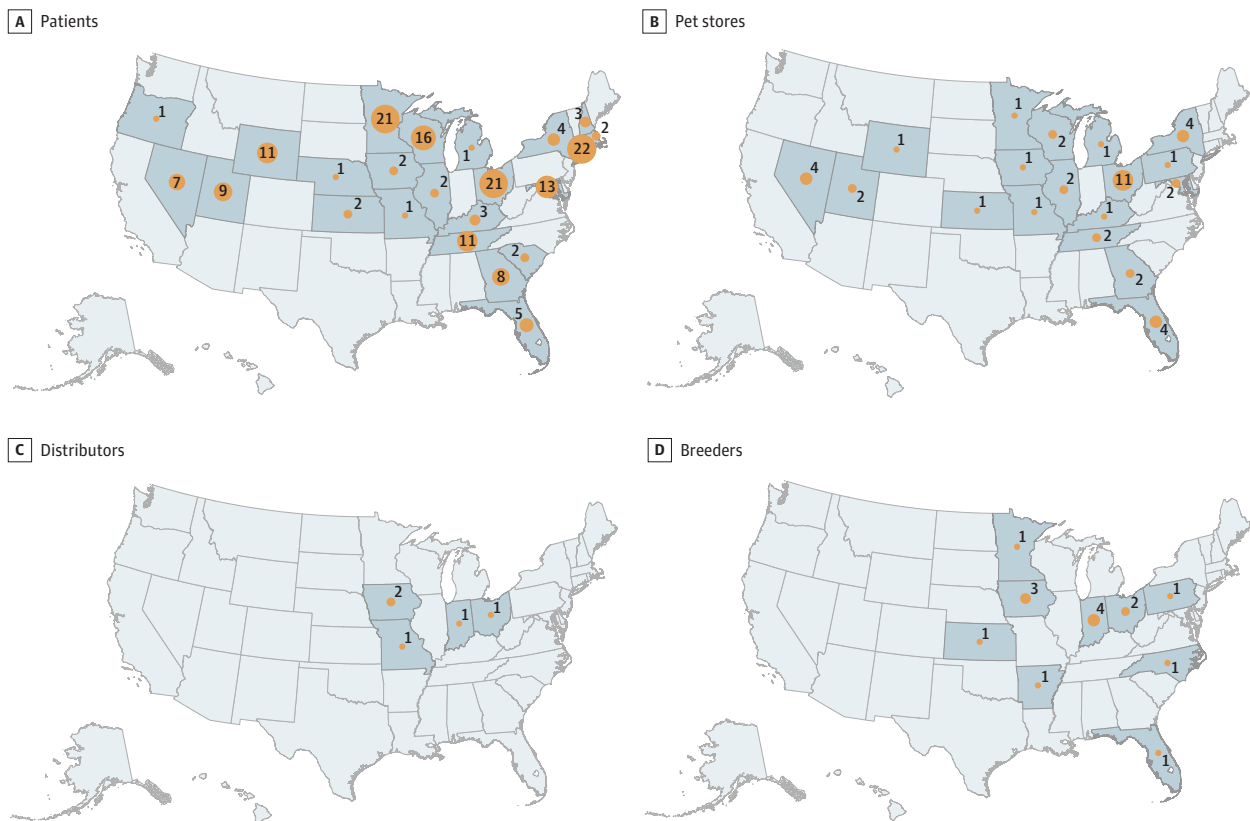
Shaded areas show the periods of investigation 1 and investigation 2. Fourteen cases that occurred during the investigation 1 period were identified later because of delayed sequencing of the isolates.

complications¹; several patients had prolonged hospital admission after multiple courses of antibiotics to which their strain was resistant.³²

These strains were circulating in the US for several years before health officials in Florida connected illnesses to pet store puppies through patient interviews. Challenges with public health surveillance and laboratory testing likely contributed to the delay in detection. Many local and state health departments lack resources to routinely obtain exposure information from ill persons. When *Campylobacter* illness clusters are identified, epidemiologists rarely succeed in identifying a common source.^{26,33} No national or regional system routinely collects exposure data to identify common exposures across states. Moreover, the CDC has estimated that only 1 of 30 *Campylobacter* illnesses is ever identified, mainly because most people who are ill with *Campylobacter* infection do not seek medical care, and many who seek care do not have a stool sample collected.¹⁹ Many clinical laboratories cannot culture *Campylobacter*, which has special growth requirements.³⁴

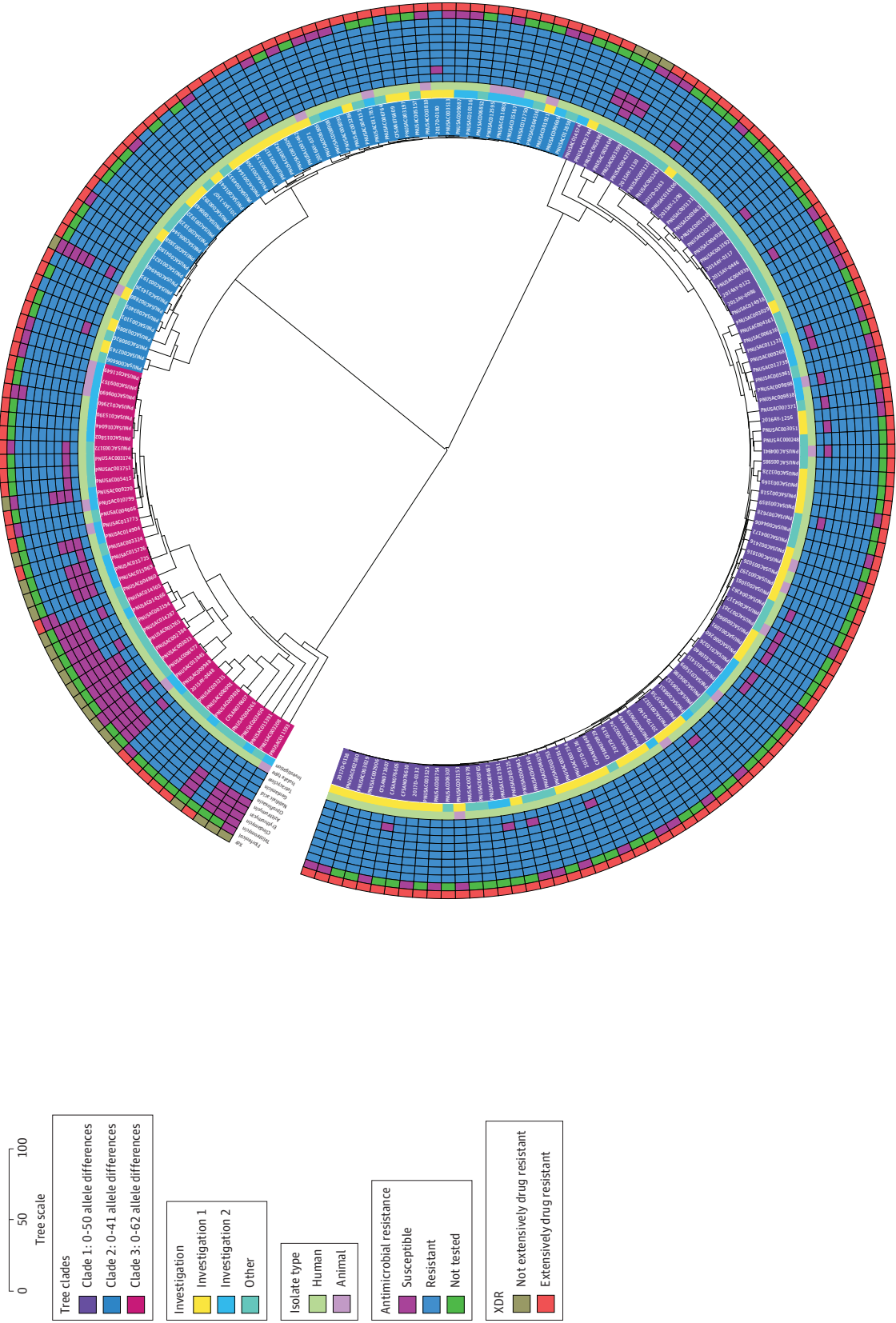
Culture-independent diagnostic tests, such as polymerase chain reaction–based assays and immunoassays, which were used by 9% of clinical laboratories in FoodNet sites in 2012 and 34% in 2019, do not yield an isolate needed for subtyping (eg, WGS) and susceptibility testing.^{35,36} Some clinical laboratories do not forward isolates to their public health laboratory. During investigation 1, at least 70 additional patients, not included in this analysis, had epidemiologic ties to pet store puppies and positive diagnostic test results not confirmed by culture,⁵ illustrating that many cases were likely missed because no isolate is available for subtyping. Pulsed-field gel electrophoresis, the standard subtyping method used by PulseNet for more than 2 decades for detection of multistate outbreaks caused by *Salmonella*, *Listeria*, and *Escherichia coli*, has not worked as well for *Campylobacter*.^{7,33,37} Whole-genome sequencing could help improve *Campylobacter* surveillance and outbreak detection,

Figure 2. Maps by State Showing Patients With Culture-Confirmed *Campylobacter jejuni* Infection, US, 2011-2020



A, Infections linked to contact with pet store puppies (n = 168). B, Location of affiliated pet stores, when known (n = 43). C, Location of affiliated distributors, when known (n = 5). D, Location of affiliated breeders, when known (n = 15).

Figure 3. Isolate Relatedness, Investigation Association, and Antibiotic Resistance Patterns of Isolates From Human Patients and Dogs Linked to Pet Stores, US, 2011–2020



Isolate relatedness was assessed using core genome multilocus sequence typing; the figure was generated using Interactive Tree of Life software, version 5 (BioByte Solutions).¹⁸ Antibiotic resistance determination was based on antibiotic susceptibility testing results when available (n = 72) and otherwise on the presence of known resistance determinants in the bacterial genome for all agents except florfenicol. Isolate identifications are shaded according to the clade to which they belong. Other shaded rings correspond to the investigation type (innermost ring); isolate type; susceptibility status for tetracycline, gentamicin, nalidixic acid, ciprofloxacin, azithromycin, erythromycin, clindamycin, telithromycin, and florfenicol; and extensively drug-resistant (XDR) status (outermost ring). The number of allele differences between isolates is proportionate to the combined distance to the nearest common node; the distance corresponding to 100 allele differences is shown. An interactive version of this figure is available at <https://itol.embl.de/Shared/ZDT03vJKQjoQN>.

but *Campylobacter* isolates have been a lower priority for state public health laboratories with limited sequencing capacity. Limited implementation of WGS for *Campylobacter* affected the timeliness and completeness of case identification across study periods.

To our knowledge, the extensively drug-resistant strains were only found in the commercial dog industry and have not been associated with exposure to dogs from animal shelters, indicating these strains might have a niche in commercial breeding and distribution of pet store puppies. During investigation 1, Montgomery et al⁵ found that 95% of dogs received 1 or more antibiotic courses for prophylaxis or empirical treatment at a breeder, transporter, or pet store. Use of antibiotics and other management practices in the commercial dog industry might have selected for extensively drug-resistant strains and facilitated spread among dogs from 1 or more breeding facilities to many stores. In animal agriculture, factors such as crowding and inadequate husbandry have been associated with spread of illnesses among animals that may require antibiotic treatment, resulting in selection of resistant strains^{38,39}; similar conditions could be occurring in the commercial dog industry.

Public health recommendations to reduce illness among dogs, customers, and store employees were provided to a common pet store chain, other pet stores, and the general veterinary community.^{40,41} Despite these recommendations, illnesses have continued to occur. The US Department of Agriculture's Animal and Plant Inspection Service Animal Care program ensures the humane treatment of animals covered by the Animal Welfare Act. However, no regulatory agency oversees antibiotic use in the commercial dog industry; therefore, adoption of infection prevention and antibiotic stewardship recommendations is left to the discretion of individual companies. The commercial dog industry could implement measures to curb unnecessary antibiotic use and improve hygiene and infection control at all levels from breeding facility to pet store, similar to those taken by the food animal production industry under US Food and Drug Administration guidance.^{42,43} Veterinary school curricula, continuing veterinary education focusing on antibiotic stewardship for veterinarians working with the commercial dog industry, and increased veterinary oversight within the industry may improve prescribing practices. A national surveillance system capable of combining

Table 2. Antibiotic Resistance of *Campylobacter jejuni* Isolates Associated With Pet Store Puppies (2011-2020) and Surveillance Isolates From the National Antimicrobial Resistance Monitoring System (2011-2019)^a

Agent	No. (%) of cases			
	All isolates linked to pet store puppies (February 1, 2011, to February 29, 2020) (N = 191) ^b	Investigation 1 (January 1, 2016, to February 29, 2018) (n = 62)	Investigation 2 (January 1, 2019, to February 29, 2020) (n = 44)	NARMS surveillance (January 1, 2011, to December 31, 2019) (N = 9358) ^c
Antimicrobial class				
Quinolones	181 (95)	62 (100)	39 (89)	2441 (26)
Lincosamides	176 (92)	62 (100)	39 (89)	617 (6.6)
Macrolides	176 (92)	62 (100)	39 (89)	200 (2)
Phenicol ^c	13 (18)	10 (30)	2 (8)	105 (1)
Aminoglycosides	150 (79)	53 (85)	32 (73)	113 (1)
Ketolides	174 (91)	62 (100)	38 (86)	201 (2)
Tetracyclines	191 (100)	62 (100)	44 (100)	4404 (47)
XDR ^d	168 (88)	62 (100)	34 (77)	126 (1)

Abbreviation: NARMS, National Antimicrobial Resistance Monitoring System; XDR, extensively drug resistant.

^a Antibiotic resistance was determined based on results of antibiotic susceptibility testing when available; otherwise, resistance was determined by the presence of resistance determinants in bacterial genomes. This table includes only antibiotic classes for which phenotypic antibiotic susceptibility testing was performed.

^b Total includes isolates from 48 patients from investigation 1, 41 patients from investigation 2, 45 patients from enhanced surveillance (February 1 to December 31, 2018), 31 patients from retrospective case finding (before 2016), and 22 isolates from dogs. Antibiotic resistance was determined by antibiotic susceptibility testing for 73 isolates.

^c The NARMS routine surveillance is based on antibiotic susceptibility testing of a subset of isolates from 10 public health laboratories in the FoodNet sites.¹⁹ During 2011 to 2019, isolates were selected for testing using a frequency-based sampling approach.³ These data are based on results of phenotypic antibiotic susceptibility testing only.

^d Defined as resistance to macrolides and fluoroquinolones and 3 or more antibiotic classes.

human and companion animal diagnostic data could also improve the detection and investigation of zoonotic illness.

Limitations

Our study has several limitations. The cases we report likely underestimate the total burden of extensively drug-resistant *C jejuni* infections associated with pet store puppies for the multiple reasons described above. We did not obtain exposure data regarding dog or puppy contact for all cases, especially for those that occurred before or between investigations 1 and 2. Traceback data revealed that puppies were often comingled throughout the distribution chain, making the primary source of infected puppies difficult to identify.

Conclusions

The results of this survey study suggest that practitioners should ask about puppy exposure (including occupational exposure) when treating patients with *Campylobacter* infection, especially those who do not improve with routine antibiotic treatment. When a polymerase chain reaction-based diagnostic test result is positive, an isolate should be obtained from a reflex stool culture for antibiotic susceptibility testing, public health surveillance, and outbreak detection. The commercial dog industry also needs to take action to help prevent the spread of extensively drug-resistant *C jejuni* from pet store puppies to people, including employees. This study highlights an ongoing problem within the companion animal sector that will require a collaborative solution. These results indicate that public health officials, the commercial dog industry, animal welfare advocates, regulatory officials, physicians, and veterinarians should adopt a One Health approach⁴⁴ to prevent the development and slow the spread of antibiotic resistance.

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Supervision: Laughlin, Geissler, Williams, Friedman.

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SUPPLEMENT.

eTable. Study Isolate Accession Numbers—National Center for Biotechnology and Information

eFigure 1. Surveillance and Investigation Timeline—United States, 1996-2020

eFigure 2. Traceback Schematic Showing Breeder and Distributor Information for 13 Puppies With an Epidemiologic or Laboratory Link to a Patient With Extensively Drug-Resistant *Campylobacter jejuni* Infection During Investigation 1 (January 2016-February 2018)



AKC Breeder Code of Ethics re: Pet Store Puppies

If one visits the website of the American Kennel Club (AKC), one of the oldest and most respected breed club registries in the world, one can access the Breeder Code of Ethics on any of the websites listed in their national parent club directory for AKC-recognized breeds.* One of the most common provisos is that ***breeders must agree never to sell their puppies to pet stores.***

Below are several examples.

Airedale Terrier Club of America (airedale.org)

Code of Ethics: *In sale/placement transactions, we endeavor to refuse to sell an Airedale Terrier of any age to pet dealers, catalog houses, or any other commercial sources of distribution.*

Alaskan Malamute Club of America, Inc. (alaskanmalamute.org)

Code of Ethics: *No member shall knowingly be involved in the sale/placement of puppies/dogs through retail or wholesale outlets, mail order businesses, dog dealers/agents/brokers, or act as a finder for such operations.*

American Bloodhound Club (bloodhounds.org)

Code of Ethics: *As a member of the American Bloodhound Club: I agree not to engage in the practice of providing any Bloodhound to any individual, commercial wholesaler, or retailer for the purpose of resale.*

American Cavalier King Charles Spaniel Club, Inc. (ackcsc.org)

General Code of Conduct: *I will not: 1. Knowingly falsify a pedigree, health screening or breeding information. 2. Sell Cavaliers to pet shops, brokers or third party dealers. 3. Supply or sell Cavaliers for auctions, raffles, flea markets or any other such enterprise. 4. Knowingly sell to unethical breeders, or sell to persons whose intention is resale. 5. Purchase any Cavalier or any litter for resale either to an individual or a commercial establishment.*

American Fox Terrier Club (aftc.org)

Code of Ethics: *Under no condition shall dogs be sold to pet dealers or any other source of commercial distribution.*

American Whippet Club, Inc.
(americanwhippetclub.net)

Code of Ethics: *No member of this club shall engage in the wholesaling of litters of Whippet puppies, or the sale of breeding stock or individuals to pet shops or other commercial sources of distribution.*

Basset Hound Club of America
(basset-bhca.com)

Breeder Code of Ethical Conduct: *No member of this club shall engage in the wholesaling of litters or the selling of breeding stock to commercial sales operations.*

American Maltese Association, Inc.
(americanmaltese.org)

Member Code of Ethics: *I will not knowingly deal with dog wholesalers, commercial retailers, brokers or unethical dog breeders, nor supply dogs for raffles, "give away" prizes or other such projects.*

American Miniature Schnauzer Club, Inc.
(amsc.us)

Code of Ethics: *The breeder will not sell or dispose of any dog through pet shops, wholesalers, commercial dealers or paid agents.*

American Pomeranian Club, Inc.
(americanpomeranianclub.org)

Code of Ethics: *I will not sell my puppies to pet shops or commercial pet mill establishments, nor will I donate puppies for raffles or auctions.*

American Spaniel Club, Inc.
(asc-cockerspaniel.org)

Code of Ethics: *Breeders shall refrain from selling puppies to pet shops either outright or on consignment; refrain from supplying puppies for auctions, raffles, or other such enterprises; refrain from selling to persons whose intention to resell is known or suspected; refrain from breeding litters primarily for the pet market.*

Australian Cattle Dog Club of America
(acdca.org)

Breeder Code of Ethics: *As an ACDCA Code of Ethics Breeder, I agree that no puppies will be knowingly sold to franchised commercial facilities, puppy brokers, puppy mills or agents thereof.*

Boston Terrier Club of America, Inc.
(bostonterrierclubofamerica.org)

Code of Ethics: *I will sell no Boston Terrier to a commercial facility, puppy broker, pet shop, puppy mill or their agent.*

Bulldog Club of America
(bulldogclubofamerica.org)

Breeder's Code of Ethics: *Responsible breeders refuse to sell or recommend breeders who do not conform to the ideals and obligations expressed in this Code and shall not engage in wholesaling litters or in individual sales or consignments of pups or adults to pet shops, dealers, catalog houses or other commercial establishments, nor shall they be donated or given as prizes in contests, raffles, or fund-raising events, no matter how charitable.*

Chihuahua Club of America, Inc.
(chihuahuclubofamerica.com)

Code of Ethics: *I pledge to be responsible for all Chihuahuas that I have produced for their entire lifetime by never buying, selling or trading my/our Chihuahuas to research laboratories, pet stores, or to auctions nor placing them in rescue groups.*

Chinese Shar-Pei Club of America, Inc.
(cspca.com)

Breeders Code of Conduct: *I agree to never sell or give any puppy or dog to pet stores either on consignment or outright.*

Collie Club of America, Inc.
(collieclubofamerica.org)

Code of Ethics: *No member shall knowingly sell or place, trade or give any Collie of any age to pet dealers, catalog houses, or other commercial sources; nor shall Collies be given as prizes, auctioned, or exploited to the detriment of the breed.*

Dachshund Club of America, Inc.
(dachshund-dca.org)

Code of Ethics: *To never supply a Dachshund to pet shops, commercial brokers or dealers, raffles or similar projects.*

Dalmatian Club of America, Inc.
(thedca.org)

Ethical Guidelines: *I hereby pledge to ensure that puppies and adults produced by my brood bitch or stud dog are never knowingly sold or consigned to pet stores, wholesalers, or commercial dealers.*

French Bull Dog Club of America
(frenchbulldogclub.org)

Code of Ethics and Sportsmanship: *As a member of the French Bull Dog Club of America, I will not sell a French Bulldog to any commercial facility, puppy brokers, pet shop, puppy mill or agent thereof.*

German Shepherd Dog Club of America
(gsdca.org)

Club Code of Conduct: *No GSD will be sold to wholesalers or retail stores for the purpose of resale.*
Breeders Code: *I hereby pledge to refuse to sell or recommend breeders who do not conform to the ideals and obligations expressed in this Code and refuse all sales to dog wholesalers and retailers.*

Golden Retriever Club of America
(grca.org)

Responsibilities as a Breeder: *Members should not sell dogs at auction, or to brokers or commercial dealers.*

Greyhound Club of America
(greyhoundclubofamericainc.org)

Ethical Standards: *Breeders shall not knowingly sell or consign puppies or adult dogs to pet stores, puppy brokers or other commercial dealers.*

Havanese Club of America
(havanese.org)

Code of Ethics: *No Havanese will be sold to pet dealers, pet stores, pet wholesalers, or pet brokers either singly or in litter lots.*

Miniature Pinscher Club of America, Inc.

(minpin.org)

Code of Ethics: *No Miniature Pinscher shall be sold to commercial facilities; research laboratories; pet shops; brokers who purchase litter lots or individuals for re-sale to pet shops or other commercial facilities, puppy mills or their agents.*

Newfoundland Club of America, Inc.

(ncanewfs.org)

Ethics Guide: *Responsibilities of Members: To refuse to sell Newfoundland dogs to any pet shop, or any wholesale dealer in dogs, or knowingly to sell or aid or abet the sale of any Newfoundland to a person or agent who will sell the animal through a pet shop.*

Old English Sheepdog Club of America, Inc.

(oldenglishsheepdogclubofamerica.org)

Code of Ethics: *Puppies may not be sold from any temporary marketplace or transient headquarters, no litters purchased or taken on consignment for resale, nor dogs wholesaled to pet shops, auctions, dealers, contest sponsors, raffles, etc.*

Papillon Club of America, Inc.

(papillonclub.org)

Code of Ethics: *No member of the Papillon Club of America will sell at wholesale or to retail outlets, brokers, pet shops, mail order houses, or businesses of similar commercial enterprise, or donate a dog to be offered as a prize.*

Portugese Water Dog Club of America, Inc.

(pwdca.org)

Section 1 All PWDCA Members shall: *Not sell, place or consign any Portuguese Water Dog to a commercial facility, business or agent thereof.*

Pug Dog Club of America, Inc.

(pugs.org)

Code of Ethics: *No member shall EVER sell or donate dogs for auctions or raffles, or to pet shops, catalog houses, brokers or for resale purposes.*

Rhodesian Ridgeback Club of the United States

(rrcus.org)

Code of Ethics: *Members will not knowingly furnish puppies or adult dogs for wholesale, pet shops, puppy brokers, commercial facilities, guard dog businesses or agents thereof, or dispose of them as "Give away" prizes or auction items; neither will they sell puppies to nor breed to dogs owned by those whom they have reason to believe may do so.*

Samoyed Club of America, Inc.

(samoyedclubofamerica.org)

Code of Ethics: *The SCA member does not sell, consign, or transfer puppies, or adults to pet shops, wholesale dealers, contest sponsors, or anyone who is known to degrade the Samoyed breed or purebred dogs, or to individuals contemplating breeding and/or sale to the aforementioned.*

Scottish Terrier Club of America

(stca.biz)

Code of Ethics: *Not knowingly sell a Scottish Terrier of any age to a pet shop, catalog house, laboratory or any wholesale dealer in dogs (a dealer being a person who regularly buys dogs for sale at profit), or to any person who sells to any of the above.*

Siberian Husky Club of America, Inc.

(shca.org)

Code of Ethics: *I pledge that I will refuse to deal with dog wholesalers or to sell puppies or dogs to pet shops, and I will include in all stud contracts an agreement to be signed by the owner of the bitch that no puppies resulting from the mating will be wholesaled or sold to pet shops.*

Skye Terrier Club of America

(clubs.akc.org/skye)

Code of Ethics: *To refrain from knowingly selling, trading, or giving Skye Terriers or providing stud service to a commercial breeder, pet shop, research laboratory or any person known to be unethical in his/her dealings in purebred dogs.*

Spinone Club of America

(spinoneclubofamerica.com)

Code of Conduct: *Members will not sell, transfer or consign a dog to pet shops, unethical breeders, or other commercial ventures including lotteries, raffles or auctions.*

Staffordshire Bull Terrier Club of America

(sbtca.com)

Code of Ethics: *Litters shall not be sold to a person en-bloc, to commercial sources, or for purposes of resale.*

St. Bernard Club of America, Inc.

(saintbernardclub.org)

Guidelines and Statement of Policy: *No member shall buy or sell St. Bernards through commercial pet outlets, nor buy or sell in litter lots, nor sell to persons whose activities tend to degrade the Breed.*

Tibetan Terrier Club of America, Inc.

(ttca-online.org)

Guidelines for Responsible Breeders: *A responsible breeder does not sell or consign Tibetan Terriers to pet shops or other commercial dealers, nor does he breed his animals to their animals.*

Weimaraner Club of America

(weimaranerclubofamerica.org)

Code of Ethics: *The owner/breeder shall not breed, sell or consign puppies or adults to pet shops or other commercial dealers.*

* <http://www.akc.org/clubs/search/index.cfm?action=national&display=on>

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November 17, 2021

Bloomington City Council
401 North Morton, Suite 110
Bloomington, IN 47404

Dear Council Members:

I am sending this letter on behalf of Karene Kidwell, the owner and operator of Delilah's Pet Shop. As some of you may know, Delilah's Pet Shop has been a well-respected part of the Bloomington business community for many years. Delilah's has provided thousands of family pets to thousands of Bloomington residents. A ban on sale of family pets by local pet shops would certainly cause a significant loss of business income. The loss, however, is **not** only a financial loss - the loss would be much more significant to the citizens of Bloomington who wish to choose a family pet.

We stand in opposition to the proposed ban on the sale of domestic pets for those reasons.

The problem is **not** the **responsible local pet shop owners**. The problem is the irresponsible commercial breeders that abuse the animals in their care. There are irresponsible commercial breeders who house the animals in inhumane ways. There are irresponsible commercial breeders who allow death and disease to run rampant in their kennels. There are irresponsible commercial breeders who allow disease animals to be sold to the unsuspecting public. These irresponsible commercial breeders should be immediately shut down, punished according to state and federal law, and be prevented from ever doing business as a commercial breeder again.

On the other hand, **responsible local pet shop owners** provide a valuable service to the public. First, **responsible local pet shop owners** know and investigate the breeders of the animals they receive. **Responsible local pet shop owners** care who the breeder is, and the conditions upon which the animals are being kept.

Second, **responsible local pet shop owners** stand in a unique position to provide a layer of protection for the animal. **Responsible pet shop owners** make sure the

animals in their possession are healthy, and free of any health conditions or disease. **Responsible pet shop owners** make sure that the animals in their care receive proper veterinary care, including any immunizations that are required or necessary. And, **responsible pet shop owners** are knowledgeable in any genetic disorders that may afflict, or may arise, in a particular breed.

Third, **responsible local pet shop owners** provide direction and guidance to the public as to which pets may or may not be a good fit for a household or home. Every pet is unique in its needs, and not every household may be particularly suited for a certain type of pet. **Responsible local pet shop owners** have the insight necessary to educate the public on those points.

In the event the Council wishes to consider this ban further, we would request that the Council allow ample time for public input on this matter, and for a thorough analysis to be done by the City Attorney as to the effectiveness of this proposed ordinance.

Respectfully submitted,
KEN NUNN LAW OFFICE



BY: Ken Nunn
Attorney at Law

THE AMERICAN KENNEL CLUB: PROTECTING PUPPY MILLS, HARMING DOGS

Why does the American Kennel Club (AKC) fight *against* better welfare for dogs?

It's simple, the AKC is NOT an animal welfare organization, it is a purebred dog registry sustained by dog registration fees. Because of their financial dependence on commercial breeders, the AKC regularly lobbies against basic animal welfare bills for fear that they would cut into dog registration fees.

After reading an AKC letter of opposition, one might think they have legitimate issues with language, often citing concerns over “arbitrary” standards of care. However, to examine their cumulative opposition to even minimal improvements of laws, it becomes clear that they seek to inhibit any and all progress on animal protection. The AKC website lists hundreds of alerts in opposition of dog welfare legislation and precious few (if any) in support, making it very hard to believe that the AKC seeks enhanced language. The goal becomes rather transparent: to prevent these bills from advancing at all.

What is the AKC's strategy?

In addition to intentionally creating confusion among lawmakers about the primary function of the AKC (which is to register and collect fees from dog breeders), the AKC argues that their perspectives represent the entirety of dog owners in a specific state. For example, AKC affiliates and partners typically have names like, “Responsible Dog Owners of *State*,” leading a person to believe that their efforts are grassroots, led by a local “dog breeders club.” However, their extreme positions do not reflect the opinions of the majority of pet owners. The AKC also utilizes fear-mongering tactics by claiming animal welfare bills will lead to the end of all breeding or pet ownership. The organization commonly bullies the members of its clubs who speak out against animal cruelty or in favor of common-sense welfare policies.

What does the AKC support?

Every year, AKC-linked breeders, and sometimes even “AKC Breeders of Merit,” land on the HSUS Horrible Hundred list of problem puppy mills. The AKC's care standards for breeders are seemingly so low that some breeders have been arrested by local law enforcement for animal cruelty or been shut down shortly after passing an AKC inspection. In February 2019, for example, 18 cocker spaniels were seized from a New Hampshire couple who were the AKC's 2018 Sporting Group Breeders of the Year. And in 2017, the AKC rallied behind its Terrier Group Breeder of the Year even after she was convicted of illegally cropping dogs' ears and the USDA suspended her license. More examples of AKC breeders with egregious welfare records can be found in the HSUS Horrible Hundred reports¹, a 2015 HSUS press release², a 2012 HSUS Report on the AKC³, and media reports.⁴

The AKC also heavily promotes and defends pet stores as a puppy sales outlet, despite the fact that they encourage the public to only buy from responsible breeders and to “Visit the breeder's home or kennel and ask to see at least one of the puppy's parents.” Of course, both of these things are impossible when buying a puppy from a pet store. The reason for this discrepancy is clear. Pet store sell puppies “with AKC papers” and encourage consumers to register their puppies, which puts more money in the AKC's pocket. The organization opposes efforts to stop the sale of puppies in pet stores and supports state legislation intended to strip localities of their authority to regulate pet stores.

¹ <https://www.humanesociety.org/sites/default/files/docs/2018-horrible-hundred.pdf>

² <https://www.humanesociety.org/news/akc-worst-show>

³ <https://www.humanesociety.org/sites/default/files/docs/report-akc-breeders.pdf>

⁴ <https://www.newsleader.com/story/news/2017/12/19/american-kennel-clubs-terrier-group-breeder-year-dog-breeders-rally-behind-81-year-old-convicted-ani/966404001/>

THE AMERICAN KENNEL CLUB: PROTECTING PUPPY MILLS, HARMING DOGS

What laws have the AKC opposed?

The AKC has opposed hundreds of local and state laws introduced to crack down on puppy mills, prevent the sexual abuse of animals, combat dogfighting, protect chained dogs during hurricanes, and require only veterinarians to conduct surgical procedures on dogs, among others.

In 2019 alone, the AKC opposed the following bills:

- A bill in Kentucky to outlaw bestiality. The AKC's action alert states: "SB 67 establishes the crime of sexual abuse against an animal. While this measure is well-intentioned, innocent parties could lose possession of their animals under vague provisions in the bill."
- A bill in Virginia that would have prohibited the tethering of dogs in extreme weather, require tethers to be longer, and allow localities to enact stricter requirements.
- A bill in Iowa, a major puppy mill state, that would require commercial breeders to provide common sense care standards to their breeding dogs.
- A bill in New Hampshire, which would strengthen the animal fighting laws. The AKC testified against a provision banning someone convicted of felony animal fighting from owning animals for five years and stated, "it {is} unlikely someone would treat their other animals inhumanely just because they were convicted of fighting cock or game fowl." They went on to state that animal fighting is not an egregious form of cruelty and that someone convicted of fighting animals should not be prohibited from "having a cat at their house for their kids".
- A bill in New Hampshire to limit convicted animal abusers' ownership of animals. In their testimony against the bill, the AKC stated, "I don't understand why even somebody who's fighting dogs could not live in a home where mamma's poodle snuggled up on the bed with him every night. I think the idea of banning people from animal ownership is a good concept for an egregious case, but not so much for maybe the person who's caught up for a first time and maybe a never again time in the world of fighting."
- A bill in Tennessee, the AKC worked against an animal fighting paraphernalia bill to have it amended to not include dog fighting paraphernalia. Thus, the AKC opposed language that would have made having dog fighting paraphernalia with the intent to promote dog fighting illegal.
- A number of bills in New York, including: "a ban on ear cropping and tail docking; a bill that could allow dogs to be removed from vehicles if the weather is below 32 or above 70 degrees outside; bills regulating how dogs should be kept outdoors; and bills that would lower the threshold for who is regulated as a pet dealer or breeder, including new regulations, inspections, and a new tax on sales that would fund a shelter and wildlife rehabilitation account."
- A bill in Maryland that would have protected dogs from being kept outdoors and unattended during episodes of extreme weather.
- Two bills in Rhode Island, one to establish an Animal Rights Advisory Council to issue annual recommendations to the legislature, and one to allow for the seizure of animals if an animal control officer suspects neglect or abuse.
- A bill in Colorado to increase penalties for cruelty violations, including prohibiting ownership of animals for 5 years for a misdemeanor violation and 10 years for a felony violation.



MEMO FROM COUNCIL OFFICE ON:

Ordinance 21-46 – To Amend Title 8 of the Bloomington Municipal Code, Entitled “Historic Preservation and Protection” to Establish a Historic District – Re: The James Faris House Historic District (William Bianco, Owner and Petitioner)

Synopsis

This ordinance amends Chapter 8.20 of the Bloomington Municipal Code entitled “List of Designated Historic and Conservation Districts” in order to designate “The James Faris House,” parcel number 53-08-03-300-001.000-009, located at 2001 East Hillside Drive, Lot 8, City of Bloomington, Monroe County, Indiana, as a historic district. Built in 1852, The James Faris House is a remarkable intact example of the I-House form in Bloomington. The home is only one of a handful of Covenanter brick farmhouses from the early settlement period of Bloomington that still stand and it maintains a high level of historic integrity due to the unaltered state of the original portion of the house. The house is associated with James Faris, the first ordained minister of the Covenanter Church in Bloomington, a philanthropist, and a purported conductor on the Underground Railroad.

Relevant Materials

- Ordinance 21-46
- Staff Memo, Housing and Neighborhood Development
- Staff Report from Bloomington Historic Preservation Commission
- Location Map
- Photos

Summary

Ordinance 21-46 would classify “The James Faris House” property as notable and would designate it as a historic district as provided under Title 8 of the Bloomington Municipal Code entitled “Historic Preservation and Protection”. The provisions of BMC Title 8 are enabled by state law under Indiana Code 36-7-11 (and following provisions) and are intended to

- Protect historic and architecturally-worthy properties that either impart a distinct aesthetic quality to the City or serve as visible reminders of our historic heritage;
- Ensure the harmonious and orderly growth and development of the City;
- Maintain established residential neighborhoods in danger of having their distinctiveness destroyed;
- Enhance property values and attract new residents; and
- Ensure the viability of the traditional downtown area and to enhance tourism.¹

The Historic Preservation Commission (“HPC”) is authorized to make recommendations to Council regarding the establishment of historic districts either on its own accord or by petition of the property owner. The HPS held a public hearing on October 14, 2021 to consider the proposed historic designation and has recommended that the James Faris House be designated as a local historic district due to:

¹ See BMC 8.02.010



City of Bloomington Indiana

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- the property's association with the James Faris, a member of the early Covenanter Church in Bloomington, a community leader, and a purported conductor on the Underground railroad;
- its architectural significance as one of a handful of Covenanter brick farmhouse from the early settlement period of Bloomington that still stands; and
- its historical significance as one of the oldest brick I-house form buildings in Bloomington and maintaining a high level of historic integrity due to the unaltered state of the original portion of the house.

A historic district designation authorizes the Commission to review and issue a certificate of appropriateness prior to the issuance of a permit for, or prior to work beginning on any of the following within all areas of an historic district²:

- The demolition of any building;
- The moving of any building;
- A conspicuous change in the exterior appearance of any historic building or any part of or appurtenance to such a building, including walls, fences, light fixtures, steps, paving, and signs by additions, reconstruction, alteration, or maintenance involving exterior color change if cited by individual ordinance, or
- Any new construction of a principal building or accessory building or structure subject to view from a public way.

In order to bring forward a historic designation, local code requires that the Commission hold a public hearing³ and submit a map and staff report (Report) to the Council. The map identifies the district and classifies properties, and the Report explains these actions in terms of the historic and architectural criteria set forth in the ordinance.⁴ These criteria provide the grounds for the designation.

Ordinance 21-47:

- Approves the map and establishes the district, which provides the basis for the designation;
- Incorporates the map and the report by reference and provides that copies of each are on file with the Clerk and available for public inspection;
- Describes the district and classifies the property;
- Inserts the newly-established district into the List of Historic and Conservation Districts contained within BMC 8.20.

Contact

Gloria Colom, Historic Preservation Program Manager, (812) 349-3420,

gloria.colom@bloomington.in.gov

² See BMC 8.08.020

³ A hearing on the James Faris House was properly noticed and held on October 14, 2021.

⁴ See BMC 8.08.010[e]

ORDINANCE 21-46

**TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED
“HISTORIC PRESERVATION AND PROTECTION”
TO ESTABLISH A HISTORIC DISTRICT –
Re: The James Faris House Historic District
(William Bianco, Owner and Petitioner)**

- WHEREAS, the Common Council adopted Ordinance 95-20 which created a Historic Preservation Commission (“Commission”) and established procedures for designating historic districts in the City of Bloomington; and
- WHEREAS, on October 14, 2021, the Commission held a public hearing for the purpose of allowing discussion and public comment on the proposed historic designation of the James Faris House located at 2001 E Hillside Dr., Lot 8; and
- WHEREAS, at the same hearing, the Commission found that the building has historic and architectural significance that merits the protection of the property as a historic district; and
- WHEREAS, at the same hearing, the Commission approved a map and written report which accompanies the map and validates the proposed district by addressing the criteria outlined in Bloomington Municipal Code 8.08.010; and
- WHEREAS, at the same hearing the Commission voted to submit the map and report which recommended local historic designation of said properties to the Common Council; and
- WHEREAS, the report considered by the Commission at this hearing notes that this property is a two story brick, federal style I-House built in 1852 by James Faris who was the first ordained minister of the Covenanter church in Bloomington, a philanthropist, and a purported conductor on the Underground Railroad. The property is rated as “Notable” on the State Historic Architectural and Archeological Research Database (SHAARD).

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

SECTION 1. The map setting forth the proposed historic district for the site is hereby approved by the Common Council, and said historic district is hereby established. A copy of the map and report submitted by the Commission are attached to this ordinance and incorporated herein by reference and two copies of them are on file in the Office of the Clerk for public inspection.

The legal description of this property is further described as:

53-08-03-300-001.000-009 in the City of Bloomington, Monroe County, Indiana.

SECTION 2. The property at “2001 East Hillside Drive, Lot 8.” shall be classified as “Notable”.

SECTION 3. Chapter 8.20 of the Bloomington Municipal Code, entitled “List of Designated Historic and Conservation Districts,” is hereby amended to insert “The James Faris House” and such entry shall read as follows:

The James Faris House

2001 East Hillside Drive, Lot 8

SECTION 4. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2021.

JIM SIMS, President
City of Bloomington

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2021.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2021.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Chapter 8.20 of the Bloomington Municipal Code entitled "List of Designated Historic and Conservation Districts" in order to designate "The James Faris House," parcel number 53-08-03-300-001.000-009, located at 2001 East Hillside Drive, Lot 8, City of Bloomington, Monroe County, Indiana, as a historic district. Built in 1852, The James Faris House is a remarkable intact example of the I-House form in Bloomington. The home is only one of a handful of Covenanter brick farmhouses from the early settlement period of Bloomington that still stand and it maintains a high level of historic integrity due to the unaltered state of the original portion of the house. The house is associated with James Faris, the first ordained minister of the Covenanter Church in Bloomington, a philanthropist, and a purported conductor on the Underground Railroad.

MEMO:

To: City of Bloomington Common Council
From: John Zody, Director of Housing & Neighborhood Development
Gloria M. Colom Braña, Program Manager
Date: November 12, 2021
Re: Request to Designate the James Faris House as a Historic District

The property known as the “James Faris House” located at 2001 E Hillside St, Lot 8, consists of two structures in a parcel under an acre in size.

James Faris moved to Bloomington in 1827 to serve as the first pastor of the Reformed Presbyterian Church, also known as the Covenanters. Like other members of the congregation James Faris was an abolitionist. It is purported that Faris, along with his neighbor and friend Thomas Smith were conductors of the Underground Railroad. Faris was also a farmer and had the original 160 acre homestead where most of Indiana University sports and recreational events take place. Faris eventually purchased an additional 133 acres of “well-improved lands” southeast of town. He built his final house, and the structure being nominated on second farm, very near the Thomas Smith House and across the street from the Covenanter graveyard in 1852. Faris passed away a few years later but his family remained in Bloomington for generations, attending Indiana University and participating in local business and politics.

The James Faris House is Federal style brick I-House, architectural form found throughout the Southern and Midwestern United States, and can be traced back to seventeenth century England commonly built throughout the nineteenth century. The foundations were made using locally sourced limestone and the walls of handmade bricks produced on site. Most of the windows and doors are original. One of the chimneys has had a modern addition attached to it. The house has a double height porch in the back. The original structure currently has a noncontributing expansion that houses the kitchen, which was originally an outdoor kitchen located on the same footprint.

The house is surrounded by a handcrafted nineteenth century wrought iron fence that has been maintained and restored by the current owners.

The property is rated as Notable on the Indiana Historic Sites and Structures Inventory (IHSSI), survey number 105-055-61675.

On October 14, 2021, the Historic Preservation Commission held a public hearing for the purpose of allowing discussion and public comment on the proposed historic designation of the James Faris House. The Commission found that the building has historic and architectural significance that merits the protection of the property as a historic district, and unanimously

voted to submit the map and staff report to the Common Council. In the staff report you will find a map of the Property.

The property at 2001 East Hillside Drive, Lot 8, Bloomington, IN 47401, qualifies for local designation under the following highlighted criteria found in Ordinance 95-20 of the Municipal Code (1) a // (2) e, g.

- (1) Historic:
- a) **Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state, or nation; or is associated with a person who played a significant role in local, state, or national history; or**
 - b) Is the site of an historic event; or
 - c) Exemplifies the cultural, political, economic, social, or historic heritage of the community.
- (2) Architectural:
- a) Embodies distinguishing characteristics of an architectural or engineering type; or
 - b) Is the work of a designer whose individual work has significantly influenced the development of the community; or
 - c) Is the work of a designer of such prominence that such work gains its value from the designer's reputation; or
 - d) Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation; or
 - e) **Contains any architectural style, detail, or other element in danger of being lost; or**
 - f) Owing to its unique location or physical characteristics, represents an established and familiar visual feature of the city; or
 - g) **Exemplifies the built environment in an era of history characterized by a distinctive architectural style**

Background: The proposed single-property district, 2001 East Hillside Drive, Lot 8 consists of two buildings in a lot measuring less than one acre. The main house is a two story brick, federal style I-House built in 1852 by James Faris.

The house is currently owned by William Bianco and Regina A. Smyth. They have restored the house and had the property listed on Indiana's register of Historic Sites.

The Faris house sits in the middle of the Stier Park neighborhood. This small neighborhood was the product of a subdivision of the remaining lands around the Faris house in the 1970's into 10

equally divided lots.

Historical Significance:

(A) Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state, or nation; or is associated with a person who played a significant role in local, state, or national history.

James Faris was born in South Carolina in 1791. He moved to Bloomington, Indiana in 1826 and became the first Pastor of the Bloomington Reformed Presbyterian church in 1827. Members of the Faris family have continued to live in Bloomington to this day.

James Faris was known for his abolitionist ideals and along with Thomas Smith, was purported to be part of the Underground Railroad.

Architectural Significance:

(E) Contains any architectural style, detail, or other element in danger of being lost.

(G) Exemplifies the built environment in an era of history characterized by a distinctive architectural style.

Built in 1853, the James Faris House is a remarkably intact example of the I-House form in Bloomington. The I-House typology was constructed by gentleman farmers and was symbol of economic prosperity and was traditionally two-stories tall, two rooms wide, and one room deep. The style was prominent in Indiana from 1820 to 1890. The house is built from handmade brick which means that it was dug and fired on site. The flat brick arches over the first floor windows are characteristic of early houses in Monroe County, such as the Glassie/Henderson House which was built in the 1830s.

Despite such a high degree of original architectural detailing on the home, there have been several additions to the original I-House. The twentieth century kitchen wing sits atop the former exterior kitchen.

Recommendation: Approval

Staff recommends property parcel 53-08-03-300-001.000-009 (The James Faris House) be designated as a local historic district. After careful consideration of the application and review of the Historic District Criteria as found in Ordinance 95-20 of the Municipal Code, staff finds that the property not only meets, but exceeds the minimum criteria listed in the code.

The property meets Criteria 1(a) because of its association with James Faris, a member of the early Covenanter Church in Bloomington, community leader, and a purported conductor on the Underground Railroad.

The property meets Criteria 2 (e) because the home is only one of a handful of Covenanter brick farmhouses from the early settlement period of Bloomington that still stands.

The property meets Criteria 2(g) because it one of the few brick I-house form buildings in Bloomington and maintains a high level of historic integrity due to the unaltered state of the original portion of the house.

List of Figures

Figure 1: Map of the property

Figure 2: Sketch by Bob Rhode

Figure 3: Walter F. Woodburn in front of the Faris House, (1961 or earlier)

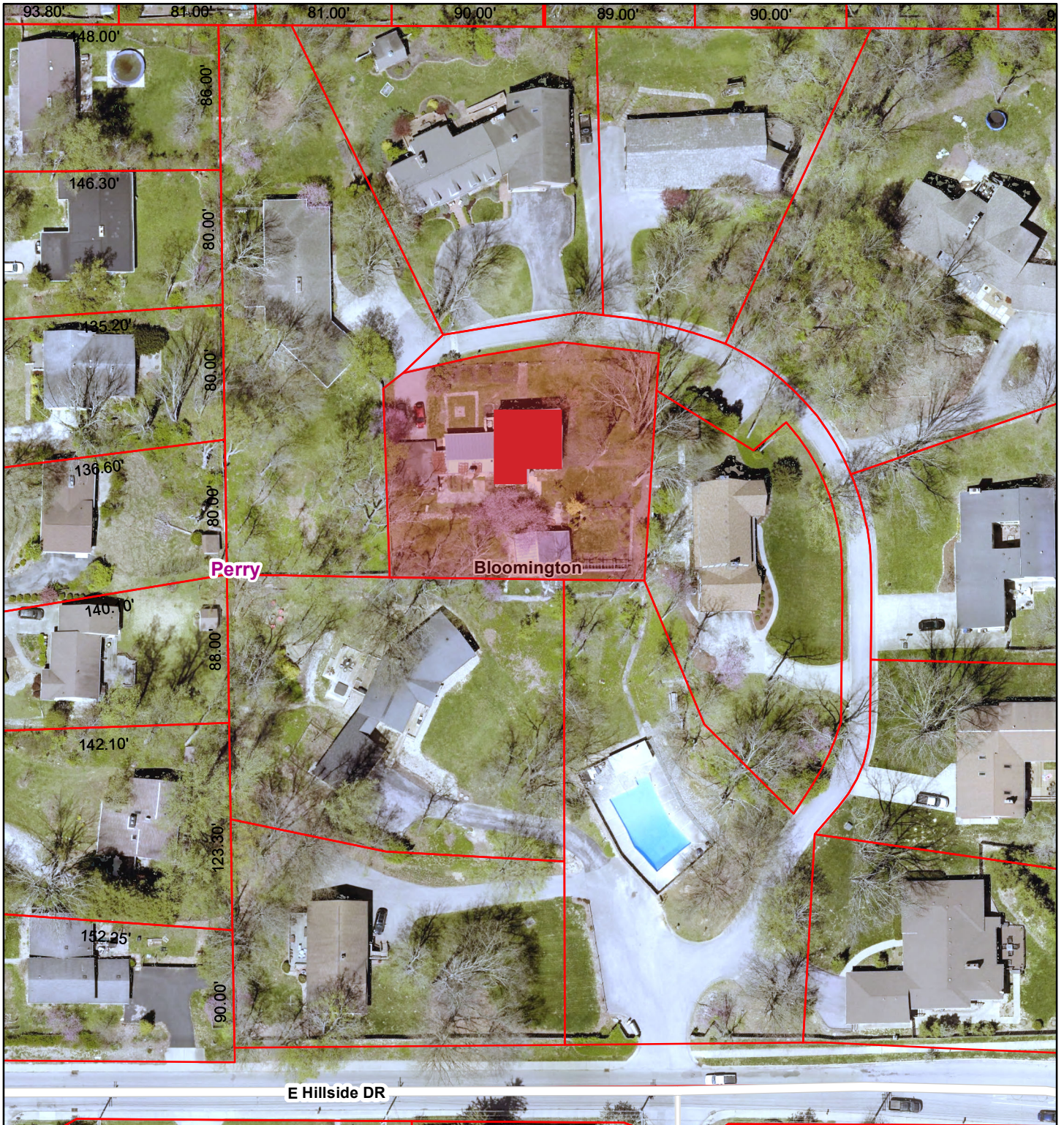
Figure 4: Southeast Elevation

Figure 5: North elevation

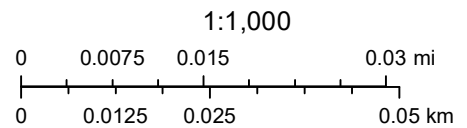
Figure 6: Southwest elevation of the house.

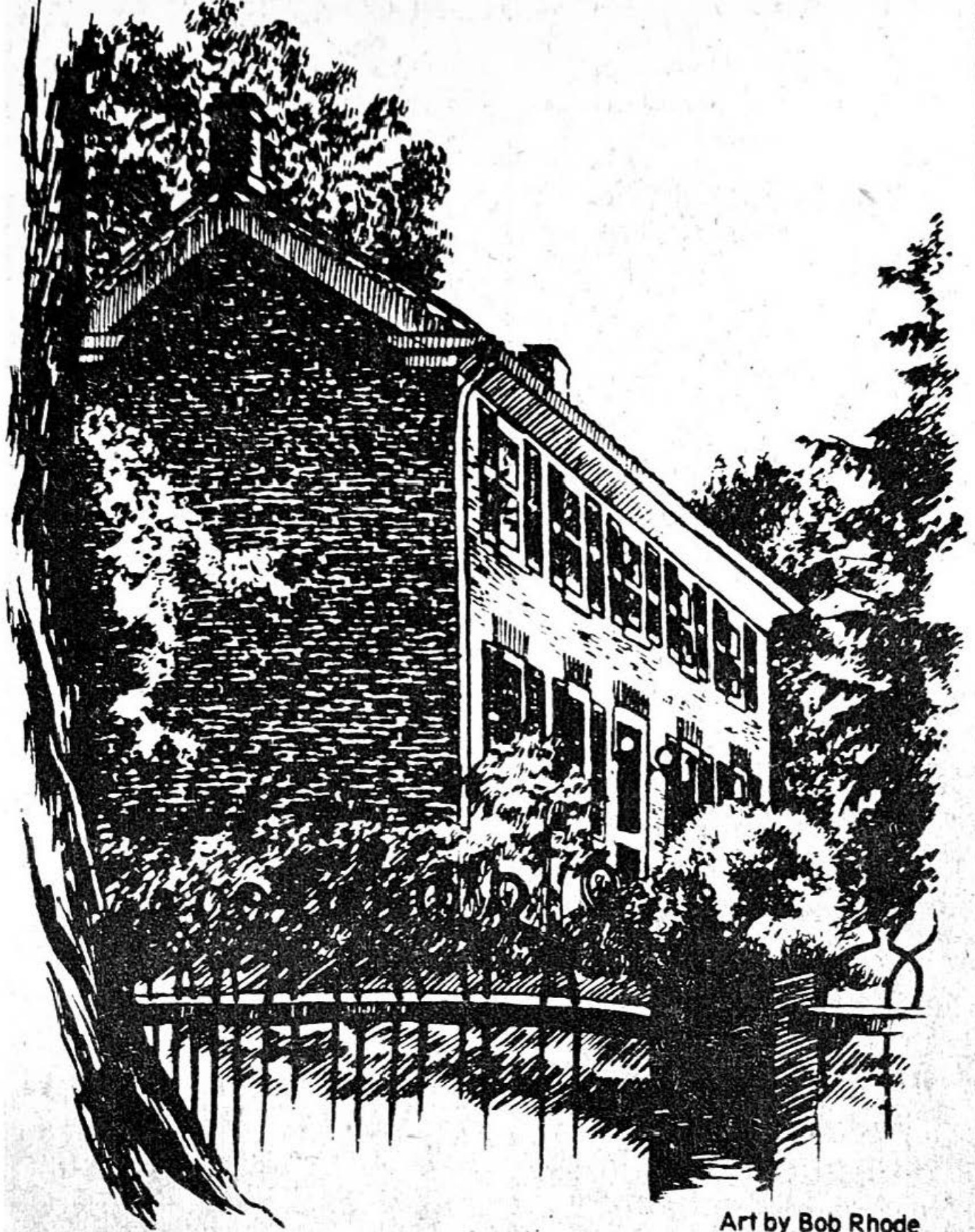
Figure 7: West elevation

James Faris House



- Townships
- Parcels
- Proposed Historic District
- I-House





Art by Bob Rhode

Bicentennial sketch: Faris house











MEMO FROM COUNCIL OFFICE ON:

Resolution 21-36 – A Resolution Supporting the Establishment of a Sibling City Relationship with the City of Palo Alto, California

Synopsis

Through this Resolution, the Common Council of the City of Bloomington, Indiana expresses its support for establishing a sibling-city relationship with the City of Palo Alto, California, which will be memorialized in an agreement between the two cities. The goal of this relationship is to foster cross-regional connection by (1) introducing opportunities to build understanding, respect, and friendship through the collaborative exploration of the culture, arts, community service, and unique attributes of each city; (2) promoting economic and business opportunities, including sustainability practices; and (3) engaging in respectful civil discourse about the issues that face our nation today.

Relevant Materials

- [Resolution 21-36](#)
- Memo from Mayor Hamilton and Deputy Mayor Griffin
- Attachments 1-4
 - Bloomington Indiana || Palo Alto, California Domestic Sibling City Briefing Document
 - National Sibling Cities USA Briefing Document
 - Neighbors Abroad Letter Supporting Sister City Relationship
 - Bloomington Press Release about Sibling Cities

Summary

[Resolution 21-36](#) approves the establishment of a sibling-city relationship between Bloomington and Palo Alto, California and calls on the Mayor to memorialize the relationship in an agreement with Palo Alto. Please refer to the included materials provided by the Mayor's Office for a description of this program and the rationale behind it. Palo Alto adopted its own resolution approving of the sibling-city relationship on November 15, 2021. The Palo Alto City Council [Meeting Packet for November 15, 2021](#), beginning on page 162, contains materials related to Palo Alto's consideration of that resolution. The meeting recording of the November 15, 2021 Palo Alto City Council meeting may also be of interest, and can be accessed via YouTube at the following link, beginning approximately at the 4:06:45 mark: <https://youtu.be/tybCRJyog90?t=14805>

Contact

Office of the Mayor, mayor@bloomington.in.gov, (812) 349-3406

RESOLUTION 21-36

A RESOLUTION SUPPORTING THE ESTABLISHMENT OF A SIBLING CITY RELATIONSHIP WITH THE CITY OF PALO ALTO, CALIFORNIA

- WHEREAS, the City of Bloomington, Indiana, has existing sister-city relationships with Posoltega, Nicaragua, and Santa Clara, Cuba; and
- WHEREAS, the sister-city concept was initiated in 1956 to foster greater friendship and understanding between the citizens of different areas through direct personal contact; and
- WHEREAS, the City of Bloomington's sister-city relationships have led to many projects of mutual aid in education, health, language, learning, agriculture, youth exchange, art, music, and culture; and
- WHEREAS, this year, Sibling Cities USA established a national program to build sibling-city relationships between cities within the United States from different regions of the country; and
- WHEREAS, community leaders in the City of Bloomington, Indiana, and Palo Alto, California support establishing a sibling city relationship between the two municipalities; and
- WHEREAS, the Mayors of Bloomington and Palo Alto have met and agree that the cities would be excellent partners as the two communities share similar goals of cultural and civic interaction, economic and business collaboration, and civic discourse; and
- WHEREAS, the City Council of Palo Alto, California approved a resolution to establish a sibling city relationship with Bloomington, Indiana on November 15, 2021; and
- WHEREAS, the Common Council of the City of Bloomington supports the establishment of the sibling city relationship through a mutual agreement between the City of Bloomington and Palo Alto.

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

- SECTION 1. The Common Council approves of the City of Bloomington entering into a sibling city relationship with the government and people of the City of Palo Alto, California, for the purpose of creating greater mutual understanding between the peoples of our two cities.
- SECTION 2. The Common Council supports Mayor John Hamilton entering into an agreement with the City of Palo Alto, California to establish the sibling city relationship between the two cities.
- SECTION 3. The City Clerk shall send a copy of this resolution, duly adopted, to the Mayor and City Council of the City of Palo Alto, California, and to Sibling Cities USA.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of December, 2021.

JIM SIMS, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2021.

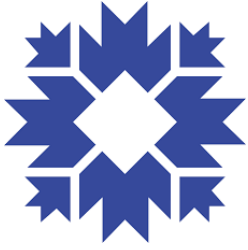
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2021.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

Through this Resolution, the Common Council of the City of Bloomington, Indiana expresses its support for establishing a sibling-city relationship with the City of Palo Alto, California, which will be memorialized in an agreement between the two cities. The goal of this relationship is to foster cross-regional connection by (1) introducing opportunities to build understanding, respect, and friendship through the collaborative exploration of the culture, arts, community service, and unique attributes of each city; (2) promoting economic and business opportunities, including sustainability practices; and (3) engaging in respectful civil discourse about the issues that face our nation today.



MEMORANDUM

TO: City Council Members

FROM: Mayor Hamilton, Deputy Mayor Griffin

DATE: November 19, 2021

SUBJECT: Adoption of a Resolution Creating a Sibling City Relationship with City of Palo Alto, California and Authorizing the Mayor to Execute a Sibling City Agreement

Goals:

- To initiate a program designed to help pull our country together and learn from our similarities and differences. By creating a program of shared community engagement, exploration of economic collaboration, cultural exchange and joint town hall discussions, we can learn and benefit from each other's experiences.
- To pilot the nation's first domestic sibling city relationship in conjunction with a national program being launched simultaneously.

Issue and Background:

- Sibling Cities USA (SCUSA) is an initiative to form domestic sibling city relationships between regionally distant US cities to create empathy and understanding, forge connections, create business collaborations, and share ideas. SCUSA seeks to promote national unity and increase cultural understanding and respect under three Pillars of Connection: Pillar One - Community Engagement, involving culture, arts, and education exchanges; Pillar Two - exploration of economic collaboration; and Pillar Three - constructive political discourse. A briefing on this new national initiative launched by Palo Alto Vicki Veenker is attached as an Appendix.
- Bloomington's [Sibling Cities](#) program has proven the benefits of global engagement with two international cities - Posoltega, Nicaragua and Santa Clara, Cuba. The diversity and opportunity for engagement within the US is expected to yield benefits comparable to these bonds with our international sister cities. The benefits of pairing cities within national boundaries have already been demonstrated in Germany where sister city relations are maintained between the former west and east Germany.

- Regional preconceptions can keep Americans divided. Within every region there is a diversity of views on the role of government, race, the economy and geography that is often underestimated.
- Having explored this prospect with Palo Alto Mayor Tom DuBois, Mayor John Hamilton embraces entering into a domestic sibling city relationship with Palo Alto because the cities, though regionally distinct, have common attributes that bode well for an enduring relationship. We believe that Palo Alto is a community that will be a strong partner in this trailblazing effort which can be a stepping stone for exploring best practices for future domestic sibling city relationships.
- Mayor DuBois and Mayor Hamilton and some staff members met in Bloomington in the spring of 2021, and attended a gathering hosted by Vicki Veenker with Bloomington City Council President Jim Sims and other community members.
- Bloomington and Palo Alto are roughly the same size and both are college towns. This provides an opportunity to explore and compare both the assets and challenges that hosting a university brings. There are also differences. Indiana as a whole typically votes Republican in presidential elections while California votes along Democratic lines. Like Palo Alto--also a university town--Bloomington's political climate is progressive. Unlike Palo Alto, voters in the environs of Bloomington are largely conservative. As such, there are commonalities for comfort and differences for discovery.
- Bloomington will form a steering committee to administer the program, led by coordinator Karen Howe Fernandez. In Palo Alto, the relationship will be administered by Neighbors Abroad, the nonprofit that represents the city in its Sister Cities International relationships.

Recommendation:

1. Approval of the Domestic Sibling City resolution between Bloomington, Indiana and Palo Alto, California that would authorize Mayor Hamilton to sign a Sibling City Agreement with Palo Alto.
2. Request staff to incorporate engagement with Palo Alto, California into Bloomington's existing Sister City framework.

Resource Impact:

- **Staff Labor Impact.** The Mayor's Office supports participating in monthly calls involving staff and community with Palo Alto.
- **Financial Impact.** The financial impact is largely borne by the community at large and other institutions. There may be modest travel for city employees, which is expected within current budget allocations.

Attachments:

- Attachment I: Bloomington Indiana | | Palo Alto, California Domestic Sibling City Briefing Document
- Attachment II: National Sibling Cities USA Briefing Document
- Attachment III: Neighbors Abroad Letter Supporting Sister City Relationship
- Attachment IIII: Bloomington Press Release about Sibling Cities

Bloomington, Indiana || Palo Alto, California

Briefing Document

October 2021

Prepared by the Bloomington-Palo Alto

Sibling City Committees

This document provides a basis for the City Councils of Palo Alto, California and Bloomington, Indiana to establish a Sibling City USA relationship between the two cities. It is hoped and anticipated that this first of its kind partnership will pave the way for other US cities to establish a domestic sibling city relationship between geographically distant cities that will encourage bridge-building, good will and interconnectedness between all parts of our country.

This overview provides background information on Bloomington and Palo Alto, offers a rationale for why each city should choose the other as compared to other cities across the United States, explores the areas of potential engagement between Bloomington and Palo Alto, and introduces the organizational framework for developing the relationship.

The goal of the relationship is to promote cross-regional connection by 1) introducing opportunities to build understanding, respect, and friendship through the collaborative exploration of the culture, arts, community service, and unique attributes of each city; 2) promoting economic and business opportunities, including sustainability practices; and 3) engaging in respectful civil discourse about the issues that face our nation today. This program will involve both youth and adults in its interactions and exchanges.

INTRODUCING BLOOMINGTON, INDIANA



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Bloomington is located in Monroe County in southern Indiana. It is Indiana's sixth-largest city, with a population of 80,500. The demographics of the Bloomington population are White/Caucasian (92%), Asian(4%). African American (2%) and Hispanic (2%).

Bloomington is home to many young people; the median age is just 28 years. Moreover, the population is highly educated: over 90% have high school diplomas, and Monroe County ranks in the top 2.2% of counties nationwide in terms of education.

Not only is Bloomington home to Indiana University, it is also home to Ivy Tech Community College and numerous other scientific, technical, and professional establishments. The high level of education also contributes to a thriving workforce. Indiana University has numerous [top-ranked programs](#), including its School of Music and Environmental Policy & Management graduate program.

The largest employers in Bloomington are Indiana University and Crane Naval Base. However, major employers in the area also include health care, technology, social services, and education.

In fact, 50% of Bloomington's workforce is engaged in white-collar work, health care employment in Bloomington is six-times the national average, and Bloomington ranks #1 in high-tech employment among 124 small metropolitan cities.

Tourism is also a major employer in Bloomington. Bloomington has many tourist attractions including art galleries, museums, and cultural centers. Downtown Bloomington has active nightlife, great restaurants, shopping, and many family-friendly activities. One beloved Bloomington event is Food Truck Friday, where a variety of food trucks park at Switchyard Park every Friday from June to October, and participants enjoy food, live music, and other events such as balloon artists or body painting.

INTRODUCING PALO ALTO, CALIFORNIA



Palo Alto, named for a tree, has 40,000 city-owned trees providing canopy for its city streets. It currently has a population of 68,572 in Santa Clara county in the western part of the Bay Area, a contiguous urban area bounded on the west by foothills to the Coastal Range and on the east by the San Francisco Bay. It is the 135th largest city in California.

The demographics of the Palo Alto population are White/Caucasian (49.9%), Asian(35%), African American (1.8%) and Hispanic (7.4%). Over 50% of the population holds an advanced college degree.

Palo Alto was established in the late 1880s specifically to be the “college town” for the new Leland Stanford Junior University. Early professors became active in the development of the new town; especially notable were a few engineering faculty members who developed and promoted utility services that became the basis of Palo Alto's municipal utility system.

Home to Stanford University and a top-ranked public school system, Palo Alto features beautiful and historic residential neighborhoods, including Professorville and one of the largest collections of Mid-Century Modern homes in the country, boasting 2700+ Eichler homes.

Known as the “Birthplace of Silicon Valley,” Palo Alto famously has been a hub of entrepreneurship and innovation. The corporate headquarters for many world-class companies and research facilities such as Hewlett-Packard and VMWare, and many other pillars of technology started in Palo Alto. Starting in the 1970’s Palo Altans have been on the leading edge of many environmental movements, continuing with an aggressive Greenhouse Gas (GHG) reduction goal. Entrepreneurship is in Palo Alto’s DNA.

The City of Palo Alto offers robust community amenities including 36 dedicated parks, a 2000-acre Baylands preserve and a 1400-acre Foothills preserve; 39 playgrounds, and 41 miles of walking/biking trails. Home to five community and youth centers, civic involvement by early residents such as Lucie Stern led to a 5-branch public library system including one of the nation’s few stand-alone children’s libraries; and several community centers providing recreational opportunities such as separate adult and children’s theaters. The city also manages a regional airport.

Many community members are engaged in service clubs like Kiwanis and Rotary or in the Chamber of Commerce, countless non-profit organizations, and many local, politically active neighborhood organizations.

Palo Alto has a highly educated and culturally sophisticated citizenry that is actively engaged in making a difference both locally and globally. Traditional community events include a children’s May Fete parade, a July 4th chili cookoff, and a Moonlight Run in the Fall. On the weekend, in two commercial districts, farmers markets become another crosswalk of the community.

THREE PILLARS OF CONNECTION

The implementation of cooperative programs would start after a Sibling City relationship is formalized. Community leaders from Palo Alto would engage with their counterparts in Bloomington to mutually agree on activities. The discussion below recites some starting points and examples of connections that could be made in accordance with the Sibling Cities USA Three Pillars of Connection.

PILLAR ONE: Community Engagement

Arts and Culture, and Civic and Community Service are three areas that easily lend themselves to connecting with counterparts in each city, via electronics (zoom classes and lectures), or in-person, sharing commonalities and distinctions. As outlined below, opportunities include teen exchange programs, including summer camps and community service projects. Adult choirs, theater groups, and arts centers could explore and collaborate. Racial justice, LGBTQ, and environmental groups can share strategies and experiences. Rotary, Kiwanis, as well as grass-roots organizations like Palo Alto Neighborhoods could share the ways they serve their communities, and operate with their stables of volunteers. Athletic endeavors like biking and pickleball could bring fun and safety advocacy to each city, as well as healthy competition.

Youth and Education

Opportunities abound for students and youth to learn about each other's community and collaborate on projects and conduct community services together.

- High school student exchange programs could be developed
- Summer camps for high school students to visit the other community
- Classroom - joint lectures and/or classes on-line
- Arts - joint theatre productions, school newspaper editorials/columns swap, musical programs
- Community services – Palo Alto's Youth Community Services – Make a Difference Day
- Technology - coding/programming and game designing
- Sports - train with and/or compete against teams in other city

Arts and Culture

Arts communities could explore and collaborate on similar programs; examples of Palo Alto groups and projects that might make connections:

- Neighbors Abroad Sustainability Art Project
- Adult Choirs and orchestras
- Theater Connections
- Cultural Kaleidoscope
- Art Center (classes, production, sales fairs), Pacific Art League, Code Art ,
- Percentage for Arts program

Civic and Community Service Organizations

Civic and community service organizations can connect to discover both commonalities and distinctions in their vast array of volunteers and activists, and what projects could be shared or even participated in by the other city.

- Rotary, Kiwanis and other established service organizations in both cities
- Grassroots community organizations; Palo Alto Neighborhoods
- Racial justice movements such as Black Lives Matter and Stop Asian Hate can connect with their counterparts to compare experiences, trade best practices, and consider ways to work together.
- Religious and inter-faith organizations can connect for joint services, discussion, and service projects.
- Athletics organizations that provide fun as well as safety advocacy (Palo Alto Run Club, Silicon Valley Bike Coalition, and Palo Alto Pickleball Club, for examples), exchange/compete teams
- As Palo Alto and Bloomington enter their domestic Sibling City relationship, there is an opportunity to introduce their respective new international sister city "cousins". To the extent practicable, the international Sister Cities introduce a chance to share common programs that might extend to the domestic programs, such as in education and sustainability. Palo Alto, for example, has active international educational and sustainability collaborations that could be extended to Bloomington.

Parks/Environment/Open Space

Recognizing that open space is vital to healthy communities and valued by both cities, Palo Alto and Bloomington may mutually explore challenges and successes in managing it.

- Palo Alto has 3 open space preserves totaling 4,000 acres
- The two cities may compare and contrast sustaining wildlife habitats while encouraging active use
- Palo Alto's Canopy, Earth Day, and Sierra Club organizations probably have counterparts in Bloomington

Smart Cities and Sustainability

The communities are mutually committed to efforts to promote environmental sustainability including the effects of climate change. Smart city approaches can be shared.

- University Towns
- Earth Day
- Curbside recycling
- Repair Cafe

PILLAR TWO: Economic and Business Collaboration

Bloomington and Palo Alto can explore economic and business collaboration that would drive equitable development, innovation, sustainability, and mutual prosperity in both places. Identifying workforce, capital, space, and other economic needs in the two regions could lead to areas of opportunity for cross-regional investment or other types of economic partnership. Strategies for meeting sustainability and climate goals, including the development of well-paying sustainability-related jobs, can be shared and developed.

Exploration of economic partnerships may include the following activities:

- Chambers of Commerce and Economic Development entities trade economic profiles, strengths, strategies and goals.
- Universities, colleges, and community colleges that provide workforce training, research collaboration, intellectual property licenses, and venture investment opportunities invited into discussions with economic actors in the other city.
- Venture, angel, and private equity investors given opportunities to accept pitches from and consider investment in businesses in the other city.

An educational overlay may also catalyze business interactions as programs like FIT and BEAM in Palo Alto would connect students through business across the communities.

PILLAR THREE: Public Policy Town Halls and Discussion

After residents of Bloomington and Palo Alto have developed friendship, mutual respect, and trust through the cultural exchanges and economic collaboration of Pillars One and Two, they will have an opportunity to discuss the nation's challenging policy issues. Joint town halls and other types of meetings will provide opportunities to hear each other out in a respectful, safe, and open manner. These discussions will uncover shared values and gain insight into the reasons for differing perspectives and disagreement. The goal is to increase understanding that will foster empathy and ideas for better ways forward—together as a more united country. Several organizations have developed protocols for balanced and respectful policy dialogues on difficult topics that the two cities can use, including:

- [Living Room Conversations](#)

- [Braver Angels](#)
- [National Issues Forums](#)
- Teaching Support Program (Discussing Brave Space)

While we hope some city residents will be able to travel to the other city to participate in person, convening these dialogues online offers opportunities for easy and sustained remote conversation among residents of the two cities.

YEAR ONE PROGRAM GOALS AND ORGANIZATIONAL RELATIONSHIP

The first year will build on the commitments made by Palo Alto and Bloomington. City Coordinators in each city, as well as parallel local committees, would connect community organizations and build programs to spread the word and generate impact within each community. The committees would be authorized by each city, and ideally include representatives from the local government, service organizations and community leaders, as well as representatives of the universities in each city.

Palo Alto will implement this relationship through Neighbors Abroad of Palo Alto. The current Palo Alto committee will transition into an expanded Neighbors Abroad committee to administer the programs envisioned in this document.

Bloomington would form a steering committee to actively administer the program.

Mutual year one goals would include determining initial community kick-offs, an ongoing organizational structure, leadership, community marketing, social media presence, and funding. During the year, in-person visits are anticipated as relationships are richer when people meet face to face. We also expect to celebrate this innovative relationship, starting with a launch event and at appropriate points during the year.

The program would follow the Sibling Cities USA Three Pillars of Connection to form the foundation of the Bloomington-Palo Alto relationship.

- Pillar 1 Programs for Community Engagement
- Pillar 2 Programs for Economic and Business Collaboration
- Pillar 3 Programs for Public Policy Town Halls and Discussion

To ensure impact and improve the program, the committees would use Key Success Indicators to track and report both the extent of the connections we are forming and the nature of them. Key indicators would include the count of participants involved and the count of joint projects, as well as subjective measures. Initially, we expect to use post-event online surveys to gather data. As the program matures and resources allow, we hope to deploy professionally constructed tools to measure both quantitative factors and more qualitative measures of engagement.

The committees will report out at the one-year mark to each City Council identifying the progress and prospects for an ongoing program, as well as Key Indicators. We could also hold a joint council session once a year with our Bloomington counterparts.

Both cities have tapped city and community leaders to identify potential connections and develop programs to further the Sibling City relationship. Once the relationship between the cities is formalized, joint meetings of the program leaders in both Bloomington and Palo Alto may be established to allow for direct communication and collaboration.

SIBLING CITIES USA

A Program to Build Unity in America

Sibling Cities USA is a new non-profit organization that promotes unity in America by building deep relationships between US cities in different regions of the country. To help bridge regional and political divides, the program will facilitate the cross-regional pairing of cities or metropolitan areas (MSAs). A city or MSA from “the Coasts” might pair with one from “the Heartland,” or a city from a “blue state” with a city from a “red state.”

Mission: To promote national unity by increasing cultural understanding and respect, economic collaboration, and constructive political discourse among diverse cities through city-to-city relationships within the United States.

Vision: A United States of America with greater inter-regional understanding, respect, and cooperation across geographic, economic, racial, and political divides that leads to a more united, economically thriving, just, and equitable country.

How: Sibling Cities USA will facilitate the pairing of regionally diverse cities or MSAs and support their interaction. Sibling Cities USA will:

- Showcase each city's unique heritage, culture, and attributes
- Explore common values and aspirations
- Build relationship, trust, and mutual respect
- Discover opportunities for economic collaboration
- Share and collaborate on best practices for city management and addressing civic issues
- Sponsor/foster public dialogue to build bridges across political, racial, and regional divides

Background

Calls for national unity are increasing in response to today's ominous national divides. These divides have become a growing chasm between “red states” and “blue states” that threatens and tests the strength of our democracy. In his inaugural address, President Biden declared that we “must end this uncivil war.”

Knitting this country back together is essential, but will be neither easy nor quick. Coming together will require a focused, sustained, multi-faceted effort, supported at the highest level of our government. President Biden proclaimed that we “can do this if we open our souls instead of hardening our hearts.” Sibling Cities USA is designed to be a leader in this effort so that “disagreement does not lead to disunion.”

Prior Presidential Action: In 1956, in the perilous post-WW II environment, President Dwight D. Eisenhower held a White House conference on citizen diplomacy. With a goal of enlisting citizens to create a free and peaceful world, federally-backed People-to-People committees flourished, out of which grew Sister Cities International. SCI unites tens of thousands of citizen diplomats, volunteers, and civic leaders from nearly 500 member communities in more

than 140 countries.

In 1957, the Sister Cities program of the Civic Committee of People-to-People began collaborating with the National League of Cities, a partnership that continues today. In 1967, the Sister Cities program became the Town Affiliation Association of the United States (the predecessor to SCI) and in 1971, U.S. government relations with the Town Affiliation Association was transferred from the United States Information Agency to the Department of State under the Bureau of Educational and Cultural Affairs. Today, SCI is a nonpartisan 501(c)(3) nonprofit, serving as the national membership organization for individual sister cities across the United States.

President Eisenhower sought to lessen the chance of international conflict by helping people from different cultures celebrate their differences while building partnerships that would increase prosperity and understanding. Sibling Cities USA seeks a similar result right here at home.

Three Pillars of Connection

The purpose of pairing cities or MSAs from different regions having a range of political, economic and racial diversity, is to promote national unity by assisting America's communities in recognizing:

- the assets that each community brings to the table,
- the synergies that come from building partnerships, and
- our commonalities as fellow Americans committed to the prosperity of our country and the success of our democracy.

To accomplish this, each Sibling Cities USA pair will engage in three types of interaction in accordance with the Sibling Cities USA Pillars of Connection:

Pillar One: Community Engagement: Education, Arts, and Culture

Pillar Two: Economic/Business Collaboration

Pillar Three: Public Policy Town Halls and Citizen Discussions

Pillar Three is best undertaken six to twelve months after activity under Pillars One and Two have begun and relationships are established between the two cities. Sibling Cities USA will assist each pair of cities/MSAs with setting up these interactions.

Pillar I. Community Engagement: Education, Arts & Culture

Initial outreach and exchange among the cities will be primarily cultural, social, and civic. Every city or region has its unique and distinguishing culture, history, and assets of which it is proud. Cultural interactions showcase these unique attributes and provide opportunities for the partner city to experience them, too, as residents enjoy getting to know each other. Examples include a signature food, an awe-inspiring vista, a renowned product (e.g., Napa Valley wine or Indiana limestone), a treasured park, local festivals/events (e.g., a Mariachi competition, a chili cook-off, a Black poetry reading, or a Chinese Lunar New Year celebration), or a famous entertainer, author, artist, historical figure or athlete who hails from the town.

The pandemic has caused us to become more comfortable with meeting virtually which opens up many new possibilities for sharing our community and civic life remotely. City residents could come together for online regional cooking classes, art and history lectures, or book clubs. Students could visit each other's classes, teachers in the two cities could team teach, and clubs could hold joint meetings. Religious leaders could do pulpit swaps or hold inter-regional interfaith services. The possibilities are many and are made easier by our new comfort with virtual meetings.

Civic organizations such as Rotary Club, PTA, League of Women Voters, and others would be invited to partner with Sibling Cities USA and connect their members in the two cities for joint events. Domestic student exchange programs could organize exchanges with partnering cities.

In parallel with cultural exchanges, city councils and city executives will have opportunities to discuss and compare issues they face. Common needs and interests will be discovered, as well as novel approaches and solutions. Councilmembers and city staff can share best practices, ideas, and resources for serving their communities and addressing local issues.

Pillar II. Economic/Business Collaboration

One of the best ways to Build Back Better and create a more united and equitable society is to expand economic opportunity across regional and racial lines. In addition, working together is one of the best ways for Sibling Cities USA residents to get to know one another. Each pair of cities will explore economic and business collaboration that would drive equitable development, innovation, sustainability, and mutual prosperity. Collaboration can fulfill workforce, space, and other unmet needs for areas with robust economies and attract business and investment to areas seeking growth, enhancing and even jump-starting local economies. City pairs can partner to develop strategies to meet the Administration's climate goals, including the development of well-paying sustainability-related jobs.

Exploration of economic partnerships may include the following activities:

- Chambers of Commerce trade economic profiles, strengths, and partnership opportunities
- Universities, colleges, and community colleges provide workforce training, research collaboration, intellectual property licenses, and venture investment opportunities
- Venture, angel, and private equity investors consider investment opportunities and accept pitches from the partner city/MSA.

An increasing number of organizations nationally are exploring cross-regional economic partnerships.

- More populous MSAs may offer relatively greater densities of a highly educated and professionally skilled workforce, investment capital, and business management experience
- Less populous MSAs can offer relatively more space for manufacturing or other large facilities, lower commercial rent, more affordable housing, and greater access to a higher standard of living

Accordingly, a large company might consider locating a new office, manufacturing facility, or remote work hub in the partner city. A technology company could consider a research collaboration with a university in the partner city. An investor might fund a start-up in the partner city.

The growing interest in investment opportunities in non-traditional geographic regions is evidenced by Revolution LLC, founded by AOL founder Steve Case and famous for its Rise of the Rest cross-country bus tours seeking investments in heartland cities. According to its website, Revolution

“now has two \$150M Rise of the Rest Seed Funds to invest in seed stage companies outside of Silicon Valley, NY, and Boston (the first launched in 2017 and the second in fall of 2019), both backed by [a group of iconic entrepreneurs, executives and investors](#) including Jeff Bezos, Eric Schmidt, Ray Dalio, Meg Whitman, and Sara Blakely.”

An available blueprint for economic collaboration among diverse participants is [Strategic Doing](#), that teaches how to form collaborations quickly and enables leaders to design and guide new networks that generate innovative solutions. This approach has led to sustained economic growth in Oklahoma City, Flint, Michigan, Charleston, South Carolina, and more.

The pandemic has made remote work more comfortable and more common. Expectations regarding worker proximity are unlikely to revert to pre-pandemic levels. This, too, opens up possibilities for inter-regional cooperation such as hiring talent from the partner city/MSA without requiring employees to move, and enabling talented people to return to their home regions to help those regions thrive.

New economic ventures provide opportunities for increasing diversity, equity, and inclusion, including in enterprises that are funded and staffed pursuant to collaborations instigated by Sibling Cities USA. Eliminating systemic bias in economic opportunity is a key part of the Sibling Cities USA vision. Partnering cities/MSAs will be expected to incorporate diversity, equity, and inclusion practices in their economic and business partnerships.

Pillar III. Public Policy Town Halls & Discussions

After residents of the partner cities/MSAs have developed mutual respect, familiarity, and trust through cultural exchanges and economic collaboration, they are in an improved position to discuss the challenging policy issues that divide us. Accordingly, partnering cities will provide their residents opportunities to hear each other out on the issues facing our democracy in a respectful, safe, and open manner. Having dialogue on significant policy issues can uncover shared values and provide insight into the sources of differing perspectives and reasons for disagreement. This increased understanding will foster greater national empathy and thus catalyze ideas for better ways forward—together as a more united country.

Several organizations have developed a national network of local policy dialogues and may wish to partner with Sibling Cities USA, including:

- [Braver Angels](#)
- [Living Room Conversations](#)
- [National Issues Forums](#)

The pandemic has broken barriers to engaging remotely. While we hope some city residents will be able to travel to the partnering city, convening citizen dialogues online offers new opportunities for easy and sustained conversation among remote residents of partnering cities.

Implementation

Pilot Program: A pilot program to establish proof of principle and inspire other cities to participate in Sibling Cities USA is under development. At present, Mayor Tom DuBois in Palo Alto, California (who independently conceived of a domestic sister city program) and Mayor John Hamilton in Bloomington, Indiana (who has been instrumental in developing this proposal), along with citizen leaders in each community, are planning for a Sibling Cities USA relationship. Learnings from their experience will help inform subsequent Sibling Cities relationships.

Advisory Board: Sibling Cities USA has assembled an Advisory Board of highly accomplished national leaders who bring deep experience in bridge-building, including

- **Joan Blades**, Co-Founder, Living Room Conversations
- **Cornell William Brooks**, Professor, Harvard Kennedy School and former President, NAACP
- **Rob Fersh**, Founder, Convergence Center for Policy Resolutions
- **David Mathews**, President, Kettering Foundation and former Secretary of HEW under President Ford
- **Tim Quigley**, President, Sister Cities International Foundation and former Board Chair, Sister Cities International
- **Joan Williams**, Professor, UC Hastings College of the Law and author, *White Working Class*

Pairing Cities: Guidelines will be developed for the pairing of cities and for fostering their interaction in accordance with the Three Pillars of Connection. These guidelines should be refined over time, based on the experiences of prior city pairs. Learnings will be curated at the national level on an ongoing basis and used to enhance Sibling Cities USA practices. Sibling Cities USA is eager to partner with other organizations to identify potential city pairings and is exploring collaborations with the [National League of Cities](#), which has partnered with SCI since its early years, and the [United States Conference of Mayors](#). City Councils would typically be asked to approve and endorse the Sibling City USA relationship.

Funding: Sibling Cities USA will seek to engage with the federal government and pursue grant support from, for example, the Commerce Department, similar to SCI's grant support from the U.S. Department of State. Sibling Cities USA will also seek support from foundations and other grant makers.

Budget: Budgetary requirements would be modest, as most of the expenses would be for personnel and travel. Sibling Cities USA is designed to be a convenor that fosters relationships among local governments, civic organizations, economic development entities, schools, public interest groups, and more. Those organizations would organize and run their own events and projects. Ideally, Sibling Cities USA would provide modest grant support to participating cities so that cities are able to participate without causing undue strain on city budgets. Based on preliminary research, the annual budget for a national Sibling Cities USA program is not expected to exceed \$5 million.

Conclusion

The need for unity is now -- our country longs to become more connected and to take renewed pride in America. Sibling Cities USA can help bridge our geographic, cultural, and economic divides, two communities at a time, to help us Build Back Better, healing our nation and restoring a common vision of our motto, *E Pluribus Unum*.

Note from the Author

I grew up in Indiana, went to law school in Washington, DC, and practiced law in New York City before settling in Palo Alto, California in 1992. This gave me a deep appreciation and respect for the differing assets of these regions and the good, decent, and talented Americans who live in each place. I am passionate about helping others see their fellow Americans as I do and have carefully crafted this Sibling Cities USA proposal to do just that.

I am eager to lead this program forward and foster its growth, including by establishing a national headquarters to facilitate, track and support Sibling Cities USA pairs, convene national partner organizations, liaise with both municipalities and the federal government, and expand the program.

~ Vicki Veenker

Vicki Veenker is an expert convenor whose unique experience with each of the Three Pillars led her to construct and champion this national Sibling Cities USA program. Both the International Trade Commission and the federal courts have appointed Vicki to their mediation panels. She served as the Managing Director, West Coast for Convergence Center for Policy Resolution, a national non-partisan non-profit that convenes policy leaders to find solutions to intractable issues. Her career as an accomplished Silicon Valley intellectual property attorney gives her unique insight into the innovation economy and economic development. As a founder and former General Counsel to Women's Professional Soccer, Vicki has managed multiple entities working in cities across the country for a common purpose. Her first job was with the Kettering Foundation where she worked to increase the national network of grassroots convenors participating in the National Issues Forum.



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October 27, 2021

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Mayor DuBois and City Council Members,

Neighbors Abroad supports the Council pursuing a “sister city” relationship with Bloomington, Indiana. This support is extended based on a board resolution of Neighbors Abroad dated October 26, 2021. As may be requested by the City of Palo Alto, Neighbors Abroad is prepared to help facilitate the relationship consistent with our maintenance of other Sister City relationships.

In the 1960s, when Neighbors Abroad incorporated, our City and community founders anticipated this eventuality of both a United States as well as an international basis for “sister cities”. Within our incorporation documents one can view their anticipation:

*“To encourage and foster friendly, neighborly relations and exchanges of ideas and culture with other community or communities **within or outside** the United States of America and with citizens and residents of such other community or communities.”*

After a Council motion to support this new city relationship, Neighbors Abroad anticipates assimilating the current community planning committee as a new “sister city” committee. Neighbors Abroad has been active with the planning committee to help shape a program of activities We anticipate affiliating with the Sibling Cities USA organization as we currently affiliate with Sister Cities International.

Neighbors Abroad would continue to support city staff in a manner consistent with our support for our international Sister Cities. Through a private donor, we anticipate updating the Sister City sign to reflect this new commitment to Bloomington. It is our goal to host and support the activities and discovery between Bloomington and Palo Alto to allow the development of neighborly relations and the exchange of ideas and culture as our founders anticipated, and compelled by the current need for domestic understanding across the United States.

Sincerely,

Neighbors Abroad

Bob Wenzlau
President



FOR IMMEDIATE RELEASE

November 9, 2021

For more information, please contact:

Yaël Ksander, City of Bloomington Communications Director, ksandery@bloomington.in.gov or (812) 349-3406; or Meghan Horrigan-Taylor, City of Palo Alto Chief Communications Officer, Meghan.Horrigan-Taylor@cityofpaloalto.org or (650) 329-2607.

**Mayors of Palo Alto, California and Bloomington, Indiana Propose
First-Ever Domestic Sibling City Relationship**

Proposal to be considered in November by both cities

Palo Alto, Ca. and Bloomington, Ind. – Palo Alto Mayor Tom DuBois and Bloomington Mayor John Hamilton announced today a proposal to establish a Sibling Cities relationship, the first domestic relationship of its kind between United States cities. The relationship seeks to foster community building, further goodwill and enhance civic dialogue and public policy discussions in the two cities through a new organization, Sibling Cities USA. The Palo Alto City council will consider approval of the relationship on November 15 and Bloomington City Council will follow shortly thereafter.

In a joint virtual news conference, carried live on [YouTube](#), Mayors DuBois and Hamilton announced their shared intentions to advance together toward a new partnership, community to community.

“I am thrilled to recommend establishing a Sibling City relationship between Palo Alto and Bloomington and thank the City of Bloomington for their leadership in creating this innovative partnership,” said Tom DuBois, mayor of Palo Alto. “I’ve felt that our country could really benefit from a program that encourages building bridges from coast to heartland. We can learn from each other and seek ways to combine our strengths for the benefit of the country. I

believe the Palo Alto/Bloomington arrangement will pave the way for other United States cities to establish similar partnerships.”

“Bloomington and Palo Alto share several similarities and also reflect some differences,” said John Hamilton, mayor of Bloomington. “I believe this new relationship can significantly benefit the residents of our respective communities for years to come, with mutual learning and collaborations. We can imagine a focus on priorities such as community engagement, sustainability and economic and business opportunities. I expect some exciting possibilities will emerge that we haven’t yet imagined. Connecting together as communities is more important than ever, as we recover from the pandemic and address big challenges ahead.”

The proposed pilot Sibling City relationship would be guided by Sibling Cities USA’s three pillars of Connection: Community, Commerce, and Civil Discourse. These guiding principles establish a framework for relationship building and community connectedness. Sibling Cities USA was founded this year by Palo Alto Vicki Veenker to promote understanding and unity in the U.S. by connecting cities in different regions of the country.

“Launching this historic Sibling Cities USA pilot with Mayors DuBois and Hamilton is a first step toward a network of relationships that promote unity across this great country. I am eager to support these first visionary sibling cities, identify the next cohort of city pairs, partner with like-minded organizations and government entities, and expand the program,” said Veenker. “As a mediator and facilitator, I have seen the productive relationships that result from conversation, interaction, and understanding. There is a yearning in our country to be less polarized and my goal is for Sibling Cities USA to help achieve that.”

Local committees will form in each city to connect community organizations and build programs to expand public awareness and generate impact within each city. The committees will include representatives from local government, service organizations, schools and universities, and other community leaders. The committees would report at the one-year mark to each City Council identifying the progress and prospects for an ongoing program.

In Palo Alto, the relationship will be administered by [Neighbors Abroad](#), a local non-profit that represents the city in its Sister Cities International relationships with eight cities outside the US. President Bob Wenzlau has been a major architect of this precedent-setting domestic relationship. Bloomington will form a steering committee to administer the program. The cities have identified Karen Howe Fernandez and Andie Reed as city coordinators to manage daily activity in Bloomington and Palo Alto, respectively.

"For Neighbors Abroad, this is another step across our 50-year history stitching cities together. In the 1960s, our founders anticipated a time when a city-to-city relationship in the United States would be formed. Likely they had a hunch we would find the same rewards domestically that we have found internationally," said Wenzlau. "In 2022 community organizations facilitated by Neighbors Abroad will begin exchanges in education, commerce and community building consistent with the Mayor’s vision."

"On behalf of the Bloomington City Council, we are proud to be on the leading edge of a collaboration that is designed to promote civil exchange across differences in our country," said Bloomington Common Council President Jim Sims. "In contrast to the destructive polarization of political discourse that is so common these days, this initiative is an affirmation that diversity is a source of strength, because it requires that we listen to and gain empathy for others. It's an honor to play a founding role in nurturing a national culture of respectful dialogue across differing perspectives."

At the November 9 news conference, Palo Alto and Bloomington announced their intention to advance this relationship as soon as possible, including potential exchange visits early in 2022 and additional programming as identified by the local committees. The mayors encouraged interested individuals and institutions to be in touch with the local coordinators in their respective cities.

Bloomington is located in Monroe County in south-central Indiana. It is Indiana's sixth-largest city, with a population of 80,500. Palo Alto is located in Santa Clara County in Northern California. It has a population of 69,700 and is known as the "Birthplace of Silicon Valley." Both cities are college towns with technology sectors helping to drive their local economies, and travel and tourism are key economic indicators.

For information about the City of Palo Alto, go to www.cityofpaloalto.org.

For information about the City of Bloomington, go to www.bloomington.in.gov.

For information about Sibling Cities USA, go to www.siblingcitiesusa.org.

For media interviews, please contact:

Palo Alto Mayor Tom DuBois
(415) 377-8455
tom.dubois@cityofpaloalto.org

Bloomington Mayor John Hamilton
(812) 349-3406
mayor@bloomington.in.gov

Sibling Cities USA Founder Vicki Veenker
(650) 269-3317
vicki@siblingcitiesusa.org

ABOUT THE CITY OF PALO ALTO

Palo Alto, known as the “Birthplace of Silicon Valley,” is home to 69,700 residents and nearly 100,000 jobs. Unique among city organizations, the City of Palo Alto operates a full-array of services including its own gas, electric, water, sewer, refuse and storm drainage provided at very competitive rates for its customers. The City of Palo Alto offers robust community amenities including 36 parks, 39 playgrounds, five community and youth centers, 41 miles of walking/biking trails and five libraries. The City also manages a regional airport and provides fire, police and emergency services. Palo Alto is an award-winning City recognized nationally as innovative and well-managed, one of a small number of California cities with a AAA bond rating. City services and performance also receive high marks from community members in the annual citizen survey conducted by Polco (previously National Research Center).

As the global center of technology and innovation, Palo Alto is the corporate headquarters and home for many world-class companies and research facilities such as VMWare, Hewlett-Packard, and Stanford Health Care. Home to Stanford University and a top-ranked public school system, Palo Alto also features beautiful and historic residential neighborhoods, vibrant shopping and retail districts. Palo Alto has a highly educated and culturally sophisticated citizenry that is actively engaged in making a difference both locally and globally.

For more information, visit the City of Palo Alto’s website at www.cityofpaloalto.org, or follow the City on Twitter, Facebook, Medium, Next Door and Instagram, by going to www.cityofpaloalto.org/connect. Sign-up for City newsletters by going to www.cityofpaloalto.org/newslettersignup.

ABOUT THE CITY OF BLOOMINGTON

Home of the original and largest campus of Indiana University (IU), Bloomington is Indiana’s sixth-largest city, with a population of 80,500. Along with its Tier One Research University, Bloomington is also home to Ivy Tech Community College and numerous other scientific, technical, and professional establishments. IU attracts students from around the nation and the world with numerous top-ranked programs, including those in music, public affairs, and business, and teaches more than 80 international languages--more than any university in the U.S. The largest employers in Bloomington are Indiana University and the nearby Crane naval installation. Once limestone quarrying as well as furniture, television, refrigerator, and elevator manufacturing helmed the city’s economy. These industries have largely been replaced by the healthcare and technology sectors. The community’s medical manufacturing and pharmaceutical sector is anchored by multinational corporations Cook Group, Incorporated and Catalent, Inc., as well as Boston Scientific and Baxter, among others. Half of Bloomington’s workforce is engaged in white-collar work.

Tourism and the arts are also significant economic sectors in Bloomington. Bloomington is the seat of IU’s Jacobs School of Music, one of the nation’s premier music conservatories, and thousands attend the Lotus World Music and Arts Festival each fall. Bloomington has a vibrant food and retail scene, active nightlife, strong public schools, and is considered a great place to

raise kids. Big Ten sports add to the cachet, as does the annual Little 500 bicycle race, canonized in the Oscar-winning 1979 film, "Breaking Away."

The city's culture is also informed by its international population and a diversity of faith communities. Bloomingtonians are known for their commitment to social justice and human rights, and their embrace of natural beauty and outdoor opportunities. The City's national gold medal-winning Parks and Recreation department maintains 32 parks, 11 interconnected trails, two public pools, four sports complexes, a golf course, and an ice arena among other amenities. Now in its third century, Bloomington continues to grow and thrive while maintaining its Midwestern university town charm. Find out more at bloomington.in.gov or visitbloomington.com.

SUPPORT FOR SIBLING CITIES USA

"I commend Mayor Tom DuBois of Palo Alto, California, Mayor John Hamilton of Bloomington, Indiana, and Sibling Cities USA Founder Vicki Veenker for coming together for this historic launch of our nation's first-ever Sibling Cities USA relationship to build unity in America. The need for unity is now. I applaud this inaugural effort to build community and understanding across the miles in our great country and hope it leads to many future Sibling City relationships that connect and unite us as a nation." - Palo Alto's Member of Congress, Representative Anna Eshoo

"Our great nation is made up of people with diverse experiences but common goals, always working to better ourselves and our communities. I'm thrilled that Bloomington and Palo Alto are part of the launch of Siblings Cities USA, and I know these communities have a lot to learn from each other and will continue to make their cities great places to live." -Bloomington's Member of Congress, Representative Trey Hollingsworth

"Really delighted to hear about the Sibling Cities effort. If ever there was a time when we need to connect with our fellow Americans, this is it. It is so, so important that we understand the lives of folks in cities and towns across the country. The only way we can ever bridge the divide is to listen, learn and understand one another. Finding common ground requires just the kind of person-to-person interaction Sibling City relationships can provide." - Santa Clara County Supervisor Joe Simitian

"Sibling Cities USA takes an approach to building understanding between American cities that recognizes the essential role communities play in our democracy. It is a welcome effort in these divided times." - former Secretary of Health, Education and Welfare and Chair of National Issues Forums Institute David Mathews

"As the official non-partisan organization of cities with populations of 30,000 or more, the United States Conference of Mayors is a strong advocate of sharing best practices, fostering connections, and building camaraderie and lasting friendships between cities. Developing a program to intentionally connect and pair cities in different parts of the country to build cultural, civic, and

economic relationships could advance these goals....We look forward to the mutual respect, bridging of divides, and unifying pride in being fellow Americans that we believe could result from such a program. We hope that all Americans can engage in these efforts.” - Tom Cochran, CEO and Executive Director, United States Conference of Mayors

“I am heartened to see Sibling Cities USA launch at this critical moment to bridge the growing and troubling disconnect among Americans from differing political parties and geographic areas. SCUSA’s Three Pillars of Connection are a deft strategy for building trust, relationship, and cross-regional connection that will move us past “red” and “blue” to greater unity in our country. Founder Vicki Veenker has recognized a great need and opportunity—and has unique skills and background to bring this vision into reality.” - Rob Fersh, Founder of Convergence Center for Policy Resolution in Washington, D.C.

“This sibling city relationship between Bloomington, Indiana and Palo Alto, California is a model for building understanding, respect and friendships across our regional divides. Sibling Cities USA is a wonderful addition to the bridge-building field. Its use of conversation as part of its Three Pillars of Connection is a powerful tool in promoting healing and unity.” - Joan Blades, Co-Founder of Living Room Conversations

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MEMO FROM COUNCIL OFFICE ON: Draft Annual Council Legislative Schedule for 2022

This packet contains a draft Annual Council Legislative Schedule for 2022. This draft Schedule has been previously distributed to councilmembers and staff members for review and feedback. Please review the material, share your suggestions with others, and be ready to discuss the draft Schedule on December 1st. The Council Office suggests that the Council adopt its Schedule as early in December as possible to make it easier for those working with boards and commissions to resolve any room-conflicts and establish their schedules for 2022. A brief summary of the draft Schedule and potential changes are included below.

Legislative Cycles. The Council generally meets on the first four Wednesdays of the month for Regular Sessions and committee meetings. It also meets on Fridays about twice a month for Council Work Sessions to informally hear about upcoming legislation and other pending matters. The draft Schedule includes 20 legislative cycles, plus a Budget Cycle, which are set forth in rows with five columns of dates for the following meetings and deadlines associated with each legislative cycle:

- Work Sessions;
- Deadline for submittal of ordinances and associated materials to the Council Office (and another for resolutions);
- First Regular Session;
- Committee meetings; and
- Second Regular Session.

Exceptions and Additions to the Usual – Four Wednesday – Schedule. The draft Schedule includes a number of footnotes, which, among other things, explain and elaborate on any exceptions or additions to the typical legislative cycle. Please see the draft Schedule for more detailed information.

Religious Holiday Adjustments. (See excerpts from the IU Religious Holiday Schedule) – The Council has often adjusted its schedule to account for religious holidays that fall during scheduled meetings. This draft Schedule makes an adjustment on October 5, 2022 for Yom Kippur by rescheduling the Council’s Regular Session for Thursday, October 6, 2022. The Council can make any additional desired scheduling adjustments for religious holidays by motion (see below).

Proposing changes to draft Schedule and Adoption. Adoption of the draft Schedule requires a motion to adopt the Schedule approved by a majority of the Council. Once adopted, please note that local code says the Council may agree by majority vote to dispense with any regular session or committee meeting, or to change the day or hour of any meeting. See [BMC 2.04.050](#) and [BMC 2.04.255](#).



City of Bloomington Indiana

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A number of councilmembers have expressed interest in making additions or revisions to the draft Schedule related to Budget Week or the budget cycle, including adding an additional budget-related session sometime in June and/or spreading out the departmental budget hearings across multiple weeks. These changes may be made through a motion to amend the Schedule approved by a majority of the Council. The Council may want to consult and invite feedback from the Controller before deciding on changes related to the budget process.

ANNUAL COUNCIL LEGISLATIVE SCHEDULE FOR 2022

(DRAFT - 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 meeting 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 of 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	REGULAR SESSIONS - 1 ST ORDINANCE READINGS	COMMITTEE MEETINGS - ORDINANCES & RESOLUTIONS	REGULAR SESSIONS - 2 ND ORDINANCE READINGS & RESOLUTIONS
		FRIDAYS	MONDAYS	MONDAYS	WEDNESDAYS	WEDNESDAYS
0				1 Jan. 5		
1	2021 Dec. 13 <i>M</i>	2021 Dec. 15 <i>w</i>	2021 Dec. 15 <i>w</i>	1 Jan. 12	1 Jan. 12	Jan. 19
2	Jan. 7	Jan. 10	Jan. 14 <i>F</i>	Jan. 19	Jan. 26	Feb. 2
3	Jan. 21	Jan. 24	Jan. 31	Feb. 2	Feb. 9	Feb. 16
4	Feb. 4	Feb. 7	Feb. 14	Feb. 16	Feb. 23	Mar. 2
5	Feb. 18	Feb. 21	Feb. 28	Mar. 2	Mar. 9	2 Mar. 23
6	Mar. 4	Mar. 7	Mar. 14	2 Mar. 23	2,3 Mar. 30	Apr. 6
7	Mar. 25	Mar. 28	Apr. 4	Apr. 6	Apr. 13	Apr. 20
8	Apr. 8	Apr. 11	Apr. 18	Apr. 20	4 Apr. 27	May 4
9	Apr. 22	Apr. 25	May 2	May 4	May 11	May 18
10	May 6	May 9	May 16	May 18	May 25	June 1
11	May 20	May 23	May 27 <i>F</i>	5 June 1	5 June 8	5,6 June 15
<i>SUMMER RECESS (ENDING WITH REGULAR SESSION ON JULY 20)</i> ⁵						
12	July 8	July 11	July 18	5 July 20	5 July 27	5 Aug. 3
13	July 22	July 25	Aug. 1	Aug. 3	Aug. 10	Aug. 17
14	Aug. 5	Aug. 8	Aug. 15	Aug. 17	Aug. 24	Sept. 7
<i>[BUDGET WEEK – DEPARTMENTAL HEARINGS TO BE HELD – AUG 29-SEPT 1]</i> ⁴						
15	Aug. 26	Aug. 29	Sept. 2 <i>F</i>	Sept. 7	Sept. 14	Sept. 21
Budget	N/A	Sept. 19	Sept. 19	7 Sept. 28	7 Sept. 28	7 Oct. 12
16	Sept. 9	Sept. 12	Sept. 26	Sept. 21	3,8 Oct. 6 <i>Th</i>	Oct. 19
17	Oct. 7	Oct. 10	Oct. 17	Oct. 19	Oct. 26	Nov. 2
18	Oct. 21	Oct. 24	Oct. 31	Nov. 2	Nov. 9	Nov. 16
19	Nov. 4	Nov. 7	Nov. 14	Nov. 16	3,9 Nov. 30	10 Dec. 7
20	Nov. 18	Nov. 28	Dec. 5	Dec. 7	Dec. 14	10 Dec. 21
<i>YEAR-END RECESS</i> ¹⁰ followed by Organization Day (Jan. 4) and First Legislative Cycle of 2023						
1	Dec. 12 <i>M</i>	Dec. 14 <i>w</i>	Dec. 14 <i>w</i>	1 2023 Jan. 11	1 2023 Jan. 11	2023 Jan. 18

SEE REVERSE FOR NOTES ON SPECIAL EVENTS MARKED ABOVE

1. Organizational Meeting and First Legislative Cycle. The Council will hold its annual Organizational Meeting on January 5 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 12 in order to avoid losing a legislative cycle due to the January 5 Organizational Meeting.

2. Spring Break. The Council will hold its second Regular Session in March on Wednesday, March 23, and second Committee meeting that month on Wednesday March 30. This schedule avoids meeting over Spring Break (when many residents are out-of-town) and takes advantage of a fifth Wednesday to shift meetings to the fourth and fifth Wednesdays of the month.

3. Fifth Wednesdays. The Council does not generally meet on a fifth Wednesday of the month. In 2022, there are four such Wednesdays, which occur in March, June, August, and November. According to this schedule, the Council would meet on the fifth Wednesday in March (to avoid meeting during Spring Break), in August (for the third night of Budget Week) and in November (to replace the committee meeting from the previous week that is lost due to Thanksgiving).

4. Budget Hearings. The Council will hold a Budget Advance meeting in the Council Chambers at 6:00 p.m. on Tuesday, April 26.

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 August 29 through September 1 (a.k.a. "Budget Week"). Budget Books are scheduled to be delivered to members no later than the preceding Friday, August 26.

5. Summer Recess. BMC 2.04.050[e] states that the Council may schedule a summer recess, but if it does so, no legislation may be introduced for First Reading at the final regular session prior to the recess.

By approving this Annual Schedule, the Council will be scheduling a Summer Recess to begin after the first legislative cycle in June (which ends with the Regular Session of June 15) and to end with the Regular Session of July 20.

6. 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.

7. Budget Cycle. After holding Departmental Budget Hearings in late-August (see Note #4), the Council will formally consider the several items making up the City Budget for 2023 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 fourth 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.

8. Yom Kippur. Because Yom Kippur (Jewish High Holy Day) falls on Wednesday, October 5, the first Regular Session in October has been rescheduled for Thursday, October 6.

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 utilizes the fifth Wednesday in November for committee meetings.

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 public health emergencies: Under Indiana Code 5-14-1.5-3.7, during a declared public health emergency, the Council and its committees may meet by electronic means. The Council has been meeting via Zoom during the current public health emergency. The public may attend and observe these virtual meetings, which are accessible via links posted 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.

2021

Summer Sessions

Eid-al-Fitr (Eid-ul-Fitr) (first day of Shawwal)	Islamic	May 13*	Thursday
Shavuot (Feast of Weeks)	Jewish	May 17-18*	Mon.-Tuesday
Declaration of the Báb	Bahá'í	May 23*	Sunday
Ascension of Bahá'u'lláh	Bahá'í	May 29*	Saturday
Summer Solstice (EDT)		June 21	Monday
Martyrdom of the Báb	Bahá'í	July 9*	Friday

*Holy days start at sundown on evening preceding first day and end at sundown or nightfall of concluding date.

#All dates are from Fiqh Council of North America (FCNA) and European Council for Fatwa and Research (ECFR) adopted Islamic Calendar. For events based on sightability of the moon in North America, those denoted with “#” will be the next day from these dates.

2021–2022

1st Semester

Al-Hijra (Muharram) (New Year)	<u>Islamic</u>	Aug. 9*	Monday
Aashura (10th day of Muharram)	Islamic	Aug. 18*	Wednesday
Rosh Hashanah [New Year]	<u>Jewish</u>	Sept. 7-8*	Tues.-Wed.
Yom Kippur [Day of Atonement]	Jewish	Sept. 16*	Thursday
Sukkot [Feast of Tabernacles]	Jewish	Sept. 21-22*	Tues.-Wed.
Autumn Equinox (EDT)	<u>Equinox / Solstice</u>	Sept. 22	Wednesday
Shemini Atzeret & Simchat Torah	Jewish	Sept. 28-29*	Tues.-Wed.
Mawlid-al-Nabi (Muhammed's birthday) (12 th day of Rabi-al-Awwal)	Islamic	Oct. 18*	Monday
Birth of the Báb	Bahá'í	Oct. 20*	Wednesday
Birth of Bahá'u'lláh	Bahá'í	Nov. 12*	Friday
Day of the Covenant	Bahá'í	Nov. 26*	Friday
Ascension of 'Abdu'l-Bahá	Bahá'í	Nov. 28*	Sunday
Hanukkah (Chanukah) [8-day Feast]	<u>Jewish</u>	Nov. 29-Dec. 6*	Mon.-Monday
Bodhi Day (Rohatsu)	<u>Buddhist</u>	Dec. 8	Wednesday
Winter Solstice (EST)		Dec. 21	Tuesday
Christmas	Western Christian	Dec. 25	Saturday
Kwanzaa	<u>Interfaith / African-American</u>	Dec. 26-Jan. 1	Sun. - Saturday

*Holy days start at sundown on evening preceding first day and end at sundown or nightfall of concluding date. Islamic dates are based on criteria adopted by the Fiqh Council of North America (FCNA).

2021–2022

2nd Semester

Gantan-sai (New Year)	Shinto	Jan. 1	Saturday
Feast of the Nativity	Eastern Orthodox	Jan. 7	Friday
Asian Lunar New Year [Year of the Tiger] (Based on the Gregorian calendar)	Click here Click here Click here Click here	Feb. 1	Tuesday
Purim	Jewish	March 17*	Thursday
Vernal Equinox (EDT)		March 20	Sunday
Naw-Rúz (Bahá'í New Year)	Bahá'í	March 21*	Monday
Beginning of Ramadan	Islamic	April 2*	Saturday
Palm Sunday	Western Christian	April 10	Sunday
Good Friday	Western Christian	April 15	Friday
Passover (Pesach), 1st two days	Jewish	April 16-17*	Sat.-Sunday
Easter	Western Christian	April 17	Sunday
Palm Sunday	Eastern Orthodox	April 17	Sunday
Ridvan Festival, 1st of 12 days	Baha'í	Apr. 21*	Thursday
Holy Friday	Eastern Orthodox	April 22	Friday
Passover (Pesach), concluding days	Jewish	April 22-23*	Fri.-Saturday
Pascha	Eastern Orthodox	April 24	Sunday
9th Day of Ridvan	Bahá'í	Apr. 29*	Friday
12th Day of Ridvan	Bahá'í	May 2*	Monday
Eid-al-Fitr (Eid-ul-Fitr) (first day of Shawwal)	Islamic	May 2*	Monday

**Holy days start at sundown on evening preceding first day and end at sundown or nightfall of concluding date. Islamic dates are based on criteria adopted by the Fiqh Council of North America (FCNA).*

2022

Summer Sessions

Declaration of the Báb	Bahá'í	May 23*	Monday
Ascension of Bahá'u'lláh	Bahá'í	May 29*	Sunday
Shavuot (Feast of Weeks)	Jewish	June 5-6*	Sun.-Monday
Summer Solstice (EDT)		June 21	Tuesday
Martyrdom of the Báb	Bahá'í	July 9*	Saturday

**Holy days start at sundown on evening preceding first day and end at sundown or nightfall of concluding date. Islamic dates are based on criteria adopted by the Fiqh Council of North America (FCNA).*

2022–2023

1st Semester

Al-Hijra (Muharram) (New Year)	Islamic	July 29*	Friday
Aashura (10th day of Muharram)	Islamic	Aug. 7*	Sunday
Autumn Equinox (EDT)	Equinox / Solstice	Sept. 22	Thursday

Rosh Hashanah [New Year]	<u>Jewish</u>	Sept. 26-27*	Mon.-Tues.
Yom Kippur [Day of Atonement]	Jewish	Oct. 5*	Wednesday
Mawlid-al-Nabi (Muhammed's birthday) (12 th day of Rabi-al-Awwal)	Islamic	Oct. 8*	Saturday
Sukkot [Feast of Tabernacles]	Jewish	Oct. 10-11*	Mon.-Tues.
Shemini Atzeret & Simchat Torah	Jewish	Oct. 17-18*	Mon.-Tues.
Birth of the Báb	<u>Bahá'í</u>	Oct. 20*	Thursday
Birth of Bahá'u'lláh	Bahá'í	Nov. 12*	Saturday
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Kwanzaa	<u>Interfaith / African-American</u>	Dec. 26-Jan. 1	Mon. - Sunday

**Holy days start at sundown on evening preceding first day and end at sundown or nightfall of concluding date. Islamic dates are based on criteria adopted by the Fiqh Council of North America (FCNA).*

2022–2023

2nd Semester

Gantan-sai (New Year)	<u>Shinto</u>	Jan. 1	Sunday
Feast of the Nativity	<u>Eastern Orthodox</u>	Jan. 7	Saturday
Asian Lunar New Year [Year of the Rabbit] (Based on the Gregorian calendar)	Click here Click here Click here Click here	Jan. 22	Sunday
Purim	Jewish	March 7*	Tuesday
Vernal Equinox (EDT)		March 20	Monday
Naw-Rúz (Bahá'í New Year)	Bahá'í	March 21*	Tuesday
Beginning of Ramadan	Islamic	March 23*	Thursday
Palm Sunday	Western Christian	April 2	Sunday
Passover (Pesach), 1st two days	Jewish	April 6-7*	Thurs.-Friday
Good Friday	Western Christian	April 7	Friday
Easter	<u>Western Christian</u>	April 9	Sunday
Palm Sunday	Eastern Orthodox	April 9	Sunday
Passover (Pesach), concluding days	Jewish	April 12-13*	Wed.-Thursday
Holy Friday	Eastern Orthodox	April 14	Friday
Pascha	<u>Eastern Orthodox</u>	April 16	Sunday
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Eid-al-Fitr (Eid-ul-Fitr) (first day of Shawwal)	Islamic	April 21*	Friday
9th Day of Ridvan	Bahá'í	Apr. 29*	Saturday
12th Day of Ridvan	Bahá'í	May 2*	Tuesday

**Holy days start at sundown on evening preceding first day and end at sundown or nightfall of concluding date. Islamic dates are based on criteria adopted by the Fiqh Council of North America (FCNA).*