

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.

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.

Ordinance 21-01 (cont'd)

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]

LEGISLATION FOR FIRST
READING [8:02pm]

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.

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]

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.

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

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.

Council comment:

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

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

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

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

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.

Council comment:

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.

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

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.

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]

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.

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.

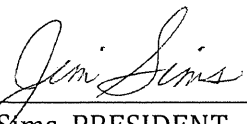
Flaherty moved and it was seconded to adjourn. Sims adjourned the meeting.

ADJOURNMENT [8:41pm]


APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this 1st day of December, 2021.

APPROVE:

ATTEST:



Jim Sims, PRESIDENT
Bloomington Common Council



Nicole Bolden, CLERK
City of Bloomington