

In Bloomington, Indiana on Wednesday, December 15, 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
December 15, 2021

Councilmembers present via Zoom: Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Susan Sandberg, Sue Sgambelluri, Jim Sims, Ron Smith, Stephen Volan
Councilmembers absent: Kate Rosenbarger

ROLL CALL [6:33pm]

Council President Sims acknowledged the land which was first inhabited by the Miami Peoples, Delaware Peoples, Potawatomee Peoples, and Shawnee Peoples. He also acknowledged the labor of Black, Indigenous, and People of Color (BIPOC) and other marginalized populations used to help build infrastructure and wealth of the United States, of which many could not enjoy the privileges, entitlements, or equity enjoyed by the majority population.

AGENDA SUMMATION [6:33pm]

Council President Sims summarized the agenda.

There were no minutes for approval.

APPROVAL OF MINUTES [6:35pm]

Sandberg said that Covid-19 was still present and that precautions were still needed. She acknowledged the Buskirk-Chumley theater, and the Orbit Room for their respect for wearing masks and vaccinations. She hoped that those comfortable attending events supported local artists during the holiday season.

REPORTS

- COUNCIL MEMBERS [6:35pm]

Smith said the Transportation Committee (TC) met to discuss the 2022 sidewalk funding totaling \$330,336 for new sidewalk construction. He said that there would be another meeting in January 2022 which would include additional data from city staff. He also mentioned the new criteria focused on equity.

Flaherty noted that he would not be holding a monthly constituent meeting in December, but that the meetings would commence again in January, on the third Monday at 5:30pm.

There were no reports from the Mayor or city offices.

- The MAYOR AND CITY OFFICES [6:40pm]

Flaherty reported that the Climate Action and Resilience Committee (CARC) met with Lauren Clemens, Assistant Director of Sustainability in the Economic and Sustainable Development (ESD) Department, to discuss quarterly meetings in 2022 in order to work on Climate Action Plan (CAP) and Sustainable Action Plan (SAP) updates and coordinating councilmember work and legislative initiatives.

- COUNCIL COMMITTEES [6:41pm]

Jim Shelton spoke about the upcoming training for Court Appointed Special Advocates (CASA).

- PUBLIC [6:43pm]

There were no appointments to boards or commissions.

APPOINTMENTS TO BOARDS AND COMMISSIONS [6:44pm]

LEGISLATION FOR SECOND
READING AND RESOLUTIONS
[6:44pm]

Flaherty moved and it was seconded that Ordinance 21-46 be read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Clerk Nicole Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation of Ayes: 9, Nays: 0, Abstain: 0.

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)

Flaherty moved and it was seconded that Ordinance 21-46 be adopted.

Flaherty moved and it was seconded to adopt Amendment 01 to Ordinance 21-46.

Amendment 01 to Ordinance 21-46

Amendment 01 Synopsis: Amendment 01 comes at the request of the Department of Housing and Neighborhood Development and Scott Faris, the great, great, great grandson of Reverend James Faris, who provided additional information about Reverend James Faris and the year the building was constructed.

Gloria Colom Braña, Program Manager, Historic Preservation, in the Housing and Neighborhood Development (HAND) Department presented Amendment 01 to Ordinance 21-46.

There were no council questions.

Council questions:

There was no public comment.

Public comment:

There were no council comments.

Council comment:

The motion to adopt Amendment 01 to Ordinance 21-46 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 to Ordinance 21-46 [6:51pm]

Colom Braña presented Ordinance 21-46 and described the location, historical background, Reverend James Faris’ connection to the Underground Railroad as a conductor, and the architectural style and structure of the building.

Ordinance 21-46 as amended

Volan asked if the windows were original.

Council questions:

Colom Braña confirmed that most of the windows were original including the glass.

William Bianco, Owner and Petitioner of the James Faris house, confirmed that the windows appeared to be the original glass. He had installed low-profile storm windows to modernize the house.

Volan asked if he was concerned about the energy profile of the house, and asked if the glass, being over one hundred and fifty years old, was thinning over time.

Bianco said the glass did not appear to be thinning and that he and his wife had made some updates to the structure, including insulation and spray foam.

Volan asked Colom Braña if the original windows played a role in the historic designation of structures, and what happened if the glass could not be saved but the structure of the window was intact.

Colom Braña said that preservationists say that windows were the eyes to the soul of a building and that window preservation was a top priority for historic buildings. It was difficult to address sustainability concerns. If there were broken panes, it was important to replace them with as similar material as possible. The

storm windows that Bianco installed were fine to use as well as other sustainable updates.

Volan asked Bianco to expound on the low profile storm windows he installed.

Bianco stated that he had searched for the thinnest framed storm window, and also painted the trim to fade into the woodwork. He commented on the contractor who facilitated the work.

Volan asked if it helped the energy profile of the house.

Bianco confirmed that it did but that it was a difficult to do well.

Piedmont-Smith asked about the typed form in the packet addendum regarding someone who was born in the James Faris House.

Colom Braña stated that the document was provided to her by Scott Faris, a descendant of James Faris.

Scott Faris stated that his family was one of the original settlers of Bloomington. He had received a document in an old basket from a distant relative in her nineties, which had almost been thrown away. It was the only defining source about how the house was built and who lived in it. He discussed the four sons of James Faris, who were all Reverends and graduated from Indiana University (IU) in the 1850s. The person who wrote the document was Reverend David Faris, who was Scott Faris' great, great uncle, and who was born in the house. Faris said that the time frame was 1843-1863. He pointed out that High Street was once called Columbus Road which connected the two Faris farms.

There was no comment from the public.

Public comment:

Volan appreciated the efforts and care taken by Bianco and Faris.

Council comment:

Sims also appreciated the petitioners' efforts and wondered if there was a way to record the documents in a permanent way as part of the official record of that property.

The motion to adopt Ordinance 21-46 as amended received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 21-46 as amended [7:10pm]

Flaherty moved and it was seconded that Resolution 21-37 be read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Resolution 21-37 – Approval of Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana – Re: Building Code Authority

Flaherty moved and it was seconded that Resolution 21-37 be adopted.

Michael Rouker, City Attorney, presented the legislation and explained state law regarding interlocal cooperation agreements. The interlocal agreement was that Monroe County would handle building code permit application processing, project inspection, and permit issuance for all properties within the city of Bloomington and the unincorporated areas within Monroe County. Vesting building code authority to a single entity was the most effective way to provide necessary building code services to the community.

Piedmont-Smith asked for clarification on the agreement being subject to the appropriation of sufficient funds by the respective councils.

Rouker responded that it mainly pertained to the appropriation of funds by Monroe County for their Building Department and that

the Bloomington Planning Department had certain responsibilities under the agreement.

Piedmont-Smith asked if it was for the funding of existing departments to continue to function and provide services.

Rouker confirmed that was correct.

Sgambelluri inquired about the duration of the agreement and if state code required it to be one year.

Rouker explained that there was nothing preventing the agreement for being longer than one year, and that there had been internal conversations about extending the duration of the agreement but that would cede flexibility.

Rollo asked about the role the city had historically played in influencing the building code standards and provided examples.

Rouker did not know details of the historical context, but explained if there were rules promulgated by the city, then it was expected that the county would cooperate and enforce those rules. He said that the Planning Department had input in permits that involved projects within the city's corporate boundaries and would cite violations of the Bloomington Municipal Code (BMC).

Rollo asked for further clarification about how updates to building codes were conducted, and if experts were consulted in a collaborative way.

Rouker clarified that development standards were different than the building code. He explained zoning compliance and permits.

Sims asked about the building code jurisdiction which included the city and county, and why there was a distinction made about city and county zoning jurisdiction areas in the definitions.

Rouker responded that the city and county had different zoning ordinances, and that there were projects that had different rules.

Flaherty asked about energy efficiency standards, and said that his understanding was that the state of Indiana did not allow municipalities to have their own standards and efficiency requirements for things like materials, etc.

Rouker confirmed that was correct and explained the state building codes.

Piedmont-Smith wondered how the jurisdictional approach departed from current practice.

Rouker stated that it did not depart from current practice which had been in place since 1996.

Piedmont-Smith said that it referred to there being two municipal entities working together.

Rouker confirmed that was correct.

There was no comment from the public.

Public comment:

There were no comments from the council.

Council comment:

The motion to adopt Resolution 21-37 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 21-37 as amended [7:24pm]

Flaherty moved and it was seconded that Resolution 21-38 be read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Bolden read the legislation by title and synopsis.

Flaherty moved and it was seconded that Resolution 21-38 be adopted.

Rouker presented the legislation. He explained the grant program which allocated grant funds to a variety of law enforcement agencies across the country and said that the Bloomington Police Department (BPD) and the Monroe County Sheriff were jointly given one grant and an interlocal agreement permitted the allocation of funds. He further explained that BPD would use the money to purchase radios for squad cars and the Monroe County Sheriff would purchase tire deflation devices.

Piedmont-Smith asked when the money would be spent given that the grants were for 2020 and 2021.

Rouker responded that it would be in the next year and provided information about the next steps.

Piedmont-Smith asked if there would be a need for a separate appropriation ordinance of the funds.

Rouker stated that he would double check.

Sims inquired about the ninety-one percent to nine percent ratio of the division of funds between the city and county and asked if it was population based.

Rouker stated that the ratio was driven by the review of qualifying incidents within the county and which agency responded.

There were no questions from the public.

There were no comments from the council.

The motion to adopt Resolution 21-38 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

There was no additional public comment.

Heather Lacy, Deputy Council Attorney, reviewed the upcoming council schedule including the Organizational Meeting on January 5, 2022 at 6:30pm, a Work Session on January 7, 2022 at 12pm, and a Regular Session on January 12, 2022 at 6:30pm followed by a committee meeting.

Sandberg noted an upcoming joint constituent meeting for her and Rollo scheduled on December 18, 2021 at 10am via Zoom.

Sims adjourned the meeting.

Resolution 21-38 – To Approve an Interlocal Cooperation Agreement Between the City of Bloomington and Monroe County, Indiana in Regards to the 2020 and 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) [7:25pm]

Council questions:

Public comment:

Council comment:

Vote to adopt Resolution 21-38 [7:31pm]

ADDITIONAL PUBLIC COMMENT

COUNCIL SCHEDULE [7:32pm]

ADJOURNMENT [7:35pm]


APPROVED by the Common Council of the City of Bloomington, Monroe County, Indiana upon this
21 day of September, 2022.

APPROVE:



Susan Sandberg, PRESIDENT
Bloomington Common Council

ATTEST:



Nicole Bolden, CLERK
City of Bloomington