



City of Bloomington Common Council

Legislative Packet

Containing legislation and materials related to:

Wednesday, 02 February 2022

Regular Session

Starting at 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
02 FEBRUARY 2022

If the Governor extends a disaster emergency through the date of this meeting as stated above, the meeting will be held remotely and only remotely as allowed by Indiana Code 5-14-1.5-3.7, and it may be accessed at the following link:

<https://bloomington.zoom.us/j/85304876917?pwd=cXR1eWlNzjhZz0prZEZBUk12LzRiUT09>

If the Governor does not declare or extend a disaster emergency through the date of this meeting as stated above, a hybrid meeting will be held both in the Council Chambers, located in Room 115, at 401 N. Morton Street, City Hall Bloomington, IN 47404, and also remotely, accessible at the link above.

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES

- a. 12 August 2020 (Regular Session)
- b. 14 October 2020 (Special Session)
- c. 09 December 2020 (Special Session)
- d. 16 December 2020 (Regular Session)
- e. 21 December 2020 (Special 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

- a. Update Report on Plexes
Scott Robinson & Jackie Scanlan, Planning and Transportation Department
- b. Report on Review of City Boards & Commissions
Jonathan Ingram, City Consultant

C. Council Committees

D. Public*

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READINGS AND RESOLUTIONS

- A. Ordinance 22-04 - To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration and Personnel" – Re: Amending BMC 2.12 (Boards, Commissions and Councils) to Make Certain Commission Memberships Easier to Fill

This item was not considered by a Council committee.

VII. LEGISLATION FOR FIRST READINGS

None

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

IX. COUNCIL SCHEDULE

Posted: 28 January 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.



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

NOTICE

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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

12 August 2020 | 14 October 2020 | 09 December 2020

16 December 2020 | 21 December 2020

In Bloomington, Indiana on Wednesday, August 12 at 6:30pm, Council President Stephen Volan presided over a Regular Session of the Common Council. Per the Governor's Executive Orders, this meeting was conducted electronically via Zoom.

COMMON COUNCIL
REGULAR SESSION
AUGUST 12, 2020

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 [6:31pm]

Council President Stephen Volan summarized the agenda.

AGENDA SUMMATION [6:32pm]

There were no minutes for approval.

APPROVAL OF MINUTES

There were no reports from council members.

REPORTS

- COUNCIL MEMBERS [6:34pm]
- The MAYOR AND CITY OFFICES [6:35pm]
- COUNCIL COMMITTEES [6:35pm]
- PUBLIC [6:36pm]

There were no reports from the Mayor or city offices.

There were no council committee reports.

Greg Alexander stated there was a good amount of affordable housing in his neighborhood, Maple Heights, and it had benefited several people he knew.

Renee Miller spoke about the importance of sidewalks in all areas of Bloomington. She encouraged the council to address anti-racism in Bloomington through their policymaking.

Sam Dove made a brief comment about a sidewalk.

There were no appointments to boards or commissions.

APPOINTMENTS TO BOARDS AND COMMISSIONS [6:43pm]

LEGISLATION FOR SECOND READING AND RESOLUTIONS [6:46pm]

Piedmont-Smith moved and it was seconded that Ordinance 20-13 be read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Chief Deputy Clerk Sofia McDowell read the legislation by title and synopsis.

Ordinance 20-13 To amend the City of Bloomington zoning maps by amending the district ordinance and preliminary plan for the Thomson PUD to add 8.46 ACRES - Re: 700 W. Guy Avenue (Habitat for Humanity, Petitioner)

Piedmont-Smith moved and it was seconded that Ordinance 20-13 be adopted.

Eric Greulich, Senior Zoning Planner from the Bloomington Planning and Transportation Department, presented the legislation. The proposed development would have 70 single-family homes. Greulich outlined the details.

Rollo asked if there were any environmental constraints associated with the area.

Council questions:

Greulich said there were no environmental constraints and no areas of contamination from the Thompson PUD.

Rollo asked if any testing or remediation was done.

Greulich deferred to the petitioner, Habitat for Humanity. Nick Ferreira, Director of Land Development and Production for Habitat for Humanity of Monroe County, gave a presentation of the project. At the end of his presentation, he reported that environmental tests have been done. Nothing had been built on this land before. No environmental issues were found from the testing.

Ordinance 20-13 (cont'd)

Council questions:

Piedmont-Smith, Chair of the Land Use Committee, reported that the committee was pleased with the proposal. The questions they posed at the committee meeting were addressed by Ferreira tonight.

Volan asked if individual lots were maximized for the development.

Ferreira answered that constraints from existing topography, the inclusion of storm water features, set-back requirements, and maintaining existing trees to the north limited the total number of lots, but they maximized as much as possible with these constraints.

Rollo asked when industrial property was rezoned to residential, and if there was a requirement to test the soil in the event something had been dumped.

Greulich said there was nothing specific that required that action but environmental concerns were always investigated with any new development.

Flaherty asked if it was possible or legal to prioritize eligibility for racial minorities for home ownership. He asked if Habitat for Humanity of Monroe County were able to do anything to address racial inequalities in the process.

Wendi Goodlett, President and CEO of Habitat for Humanity of Monroe County, reported that all applicants were treated equally and all had to meet the same criteria to qualify. She said they don't actively promote the program other than posting the window for applications on their website. They would welcome the council promoting their program in minority communities to help diversify the pool of applicants.

Volan asked how many houses Habitat for Humanity build per year, and if this project would accomplish building homes at a faster rate than normal.

Ferreira said they average building 8-10 homes per year. Ferreira spoke about the affordability component of the homes in response to questions that were sent by the Council before the meeting.

Greg Alexander liked that this PUD had 5 entrances. He believed that a PUD under the cities' new UDO was only supposed to be for an innovative project. He felt the only feature that caused this project to be a PUD was the slightly higher density. He wondered if this project should be considered a R4 zoning district instead of a PUD. Public comment:

Mark Fyffe stated that he and his wife owned a home at 812 W. Chambers Drive, which was a dead end that backs up to the new development. He said Chambers was a narrow street and it connected to Rogers close to the intersection of Rockport Rd. and Rogers St. With the potential for increased traffic, he asked to consider adding traffic calming to Chambers Drive. Additionally, on the east edge of the planned development near his home, there was a row of pine trees. He asked that they be preserved if possible.

Rollo asked if it would be possible to preserve the trees along the east side of the development.

Ferreira said that the trees appeared on the site plan between Cherokee and Chambers. They would hopefully be saved.

Rollo asked if it could be a condition for approval.

Ferreira said that the trees along the west and north sides of the development were already a part of a tree preservation easement. He explained that when they graded the lots and put in utilities, they could not be absolutely certain they would be able to preserve the east side trees.

Rollo asked if language could be added saying, when possible, trees would be preserved.

Ferreira said he was comfortable including this language.

Piedmont-Smith stated that if Chambers Drive ended up having increased traffic, the residents could request traffic calming features. She said she supported the development and reminded everyone that the City had committed \$800,000 for infrastructure for the project.

Flaherty spoke in favor of the project. He addressed the citizen comments about council voting to support anti-racism measures. He was glad to hear that outreach to minority communities would be attempted to help diversify the pool of applicants for the homes.

Piedmont-Smith moved and it was seconded to adopt Amendment 01 to Ordinance 20-13.

Ordinance 20-13 (cont'd)

Council questions:

Amendment 01 to Ordinance 20-13

Amendment 01 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and removes redundant language from the second Whereas clause.

There were no council questions.

Council questions:

There were no public comments.

Public comment:

There were no council comments.

Council comment:

The motion to adopt Amendment 01 to Ordinance 20-13 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 to Ordinance 20-13 [7:38pm]

Rollo moved and it was seconded that Reasonable Condition 01 to Ordinance 20-13 be adopted.

Reasonable Condition 01 to Ordinance 20-13

Reasonable Condition 01 Synopsis: This Reasonable Condition is sponsored by Councilmember Rollo. It requires that the Petitioner attempt to preserve existing, mature trees located along the east property line of the lot.

Rollo presented Reasonable Condition 01.

Sims asked how the council would know if there was a reasonable attempt to save the trees.

Council questions:

Grulich responded that when the final plan was submitted for approval, it would include a final grading plan. The Planning Department would scrutinize a decision to remove trees very thoroughly. There was a councilmember representative, Sandberg, on the Planning Commission.

There was no public comment.

Public comment:

There was no council comment.

Council comment:

The motion to adopt Reasonable Condition 01 to Ordinance 20-13 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Reasonable Condition 01 to Ordinance 20-13 (7:43pm)

Sims spoke about the council participation in anti-racist training. He did not see systemic exclusion in this development project, and felt there needed to be a more intentional outreach to underrepresented populations.

Council comment:

Volan asked Greulich to clarify why this development was a PUD.

Greulich explained that 4 acres of the site were already in the Thompson PUD, which allowed for single family residences, and that the boundaries were expanding to include an additional 8.46 acres to develop as one unified site. Greulich stated that it was one corner of a larger PUD, and was not a stand-alone PUD. He said it was a mix of uses in this PUD, and promoted diversity within this PUD.

Volan asked if Greulich felt there was the possibility that a future developer might take advantage of a neighboring PUD to avoid the new zoning rules.

Greulich said that any amendment to a PUD were discretionary, and were held to the highest standards. He said that the base standards of the UDO were the starting point, and that anytime someone wanted to reduce those standards, it would be carefully analyzed.

Volan asked if there were dead-end signs on Chambers Drive.

Greulich was unable to answer that question, but said that any streets there would no longer be dead-end streets once the project was completed.

Volan asked about the timing of the dead-end streets being extended.

Ferreira said that wouldn't take place until 2023/24.

Volan asked if the dead-end streets currently had appropriate signage.

Adam Wason, Director of Public Works, said the Street Department would check.

Volan stated that the Council needed to follow the project to see that minority populations were made aware of the opportunity to apply for these homes. He was happy with the housing development.

Piedmont-Smith was glad Mr. Fyffe asked for the trees on the east side of the property to be saved. This showed the importance of public input.

The motion to adopt Ordinance 20-13 as amended received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 20-13 as amended (7:54pm)

Piedmont-Smith moved and it was seconded that Appropriation Ordinance 20-03 be read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. McDowell read the legislation by title and synopsis.

Piedmont-Smith moved and it was seconded that Appropriation Ordinance 20-03 be adopted.

Mayor Hamilton summarized the legislation.

Sgambelluri asked what Council would do so that money can be moved from the current budget to Recovery Forward uses.

Jeff Underwood, City Controller, answered that the council would either vote for, against, or to cut the amount in the proposed ordinance. He stated Appropriation Ordinance 20-03 had been advertised for a public hearing tonight.

Sgambelluri asked if there was a dollar threshold that triggered the process.

Underwood said if money was transferred within a category and within a department, the threshold was \$100,000. He said that if money was moved between departments or between funds, an appropriation ordinance would have to come in front of the council for approval.

Piedmont-Smith asked about the proposed energy efficiency investments. She wondered how renters would benefit.

Alex Crowley, Director of Economic & Sustainable Development, answered they would be funding improvements which would directly benefit renters. He said that grants and loans would be provided to property owners to pursue these improvements.

Piedmont-Smith asked if outreach was planned for owners who had tenants who were below the Area Median Income (AMI).

Crowley said that the base they were planning to assist were the tenants at lower incomes.

Sims asked Crowley for specifics about the grants or loans that would be available and the criteria that would be used for choosing property owners who would receive money.

Crowley said they were trying to benefit as many people as possible. He stated that a larger development would lead to more tenants receiving the benefits of Recover Forward funds. He explained that the greater the financial need, the more chance the money would be given as a grant, and if less, as a loan with favorable terms.

Sims wondered if apartment owners who serviced Section 8 or subsidized housing developments would be given greater consideration.

Crowley said those types of developments would be prioritized for these monies.

Appropriation Ordinance 20-03 – To specially appropriate from the General Fund, the Parks General Fund, and the Jack Hopkins Fund expenditures not otherwise appropriated (Appropriating a Portion of the Amount of Funds Reverted to Various City Funds at the End of 2019 for the Purpose of Assisting with Bloomington’s Recovery Forward from the COVID-19 Pandemic During 2020)

Council comment:

Erin Predmore, President and CEO of The Greater Bloomington Chamber of Commerce, updated the Council on the state of the Bloomington business community amid the effects of the pandemic. She stated that Alex Crowley had been helpful to the Chamber. Predmore explained that the cancellation of the IU football season triggered great concern in the business community. Crowley indicated to the Chamber that he was willing to explore extended deferment and the terms of loans from the Rapid Response funds. Some funds have not been given out yet. The Chamber would work with Crowley to address the crisis that was underway. Predmore reminded the council that a recovery was not happening yet, and asked that councilmembers use any tools available to assist local businesses.

Pam Weaver, President of the Board for the Bloomingfoods Co-op Market, stated that money they may receive from the Recover Forward funds were not a duplication of previous funds received. Local food sources made Bloomington more resilient.

Jen Pearl, President of the Bloomington Economic Development Corporation (BEDC), reminded everyone they were a non-profit that supported the creation and attraction of quality jobs to all of Monroe County. She expressed her appreciation for the city's reaction to the current economic crisis. BEDC believed a multi-faceted approach was needed. She provided a summary of a memo from the BEDC that was provided to the councilmembers.

Stephen Lucas, City Council Administrative Attorney, read correspondence he received in a chat from B Square Beacon, which asked for a copy of the financial impact statement associated with Appropriation Ordinance 20-03. B Square Beacon asked if the financial impact statement was required under the municipal code.

Volan asked Underwood to elaborate about the financial impact statement.

Council questions:

Underwood answered that with the submission of the appropriation ordinance to the Department of Local Government Finance (DLGF), a financial impact statement prepared by the Controller's office was included. He said it was a public record on Gateway, the State of Indiana's portal for financial transparency.

Volan asked if a link to Gateway could be provided on the Council's page along with the proposed appropriation ordinance.

Underwood said that could be done.

Sgambelluri asked when the council would be updated on the progress, use, and effect of the funds and on the how the city was doing economically throughout the pandemic.

Hamilton answered that if the council approved the ordinance, the programs would be rolled out as soon as possible. He said the administration was trying to remain flexible as circumstances with the pandemic changed.

Piedmont-Smith asked if the council should be provided a copy of the financial impact statement that was filed with the DLGF along with the appropriation ordinance before they vote on approving the ordinance.

Underwood said the form was prescribed by the state, and showed that the city had the funds available to fund the proposed ordinance.

Randy Paul stated that he would like to see a financial impact statement at the time that an appropriation ordinance was proposed.

Public comment:

Sgambelluri stated her support of the ordinance.

Council comment:

Piedmont-Smith appreciated the range of funding for many needs.

Sandberg stated her support of the ordinance, especially the extra funds for Jack Hopkins Social Services.

Volan expressed his opinion about the priority of the allocation of funds. His opinions were not strong enough to speak against the ordinance as a whole. He thanked staff for answering questions posed by the council. He requested, when possible, a six-week time frame would be beneficial when an appropriation ordinance was introduced.

The motion to adopt Appropriation Ordinance 20-03 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Appropriation Ordinance 20-03 (8:40pm)

Piedmont-Smith moved and it was seconded that Resolution 20-12 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. McDowell read the legislation by title and synopsis.

Resolution 20-12 – To review and approve the intra-category transfer and expenditure of \$100,000 or more within a covered fund under Ordinance 18-10 (Additional Fiscal Oversight by the Common Council) - Re: A \$250,000 Transfer from Line 399 (Other Services and Charges) to Line 396 (Grants) within the Housing Trust Fund (#905) and Expenditure of Transferred Funds

Piedmont-Smith moved and it was seconded that Resolution 20-12 be adopted.

Jeff Underwood, City Controller, presented the legislation, and stated that it was a companion to Appropriation Ordinance 20-03.

Council questions:

Sandberg asked Underwood if the Housing Trust Fund in the description of the resolution was actually the Housing Development Fund.

Underwood said that the Housing Trust Fund no longer existed, and was replaced with the name Housing Development Fund. The fund number had remained the same and the fund number was stated correctly.

Sims asked if the Clerk’s Office should amend the fund name in the minutes.

Stephen Lucas, Council Attorney, said he would prepare an amendment to correct the fund name while public comments were taken.

There was no public comment.

Public comment:

Sandberg stated her support of the housekeeping transfer of funds measure in Resolution 20-12.

Council comment:

Sandberg moved and it was seconded to adopt Amendment 01 to Resolution 20-12.

Amendment 01 to Resolution 20-12

Lucas presented Amendment 01, to replace the term “Housing Trust Fund” with the phrase “Housing Development Fund” wherever it appeared in the resolution.

There was no council comment.

Council comment:

There was no public comment.

Public comment:

There was no council comment.

Council comment:

The motion to adopt Amendment 01 to Resolution 20-12 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 to Resolution 20-12 [8:50pm]

There was no council comment.

Council comment:

The motion to adopt Resolution 20-12 as amended received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Resolution 20-12 as amended [8:51pm]

Piedmont-Smith moved and it was seconded that Ordinance 20-12 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. McDowell read the legislation by title and synopsis.

Ordinance 20-12 – To amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic”- Re: Amending Chapters 15.12.010 (Stop intersections); 15.24.010 (Increased or decreased speed limits); and 15.40.10 (Locations) to change “Trades Street” and “Trades St.” to “Maker Way;” 12.32.080 (No parking zones) to add several no parking zones; 15.32.090 (Limited parking zones) to change a limited parking zone; and 15.32.100 (Loading zones) to add a loading zone; and 15.32.186 (Motorcycle Parking Restrictions) to add parking restrictions for motorcycles and mopeds; and 15.36.085 (Reserved Residential On-Street Parking Permits) to add temporary visitor parking permit; and 15.40.019 to add garage parking space reserved for electric vehicles; and 15.40.010 (On-Street Metered Parking Locations and Maximum Hourly Rate) to add three locations; and 15.24.020 (Increased or decreased speed limits) to remove and add some locations; and 15.12.010 (Multi-Stop Intersections) to add and change some locations; and 15.12.030 (Signalized Intersections) to add one location; and 15.16.010 (One-Way Street) to remove one location.

Piedmont-Smith moved and it was seconded that Ordinance 20-12 be adopted.

Amir Farshchi, Long Range Planner, Planning and Transportation Department, presented the legislation.

There were no council questions.

Council questions:

Volan noted there were four amendments that were approved by the Council Transportation Committee on the consent agenda for Ordinance 20-12. He asked if anyone wanted to remove any of the amendments from the consent agenda to consider separately.

Piedmont-Smith moved and it was seconded that council consider these four amendments as one item on the consent agenda. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to consider amendments as one item [9:04pm]

There were no public comments.

Public comment:

There were no council comments.

Council comment:

The motion to adopt the consent agenda for Ordinance 20-12 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt the consent agenda for Ordinance 20-12 [9:05pm]

Volan moved and it was seconded to consider Amendment 05 to Ordinance 20-12.

Amendment 05 to Ordinance 20-12

Amendment 05 Synopsis: This amendment, authored by Cm. Volan, proposes to elevate the Garden Hill neighborhood parking zone (Zone 6) into a “parking benefit district.” In Zone 6 only, it makes residents of multiple-household dwellings eligible for permits, caps the number of permits available in the zone at 250, creates a higher price for the penultimate 50 permits sold, and a higher price yet for the ultimate 50. Revenues from those final 100 permits over and above the regular neighborhood zone permit fee would be deposited in a new “Zone 6 Parking Benefit Fund” for public works improvements within the boundaries of Zone 6.

Volan passed the gavel to Sims temporarily and presented Amendment 05 to Ordinance 20-12. He explained the amendment created a set of permits that could be sold to people who were currently not eligible to purchase an annual permit in a neighborhood zone. He stated that there were parking spots available in the neighborhood even after most eligible permits had been purchased. He clarified that the proposed amendment would make 100 additional permits available to residents at a cost double that of an all-zone permit in neighborhood zones; \$212.00. Volan explained that funds from these permits, above the \$46.00 annual fee for neighborhood permits, would go into a special fund that would benefit the zone, examples being sidewalk or infrastructure improvements, for which it was sold. These would be sold from September 15, 2020 and would sunset at the end of February 2021. The proposed cost was less than private parking in the area.

Michelle Wahl, Parking Services Director, supported the experimental period/plan of selling 100 parking permits at the cost of \$212.00 per year. She said that if applicants were currently ineligible for a neighborhood permit in Zone 6, they could not buy a visitor pass but could buy a visitor temporary pass. Wahl stated she supported the concept of the program with reservations on the pricing.

Volan stated he appreciated Wahl emphasizing that any resident in this zone would be eligible to buy one of these 100 additional permits, but that it did not allow them to buy an annual visitor permit. He said the ordinance also proposed a new temporary visitor permit offered at a premium price, and attempted to strike a balance between too few and too many available parking spaces in Zone 6.

Sgambelluri asked if Wahl or Volan could summarize the costs for the temporary visitor passes.

Council questions:

Wahl stated the proposal was to price 1-day passes at \$11.00, 1-week passes at \$55.00, and 2-week passes at \$110.00. She said that Parking Services would track the usage and report back to council when enough data was gathered.

Flaherty stated that the cost difference between the permits priced at \$46 and those priced at \$212 was inequitable. He wondered if the permits could be offered on a first-come, first-serve basis, and open it up to everyone that lived in the zone, and to cap the total number of permits sold.

Volan responded he knew that the demand was enormous for parking in this zone and the neighborhood association would not endorse opening up the residential program for everyone. He said it would be a fundamental change in the neighborhood permit program to open up permits to anyone other than residents of single family dwellings. Volan explained that it was designed as an experiment to try to understand the demand for parking in Zone 6.

Sims stated concerns on the pushback on this proposal at the Parking Commission meeting. Sims wondered if the proposal would be more appropriate to be considered as a stand-alone ordinance versus an amendment to Ordinance 20-12. He felt like this amendment created something that doesn't currently exist. He asked if this type of proposal could be introduced city-wide.

Volan disagreed with Sims' assessment that this should be introduced as a separate ordinance. He felt it was appropriate to be introduced as an amendment, and explained that Zone 6 was the first neighborhood zone to have enforcement at night and on weekends, and that it was an unusual zone. Volan stated that Garden Hill wanted more control over the way the streets were used, and that the pressure to park in the neighborhood was high. Volan explained that the reason the neighborhood association was willing to experiment with additional, more costly permits was because they knew the money paid for the permits would go back into the neighborhood. Volan also stated that the neighborhood zone system had an inherent inequality in pricing, with the subsidized zone pricing being too low, but it was what neighborhood residents were accustomed to right now. Volan stated that pricing did not reflect true market value.

Sims asked if implementing the amendment was legal and if the council passed it, if it would it open the city up to legal challenges.

Lucas said the Bloomington Municipal Code required that a proposed amendment to an ordinance must be germane to the proposition being considered, and that Roberts Rules of Order elaborated on what was or wasn't germane. Lucas stated that if there was a question, about the amendment being germane to the ordinance being considered, the chair would make a determination or ask the Council as a Whole to vote on it. Lucas stated that he was not aware that staff had any concerns about the legality of the content of the amendment. He said city attorney, Barbara McKinney, may be able to address the question.

Sgambelluri asked if this year was a good year to try to gather this data since the pandemic may cause the resulting data to be unreliable.

Volan responded that constituents in Zone 6 have expressed their desire to park in the zone because there were many available parking spots on a regular basis. Volan was attempting to offer an alternative without abandoning the original goal of the neighborhood zone.

Smith expressed his support to try this pilot program and inquired about the sunset date for the program.

Volan said February 28, 2021 was chosen as the sunset date so returning students for the spring semester would have the option of purchasing a permit.

Amendment 05 to Ordinance 20-12 (cont'd)

Council questions:

Natalia Galvan said she knew Zone 6 from living there several years ago and currently knew students who lived in the zone. She said towing had been an ongoing issue for people who parked there without a permit, but that they had few options for parking so she expressed appreciation for the possibility of being able to purchase a permit to park, even at a higher cost.

Amendment 05 to Ordinance 20-12 (cont'd)

Public comment:

Randy Paul expressed concern with the process. He felt the amendment was not germane to the ordinance. He thought it was a complicated issue that should stand on its own and follow the process of introducing legislation for consideration.

Greg Alexander believed that the cost of parking was not set at market value. Alexander supported the trial program, but stated he did not believe the revenue raised from the sale of the permits would solve problems with sidewalks, which needed to be addressed city-wide. He said he felt this proposal was a good start on evaluating parking policies.

Volan admitted the issue was complicated, but rejected that the topic was not germane to the ordinance or was somehow illegal. He had been guided in the past by the former council administrative attorney that proposing an amendment such as this was acceptable. He stated that the proposal was for a short trial that he hoped demonstrated demand for parking. If the permits did not sell, there was no harm done.

Council comment:

Sims recognized that a member of the public wished to speak out of order and inquired if councilmembers objected to taking the comment. There was no objection.

Lucas stated that the council allowed an earlier public comment out of order, so in this instance, it could be allowed. He read a statement from Dave Askins at B Square Beacon, which stated that if an amendment would raise parking rates versus an ordinance doing the same, the public would have to be much more vigilant to be aware of proposed changes.

Public comment:

Piedmont-Smith acknowledged that the amendment brought up important topics that needed to be studied. She felt that the most recent version of the amendment had not been fully reviewed by the Transportation Committee or been seen by the public. She commented that the inequity between the cost of an annual neighborhood permit and the proposed cost for this trial permit was problematic. She said she would not vote in favor of the amendment tonight.

Council comment:

Flaherty would like to continue to examine the issues with parking programs and pricing. He said the inequity between the cost of an annual permit for a resident of a single detached home and the proposed trial permit was problematic for him. He endorsed the solution provided by the temporary visitor permits. He said he would not vote in favor of the amendment.

Sgambelluri still questioned the accuracy of data that would be gathered in the current year due to the pandemic. She stated that although she does not question that the topic was germane to the ordinance, she felt it was an important issue that should come in front of the council as stand-alone legislation.

Volan reviewed the history of the actions taken leading up to the proposed amendment. He explained that the 3-3 tied vote at the Parking Commission meeting was based on an abandoned version of tiered pricing for the trial permits. Volan wanted to provide a trial solution for the fall semester, and stated he was happy to work with anyone who would like to study and make recommendations on the neighborhood permit parking program.

Amendment 05 to Ordinance 20-12 (cont'd)

Council comment:

Sims thanked Volan for bringing the amendment to the council. He stated that his questions about the amendment were not meant to be an indictment of the amendment but rather an attempt for clarification.

The motion to adopt Amendment 05 to Ordinance 20-12 received a roll call vote of Ayes: 4 (Smith, Sandberg, Rollo, Volan) Nays: 4, Abstain: 0. FAILED

Vote to adopt Amendment 05 to Ordinance 20-12 (10:12pm)

Sims passed the gavel back to Volan.

Piedmont-Smith moved and it was seconded to consider Amendment 06 to Ordinance 20-12.

Amendment 06 to Ordinance 20-12

Amendment 06 Synopsis: This amendment is sponsored by Councilmember Rosenbarger and adds definitions for Class A and Class B motor driven cycles that align with state law definitions. The amendment makes clear that Class A and Class B motor driven cycles are not prohibited from parking on a Class II bicycle parking facility. The amendment also removes a prohibition that prevented motorcycles or mopeds from parking in City-owned public parking garages in any space not designated and signed as being reserved for motorcycles.

Michelle Wahl stressed that motorcycles were difficult for vehicles to see when they traveled through driving lanes in parking garages. Designating spots for motorcycles was a safety measure for them.

There were no council questions.

Council questions:

Joe [inaudible] spoke in support of Amendment 06 to Ordinance 20-12.

Public comment:

Samuel Welsch Sveen stated he agreed with the previous speaker's remarks and supported the amendment.

Michael Waterford voiced his support for the amendment.

Piedmont-Smith asked if the amendment created designated spots for motorcycles in the garages.

Council comment:

Wahl said parking enforcement did not have a way to cite motorcycles for parking in bicycle racks. She explained that if a motorcycle could not find a metered spot on the street, they wanted to offer a dedicated spot in parking garages for their safety.

Piedmont-Smith asked if the ordinance created initial or additional designated parking spots within the parking garages, putting aside the amendment for a moment.

Wahl said they intended to designate 2-3 spaces per garage at the lowest level, flat surface.

Piedmont-Smith said she would not vote for Amendment 06 as it was written. She stated she did not support the language that allowed motorcycles to park in any spot in the garage due to safety issues cited by Wahl.

Flaherty believed that if designated motorcycle spots were taken, it would be frustrating that a motorcycle could not park in an open spot for vehicles. He asked Volan if the council would allow a member of the public to speak on the subject out of order again tonight. Volan asked and no one stated an objection.

Amendment 06 to Ordinance 20-12 (cont'd)

Samuel Welsch Sveen expressed interest in allowing more spots for motorcycles in parking garages. He believed there was more demand for spaces for motorcycles.

Public comment:

Greg Alexander stated that there were flat and level spots in most levels of the parking garages.

Joe [inaudible] stated he believed the amendment as written removed a fineable offense for a motorcycle parking in a spot intended for a vehicle.

Michael Waterford advocated for promoting the use of motorcycles.

Volan requested comment from city staff.

Council comment:

Raye Ann Cox was concerned that motorcycles were sometimes parked in bicycle racks and wished to prevent it. She stated that bicycle rack spaces were created for bicycles and a hazard was caused when a motorcycle traveled on a sidewalk to access the bicycle rack. Wahl said they were attempting to provide designated spots in garages for motorcycles.

Piedmont-Smith moved and it was seconded that she would like to adopt a secondary amendment to Amendment 06. She would like designated spots provided for motorcycles.

Motion to amend Amendment 06 to Ordinance 20-12

Lucas noted that the term "moped" in the amendment should be edited to read "Class A and Class B motor driven cycles."

Flaherty inquired if there were safe places for motorcycles to park other than the designated spots for motorcycles on a flat surface on the first level of the garage.

Council questions:

Wahl stated that if parking services determined that the demand for motorcycle parking spaces was greater than what was provided, they would add spaces on or near the first level. She felt it was unsafe for motorcycles to park on the interior of the garage.

Joe [inaudible] said he believed it was safe for a motorcycle to park on a sloped space in a parking garage.

Public comment:

Michael Waterford stated that the slopes were not a detriment to parking a motorcycle.

Sgambelluri did not object to creating more spaces for motorcycles and deferred to the judgement of staff regarding safety issues in parking garages.

Council comment:

The motion to adopt the Secondary Amendment to Amendment 06 to Ordinance 20-12 received a roll call vote of Ayes: 6, Nays: 1(Flaherty), Abstain: 1(Volan).

Vote to adopt Secondary Amendment to Amendment 06 to Ordinance 20-12 (10:44pm)

Volan asked if there were further council comments about Amendment 06 as amended. There were none.

Council comment:

Joe [inaudible] stated that if the amended version of Amendment 06 made it a fineable offense for a motorcycle to park in a spot designated for a vehicle, he was not in support of it. Public comment:

Samuel Welsch Sveen agreed with the previous speaker, and asked how the city would assess if there was more demand for motorcycle parking spaces in the garage and what the timeline would be for adding spaces if necessary.

Greg Alexander expressed his disappointment that the council was not listening to motorcyclists' opinions about safety issues.

Flaherty appreciated the participation by community members who were motorcycle drivers and asked them and others listening to contact him if they felt more spaces were needed in the future. Council comment:

Smith asked Wahl what would happen if a motorcyclist parked in a non-designated spot for motorcycles.

Wahl said if on a particular day demand was greater than usual, the garage manager would notify Wahl that it was being allowed. Warnings instead of citations would also be given to notify a motorcyclist that they should park in a designated spot in the future.

Flaherty stated to Wahl that he was not trying to subvert parking services by requesting that motorcycle drivers contact him. He simply wanted to be helpful with follow-up if he could.

The motion to adopt Amendment 06 to Ordinance 20-12 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Vote to adopt Amendment 06 as amended to Ordinance 20-12 (10:53pm)

Volan asked for council comment on Ordinance 20-12 as amended. There was none. Council comment:

There was no public comment. Public comment:

There was no comment from council. Council comment:

The motion to adopt Ordinance 20-12 as amended received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Vote to adopt Ordinance 20-12 as amended (10:55pm)

Volan asked Lucas if legislation could be introduced after 10:30pm.

Lucas said if there were a 2/3 vote by council to introduce legislation, it could be done, as well as a motion to postpone introduction of the legislation.

Piedmont-Smith moved and it was seconded that Ordinance 20-14 be introduced and read by title and synopsis only. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. McDowell read the legislation by title and synopsis. Ordinance 20-14 – An ordinance to amend Title 15 of the Bloomington Municipal Code entitled “Vehicles and Traffic” – Re: Reflecting a Proposed

Piedmont-Smith moved and it was seconded that Ordinance 20-14 be adopted. Redesign of Seventh Street as the “7-Line”

Beth Rosenbarger, Planning Services Manager for the Planning and Transportation Department, presented the legislation.

Piedmont-Smith, member of the Transportation Committee, stated the committee gave a do-pass recommendation of 4-0-0 for Ordinance 20-14.

Sgambelluri was in support of the ordinance, and asked city staff for their comments about losing revenue from the removal of metered spots to make way for the dedicated bike lane.

Ordinance 20-14 (cont'd)

Wahl said that she supported the project but was concerned about the loss of revenue.

Council questions:

Greg Alexander stated his support of the project. He was pleased with the engineering of the intersections.

Public comment:

Piedmont-Smith thanked staff members for their work on the project. She stated her support.

Council comment:

Smith stated his support of the project.

Flaherty appreciated that the project helped reduce the total output of emissions by providing an east-west corridor for bicyclists.

Volan expressed his support for the project.

The motion to adopt Ordinance 20-14 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 20-14 (11:27pm)

There was no legislation for first reading.

LEGISLATION FOR FIRST READING

There was no public comment.

ADDITIONAL PUBLIC COMMENT

Lucas reviewed the schedule for upcoming budget meetings.

COUNCIL SCHEDULE [11:29pm]

Sgambelluri moved and it was seconded to cancel the committee meetings scheduled for August 26. The motion was approved by voice vote.

Vote to cancel committee meetings on August 26, 2021 [11:31pm]

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

ADJOURNMENT [11:33pm]

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

APPROVE:

ATTEST:

Susan Sandberg, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

In Bloomington, Indiana on Wednesday, October 14, 2020 at 6:30pm, Council Vice President Jim Sims presided over a Special Session of the Common Council. Per the Governor's Executive Orders, this meeting was conducted electronically via Zoom.

COMMON COUNCIL
SPECIAL SESSION
October 14, 2020

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

ROLL CALL [6:32pm]

Council Vice President Jim Sims summarized the agenda.

AGENDA SUMMATION [6:34pm]

Flaherty moved and it was seconded to recommend Bailey Andison to seat C-2 on the Environmental Commission. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

APPOINTMENTS TO BOARDS AND COMMISSIONS [6:38pm]

Stephen Lucas, Council Attorney, noted that with the exception of Ordinance 20-25, all of the items on the agenda referred to the year 2021, not 2020 as stated in the agenda summation. After discussion, a revised agenda was drafted during the meeting correcting the years listed in legislation for second reading.

LEGISLATION FOR SECOND READING [6:41pm]

Sims gave a Conflict of Interest Disclosure related to being in a position to vote on a departmental budget that includes the salary for his wife, Doris, who served as the department head for the HAND department. He said that he intended to fulfill his duties fairly, objectively, and in the public interest.

Conflict of Interest Disclosures

Flaherty gave a Conflict of Interest Disclosure related to being in a position to vote on a departmental budget that includes the salary for his wife, Beth, who served as the Planning Services Manager. He said that he intended to fulfill his duties fairly, objectively, and in the public interest.

Mayor John Hamilton spoke about the 2021 salary and budget, and stated that in the budget advance meeting in April of 2020, the administration heard from councilmembers about their detailed priorities, suggestions, and comments that helped guide the proposal. Hamilton delineated the process of presenting the budget to the Common Council. He summarized some unprecedented challenges including economic collapse, climate emergency, racial and economic injustice, and the health pandemic. Hamilton highlighted some key points of the budget proposal and provided additional details of the plan. Hamilton thanked the Common Council and the public for six months of engagement in the drafting of the proposed budget.

Mayor John Hamilton statement[6:45pm]

Piedmont-Smith moved and it was seconded that Ordinance 20-25 be introduced and read by title and synopsis. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0 (Rollo out of the room). Clerk Nicole Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation of Ayes: 9, Nays: 0, Abstain: 0.

Ordinance 20-25 To Amend Ordinance 19-20, Which Fixed the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana for the Year 2020 - Re: Replacing Maximum Salaries with Salary Ranges for Certain Public Safety Personnel [6:53pm]

Piedmont-Smith moved and it was seconded that Ordinance 20-25 be adopted.

Caroline Shaw, Human Resources Director, stated that she was available to answer specific questions.

Ordinance 20-25 (cont'd)

Piedmont-Smith asked Shaw to summarize Ordinance 20-25 for the benefit of the public.

Shaw stated that Ordinance 20-25 replaced flat salaries for multiple police and fire positions that were not covered under a contract with a salary range.

Sgambelluri moved and it was seconded that Section II of Ordinance 20-25 be amended by increasing the job grade of Supervisory Sergeant to Grade 8 and by increasing the salary range of Supervisory Sergeant to a minimum salary of \$43,098 and a maximum salary of \$68,959 (Amendment 01 to Ordinance 20-25).

Amendment 01 to Ordinance 20-25

Amendment 01 Synopsis: This amendment is sponsored by Cm. Sgambelluri. It was prepared at the request of the Administration to revise the salary grade and salary range proposed for the position of Supervisory Sergeant within the Police Department, which had been listed incorrectly as a Grade 7 position.

Shaw stated that Amendment 01 was correcting an error in the pay grade for Supervisory Sergeant.

There were no council questions on Amendment 01 to Ordinance 20-25.

Council questions:

There was no public comment on Amendment 01 to Ordinance 20-25.

Public comment:

There were no council comments on Amendment 01 to Ordinance 20-25.

Council comments:

The motion to adopt Amendment 01 to Ordinance 20-25 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0 (Rollo out of the room).

Vote to adopt Amendment 01 to Ordinance 20-25 [7:02pm]

There was no public comment on Ordinance 20-25 as amended.

Public comment:

Piedmont-Smith asked if there would be any salary adjustments to actual personnel as a result of Ordinance 20-25.

Council comment:

Shaw confirmed there would be adjustments, and stated that compared to their peers, the Fire Deputy Chief and Battalion Chiefs were underpaid.

Piedmont-Smith asked if those individuals would receive back pay.

Shaw said that they would.

The motion to adopt Ordinance 20-25 as amended received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0 (Rollo out of the room).

Vote to adopt Ordinance 20-25 as amended [7:05pm]

Piedmont-Smith moved and it was seconded that Ordinance 20-22 be introduced and read by title and synopsis. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0 (Rollo out of the room). Clerk Bolden read Ordinance 20-22 by title and synopsis and stated the do-pass recommendation of Ayes: 9, Nays: 0, Abstain: 0.

Ordinance 20-22 An Ordinance Fixing the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2021

Piedmont-Smith moved and it was seconded that Ordinance 20-22 be adopted.

Sgambelluri moved and it was seconded that Section II A of Ordinance 20-22 shall be amended by increasing the job grade of Supervisory Sergeant to Grade 8 and by increasing the salary range of Supervisory Sergeant to a minimum salary of \$43,960 and a maximum salary of \$70,338. (Amendment 01 to Ordinance 20-22).

Amendment 01 to Ordinance 20-22

Amendment 01 Synopsis: This amendment is sponsored by Cm. Sgambelluri. It was prepared at the request of the Administration to revise the salary grade and salary range proposed for the position of Supervisory Sergeant within the Police Department, which had been listed incorrectly as a Grade 7 position.

Piedmont-Smith asked if Ordinance 20-22 made the same change to the year 2021 as was done for 2020.

Council questions:

Shaw confirmed that was correct.

There was no public comment on Amendment 01 to Ordinance 20-22.

Public comment:

There were no council comments on Amendment 01 to Ordinance 20-22.

Council comments:

The motion to adopt Amendment 01 to Ordinance 20-22 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 to Ordinance 20-22 [7:10pm]

Sgambelluri moved and it was seconded that Ordinance 20-22 shall be amended by inserting a new Section 3 and renumbering subsequent sections accordingly. The new Section 3 shall read: SECTION III. The maximum number of sworn officers within the Police Department for the year 2021 shall be set at 105. (Amendment 02 to Ordinance 20-22).

Amendment 02 to Ordinance 20-22

Amendment 02 Synopsis: This amendment is co-sponsored by Cms. Sgambelluri and Sandberg. Under authority granted to the Council under Indiana Code § 36-8-3-3, it provides that the maximum number of sworn officers within the Bloomington Police Department shall be set at 105.

Piedmont-Smith asked for further clarification regarding Amendment 02.

Council questions:

Sgambelluri provided background on the policing budget, including the balance of resources, and how much was devoted to sworn or non-sworn officers, and the staffing levels. She said that the Mayor had proposed dropping the total number of 105 to 100 and fully funding the 100. Sgambelluri explained the goal was to differentiate between civilian, non-sworn officer, dispatch, and sworn officers and to keep the total at 105. Sgambelluri stated that Amendment 02 provided the administration and council flexibility about staffing for the coming year.

Sandberg commented that Amendment 02 did not have a fiscal impact with the current year's budget, but did allow for flexibility. Sandberg stated that it was clear that the Bloomington Police Department (BPD) staff was dealing with staffing shortages. She also commented that she applauded the addition of social workers, the Neighborhood Resource Officer, and the Data Analyst.

Piedmont-Smith asked for clarification on why Amendment 02 placed a cap on the total number of police officers, whereas Ordinance 20-22 without Amendment 02 had no limit. She stated that she did not understand how Amendment 02 provided more flexibility.

Sgambelluri responded that 5 sworn officer positions and funding were repurposed to hire social workers. She said that Amendment 02's goal was to keep the number of police officers at 105, so that if funding were to be available in future years, the extra 5 police officer positions could be added without removing the social workers. Ordinance 20-22 (cont'd)

Sandberg stated that she and Cm. Sgambelluri had vetted Amendment 02 with Council Attorney Lucas, as well as city staff in the Legal Department.

Lucas concurred that Amendment 02 was within the Common Council's authority and clarified that Cm. Piedmont-Smith's comment was correct in that there was no change to the current year, but did place an upper limit on the number of officers that hadn't been in place before. Lucas stated that the upper limit was greater than the number of officers that were budgeted for those positions, so Amendment 02 would not have an impact.

Sgambelluri stated that the purpose of Amendment 02 was to send a message of support to police officers, and to let them know that their concerns about recruitment and retention had been heard.

Flaherty asked about flexibility because Amendment 02 seemed to set an upper limit where there wasn't one currently in Ordinance 20-22.

Sandberg stated that Amendment 02 impacted only the 2021 budget, and there were offers being made to new officers but that current staffing was not near 100 officers. Sandberg reiterated that Amendment 02 was largely symbolic, with the purpose of sending a message of support.

Sgambelluri stated that there was a 0% increase of sworn officers in the last five years, while Bloomington's population continued to grow, and that preserving a higher number was very important. She also stated that Amendment 02 recognized the Novak report which stated that increases in staffing was merited.

Smith thanked Cms. Sgambelluri and Sandberg and expressed his support of Amendment 02. Smith asked for further clarification on the staffing pressures.

Sandberg stated that she had been to several roll calls, and that many times the positions were filled by officers working double shifts. Sandberg explained other reasons why there were staff shortages. She also explained that the officers were tired when they worked double shifts.

Flaherty stated that Cm. Sandberg said that 105 was the optimal number and referenced statistics on the number of officers and the population of Bloomington. Flaherty asked how Amendment 02's sponsors determined that 105 was the optimal number with the current city population.

Sandberg responded that 105 was not nearly enough officers, but that 5 additional positions were aspirational and would assist in recruitment and retention. She explained that BPD officers were well-trained and thus sought after by other departments.

Sgambelluri stated that most councilmembers had been supportive of the addition of social workers. She explained that Amendment 02 intended to value sworn officers as well and to not cannibalize sworn officer positions to pay for social worker positions because it was not the best approach.

Mary Morgan spoke in favor of Amendment 02 and referenced the Novak report.

Ordinance 20-22 (cont'd)

Public comment:

Paul Post thanked Cms. Sgambelluri and Sandberg and stated that the staffing issues would not be solved immediately.

Alex Goodlad spoke against Amendment 02 and stated that the future of policing should be researched.

Donyel Bird spoke about addressing the root causes and issues that cause police officers to become overwhelmed, and stated there were never enough social workers. She said there was expertise in Bloomington to address the issues.

Jim Haverstock spoke in support of Amendment 02 and stated that Mayor John Hamilton intended to defund the police department.

Nathan Mutchler spoke about flexibility and asked council to consider if Amendment 02 solved the flexibility issue or actually restricted flexibility in what public safety was.

Jim Shelton spoke about the Community Justice & Mediation Center (CJAM) steering committees' analysis on vagrancy in the downtown, and the resulting report calling for more police. He spoke in favor of Amendment 02.

Jessica Oswald stated that she was a Neighborhood Resource Officer and spoke in favor of Amendment 02. She highlighted the importance of not having social workers replace sworn officers. She also emphasized that police officers were also human beings.

Janna Arthur commented that a ride along with police officers after 11pm by Switchyard Park was not representative, that what was needed was solutions to poverty and homelessness, and that police officers need to build relationships. She stated that more police officers were not needed.

Renee Miller asked if the decision to adopt Amendment 02 was antiracist, and urged council to do research on what that meant if they hadn't already.

Rollo stated that he appreciated Amendment 02 and that it was important to make a statement in support of police officers. Rollo commented that it was already difficult and with population increases, Amendment 02 was a step in the right direction.

Council comment:

Smith stated he would support Amendment 02.

Piedmont-Smith stated that Amendment 02 wouldn't have an impact, because Ordinance 20-22 didn't have a limit to officers, and that it was the budget that limited the number of officers. She spoke about adding more officers with an appropriation ordinance and not a salary ordinance and during the budget period. Piedmont-Smith expressed disagreement with the intention behind Amendment 02 because it was unhealthy for the community to think that sworn police officers were the solution to all problems. She clarified that she understood that officers were overworked and stated that the best way to fix that problem was to reduce their workload by addressing the problems that lead people to call the police, such as homelessness, poverty, mental health, and addiction issues. Piedmont-Smith referenced the success of Crisis Assistance Helping Out On the Streets (CAHOOTS) in Eugene, OR who took 17% of 911

phone calls. Piedmont-Smith emphasized that social workers were needed to help folks avoid the criminal justice system, and stated that the police system did not work well, and especially not for Black and Brown communities.

Flaherty commented that he agreed with Cm. Piedmont-Smith. Flaherty also commented that the sponsors of Amendment 02 had stated that they wished to make a statement, but that councilmembers were always able to make statements, or issue a press release. He said that using an amendment to make a statement, and one that limited flexibility and had no impact, was odd, and that the Novak report recommended 121 officers. Flaherty stated that the way shifts were scheduled could be changed to match call volumes. He said that there was no analysis in the Novak report of the 45 sworn officers of the Indiana University Police Department (IUPD) that also patrol the city, and including those officers makes Bloomington well above average for the city's population. Flaherty explained that the Novak report also did not consider DROs, Neighborhood Resource Officers, and social workers as being a part of proactive policing. He further explained the community policing was not a panacea and there were scholars and organizations like Black Lives Matter (BLM) that called that status quo into question.

Rosenbarger stated that she was in agreement with Cms. Piedmont-Smith and Flaherty. She also stated there currently was flexibility with the number of officers. Rosenbarger explained that she understood that police officers were overworked and that there was a morale problem in BPD, which needed to be addressed directly to challenge the status quo and alleviate that workload. Rosenbarger stated that it was important to address the root causes that led people into the criminal justice system. She said that reducing the number of officers to 100 was the right step, but that there was more work to do.

Sims thanked councilmembers and the public for their comments. Sims stated that the goals of policing would be achieved through collaborations, community work, and best practices. He said that Amendment 02 would give flexibility for 2021 but that there likely wouldn't be an opportunity to hire that many officers. Sims stated that it was critical to have the current officers feel supported and that was what Amendment 02 did.

Sgambelluri thanked councilmembers and the public and stated that she learned something every time she listened. She explained that she shared the goal of revisiting and refining public safety and policing. Sgambelluri referenced Renee Miller's comment requesting councilmembers to ask themselves about legislation being antiracist. She commented that there was a need to recruit and retain the best, smartest, best-trained, and those with the most integrity. Sgambelluri said that Bloomington was intentionally diversifying the toolkit of public safety.

Sandberg commented that Mayor Hamilton had been considering take-home cars and housing assistance for officers, which was a step in the right direction. Sandberg explained that police officers welcomed Neighborhood Resource Officers because it alleviated some of their workload. Sandberg asked that ride-alongs not be minimized. She stated that Bloomington was fortunate to have Police Chief Mike Diekhoff because of his high standards for officer training. Sandberg disagreed that Amendment 02 did not have an

impact. She also stated that there was more work to do and that she would focus on that in the coming year.

Ordinance 20-22 (cont'd)

Rollo stated that Amendment 02 was important because it sent a signal of support to police, and helped keep parity with population growth.

The motion to adopt Amendment 02 to Ordinance 20-22 received a roll call vote of Ayes: 5, Nays: 3 (Rosenbarger, Flaherty, Piedmont-Smith), Abstain: 0.

Vote to adopt Amendment 02 to Ordinance 20-22 [8:18pm]

The motion to adopt Ordinance 20-22 as amended received a roll call vote of Ayes: 8, Nays: 0. Abstain: 0.

Vote to Adopt Ordinance 20-22 as amended [8:20pm]

Piedmont-Smith moved and it was seconded that Ordinance 20-23 be introduced and read by title and synopsis. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Clerk Bolden read Ordinance 20-23 by title and synopsis and stated the do-pass recommendation of Ayes: 3, Nays: 6, Abstain: 0.

Ordinance 20-23 An Ordinance Fixing the Salaries of Appointed Officers, Non-Union and A.F.S.C.M.E. Employees for All the Departments of the City of Bloomington, Monroe County, Indiana, for the Year 2021

Piedmont-Smith moved and it was seconded to adopt Ordinance 20-23.

Shaw presented Ordinance 20-23 and provided a summary of the increase in salaries, new positions, and title changes.

There were no council questions on Ordinance 20-23.

Council questions:

Renee Miller intended to speak about smart metering but recognized it was not specific to Ordinance 20-23.

Public comment:

Flaherty stated that he would vote against Ordinance 20-23 as well as Appropriation Ordinance 20-24.

Council comments:

Piedmont-Smith spoke about correspondence from Reverend Forrest Gilmore, Beacon/Shalom Center, who pointed out the minute increase in the living wage within the City of Bloomington of only \$.08 for 2021. She explained that the Consumer Price Index was variable due to the pandemic but had gone up since June. Piedmont-Smith stated that she intended to pursue a change to the living wage after researching the economic impact, which shouldn't be significant because most city employees earned wages near the living wage. Piedmont-Smith addressed the Transportation Demand Management (TDM) position that was placed in the Economic and Sustainable Development (ESD) department, and stated that she believed it should be in the Planning and Transportation (PT) department, as was recommended by the TDM consultants. She clarified that four councilmembers had stated publicly, and reached out to the mayor, that they disagreed with the placement of the TDM position. She also stated that she would be supporting Ordinance 20-23.

Rosenbarger stated that she agreed with Cm. Piedmont-Smith and that there were some good items within the budget, though she had concerns with the budget process. She said that the four new councilmembers said that they were thinking of voting against Ordinance 20-23, because of a lack of collaboration, and something that the administration should note. Rosenbarger commented that the consultant, who was an expert in transportation demand management, and said the TDM position should be in the PT department or Public Works. Rosenbarger stated that she had voted

against legislation because she did not agree with the process. She commented that it was important to have steps in place for councilmembers to think about things like the Comprehensive Plan and the Sustainable Action Plan when considering decisions, and to be purposeful in spending money.

Sims stated that there were many good things in the budget, and commented that he wasn't sure that the TDM would remain in ESD. He also commented that councilmembers could help ensure that the TDM was held accountable to their duties. Sims agreed with Cm. Piedmont-Smith about the living wage issue and would work to address that moving forward.

The motion to adopt Ordinance 20-23 received a roll call vote of Ayes: 7, Nays: 1 (Flaherty), Abstain: 0.

Ordinance 20-23 (cont'd)

Vote to adopt Ordinance 20-23 [8:40pm]

Piedmont-Smith moved and it was seconded that Ordinance 20-24 be read by title and synopsis. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Clerk Bolden read Ordinance 20-24 by title and synopsis and stated the do-pass recommendation of Ayes: 9, Nays: 0, Abstain: 0.

Ordinance 20-24 To Fix the Salaries of All Elected City Officials for the City of Bloomington for the Year 2021 [8:44pm]

Piedmont-Smith moved and it was seconded to adopt Ordinance 20-24.

Shaw presented Ordinance 20-24 and provided a summary of the proposed changes.

There were no council questions on Ordinance 20-24.

Council questions:

There was no public comment on Ordinance 20-24.

Public comment:

There were no council comments on Ordinance 20-24.

Council comment:

The motion to adopt Ordinance 20-24 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 20-24 [8:45pm]

Piedmont-Smith moved and it was seconded to introduce and read Appropriation Ordinance 20-05 by title and synopsis. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Clerk Bolden read Appropriation Ordinance 20-05 by title and synopsis and stated the do-pass recommendation of Ayes: 9, Nays: 0, Abstain: 0.

Appropriation Ordinance 20-05 An Ordinance Adopting a Budget for the Operation, Maintenance, Debt Service and Capital Improvements for the Water and Wastewater Utility Departments of the City of Bloomington, Indiana for the Year 2021 [8:47pm]

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

Vic Kelson, Director of Utilities, summarized the budget for water, sewer, and storm water utilities.

There were no council questions on Appropriation Ordinance 20-05.

Council questions:

There was no public comment on Appropriation Ordinance 20-05.

Public comment:

Piedmont-Smith thanked Kelson for his succinct presentation.

Council comments:

Sims stated that he was the ex-officio councilmember on the Utilities Service Board (USB) and was impressed with Kelson and Utilities staff for being good stewards of rate payer funds.

The motion to adopt Appropriation Ordinance 20-05 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Appropriation Ordinance 20-05 [8:54pm]

Piedmont-Smith moved and it was seconded to introduce and read Appropriation Ordinance 20-06 by title and synopsis. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Clerk Bolden read Appropriation Ordinance 20-06 by title (Clerk's Note: there was no synopsis) and stated the do-pass recommendation of Ayes: 9, Nays: 0, Abstain: 0.

Appropriation Ordinance 20-06
Appropriations and Tax Rates for
Bloomington Transportation
Corporation for 2021 [8:55pm]

Piedmont-Smith moved and it was seconded to adopt Appropriation Ordinance 20-06.

Lew May, General Manager of the Bloomington Transportation Corporation, presented Appropriation Ordinance 20-06 and summarized the proposed budget.

There were no council questions on Appropriation Ordinance 20-06.

Council questions:

There was no public comment on Appropriation Ordinance 20-06.

Public comment:

There were no council comments on Appropriation Ordinance 20-06.

Council comments:

The motion to adopt Appropriation Ordinance 20-06 received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Appropriation Ordinance 20-06 [8:59pm]

Piedmont-Smith moved and it was seconded to introduce and read Appropriation Ordinance 20-04 by title and synopsis. The motion received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0. Clerk Bolden read Appropriation Ordinance 20-04 by title and stated the do-pass recommendation of Ayes: 4, Nays: 3, Abstain: 2. There was no synopsis.

Appropriation Ordinance 20-04 An
Ordinance for Appropriations and
Tax Rates (Establishing 2021 Civil
City Budget for the City of
Bloomington) [9:00pm]

Piedmont-Smith moved and it was seconded to adopt Appropriation Ordinance 20-04.

Underwood presented Appropriation Ordinance 20-04 and summarized the proposed budget.

Sgambelluri asked Underwood to repeat what it would mean to not approve a budget.

Council questions:

Underwood explained that levies were adjusted every year with a maximum of 5% and for the current year, it was approximately \$1,000,000. He said that by not approving the budget, the city would forfeit the \$1,000,000 because the budget would revert back to the most recently approved levy. Underwood also explained how that would impact salary adjustments that were passed at the meeting.

Piedmont-Smith asked about the ~\$50,000 increase in category three for local street funds.

Underwood responded that was for street lights.

Nathan Mutchler spoke against rubber bullets and gas masks within a line item budget.

Public comment:

Alex Goodlad expressed his opposition to gas masks and rubber bullets.

Molly Stewart commented that she was disappointed in how the council and administration approached the budget and spoke about police defunding.

Gregory May spoke about working with BPD as an employee of Centerstone, and asked council to do more research before considering defunding the police.

Appropriation Ordinance 20-04
(cont'd)

Janna Arthur spoke against rubber bullets and gas masks, and stated that people experiencing homelessness were not receiving the assistance that they needed.

Heather Lake spoke against having \$15,000 in the budget for rubber bullets and gas masks and urged finding a better use of those funds.

Linda Gropal commented on the divisiveness in the community where conversations became defensive and spoke about the need for social workers.

Piedmont-Smith moved and it was seconded that council adopt the finding and documents submitted by Donyel Bird on September 21, 2020, including the document titled, "Letter Opposing the 2021 Proposed Police Budget" and accompanying signature page, recommendations therein, and public comments.

Motion to adopt Findings of Taxpayer Petition

Lucas explained that there was a provision in state law that allowed tax payers to file a petition objecting to a budget, tax rate, or levy which obligated the council to adopt a finding in response.

Sgambelluri asked Lucas to explain the difference between a petition and correspondence submitted to councilmembers.

Council questions:

Lucas explained that it was correctly filed and signed by over 100 taxpayers and the petition potentially fell under the provision of state law.

Sims asked for further clarification because it was the first time this had occurred.

Lucas clarified by reading the provision within Indiana State Code and stated that the motion acknowledged receipt of the petition and that council had considered the recommendations in the document.

Sandberg clarified that the motion acknowledged receipt only.

Donyel Bird stated that 158 community members signed the petition and asked how the public would access the information within the petition.

Public comment:

Sgambelluri asked if the copy of the letter was attached to the finding.

Council comment:

Lucas stated that the finding was simply a motion but that he could work with the Clerk's office to make the finding, petition, and associated documents available to the public.

The motion to adopt the Findings of the Taxpayer Petition received a roll call vote of Ayes: 8, Nays: 0, Abstain: 0.

Vote to adopt Findings of Taxpayer Petition [9:37pm]

Sandberg stated that it was council's responsibility to make sure there was a responsible budget and that she supported the budget and commented on the budget process.

Council comments:

Piedmont-Smith addressed concerns about rubber bullets and gas masks, and clarified that BPD did not use rubber bullets and that the munition section of the budget totaling \$3000 was for bean bag and sponge rounds. She said that Chief Diekhoff confirmed that those rounds were used to disarm an individual in a non-lethal manner. Piedmont-Smith commented that gas masks were banned as a

Appropriation Ordinance 20-04
(cont'd)

weapon of war and it alarmed her that any police force would use tear gas on individuals including peaceful protestors. She explained that Chief Diekhoff stated that they were purchased for the rare event that gas might be used, or if there was a chemical spill and police officers were called in to assist. She clarified that she opposed the use of tear gas and not gas masks and was working on bringing forward legislation on curbing tear gas use. Piedmont-Smith concluded by commenting on the budget process and timeline and stated that she would like to hear from the mayor between the budget advance meeting and August meetings. She said she would work to better the process in the future and listed items that need to be considered when drafting a budget.

Rollo stated that the budget was fiscally sound, and that the administration kept with the commitments to infrastructure and social services. Rollo acknowledged that it did not address every councilmembers concerns but that administration had done a good job balancing moving forward with a budget while dealing with a pandemic. He mentioned the successes of solarizing the city, of planting trees, the successes of Jack Hopkins Social Services Funding (JHSSF), sidewalk improvements, alternative transportation, and affordable housing units. Rollo stated that he was aware of problems within police departments around the country, and commented that BPD was excellently trained and was a model for other communities. Rollo stated that he was committed to increasing the number of sworn police officers.

Flaherty thanked the administration and city staff for their work on the budget and expressed appreciation of Mayor Hamilton's highlights of the good things in the budget. Flaherty stated that he had already discussed his concerns with the structure and process of the budget. He said that he ran for a seat on the Common Council because he hoped to effect change, to shift away from the status quo, and that the budget was a way for council to effect change and to be more in line with policy priorities as elected officials. Flaherty expressed concern for not impacting the budget due to procedural shortcomings and a lack of collaboration and compromise. He commented that 6 or 7 specific changes that he requested were not incorporated, and that he had spoken to Mayor Hamilton about it. Flaherty stated that the mayor said that the budget aligned with broader priorities, with which he respectfully disagreed. Flaherty looked forward to working with the administration, councilmembers, and to improving the budget and appropriation process.

Sgambelluri thanked councilmembers, community members, and the administration and department heads. She expressed thanks for presenting a budget that created a TDM, added funding to JHSSF, and invested in additional tools for public safety. She said she looked forward to meeting social workers and the data analyst and seeing their work, and applauded take-home cars, and housing assistance that would help recruit and retain the best officers that would serve the community in a way that was most consistent with its values. She also thanked city staff. Sgambelluri discussed opportunities including the new TDM position, continued response to those hit hardest with the economic downturn, revisiting and refining the budgeting process, and working closely with county colleagues and legislators, to identify alternative policies for assessing local income taxes to generate additional revenue.

Smith thanked Mayor Hamilton, City Controller Underwood, councilmembers, and community members. He said that it was a good budget that reflected the values in Bloomington, and that it was okay to disagree. Smith stated that by working on the process it would be improved every year.

Appropriation Ordinance 20-04
(cont'd)

Sims stated that he would support the budget, and acknowledged that it wasn't perfect, but that it had good things for the community and built upon longer term things like infrastructure. Sims stated that he was looking for more direct, intentional, and collegial communications. Sims commented that councilmembers submitted questions to the administration regarding the budget, and that he was not satisfied with the responses to some of the questions, but was satisfied with the explanations. Sims explained that, like his colleagues, he wasn't fully satisfied but believed that the process would get better. Sims thanked Linda Gropal and the public, including Alex Goodlad and Molly Stewart. Sims stated that there was a lot of discussion about the police department, including that it was a model department. He clarified that he did not agree that BPD was a model department, but that it was a good police department that could and would be improved. Sims said that under Chief Diekhoff's leadership, the BPD had improved, and referenced some of the work of the public safety committee over the years. Sims talked about the disparate arrest percentages of Black people in the city, and stated that the percentages were correct and unacceptable. Sims commented that another thing that was not acceptable was to be called a "dumbass n-word" while getting gas because he chose to wear a mask. He said it was not acceptable for the disparate numbers of expulsions and suspensions in the school system. Sims also discussed unemployment rate for Black people being higher than white people. He also discussed the effects of Covid19 on the Black population and other people of color. Sims stated that it was unacceptable that less than 1% of the Black community in Bloomington owned their home. Sims stated his hope hoped that councilmembers wouldn't miss the big picture by focusing on the few things that have disagreement.

The motion to adopt Appropriation Ordinance 20-04 received a roll call vote of Ayes: 7, Nays: 1 (Flaherty), Abstain: 0.

Vote to adopt Appropriation Ordinance 20-04 [10:05pm]

Stephen Lucas, Council Attorney, reviewed the council schedule.

COUNCIL SCHEDULE [10:05pm]

Piedmont-Smith moved and it was seconded to adjourn. Sims adjourned the meeting.

ADJOURNMENT [10:07pm]

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

APPROVE:

ATTEST:

Susan Sandberg, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

In Bloomington, Indiana on Wednesday, December 9, 2020 at 5:30pm, Council President Stephen Volan presided over a Special Session of the Common Council. Per the Governor’s Executive Orders, this meeting was conducted electronically via Zoom.

COMMON COUNCIL
SPECIAL SESSION
December 09, 2020

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

ROLL CALL [5:30pm]

Council President Stephen Volan summarized the agenda.

AGENDA SUMMATION [5:31pm]

Rosenbarger moved and it was seconded to accept the appointment of Doug Horn to the Public Transportation Corporation Board of Directors, to seat C-1, and to reaffirm the term for seat C-2, currently occupied by Nancy Obermeyer, as ending July 31, 2021. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0. (Rollo, Sims absent).

APPOINTMENTS TO BOARDS AND COMMISSIONS [5:32pm]

LEGISLATION FOR FIRST READING [5:36pm]

Piedmont-Smith moved and it was seconded that Ordinance 20-33 be read by title and synopsis only. The motion received a roll call vote of Ayes: 7, Nays: 0, Abstain: 0. Chief Deputy Clerk Sofia McDowell read Ordinance 20-33 by title and synopsis.

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)

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

COUNCIL SCHEDULE [5:37pm]

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

ADJOURNMENT [5:39pm]

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

APPROVE:

ATTEST:

Susan Sandberg, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

In Bloomington, Indiana on Wednesday, December 16, 2020 at 6:30pm, Council President Stephen Volan presided over a Regular Session of the Common Council. Per the Governor's Executive Orders, this meeting was conducted electronically via Zoom.

COMMON COUNCIL
REGULAR SESSION
December 16, 2020

Councilmembers present via teleconference: Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger, Susan Sandberg, Sue Sgambelluri, Jim Sims, Ron Smith, Stephen Volan
Councilmembers absent: none

ROLL CALL [6:30pm]

Council President Stephen Volan summarized the agenda.

AGENDA SUMMATION [6:31pm]

Piedmont-Smith moved and it was seconded to approve the minutes of March 25, April 1, April 7, June 3, June 10, and June 17 of 2020.

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

APPROVAL OF MINUTES [6:31pm]

March 25, 2020 (Special Session)
April 01, 2020 (Special Session)
April 07, 2020 (Special Session)
June 03, 2020 (Regular Session)
June 10, 2020 (Special Session)
June 17, 2020 (Regular Session)

Piedmont-Smith spoke about the removal of tents at Seminary Park the previous Wednesday night and expressed her disagreement with the action. She said there was not appropriate notice to the individuals or to the community organizations that provide services. Piedmont-Smith referenced guidance from the Centers for Disease Control and Prevention (CDC) that camps should not be cleared during a pandemic. She spoke about requests she made to the administration.

REPORTS

- COUNCIL MEMBERS [6:35pm]

Flaherty stated that he shared Piedmont-Smith's sentiments and that the bare minimum of hygiene resources was needed, though he understood it was complicated. Flaherty referenced recommendations by local organizations.

Smith commented on the Sidewalk Committee's plans, and the Planning and Transportation department was going to factor in socio- and economic equity for sidewalk projects.

Sgambelluri thanked city staff for their work in District 2 including Christina Smith, Special Projects Coordinator; Devta Kidd, Director of Innovations; Paula McDevitt and Mallory Rickbeil in Parks and Recreation; and Eric Greulich, Senior Planner.

Volan spoke about the Indiana Supreme Court decision on annexation, which was in favor of the City of Bloomington. Volan also spoke about an email from Erin Predmore regarding the Monroe County Medical Reserve Corp.

Doris Sims, Director of the Housing and Neighborhood Development department gave a report on the Housing Development Fund. There was brief council discussion following the report.

- The MAYOR AND CITY OFFICES [6:55pm]

There were no council committee reports.

- COUNCIL COMMITTEES

Vauhxx Booker spoke about the housing encampment, CDC guidelines, and his draft of the Unhoused Bill of Rights he sent to council.

- PUBLIC [7:12pm]

Stephen Lucas, Council Attorney/Administrator, read a statement from Sam Dove expressing that they were sorry Doris was leaving her job.

- PUBLIC (cont'd)

Michelle Henderson discussed the removal of tents from Seminary Park, and thanked Piedmont-Smith for her comments and Doris Sims for her report. Henderson urged council and the administration to protect the downtown houses and not rezone.

Peter Dorfman commented on the zoning map, plexes, and urged council to vote against the map.

Wendy Bernstein spoke about multifamily houses, density, and zoning.

Edward Bernstein commented on upzoning, affordable housing, density, diversity, and rental properties.

Jan Sorby stated that the changes to the Unified Development Ordinance (UDO) and the zoning maps were disappointing.

Cathi Crabtree thanked Piedmont-Smith and Flaherty for speaking up about the removal of tents at Seminary Park, and the addition of hygiene services. Crabtree thanked Jackie Scanlan, Development Services Manager, for disseminating information about the UDO.

Jean Simonian expressed her disappointment in the mapping of the UDO because it changed decisions that were already made.

Greg Rago discussed upzoning, which he found unacceptable, and which would destroy neighborhoods.

Dave Stewart stated his dismay in the change in zoning and that the process was now undemocratic.

Tom [inaudible] expressed his concerns with zoning map and the stress on infrastructure.

Cynthia Brethiem discussed core neighborhoods, plexes, and affordable housing.

Ramsey Harik spoke about plexes in the core neighborhood, the data on housing crisis, and single-family home ownership.

Barbara Moss commented on upzoning and the process of mapping.

Abraham Morris stated his opposition to the zoning map in the proposed UDO because it would destroy core neighborhoods.

Nathan Mutchler referenced September 11, 2001, housing, and urged council to make the city have affordable housing.

Kathleen Myers discussed core neighborhoods, irrevocable changes, and the timing of the zoning map.

Abby Ang spoke in support of the unhoused neighbors and against the decision to evict them from parks.

Alex Goodlad commented on the encampment, housing policy, and in support of the unhoused. He also stated that the zoning map discussion should include those who do not have a home.

Beau Valence spoke against the rezoning for core neighborhoods, and stated that it felt rushed and undemocratic.

- PUBLIC (cont'd)

Flaherty moved and it was seconded to extend Public Comment by ten minutes, with one minute per speaker. The motion was approved by a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to extend public comment [7:40pm]

David Keppel spoke about climate crisis and the need for housing density.

- Public (cont'd)

Elizabeth Cox Ash spoke against plexes.

Marshal Bailey discussed Seminary Park and urged council to be more in control.

Lesa Huber expressed her disdain for upzoning.

Russ Skiba stated that upzoning did not increase affordability.

Greg Alexander spoke about the unhoused and their needs.

Nicole Johnson discussed housing and assistance for those in Seminary Park.

Gail Weaver stated there was a divide in the community and spoke about housing.

Jennifer Crossley urged all elected officials to work together to end the war on the poor and the unhoused.

Robert Meadows spoke about participatory democracy.

Sharon Yarber commented on plexes and development.

There were no appointments to boards or commissions.

APPOINTMENTS TO BOARDS AND COMMISSIONS [7:56pm]

LEGISLATION FOR SECOND READING AND RESOLUTIONS [7:57pm]

Piedmont-Smith moved and it was seconded that Resolution 20-18 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 committee do-pass recommendation of Ayes: 4, Nays: 0, Abstain: 0.

Resolution 20-18 - To Approve and Authorize the Execution of a Collective Bargaining Agreement Between the City of Bloomington and the Bloomington Metropolitan International Association of Fire Fighters, Local 586 [7:57pm]

Piedmont-Smith moved and it was seconded that Resolution 20-18 be adopted.

Philippa Guthrie, Corporation Counsel, Legal Department, presented the legislation. Guthrie described the collective bargaining agreement, base salaries, the calculation of the longevity payments, command appointments, the removal of caps and other limitations, acting pay, and the increase in clothing allowance.

Sims presented the Public Safety Committee's report regarding Resolution 20-18. He discussed the collective bargaining agreement process, the fiscal impact, and commented that Fire Chief Jason Moore was asked to report on the gender and racial diversity on his team. Sims stated that there was 3-4% Black or people of color.

Resolution 20-18 (cont'd)

There were no council questions on Resolution 20-18.

Council questions:

There was no public comment on Resolution 20-18.

Public comment:

There was no council comment on Resolution 20-18.

Council comments:

The motion to adopt Resolution 20-18 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Resolution 20-18 [8:07pm]

Piedmont-Smith moved and it was seconded that Ordinance 20-32 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, giving the committee do-pass recommendation of Ayes: 4, Nays: 0, Abstain: 0.

Ordinance 20-32 - An Ordinance to Amend Ordinance 20-22, Which Fixed the Salaries of Officers of the Police and Fire Departments for the City of Bloomington, Indiana, for the Year 2021 [8:07pm]

Piedmont-Smith moved and it was seconded that Ordinance 20-32 be adopted.

Caroline Shaw, Human Resources Director, presented the legislation. Shaw summarized the base salary increases, the elimination of annual caps, changes to longevity pay, PERF contributions, mandatory training pay, new command appointments, clothing allowance, and the decrease in the required days to receive active pay.

Sims presented the Public Safety Committee report.

There were no council questions on Ordinance 20-32.

Council questions:

Elizabeth Cox Ash spoke in favor of firefighters and police.

Public comment:

Robert McWhorter thanked the Public Safety Committee and council and spoke about the Metropolitan Union firefighters.

Sgambelluri thanked Guthrie and Shaw, and those involved in the negotiations.

Council comments:

The motion to adopt Ordinance 20-32 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 20-32 [8:16pm]

Piedmont-Smith moved and it was seconded that Resolution 20-19 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 20-19 - A Resolution Extending the Term of Ordinance 20-11 and Calling for the Continuation of Other Temporary Regulations [8:16pm]

Piedmont-Smith moved and it was seconded that Resolution 20-19 be adopted.

Kaisa Goodman, Special Projects Manager, Economic and Sustainable Development (ESD), presented the legislation. Goodman summarized the survey and feedback of business owners in the downtown area including parklets, closure of sections of Kirkwood Avenue, and the process for the extension included in the legislation.

Rollo asked for more detail regarding modifications to parklets and pick up zones, and if any businesses felt that they were not accommodated.

Resolution 20-19 (cont'd)

Council questions:

Goodman stated that the parklets and pick up zones had been adjusted based on feedback from businesses and that there was no dissatisfaction. She stated that for the Kirkwood closures, city staff had worked with the Kirkwood Community Association and that a consensus was desired for the closure dates. Goodman stated that there was not 100% consensus.

Rollo asked if there was feedback from the public.

Goodman stated that there were some comments, and that most had been positive.

Talisha Coppock thanked the city and mayor, ESD, public works, and council for their prompt attention during the pandemic.

Public comment:

Nathan Mutchler spoke in favor of Resolution 20-19 and asked the city and council to extend the same considerations for the unhouesd.

Sims asked Goodman for the survey report.

Council comments:

Goodman stated she would share that with the council and public.

Rollo thanked Goodman for her work.

Volan also thanked Goodman and the administration for working with local businesses during this extraordinary time.

The motion to adopt Resolution 20-19 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Resolution 20-19 [8:29pm]

Piedmont-Smith moved and it was seconded that Ordinance 20-28 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 20-28 - To Amend the City of Bloomington Zoning Maps by Rezoning 7.22 Acres of Property from Planned Unit Development (PUD) to Mixed-Use Student Housing (MS) - Re: 301 E. Brownstone Drive (The Standard at Bloomington, LLC, Petitioner) [8:32pm]

Piedmont-Smith moved and it was seconded to adopt Ordinance 20-28.

Eric Greulich, Senior Zoning Planner, Planning Department, presented the legislation.

Aaron Stang, Landmark Properties, provided additional details.

Kendall Knoeke, Smith Design Group, highlighted the coordination of civil related components including a new sewer and water main, potential walking routes, pedestrian easement, and the project schedule.

Jack Foreman, Senior Design Partner, BKV, spoke about the design of the project.

Piedmont-Smith presented the Land Use Committee report and summarized the topics discussed, including the removal of existing buildings, green space, addition of balconies, affordable units, the parking ratio, mixed-use district, and other uses than housing in the project. She described other community engagement and security components, including one unit being offered, free of charge, to a local police officer. She noted the do-pass recommendation of Ayes: 3, Nays: 1, Abstain: 0.

Rollo asked if the proposed project was preliminary approval and if council would see the proposal again, or if it would go to the Plan Commission.

Ordinance 20-28 (cont'd)

Council questions:

Piedmont-Smith responded that it was a rezone and would not return to council.

Rollo asked if the final approval would be done by the Plan Commission.

Greulich confirmed that was correct.

Rollo asked the composition of the panels.

Foreman stated it was fiberboard.

Sims asked if the affordability portion was for the life of the property.

Greulich confirmed the commitment was in perpetuity.

Smith asked who paid for the infrastructure improvements.

Greulich stated the petitioner would be doing the improvements including utility lines, sidewalk installation, curbing, and tree plots.

Piedmont-Smith asked about her request for a written commitment to affordable units at 120% of Area Median Income (AMI).

Greulich confirmed that staff had it as a written commitment.

Piedmont-Smith asked how many units were workforce and how many were affordable.

Greulich explained the bedroom breakdown for affordable units for those earning less than 120% AMI, which were a mix of studios, 1 bedroom, and 2 bedrooms.

Piedmont-Smith asked for more clarification based on the petitioner stating that 1/3 would be workforce housing and 2/3 would be affordable housing.

Greulich clarified that workforce housing was for the 80-120% AMI.

Stang explained the percentages of total bedrooms, where 10% would not exceed 100% AMI, and 5% would not exceed 120% AMI.

Volan asked if the proposal included total units or total bedrooms.

Stang confirmed it was total bedrooms.

Volan asked which units would be offered as affordable.

Stang stated it would be studios, 1 bedrooms, and 2 bedrooms.

Volan also asked what the petitioner's oldest, large apartment complex that they built was.

Stang responded that the oldest building was in 2003.

Volan asked how the petitioner maintained their oldest buildings.

Stang stated that there hadn't been substantial problems, but that they maintained reserves, and also used third party contractors.

Volan asked Greulich how the parking ratio was established.

Greulich explained that the petitioners proposed the ratio, and it was within the minimum and maximum per the UDO. Greulich stated the maximum for student housing was 0.75 spaces per bedroom.

Rollo asked if there had been a discussion about the longevity of the proposed structure, given that old buildings were being razed.

Greulich stated the petitioner believed it was a 90 year building design.

Stang stated it was closer to 100-150 years, based on building design, and products used.

Rollo also asked about the emphasis of the use of native species in the green space.

Ordinance 20-28 (cont'd)

Greulich stated that the petitioner would have to meet all the requirements in the UDO and that the plan was to use 95% native species.

Elizabeth Cox Ash asked about the sewer system, and if the developer would pay for it.

Public comment:

Nathan Mutchler commented that embedding a police officer in a residential neighborhood didn't make everyone feel safer, and a mental health worker or social worker was ideal.

Greg Alexander spoke about the huge improvement in process and also spoke about sidewalks and gaps in sidewalks.

Lisa Podulka spoke in favor of the project and affordable housing, and about the Covid-19 vaccination.

Marc Teller spoke about the unhoused residents in the city.

Nicole Johnson discussed public safety and the subsidized units in the project, and stated that not everyone felt safe with a police officer embedded in the neighborhood.

Piedmont-Smith asked about the sewer line improvements.

Council comments:

Greulich stated that the improvements would be paid for by the petitioner between their property and the line they were connecting to.

Piedmont-Smith asked if city staff reviewed the line the petitioner would connect to verify it would not be overburdened.

Greulich confirmed that the Utilities department conducted a review to ensure adequate capacity.

Piedmont-Smith asked if it was a standard review that the city did.

Greulich confirmed that it was.

Volan asked about the water flow around the proposed project.

Greulich stated that the water shed located there flowed north and there was a large hill that divided water flow.

Volan asked if the plan was to improve the sewer main up to the bypass and also asked if the main before the improvements was large enough to not need improvement.

Lucas read Knoeke's Zoom chat and confirmed that the water flowed north to the north treatment plant, and that they had received a will-serve letter from City of Bloomington Utilities (CBU) who evaluated the sewer line to the plant and were requiring improvements where needed, and that all other areas were adequate. *(Clerk's note: Kendall Knoeke was having audio difficulties and typed his comments into the Zoom chat.)*

Flaherty commented that the 35-36 year lifespan of the previous building was disappointing, but that the higher quality of the building going forward was good. He also expressed appreciation for the affordable housing components. Flaherty discussed inclusionary zoning which was banned by the state of Indiana and thanked the petitioners for working with the city to include the percentages in the project.

Piedmont-Smith thanked the developers for the commitment to having a silver-level green building certification, and she hoped they could make it gold-level. She also expressed appreciation for the affordable housing component. Piedmont-Smith thanked the member of the public who spoke about the concerns of having a police officer embedded in one’s residence. She also spoke about the situation with police where they often could not afford to live in city limits. Piedmont-Smith asked the developers to consider the timing of sending workers to tear down the old buildings during a pandemic.

Ordinance 20-28 (cont’d)

Volan stated that the project was the largest, off-campus housing project ever built in Bloomington, by a factor of more than 40%. He commented that it would be 1071 beds. Volan commented on other large housing units and stated that the project would have an effect on the demand in single family neighborhoods. He also spoke in favor of the percentage of affordable housing bedrooms, and the wrap-around parking garage. Volan said that the amount of parking and the lack of public transit provided by the project inhibited him for voting in favor of the project. He explained that the parking ratio was too high, especially for student housing, and stated that students were the most avid users of public transit. Volan stated that the parking garage would encourage students to bring their cars.

The motion to adopt Ordinance 20-28 received a roll call vote of Ayes: 8, Nays: 1 (Volan), Abstain: 0.

Vote to adopt Ordinance 20-28 [9:39pm]

Piedmont-Smith moved and it was seconded that Ordinance 20-29 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, giving the committee do-pass recommendation of Ayes: 4, Nays: 0, Abstain: 0.

Ordinance 20-29 - To Amend Title 1 (General Provisions) of the Bloomington Municipal Code - Re: Amending Chapter 1.08 to Harmonize the Design of the City Logo and City Seal [9:40pm]

Piedmont-Smith moved and it was seconded to adopt Ordinance 20-29.

Bolden presented Ordinance 20-29 and provided the history of the city seal and logo. Bolden described use of the city seal, and thanked those who worked on the legislation.

There were no council questions on Ordinance 20-29.

Council questions:

There was no public comment on Ordinance 20-29.

Public comment:

Piedmont-Smith thanked Clerk Bolden for noticing the discrepancy and for working to correct it.

Council comments:

Volan echoed Piedmont-Smith and thanked Clerk Bolden.

The motion to adopt Ordinance 20-29 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 20-29 [9:47pm]

Piedmont-Smith moved and it was seconded that Ordinance 20-30 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, giving the committee do-pass recommendation of Ayes: 4, Nays: 0, Abstain: 0.

Ordinance 20-30 -To Establish the Citizens' Redistricting Advisory Commission (To Establish an Independent Redistricting Commission) [9:47pm]

Piedmont-Smith moved and it was seconded to adopt Ordinance 20-30.

Volan presented Ordinance 20-30 and provided a history of the district map which was council-driven and summarized the proposed commission.

Piedmont-Smith asked how full-time student was defined.

Council questions:

Volan explained that it was 15 credit hour undergraduate student and 6 credit hour for graduate students.

Piedmont-Smith stated that even 1 credit hour for graduate students counted to defer loans.

Volan clarified how the members would be chosen and that during the interviews, it would be determined if a student was full time or not.

Piedmont-Smith also asked about the definition of immediate family member.

Volan stated that he thought of it as spouse, children, parents, and siblings.

Lucas stated that there wasn't a statutory definition in the context that Volan was operating under for redistricting.

Volan stated that he would add language if it was helpful.

Piedmont-Smith stated that she was not overly concerned but that she wanted to point out that there were a few terms that were unclear.

Lucas explained that when a term goes undefined, the default was the common definition.

Sgambelluri asked if the employees of an elected official were restricted from serving on the commission.

Volan confirmed that was correct.

Sims questioned what the rationale was for excluding employees.

Volan clarified that it was based on the League of Women Voters recommendations to avoid conflict of interest.

Sims asked for further clarification.

Volan stated that the restriction would only apply to the elected official's employees.

Sims also asked about the rationale for excluding those who were candidates for an elected position, or had worked for the city within the previous 10 years.

Volan explained that it was based on the recommendations of the League of Women Voters. He stated that he was amenable to lowering that period, if needed.

Sandberg moved and it was seconded to adopt Amendment 01 to Ordinance 20-30.

Amendment 01 to Ordinance 20-30 [10:06pm]

Amendment 01 Synopsis: This amendment is sponsored by Councilmember Sandberg and states that the three at-large councilmembers, rather than an executive committee of the Council, shall help conduct the commission's selection process.

Sandberg summarized Amendment 01.

Volan stated that he endorsed Amendment 01.

Ordinance 20-30 (cont'd)

There were no council questions on Amendment 01 to Ordinance 20-30.

Council questions:

There was no public comment on Amendment 01 to Ordinance 20-30.

Public comment:

Piedmont-Smith thanked Sandberg for the changes to Ordinance 20-30 in Amendment 01.

Council comments:

The motion to adopt Amendment 01 to Ordinance 20-30 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 01 to Ordinance 20-30 [10:12pm]

Sgambelluri moved and it was seconded to adopt Amendment 02 to Ordinance 20-30.

Amendment 02 to Ordinance 20-30 [10:12pm]

Amendment 02 Synopsis: This amendment is sponsored by Councilmember Sgambelluri and revises the membership qualifications such that the voting record requirements are the same for all members (student or non-student).

Sgambelluri summarized Amendment 02.

Volan stated that he was ambivalent about Amendment 02, but was not opposed.

There were no council questions on Amendment 02 to Ordinance 20-30.

Council questions:

There was no public comment on Amendment 02 to Ordinance 20-30.

Public comment:

There were no council comments on Amendment 02 to Ordinance 20-30.

Council comments:

The motion to adopt Amendment 02 to Ordinance 20-30 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 02 to Ordinance 20-30 [10:16pm]

Volan moved and it was seconded to adopt Amendment 03 to Ordinance 20-30.

Amendment 03 to Ordinance 20-30 [10:16pm]

Amendment 03 Synopsis: This amendment is sponsored by Councilmember Volan and states that the ranking (longest serving) at-large councilmember, rather than the City Clerk, shall determine and administer the method of random selection.

Volan presented Amendment 03.

Rollo asked for clarification on the pool of 18 applicants where 9 are chosen, where three are Democrats, three are Republicans, three are independents, and three are students.

Council questions:

Volan clarified that one of each Democrat, Republican, and Independent must be a student.

Rollo asked if a random drawing resulted in more Democrats, if that applicant was discarded.

Volan explained that two, of each Democrats, Republicans, and Independents would be chosen from a pool of four, and for each category, one student would be chosen from a pool of two.

Piedmont-Smith clarified that the at-large, ranking member for the current council was Sandberg.

Ordinance 20-30 (cont'd)

Volan confirmed that was correct.

Rosenbarger asked why the Clerk would be replaced with the ranking at-large councilmember, and why was the language for how the randomized sample would be fixed.

Volan responded that the language was in Ordinance 20-30. He also created Amendment 03 per a request by the Clerk.

Bolden explained that she reviewed Ordinance 20-30 and declined to be a part of the process or to establish that for future clerks.

Lucas read a public comment submitted via Zoom chat. The comment, by "Jeff's iphone," asked if the randomized sample could result in all white men being selected.

Public comment:

Lucas read a public comment submitted via Zoom chat by the B Square Beacon (Dave Askins), which asked for clarification on the step by step process if there were three students in a pool of six, and how that selection would occur.

Bolden stated that she noticed that in Section (c)(3) where students were referenced, that it specified Indiana University Bloomington, but that there were two colleges in Bloomington.

Flaherty asked who would be the ranking at-large member when there were two or more councilmembers of the same seniority.

Council comments:

Volan stated that they would flip a coin.

Sandberg stated that the commission was tied to the census so the discussion was moot. She also commented that it would be transparent, in a public meeting, and would abide by code.

The motion to adopt Amendment 03 to Ordinance 20-30 received a roll call vote of Ayes: 8, Nays: 1 (Rosenbarger), Abstain: 0.

Vote to adopt Amendment 03 to Ordinance 20-30 [10:29pm]

Volan moved and it was seconded to adopt Amendment 04 to Ordinance 20-30.

Amendment 04 to Ordinance 20-30 [10:29]

Amendment 04 Synopsis: This amendment is sponsored by Councilmember Volan and corrects a misspelled word in the tenth Whereas clause.

Volan presented Amendment 04.

There were no council questions on Amendment 04 to Ordinance 20-30.

Council questions:

There was no public comment on Amendment 04 to Ordinance 20-30.

Public comment:

There were no council comments on Amendment 04 to Ordinance 20-30.

Council comments:

The motion to adopt Amendment 04 to Ordinance 20-30 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 04 to Ordinance 20-30 [10:31pm]

Volan moved and it was seconded to adopt Amendment 05 to Ordinance 20-30.

Amendment 05 to Ordinance 20-30 [10:31pm]

Amendment 05 Synopsis: This amendment is sponsored by Councilmember Piedmont-Smith and removes reference to specific months during which the commission would otherwise have to meet.

Piedmont-Smith presented Amendment 05.

Rosenbarger asked for clarification on the intent of bimonthly, which could mean twice a month, or every other month.

Council questions:

Volan clarified that bimonthly only meant every other month and not twice per month.

Lucas read a comment submitted via Zoom chat by Paul Russell, which stated that both meanings of bimonthly were in many dictionaries, so why not clarify.

Public comments:

Volan commented that the commission would have to submit a map by September for there to be enough time for the council to consider it. He said therefore it did not make sense to have the commission meet on the even numbered months. Volan clarified that for the year 2022, the commission would need to meet in September and November.

Council comments:

Piedmont-Smith stated that the commission could meet in the even months in the first year, and in the odd months in the second year. She also asked if she could amend Amendment 05 to state every other month rather than bimonthly.

Flaherty asked if a vote was necessary for the amendment to Amendment 05. It was confirmed that it was.

There were no council questions on Amendment 05 to Ordinance 20-30.

Council questions:

There was no public comment on Amendment 05 to Ordinance 20-30.

Public comment:

There were no council comments on Amendment 05 to Ordinance 20-30.

Council comments:

The motion to amend Amendment 05 received a roll call vote of Ayes: 8, Nays: 1 (Volan), Abstain: 0.

Vote to amend Amendment 05 to Ordinance 20-30 [10:40pm]

The motion to adopt Amendment 05 as amended to Ordinance 20-30 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Amendment 05 as amended to Ordinance 20-30 [10:41pm]

Sgambelluri asked about including Ivy Tech and if it mattered that it was not within city limits.

Council questions:

Volan stated that the reason he excluded Ivy Tech was because it was not a residential college. He further explained how a student is determined to be a resident of the city.

Sims commented on the program at IU that houses students in residence halls, but attend Ivy Tech, and asked how that would be addressed.

Volan responded that those students would be excluded, and described the approximate 40,000-42,000 IU students. He stated that they should have a say in how districts were drawn.

Ordinance 20-30 as amended
(cont'd)

Sims asked about the potential for a serious lack of diversity on the commission.

Volan stated that it would be up to the selection committee, but that through the randomized selection it would be possible to ensure it would not be a commission of all white males.

Sandberg agreed and stated that reviewing the applicants was the only opportunity to address diversity but that the random selection was to be random.

Volan stated that for each group; Democrat, Republican, and Independent would have to balance gender and diversity, and that while it would be challenging, it could be addressed.

Lisa Podulka spoke in favor of ensuring diversity on the commission and urged council to have representation on the commission that matched Bloomington's political affiliations.

Public comment:

Lucas read a comment submitted via Zoom chat by Paul Russell who asked about publicity and recruiting for the commission.

Lucas read a comment submitted via Zoom chat by Dave Askins who asked about the possibility of having more than two students in each pool of candidates.

Sandberg reiterated the need for having objective commissioners to ensure that the districts were designed by an independent body who would draw the lines in an equitable way.

Council comments:

Volan commented that partisan seats on the commission was based on suggestions by the League of Women Voters, and was not a state code. He said the intent was to move away from gerrymandering or partisan district mapping. Volan said Jeff Ellington had challenged Volan to do objective districting at the local level.

Piedmont-Smith thanked Volan for Ordinance 20-30.

Sims also thanked Volan for Ordinance 20-30 and commented it would show others, like the state, how to objectively draw districts.

The motion to adopt Ordinance 20-30 as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote to adopt Ordinance 20-30 as amended [11:00pm]

There was no legislation for first reading.

LEGISLATION FOR FIRST READING [11:00pm]

There was no additional public comment.

ADDITIONAL PUBLIC COMMENT

COUNCIL SCHEDULE [11:01pm]

Piedmont-Smith moved and it was seconded to suspend the rules so that the 2021 Council recess may be scheduled as provided for in the 2021 Annual Council Legislative Schedule.

Motion to suspend the rules [11:01pm]

There was brief council discussion.

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

Vote to suspend the rules [11:02pm]

Piedmont-Smith moved and it was seconded to adopt the 2021 Annual Council Legislative Schedule.

Motion to adopt the 2021 Annual Council Legislative Schedule [11:03pm]

Lucas presented the proposed schedule. There was brief council discussion.

There was no public comment on the 2021 Annual Council Legislative Schedule.

Public comment:

There were no council comments on the 2021 Annual Council Legislative Schedule.

Council comments:

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

Vote to adopt the 2021 Annual Council Legislative Schedule [11:09pm]

Sims moved and it was seconded to hold a Special Session at noon on December 21, 2020.

Motion to add a Special Session on December 21, 2020. [11:10pm]

There was brief council discussion.

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

Vote to add a Special Session on December 21, 2020 [11:16pm]

Rollo wished everyone to stay well.

Volan also wished everyone to stay well and safe.

Bolden reminded councilmembers to sign and turn in the nepotism forms prior to the end of the year.

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

ADJOURNMENT [11:18pm]

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

APPROVE:

ATTEST:

Susan Sandberg, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

In Bloomington, Indiana on Monday, December 21, 2020 at 12:00pm, Council President Stephen Volan presided over a Special Session of the Common Council. Per the Governor's Executive Orders, this meeting was conducted electronically via Zoom.

COMMON COUNCIL
SPECIAL SESSION
December 21, 2020

Councilmembers present via Zoom: Matt Flaherty, Isabel Piedmont-Smith, Dave Rollo, Kate Rosenbarger (arrived at 12:10pm), Susan Sandberg, Sue Sgambelluri, Jim Sims (arrived at 12:01pm), Ron Smith, Stephen Volan
Councilmembers absent: none

ROLL CALL [12:00pm]

Council President Stephen Volan summarized the agenda.

AGENDA SUMMATION [12:02pm]

Stephen Lucas, Council Attorney/Administrator, presented a report on Council Standing Committees. Lucas stated that the report looked at council meetings and activities over the previous four to five years. Lucas provided additional details within the report.

REPORTS

- COUNCIL STAFF [12:05pm]

Rollo stated that the standing committees were less efficient in terms of time allotted to legislation and asked council, city, and clerk staff if it required more time and effort, or less, or about the same.

Council discussion:

Lucas stated that there was more work involved for council staff with standing committees but that was not a judgment on whether they were good or bad. He explained that committee reports for the full council were either written by committee members or by council staff, and that coordinating that was additional work. Lucas also explained that there was an increase in notices and uncertainty about which committee legislation might be referred to. Lucas stated that some administration staff had told him that they appreciated the ability to know exactly what time a committee would start, which wasn't clear before. Lucas also commented about down time in between committee meetings.

Sgambelluri asked what was measured in the councilmember minutes section. Sgambelluri asked if it was assumed that councilmembers only attended their committees, and asked if the number of minutes would increase if a councilmember attended other committee meetings.

Lucas confirmed that was correct, and that it was based on the councilmembers that were on a particular committee.

Piedmont-Smith said that use of time was not the only important aspect to consider and asked if anyone analyzed standing committees having two meetings before reporting back to the full council. She said that allowed time for amendments to come forward and not take that time from the full council.

Lucas stated that there were five pieces of legislation in 2020 that were carried over into two committee meetings, two pieces in 2019, and one piece in 2018. Lucas referenced Table F in the report that outlined the time spent on legislative items and its efficiency on regular or special sessions.

Mick Renneisen, Deputy Mayor, thanked council staff for the report and spoke about bringing legislation forward to council meetings. He said that it was challenging to not know if legislation would go to one or two committee meetings, and the timing of the committee meetings. Renneisen commented that staff would have to present two times, or three times, if there were two committee meetings, as well as to the full council. He said that previously, staff presented once at the Committee of the Whole (COW), and then returned to the full council, primarily to answer questions.

City Clerk Nicole Bolden discussed the increase of work including memos for committee meetings, an increase in balancing clerk staff's time, and the down time between committee meetings. She spoke about staffing concerns and balancing weekly hours, paid time off, and compensatory time.

- Reports (*cont'd*)

Council discussion:

Jeff Underwood, Controller, stated that the standing committees did not work for appropriation ordinances because of the advertising notices that were required. He also stated that it added four weeks to the process. Underwood commented that while it was helpful to know what time he and his staff needed to attend the committee meeting, it was difficult when there was down time in between.

Scott Robinson, Director of Planning and Transportation, thanked council staff for the report. He commented on the feedback from staff including consistency of knowing when to attend, the downfall of not knowing if there would be two meetings, and that it would be helpful to know what information was expected from staff at each meeting. He also commented that a lot of what was presented to council had been vetted through boards and commissions.

Alex Crowley, Director of Economic and Sustainable Development department, thanked council staff for the report and for the support in responding to the pandemic. Crowley stated that there were pros and cons for standing committees, and explained that one improvement was that staff knew what to present and avoided surprises at council meetings. Crowley stated that a negative was the amount of time spent preparing for, and participating in meetings. He also reiterated the difficulties with scheduling staff time in multiple meetings.

Philippa Guthrie, Corporation Counsel, stated that she attended one committee meeting and it was successful, was very generous, and made the full council meeting easier. She said it could have been specific to the legislation at that meeting.

Rollo asked about redundancy in questions for staff presentations at committee meetings and full council meetings.

Underwood confirmed that did happen. He stated that questions that were answered in committee meetings weren't communicated to other councilmembers and there was some repetition, which was inefficient.

Crowley stated that repetition was not inherently bad, and did allow staff to prepare and have a "dress rehearsal" of questions that might come up.

Robinson commented that in committee meetings, it was helpful to have a second chance to answer questions, but that some dialogue prior to COW was lost. Robinson mentioned that transparency of amendments had not happened at the committee level. He said that staff didn't know what was coming and thus were not able to prepare answers ahead of time.

Piedmont-Smith asked about the amendment process not being transparent and referenced the Land Use Committee (LUC) process for amendments. She explained that there were amendments brought to the second LUC meeting which allowed for more time to present, and that the amendments were then put in the packet for the full council with a recommendation. Piedmont-Smith clarified that wasn't the case 100% of the time.

Robinson clarified that he meant that there were areas for improvement in the amendment process. Robinson explained the

difficulties that staff encountered before and after the standing committees and expressed concern with how the amendment process would work with larger legislative pieces like the Unified Development Ordinance (UDO).

Piedmont-Smith stated that she would follow up with staff to improve the amendment process and transparency for the public.

Piedmont-Smith stated that it was too early to evaluate the process since it had only been 10 months and during a different year due to the pandemic.

Rollo stated that he was processing the information but that he was surprised that the standing committees did not lead to more efficiency. Rollo commented on the feedback from staff.

Flaherty thanked council staff for the report, and stated that he was also processing all the information. Flaherty commented on the differences during the pandemic year and that time was an odd metric for success and was hopeful to hear about other metrics to consider, with staff input. Flaherty explained that less time spent on legislative items, or more time spent, could both be indicators of inefficiencies. He referenced staff feedback regarding amendments. Flaherty said there were pros and cons to standing committees and COW.

Sandberg stated that more time was needed to reflect on the pros and cons, and that she hoped for a hybrid approach. Sandberg explained that she appreciated the COW, because she was able to hear legislative items, as opposed to hearing from a committee of four. She stated she liked to hear the details herself. Sandberg stated that while virtual meetings helped enable attendance and participation from the public for some, it also made it easier to not be as collegial as when one was face to face. Sandberg clarified that there were tradeoffs and reiterated the potential for a hybrid approach.

Sgambelluri commented on the discussion, including the pandemic year, and perhaps needing more time to evaluate standing committees. She stated that it was helpful to hear councilmembers' questions about legislation at the COW. Sgambelluri explained that her commitment to standing committees was dependent on that structure producing better legislation. Sgambelluri said she would like to hear from the public regarding standing committees. Sgambelluri also commented that she was leaning towards refining the current model, rather than dismantling the standing committees or keeping them as they were.

Smith stated that after reading the report and hearing from staff, it seemed that more time was spent on legislation, amendments, and interfacing with the city. Smith explained that it had fragmented his understanding of legislation and processes, and that he did not learn from the transmission of information from the committee to the full council, based on votes. Smith commented that there were repetitive questions. Smith stated that refining the process might work, but that there had been a good discussion and comments.

Sims thanked council staff for the report and President Volan for the special session. Sims explained that a hybrid approach had been mentioned, and that it was very appropriate to start having discussions since there wasn't to be a vote at the meeting. Sims iterated that there would be new leadership on the council the

- Reports (*cont'd*)

Council discussion:

following year, and that more discussion was needed because the will of the council was very important. Sims asked about how the structure affected those that must work with it, including staff, department heads, and the administration. Sims also asked about councilmembers' time if they chose to join other committee meetings. Sims also commented on time, other metrics, and feedback from stakeholders to gather as much information as possible to make an informed decision moving forward.

Rosenbarger stated that she appreciated the discussion and that efficiency wasn't the only metric to consider. She said that other considerations were discussed including predictability, collaboration, what makes the best legislation, better understanding of legislation, and an increase in public participation. Rosenbarger commented that understanding was important and that councilmembers could go to all the committee meetings. Rosenbarger also commented on the importance of asking what the problem was they were trying to solve, and how the structure could be improved. She explained that the COW timing was unpredictable for staff to know when it was their time to participate. Rosenbarger stated that the standing committees allowed for each councilmember a chance to lead by chairing a committee. Rosenbarger discussed other items that worked or didn't work for standing committees including appropriation ordinances, second meeting for some legislation, and some legislation that was not ready.

Volan commented that a close reading of the numbers from the report showed that the average COW reached a six-year high of 164 minutes. He said that there was an increase in overall meetings. Volan explained that the public participation increased due to the ability to virtually attend meetings. Volan commented on the number of minutes per meeting, and that it was important to consider predictability, collaboration, time for amendments, and deliberation, and not just efficiency. Volan spoke about a potential consolidation of committees since legislation was not referred to some committees. Volan also spoke about legislation that went to multiple meetings over the last several years though most did not need to. Volan stated that the majority of councilmembers were in favor of modifying the current structure. He said that it was important to think about clerk staff's and city staff's time and the impact of standing committees. Volan thanked council staff Becky Boustani for compiling the report.

Mick Renneisen thanked council for allowing for feedback from the administration and staff.

Becky Boustani, Assistant Administrator/Legal Research Specialist, suggested that going forward, it would be useful to plan ahead for metric considerations and what data would be good to have.

Volan suggested that the length of processing amendments, and the length of public comments be included.

Clerk Bolden mentioned that the roll call sheets, maintained by clerk staff, tracked the votes taken in meetings and could facilitate data on legislation.

Piedmont-Smith said that knowing at what point amendments were introduced, and when they were added into the packet would be good to include.

- Reports (*cont'd*)

Council discussion:

Sims commented that measuring and tracking was important but that each councilmember brought something different based on their experiences which was just as important as efficiency. Sims spoke about scheduling as an important consideration moving forward.

- Reports (*cont'd*)

Council discussion:

Lucas thanked Boustani for her work on the report and stated that there were items to keep track of moving forward. Lucas commented on the upcoming process on voting and council schedule.

Volan adjourned the meeting.

ADJOURNMENT [1:31pm]

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

APPROVE:

ATTEST:

Susan Sandberg, PRESIDENT
Bloomington Common Council

Nicole Bolden, CLERK
City of Bloomington

For Approval



MEMO FROM COUNCIL OFFICE ON:

Ordinance 22-04 - To Amend Title 2 of the Bloomington Municipal Code Entitled “Administration and Personnel” – Re: Amending BMC 2.12 (Boards, Commissions and Councils) to Make Certain Commission Memberships Easier to Fill

Synopsis

This ordinance is authored by Councilmember Volan and amends Title 2 of the Bloomington Municipal Code (Administration and Personnel) to adjust the membership requirements of various commissions. It changes one seat on the Parking Commission from Mayoral to Council appointment. It also reduces the number of members on the Citizens’ Redistricting Advisory Commission from nine to five and simplifies the membership selection process.

Relevant Materials

- Ordinance 22-04
- Memo from Councilmember Volan
- Proposed amendments to BMC Title 2 shown in context

Summary

Ordinance 22-04 would amend two sections of Bloomington Municipal Code (“BMC”) Title 2 (Administration and Personnel).

First, Section 1 of the ordinance would amend [BMC 2.12.110](#) to change how one appointment to the city’s Parking Commission is made. The Parking Commission is made up of nine members. Currently, the Mayor appoints five members to the Commission, while the Council appoints the remaining four members. This ordinance would change one mayoral appointment to an appointment made by the Council. The stated reason for this proposed change is to make it more likely that the relevant seat is filled. The change would apply to one of four seats that are to be filled by a resident living within city limits. The Parking Commission was established by [Ordinance 16-22](#) in 2016. Its membership requirements were later amended in 2019, by [Ordinance 19-14](#), in an effort to make seats on the commission easier to fill or keep filled.

Second, Sections 2 through 6 of the ordinance make changes to the membership and selection process for the Citizens’ Redistricting Advisory Commission. This Commission was established by [Ordinance 20-30](#) in December, 2020. Since the creation of the Commission, councilmembers and staff have solicited applicants for the Commission, but, to date, have received only 12 applications from qualified candidates.



City of Bloomington Indiana

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Ordinance 22-04 would reduce the total number of members on the Commission from nine to five and would make corresponding changes to the seat requirements so that two Democrats (one student, one non-student), two Republicans (one student, one non-student), and one Independent (whether a student or not) would serve on the Commission. This decrease would be reflected in the selection process, which would entail choosing ten applicants in five pools of two (one pool for each of the five seats) to choose from randomly.

Contact

Cm. Steve Volan, volans@bloomington.in.gov, (812) 349-3409

ORDINANCE 22-04

**TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED
“ADMINISTRATION AND PERSONNEL” – Re: Amending BMC 2.12 (Boards, Commissions and
Councils) to Make Certain Commission Memberships Easier to Fill**

WHEREAS, memberships of certain city boards and commissions have been difficult to fill, which impacts the effectiveness and efficient operation of those boards and commissions;

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

SECTION 1. Section 2.12.110 of the Bloomington Municipal Code (“BMC”), entitled “Parking Commission”, subsection (c), paragraph (3) shall be amended by deleting the first “two” and replacing it with the word “one” and by deleting the second “two” and replacing it with the word “three” so that the paragraph shall read as follows:

- (3) Four members, one appointed by the mayor and three appointed by the council, shall be residents living within the city limits;

SECTION 2. BMC Section 2.12.130 entitled “Citizens’ Redistricting Advisory Commission”, subsection (a) shall be amended by deleting the word “nine-member” and replacing it with the word “five-member” in the first sentence.

SECTION 3. BMC Section 2.12.130, entitled “Citizens’ Redistricting Advisory Commission”, subsection (c) shall be amended by deleting the word “nine” and replacing it with the word “five” in the first sentence.

SECTION 4. BMC Section 2.12.130(c)(2) shall be deleted in its entirety and replaced with the following:

- (2) Political Affiliations. Commissioners shall be divided by political affiliation as follows:
 - A. One member shall be a duly enrolled full-time student at Indiana University Bloomington affiliated with the Democratic Party;
 - B. One member shall be a non-student affiliated with the Democratic Party;
 - C. One member shall be a duly enrolled full-time student at Indiana University Bloomington affiliated with the Republican Party;
 - D. One member shall be a non-student affiliated with the Republican Party; and
 - E. One member shall be independent of affiliation with either of the two major political parties in the state.

SECTION 5. BMC Section 2.12.130(c)(3) shall be deleted in its entirety and subsequent paragraphs shall be renumbered accordingly.

SECTION 6. BMC Section 2.12.130(d) shall be deleted in its entirety and replaced with the following:

- (d) Membership Selection Process. Commissioners shall be selected after an open application process:
 - (1) Applicants shall attest that they are eligible to serve per the conditions of 2.12.130(c).
 - (2) The process shall be conducted by a selection committee made up of the three at-large councilmembers. The selection committee shall review all applications and in a public meeting choose ten applicants in five pools of two, one pool for each seat noted in BMC 2.12.130(c)(2), whom they believe are the most qualified to carry out the Commission’s duties.
 - (3) The ranking at-large councilmember shall administer a coin flip to select a member from each pool of applicants. The remaining candidates shall be named as alternates, in the event one or more commissioners cannot fulfill their duty.
 - (4) If no eligible alternate is available, the seat shall be left empty.
 - (5) The commission shall select as its chair the member not affiliated with either of the two major political parties.

SECTION 7. If any section, sentence, or provision of this ordinance, or application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions or application of this ordinance which can be given effect without the invalid provision or application, and to this end the provision of this ordinance are declared to be severable.

SECTION 8. This ordinance shall be in effect after its passage by the Common Council, with approval of the Mayor, and after any required publication or other promulgation in accordance with the law.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ____ day of _____, 2022.

SUSAN SANDBERG, 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 _____, 2022.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this ____ day of _____, 2022.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance is authored by Councilmember Volan and amends Title 2 of the Bloomington Municipal Code (Administration and Personnel) to adjust the membership requirements of various commissions. It changes one seat on the Parking Commission from Mayoral to Council appointment. It also reduces the number of members on the Citizens' Redistricting Advisory Commission from nine to five and simplifies the membership selection process.

To: Council

From: Steve Volan, Councilmember, District VI

Date: January 14, 2022

Re: Ordinance 22-04, making certain commissions easier to fill

This ordinance adjusts the membership criteria in two commissions to make them easier to fill.

Section 1: Parking Commission

One seat appointed by the Mayor (M-4), has been vacant since August 2019. This section makes it a Council appointment.

Sections 2-6: Redistricting Commission

The Redistricting Commission has proven difficult to fill. It currently requires 18 candidates minimum so that nine can be chosen. This number was based on the League of Women Voters' proposal for a statewide commission, but has proven too much for a city our size: only 12 candidates have applied since applications were opened in 2021. These sections reduce the size and complexity of filling the commission, as time is running out to have it fulfill its mission by the end of this year.

Sections 2-3: Redistricting Commission — Total Membership

These sections reflect a reduction in the membership of the commission from nine to five: two Democrats, two Republicans, and only one independent; one of each of the Democratic and Republican seats must be filled by a student at Indiana University Bloomington.

Section 4-6: Redistricting Commission — Membership Selection

This section simplifies the process for selecting commissioners. It requires only ten applicants in five pools of two.

These are simple changes to city code that will enable Council to fill these needed commission seats.

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Amendments to Bloomington Municipal Code Title 2 proposed by Ordinance 22-04 in context
(additions are shown in **bold**, deletions are show in ~~strikeout~~)

Section 1 of Ordinance 22-04

2.12.110 Parking Commission.

(c) Qualifications of Voting Membership.

(1) One member appointed by the mayor and one member appointed by the common council shall be a merchant owning and operating a business located at an address within the city limits;

(2) One member appointed by the mayor shall be a board member or an employee of a non-profit organization which operates at property that is owned or leased by the non-profit organization within the city limits;

(3) Four members, ~~two~~ **one** appointed by the mayor and ~~two~~ **three** appointed by the council, shall be residents living within the city limits;

(4) One member appointed by the common council shall be from among its membership; and

(5) One member appointed by the mayor shall be from within the planning and transportation department, engineering department, or department of public works.

Section 2 of Ordinance 21-11

2.12.130 Citizens' Redistricting Advisory Commission.

(a) Establishment and Purpose. There is hereby established a ~~nine-member~~ **five-member** citizens' redistricting advisory commission, hereinafter "commission," whose purpose shall be to make recommendations to the common council regarding its decennial redistricting ordinance, which divides the city into the six council districts from which councilmembers shall be elected; and to make recommendations to the Monroe County Commissioners on dividing the city into precincts.

Section 3 of Ordinance 21-11

2.12.130 Citizens' Redistricting Advisory Commission.

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

Section 4 of Ordinance 21-11

2.12.130 Citizens' Redistricting Advisory Commission.

~~(c)(2) Political Affiliations. Commissioners shall be evenly divided by political affiliation:
(A) Three shall be affiliated with the Democratic Party; and
(B) Three shall be affiliated with the Republican Party; and
(C) Three shall be independent of affiliation with either of the two major political parties in the state.~~

(c)(2) Political Affiliations. Commissioners shall be divided by political affiliation as follows:
A. One member shall be a duly enrolled full-time student at Indiana University Bloomington affiliated with the Democratic Party;
B. One member shall be a non-student affiliated with the Democratic Party;
C. One member shall be a duly enrolled full-time student at Indiana University Bloomington affiliated with the Republican Party;
D. One member shall be a non-student affiliated with the Republican Party; and
E. One member shall be independent of affiliation with either of the two major political parties in the state.

Section 5 of Ordinance 21-11

2.12.130 Citizens' Redistricting Advisory Commission.

~~(c)(3) Student Status. One member from each delegation in subsection (c)(2) above shall also be a duly enrolled full-time student at Indiana University Bloomington, and shall otherwise meet all other qualifications in BMC 2.12.130(c) (hereinafter referred to as a "student member").~~

Section 6 of Ordinance 21-11

2.12.130 Citizens' Redistricting Advisory Commission.

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

- ~~(1) Applicants shall attest that they are eligible to serve per the conditions of [Section 2.12.130\(c\)](#).~~
- ~~(2) The process shall be conducted by a selection committee made up of the three at-large councilmembers. The selection committee shall review all applications and in a public meeting choose eighteen applicants in three pools of six, one pool for each of the party affiliations noted in BMC [2.12.130\(c\)\(2\)](#), whom they believe are the most qualified to carry out the commission's duties. At least two applicants from each pool shall be eligible to be student members.~~
- ~~(3) The ranking at-large councilmember shall determine and administer a method of random selection, such as a lottery or coin flip, to select two non-student members from each pool of applicants. The ranking at-large councilmember shall use a coin flip to select between the two student applicants from each pool.~~

~~(4) The remaining nine candidates shall be named as alternates, in the event one or more commissioners cannot fulfill their duty. Upon a member's resignation or departure from the commission, the ranking at large councilmember shall (if necessary) determine the replacement member as in subsection (d)(3) above. If no eligible alternate is available, the seat shall be left empty.~~

~~(5) The commission shall select as its chair one of the members not affiliated with either of the two major political parties.~~

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

(1) Applicants shall attest that they are eligible to serve per the conditions of 2.12.130(c).

(2) The process shall be conducted by a selection committee made up of the three at-large councilmembers. The selection committee shall review all applications and in a public meeting choose ten applicants in five pools of two, one pool for each seat noted in BMC 2.12.130(c)(2), whom they believe are the most qualified to carry out the Commission's duties.

(3) The ranking at-large councilmember shall administer a coin flip to select a member from each pool of applicants. The remaining candidates shall be named as alternates, in the event one or more commissioners cannot fulfill their duty.

(4) If no eligible alternate is available, the seat shall be left empty.

(5) The commission shall select as its chair the member not affiliated with either of the two major political parties.