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)

There were no reports from the Mayor or city offices.

- The MAYOR AND CITY OFFICES [6:35pm]

There were no council committee reports.

- COUNCIL COMMITTEES [6:35pm]

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.

- PUBLIC [6:36pm]

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.

Ordinance 20-13 *(cont'd)*

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.

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.

Public comment:

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.

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.

Ordinance 20-13 *(cont'd)*

Council questions:

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.

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:

Gruelich 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:

Appropriation Ordinance 20-03 *(cont'd)*

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.

Council questions:

Volan asked Underwood to elaborate about the financial impact statement.

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.

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.

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

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 a. 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 (Reserve 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; and15.12.010 (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.

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

Council questions:

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)*

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.

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.

Council comment:

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.

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.

Public comment:

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.

Council 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.

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.

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

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.

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.

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

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

Sims passed the gavel back to Volan.

Amendment 06 to Ordinance 20-12

Piedmont-Smith moved and it was seconded to consider 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.

Council questions:

There were no council questions.

Public comment:

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

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

Michael Waterford voiced his support for the amendment.

Council comment:

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

Wahl said parking enforcement did not have a way to cite motorcycles for parking in bicycle racks. She explained that it 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 Redesign of Seventh Street as the "7-Line"

Piedmont-Smith moved and it was seconded that Ordinance 20-14 be adopted.

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.

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

Ordinance 20-14 (*cont'd*)

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 2 day of February, 2022.

APPROVE:

Susan Sandberg, PRESIDENT
Bloomington Common Council

ATTEST:

Nicole Bolden, CLERK
City of Bloomington