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.

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

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]

Ordinance 20-25 (*cont'd*)

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

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.

Amendment 01 to Ordinance 20-25

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 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.

Council questions:

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

Public comment:

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

Council comments:

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

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

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).

Public comment:

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

Council comment:

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

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.

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

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).

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 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.

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

Amendment 01 to Ordinance 20-22

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 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.

Council questions:

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

Shaw confirmed that was correct.

Public comment:

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

Council comments:

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

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

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

Amendment 02 to Ordinance 20-22

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 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.

Council questions:

Piedmont-Smith asked for further clarification regarding Amendment 02.

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.

Ordinance 20-22 (*cont'd*)

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.

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.

Ordinance 20-22 (*cont'd*)

Public comment:

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

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.

Council comment:

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.

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

Ordinance 20-22 (*cont'd*)

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.

Ordinance 20-23 (*cont'd*)

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.

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.

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.

Council questions:

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.

Appropriation Ordinance 20-04 (*cont'd*)

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.

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.

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

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

COUNCIL SCHEDULE [10:05pm]

Stephen Lucas, Council Attorney, reviewed the council schedule.

ADJOURNMENT [10:07pm]

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

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