In the Council Chambers of the Showers City Hall on Wednesday, October 16, 2013 at 7:30 pm with Council ~~Vice~~ President ~~Dorothy Granger~~ DARRYL NEHER presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
October 16, 2013

Roll Call: Rollo, Ruff, Sandberg, Volan, Granger, Sturbaum, Neher, Spechler
Absent: Volan, Mayer

ROLL CALL

Council President Neher gave the Agenda Summation

AGENDA SUMMATION

There were no minutes for approval at this meeting.

APPROVAL OF MINUTES

REPORTS

- COUNCIL MEMBERS

Marty Spechler said he received an updated report of July 29, 2013 from O'Neill Research LLC regarding a Materials Recovery Facility. He noted the report projected financial benefits of the facility could be up to $500,000. He said that if the City of Bloomington and IU would co-operate on this venture the financial impact on the City budget would be substantial. He said this would also reduce the carbon footprint of present recycling and sanitation services, assure recycling in the future and a path to a sustainable and progressive relationships between all entities. He said it would also create jobs for younger and handicapped job seekers. He said the report had been submitted to the Mayor, and noted Council member Volan's support for this measure. Spechler said he had a lot of faith in Brian O'Neill because of his knowledge of the county. He urged the administration and council to get on board with this prospective action to free up other monies that would benefit the community.

Chris Sturbaum noted that polls on health care were not asking the question about how people felt about "Obamacare" with regards to pre-existing conditions that raised the cost of insurance and incidences of medical bankruptcy, and other unsustainable practices. He said it was a morally bankrupt system that was trying to be fixed, albeit in a less than perfect way, but that the media talked exclusively about the terrible things wrong with a fix of the system. He said the moral outrage should be placed against a system that did not treat citizens with respect to conditions that they may not have control of. He said he was morally outraged.

Susan Sandberg noted that at Day 16 of the Federal Government Shutdown she wanted to express anger at what some members of the US House of Representatives had done over an issue that was established law, that had been upheld by the Supreme Court and that a majority of voters affirmed by twice electing a president that ran on health care reform. She said the shutdown held the country hostage, caused disruption of services and loss of respect for our country, all because these angry leaders were trying to speak for everyone. She said she was ashamed of the leadership behavior and the gamesmanship of these people; that it was time for the House of Representatives to get their act together and get on board with the majority of citizens of the country.

Dorothy Granger reminded the council that October was Domestic Violence Awareness Month and that they needed to remember that violence was happening in their own community. She said that could be changed; that no one deserved to be beaten.

Darryl Neher said parking, while a topic of discussion with the council, would be a topic of interest to all as the Indiana University Trustees would be discussing the parking program on the IU campuses, including the possibility of privatization of their parking operations. He said it had

been a topic for the afternoon online discussion (Herald Times). Neher noted that costs had increased and access had decreased for The Ohio State University, and asked people to pay attention to IU's decisions as their policies would impact the entire community.

COUNCIL MEMBERS COMMENTS (cont'd

Dorothy Granger read, from the podium, a proclamation from Mayor Kruzan regarding Domestic Violence Awareness Month. Toby Strout, Executive Director of Middle Way House, and Debra Vance, Vice Chair of the City of Bloomington Commission on the Status of Women, accepted the award. Strout said that Middle Way House had served 2500 victims of domestic violence in the previous year, with over 50% from the city and more from neighbors in Monroe County. She said it took an entire community to prevent domestic violence, and was pleased that the city was committed to this effort. Vance thanked the mayor and council for recognizing Domestic Violence Awareness Month.

- The MAYOR AND CITY OFFICES

There were no reports from council committees at this meeting.

- COUNCIL COMMITTEES

President Neher called for public comment, and was amused that there was none.

- PUBLIC

It was moved and seconded that Jo Throckmorton be appointed to the Telecommunications Commission.
The appointment was approved by a voice vote.

APPOINTMENTS TO BOARDS AND COMMISSIONS

It was moved and seconded that Andrew Carty and Norm Compton be appointed to the Environmental Commission
The appointments were approved by a voice vote.

It was moved and seconded that Angela Smith-Walgenbach and Kristy LeVert be appointed to the Commission on the Status of Children and Youth.
The appointments were approved by a voice vote.

LEGISLATION FOR SECOND READING AND RESOLUTIONS
Ordinance 13-09 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" – Re: Amending Schedules A and B of the BMC 15.12.010 to Authorize a Multi-Way Stop at the Intersection of Moores Pike and Olcott Boulevard

Rollo moved and it was seconded to accept withdrawal of Ordinance 13-09 (To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" – Re: Amending Schedules A and B of the BMC 15.12.010 to Authorize a Multi-Way Stop at the Intersection of Moores Pike and Olcott Boulevard) after hearing an explanation from the sponsor, entertaining questions from the Council members from the public and Council.

Rollo, as sponsor of this ordinance, gave a report to the council regarding the postponement of this ordinance from the meeting of May 15, 2013. He noted previous discussions by the council and its sidewalk committee had included a multi-way stop and a pedestrian crossing at this intersection. He said the motion to postpone was done to request more information about vehicular and pedestrian improvements, and the associated costs that might address concerns raised by the neighbors in the area. He said the request had been supported by over 300 signatures of neighbors to the south of this area. He described activities and traffic movements in the are, a citing poor visibility due to terrain and high speed of traffic on Moore's Pike. He noted left turns from Olcott onto Moore's Pike were difficult and treacherous. He said the area was included on the Alternative Transportation and Greenways Plan as a biking corridor, and was a pedestrian crossing as well. He noted the stop sign request was debated at the Traffic Commission, failed and then was brought to the council. Rollo noted the engineering staff did not support a stop sign because of terrain and visibility problems.

Rollo said he, the administration and neighbors had worked out a compromise situation that would tend to the problems. He noted that the Moore's Pike crosswalk would be placed to the east of the

Ordinance 13-09 (cont'd)

intersection but without the originally proposed traffic island. He said this was done to avoid a conflict with left hand turns with pedestrians crossing at the same time. He said the crosswalk would be raised to one inch above the pavement and would be striped for greater visibility and to provide an indication that when driven over, it actually was different than the paved roadway. He said 'yield to pedestrian' signs would be posted at either side of the crosswalk within the adequate distance of the crosswalk for east and west bound traffic. He said the engineers would determine the actual placement of the signs. He said there would also be 'pedestrian crossing ahead' signs at further distances from the intersection as a warning. He said Moore's Pike speed control issues would be addressed by radar activated speed display devices for east and westbound traffic to help reduce speed in the area. He said one would be a permanent device powered by solar for the westbound traffic, but eastbound traffic would be battery operated because of shading in the area. He said that there would be periodic speed counts to evaluate the efficacy of these measures and noted that the preliminary data was on hand. Rollo noted the police chief had agreed to patrol for speeders more regularly.

He said there was a hidden drive just north of the intersection and that there would be signage to indicate that placed near the intersection.

Rollo said he would like to place this intersection in queue for eventual signalization. He said that was a priority for the neighbors.

Rollo said the cost of these changes to the intersection would amount to about $25,000, and may be subject to an additional appropriation ordinance or considered as part of the sidewalk appropriation in the very near future. He noted that the 2013 sidewalk report recommended that $18,500 be committed to this intersection for the previous proposal.

Spechler said that this was an elaborate plan, and thanked Rollo for working on the compromise. He wondered, as a member of the sidewalk committee, if the money was committed to the traffic island or if it could actually be used for the new plan. Rollo said his understanding was that the commitment was broad in scope and the money could be used for the new compromise solution.

Dan Sherman, Council Attorney/Administrator, stated that the report proposed the money for pedestrian improvements to the intersection. He said that a design was viewed by the committee, but that he felt there were a couple of approaches. He said the key was how to handle the difference between the two plans.

Sturbaum asked if Public Works could supply the extra cost for the redesign since the compromise came from that department.

Sherman said that his understanding was that Public Works didn't have $25,000 for the project. He said he did not know if they had the $7500 to make up the difference between the two plans, but that could be explored. When he was asked if the council would have to allocate those funds, Sherman said he doubted that the council would need to approve that expenditure.

Spechler asked about the raised crosswalk and the safety in winter months. He asked if these crosswalks were used on other high speed streets in the city. He asked if it would create a swerving of vehicles making left hand turns in snow and ice.

Rollo said he knew of one at Henderson near Templeton school. He said this was standard practice and not a safety concern. He said simple painting would not alert motorists as well as this one inch raised area would.

Ordinance 13-09 (cont'd)

Spechler asked if a large number of neighbors had agreed to this compromise. Rollo said that at the last neighborhood meeting the neighbors reviewed a rendering done by the new city planning traffic engineer, but found a problem with the pedestrian island which they felt created a conflict for bicycles in the area. He said the neighbors identified the problem with the intersection as the 50-60 mph speeds on Moore's Pike leaving the pedestrian with about three seconds to cross the road before a car would come into the intersection. He said they felt the initial answer to the problem was to have a pedestrian crossing and to slow traffic with a narrowing of the roadway along with radar devices. Rollo said that he presented this to the administration and that they then supported the current plan. He noted that this plan did the support of the neighbors who were at the meeting, and that email notifications were sent to the membership list regarding their presence at this meeting.

Spechler said he would have liked a broader response from the neighbors, but thanked Rollo for his work.

Claire Robertson, author of the petition and neighborhood activist, thanked Rollo who mediated the issue between the administration and the neighborhood. She said the neighbors stood in strong support of the agreement and were happy with it as long as they could get an on-demand stop light at that intersection. She said that was the intent of the neighborhood all along, while realizing the impact of the cost. She noted the HT had called for this area to be addressed in at least two editorials in the past. She added that there were four housing developments along this stretch of road that had no other access except Moore's Pike, and that the main benefit would be to those using Olcott Boulevard.

Robertson noted the study of the time a car would take from the crest of the hill to the intersection, noting that in all incidents two to five seconds were all that a pedestrian would have to cross this street. She noted the liability issues would not apply in this case or any where else in the city.

Robertson reflected on the process of this issue, and said that the neighborhood came to the council because the engineering rules did not allow stop signs as a cure for speed problems, even in line of sight issues. She said the cost of stop signs made them attractive for solutions such as this, and suggested that the city policy on adding stop intersections should be re-thought by the administration.

Robertson said that Hyde Park/Kensington had six exits but not one that had a 'dedicated' entrance with a stop sign or traffic signal, and therefore was not really a safe way of leaving the residential area. She said for future developments there should be one designated exit created.

Dave Pisoni, Hyde Park resident, thanked Rollo for what he called enormous patience in leading to a reasonable and cost effective solution to the problem. He said the solution was a doable and viable solution.

Sturbaum said this simplified the whole matter.

Rollo thanked the neighbors and the Robertsons for distributing the petition and getting the neighborhood active and being patient through the process. He thanked Mayor Kruzan for working out the compromise with the neighbors, also. He said that he had hopes for an on-demand signal at this intersection, but realized that the warrants were not met in previous studies to prove that there was enough traffic on Olcott or enough pedestrian traffic. He noted that the modifications would allow more traffic and pedestrians to use this intersection and raise the numbers to warrant the signalization. He said all pedestrian crossings should be safe, not just those in the core of the city.

The motion to withdraw Ordinance 13-09 received a roll call vote of Ayes: 7, Nays: 0.

Ordinance 13-09 (cont'd)

Ordinance 13-19 To Authorize The Issuance of Bonds by the Monroe County Redevelopment Commission Pursuant to IC 36-7-14-3.5

LEGISLATION FOR FIRST READING
Ordinance 13-19

Ordinance 13-21 To Amend Title 8 of the Bloomington Municipal Code Entitled "Historic Preservation and Protection" (Changes to Chapter 8.02 - Definitions, Chapter 8.08 - Historic Districts and Standards, Chapter 8.12 - Demolition and Public Safety, Chapter 8.16 - Administration and Enforcement and Chapter 8.20 - List of Designated Historic Districts)

Ordinance 13-21

There was no public comment at this portion of the meeting.

PUBLIC COMMENT

Dan Sherman, Council Attorney/Administrator, noted that there was an Internal Work Session scheduled for Friday, October 18, 2013. Neher said he would poll the individual council members and formally announce if the work session would be cancelled by the next afternoon.

COUNCIL SCHEDULE

The meeting was adjourned at 8:30 pm.

ADJOURNMENT

APPROVE:

Darryl Neher, PRESIDENT
Bloomington Common Council

ATTEST:

Regina Moore, CLERK
City of Bloomington