In the Council Chambers of the Showers City Hall on Wednesday, December 11, 2013 at 7:30 pm with Council President Darryl Neher presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
December 11, 2013

Roll Call: Sandberg, Volan, Granger, Sturbaum, Neher, Mayer, Ruff (arr. 7:45)
Absent: Rollo, Spechler

ROLL CALL

Council President Neher gave the Agenda Summation

AGENDA SUMMATION

It was moved and seconded that Resolution 13-16 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, noting that there was no committee recommendation for this resolution.
It was moved and seconded that Resolution 13-16 be adopted.

LEGISLATION FOR SECOND READING AND RESOLUTIONS

Resolution 13-16 To Approve the Interlocal Agreement Between Monroe County, Town of Ellettsville, and the City of Bloomington for Animal Shelter Operation for the Year 2014

Patty Mulvihill, Assistant City Attorney, explained that this was an annual agreement between the city, Ellettsville and Monroe County for the services that the city provided to them for the housing and placement of animals. She said that the actual dollar amount varied from year to year and was based on the previous year's records.

Granger asked if there had been any feedback from Ellettsville. Mulvihill said she had no knowledge of any negative feedback since the officials dealt directly with the county in working out their portion of the agreement.

There was no public comment on this item.

Mayer thanked Mulvihill for her work on this item.

Resolution 13-16 received a roll call vote of Ayes: 7, Nays: 0 (Rollo, Spechler absent.)

It was moved and seconded that Ordinance 13-22 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the November 20, 2013 committee recommendation of do pass 6-0-3.
It was moved and seconded that Ordinance 13-22 be adopted.

Ordinance 13-22 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" – Re: Stop and Signalized Intersections, One-Way Streets, Restricted Turns on Red at Signalized Intersections, Angle Parking, No Parking, Limited Parking, Accessible Parking for Persons With Physical Disabilities, Residential Neighborhood Parking, City Hall Visitor Parking, Violations and Penalties

Adrian Reed, City Engineer, said he was happy to answer any questions in regards to the changes that the ordinance would make to the existing code.

It was moved and seconded to adopt Amendment #3 to Ordinance 13-22.

Amendment #3
This amendment removes the escalating fine provision for Class D traffic violations restores those fines to the long-standing cost of twenty dollars for a parking ticket if paid within seven calendar days and forty dollars if not paid within seven calendar days

Neher read the wording of the amendment as it was proposed by the administration.

There were no specific comments by the administration. There were no questions from the council, and there was no public comment on the amendment.
There also were no final council comments on the amendment.

The motion to adopt Amendment #3 to Ordinance 13-22 was approved by a roll call vote of Ayes: 5, Nays: 1 (Ruff), Abstain: 1 (Volan). (Rollo and Spechler absent.)

It was moved and seconded to adopt Amendment #1 to Ordinance 13-22.

Amendment #1
This amendment removes East First Street from the newly established "Wylie House Residential Neighborhood Zone (Zone 11)."

Neher read the amendment text. He noted that there had been some correspondence from the Bryan Park Neighborhood Association and others regarding the potential impact of the inclusion of this First Street section in the Residential Neighborhood Zone.

Sturbaum asked for a map and some clarification of the area that would be dropped from Zone 11. Neher clarified that just First Street was being proposed for exclusion.

Ruff noted that adjustments to the Neighborhood Zone program always moved pressure from parked cars from one area to another. He asked why First Street had been included in the first place with regards to pressure on the Bryan Park Neighborhood. Neher said that First Street abutted the Bryan Park Neighborhood and that the consistent opposition to that neighborhood being part of any parking zone was also part of the consideration. Neher also noted that there had been a number of comments in opposition to the inclusion of First Street in the zone from residents along that street. Ruff asked for a speculation as to why such a large number of people spoke out against this. Neher said they had individual concerns that had been voiced in their emails to council, and that most felt the restrictions were not warranted. Ruff asked if they were from owner occupied addresses, to which Neher said yes.

Public comment brought Ted Miller, 412 East First Street, to speak for the inclusion of the street in the zone. He noted that parking was allowed only on the south side of the street, where his residence was located. He said cars parked heavily on that side of the street made it difficult for him to safely drive out of his driveway onto First Street. He said during the academic year the street was parked, bumper to bumper, from one end to the other. He said visibility was difficult because of a long stretch of road with no stop signs and fast speeds. He said the inclusion of First Street would reduce density of parked cars to increase visibility and safety.

Ruff said he often chose First Street for ease of travel due to the lack of stops, jogs, busses and pedestrian travel and knew the area well. He said that he knew there was a solid line of cars on the south side of the street, but wondered about parking data from the area. He wondered if yellow curbs could be repainted near driveway egresses and then enforced more regularly. He said he would like the city staff to look at the area for adequate buffer adjacent to driveways on that side of the street. He would support the amendment with those caveats.

Volan said he would be abstaining from voting on this amendment because he hoped to move into the neighborhood in the affected zone. He said he brought this component to Title 15 forward because it was requested by residents of University Street. He said he didn't want to advocate for or against this measure, but wanted it to be known that it was driven by a request by people along University Street.

Mayer said that more data was needed about First Street before it became part of the zone. He speculated that there was a high concentration of rental property just to the west of Henderson, and was concerned that with the inclusion of First Street in the zone, those residents might be more apt to park on lawns and other areas that might not be legal. He said he was sympathetic to the safety issue and agreed with Ruff's idea about yellow curb areas. He said he supported removing First Street from the zone and revisiting it after data was collected for the area.

Neher said he concurred with the request for collection of parking counts on First Street to get a stronger sense of need. He also wanted to include Ruff's request for the painting of curbs in a memo to the Public Works Department regarding this issue.

Amendment #1 to Ordinance 13-22 *(cont'd)*

The motion to adopt Amendment #1 to Ordinance 13-22 was approved by a roll call vote of Ayes: 6, Nays: 0, Abstain: 1 (Volan). (Rollo and Spechler absent.)

It was moved and seconded to adopt Ordinance 13-22 as amended by Amendment #3 and Amendment #1.

Ordinance 13-22 as amended

There were no questions from the council on this amended ordinance, nor public comment, nor final council comments.

Ordinance 13-22 as amended by Amendment #3 and Amendment #1 received a roll call vote of Ayes: 5, Nays: 0, Abstain: 1 (Volan). (Ruff out of the room; Rollo and Spechler absent)

Ordinance 13-23 To Establish Procedure and Criteria for Consideration of Enterprise Zone Investment Deductions (EZIDs) for Property Located Within a Tax Allocation Area Pursuant to IC 6-1.1-45-9

LEGISLATION FOR FIRST READING

Ordinance 13-23

Council Attorney/Administrator Dan Sherman reviewed the council schedule for 2014, highlighting issues that would concern holidays, budget sessions or any other exceptions to the regular pattern of meetings of Regular Sessions and Committee meetings. He noted that the Internal Work Sessions would be held on Fridays at noon in 2014.

COUNCIL SCHEDULE

It was moved and seconded to adopt the proposed Council Schedule for 2014. The motion was approved by a voice vote. Mayer asked that Sherman bring the absent council members up to speed on the calendar.

The meeting was adjourned at 8:30 pm.

ADJOURNMENT

APPROVE:

Darryl Neher, PRESIDENT
Bloomington Common Council

ATTEST:

Regina Moore, CLERK
City of Bloomington