



City of Bloomington Common Council

Legislative Packet

Regular Session

20 January 2010

Office of the Common Council
P.O. Box 100
401 North Morton Street
Bloomington, Indiana 47402

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<http://www.bloomington.in.gov/council>



Packet Related Material

Memo

Agenda

Calendar

Notices and Agendas:

- **Staff/Council Internal Work Session** on Tuesday, January 19th in the McCloskey Room at noon
- **Council Sidewalk Committee Debriefing Meeting** on Tuesday, January 26th in the Hooker Room at 4:00 p.m.

Reports – from Committees:

- **Council Sidewalk Report for 2010**
 - Table of Contents; Report; Recommendations; Chart of Recommendations; Estimates and Maps for Recommended Projects; Evaluation Sheet; History of Funding

Contact: Isabel Piedmont-Smith at 349-3409 or piedmoni@bloomington.in.gov

Legislation for Final Action (Listed in the Order of Deliberation on January 20th):

- **Ord 10-02** An Ordinance of the Common Council of the City of Bloomington, Indiana, Approving the Issuance and Sale of Special Taxing District Refunding Bonds by the City for and on Behalf of the Bloomington Park and Recreation District to Provide a Savings to the Park District
- **Ord 10-03** An Ordinance Concerning the Current Refunding by the City of Bloomington, Indiana, of Its Sewage Works Revenue Bonds of 1999, Series A; Authorizing the Issuance of Sewage Works Refunding Revenue Bonds for Such Purpose; Providing for the Collection, Segregation and Distribution of the Revenues of the Sewage Works and the Safeguarding of the Interests of the

Owners of Said Sewage Works Refunding Revenue Bonds; Other Matters Connected Therewith; and Repealing Ordinances Inconsistent Herewith

- **Ord 10-01** To Amend the Bloomington Zoning Maps from Commercial General (CG), Industrial General (IG) and Planned Unit Development (PUD) to a PUD and Adopt the District Ordinance and Preliminary Plan for the 18.32 Acre Patterson Pointe PUD - Re: 420 S. Patterson Drive (Patterson Pointe LLC, Petitioner)
 - Supplemental Materials from Petitioner
 - Letter to Council Office – Describing Parking Options and Rationales
 - Parking Option 1 - Onstreet Parking
 - Parking Option 2 – Straightened Frontage Road/Plaza
 - Site Plan for Better Connectivity to Area C (New Tech High School)
 - Summary of Possible Conditions (Prepared by Council Office)

*Contact: Jim Roach at 349-3527 or roachja@bloomington.in.gov or
Tom Micuda at 349-3459 or micudat@bloomington.in.gov*

Please see the [6 January 2010 Council Legislative Packet](#) for the legislation, summaries and background materials relating to [Ord 10-01](#), [Ord 10-02](#), and [Ord 10-03](#).

Legislation and Background Material for First Reading:

- **Ord 10-04** To Amend Chapter 15.26 of the Bloomington Municipal Code Entitled “Neighborhood Traffic Safety Program” (Amending Schedule J-1 in Order to Identify Traffic Calming to be Installed at the Intersection of South Mitchell Street, Southdowns Drive and Circle Drive)
 - Memo from Justin Wykoff, Manager of Engineering Services;
 - Exhibit A - Map of the Area
 - Exhibit B - Application and Signatures for Traffic Calming Devices;
 - Exhibit C - Four Design Options;
 - Exhibit D - Excerpts from Minutes of the Bicycle and Pedestrian Safety Commission meeting;
 - Exhibit E - Ballot, Ballot Area, and Ballot Results;
 - Exhibit F - Traffic Counts Before and After Installation of the Devices;
 - Exhibit G - Estimated Cost for Installation
 - Exhibit H - Neighborhood Traffic Safety Program

Contact: Justin Wykoff at 349-3593 or wykoffj@bloomington.in.gov or
Sara Kloosterman at 349-3591 or kloostes@bloomington.in.gov

Minutes from Regular and Special Sessions:

- April 15, 2009 (Regular Session)
- April 29, 2009 (Special Session)
- September 9, 2009 (Special Session)

Memo

Reminder: Staff/Council Internal Work Session on Tuesday, January 19th at noon in the McCloskey Room – Topic: Patterson Pointe PUD

A Report and Three Ordinances Ready for Final Action and One Ordinance Ready for Introduction at the Regular Session on Wednesday, January 20th

There is a Sidewalk Report and three ordinances ready for final action and one ordinance ready for introduction at the Regular Session next Wednesday evening. The three ordinances ready for final action can be found in the 6 January 2010 Council Legislative Packet (see above for a link to the online packet) and the Sidewalk Report and new ordinance can be found in this material. Please note that a meeting was held on possible changes to Ord 10-01 (Patterson Pointe PUD) last Wednesday and has been continued to next Tuesday at noon.

Photo Next Wednesday

Please remember to be ready for a group photo to be taken next Wednesday for our webpage. The meeting may run long, and if so, we can do it the following week.

Council Sidewalk Committee Report - 2010

The Council Sidewalk Committee is submitting its 2010 *Report* for your approval Wednesday night. The *Report* includes a narrative, recommendation sheet, recommendation chart, estimates and maps for the five recommended projects, evaluation sheet, and a history of funding.

The Committee consists of four council members appointed by the President of the Council, which include Councilmembers Piedmont-Smith (Chair), Rollo, Sturbaum

& Satterfield. It is assisted by personnel from the Public Works, Engineering, Planning, HAND, Parks and Recreation, and Council departments. (Please see the *Report* for the names of these persons – who make the work of this Committee possible.)

The Committee meets and makes recommendations to the full Council regarding the allocation of Alternative Transportation Fund monies. These monies are surplus revenue from the City’s residential neighborhood parking program and amount to \$225,000 for 2010. In addition to these monies, CBU has set aside \$125,000 for the storm water component of Council Sidewalk projects in 2010 (along with unspent funds from previous years). After meeting four times over the last three months the Committee made the following recommendations:

FUNDS AVAILABLE:

Alternative Transportation Fund (ATF)

Use the \$225,000 of Alternative Transportation Funds appropriated in 2010 for sidewalks and traffic-calming projects according to the following formula:

\$225,000	Annual Appropriation
- \$20,000	Traffic Calming
\$205,000	Available for Sidewalk Projects

CBU Set Aside for Stormwater Component of Council Sidewalk Projects

Authorize the Engineering Department to submit claims to the Utilities Service Board for the stormwater component of sidewalk projects in an amount not to exceed:

\$125,000.00	Appropriated in 2009
+ \$149,776.24	Carried over from previous years
\$274,776.24	Available for Stormwater

2010 COUNCIL SIDEWALK COMMITTEE RECOMMENDATIONS:

The Committee recommended funding projects on Marilyn, Third Street and Southdowns.

	ATF	CBU	GREENWAYS
MARILYN- Nancy to High	\$98,373	\$ 91,564	\$0
THIRD STREET			
Seg. #1 Bryan to Jefferson	\$0	\$ 22,638	\$72,770
Seg. #2 Jefferson to Roosevelt	\$31,912.23	\$ 4,366	\$27,230
Seg. #3 Roosevelt to Clark	<i>Remainder ~\$74,714</i>	\$ 4,135	\$0
SOUTHDOWNNS			
Jordan to Mitchell	\$0	\$ 54,562.20	\$0
GRAND TOTAL	\$205,000	\$ 177,265.20	\$100,000

The details of the recommended projects are as follows:

Marilyn (south side) -- Nancy to High Street

ATF	CBU	TOTAL
\$98,373	\$91,564	\$189,937

This is one of the last segments of a route on the Bicycle and Pedestrian Transportation and Greenways System (Greenways) Plan that would connect Bryan Park with sidewalks at High and Covenanter. Prior ATF funds were used to install sidewalks on Mitchell, Circle, Ruby and Nancy Street. In 2008, the Committee requested and expected that the Greenways monies would be used to cover the sidewalk and that the CBU set aside would cover the stormwater component of this project. However, a change in priorities due to an amendment to the Greenways Plan and the need for other projects left this project unfunded that year. Last year, the Committee requested that the Mayor favorably consider an appropriation of funds for this purpose, but learned this year that funds were not available. The Committee recommends funding this project this year in order to honor past commitments to move toward completion of this corridor. It will include a curb, but no tree plot because of a lack of right-of-way.

East Third Street (north side) – Bryan to Roosevelt

Fully fund the first two segments of East Third (from Bryan to Jefferson and from Jefferson to Roosevelt). Fund as much of the third segment (Roosevelt to Clark) as possible with any remaining funds.

	ATF	CBU	GREENWAYS	TOTAL
Seg. #1 Bryan to Jefferson	\$0	\$22,638	\$72,770	\$ 95,408.78
Seg. #2 Jefferson to Roosevelt	\$31,912.23	\$4,366	\$27,230	\$ 63,507.68
Seg. #3 Roosevelt to Clark	<u>Remainder ~\$74,714</u>	<u>\$4,135</u>	<u>\$0</u>	<u>\$118,387.50</u>
GRAND TOTAL	\$106,626.23	\$31,139	\$100,000	\$277,303.96

Last year’s Committee considered this the highest priority for 2010. It is part of a major pedestrian corridor between the IU campus and the College Mall commercial area. With some exceptions, sidewalks are needed from Bryan to the intersection of SR 45/46. As a result of an amendment to the 2009 Council Sidewalk Report, the up-to-\$50,000 recommended to acquire right-of-way here last year was redirected to fund two traffic calming projects. Staff from the Greenways Committee indicated that they intend to apply \$100,000 towards this corridor in 2010. The total cost for installing sidewalks from Bryan to the SR45/46 Bypass will approach \$722,000, but may be lower given improvements to be installed by INDOT and possible donations of right-of-way.

Southdowns (southside) – Jordan to Mitchell

Stormwater component of Southdowns sidewalk project (Sidewalk will be on south side of Southdowns between Jordan and Mitchell, but stormwater improvements will be further west)

ATF	CBU	TOTAL
\$0	\$54,652.20	\$124,405.25
	<i>(maximum)</i>	

This sidewalk segment would complete a continuous pedestrian corridor that runs from Bryan Park to the sidewalks at High and Covenant. *(Please see the Marilyn Drive discussion above.)* Prior to funding the sidewalk, however, the Committee recommends funding related stormwater improvements. This order of funding is common when the water channeled by future curbs needs to be contained by stormwater facilities downstream. Here, existing stormwater issues west of Jordan may be aggravated by the installation of a sidewalk and can be mitigated by extending the improvements along the west side of Jordan from Southdowns to Sheridan and along the south side of Sheridan west of Jordan. Please note that the Committee allocated a maximum amount that may be expended on this project in 2010.

Second Readings

Changes to the Patterson Pointe PUD (Ord 10-01)

A number of issues arose during the Committee of the Whole discussion of **Ord 10-01 (Patterson Pointe PUD)** that led to a Staff/Council Internal Work Session on the 13th which was continued to January 19th. (*See Notice above*) At that subsequent meeting, the Petitioner discussed many issues with Council members and provided drawings proposing:

- improved connectivity via Area C (New Tech High School),
- a straightened frontage road and plaza or, in the alternative,
- on-street parking along Area A1 and A2.

(Please note that copies of those drawings and a cover letter describing and explaining them have been emailed to the Council Office and are included in this packet).

The following bullet-points are intended to help clarify the Council discussion and identify issues that one or more Council members have suggested as possible changes to the PUD. Please let the Council Office know if there are additional issues. Also, please be ready to clarify your intentions on Tuesday, so that the necessary language can be prepared for Wednesday.

- **Reasonable Condition 1 (Volan)** - Better Connectivity Adjacent to Area C (New Tech High School) – Site Plan provided by Petitioner
- **Reasonable Condition 2 (Sturbaum)** - Narrowing East Side of New Signalized Intersection at Patterson Drive and “Old” West 3rd Street
- **Reasonable Condition 3 (Ruff)** - Prohibiting 4-Bedroom Units from Occupying Entire Buildings or a Certain Percentage of a Building
- **Reasonable Condition 4 (Volan)** - On-Street Parking – Site Plan provided by Petitioner
- **Reasonable Condition 5 (Sturbaum)** - Straightened Frontage Road/Plaza – Site Plan provided by Petitioner
- **Reasonable Condition 6 (Sponsor?)** - Addressing Location, Target Population, and/or Period of Affordability for Affordable Housing Units

- **Reasonable Condition 7 (Sturbaum)** – Requiring a Central Median on West 3rd Street as Part of this PUD (*Please note that Tom Micuda has indicated that the Petitioner does not commit to this investment and that some other Council members see this as a matter of public – perhaps TIF - investment.*)

First Readings

Item One – Ord 10-04 - Amending Chapter 15.26 of the BMC Entitled “Neighborhood Traffic Safety Program” (NTSP) by Authorizing the Installation of a Traffic Calming Device at the Intersection of South Mitchell, Southdowns and Circle Drive

Ord 10-04 amends Chapter 15.26 of the Bloomington Municipal Code to authorize the installation of a traffic-calming device at the intersection of South Mitchell/Southdowns/Circle Drive at the request of the SoMax Neighborhood Association. More specifically, it amends Schedule J-1 to authorize the realignment of that intersection as set forth below and indicated on the enclosed Option 2:

Street	From (or At)	To	Type of Devices
South Mitchell Street	East Southdowns Drive	East Circle Drive	Intersection Realignment

NTSP Procedures

The following paragraphs briefly describe the steps taken as a result of request by the SoMax Neighborhood Association, as indicated in the memo and material provided by Justin Wykoff, Manager of Engineering Services. Please see the [Neighborhood Traffic Safety Program](#) for the full program details.

Step One - Application – December 12, 2008

The NTSP requires that persons or neighborhood associations file an application for traffic calming devices which is signed by at least 50% of the affected residents and endorsed by a council member. This effort was initiated in December 2008 and endorsed by Councilmember Rollo. (See Exhibit B)

The application said that “the very wide intersection of S. Mitchell Street and E. Southdowns Dr. poses a serious crossing problem for pedestrians (often children and

parents pushing strollers) who go to and from Bryan Park ... (and that) traffic moves quite fast (traveling) both north and south on Mitchell.”

Accompanying the application were four intersection narrowing options noted below:

- Option 1 – which proposed an oblong center island;
- Option 2 – which proposed a peninsula on the east side of the intersection with the northern leg of South Mitchell aligned with Southdowns and the southern leg of Mitchell curving west intersecting with Southdowns;
- Option 3 – which proposed straightening the alignment of all of the roadways at the intersection; and
- Option 4 – which proposed a peninsula on the west side which broke the alignment of South Mitchell through the intersection and straightened the alignment of Southdowns and Circle Drive.

The neighbors signing the petition favored Option 2. This option will include a path or sidewalk running north through the peninsula to the intersection and direct pedestrians going north to the east side of South Mitchell.

Please note that the relevant option also portrays new stops signs which would be installed for north- and south-bound traffic on Mitchell. Justin Wykoff explains that the realignment necessitates the new signs, which are not in themselves a traffic calming device. Upon approval of this legislation, he would have the signs installed via a 90-day order and offer them for codification the next time a traffic ordinance comes forward.

Step Two - Verify the Petition, Assess the Problem, and Consult with Safety Services – April 2009

Under Step Two, the Engineering Department collects preliminary information about the conditions in the area, verifies the sufficiency of the petition, and may consult with safety services. Here, the Department conducted traffic studies in 2004 and then again in April 2009. Those studies indicated that, as expected, the heavier and faster traffic was on South Mitchell, with the average daily trips (ADT) being between 1,000 – 1,100 and 85th Percentile speed¹ being between 31-34 miles per hours. For the cross streets, traffic on Southdowns was heavier than on Circle Drive (459 vs. 190) , but the speeds were about the same for both (25 – 28 mph). Lastly, those studies indicated that there had been no reported accidents there in the last three

¹ The 85th Percentile Speed means the speed of the 85th out of a 100 cars, when the speed of each car is ordered from the lowest to the highest.

years. Please note that the safety services were given an opportunity drive through the test devices in Step 7. (See Exhibit F for the Traffic Studies)

Step Three - Bicycle and Pedestrian Safety Commission – December 2008

In Step Three, the Bicycle and Pedestrian Safety Commission considers the petition and staff data. In December 2008 the Commission considered this proposal and voted to "validate" the petition which, under the guidelines, constitutes "a commitment to do *something* about the problem." (See Exhibit D for excerpts of minutes for the meeting.)

Step Four - Public Meeting – Multiple Meetings in 2008 and 2009

Step Four calls for the Department to bring residents and emergency service providers together to "help exchange ideas, address concerns and discuss possible traffic safety." In the event the proposal is placed on a neighborhood collector – which is the case here - the NTSP also requires the department to notify a larger area of residents. Here, notification was sent to residences within 300 feet of the intersection. Staff met a number of times with residents about this project in 2008 and 2009 in order to generate the four options noted above.

Step Five - Preparation of Alternative Designs and Selection of Proposed Plan

Step Five calls for the Bicycle and Pedestrian Safety Commission, staff, and any interested residents to evaluate the proposal according to a set of seven criteria including: overall costs and benefits; effectiveness; access for pedestrians, bicycles and transit; community-wide benefits to bicycles and pedestrians; overall public safety; effects on traffic diversion; and access for emergency and service vehicles. Staff presented the set of four proposals and the residents favored Option 2 – which placed a peninsula on the east side of the intersection, aligned the northern leg of South Mitchell with Southdowns (east bound) and brought the southern leg of Mitchell west at Southdowns. (See Exhibit C for the four options.)

Step Six - Project Ballot – July 2009

Step Six requires staff to ballot the directly-affected households and bring the project to the Council only when at least 50% of the households vote in favor of the proposal. In this case, 25 ballots were distributed and 21 ballots were returned – all of which were in favor of Option 2. This meant that 84% of the ballots were in favor of the project, which is the highest rate of approval in the history of the program.

Step Seven - Testing and Evaluation of Device

Step Seven may take place if the staff chooses to test devices in order to determine their effectiveness. In the event the test devices do not produce adequate outcomes, the proposal may be returned to Step 5 for additional alternatives and another neighborhood ballot. Here, Engineering used temporary devices and conducted traffic counts which indicated a reduction of speed for cars traveling on South Mitchell. After having safety services and school buses try the new intersection and meeting with the neighbors again, Engineering widened the lanes.

Note: Southdowns/Circle is a Neighborhood Collector Street which, under the guidelines, should not include devices that result in a diversion of more than 150 cars to neighboring local streets. Based upon experience elsewhere in the community, Wykoff does not believe such diversion will occur here.

Step Eight - Council Action

The guidelines and code require the Council to approve the project before it may be permanently installed. As mentioned above, the ordinance amends Chapter 15.26 of the BMC regarding Neighborhood Traffic Safety Program by adding the realignment and its location to this Schedule J-1.

Subsequent Steps Nine Through Eleven – Installation, Cost, and Maintenance

In the event the Council acts in favor of the project, the Engineering Department will submit detailed plans and specifications to the Board of Public Works for approval (Step Nine). Then, upon approval, the City will install the devices (Step Ten) at a cost of about \$20,603 (See Exhibit G). Wykoff notes that while some neighbors would like to put a community garden there, the adjacent property owner would ultimately be responsible for maintaining the landscaping. (Step Eleven) And, after the devices have been installed for six months, the City may choose to reevaluate their effectiveness (Step Twelve).

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL REGULAR SESSION
7:30 P.M., WEDNESDAY, JANUARY 20, 2010
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.**

I. ROLL CALL

II. AGENDA SUMMATION

- III. APPROVAL OF MINUTES FOR:** April 15, 2009 (Regular Session)
April 29, 2009 (Special Session)
September 9, 2009 (Special Session)

- IV. REPORTS FROM:**
- 1. Councilmembers**
 - 2. The Mayor and City Offices**
 - 3. Council Committees**
 - 4. Public**

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS

1. Ordinance 10-02 An Ordinance of the Common Council of the City of Bloomington, Indiana, Approving the Issuance and Sale of Special Taxing District Refunding Bonds by the City For and On Behalf of the Bloomington Park and Recreation District to Provide a Savings to the Park District

Committee Recommendation: Do Pass 7 – 0 – 1

2. Ordinance 10-03 An Ordinance Concerning the Current Refunding by the City of Bloomington, Indiana, of Its Sewage Works Revenue Bonds of 1999, Series A; Authorizing the Issuance of Sewage Works Refunding Revenue Bonds for Such Purpose; Providing for the Collection, Segregation and Distribution of the Revenues of the Sewage Works and the Safeguarding of the Interests of the Owners of Said Sewage Works Refunding Revenue Bonds; Other Matters Connected Therewith; and Repealing Ordinances Inconsistent Herewith

Committee Recommendation: Do Pass 7 – 0 – 1

3. Ordinance 10-01 To Amend the Bloomington Zoning Maps from Commercial General (CG), Industrial General (IG) and Planned Unit Development (PUD) to a Planned Unit Development (PUD) and Adopt the District Ordinance and Preliminary Plan for the 18.32 Acre Patterson Pointe PUD – Re: 420 S. Patterson Drive (Patterson Pointe LLC, Petitioner)

Committee Recommendation: Do Pass 2 – 2 – 4

VII. LEGISLATION FOR FIRST READING

1. Ordinance 10-04 To Amend Chapter 15.26 of the Bloomington Municipal Code Entitled “Neighborhood Traffic Safety Program” (Amending Schedule J-1 in Order to Identify Traffic Calming to be Installed at the Intersection of South Mitchell Street, Southdowns Drive and Circle Drive)

VIII. PRIVILEGE OF THE FLOOR (This section of the agenda will be limited to 25 minutes maximum, with each speaker limited to 5 minutes)

IX. ADJOURNMENT



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

To: Council Members
From: Council Office
Re: Calendar for the Week of January 18-22, 2010

Monday, January 18, 2010

“A Day On! Not a Day Off!”

City Holiday: Dr. Martin Luther King, Jr. Day – Offices Closed

7:00 pm Dr. Martin Luther King, Jr. Birthday Celebration, featuring keynote speaker Rev. Jesse Jackson
Buskirk-Chumley Theater, 114 E. Kirkwood Ave. *Please note that no tickets remain.*

A free simulcast will be presented in City Hall Council Chambers. The public is invited to view the celebration at this venue.

Tuesday, January 19, 2010

12:00 noon Common Council Internal Work Session, McCloskey
4:00 pm Board of Public Safety, McCloskey
4:30 pm Community and Family Resources Commission, Hooker Room
5:30 pm Animal Control Commission, Kelly
5:30 pm Community Development Block Grant Social Service Sub-Committee, McCloskey
5:30 pm Bloomington Public Transportation Corporation, Public Transportation Center, 130 W. Grimes Lane
5:30 pm Board of Public Works, Council Chambers

Wednesday, January 20, 2010

9:30 am Tree Commission, Rose Hill Cemetery Office, 930 W. Fourth Street
4:30 pm Commission on the Status of Black Males, Hooker Room
5:30 pm Bloomington Community Arts Commission, McCloskey
7:00 pm Council of Neighborhood Associations, Hooker Room
7:30 pm Common Council Regular Session, Council Chambers

Thursday, January 21, 2010

8:00 am Bloomington Housing Authority, Housing Authority, 1007 N. Summit, Community Room
5:30 pm Sare Road/Rogers Road Intersection Public Meeting, Council Chambers
5:30 pm Black History Month Steering Committee, Hooker Room
5:30 pm Community Development Block Grant Citizens Advisory Committee, McCloskey
7:00 pm Environmental Commission, McCloskey

Friday, January 22, 2010

12:00 noon Economic Development Commission, Hooker Room
12:00 noon Waldron Study Group, McCloskey
12:00 noon Common Council Internal Work Session, Council Chambers
1:30 pm Metropolitan Planning Organization Policy Committee, McCloskey

Posted and Distributed: Friday, January 15, 2010



City of Bloomington
Office of the Common Council

NOTICE

STAFF-COMMON COUNCIL INTERNAL WORK SESSION

TUESDAY 19 JANUARY 2010

**12:00 NOON
McCLOSKEY ROOM (#135)
CITY HALL
401 N. MORTON STREET**

This reconvenes the session on 13 January 2010 which was to allow the Common Council further opportunity to discuss *Ordinance 10-01: To Amend the Bloomington Zoning Maps from Commercial General (CG), Industrial General (IG) and Planned Unit Development (PUD) to a Planned Unit Development (PUD) and Adopt the District Ordinance and Preliminary Plan for the 18.32 Acre Patterson Pointe PUD – Re: 420 S. Patterson Drive (Patterson Pointe LLC, Petitioner)*. Since a majority of the Council may be present, this session may constitute a meeting of the Common Council under the Indiana Open Door law. This notice alerts the public that this meeting will occur and that the public is welcome to attend, observe and record (but not comment upon) what transpires.

Dated and Posted: Thursday, 14 January 2010

401 N. Morton Street • Bloomington, IN 47404

City Hall

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City of Bloomington
Office of the Common Council

MEETING NOTICE

Common Council Sidewalk Committee Meeting

The Common Council Sidewalk Committee will meet at 4:00 pm, Tuesday, January 26, 2010 in the Hooker Room of City Hall (401 N. Morton Street, Suite 245).

Because a quorum of the Common Council may be present, this meeting may constitute a meeting of the Council as well as of this committee under Indiana Open Door Law. Therefore, this provides notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.

Posted: Friday, January 15, 2010

2010 Council Sidewalk Committee Report

Council Sidewalk Committee 2010 Report

Table of Contents

- **Narrative**
- **Committee Recommendation Sheet**
- **Estimates and Maps for the Five Recommended Projects**
- **Evaluation Sheet**
- **History of Funding**

Note: Memoranda for meetings are [online](#) and available in the Council Office

Report of the Common Council Sidewalk Committee January 20, 2010

Committee Members and Staff

The members of the 2009 Committee were appointed by the President of the Council in 2009 and included:

- Chris Sturbaum, District 1
- Mike Satterfield, District 3
- Dave Rollo, District 4
- Isabel Piedmont-Smith, District 5 (Chair)

The committee members were assisted by the following persons:

Council Office

Dan Sherman, Council Administrator/Attorney

Stacy Jane Rhoads, Assistant Administrator/Researcher

Public Works

Susie Johnson, Director

Justin Wykoff, Manager of Engineering Services

Planning

Scott Robinson, Long Range / Transportation Manager

Joe Fish, Transportation Planner

HAND

Bob Woolford, Housing Coordinator

Parks and Recreation

Steve Cotter, Natural Resources Manager

Utilities

Jane Fleig, Assistant Engineer

Task, Schedule, and Records of Meetings

The Committee makes recommendations to the entire Council on use of certain appropriations for 2010 and met four times from November 2009 to January 2010 to complete its work. Those appropriations include \$225,000 from the Alternative Transportation Fund (ATF), which is funded primarily by surplus revenues from the Neighborhood Parking Program (BMC 15.37.160), and a City of Bloomington Utilities set aside of \$125,000 for the stormwater component of Committee projects. Please note that both of these appropriations increased by \$25,000 in 2007.

The following outline provides an overview of what the Committee did at those meetings. *Please note that the Memoranda for these meetings are online under the [Council Sidewalk Committee](#) and are also available in the Council Office.*

On November 12, 2009 at 4:00 p.m. in the McCloskey Room, the Committee:

- Elected a Chairperson (Isabel Piedmont-Smith);
- Requested that the Council Office make a record of the meetings;
- Deferred approval of the February 3, 2009 debriefing meeting Memorandum;
- Reviewed money available in the Alternative Transportation Fund for 2010, acknowledged that there was \$225,000 appropriated for 2010, and set aside \$20,000 for traffic-calming projects (which should include a project on West 3rd Street in the Prospect Hill Neighborhood between Rogers and Walker);
- Acknowledged that \$125,000 has been appropriated in the City Utilities Department for the stormwater component of Council sidewalk projects and asked for staff to determine how much was carried over from previous years and report back to the Committee
 - After hearing a history of the Committee's recommendations regarding Marilyn Drive, it adopted a *Motion for Staff to Prepare a Letter to the Mayor Regarding the Status of Funding for this Project*;
- Voted to allow use of surplus stormwater set aside funds for traffic calming when the project involves stormwater infrastructure;
- Heard a status report on last year's recommendations by Justin Wykoff which is summarized below:
 - **Madison Street – Tire Store to 3rd Street (East Side)** - this project was scheduled for bidding on November 13th.
 - **Kinser Pike – Gourley Pike to SR 445/46 (West Side)** – this project was let to Hunt Paving on October 10th. INDOT required a sidewalk on the north side of the highway and an upgrade of the signal with pedestrian “signal heads” pushing the cost from about \$54,000 to \$80,000.
 - Pursuant to a rule regarding overages adopted on February 3, 2009 and the apparent savings elsewhere, the Committee considered and approved a *Motion to Authorize Extra Funds for Kinser Pike South of SR 445/46*.
 - **Moores Pike – Woodruff to Existing Sidewalk to the East** - this project was completed (with Public Works funds to correct previous misapplication of ATF monies towards the Templeton Safe Route to Schools Project).
 - **Henderson Street – Moody to Thorton (East Side)** - this project was completed at a cost of about \$80,000 (\$20,000 under the

- estimate), but the final allocations between sidewalk and stormwater expenditures had not been submitted yet by the contractor.
- **Marilyn Drive – Nancy Street to High Street (South Side)** (*Please see the discussion of this project below*)
 - **East 3rd Street – Roosevelt to Hillsdale (North Side)** -Piedmont-Smith noted that last year’s Report was amended in August to reallocate funds for the acquisition of sidewalk right-of-way on 3rd Street to the completion of traffic-calming projects on West 7th and in the Diamond Gardens neighborhood. Given that shift in funds, she asked for a status report on those **two traffic-calming projects**:
 - **Diamond Gardens** - the work will be done in about two weeks. Some concerns were raised about the trimming of shrubbery;
 - **West 7th Street** - this project was done except for some landscaping and the 7th Street entrance, which is tied to the construction and traffic flow at the new Fairview School.
 - (*Please note that the Parks and Recreation, HAND, and Planning departments provided documents describing recent sidewalk projects which were included in Appendix 6 of the Council Sidewalk Packet for this meeting. This packet is available online [Sidewalk Committee](#) and is available in the Council Office.*)
 - Reviewed the Committee’s criteria for funding projects. The criteria includes: 1) safety considerations, 2) roadway classification, 3) pedestrian usage, 4) proximity to points of destination, 5) linkages, and 6) costs/feasibility and
 - amended the criteria so that “4)” reads as follows:
 - 4) Proximity to Destination Points -- Prioritization of linkages should be based on proximity to *destinations such as* elementary schools, Indiana University, *employment centers*, shopping opportunities, ~~and~~ parks/playgrounds, *etc.*
 - Heard from Scott Robinson and Joe Fish in the Planning Department who, as a result of last year’s Debriefing Meeting, continued to develop objective factors which roughly correspond with the first four of the six criteria. Last year they incorporated Pedestrian Level of Service (PLOS) and Walkscores, and this year they incorporated two more factors:
 - The first factor addressed population density of the nearby area and was based upon the maximum population in the underlying zoning designations within 1/8th of a mile from the sidewalk project; and
 - The second factor addressed transit and used passenger per hour per route data provided by Bloomington Transit and weighted areas within 1/8th of a mile from the sidewalk project twice as much as those at 1/4 of a mile.

Please note that these factors correspond to criteria

3) Pedestrian Usage and 4) Proximity to Destination Points and that the Evaluation Sheet no longer scored separate scenarios for each project (i.e. with and without a tree plot).

- Recognized that these additions to the objective factors continued the good work at developing a uniform rating system that, in particular, helped gauge future usage, but suggested that Plan Staff consider using IU's Master Plan to refine the across-the-board 15 units per acre score for the entire IU campus.
- Reviewed the Evaluation Sheet of 29 projects (*a revised version is attached to the Report*);
- Acknowledged the averaged ratings submitted by members of last year's Committee;
- Added the following two projects to the Evaluation Sheet:
 - **Morningside Drive** from Smith Road east to Sheffield on one side and Saratoga on the other side at the request of Councilmember Satterfield; and
 - **Southdowns** from Jordan to Mitchell on the south side to complete the last link in the Bryan Park – High Street Pedestrian Corridor at the suggestion of Wykoff;
- Removed the following two projects from the Evaluation Sheet at the request of Scott Robinson:
 - **Range Road** north of 10th Street because IU intends to install sidewalks on the west side
 - **East 11th Street** between Washington and Lincoln because of low traffic and lack of interest from surrounding residents.

On November 23 and December 1, 2009 at 4:00 p.m. in the McCloskey Room and January 1, 2010 at 4:00 p.m. in the Council Library, the Committee:

- Considered the Evaluation Sheet provided by Planning and the averaged ratings made by last year's Committee members and narrowed the 2010 funding priorities down to East 3rd Street between Bryan and the SR 45/46 Bypass, Marilyn Drive and Southdowns between Jordan and Mitchell, which are elaborated upon below.

In regard to East Third Street – Bryan to the SR 45/46 Bypass (north side) – Multi-Year Project, the Committee:

- Affirmed last year's Committee member ratings, which gave this project its highest priority;
- Received the estimate of costs for each block broken down into right-of-way, construction of the sidewalk, and installation of the stormwater components. (*Please note that these figures are provided in the attached*

Chart of Recommendations and indicate that the first three blocks - from Bryan to Clark – would cost about \$277,300 and that the entire stretch would cost about \$722,500);

- Learned that INDOT would construct the first 300' east of the SR 45/46 intersection (which ends at or near the Travel Lodge driveway);
- Acknowledged that some donations of right-of-way were possible and that those donations could reduce the cost and expedite the completion of this multi-year project;
- Heard that Greenways intended to commit \$100,000 toward this project, but that staff could not formally commit to the expenditure given the vicissitudes of capital projects and the possibility of emergency needs arising elsewhere later in the year;
- Discussed and decided not to condition any recommendation on the contribution of \$100,000 from Greenways; and
- Heard that Bloomington Transit would be interested in installing a bus shelter at 3rd and Roosevelt.

In regard to Marilyn Street – Sidewalk Construction from Nancy to High Street (east side), the Committee:

- Heard the following history of the project: This one-block project was proposed by the nascent SoMax Neighborhood Association and appeared on the Alternative Transportation & Greenways System Plan (Greenways) maps in 2001 as part of a pedestrian way linking Bryan Park to High Street and points east. This pedestrian way included a bicycle and pedestrian lane on Southdowns between Bryan Park and Jordan (with a complementary lane on Sheridan) and then sidewalks on Southdowns, Mitchell, Circle, Ruby, Nancy and Marilyn. Over the years, *Alternative Transportation Fund* monies facilitated installation of sidewalks along portions of Mitchell, Circle, Ruby and Nancy Street in accordance with the map. In 2005, ATF monies were allocated for the design of the sidewalk and the associated stormwater infrastructure for this block. In 2008, the Committee allocated stormwater funds for the project and requested that Greenways monies pay for the sidewalk. For various reasons, including a change in the Greenways priorities, the money was not used for the sidewalk and, in 2009, the Committee Report respectfully requested that the Mayor favorably consider appropriating some federal reimbursements for the project;
- In light of that history, authorized that a letter be sent from the Chair to the Mayor inquiring about the status of funding and learned via the Chair it was not available;
- Discussed whether the stormwater infrastructure needed to be enclosed or left open here and concluded that it should be piped (because of lack of

right-of-way and the need to drill and install pipe on the east side under High Street);

- Affirmed that the project would cost \$189,937 with approximately \$98,373 needed for sidewalk and \$91,564 needed for the stormwater component

In regard to Southdowns – Jordan to Mitchell (south side) – with Adjacent Stormwater Component, the Committee:

- Acknowledged that this sidewalk segment would complete the pedestrian corridor between Bryan Park and the intersection of High and Marilyn;
- Learned that there were existing stormwater issues west of Jordan that might be aggravated by a sidewalk (which typically have curbs that channel surface water) and that the stormwater improvements associated with the sidewalk could address those issues by extending across Southdowns along the west side of Jordan to Sheridan and then along the south side of Sheridan west of Jordan;
- Discussed whether the improvements should be open or piped and heard that CBU staff wanted to observe the area during a hard rain to assess what might be done;
- Affirmed that the stormwater component would cost approximately \$54,560 and that the sidewalk itself would cost another \$69,840.

General Discussion – The Committee:

- Divided sidewalk project expenditures into the following components: right-of-way, public works, and stormwater;
- Wanted a more systematic and timely record of expenditures;
- Began a discussion on whether the stormwater infrastructure related to sidewalk projects should, in general, be piped or left open and, in that regard, acknowledged that “rain gardens” have benefits, are called for in the Unified Development Ordinance and belong in an overall stormwater system, and can be used in sidewalk projects, but sometimes compete with the same space as the sidewalk;
- Determined that the right-of-way component of a sidewalk project can be significant (amounting to over a quarter of the cost of the 3rd Street project, for example) and discussed ways in which the City might encourage property owners to donate right of way without impairing their right to receive compensation for public use of this land. In that regard, the Committee asked whether City Legal could research and set forth the tax advantages for property owners who donate the land;
- Discussed formalizing the commitments it may receive from Greenways staff regarding mutual funding for certain projects and deferred discussion of that issue to the Debriefing Meeting later in January;

- Approved minutes for the meetings (and, in regard to the last meeting, authorized the Chair to approve minutes after giving members an opportunity to review and correct them);
- Recommended the allocation of the 2010 ATF appropriation by a vote of 3 – 1 (Satterfield) *Please see the next section of the report and Table of Recommendations for further details*);
- Authorized submittal of the Committee Report to the Council (which will be presented by the Chair); and
- Agreed to meet on January 26th at 4:00 p.m. in the Hooker Room for a Debriefing Meeting in preparation for next year and were given a list of possible subjects for that meeting.

FUNDS AVAILABLE:

Alternative Transportation Fund (ATF)

Use the \$225,000 of Alternative Transportation Funds appropriated in 2010 for sidewalks and traffic-calming projects according to the following formula:

\$225,000	Annual Appropriation
- \$20,000	Traffic Calming
\$205,000	Available for Sidewalk Projects

CBU Set Aside for Stormwater Component of Council Sidewalk Projects

Authorize the Engineering Department to submit claims to the Utilities Service Board for the stormwater component of sidewalk projects in an amount not to exceed:

\$125,000.00	Appropriated in 2009
+ \$149,776.24	Carried over from previous years
\$274,776.24	Available for Stormwater

2010 COUNCIL SIDEWALK COMMITTEE RECOMMENDATIONS:

The Committee recommended funding projects on Marilyn, Third Street and Southdowns.

	ATF	CBU	GREENWAYS
MARILYN- Nancy to High	\$98,373	\$ 91,564	\$0
THIRD STREET			
Seg. #1 Bryan to Jefferson	\$0	\$ 22,638	\$72,770
Seg. #2 Jefferson to Roosevelt	\$31,912.23	\$ 4,366	\$27,230
Seg. #3 Roosevelt to Clark	<i>Remainder ~\$74,714</i>	\$ 4,135	\$0
SOUTHDOWNS			
Jordan to Mitchell	\$0	\$ 54,562.20	\$0
GRAND TOTAL	\$205,000	\$ 177,265.20	\$100,000

The details of the recommended projects are as follows:

Marilyn (south side) -- Nancy to High Street

ATF	CBU	TOTAL
\$98,373	\$91,564	\$189,937

This is one of the last segments of a route on the Bicycle and Pedestrian Transportation and Greenways System (Greenways) Plan that would connect Bryan Park with sidewalks at High and Covenanter. Prior ATF funds were used to install sidewalks on Mitchell, Circle, Ruby and Nancy Street. In 2008, the Committee requested and expected that the Greenways monies would be used to cover the sidewalk and that the CBU set aside would cover the stormwater component of this project. However, a change in priorities due to an amendment to the Greenways Plan and the need for other projects left this project unfunded that year. Last year, the Committee requested that the Mayor favorably consider an appropriation of funds for this purpose, but learned this year that funds were not available. The Committee recommends funding this project this year in order to honor past commitments to move toward completion of this corridor. It will include a curb, but no tree plot because of a lack of right-of-way.

East Third Street (north side) – Bryan to Roosevelt

Fully fund the first two segments of East Third (from Bryan to Jefferson and from Jefferson to Roosevelt). Fund as much of the third segment (Roosevelt to Clark) as possible with any remaining funds.

	ATF	CBU	GREENWAYS	TOTAL
Seg. #1 Bryan to Jefferson	\$0	\$22,638	\$72,770	\$ 95,408.78
Seg. #2 Jefferson to Roosevelt	\$31,912.23	\$4,366	\$27,230	\$ 63,507.68
Seg. #3 Roosevelt to Clark	<u>Remainder ~\$74,714</u>	<u>\$4,135</u>	<u>\$0</u>	<u>\$118,387.50</u>
GRAND TOTAL	\$106,626.23	\$31,139	\$100,000	\$277,303.96

Last year's Committee considered this the highest priority for 2010. It is part of a major pedestrian corridor between the IU campus and the College Mall commercial area. With some exceptions, sidewalks are needed from Bryan to the intersection of SR 45/46. As a result of an amendment to the 2009 Council Sidewalk Report, the up-to-\$50,000 recommended to acquire right-of-way here last year was redirected to fund two traffic calming projects. Staff from the Greenways Committee indicated that they intend to apply \$100,000 towards this corridor in 2010. The total cost for installing sidewalks from Bryan to the SR45/46 Bypass will approach \$722,000, but may be lower given improvements to be installed by INDOT and possible donations of right-of-way.

Southdowns (southside) – Jordan to Mitchell

Stormwater component of Southdowns sidewalk project (Sidewalk will be on south side of Southdowns between Jordan and Mitchell, but stormwater improvements will be further west)

ATF	CBU	TOTAL
\$0	\$54,652.20	\$124,405.25
	(maximum)	

This sidewalk segment would complete a continuous pedestrian corridor that runs from Bryan Park to the sidewalks at High and Covenanter. *(Please see the Marilyn Drive discussion above.)* Prior to funding the sidewalk, however, the Committee recommends funding related stormwater improvements. This order of funding is common when the water channeled by future curbs needs to be contained by stormwater facilities downstream. Here, existing stormwater issues west of Jordan may be aggravated by the installation of a sidewalk and can be mitigated by extending the improvements along the west side of Jordan from Southdowns to Sheridan and along the south side of Sheridan west of Jordan. Please note that the Committee allocated a maximum amount that may be expended on this project in 2010.

2010 COUNCIL SIDEWALK COMMITTEE -- 4 JANUARY 2010 -- CONCLUDING RECOMMENDATIONS

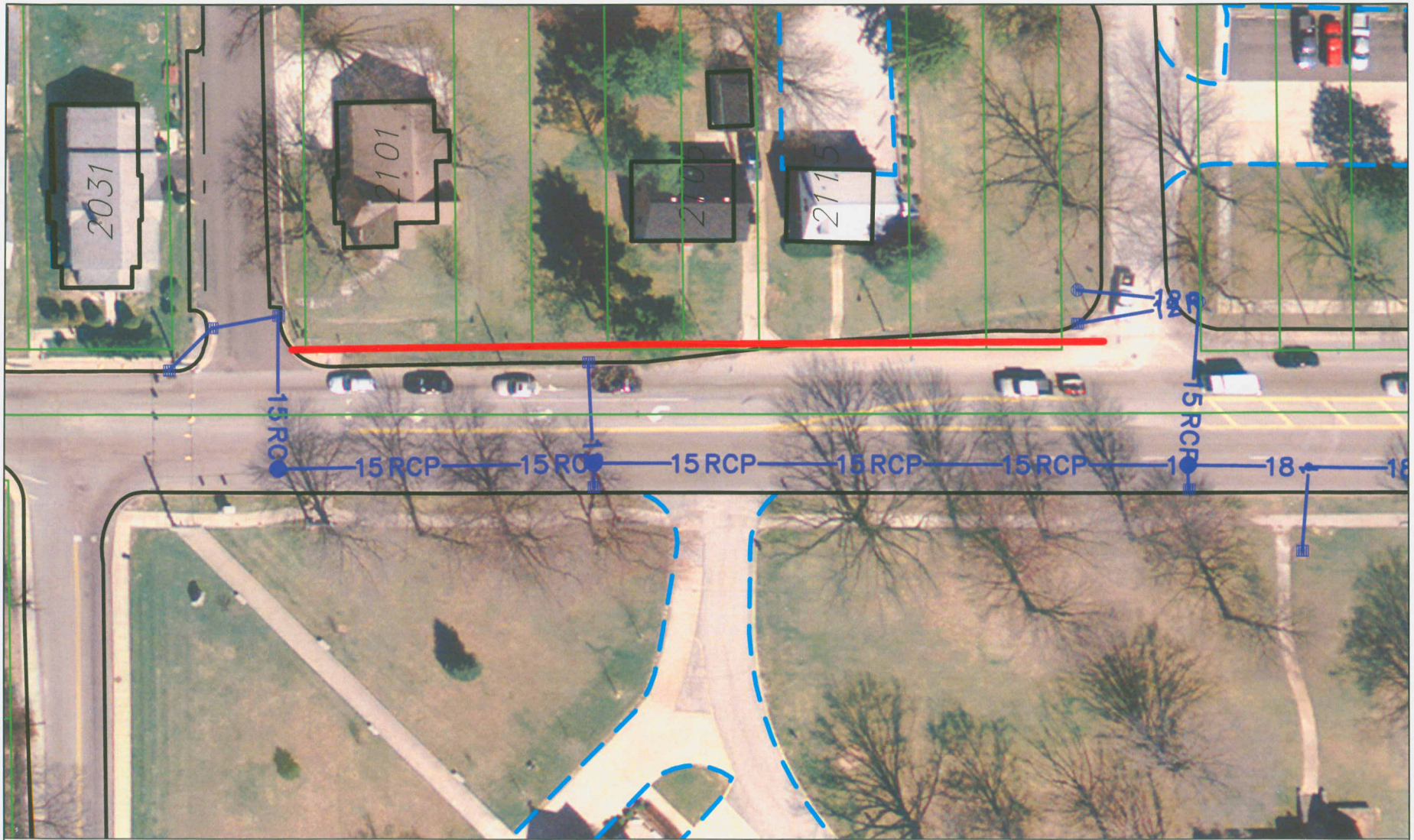
PROJECT	TOTAL ESTIMATE	ESTIMATE FOR R-O-W	ESTIMATE CONSTRUCTION OF SIDEWALK	ESTIMATE FOR STORMWATER COMPONENT	RECOMMENDATION		OTHER COMMITMENTS *
					ATF	CBU STORMWATER	OTHER FUNDS
					\$205,000 (\$225,000 - \$20,000 for Traffic Calming)	\$274,776.24 (\$125,000 Plus \$149,776.24 Carry Over) *	\$100,000 from Greenways for E. 3rd Street
2008 Projects							
Marilyn Drive (S) Nancy to High	\$189,937.45	**	\$98,373.43	\$91,564.00	\$98,373.43	\$91,564.00	
2010 Projects							
3rd Street (N) Bryan to Jefferson	\$95,408.78	8,997.45	63,773.00	\$22,638	0.00	\$22,638	72,770
3rd Street (N) Jefferson to Roosevelt	\$63,507.68	0.00	59,141.78	\$4,365.90	31,912.23	\$4,366	27,230
3rd Street (N) Roosevelt to Clark [Fund as much as possible]	\$118,387.50	53,661.30	60,591.30	\$4,134.90	114,252.60	\$4,135	
3rd Street (N) Clark to Hillsdale	\$144,704.18	38,115.00	95,293.28	\$11,295.90			
3rd Street (N) Hillsdale to Overhill	\$96,598.43	22,869.00	65,736.83	7,992.60			
3rd Street (N) Overhill to SR 46 Bypass	\$204,295.25	68,475.33	122,687.57	13,132.25			
Southdowns (S) ** Jordan to Mitchell (w/Stormwater on Jordan and Sheridan)	\$124,405.05	0.00	69,842.05	54,562.20		54,562.20	
TOTALS	\$1,037,244.32	192,118.08	\$635,439.24	\$209,685.75	\$244,538.26	\$177,265.20	\$100,000.00
REMAINDER					-39,538.26	\$97,511.04	\$0

* Other Funds: Commitment from Greenways for \$100,000 toward E. 3rd Street sidewalk

** The 2010 recommendation for \$54,562.20 sets the maximum amount for the stormwater component of this project.

2010 Engineer's Estimate				
3rd Street - Bryan Avenue to Jefferson Street				
<i>Item</i>	<i>Quantity</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Total Price</i>
Mobilization and Demobilization	1	EA	\$5,000.00 / EA	\$5,000.00
B Borrow for Structural Backfill**	20	CYS	\$45.00 / CYS	\$900.00
Bituminous Material for Tack		Ton	\$115.00 / Ton	
Bituminous Overlay (2" x 12')		LF	\$9.50 / LF	
Bituminous Surface	120	Ton	\$62.00 / Ton	\$7,440.00
Bituminous Base	80	Ton	\$56.00 / Ton	\$4,480.00
Bituminous Surface Milling		SYS	\$4.00 / SYS	
Plated Sidewalk Ramp (ADA Compliant)	3	EA	\$900.00 / EA	\$2,700.00
Casting, Adjust to Grade**	3	EA	\$500.00 / EA	\$1,500.00
Casting, Storm Inlet/Manhole**	4	EA	\$1,800.00 / EA	\$7,200.00
Cement Concrete Pavement 7" (Driveway)	150	SYS	\$40.00 / SYS	\$6,000.00
Comp. Agg. No. 53	120	Ton	\$12.00 / Ton	\$1,440.00
Compacted Agg. for Base		Ton	\$18.50 / Ton	
Compacted Agg. for Shoulder		Ton	\$13.25 / Ton	
Concrete Curb and Gutter		LF	\$18.00 / LF	
Concrete Curb, Type B		LF	\$16.00 / LF	
Construction Sign, Type A	8	EA	\$100.00 / EA	\$800.00
Excavation, Common	170	CYS	\$18.00 / CYS	\$3,060.00
Saw-Cut Pavement	200	LF	\$3.00 / LF	\$600.00
Tree/Vegetation Removal	4	EA	\$500.00 / EA	\$2,000.00
Perforated Pipe, Plastic 6"***	300	LF	\$3.00 / LF	\$900.00
Retaining Wall - Decorative Block 4 Ft Tall	80	LF	\$42.00 / LF	\$3,360.00
Titlework / Appraisal	1	EA	\$3,200.00 / EA	\$3,200.00
Right of Way	540	SF	\$8.50 / SF	\$4,590.00
Topsoil	100	Ton	\$13.00 / Ton	\$1,300.00
Sod	120	SYS	\$6.50 / SYS	\$780.00
Roll Curb	326	LF	\$20.00 / LF	\$6,520.00
Sidewalk, 5'	310	LF	\$24.00 / LF	\$7,440.00
Sidewalk, 6'		LF	\$29.00 / LF	
Stop Signs / Warning or Regulatory	2	EA	\$200.00 / EA	\$400.00
Storm Sewer, 12"***	260	LF	\$35.00 / LF	\$9,100.00
Storm Sewer, 18"		LF	\$40.00 / LF	
Storm Sewer, 24"		LF	\$45.00 / LF	
Storm Sewer, 36"		LF	\$55.00 / LF	
Street Signs*	2	EA	\$260.00 / EA	\$520.00
P - Cabinet*		EA	\$12,000.00 / EA	
30 Foot Strain Pole*		EA	\$4,600.00 / EA	
Camera Arm*		EA	\$1,500.00 / EA	
Signal Head (3 Section L.E.D.)*		EA	\$1,150.00 / EA	
Signal Head (5 Section L.E.D.)*		EA	\$1,914.00 / EA	
Pedestrian Signal L.E.D. Countdown*		EA	\$800.00 / EA	
Solo Pro Camera w/Junction Boxes*		EA	\$10,000.00 / EA	
Pedestrian Button Actuator*		EA	\$250.00 / EA	
Signal Service Connection*		EA	\$2,500.00 / EA	
Pavement Marking - 6" White*		LF	\$0.42 / LF	
Pavement Marking - Double Yellow*		LF	\$0.70 / LF	
Pavement Marking - Stop Bars*		LF	\$2.50 / LF	
Pavement Marking - Arrow Straight*		EA	\$175.00 / EA	
Pavement Marking - Arrow Turn*		EA	\$175.00 / EA	
Pavement Marking - Combination Arrow*		EA	\$200.00 / EA	
Street Trees (2-1/2" Caliper)	5	EA	\$275.00 / EA	\$1,375.00
Right of Way	\$8,997.45		Subtotal:	\$82,605.00
Public Works Total	\$63,773.33		Additional 10%:	\$8,260.50
Stormwater Total**	\$22,638.00		Design:	\$4,543.28
	\$95,408.78		Total Estimate:	\$95,408.78

*Direct Traffic Signal Installation Costs



3rd Street Sidewalk (Bryan Avenue to Jefferson Street)

By: wykoffj
25 Nov 09



For reference only; map information NOT warranted.



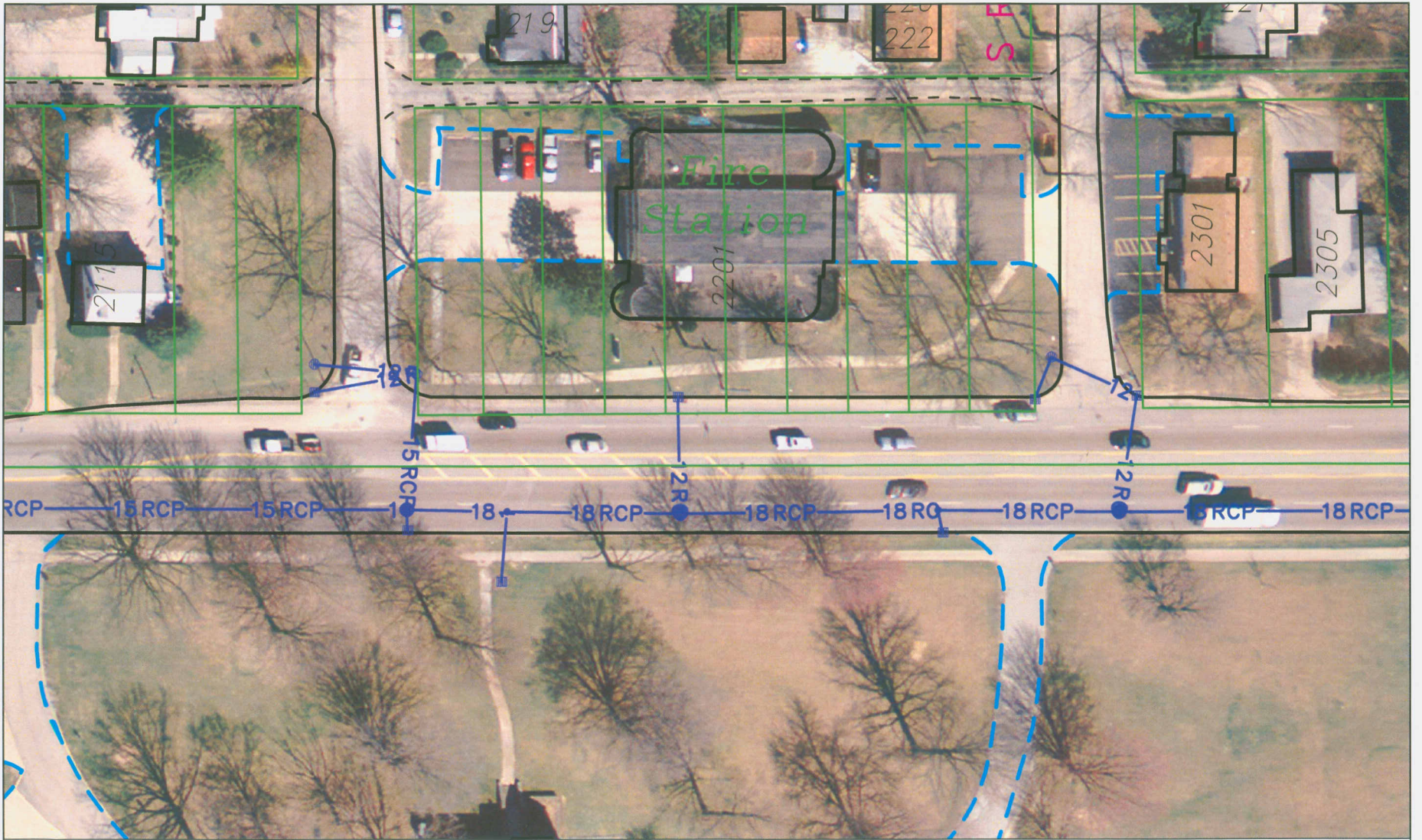
City of Bloomington
Engineering



Scale: 1" = 50'

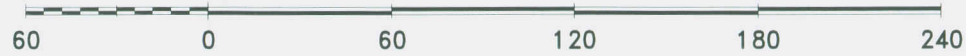
2010 Engineer's Estimate				
3rd Street - Jefferson Street to Roosevelt Street				
<i>Item</i>	<i>Quantity</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Total Price</i>
Mobilization and Demobilization	1	EA	\$5,000.00 / EA	\$5,000.00
B Borrow for Structural Backfill		CYS	\$45.00 / CYS	
Bituminous Material for Tack		Ton	\$115.00 / Ton	
Bituminous Overlay (2" x 12')		LF	\$9.50 / LF	
Bituminous Surface	90	Ton	\$62.00 / Ton	\$5,580.00
Bituminous Base	60	Ton	\$56.00 / Ton	\$3,360.00
Bituminous Surface Milling		SYS	\$4.00 / SYS	
Plated Sidewalk Ramp (ADA Compliant)	2	EA	\$900.00 / EA	\$1,800.00
Casting, Adjust to Grade	3	EA	\$500.00 / EA	\$1,500.00
Casting, Storm Inlet/Manhole		EA	\$1,800.00 / EA	
Cement Concrete Pavement 7" (Driveway)		SYS	\$40.00 / SYS	
Comp. Agg. No. 53	120	Ton	\$12.00 / Ton	\$1,440.00
Compacted Agg. for Base		Ton	\$18.50 / Ton	
Compacted Agg. for Shoulder		Ton	\$13.25 / Ton	
Concrete Curb and Gutter		LF	\$18.00 / LF	
Concrete Curb, Type B		LF	\$16.00 / LF	
Construction Sign, Type A	8	EA	\$100.00 / EA	\$800.00
Excavation, Common	260	CYS	\$18.00 / CYS	\$4,680.00
Saw-Cut Pavement	200	LF	\$3.00 / LF	\$600.00
Tree/Vegetation Removal	4	EA	\$500.00 / EA	\$2,000.00
Perforated Pipe, Plastic 6"	60	LF	\$3.00 / LF	\$180.00
Retaining Wall - Decorative Block 5 Ft Tall	140	LF	\$62.00 / LF	\$8,680.00
Titlework / Appraisal		EA	\$3,200.00 / EA	
Right of Way		SF	\$8.50 / SF	
Topsoil	60	Ton	\$13.00 / Ton	\$780.00
Sod	120	SYS	\$6.50 / SYS	\$780.00
Roll Curb	326	LF	\$20.00 / LF	\$6,520.00
Sidewalk, 5'	310	LF	\$24.00 / LF	\$7,440.00
Sidewalk, 6'		LF	\$29.00 / LF	
Stop Signs / Warning or Regulatory	2	EA	\$200.00 / EA	\$400.00
Storm Sewer, 12"	60	LF	\$35.00 / LF	\$2,100.00
Storm Sewer, 18"		LF	\$40.00 / LF	
Storm Sewer, 24"		LF	\$45.00 / LF	
Storm Sewer, 36"		LF	\$55.00 / LF	
Street Signs*	2	EA	\$260.00 / EA	\$520.00
P - Cabinet*		EA	\$12,000.00 / EA	
30 Foot Strain Pole*		EA	\$4,600.00 / EA	
Camera Arm*		EA	\$1,500.00 / EA	
Signal Head (3 Section L.E.D.)*		EA	\$1,150.00 / EA	
Signal Head (5 Section L.E.D.)*		EA	\$1,914.00 / EA	
Pedestrian Signal L.E.D. Countdown*		EA	\$800.00 / EA	
Solo Pro Camera w/Junction Boxes*		EA	\$10,000.00 / EA	
Pedestrian Button Actuator*		EA	\$250.00 / EA	
Signal Service Connection*		EA	\$2,500.00 / EA	
Pavement Marking - 6" White*		LF	\$0.42 / LF	
Pavement Marking - Double Yellow*		LF	\$0.70 / LF	
Pavement Marking - Stop Bars*		LF	\$2.50 / LF	
Pavement Marking - Arrow Straight*		EA	\$175.00 / EA	
Pavement Marking - Arrow Turn*		EA	\$175.00 / EA	
Pavement Marking - Combination Arrow*		EA	\$200.00 / EA	
Street Trees (2-1/2" Caliper)	3	EA	\$275.00 / EA	\$825.00
Right of Way			Subtotal:	\$54,985.00
Public Works Total	\$59,141.78		Additional 10%:	\$5,498.50
Stormwater Total**	\$4,365.90		Design:	\$3,024.18
	\$63,507.68		Total Estimate:	\$63,507.68

*Direct Traffic Signal Installation Costs



3rd Street Sidewalk (Jefferson Street to Roosevelt Street)

By: wykoffj
25 Nov 09



For reference only; map information NOT warranted.



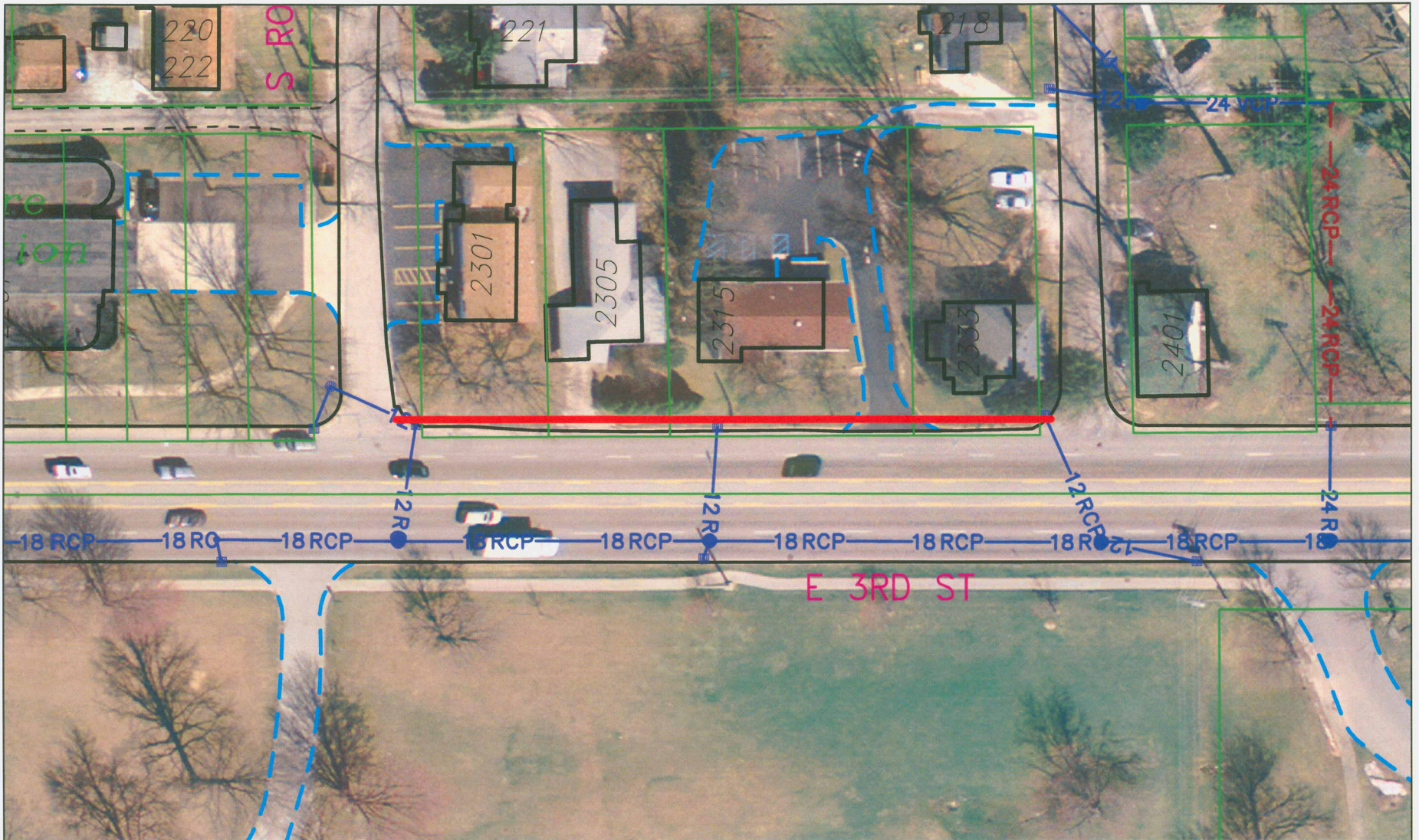
City of Bloomington
Engineering



Scale: 1" = 60'

2010 Engineer's Estimate				
3rd Street - Roosevelt Street to Clark Street				
<i>Item</i>	<i>Quantity</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Total Price</i>
Mobilization and Demobilization	1	EA	\$5,000.00 / EA	\$5,000.00
B Borrow for Structural Backfill		CYS	\$45.00 / CYS	
Bituminous Material for Tack		Ton	\$115.00 / Ton	
Bituminous Overlay (2" x 12')		LF	\$9.50 / LF	
Bituminous Surface	90	Ton	\$62.00 / Ton	\$5,580.00
Bituminous Base	60	Ton	\$56.00 / Ton	\$3,360.00
Bituminous Surface Milling		SYS	\$4.00 / SYS	
Plated Sidewalk Ramp (ADA Compliant)	2	EA	\$900.00 / EA	\$1,800.00
Casting, Adjust to Grade	4	EA	\$500.00 / EA	\$2,000.00
Casting, Storm Inlet/Manhole		EA	\$1,800.00 / EA	
Cement Concrete Pavement 7" (Driveway)	80	SYS	\$40.00 / SYS	\$3,200.00
Comp. Agg. No. 53	140	Ton	\$12.00 / Ton	\$1,680.00
Compacted Agg. for Base		Ton	\$18.50 / Ton	
Compacted Agg. for Shoulder		Ton	\$13.25 / Ton	
Concrete Curb and Gutter		LF	\$18.00 / LF	
Concrete Curb, Type B		LF	\$16.00 / LF	
Construction Sign, Type A	8	EA	\$100.00 / EA	\$800.00
Excavation, Common	260	CYS	\$18.00 / CYS	\$4,680.00
Saw-Cut Pavement	300	LF	\$3.00 / LF	\$900.00
Tree/Vegetation Removal	4	EA	\$500.00 / EA	\$2,000.00
Perforated Pipe, Plastic 6"	60	LF	\$3.00 / LF	\$180.00
Retaining Wall - Decorative Block 3 Ft Tall	140	LF	\$42.00 / LF	\$5,880.00
Titlework / Appraisal	4	EA	\$3,200.00 / EA	\$12,800.00
Right of Way	3960	SF	\$8.50 / SF	\$33,660.00
Topsoil	60	Ton	\$13.00 / Ton	\$780.00
Sod	120	SYS	\$6.50 / SYS	\$780.00
Roll Curb	320	LF	\$20.00 / LF	\$6,400.00
Sidewalk, 5'		LF	\$24.00 / LF	
Sidewalk, 6'	300	LF	\$29.00 / LF	\$8,700.00
Stop Signs / Warning or Regulatory	2	EA	\$200.00 / EA	\$400.00
Storm Sewer, 12"	40	LF	\$35.00 / LF	\$1,400.00
Storm Sewer, 18"		LF	\$40.00 / LF	
Storm Sewer, 24"		LF	\$45.00 / LF	
Storm Sewer, 36"		LF	\$55.00 / LF	
Street Signs*	2	EA	\$260.00 / EA	\$520.00
P - Cabinet*		EA	\$12,000.00 / EA	
30 Foot Strain Pole*		EA	\$4,600.00 / EA	
Camera Arm*		EA	\$1,500.00 / EA	
Signal Head (3 Section L.E.D.)*		EA	\$1,150.00 / EA	
Signal Head (5 Section L.E.D.)*		EA	\$1,914.00 / EA	
Pedestrian Signal L.E.D. Countdown*		EA	\$800.00 / EA	
Solo Pro Camera w/Junction Boxes*		EA	\$10,000.00 / EA	
Pedestrian Button Actuator*		EA	\$250.00 / EA	
Signal Service Connection*		EA	\$2,500.00 / EA	
Pavement Marking - 6" White*		LF	\$0.42 / LF	
Pavement Marking - Double Yellow*		LF	\$0.70 / LF	
Pavement Marking - Stop Bars*		LF	\$2.50 / LF	
Pavement Marking - Arrow Straight*		EA	\$175.00 / EA	
Pavement Marking - Arrow Turn*		EA	\$175.00 / EA	
Pavement Marking - Combination Arrow*		EA	\$200.00 / EA	
Street Trees (2-1/2" Caliper)		EA	\$275.00 / EA	
Right of Way	\$53,661.30		Subtotal:	\$102,500.00
Public Works Total	\$60,591.30		Additional 10%:	\$10,250.00
Stormwater Total**	\$4,134.90		Design:	\$5,637.50
	\$118,387.50		Total Estimate:	\$118,387.50

*Direct Traffic Signal Installation Costs



3rd Street Sidewalk (Roosevelt Street to Clark Street)

By: wykoffj
25 Nov 09



For reference only; map information NOT warranted.



City of Bloomington
Engineering



Scale: 1" = 60'

Marilyn Street Sidewalk

Engineer's Cost Estimate

BFA #400748

August 21, 2008

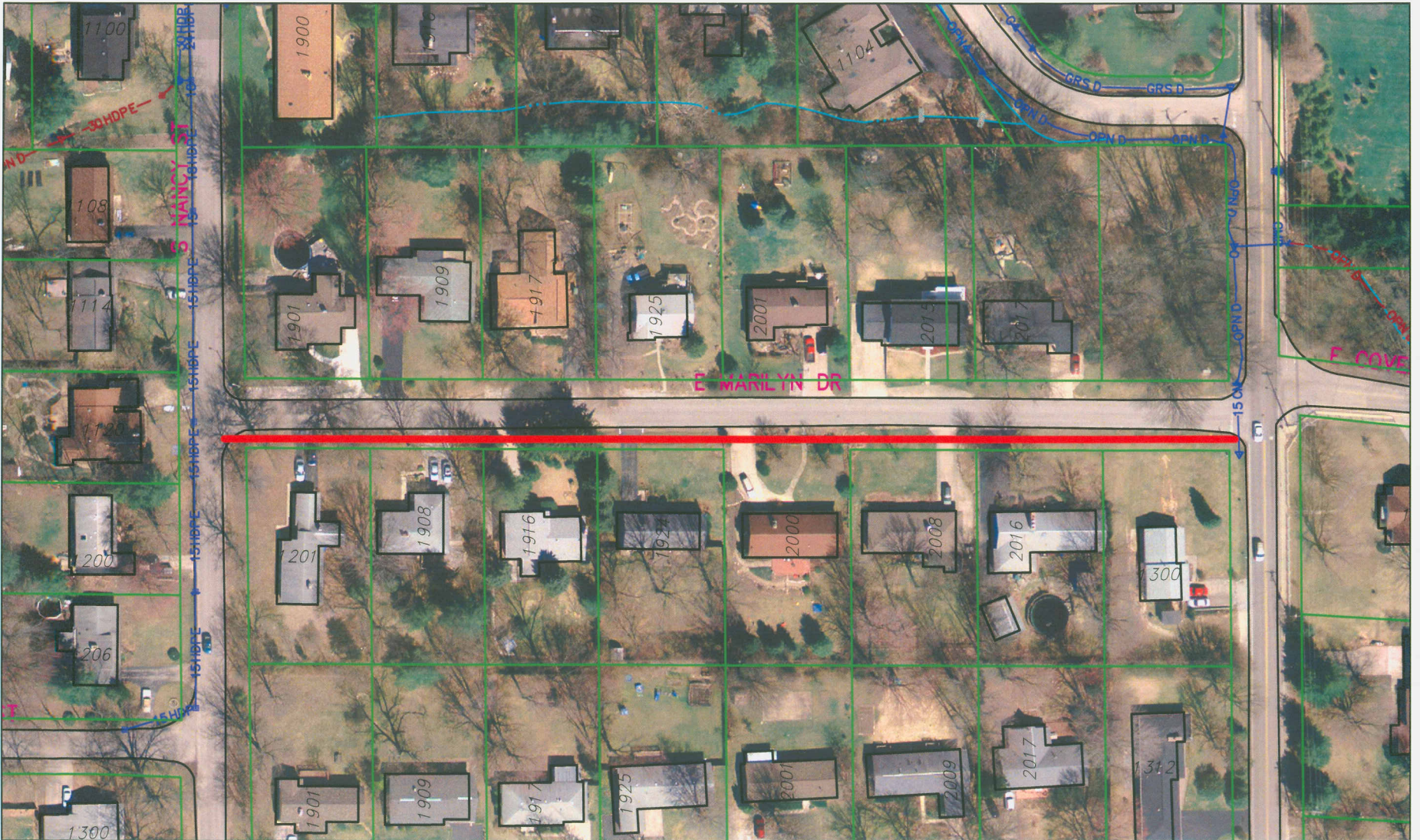
Description	UNIT	QUANTITY	UNIT PRICE	TOTAL
Walkway:				
Pavement Removal	SYD	360	\$10.00	\$3,600.00
6'-6" Monolithic Walk	LF	490	\$30.00	\$14,700.00
6'-6" Monolithic Walk @ Drives	LF	130	\$35.00	\$4,550.00
Bituminous Mixture for Approaches	TONS	10	\$85.00	\$850.00
Concrete Pavement for Drives	CYS	20	\$125.00	\$2,500.00
Curb Ramps, Concrete	EA	16	\$1,500.00	\$24,000.00
Bituminous Surface	TONS	32	\$65.00	\$2,080.00
Bituminous Base	TONS	64	\$60.00	\$3,840.00
Compacted Aggregate for Base # 53	TONS	165	\$15.00	\$2,475.00
Relocate Mailbox	EA	8	\$200.00	\$1,600.00
Sodding (all disturbed areas)	SY	384	\$4.50	\$1,728.00
<i>Subtotal</i>				\$61,923.00

Utilities:				
Storm Inlet J10	EA	5	\$1,800.00	\$9,000.00
Storm Inlet E	EA	1	\$2,100.00	\$2,100.00
Storm Manhole	EA	1	\$2,500.00	\$2,500.00
12" - Storm Sewer ADS N-12	LF	792	\$42.50	\$33,660.00
6'x3' Reinforced Concrete Box Culvert	LF	70	\$450.00	\$31,500.00
8" - Ductile Iron Pipe w/Sewper Coat	LF	56	\$80.00	\$4,480.00
<i>Subtotal</i>				\$83,240.00

Miscellaneous:				
Maintaining Traffic	LS	1	\$7,500.00	\$7,500.00
Clear Right-of-Way	LS	1	\$10,000.00	\$10,000.00
Erosion Control	LS	1	\$2,500.00	\$2,500.00
<i>Subtotal</i>				\$20,000.00

TOTAL - \$165,163.00
Mobilization / De-Mobilization - \$4,954.89
Construction Engineering - \$3,303.26
10% Contingency - \$16,516.30

Construction Cost - \$189,937.45



Marilyn Drive Sidewalk Location Map

By: wykoffj
25 Nov 09



For reference only; map information NOT warranted.



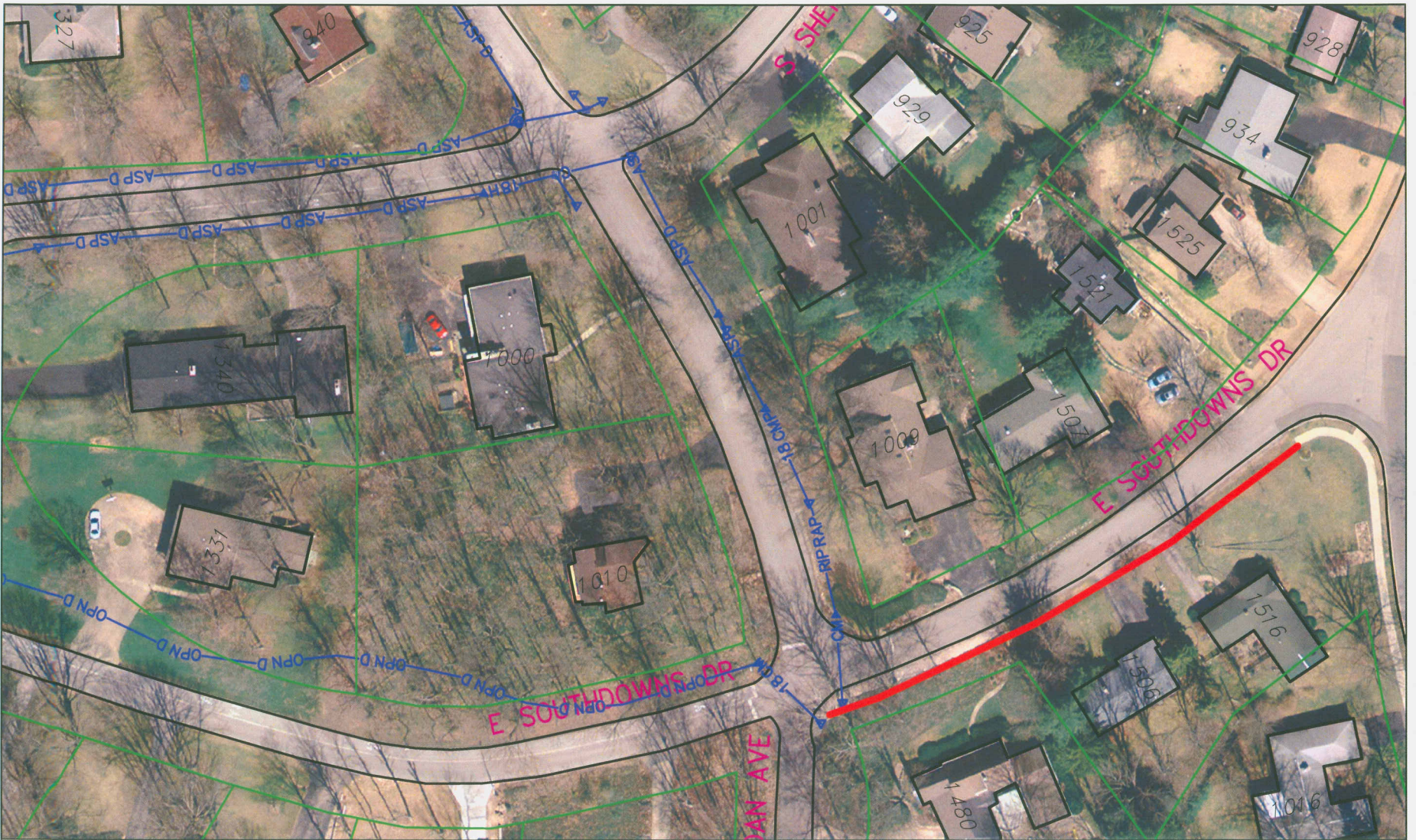
City of Bloomington
Engineering



Scale: 1" = 100'

2010 Engineer's Estimate				
Southdowns Drive - Jordan Avenue to Mitchell Street				
<i>Item</i>	<i>Quantity</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Total Price</i>
Mobilization and Demobilization	1	EA	\$5,000.00 / EA	\$5,000.00
B Borrow for Structural Backfill**	32	CYS	\$45.00 / CYS	\$1,440.00
Bituminous Material for Tack		Ton	\$115.00 / Ton	
Bituminous Overlay (2" x 12')		LF	\$9.50 / LF	
Bituminous Surface	180	Ton	\$62.00 / Ton	\$11,160.00
Bituminous Base	220	Ton	\$56.00 / Ton	\$12,320.00
Bituminous Surface Milling		SYS	\$4.00 / SYS	
Plated Sidewalk Ramp (ADA Compliant)	2	EA	\$900.00 / EA	\$1,800.00
Casting, Adjust to Grade**	2	EA	\$500.00 / EA	\$1,000.00
Casting, Storm Inlet/Manhole**	9	EA	\$1,800.00 / EA	\$16,200.00
Cement Concrete Pavement 7" (Driveway)		SYS	\$40.00 / SYS	
Comp. Agg. No. 53	120	Ton	\$12.00 / Ton	\$1,440.00
Compacted Agg. for Base		Ton	\$18.50 / Ton	
Compacted Agg. for Shoulder		Ton	\$13.25 / Ton	
Concrete Curb and Gutter		LF	\$18.00 / LF	
Concrete Curb, Type B		LF	\$16.00 / LF	
Construction Sign, Type A	6	EA	\$100.00 / EA	\$600.00
Excavation, Common	220	CYS	\$18.00 / CYS	\$3,960.00
Saw-Cut Pavement	620	LF	\$3.00 / LF	\$1,860.00
Tree/Vegetation Removal		EA	\$500.00 / EA	
Perforated Pipe, Plastic 6"**	100	LF	\$3.00 / LF	\$300.00
Retaining Wall - Decorative Block 4 Ft Tall		LF	\$42.00 / LF	
Titlework / Appraisal		EA	\$3,200.00 / EA	
Right of Way		SF	\$8.50 / SF	
Topsoil	270	Ton	\$13.00 / Ton	\$3,510.00
Sod	320	SYS	\$6.50 / SYS	\$2,080.00
Roll Curb	360	LF	\$20.00 / LF	\$7,200.00
Sidewalk, 5'	340	LF	\$24.00 / LF	\$8,160.00
Sidewalk, 6'		LF	\$29.00 / LF	
Stop Signs / Warning or Regulatory	3	EA	\$200.00 / EA	\$600.00
Storm Sewer, 12"**	180	LF	\$35.00 / LF	\$6,300.00
Storm Sewer, 18"	100	LF	\$40.00 / LF	\$4,000.00
Storm Sewer, 24"	400	LF	\$45.00 / LF	\$18,000.00
Storm Sewer, 36"		LF	\$55.00 / LF	
Street Signs*	3	EA	\$260.00 / EA	\$780.00
P - Cabinet*		EA	\$12,000.00 / EA	
30 Foot Strain Pole*		EA	\$4,600.00 / EA	
Camera Arm*		EA	\$1,500.00 / EA	
Signal Head (3 Section L.E.D.)*		EA	\$1,150.00 / EA	
Signal Head (5 Section L.E.D.)*		EA	\$1,914.00 / EA	
Pedestrian Signal L.E.D. Countdown*		EA	\$800.00 / EA	
Solo Pro Camera w/Junction Boxes*		EA	\$10,000.00 / EA	
Pedestrian Button Actuator*		EA	\$250.00 / EA	
Signal Service Connection*		EA	\$2,500.00 / EA	
Pavement Marking - 6" White*		LF	\$0.42 / LF	
Pavement Marking - Double Yellow*		LF	\$0.70 / LF	
Pavement Marking - Stop Bars*		LF	\$2.50 / LF	
Pavement Marking - Arrow Straight*		EA	\$175.00 / EA	
Pavement Marking - Arrow Turn*		EA	\$175.00 / EA	
Pavement Marking - Combination Arrow*		EA	\$200.00 / EA	
Street Trees (2-1/2" Caliper)		EA	\$275.00 / EA	
Right of Way			Subtotal:	\$107,710.00
Public Works Total	\$69,842.85		Additional 10%:	\$10,771.00
Stormwater Total**	\$54,562.20		Design:	\$5,924.05
	\$124,405.05		Total Estimate:	\$124,405.05

*Direct Traffic Signal Installation Costs



Southdowns Drive Sidewalk

By: wykoffj
25 Nov 09



For reference only; map information NOT warranted.



City of Bloomington
Engineering



Scale: 1" = 80'

2009 Council Sidewalk Committee Project Prioritization

Street	Description	Project Length (approx.)	Walk Score (potential ped usage)	WS Rank	PLOS Score	PLOS Rank	Transit Route Score	Transit Route Rank	Density Score	Density Rank	Rank Sum	Overall Project Rank
Kinser Pike	north of 17th St. to existing sidewalk near apartments	700	72	4	3.88	9	247	3	1,210	2	18	1
3rd St.	Bryan Ave. to TraveLodge	2,246	80	2	4.03	4	144	6	548	10	22	2
17th St.	Madison to Woodburn	476	72	4	3.86	10	260	2	689	8	24	3
14th St.	Madison St. to Woodburn Ave.	450	85	1	3.58	18	220	4	769	7	30	4
Union St.	4th St. to 7th St.	954	68	6	3.84	11	103	10	1,035	4	31	5
Moores Pike	Andrews to College Mall	1,289	51	11	3.99	6	52	21	1,453	1	39	6
S. Rogers St.	south of Hillside Dr.	480	43	15	3.97	8	90	16	825	6	45	7
17th St.	Indiana to Forrest Ave.	1,323	45	14	4.23	1	58	19	525	11	45	7
Jefferson St.	3rd to 7th	1,375	66	7	3.66	15	97	11	393	12	45	7
5th St.	Union to Hillsdale	1,671	66	7	3.52	20	131	7	298	14	48	10
Palmer St. connector path	Wylie to 1st	529	75	3	1.50	28	146	5	328	13	49	11
Moores Pike	Valley Forge to High Street	1,060	34	23	4.17	2	107	8	240	17	50	12
Morningside	Smith Road to Sheffield	502	51	11	3.47	22	268	1	278	16	50	12
Walnut St.	Hoosier Street to Legends	369	52	10	3.74	14	34	23	986	5	52	14
Miller Dr.	Huntington Dr. to Olive St.	423	38	18	3.66	15	82	17	1,191	3	53	15
High St.	Covenanter Dr. to 2nd St.	2,622	46	13	4.01	5	93	15	156	22	55	16
Walnut St.	Winston/Thomas to Nat'l Guard Armory	1,064	42	16	3.99	6	34	24	679	9	55	16
Maxwell Ln.	Highland to Sheridan	842	63	9	3.19	27	93	13	186	19	68	18
Rhorer Rd.	Walnut St. to Sare Rd.	4,775	40	17	4.06	3	0	26	69	26	72	19
Marilyn Dr.	Nancy to High	725	38	18	3.37	25	107	9	162	20	72	19
Nancy St.	Hillside to Mark	878	31	25	3.48	21	94	12	235	18	76	21
Southdowns	Jordan to Mitchell	327	38	18	3.58	18	57	20	160	21	77	22
Ruby Ln	Nancy to Covenanter	488	35	21	3.41	24	76	18	287	15	78	23
Covenanter Dr.	Ruby to High	335	35	21	3.46	23	93	14	140	23	81	24
Dunn St.	SR 45/46 to Tamarack Tr.	2,044	32	24	3.83	12	7	25	74	25	86	25
Kinser Pike	north of Acuff	1,595	12	28	3.83	12	0	26	40	27	93	26
Clubhouse Dr.	Kinser Pk. To Old SR 37	3,199	26	27	3.65	17	42	22	0	28	94	27
Ramble Rd.	Ramble to Dunn	875	28	26	3.26	26	0	26	86	24	102	28

A HISTORY OF COUNCIL SIDEWALK COMMITTEE FUNDS, 2002-2010

2010				
Site	Estimate	Recommendation		Comments
		ATF	CBU Stormwater	
Marilyn -- Nancy to High (south side)	\$189,937.45	\$98,373.43	\$91,564.00	See 2009 description below for project details. As federal funds requested from the Mayor were not available for 2010, the Committee agreed to dedicate ATF funds to complete this project.
Third Street -- Bryan to Jefferson (north side)	\$95,408.78		\$22,638.00	Connection is needed from Roosevelt to the SR 46 Overpass to link up with the existing sidewalk. The 2009 Committee forwarded a recommendation to the 2010 Committee encouraging the latter to fund as much of this project as possible. The 2010 Committee agreed that, after funding the above previously-committed Marilyn project, it should devote all remaining funds to the Third Street project. The Committee voted to fully fund the first two stretches of this project (Bryan to Jefferson and Jefferson to Roosevelt) and to fund as much of the third segment of the East Third Street (Roosevelt to Clark) project as possible.
Third Street -- Jefferson to Roosevelt (north side)	\$63,507.68	\$31,912.23	\$4,366.00	
Third Street -- Roosevelt to Clark (north side)	\$118,387.50	\$114,252.60	\$4,135.00	
Southdowns -- Jordan to Mitchell (w/Stormwater on Jordan and Sheridan) (south side)	\$124,405.05		\$54,562.20	This is part of larger area in need of stormwater improvement and has been on the Sidewalk Committee's list of requested projects since 2002. The Committee agreed to address the stormwater issue on Southdowns first and then the sidewalk later. The amount of stormwater dedicated to this project is not to exceed the original estimated cost -- \$54,562.20
Total:		244,538.26	\$177,265.20	
2009				
Site	Estimate	Recommendation		Comments
		ATF	CBU Sidewalk	
Marilyn -- Nancy to High (south side)	\$189,937.45	\$0.00	\$91,564.00	This is one of the last segments of a route on the Bicycle and Pedestrian Transportation and Greenways System (Greenways) Plan that would connect Bryan Park with sidewalks at High and Covenanter. Prior ATF funds were used to install sidewalks on Mitchell, Circle, Ruby and Nancy Street. Last year the Committee requested and expected that the Greenways monies would be used to cover the sidewalk and the CBU Set Aside would cover the storm water component of this project. However, an amendment to the Greenways Plan and other projects left this one unfunded in 2008. As noted above, the Committee recommended that the Council respectfully request that the Mayor consider appropriating \$98,937.45 of federal reimbursement of matching funds to complete this project.
Henderson -- Moody to Thornton (east side)	\$99,319.17	\$71,877.77	\$27,441.40	This project was scheduled for funding in 2008. It was requested by the Planning Department, MCCSC, and a property owner and would complete the last segment of unfinished sidewalk on the east side of Henderson between Hillside and Miller Drive as well as much further north and south. The HAND department may help fund some of this project.
Kinser Pike -- Marathon Stn. to 45/46 (west side)	\$54,751.14	\$40,280.74	\$14,470.40	This is a heavily-travelled stretch. Many residents living in multi-family housing walk here to the grocery store and other amenities.
Moores Pike -- Segment A - Woodruff to existing walk (south side)	\$22,758.00	\$22,758.00	\$0.00	This stretch provides connectivity with an existing walk and was requested by area residents. This project will provide residents with a safer crossing of Moores Pike. Some residents indicated that they would be willing to make a contribution.
S. Madison -- 3 rd to Prospect (east side)	\$49,773.00	\$26,989.00	\$16,784.00	This project is in a highly-urban area and would link to the B-Line trail at the W. 3 rd Street overpass. Public Works will commit \$6,000 for concrete.
3 rd Street -- Roosevelt to Clark & Clark to Hillsdale (north side)	\$231,564.07	\$50,000 *	\$0.00	Connection to link up to the existing sidewalk network. A worn pedestrian path demonstrates the heavy use of this area. The 2009 Committee agreed that if the funds remaining for the above projects are not needed to complete said projects, up to \$50,000 of the remaining 2009 ATF balance shall be dedicated to right-of-way acquisition for this project.
Total:		211,905.51	\$150,259.80	

2008				
Site	Estimate	Recommendation		Comments
		ATF	Stormwater	
5th Street -- Hillsdale to Deadend (south side)	\$535,088.97	\$70,485.63	\$0.00	This two-block long, multi-departmental project provides an east-west connection through the Greenacres Neighborhood and needed stormwater infrastructure for the area. Total funding includes: \$112,934.36 (2007 ATF), \$10,453.98 (2007 CBU Sidewalk/Stormwater Setaside); \$216,215 (CBU Capital Project), and \$125,000 (HAND Neighborhood Improvement Grant) Note: This project was completed in 2008.
Henderson -- Allen to Hillside (west side)	\$669,090.00	* \$3,667.21	\$0.00	This improvement is aimed at alleviating pedestrian/vehicular conflict in this elementary school area. The Committee funded design in 2007 at the request of Public Works. Public Works received a \$250,000 Safe Routes to School grant for this project and wanted an additional sign of support from the Council in order to garner funds from other sources (including CDBG). * Note: The Committee recommended that any funds remaining in 2008 may be applied to this project.
Marilyn -- Nancy to High (south side)	*\$167,578.63	\$0.00	* \$62,480	This is one of the last segments of a route on the Alternative Transportation and Greenways Plan that would connect Bryan Park with sidewalks at High and Covenant. Prior ATF funds were used to install sidewalks on Mitchell, Circle, Ruby and Nancy Street. The Committee requests that Alternative Transportation and Greenways monies fund the \$105,098.63 needed for the sidewalk portion of this project. *Note: The Committee also realized that the stormwater component will be more expensive than indicated and authorized that any remaining funds be used for this purpose.
E. 2nd Street -- Woodcrest to 300' east (north side)	\$34,300.00	\$32,319.00	\$1,981.00	This small project would fill-in the last missing stretch of sidewalk on both sides of East 2nd from College Mall Road to High Street, which sees high levels of vehicular and pedestrian traffic. Note: ATF funded design of this project in 2006. Note: This project was completed in 2008.
Henderson -- Thorton to Moody (east side)	\$71,735.90	\$49,405.90	\$22,330.00	This will complete a missing link on the east side of Henderson and provide uninterrupted sidewalks and crossings on that side of the street for at least a mile.
High Street - Across from Childs School (west side)	\$22,362.55	\$21,078.05	\$577.50	This project would create a continuous sidewalk on the west side of High Street across from Childs School, which has the highest walk-in rates in the community. The sidewalk may also allow the City to eliminate one crossing guard. Note: This project was completed in 2008.
West 17th Street -- Lindberg to Arlington Park Drive (south side)	\$52,077.21	\$27,337.21	\$0.00	A new development at the corner of W. 17th and Crescent Road led to this request. The total project should cost about \$52,077.21, but the possible donation of right-of-way by abutting property owners and contribution of materials by the developer would lower the cost to the amount as listed here. Note: This project was completed in 2008.
Total:		204,293.00	\$87,368.50	* Note: Any remaining ATF monies may be applied to the Henderson - Allen to Hillside project and any remaining CBU sidewalk/stormwater funds may be applied to Marilyn - Nancy to High Street. Also, using the estimates for CBU Sidewalk/Stormwater projects as presented in this chart and the carryover of \$22,834.79 from 2007, there would be approximately \$60,466.29 available for future CBU Sidewalk/Stormwater projects.

2007				
Site	Estimate	Recommendation		Comments
		ATF	USB Stormwater	
5th Street -- Overhill to Deadend (south side)	\$262,685.80	\$92,646.50	\$29,344.60	This provides an east-west connection through the Greenacres Neighborhood. * Note: The Committee committed to dedicate 2008 ATF monies to complete this project if the sum allotted is insufficient. This is part of a larger initiative to improve the stretch on 5th Street from Hillsdale to the deadend. CBU has dedicated \$225,000 independent of the Sidewalk Committee for stormwater improvements in this area. Note: The 2-block segment from Hillsdale to the deadend was completed in 2008.
Henderson -- Allen to Hillside (west side)	unknown	\$45,000.00		Director of Public Works, Susie Johnson, requested that the Committee partner with Public Works by providing \$45,000 for the design cost of this project. This improvement is aimed at alleviating congestion and improving safety in this elementary school area.
Arden -- Windsor to High (south side)	\$100,452.00	\$47,353.50	\$53,098.00	The neighbors met with Councilmember Rollo and wanted a sidewalk to help their kids get to High Street and Southeast Park. Note: This project was completed in 2007.
Total:		185,000.00	\$82,442.60	

2006				
Site	Estimate	Recommendation		Comments
Queens Way, Sussex to High (south side)	\$25,969.68	\$25,969.68		This is the missing link, connecting High to Renwick.
Roosevelt, Fourth to Fifth (east side)	\$127,269.79 with curbs	\$127,269.79		This ties in with the recent improvements made by Doug McCoy which made Roosevelt a through-street.
Arden -- From High to Windsor (south side)	\$59,486.72	\$5,000 (design only)		This project provides a safe walk way for the neighborhood's many children to travel to a near-by school & park.
E. 2nd -- Woodcrest to 300' east (north side)	\$31,574.66	\$5,000 (design only)		This project is the missing link on the north side of the street from College Mall to the west. Justin suggested that in future years, the Committee might provide material and ask CBU to install.
11th Street-- Washington to Lincoln (north side)	\$60,151.41	\$10,000 (design only)		
Maxwell -- Highland to Jordan (north side)	\$65,658.98 with tree plot & piping	\$5,000 (design only)		This 2-block project completes the missing link on Maxwell between Henderson & High.
Maxwell -- Jordan to Sheridan (north side)	\$72,479.88 with tree plot & piping	\$5,000 (design only)		This 2-block project completes the missing link on Maxwell between Henderson & High.
Total:		\$183,239.47		

2005			
Site	Estimate	Recommendation	Comments
Maxwell Lane from Clifton Sidepath to High Street (north side)	\$65,175.00	\$65,175.00	Since 1999, the Committee has funded sidewalks on Maxwell Lane between Henderson and High Street. The first project was north of Bryan Park and ran from Henderson Street to Manor Road and connected to an existing sidewalk that runs to Jordan Avenue. The second project connected a sidewalk on Sheridan with the Clifton sidepath. This project would connect the latter sidewalk to High Street. The Committee recommended that a cross walk be placed on High (to connect with an existing sidewalk) and that sidewalk be placed to preserve trees, if that isn't possible, include a tree plot. Note: The project was rebid and completed in 2007 and was funded, in part, with the reappropriation of \$34,000 in reverted funds.
Queens Way from Chelsea to Sussex (south side)	\$35,729.00	\$35,729.00	The Renwick developer will install a sidewalk on the south side of Queens Way from the new development to Monclair Avenue. The Committee received estimates for installing sidewalks the rest of the way to High Street (\$83,700), funded the first leg between Montclair and Sussex in 2004.
Marilyn from Nancy to High Street (south side)	\$155,216 (one block only)	\$11,497.54 (design only)	This project begins completion of the western end of what's known as the Southeast Neighborhood Initiative. This initiative will eventually connect the walking/biking lane on Southdowns / Jordan with sidewalks at Covenanter / High Street. The City has already completed a sidewalk from Mitchell / Southdowns to Ruby / Nancy Street, and Nancy Street from Ruby to Marilyn Drive. This allocation funds design costs and gives staff an opportunity to determine whether there are storm water costs that might be borne by CBU. One more leg on Southdowns from Jordan to Mitchell would complete this initiative. Note: This project was completed in 2007.
Roosevelt from 4th to 5th (east side)	\$86,340.00	\$6,395.62 (design only)	This is a new project that would complement new private development on Roosevelt that will make it a through-street and include a sidepath on 4 th Street. The estimate for the project is \$86,340 and this recommendation funds the design costs.
Total:	\$187,244.00		
2004			
Site	Estimate	Recommendation	Comments
Sidewalk Project - 10th Street for 350 feet West of Grandview (south side)		\$45,000.00	The Council funded this project in 2003 and approximately \$6,344 was spent that year on designing the sidewalk and acquiring right-of-way, but the remaining funds were not encumbered for its construction. The Committee recommends using unspent and unencumbered funds from previous years to fund this project.
Sidewalk Project - Nancy Street from Ruby Lane to Marilyn Drive (west side)	\$45,628.00	\$45,628.00	The Committee recommended funding this segment of the larger South East Neighborhood Initiative. That initiative first received funding in 2002 (see below).
Sidewalk Project - Jefferson Street between 7th and 8th (east side)	\$114,000.00	\$114,000.00	The Committee recommended funding this first segment of the larger Jefferson Street project, which has been designed as a result of previous funding in 2002 (see below). This segment, unlike the others, does not require a large complement of storm water funds.
Sidewalk Project - Winfield Road from Fair Oaks to existing sidewalk just south of Rechter (east side)	\$45,096.00	\$27,000 (+\$18,096 from Wininger/Stolberg)	The Committee recommended funding this project in concert with the developer of the Renwick PUD (Wininger / Stolberg) who has offered to pay for the cost of materials (approximately \$18,096).
Sidewalk Project - Queens Way from Montclair Avenue to Chelsea Court (south side)	\$22,139.00	\$22,139.00	The Committee recommended funding this and the previous project in order to have sidewalks in place before the Renwick PUD gets well under way.
Total:		\$253,767.00	This amount includes \$151,000 of funds appropriated for sidewalks this year and unspent monies from previous years. If there are not enough monies in the Alternative Transportation Fund in 2004, then the Committee will need to decide whether to recommend use of 2005 funds for these purposes.

2003			
Site	Estimate	Recommendation	Comments
Sidewalk Project - East 5th Street from 1 block east of Overhill (deadend) to Overhill.	\$255,596.00	\$52,597.00	On 6/18/03, the Council approved the Committee recommendation to allocate \$52,597 contingent upon the availability of storm water funds.
Sidewalk Project - 10th Street for 350 feet west of Grandview Drive (south side)	\$43,975.00	\$43,975.00	
Sidewalk Project - Walnut Street from Bank One (Country Club/Winslow) to Hoosier Street (west side)	\$104,354.00	\$63,427.00	On 6/2/03 the Committee recommended allocating the remaining funds (\$63,427) to this project and discussed ways to reduce its cost.
Total:		\$159,999.00	

2002			
Site	Estimate	Recommendation	Comments
Sidewalk Project - Southdowns from Jordan and along the north side of Circle and Ruby lane to Nancy Street.	\$148,000.00	\$108,731 (+ \$39,000 from Greenways)	The original estimate was for a sidewalk on the north side of the street, but the Engineering staff and neighborhood preferred south side at estimated cost of \$129,000 (and an additional \$19,000 for the leg from Jordan to Mitchel). On 6/19/02 the Council allocated \$59,547 for this project and, as noted below, on 12/18/02, the Council voted to shift \$49,184 from the East 2nd Street project to this one as well. On May 8, 2003 the Greenways group agreed to fund the remaining \$39,000.
Design for sidewalk and storm water project - Jefferson Street from East 3rd to East 10th Street.	\$27,840.00	\$27,840.00	
Design for sidewalk and stormwater project - East 5th Street from 1 block east of Overhill to Union.	\$28,832.00	\$28,832.00	
Streetscape Plan - East 2nd from High Street to College Mall Road.	\$49,184.00	\$0.00	On 12/18/02 the Common Council voted to shift these funds (\$49,184) to the Ruby Lane project (above)
Sidewalk design - East Allen from Lincoln to Henderson Street	\$4,000 - \$8,000	\$7,400.00	
Total:	about \$160,000	\$172,803.00	

Ord 10-01

To Amend the Bloomington Zoning Maps from Commercial General (CG), Industrial General (IG) and Planned Unit Development (PUD) to a PUD and Adopt the District Ordinance and Preliminary Plan for the 18.32 Acre Patterson Pointe PUD - Re: 420 S. Patterson Drive (Patterson Pointe LLC, Petitioner)

Supplemental Materials

From Petitioner

- Letter from Steve Smith – Re: Optional Site Plans – Description and Rationale
- Parking Option 1 – On-Street Parking
- Parking Option 2 – Straightened Boulevard with Parking Toward Street
- Improved Access to Site from Area C (New Tech High School)

From Council Office

- List of Possible Conditions and Unresolved Issues



Memorandum

Stephen L. Smith P.E., L.S.
Daniel Neubecker L.A.
Steven A. Brehob, B.S.Gn.T.

To; Dan Sherman
From; Steve Smith
Subject; Patterson Pointe PUD
Street Parking Options
Date; January 14, 2010
Copies; Figg, Baker, Cornett, Roach, Volan

Pdf files for each of the street side parking options and the revised New Tech High school site plan are attached for your use. A brief description of the parking options follows.

On Street Parking Option

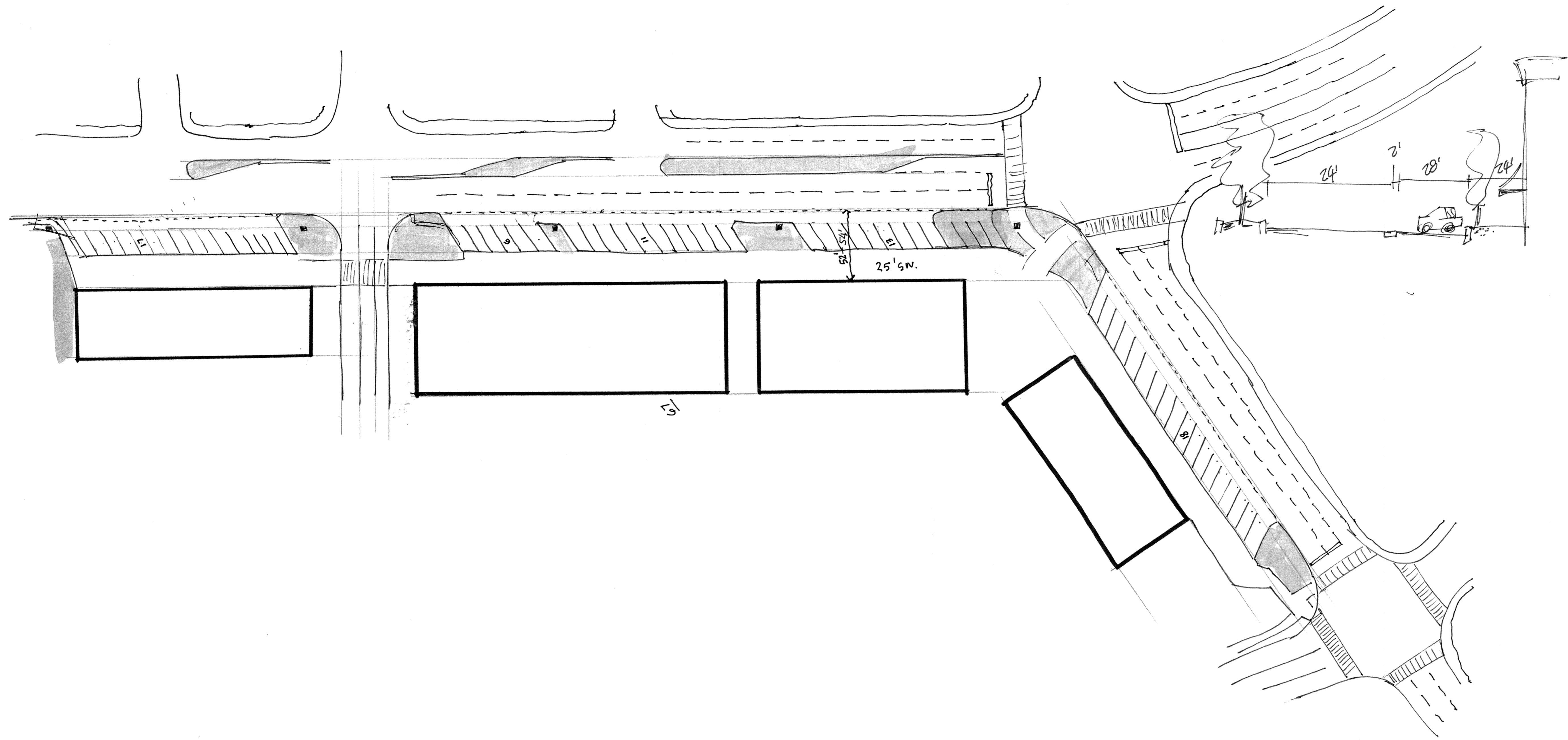
This options sets the buildings the closest to the street of all of the options that have been considered; 52' to 54' from the edge of pavement of the through road. The option is the closest to the downtown sense of place that we are working to create along both Third and Patterson. The building adjoins a 25' plaza sidewalk. Then there is the 60 degree diagonal parking and maneuvering area. Then there is the 2' concrete gutter that delineates the parking area from the through lanes on Third and on Patterson. The parking and maneuvering area is 28' to 30' wide.

Boulevard Parking Option

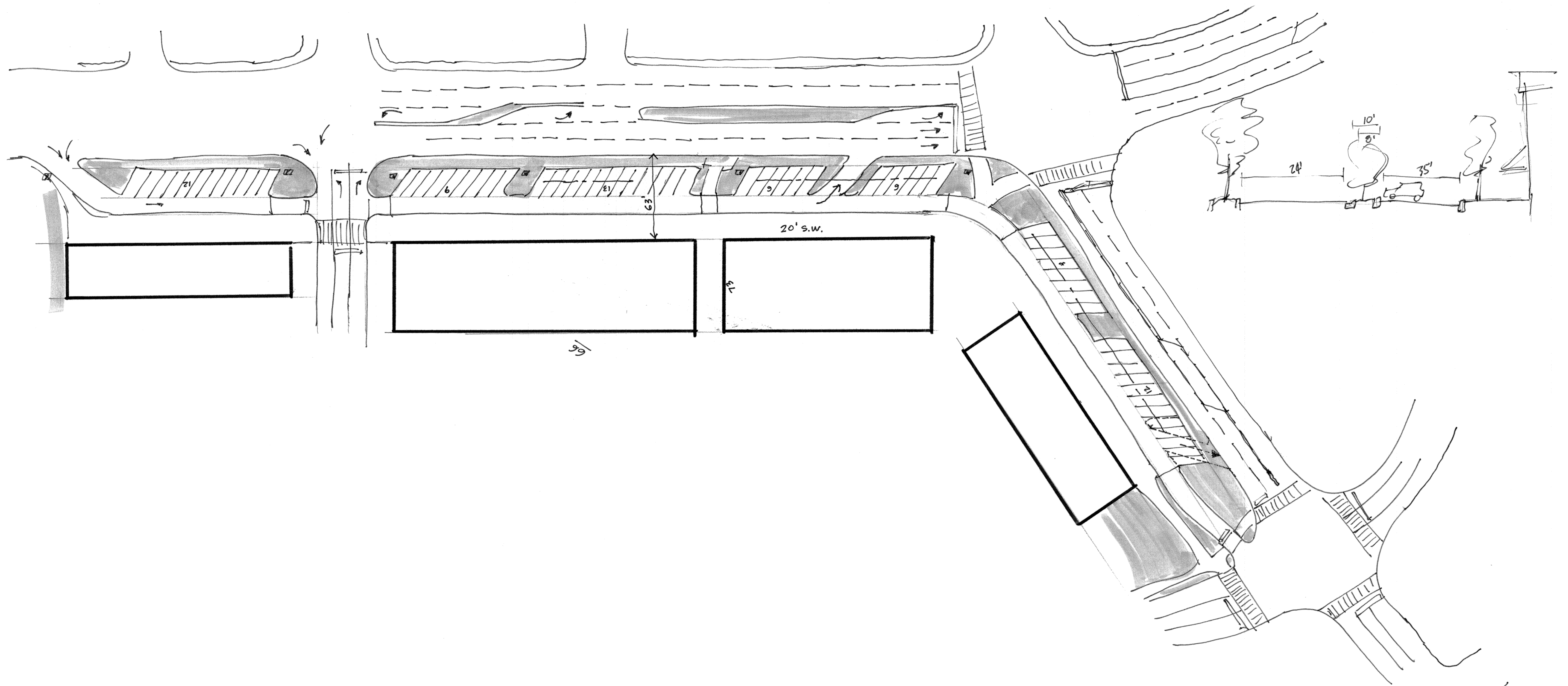
This option sets the buildings 63' from the edge of pavement of the through roadway; about 10' closer than the plan approved by the Plan Commission. The building adjoins a 20' plaza sidewalk and then the 12' frontage lane. Then there is diagonal parking and an approximate 8' tree plot before getting to the through street.

Placing the access drive adjacent to the plaza allows the power poles to be in islands which allows the parking and drives to be closer to the through street. This also results in the building closer to the street and provides more separation between Third Street and the access drive at the Westplex Drive.

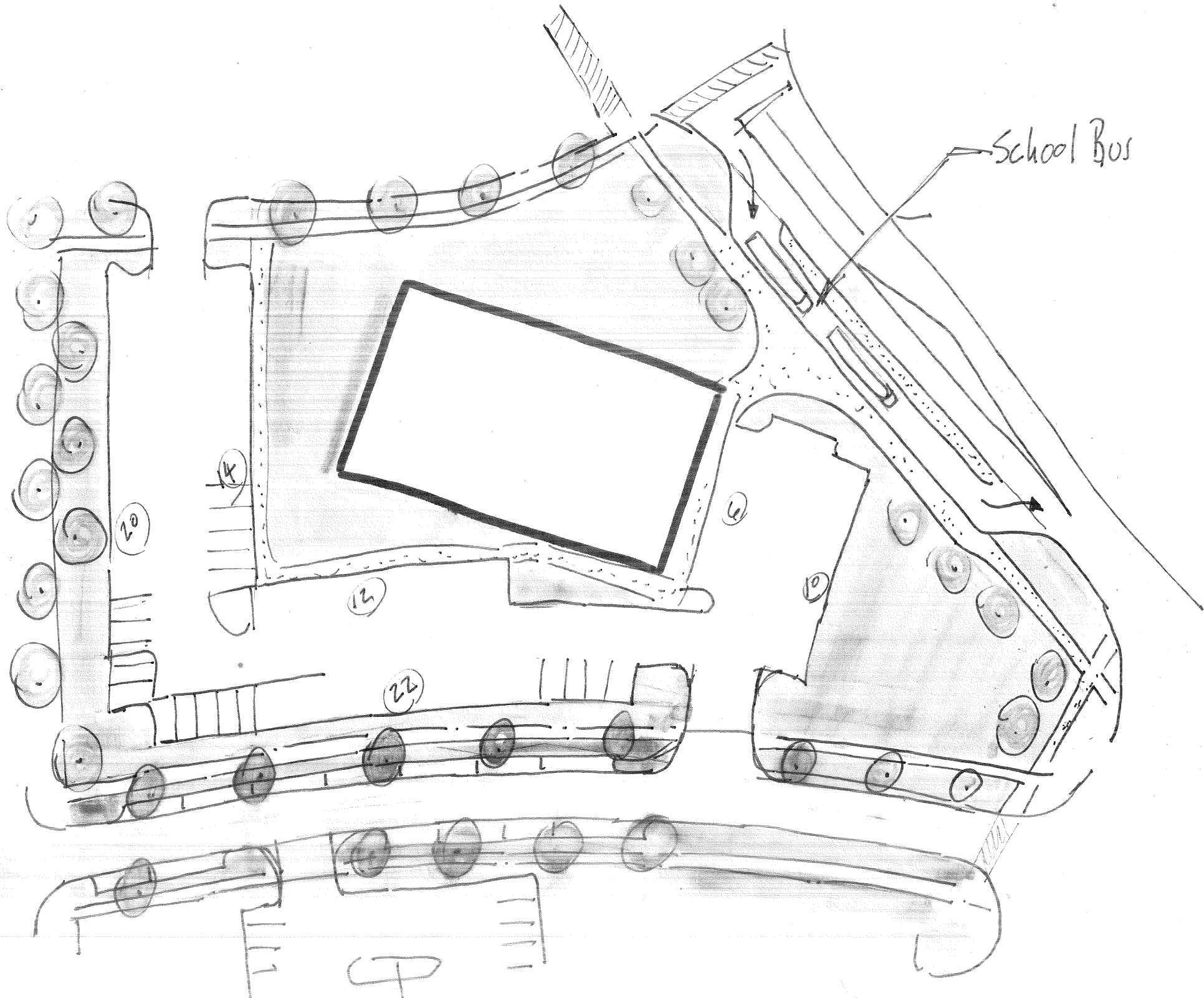
Landscaped islands are planned around the existing power poles for both options. Trees in tree grates will be included in the plaza. The plaza sidewalk runs straight and parallel with the street with enhanced crosswalk at the Westplex crossing.



1/2/10
SLS
PATTERSON POINTE
PARALLEL PARKING



1/12/10
SLS
PATTERSON POINTE
BOULEVARD CONCEPT



School Bus

20

12

22

5

10

1

**Possible Conditions to Ord 10-01 (Patterson Pointe PUD)
Contemplated or Proposed by Council Members
(Prepared by Council Office)**

The following bullet-points are intended to help clarify Council discussion of this PUD and identify issues that one or more Council members have suggested as possible changes to the PUD. Please let the Council Office know if there are additional issues. Also, please be ready to clarify your intentions on Tuesday, so that the necessary language can be prepared for Wednesday.

- **Reasonable Condition 1 (Volan)** - Better Connectivity Adjacent to Area C (New Tech High School) – Site Plan Provided by Petitioner
- **Reasonable Condition 2 (Sturbaum)** - Narrowing East Side of New Signalized Intersection at Patterson Drive and “Old” West 3rd Street
- **Reasonable Condition 3 (Ruff)** - Prohibiting 4-Bedroom Units from Occupying Entire Buildings or a Certain Percentage of a Building
- **Reasonable Condition 4 (Volan)** - On-Street Parking – Site Plan Provided by Petitioner
- **Reasonable Condition 5 (Sturbaum)** - Straightened Frontage Road/Plaza – Site Plan Provided by Petitioner
- **Reasonable Condition 6 (Sponsor?)** - Addressing Location, Target Population, and/or Period of Affordability for Affordable Housing Units
- **Reasonable Condition 7 (Sturbaum)** – Requiring a Central Median on West 3rd Street as Part of this PUD (*Please note that Tom Micuda has indicated that the Petitioner does not commit to this investment and that some other Council members see this as a matter of public – perhaps TIF - investment.*)

ORDINANCE 10-04

**TO AMEND CHAPTER 15.26 OF THE BLOOMINGTON MUNICIPAL CODE
ENTITLED “NEIGHBORHOOD TRAFFIC SAFETY PROGRAM”
(Amending Schedule J-1 in Order to Identify Traffic Calming to be Installed at the
Intersection of South Mitchell Street, Southdowns Drive and Circle Drive)**

WHEREAS, Indiana Code 9-21-4-3 authorizes cities to install traffic calming devices on public streets as long as their design and use conform to generally accepted engineering principles of road design; and

WHEREAS, the SoMax Neighborhood Association has petitioned the City for the installation of traffic calming on portions of South Mitchell Street, East Southdowns Drive and East Circle Drive pursuant to the NTSP guidelines and procedures; and

WHEREAS, in accordance with the NTSP guidelines and procedures, a proposal favored by the directly affected households and Bicycle and Pedestrian Safety Commission has come forward which recommends an intersection re-alignment at South Mitchell Street, East Southdowns Drive and East Circle Drive.

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

SECTION 1. The Common Council hereby amends Chapter 15.26 of the Bloomington municipal code entitled “Neighborhood Traffic Safety Program” to reflect the addition of traffic calming at the intersection of South Mitchell Street, East Southdowns Drive and East Circle Drive through an intersection re-alignment.

SECTION 2. The Common Council hereby approves the installation of certain traffic calming devices and amends Schedule J-1 (Traffic Calming Locations) of Chapter 15.26 (Neighborhood Traffic Safety Program) to include the following type of traffic calming devices at the following location, which shall be inserted in alphabetical order in said Schedule:

**SCHEDULE J-1
TRAFFIC CALMING LOCATIONS**

Street	From	To	Type of Devices
South Mitchell Street	East Southdowns Drive	East Circle Drive	Intersection Re-Alignment

SECTION 3. If any sections, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 4. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2010.

ISABEL PIEDMONT-SMITH, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2010.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2010.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance approves the permanent installation of traffic calming (intersection re-alignment) in the SoMax Neighborhood. It also amends Schedule J-1 of the Chapter 15.26 of the Bloomington Municipal Code to list the type and location of these devices.

INTEROFFICE MEMORANDUM

TO: BLOOMINGTON CITY COUNCIL
FROM: JUSTIN D. WYKOFF, MANAGER OF ENGINEERING
RE: SO MAX NEIGHBORHOOD TRAFFIC CALMING PROJECT
DATE: FRIDAY, JANUARY 08, 2010
CC: SUSIE JOHNSON, DIRECTOR OF PUBLIC WORKS
SARA KLOOSTERMAN, ENGINEERING FIELD SPECIALIST

Dear Council Members,

The following is a history of the South Maxwell Neighborhood Traffic Calming process following the guidelines as set forth in the Neighborhood Traffic Safety Program (NTSP). The NTSP Program Manual can be found on the city website at <http://bloomington.in.gov/media/media/application/pdf/3962.pdf>.

This neighborhood has worked with us to reach this point in the NTSP and worked to find solutions that work with a percentage of the neighboring residents, which is indicated by the 84% approval rating achieved in Step 6 of the Ballot Step.

Step 1 – Apply to Participate

On December 12, 2008, the residents of South Maxwell Neighborhood requested that the traffic calming process to begin. This request was endorsed by City Councilman David Rollo. It was determined that the original application, along with a current endorsement by City Councilman Rollo, was sufficient to start the process. (Copy of application packet – Exhibit B)

Step 2 – Engineering Staff Review and Preliminary Data Collection

In 2004, The Engineering Department performed traffic studies on Mitchell between Southdowns and Ruby. Also, they performed traffic studies in April 2009 as part of the NTSP request. Along with the traffic studies done, Justin Wykoff, designed 4 different options for residents to chose. (Copy of Option Drawings – Exhibit C) (Copy of traffic count data and graph - Exhibit F)

The 85th percentile speeds and ADT (Average Daily Traffic) are as follows:

- October of 2004 – 46-hour Traffic Study
 - Location:
 - S. Mitchell Ave between E. Southdowns and S. Ruby Lane
 - ADT – 1104
 - 85th Percentile Speed – 33 mph

- 68-hour Traffic Data Study where volume and speed were collected
 - Locations:
 - 1. E. Southdowns Dr. between S. Mitchell St and E. Circle Dr.
 - ADT - 190
 - 85th Percentile Speed – 28 mph

- 2. S. Mitchell St between E. Ruby Lane and E. Southdowns Dr.
 - ADT - 1054
 - 85th Percentile Speed – 31 mph
- 3. E. Southdowns Dr. between S. Jordan Ave and S. Mitchell St.
 - ADT - 459
 - 85th Percentile Speed – 25 mph
- 4. S. Mitchell Dr. Between E. Southdowns and E. Maxwell Dr (up near address 913 S. Mitchell)
 - ADT – 1006
 - 85th Percentile Speed – 34 mph
- Accident Report(s)
 - 0 accidents were reported to the state that occurred in the previous 3 years at the E. Southdowns Dr, S. Mitchell St., and E. Circle Dr. intersection.

Step 3 – BPSC Review of Engineering Studies and Petitions

The BPSC reviewed the N.T.S.P. petition along with additional Engineering information and residents of South Maxwell Neighborhood at their December 15, 2008 meeting. City Councilman David Rollo also was in attendance. BPSC voted in 7-0 in favor of the petition for traffic calming for this neighborhood. (Copy of the minutes of the meeting – Exhibit D)

Step 4 – Public Meeting

Neighborhood meetings were conducted during the summer/fall of 2008, and the spring of 2009 in an effort to create options for the intersection.

Step 5 – Preparation of Alternative Designs and Selection of Proposed Plan

The Engineering Department, with consultation of neighborhood residents designed plans that would improve the overall safety of the E. Southdowns Dr, S. Mitchell St., and E. Circle Dr. intersection. The City presented the neighborhood with again the four different options and the consensus was for option 2. (Copies of the option drawings are again – Exhibit C)

Step 6 – Project Ballot – Questions and Comments were taken at the public meetings concerning the selected form of traffic calming that was to be selected. The ballot was sent out to the petition area in July 2009. A total of 25 ballots were sent out. 21 ballots, or 84.0%, of the ballots were returned with the results as follows: 21 yes and 0 no. 84.0 % of the total ballots sent out were in favor of the placement of the Traffic Calming Devices. The vote has met all requirements of the N.T.S.P. pertaining to the percentage of total ballots returned required to be considered a valid ballot and the percentage of total ballots in favor required for approval. (Copy of ballot packet, ballot area, and vote result chart – Exhibit E)

Step 7 – Testing and Evaluation of Traffic Calming Devices

In this step, the implementations of the selected traffic calming measures are placed on a temporary basis.

The before and after traffic counts were taken as part of the testing process. The counts showed a reduction of speed through the intersection. (Copy of traffic count data and graphs – Exhibit F)

Along with the traffic counts collected, certain public agencies like the Fire Department, Police Department, and the school busses (MCCSC) test their mobility around the traffic calming devices to see if any changes need to be made.

Director of MCCSC Transportation Mike Clark met on site with a school bus and crew on Sept 22, 2009 and Fire Department Chief Roger Kerr met on site with fire truck and crew

It was determined by the mobility testing of the Fire Truck and School Buses, along with multiple resident feedback that the lane widths were too narrow. To accommodate this need, a slight reduction of size to the extended green space would have to take place. With the consultation of residents of South Mitchell Neighborhood in another public meeting on Wednesday Oct 21st, 2009 in Council Chambers, they were in favor of this reduction to increase the width of the lanes on E. Southdowns.

Step 8 – Common Council Action

Current status of the Traffic Calming Process

Step 9 – Board of Public Works

If approved by the Council, Board of Public Works approval will be required for the funding and plan for the construction of the traffic calming devices.

Step 10 – Construct permanent Traffic Calming Device(s)

If the Board of Public Works approves the funding and plan for the construction of the traffic calming devices, the permanent traffic calming measures will be constructed.

Step 11 – Maintenance

All the adjacent property owners must all sign the consent form stating that they will maintain any of the traffic calming device that needs to be maintain

Step 12 – Follow-up Evaluation

The engineering department will do follow-up traffic studies when they see fit to do them.

If you have any questions regarding the traffic calming proposal, or if I can help in any way please let me know.

Thank you

Sincerely,

Sara Kloosterman
Engineering Field Specialist
Engineering Division

Attached: Exhibit A – Map of Region, Exhibit B – NTSP Application, Exhibit C – Proposed AutoCad Drawings of Traffic Calming Options, Exhibit D – Copy of Bike and Pedestrian Meeting Minutes, Exhibit E – Copy of Ballot Package, Ballot Area, Vote Result, Exhibit F – Traffic Count Data and Graphs, Exhibit G – Estimate of Cost of Project

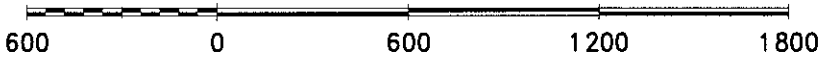
EXHIBIT

A



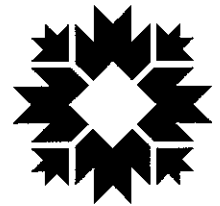
Map of Area

By: kloostes
8 Jan 10



For reference only; map information NOT warranted.

City of Bloomington
Engineering



Scale: 1" = 600'



EXHIBIT

B



**City of Bloomington, Neighborhood Traffic Safety Program
Participation Application**

Please fill out the following request form as accurately as possible hand deliver to the City of Bloomington Engineering Department, 401 N. Morton St., Suite 130, or return by mail to address at bottom of page.

Name: GEORGE SPRINGER Date: 12/15/2008
 Telephone #: (812) 332-9755 e-mail: springer@cs.indiana.edu
 Neighborhood Association (If Applicable): So Max
 Street Name(s): E. SOUTH DOWNS DR and S. MITCHELL ST.
 Section and Township of Neighborhood (If known): _____
 City Councilperson Signature: [Signature] Date: 12/15/08

General Description of Problem:

Please be as descriptive as possible. Include references, if applicable, to excess speed, cut through traffic, congestion/excess volume, safety concerns, running/ignoring regulatory signs, etc. If necessary, use another sheet of paper and attach to this application.

Suggestions and Comments:

Suggestions are very helpful to City staff so that we can get a better feel of what your neighborhood wants to accomplish from this program, and what types of studies would be most appropriate. This can include changes to infrastructure, educational programs, increased enforcement, or any other measure that you, as a neighborhood or group, feel that the City can do to address your concerns. A process that has proven to be very helpful is when neighborhoods and groups conduct surveys beforehand and include them with the application. If necessary, use another sheet of paper and attach to this application.

*****NOTES*****

Neighborhood Traffic Safety Program:

Copies of the complete NTSP are available from the City Engineering Department anytime during regular business hours. It is highly recommended that the entire process be carefully reviewed before any application is made.

Questions about the application or the NTSP:

Any questions about the NTSP or the application should be directed to: Sara Kloosterman (812) 349-3417 or kloostes@bloomington.in.gov

In General:

It is also encouraged for the applying party to have a 'pre-application' meeting. In this meeting the Engineering Department can provide assistance such as mailing lists, maps of the areas in question and general advise and guidance in other matters, such as determining effected areas for the application.

Resident Signatures:

A petition, with signatures and addresses, from at least 51% of the effected residences/businesses in the neighborhood or area must be attached to this application for submittal. Each household or business is entitled to ONE signature on the petition. The City Engineering Department will verify all addresses.

Mailing address: Sara Kloosterman
 City of Bloomington Engineering Department
 P. O. Box 100
 Bloomington, IN 47402

Thank you for your interest in the City of Bloomington Neighborhood Traffic Safety Program

General Description of Problem

The very wide intersection of S. Mitchell St. and E. Southdowns Dr. poses a serious crossing problem for pedestrians (often children and parents pushing strollers) who go to and from Bryan Park. In general, traffic moves quite fast both north and south on Mitchell when going either to the park or continuing on Mitchell. A stop sign on Southdowns (at Mitchell) now slows cars going east from the park. The width of the intersection now tempts drivers to maintain a high speed around these curves. Some means should be found to calm the traffic in this intersection. The existing stop sign on Southdowns (at Mitchell) only stops the westbound traffic and does not affect those who speed from the other directions. This makes crossing the wide intersection to get to or from Bryan Park very dangerous.

Suggestions and Comments

In Option #2, all of the streets have been narrowed to the standard two-lane width by the creation of greenspace at the Southeast corner on the intersection. The flow of traffic from the north on Mitchell will be slowed somewhat if they want to turn left into either Southdowns or Mitchell. Eastbound traffic on Southdowns will not be slowed unless it is decided to add a third stop sign on Southdowns (at Mitchell). With these two stop signs, a pedestrian on the Northeast corner of Southdowns (at Mitchell) can cross Southdowns, walk on the greenspace to Mitchell and cross Mitchell to get on the end of the existing paved sidewalk. A pathway to Bryan Park can easily be extended on the North side of Southdowns from Jordan to Mitchell and a zebra-stripe way can be used to cross Southdowns to meet the end of the sidewalk. There is a stop sign at this intersection now, but it may be removed to facilitate the flow of traffic. Further consideration of this removal may be necessary.

SoMax Neighborhood Petition

The signers of the attached petition request that the City of Bloomington reconfigure the intersection of Mitchell St. and Southdowns/E. Circle Drive.

There are two concerns that need to be addressed by any reconfiguration:

- 1) The need to narrow the width of the intersection which makes it dangerous to cross on foot or bicycle
- 2) The need to reduce the excessive speed of drivers on Mitchell

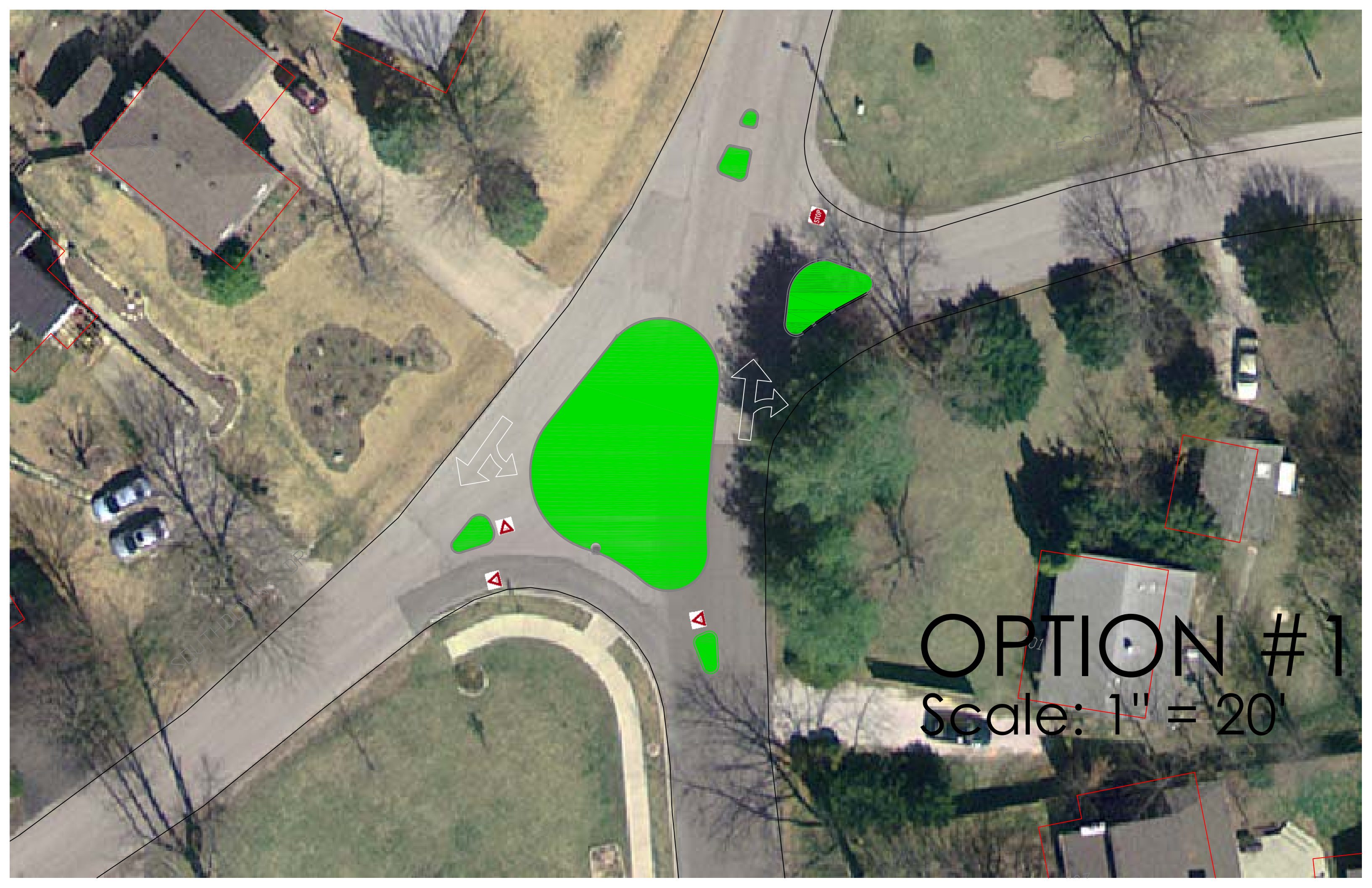
We look forward to working with the City of Bloomington to identify an optimal reconfiguration to address these problems.

NTSP Petition

Printed Name	Address	Signature
SALINA McLaws	934 S. Mitchel	
Jason Fickel	1708 Circle Dr.	
Chris Payne	1704 Circle Dr.	
MIKE CASEY	1590 E. Southdowns Dr.	
GEORGE SPRINGER	1026 S. Mitchell St.	
Ronald Evans	923 S. Mitchell St.	
Victoria H. Bedford	1701 Circle Dr.	
Michael Apseris	1007 S. Mitchell St	
Susan Norris	1007 S. Mitchell St.	
James Moskowitz	1516 E. Southdowns Dr.	
Mary Ellen Stacy	928 S. Mitchell St	
Mary E. Fox	921 S. Mitchell	
Vicky St. Myers	904 S. MITCHELL ST.	
Mary Ann Anerk	1507 Southdowns	
A. Moore	916 S. MITCHELL	
Liz Lundgren	923 S. Mitchell	
Martha Hamon	1009 S. JORDAN	
JOHN ARSHIRE	1036 S. Jordan	
Jane M. Vontilsen	1587 East Sweet Down	
DANIEL O. MILLER	1013 S. MITCHELL ST	
MARCELLA K GROSSAER	1521 E. Southdowns Dr	
Stephen Hayford	1480 E. Southdowns Dr	
William Johnson	1016 S. Mitchell St	

EXHIBIT

C



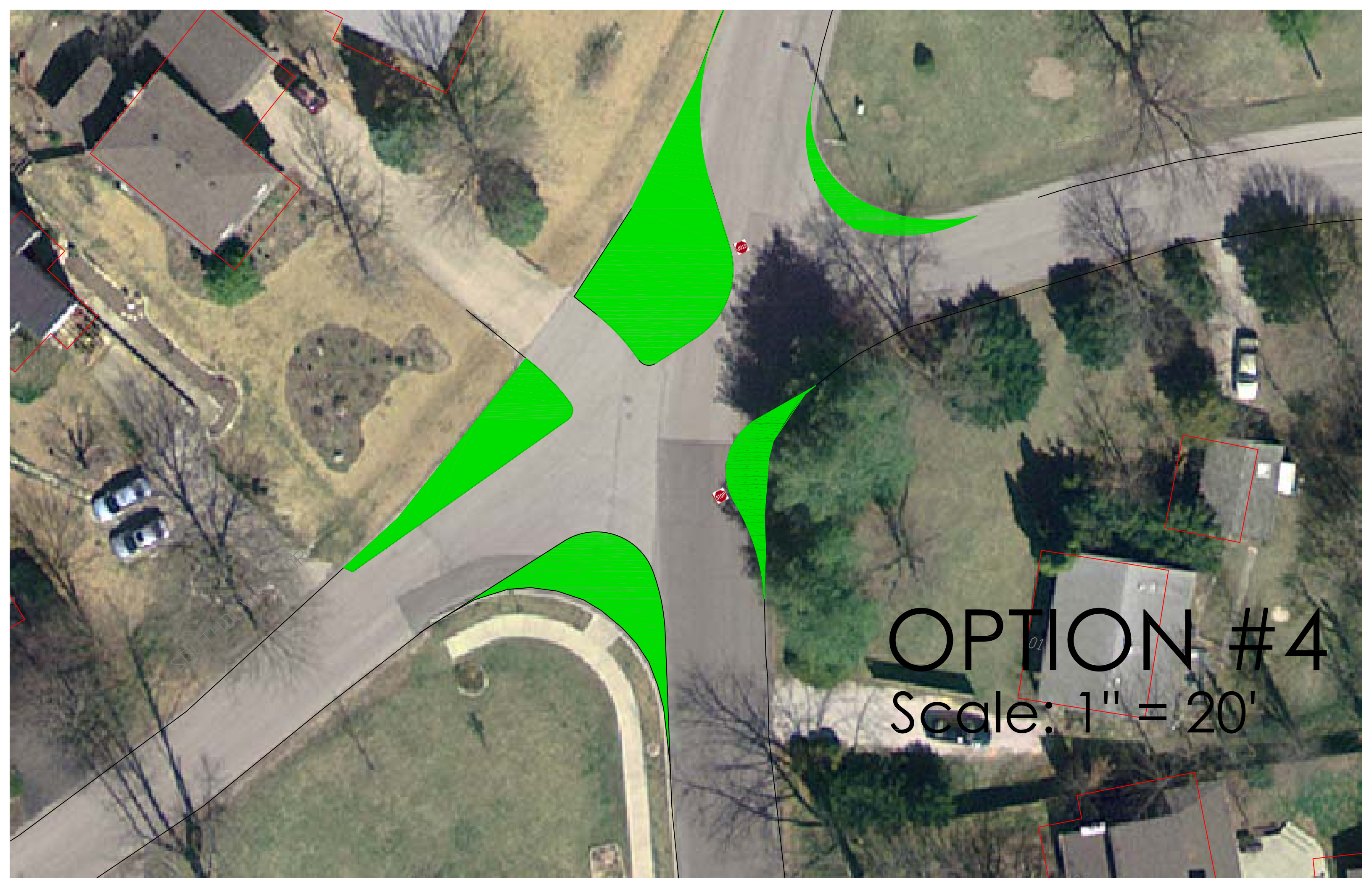
OPTION #1
Scale: 1" = 20'



OPTION #2
Scale: 1" = 20'



OPTION #3
Scale: 1" = 20'



OPTION #4
Scale: 1" = 20'

EXHIBIT

D

MINUTES
BICYCLE AND PEDESTRIAN SAFETY COMMISSION
Monday, December 15, 2008

INTRODUCTIONS

MEMBERS Present: Mike Gavin, Melissa Henige, Anne Phillips Holahan, Christie Popp, Mitch Rice, Jim Rosenbarger, Gayle Stuebe
Absent:

EX OFFICIO Joe Fish, Planning Department
Justin Wykoff, Engineering Department
Denise Dean, Public Works Department

ADVISORY MEMBERS Jimmy Ratcliff, Bloomington Police Department

PUBLIC Council member Dave Rollo, IU students, members of the South Maxwell Neighborhood

APPROVAL OF MINUTES Henige made a motion to approve the minutes of the November 17, 2008 meeting. Stuebe seconded the motion. The motion carried with a vote of 6-0-0. (Rice arrived after roll call and approval of minutes)

PUBLIC COMMENT There was none at this time.

COMMISSION MEMBER'S COMMENTS Stuebe stated she had information from the Sunday Denver Post regarding a road map that links 50,000 miles of pedal friendly pavement. She passed around a draft map which showed a preliminary proposal.
Rice stated he had been in Chicago and mentioned an area where the road was very wide and there was little pedestrian traffic. The City installed signage where the bike path goes on to the existing sidewalk which is only 4' wide. They took a situation where there was little pedestrian usage and combined it with a bike path. Rice stated this is something Bloomington could do to help fix infrastructure problems with little cost. Henige contacted the Controller's Office about bike registrations. The City does not charge a fee and has maybe 12-24 registrations a year. She contacted Doug Porter at IU Parking Operations about the number of registrations for IU but had not received a call back as of yet. The registration fee for IU is around \$5.00. Rice stated he had talked to Porter

before about bike registrations for IU students. Porter did not have a lot of support and was willing to give registrations away free but found most students were not interested.

DEPARTMENT UPDATES

**Planning Department -
Joe Fish**

Fish stated the Plan Commission meeting for January 2009 had been cancelled.

**Engineering Dept. -
Justin Wykoff**

SoMax Neighborhood Traffic Calming Proposal:

The members were given copies of the petition, signatures and the drawing of the proposal (copy available with minutes). Wykoff stated the neighborhood has been working on this project for approximately a year. The area is the intersection of Southdowns Drive, Mitchell Street & Circle Drive. The City presented the neighborhood with four different options and the consensus was for option number 4 which was being brought before the Commission for approval. The neighborhood had a meeting in November and need a favorable recommendation from the Commission to start the next step which is the balloting process. If the City obtains 51% approval from the balloting process the proposal goes to the City Council for final approval.

Rice questioned on who would maintain the circle. Wykoff reported the residents stated they would but per City Code the adjacent property owner is normally responsible for maintaining the adjacent right of way. This issue is still being discussed. Rice asked if there would be curbs and Wykoff replied yes. Wykoff stated the drawing indicates stops signs on Circle at Mitchell and on Mitchell at Southdowns. The City is still looking at possibly making the intersection of Mitchell and Southdowns a multi-way stop.

Rosenbarger asked if volume and speed counts had been conducted on Mitchell. Wykoff replied yes. Henige asked if the neighbors had any concerns. George Springer stated he brought the original petition around to residents and had no problems in getting signatures. One resident stated there are several safety issues in trying to walk or bike to Bryan Park. She was hoping there would be a pathway across the circle that would connect to the existing sidewalk. Holahan stated the proposal was a benefit to bicyclists, pedestrians, etc..

Popp asked what type of landscaping would be in the circle as she was concerned with visibility issues. Wykoff stated at this time it would be grass. Gavin stated he liked the proposal as he frequently uses this area and it is very dangerous. A

resident who has lived in this area for 3 ½ years stated it is very dangerous in trying to walk or bike to the park. The line of sight at this intersection is terrible and people speed through the area. Rollo stated this area is on the safe routes to school for Rogers & Binford. There is a future sidewalk project planned for further down on Mitchell Street. Rosenbarger stated he was disappointed in the sidewalks that have been going in around the City. There is a lack of tree and grass plots. Sidewalks are going in right next to the road especially in areas where there are high volumes of traffic. In areas where there are no tree plots, the drive cuts seem to move up and down creating safety issues when walking along them especially at night. Rosenbarger stated he understands that at times there are issues with right of way but the City should look at the traffic volumes on the street where the sidewalk is being installed. A good example is the Green Acres area where new sidewalks were recently installed. The volume of traffic along the street is very low and were the sidewalks really needed. The City could have retained the swales to take care of the storm water problem. Rollo stated he is on the Council Sidewalk Committee and asked if the Commission could draft a letter with their concerns that he could take to the other members. Rosenbarger stated he would draft a letter. Stuebe made a motion to approve the traffic calming proposal for South Maxwell. Rosenbarger seconded the motion. The motion carried with a vote of 7-0-0.

NEW BUSINESS

Jimmy Ratcliff from the Bloomington Police Department was present at the meeting. He apologized for not having a representative from BPD regularly attending the meetings. Popp stated she has witnessed several bicyclists not obeying the rules, even in front of BPD, and was wondering why they were not given tickets/citations. Ratcliff stated sometimes officers will give tickets and sometimes not. They do not give many tickets out in the Winter but mainly in the Fall when students come back. Ratcliff stated the motorcycle officers are the ones who give most of the tickets and mainly give warnings unless given a specific detail to write tickets. Rice stated Kirkwood & Indiana is an area where there are several violations going on. Pedestrians on the sidewalk have been brushed by bicyclists. Rice stated he has seen IUPD stop bicyclists. Stuebe stated she felt that a ticket would be more effective than a warning and asked how much a ticket was. Ratcliff stated a City ticket is \$50 and a State ticket is \$150. Gavin stated he felt there needed to be more enforcement. One area in particular is at Third & Washington.

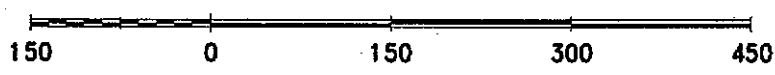
EXHIBIT

E



SoMax Traffic Calming Petition/Ballot Area

By: wykoffj
18 Nov 08



For reference only; map information NOT warranted.

**City of Bloomington
Engineering**



Scale: 1" = 150'



Southdowns Drive / Mitchell Street / Circle Drive Traffic Calming Survey

On December 15, 2008, the City of Bloomington received a formal application for traffic calming for the intersection of Southdowns Drive, Mitchell Street, and Circle Drive. This request has been discussed during neighborhood meetings during the summer and fall of 2008 with City of Bloomington representatives in attendance. The intersection modifications requested by your neighborhood are considered traffic Calming and therefore must follow the guidelines/process of the Neighborhood Traffic Safety Program "NTSP". The next phase of the process Step 6 of the NTSP calls for a ballot to be sent out the affected area. This is that ballot; it will be used to determine if the intersection modifications will be approved by your neighborhood and therefore forwarded to the Bloomington City Council for their consideration.

Please **PRINT** your name and address so we can verify the eligibility of your response to this survey. Your response below will be separated from this information — your name will not be associated with your vote on this issue. Only one vote is allowed per residence, and only original ballot forms will be accepted.

RESIDENT NAME: _____

RESIDENT ADDRESS: _____

This ballot will be separated by City Engineering Department staff. Please do not separate before sending.

Southdowns Drive / Mitchell Street / Circle Drive Traffic Calming Survey

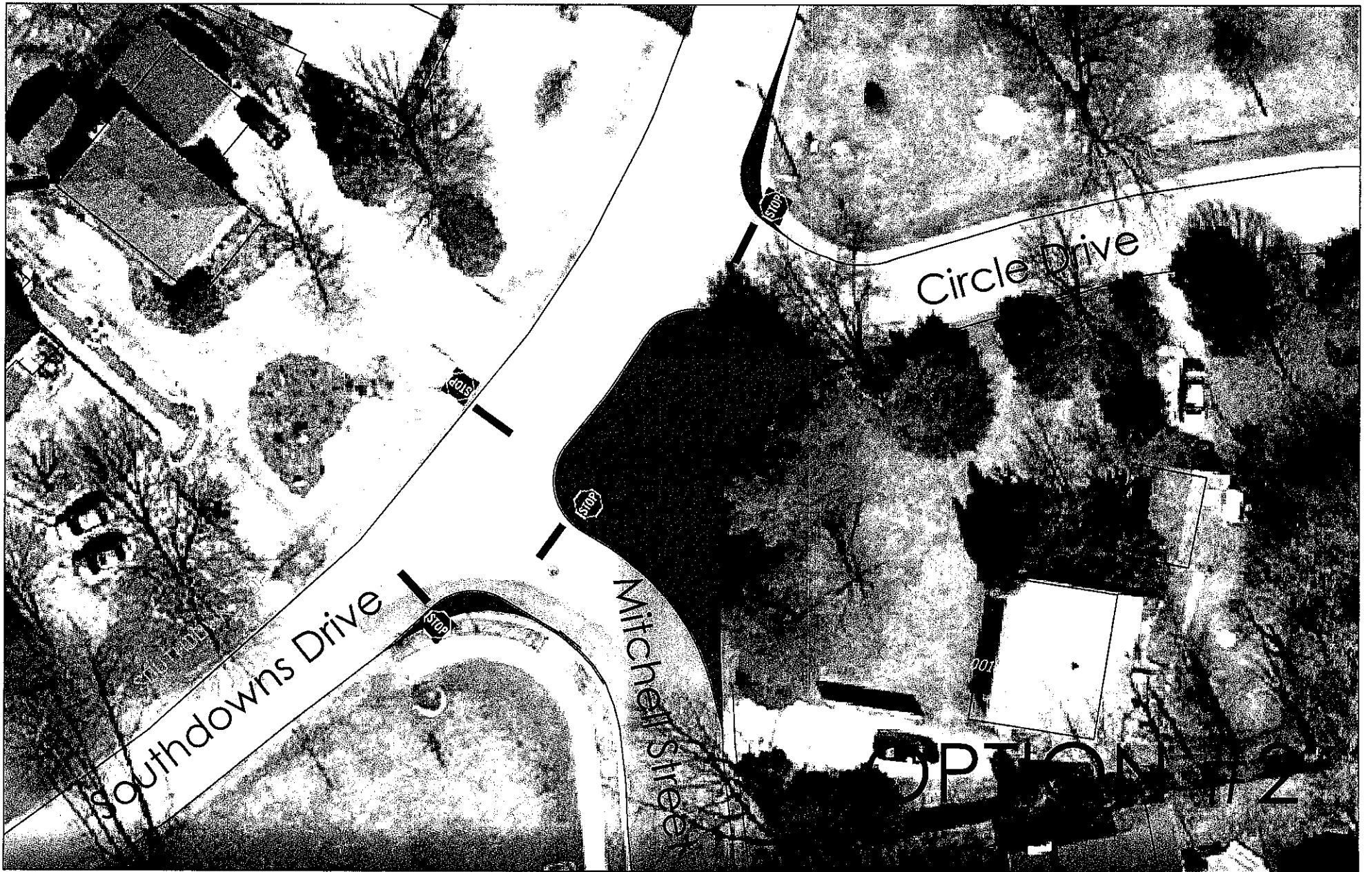
Please check only one answer. No special comments will be considered on this form. If a given response is not marked, this ballot will be considered a non-response. If you have a question, concern, OR need clarification prior to voting please call Sara Kloosterman, Engineering Field Specialist, at (812) 349-3417.

This BALLOT must be returned by, or postmarked by July 27, 2009 to be considered valid.

YES: As a resident in the SoMax (Southdowns Drive/Maxwell Lane) Neighborhood, I AM in favor of the permanent placement of the specified traffic calming devices on this street.

NO: As a resident in the SoMax (Southdowns Drive/Maxwell Lane) Neighborhood, I AM NOT in favor of the permanent placement of any traffic calming devices on this street.





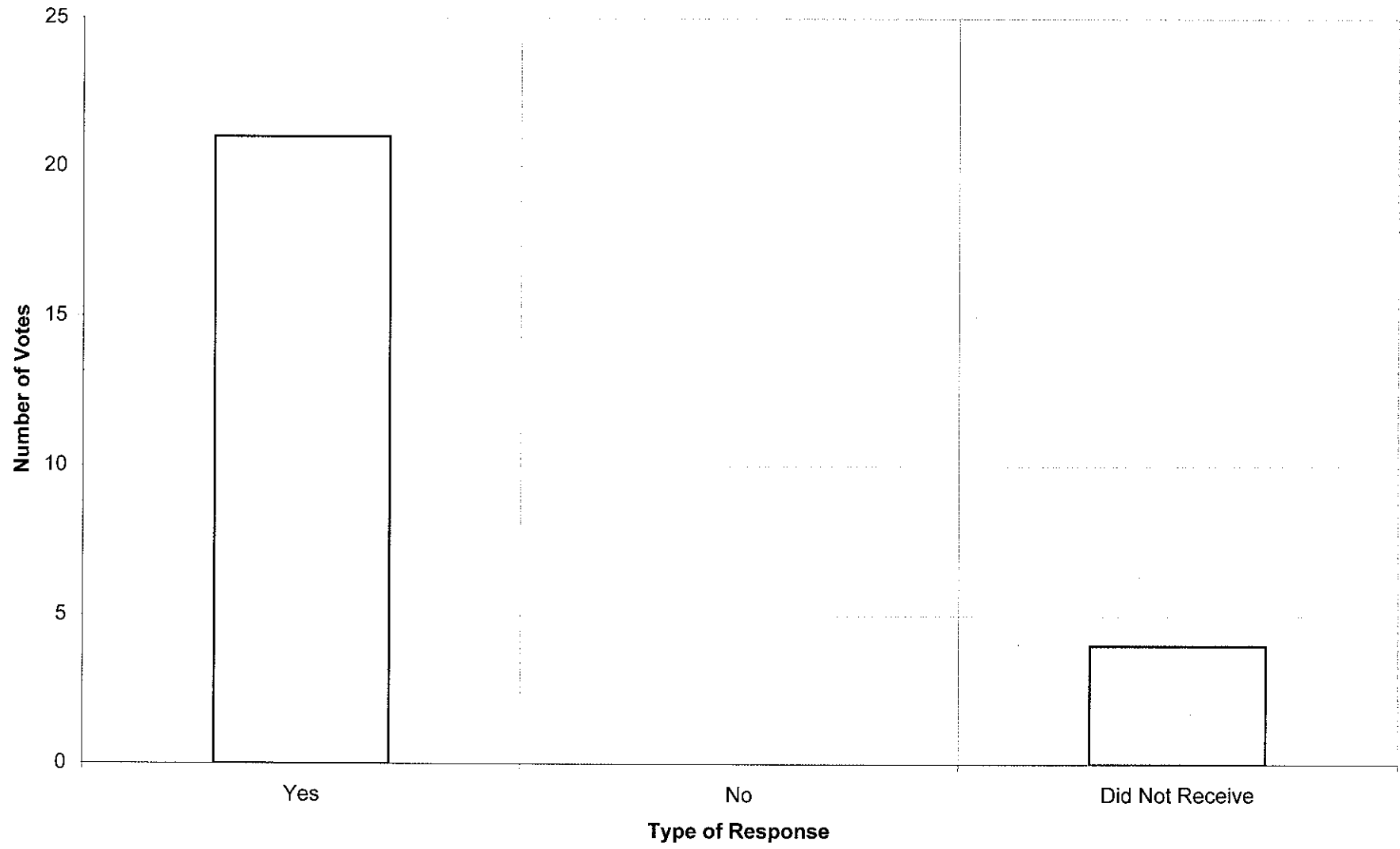
Southdowns Drive

Mitchell Street

Circle Drive

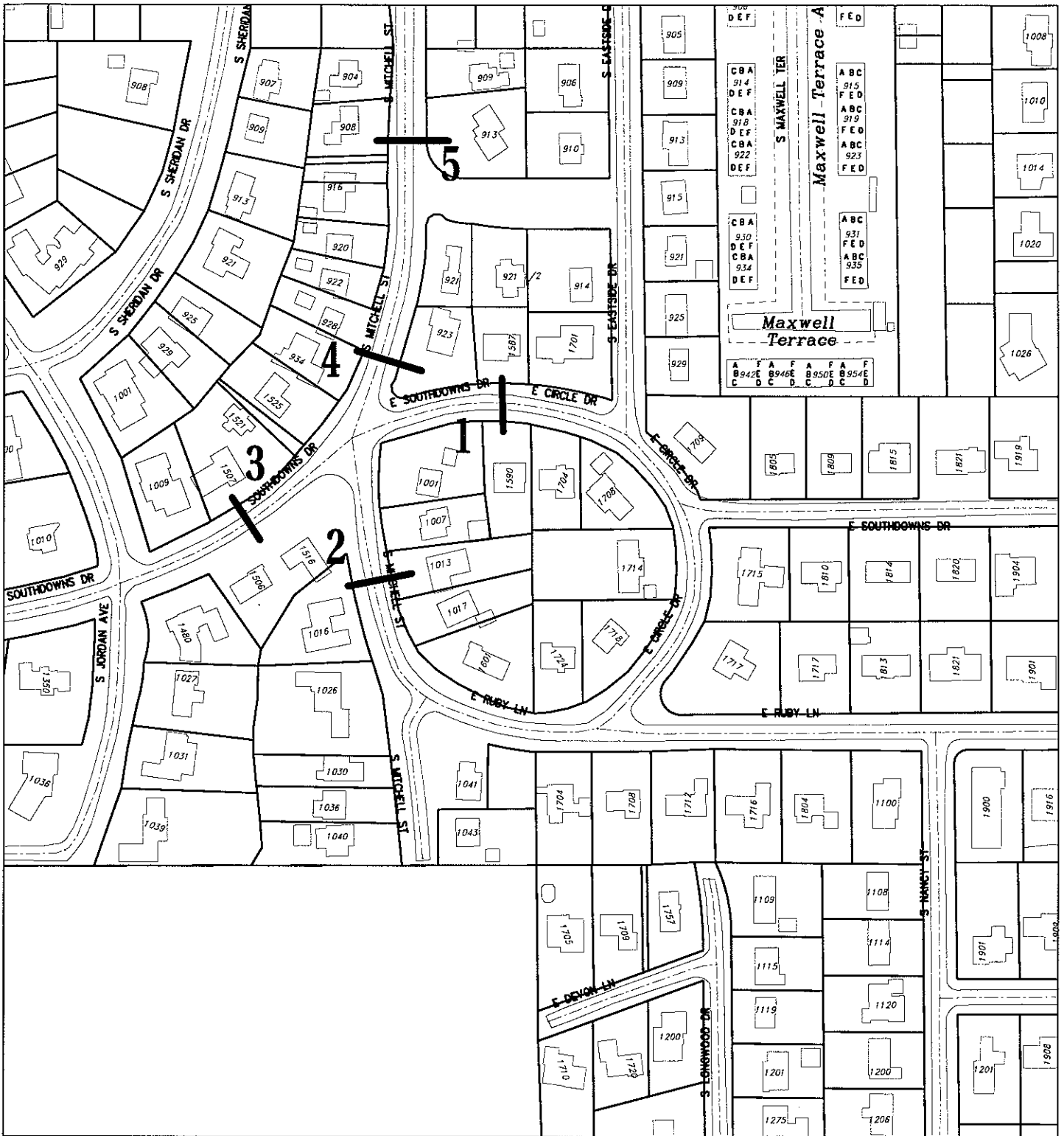
OPTION #2

Ballot Results



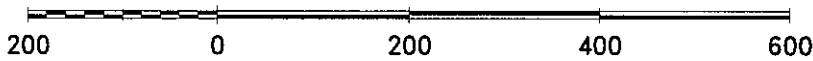
EXHIBIT

F



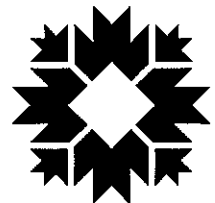
Traffic Counter Locations

By: kloostes
8 Jan 10



For reference only; map information NOT warranted.

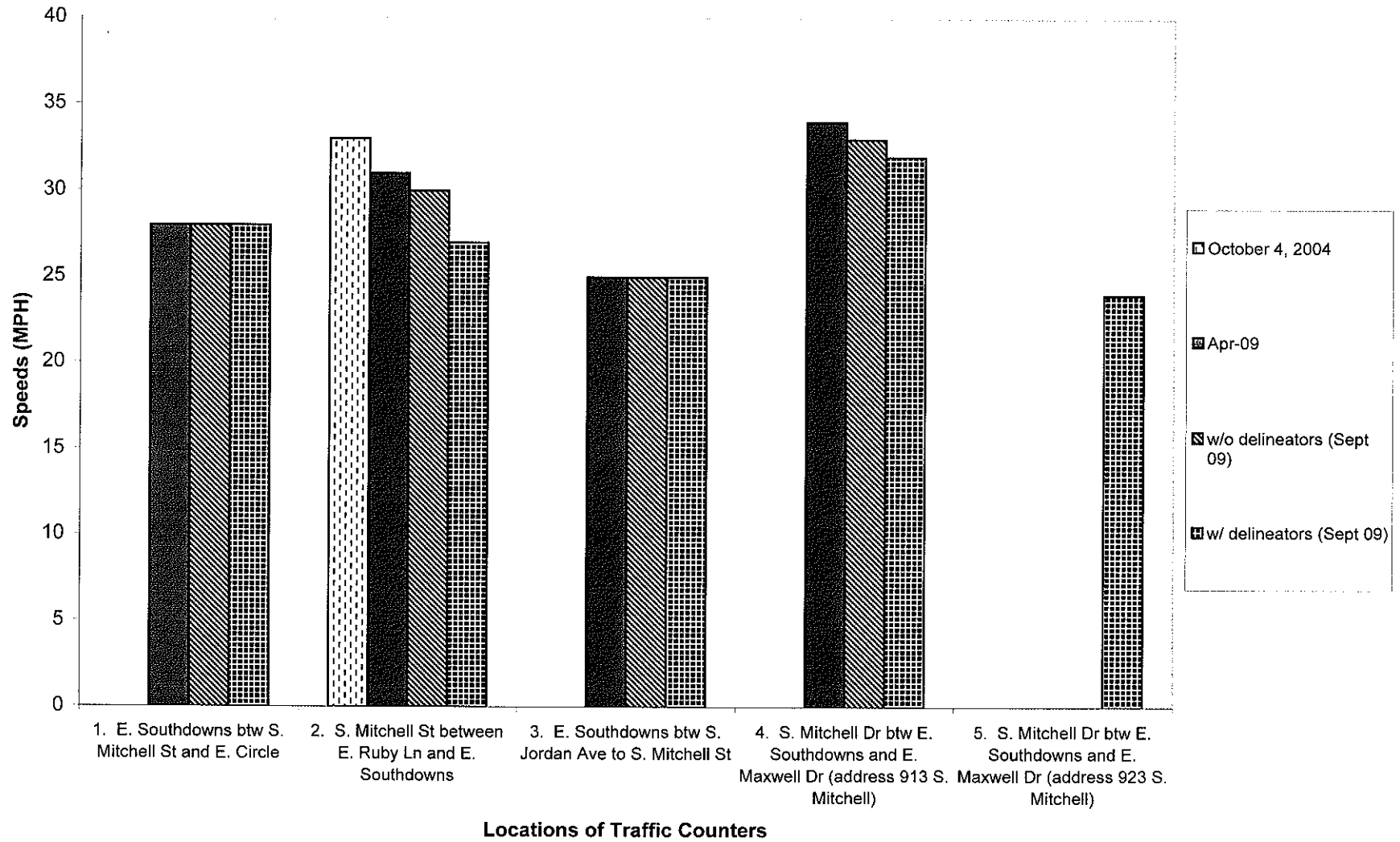
City of Bloomington
Engineering



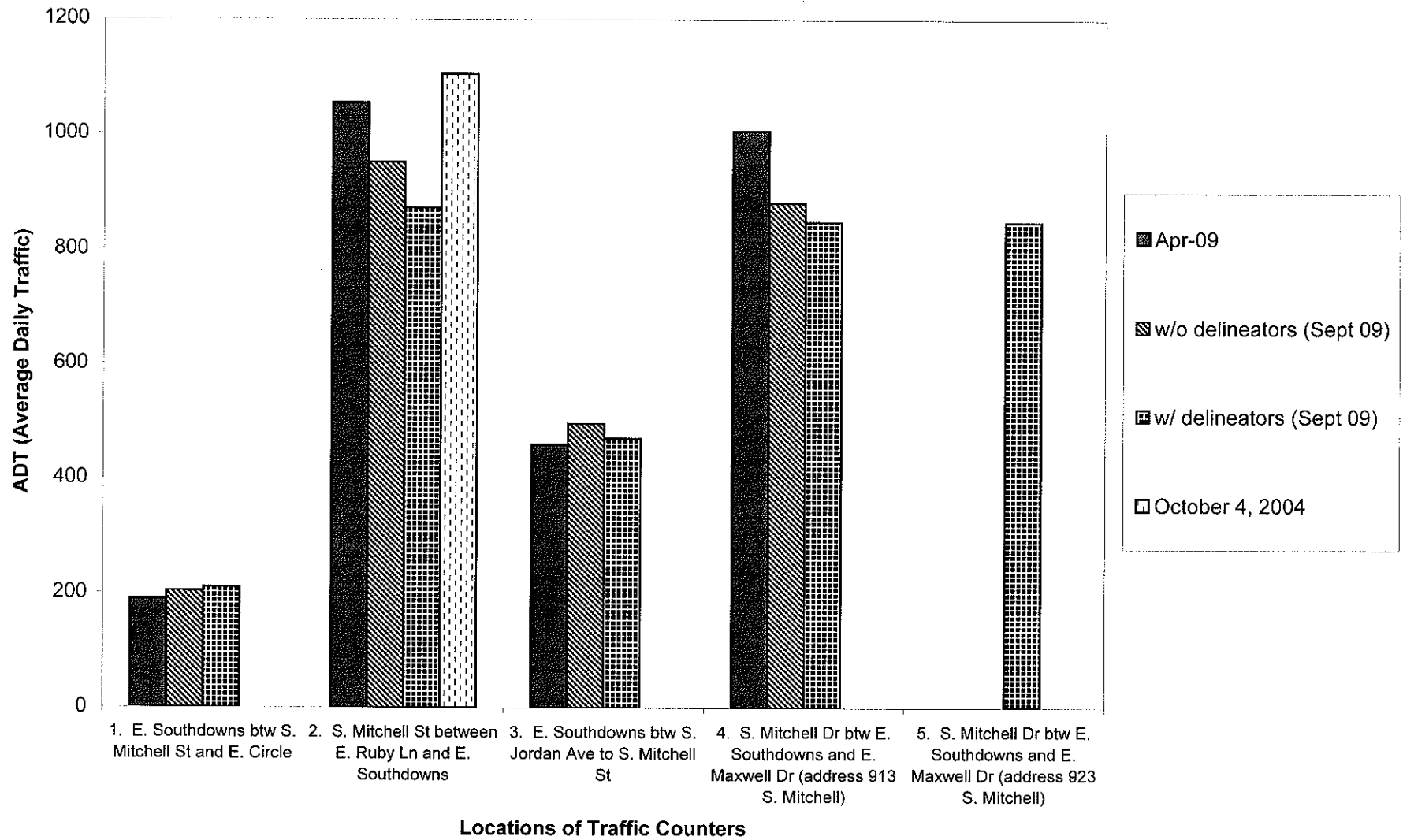
Scale: 1" = 200'



Comparison of 85th percentile Speeds



ADT Comparison



Traffic Count Data
SoMax Neighborhood

	October of 04	April Intial testing	w/o delineators	w/ delineators
Test Dates	10/6/04-10/8/04	4/21/2009 -4/24/2009	9/8/09-9/15/2009	9/15/2009-9/29/2009
Test Time (HR)	46	68	170	330
Test Time (Days)	1.92	2.83	7.08	13.75

LOCATION 1

E. Southdowns btw S. Mitchell St and E. Circle

	October of 04	April	w/o delineators	w/ delineators
85th Percentile Speed (MPH)		28	28	28
# of vehicles about 30 MPH		20	62	84
# of vehicles in highest speed ranges				
31-35		19	60	79
36-40		1	1	5
41-45		0	1	0
46-50		0	0	0
51-55		0	0	0
Total amount of vehicles in study		544	1476	2927
ADT		190	204	210

LOCATION 2

S. Mitchell St between E. Ruby Ln and E. Southdowns

	October of 04	April	w/o delineators	w/ delineators
85th Percentile Speed (MPH)	33	31	30	27
# of vehicles about 30 MPH	478	511	682	191
# of vehicles in highest speed ranges				
31-35	424	467	641	183
36-40	51	40	39	7
41-45	3	3	2	1
46-50	0	1	0	0
51-55	0	0	0	0
Total amount of vehicles in study	2042	3062	6896	12072
ADT	1104	1054	952	873

LOCATION 3

E. Southdowns btw S. Jordan Ave to S. Mitchell St

	April	w/o delineators	w/ delineators
85th Percentile Speed (MPH)	25	25	25
# of vehicles about 30 MPH	10	28	24
# of vehicles in highest speed ranges			
31-35	9	27	23
36-40	1	1	1
41-45	0	0	0
46-50	0	0	0
51-55	0	0	0
Total amount of vehicles in study	1363	3571	6469
ADT	459	496	470

LOCATION 4

S. Mitchell Dr btw E. Southdowns and E. Maxwell Dr (address 913 S. Mitchell)

	April	w/o delineators	w/ delineators
85th Percentile Speed (MPH)	34	33	32
# of vehicles about 30 MPH	1097	1960	2464
# of vehicles in highest speed ranges			
31-35	918	1662	2169
36-40	151	270	272
41-45	23	24	19
46-50	3	2	3
51-55	1	2	1
56-60	1	0	0
Total amount of vehicles in study	3002	6457	11761
ADT	1006	882	849

LOCATION 5

S. Mitchell Dr btw E. Southdowns and E. Maxwell Dr (address 923 S. Mitchell)

	April	w/o delineators	w/ delineators
85th Percentile Speed (MPH)			24
# of vehicles about 30 MPH			20
# of vehicles in highest speed ranges			
31-35			19
36-40			1
41-45			0
46-50			0
51-55			0
56-60			0
Total amount of vehicles in study			11741
ADT			848

EXHIBIT

G

Engineer's Estimate				
SoMax Neighborhood Traffic Calming				
<i>Item</i>	<i>Quantity</i>	<i>Unit</i>	<i>Unit Price</i>	<i>Total Price</i>
Mobilization and Demobilization	1	EA	\$3,000.00 / EA	\$3,000.00
B Borrow for Structural Backfill		CYS	\$45.00 / CYS	
Bituminous Base		Ton	\$30.00 / Ton	
Bituminous Material for Tack		Ton	\$105.00 / Ton	
Bituminous Overlay (2" x 12')		LF	\$13.78 / LF	
Bituminous Surface		Ton	\$56.00 / Ton	
Bituminous Base		Ton	\$54.00 / Ton	
Bituminous Surface Milling		SYS	\$3.00 / SYS	
Iron Cast Plate Sidewalk Ramp (ADA Compliant)	1	EA	\$900.00 / EA	\$900.00
Casting, Adjust to Grade		EA	\$500.00 / EA	
Casting, Storm Inlet/Manhole	1	EA	\$1,800.00 / EA	\$1,800.00
Cement Concrete Pavement 7"		SYS	\$5.50 / SF	
Comp. Agg. No. 53		Ton	\$13.00 / Ton	
Compacted Agg. for Base		Ton	\$16.80 / Ton	
Compacted Agg. for Shoulder		Ton	\$13.25 / Ton	
Concrete Curb and Gutter	200	LF	\$22.00 / LF	\$4,400.00
Saw-Cut	200	LF	\$2.00 / LF	\$400.00
Construction Sign, Type A		EA	\$100.00 / EA	
Excavation, Common	200	CYS	\$18.00 / CYS	\$3,600.00
Underdrain 6 inch perforated		LF	\$12.00 / LF	
Tree/Vegetation Removal		EA	\$500.00 / EA	
Perforated Pipe, Plastic 6"		LF	\$3.00 / LF	
Reinforcing Steel - Epoxy		CYS	\$0.60 / CYS	
Right of Way		SF	\$2.50 / SF	
Topsoil	240	Ton	\$12.00 / Ton	\$2,880.00
Sod		SYS	\$5.50 / SYS	
Roll Curb		LF	\$12.00 / LF	
Sidewalk, 4'		LF	\$15.00 / LF	
Sidewalk, 5'		LF	\$30.00 / LF	
Stop Signs	4	EA	\$150.00 / EA	\$600.00
Storm Sewer, 12"		LF	\$35.00 / LF	
Storm Sewer, 18"		LF	\$40.00 / LF	
Storm Sewer, 24"		LF	\$45.00 / LF	
Storm Sewer, 36"		LF	\$50.00 / LF	
Street Signs*	8	EA	\$150.00 / EA	\$1,200.00
P - Cabinet*		EA	\$12,000.00 / EA	
Traffic Circle		EA	\$5,500.00 / EA	
Small Island		EA	\$1,000.00 / EA	
Signal Head (3 Section L.E.D.)*		EA	\$1,150.00 / EA	
Signal Head (5 Section L.E.D.)*		EA	\$1,914.00 / EA	
Pedestrian Signal L.E.D. Countdown*		EA	\$800.00 / EA	
Solo Pro Camera w/Junction Boxes*		EA	\$10,000.00 / EA	
Pedestrian Button Actuator*		EA	\$250.00 / EA	
Signal Service Connection*		EA	\$2,500.00 / EA	
Pavement Marking - 6" White*		LF	\$0.42 / LF	
Pavement Marking - Double Yellow*		LF	\$0.70 / LF	
Pavement Marking - Stop Bars*	4	LF	\$3.50 / LF	\$14.00
Pavement Marking - Arrow Straight*		EA	\$175.00 / EA	
Pavement Marking - Arrow Turn*		EA	\$175.00 / EA	
Pavement Marking - Combination Arrow*		EA	\$200.00 / EA	
Street Trees (2-1/2" Caliper)		EA	\$275.00 / EA	
Subtotal:				\$18,794.00
Additional 10%:				\$1,879.40
Design:				
Total Estimate:				\$20,673.40

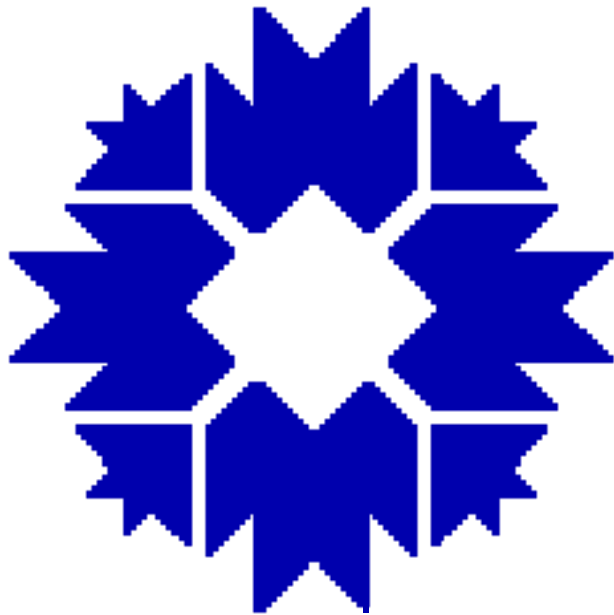
*Direct Traffic Signal Installation Costs

EXHIBIT

H

Neighborhood Traffic Safety
Program

**NEIGHBORHOOD
TRAFFIC
SAFETY
PROGRAM**



City of Bloomington, Indiana

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INTRODUCTION:

The City of Bloomington places a high value on neighborhood livability. Although livability can have several definitions, it can be generally thought of as encompassing the following characteristics:

- The ability of residents to feel safe and secure in their neighborhood.
- The opportunity to interact socially with neighbors without distraction or threats.
- The ability to experience a sense of home and privacy.
- A sense of community and neighborhood identity.
- The ability to conveniently, safely and enjoyably walk, bike and take transit.
- The ability of parents to feel that their children's safety is not at risk by playing in the neighborhood.
- A balanced relationship between multiple uses and needs of a neighborhood.

Neighborhood traffic conditions can have a significant impact on these characteristics.

As population and employment in the City of Bloomington and Monroe County continue to grow, Bloomington streets can be expected to experience increased pressure from traffic. One of several goals of the City of Bloomington is to manage this growth to balance our economic, social and environmental health and to maintain a sustainable City. Quality neighborhoods are the fundamental building blocks of a sustainable city, and to maintain this quality, Bloomington neighborhoods should be protected from the negative impacts of traffic.

Neighborhood groups across Bloomington have become increasingly concerned about the effects of traffic on their streets. Restraining traffic has become a common goal of concerned residents. A vision now being promoted for local streets is that motorists should be guests and behave accordingly. Many City streets used to be multi-purpose places which not only provided physical access but also encouraged social links within a community. Now, the balance has changed so that the main function of many streets has become the accommodation of traffic--some of it unrelated to the residents themselves.

At the same time, traditional Traffic Engineering means of controlling traffic--speed zoning, stop signs, traffic signals--have less and less effect in the management of driver behavior. Police enforcement is and will remain an effective tool to reinforce motorist behavior. However, it is recognized that providing an enforcement level that is effective in modifying driver behavior will require a significant commitment of Police resources.

The City of Bloomington is committed to developing an effective approach to managing neighborhood traffic. Neighborhood involvement will be an important component of this approach.

To maximize neighborhood involvement in improving local traffic conditions, the City of Bloomington Bicycle and Pedestrian Safety Committee (BPSC) with assistance from the Public Works, Engineering and Planning Departments has developed a Neighborhood Traffic Safety Program (NTSP) for Bloomington neighborhoods.

Objectives

The following objectives of the NTSP are derived from existing City policies and the mission of the BPSC:

1. Improve neighborhood livability by mitigating the negative impact of vehicular traffic on residential neighborhoods.

2. Promote safe, reasonably convenient, accessible and pleasant conditions for bicyclists, pedestrians, motorists, transit riders and residents on neighborhood streets.
3. Encourage citizen involvement in all phases of Neighborhood Traffic Safety activities.
4. Make efficient use of City and citizen resources and energy.

Policies

The following policies are established as part of the NTSP:

1. Through traffic should be encouraged to use higher classification arterials, as designated in the *Master Thoroughfare Plan* for the *City of Bloomington Comprehensive Plan*.
2. A combination of education, enforcement and engineering methods should be employed. Traffic calming devices should be planned and designed in keeping with sound engineering and planning practices. The City Engineer shall direct the installation of traffic control devices (signs, signals, and pavement markings) as needed to accomplish the project, in compliance with the Bloomington Municipal Code. (Refer to Appendix C for a detailed description of traffic calming devices.)
3. Application of the NTSP shall be limited to local streets and to those neighborhood collector streets that are primarily residential (at least 75 percent of the properties with frontage on the street must be in residential zoning). Traffic safety projects on neighborhood collector streets shall not divert traffic off the project street through the use of traffic diversion devices. As a result of a project on a neighborhood collector, the amount of traffic increase acceptable on a parallel local service street shall not exceed 150 vehicles per day.
4. Reasonable emergency and service vehicle access and circulation should be preserved.
5. NTSP projects should encourage and enhance pedestrian and bicycle mobility and access within and through the neighborhood and enhance access to transit from the neighborhood. Reasonable automobile access should also be maintained.
6. Some traffic may be rerouted from one local service street to another as a result of an NTSP project. The amount of rerouted traffic that is acceptable should be defined on a project-by-project basis by the BPSC and City Engineering staff.
7. To implement the NTSP, certain procedures shall be followed by the Engineering Department in processing traffic safety requests in accordance with applicable codes and related policies and within the limits of available and budgeted resources. At a minimum, the procedures shall provide for submittal of project proposals, citizen participation in plan development and evaluation; communication of any test results and specific findings to area residents, businesses, emergency services and affected neighborhood organizations before installation of permanent traffic calming devices; and appropriate Common Council review.

Procedure/Process

The NTSP provides a mechanism for groups to work with the City to make decisions about how traffic safety techniques might be used to manage traffic in their neighborhood. This section describes in detail the steps involved in participating in the program from the initial application for involvement, to

developing a traffic safety plan, to installing one or more traffic calming devices, to a follow-up evaluation of the plan's success.

The NTSP process is intended to ensure that all neighborhood stakeholders are provided the opportunity to be involved. This ensures that consideration of traffic problems on the study street do not result in the exacerbation of traffic problems on adjacent neighborhood streets and does not eclipse the needs and quality of the neighborhood as a whole. This includes a consideration of the impacts of traffic diversion onto collector and arterial streets.

Step 1. Apply to Participate

NTSP projects can be requested by neighborhood associations or groups, Common Council members representing a neighborhood, neighborhood business associations or individuals from the neighborhood. It should be noted that although individuals are eligible to apply they are encouraged to work with or form a neighborhood association. Requests for participation in NTSP will be made through the BPSC (application form will be provided by and returned to City Engineering staff).

The petition from a problem street or area must describe the problem (i.e., speeding, inappropriate cut-through, ignoring stop signs, etc.) and request some infrastructure change to reduce the problem. The specific form of the infrastructure change may not be known at this point. The petition must also include signatures from at least 51% of the affected street or area households or businesses. This must include any other street that must use the problem street as its primary access (for example, a dead end street or cul-de-sac off the problem street). Each household or business is entitled to one signature.

Finally, any Common Council member must sign the petition as a sponsor.

Step 2. Engineering Staff Review and Preliminary Data Collection

City Engineering staff will collect preliminary information about current conditions. This will include location, description of the problem and may include preliminary collection of traffic accident data, bicycle volume, pedestrian activity, traffic speed and through traffic. The Engineering Department will verify the percentage of households and businesses on the petition and if the percentage is sufficient, they shall notify the affected safety and emergency services of the initiative. The affected safety and emergency services shall include, but not be limited to, the City Police and Fire Departments and the local ambulance service. This information will be relayed to the BPSC for consideration to decide whether the request will be prioritized for inclusion in the NTSP. Requests are also reviewed for possible solutions. If the preliminary review shows that a hazard to the public exists, the City may address the problem separately from the NTSP.

Step 3. BPSC Review of Engineering Studies and Petitions

The BPSC will review the petition submitted as well as the preliminary data collected by the Engineering Department. At this point, the BPSC will either validate or reject the petition. They will also prioritize the petition with respect to other petitions and available resources within the current funding cycle (detailed in Appendix B). Petition validation is a commitment to try to do something about the problem.

Petitions with the highest priority ranking will continue to the next step.

Step 4. Public Meeting

The BPSC will send notices to all households and businesses within a defined project area to provide background information about the proposed project. The project area depends on the specific project, but

generally includes all properties on the project street, on cross streets up to the next parallel local street (or up to 300 feet from the project street) and on any other street that must use the project street as its primary access. For neighborhood collector streets, the next parallel local street (if one exists within 500 feet of the problem street) will also be included in the notification area. Representatives of the emergency service providers will also receive notification of the meeting. This notice will include an invitation to participate in a public meeting to help exchange ideas, address concerns and discuss possible traffic safety alternatives.

In addition to considering traffic calming and traffic control devices, plans developed in the NTSP will also consider the positive effects of education and enforcement.

Step 5. Preparation of Alternative Designs and Selection of Proposed Plan

The Engineering Department and the BPSC will hold an informal work session to prepare alternatives that address the neighborhood problem. The neighborhood is welcome to participate in this workshop to provide input.

The BPSC will assess the problems and needs of the neighborhood and propose solutions based on citizen input and sound engineering principles. Possible solutions and their impacts will be evaluated with consideration given to:

- Estimated costs vs. potential gain
- Effectiveness
- Pedestrian, bicycle and transit access
- Community wide benefit to bicycles and pedestrians
- Overall public safety
- Positive and negative consequences of traffic division
- Emergency and service vehicle access

The BPSC will identify the preferred alternative and City staff shall prepare a ballot for neighborhood approval.

If it is determined from both the public meeting and an informal work session of the BPSC that traffic safety techniques other than traffic calming devices are the preferred alternative, the proposal may not need to proceed through the additional steps as designated in the NTSP. The City Engineering Department will continue to work with the neighborhood on alternative neighborhood traffic safety techniques.

Step 6. Project Ballot

Local Service Streets:

All of the properties on the project street and on any other street that must use the project street as their primary access are sent notification that a proposed alternative has been selected. This notification will consist of a description of the proposal as well as a confidential mail ballot asking if they are in support of the project. Each household and business is entitled to one response.

To forward a project to Common Council for action, a majority of the eligible households and businesses must respond favorably by ballot. If over 50% of all eligible ballots respond in favor of the project, then it will be forwarded to the Common Council. If, however, less than 50% of all eligible ballots respond in favor of the project, but at least 60% of those returned ballots are in favor of the project, then a second

ballot shall be mailed to those addresses that did not respond to the first ballot. Ballots will be tallied for a period of four weeks from the time of distribution; ballots postmarked after the expiration date of the four-week period will not be tallied.

Neighborhood Collector Streets:

All of the properties on the project street, on cross streets up to the next parallel street (or up to 300 feet from the project street) and on any other street that must use the project street as their primary access are sent notification that a proposed alternative has been selected. This notification will consist of a description of the proposal as well as a confidential mail ballot asking if they are in support of the project. Each household and business is entitled to one response.

To forward a project to Common Council for action, a majority of the eligible households and businesses must respond favorably by ballot. If over 50% of all eligible ballots respond in favor of the project, then it will be forwarded to the Common Council. If, however, less than 50% of all eligible ballots respond in favor of the project, but at least 60% of those returned ballots are in favor of the project, then a second ballot shall be mailed to those addresses that did not respond to the first ballot. Ballots will be tallied for a period of four weeks from the time of distribution; ballots postmarked after the expiration date of the four-week period will not be tallied.

Step 7. Testing and Evaluation of Traffic Calming Device

A test of the traffic calming plan may occasionally be required to determine its effectiveness. If the Engineering Department and BPSC determine that testing is necessary, temporary traffic calming devices shall be installed for a period of at least one month.

Following the test period, data will be collected to evaluate how well the test device has performed in terms of the previously defined problems and objectives. The evaluation includes the project street and other streets impacted by the project and is based on before-and-after speeds and volumes, impacts on emergency and service vehicles or commercial uses, and other evaluation criteria determined by the BPSC. If the evaluation criteria are not met to the satisfaction of the BPSC and City Engineering staff, the traffic plan may be modified and additional testing conducted. If the test installation does not meet the project objectives, the request will need to go back to Step 5 for additional alternatives and neighborhood ballot.

If the City Engineer finds that an unforeseen hazard exists, the test may at any time be revised or discontinued. City Engineering staff will inform the BPSC and the neighborhood of any actions taken to modify or terminate a test.

When testing of traffic calming or traffic control devices is not possible or necessary, the plan will proceed to Step 8.

Step 8. Common Council Action

Based on the project evaluation and a positive ballot, City staff members prepare a report and recommendations for the Bicycle and Pedestrian Safety Commission to forward to the Common Council for action. The report outlines the process followed, includes the project findings, and states the reasons for the recommendations.

If a project does not obtain the required ballot approval, it is not forwarded to the Common Council.

Step 9. Board of Public Works

After the project has been approved by the Common Council, detailed project plans, specifications and estimates will be prepared by City Engineering staff.

Before the project(s) can be constructed by the City's Street Department or let for bidding by construction companies, the project plans and construction fund expenditures must be approved by the Board of Public Works.

If a project is not approved, it will be referred back to the Engineering staff to address the Board's concerns.

Step 10. Construct Permanent Traffic Calming Device(s)

Construction is administered by the City and is generally completed during the following construction season.

Step 11. Maintenance

The City of Bloomington Engineering and Street Departments are responsible for the construction and maintenance of any traffic calming device implemented as part of this program. The Traffic Division is responsible for any traffic signing and pavement marking or delineation. Any trees planted within the right-of-way are the responsibility of the Parks and Recreation Department and any landscaping (not including trees) is the responsibility of the neighborhood association.

Step 12. Follow-up Evaluation

Within six months to one year after construction of an NTSP project, the City may conduct a follow-up evaluation to determine if the project's goals and objectives continue to be met. This evaluation may entail traffic studies of volumes, speeds and accidents as well as public opinion surveys.

APPENDIX A

VISION AND MISSION STATEMENT OF THE CITY OF BLOOMINGTON

THE MISSION OF CITY GOVERNMENT

- **QUALITY DELIVERY OF BASIC SERVICES AND PROGRAMS**
Do well those things that municipal government is uniquely expected and able to do - public safety, streets and roads, parks, etc.
- **CONTINUOUS GOVERNMENT IMPROVEMENT**
Develop and implement the management and information systems that allow the determination and evaluation of the best practices and methods for the delivery of services and programs.
- **PRESERVE AND ENHANCE COMMUNITY CHARACTER**
Maintain, develop and implement policies that foster those aspects of our community spirit and our civic life that, combined, constitute the cherished quality of life that is uniquely Bloomington's.

A VISION OF COMMUNITY

- **A SAFE AND CIVIL CITY** **NEIGHBORHOODS AS VILLAGES,
CONNECTED TO EACH OTHER AND
COMMUNITY**
- **A PLACE OF BEAUTY**
- **A CAPITAL OF KNOWLEDGE** **THE FRIENDLIEST TOWN AROUND**
- **A CULTURAL OASIS** **DIFFERENT FOLKS, DIFFERENT STROKES**
- **BIG CITY ADVANTAGES, SMALL
TOWN FEEL**

CIVIC VALUES

- **ABOVE ALL, NO VIOLENCE** **DISCOURSE SHOULD BE CIVIL**
- **KIDS FIRST** **AESTHETICS MATTER**
- **COMPASSION FOR CITIZENS IN
CRISIS** **HEARTS AND SOULS NEED
NOURISHED TOO**
- **CHARACTER THROUGH DIVERSITY**

APPENDIX B

POINT ASSIGNMENT FOR RANKING NTSP REQUESTS

		Point assigned	
1)	Percent of vehicles traveling over the posted speed limit		
	low = 33%		1
	medium = 33 - 67%		2
	high = 68+%		3
	A) Cut through traffic versus within (intra?) neighborhood speeding:		
	Further study?	Yes/no	
2)	Average daily traffic volumes		
	Local Service Streets	Neighborhood Collector Streets	
	low = 1 – 599	low = 500 – 1,499	1
	medium = 600 – 1,499	medium = 1,500 – 3,499	2
	high = 1,500+	high = 3,500+	3
3)	Number of accidents along proposed calming area in 3 year period		
	low = 1 - 2		1
	medium = 3 - 4		2
	high = 5+		3
		Yes	No
4)	Creation of pedestrian and bicycle networks		
	school walk route	1	0
	school on proposed traffic calming street	1	0
	designated bicycle route	1	0
	route in or to pedestrian area (e.g., park, shopping, etc.)	1	0
	proposed calming street has NO sidewalks	1	0
	proposed calming area has NO bike lanes	1	0
	within walking distance to transit	1	0
5)	Scheduled road construction/reconstruction in proposed calming area	2	0
TOTAL POINTS:		_____	
Priority rank:			
Comments and recommendations:			

Calculated points are summed and competing projects' point totals are compared. The project with the greater point total moves ahead of those projects with less total points.

APPENDIX C

TRAFFIC CALMING DEVICES

Traffic calming relies upon physical changes to streets to slow motor vehicles or to reduce traffic volumes. These changes are designed to affect drivers' perceptions of the street and to influence driver behavior in a manner that is self-enforcing. Unlike traditional methods of traffic management, traffic calming does not rely primarily upon the threat of police enforcement for its effectiveness. Items which may be considered as traffic calming devices and which may be applied in a NTSP project are shown in Table 2.

1. Street and Lane Narrowing

Motorists tend to drive at speeds they consider safe and reasonable and tend to drive more slowly on narrower roads and traffic lanes than wider ones. Reducing road widths by widening boulevards or sidewalks intermittently or introducing medians can reduce traffic speeds. The judicious placement of parking (protected by curbs and made more visible by landscaping) can achieve the same effect. Road narrowing has the added advantage of reducing the expanse of road to be crossed by pedestrians, thus reducing pedestrian crossing time.

Other criteria to be applied and considered prior to street narrowing include:

- **Bicycle Accommodations:** On local streets designated as a bike route or serving a significant volume of bicycle traffic, a sufficiently wide bicycle lane should be provided through the narrowed area. Where traffic and/or bicycle volumes are sufficiently low, exclusive bicycle lanes may not be required.
- **Snow Removal:** The pavement width of streets shall not be narrowed to a point where it becomes an impediment to snow removal.
- **Parking Restrictions:** In most cases on local access streets, street narrowing will require the prohibition of parking at all times along the street curb the full length of the *narrowed section* plus 20 feet.
- **Landscaping:** Median landscaping can be selected by neighborhood associations from an approved landscaping materials list provided by the City. Landscaping will be provided and installed by the City and will be maintained by the neighborhood association or landscape volunteer. If the landscaping is not maintained, the median will be topped with concrete or asphalt pavement.
- **Median Width/Lane Width:** Where medians are used to narrow streets, the medians shall not be constructed at less than four feet in width. Travel lanes shall not be narrowed to a width less than nine feet, exclusive of gutter. Bicycle lanes where required shall be four feet wide exclusive of gutter, unless the gutter is poured integral to the bicycle lane, in which case the bicycle lane will be five feet wide. If parking is allowed, the parking and bicycle lane combination shall be a minimum of 13 feet.

2. Bicycle Lanes

Lane widths available to motorists can be reduced on some streets by the installation of bicycle lanes, either next to the curb (preventing stopping or parking by motor vehicles) or adjacent to parking. The space needed for bicycle lanes introduced on an existing street may reduce the width or number of general traffic lanes or the amount of parking. Bicycle lanes shall be constructed to the standard specifications of the Bloomington Public Works Department

3. Raised Street Sections or Speed Humps

Raised street sections or speed humps can reduce vehicle speeds on local streets. The hump is a raised area, no greater than 3 inches high, extending transversely across the street. For local streets, speed humps typically are constructed with a longitudinal length of 12 feet. If speed humps are determined to be appropriate for neighborhood collector streets, they shall be constructed with a longitudinal length of 22 feet. These longer speed humps may also be considered on local service streets that serve as primary emergency response routes.

Other criteria to be applied prior to installation of speed humps include:

- **Signing/Marking:** Speed humps are required to be signed with a combination of signs and pavement marking to warn motorists and bicyclists of their presence.
- **Traffic Safety and Diversion:** Any use of speed humps must take into consideration the impact the installation will have on long-wheel-based vehicles (fire apparatus, ambulances, snow plows and garbage trucks) and the potential to divert traffic to other adjacent streets. Speed humps should only be installed to address documented safety problems or traffic concerns supported by traffic engineering studies.
- **Street Width:** Speed humps should be used on streets with no more than two travel lanes and less than or equal to 40 feet in width. In addition, the pavement should have good surface and drainage qualities.
- **Street Grade:** Speed humps should only be considered on streets with grades of 8% or less approaching the hump.
- **Street Alignment:** Speed humps should not be placed within severe horizontal or vertical curves that might result in substantial horizontal or vertical forces on a vehicle traversing the hump. Humps should be avoided within horizontal curves of less than 300 feet centerline radius and on vertical curves with less than the minimum safe stopping sight distance. If possible, humps should be located on tangent rather than curve sections.
- **Sight Distance:** Speed humps should generally be installed only where the minimum safe stopping sight distance (as defined in AASHTO's *A Policy on Geometric Design of Streets*) can be provided.
- **Traffic Speeds:** Speed humps should generally be installed only on streets where the posted or prima facie speed limit is 30 mph or less. Speed humps should be carefully considered on streets where the 85th percentile speed is in excess of 40 mph.
- **Traffic Volumes:** Speed humps should typically be installed only on streets with 3,000 vehicles per day or less. If considered for streets with higher volume, their use should receive special evaluation.
- **Emergency Vehicle Access:** Speed humps should not be installed on streets that are defined or used as primary emergency vehicle access routes. If humps are considered on these routes, special care must be taken to ensure reasonable access is provided.
- **Transit Routes:** Speed humps should generally not be installed along streets with established transit routes. If humps are installed on transit routes, their design should consider the special operational characteristics of these vehicles.

4. Full or Partial Road Closures (Semi-Diverters/Diverters/Cul-de-sac)

Roads can be closed to motor vehicles at intersections, preventing through movement and requiring access to be gained from other streets. Closure should be undertaken in such a way as to avoid simple displacement of traffic to adjacent residential streets. It will usually be possible and desirable to retain pedestrian and bicycle access.

- Partial intersection closures can be achieved by narrowing a street to one lane at an intersection and instituting an entry restriction. Another technique is to introduce a “diagonal diverter” or barrier diagonally across an intersection which forces traffic off a favored short-cut. Gaps can be left to allow access by pedestrians and bicyclists.
- Partial Closures: Partial roadway closures at intersections will require consideration of pedestrian and bicycle access and lane width requirements similar to those defined under Street and Lane Narrowing.

5. Chicanes

Chicanes are a form of curb extension which alternate from one side of the street to the other. The road is in effect narrowed first from one side then the other and finally from the first side again in relatively short succession. Chicanes break up the typically long sight lines along streets and thus combine physical and psychological techniques to reduce speeds.

- Lane Width: Where chicanes are used, the travel lanes shall not be narrowed to a width less than nine feet, exclusive of gutter. Bicycle lanes where required shall be four feet wide exclusive of gutter, unless the gutter is poured integral to the bicycle lane, in which case the bicycle lane will be five feet wide.
- Snow Removal: Chicanes shall be designed to minimize the accumulation of snow piles and trash in the gutter interface between existing curb and gutter and chicane.
- Landscaping: Landscaping will typically consist of grass. Other landscaping may be selected from an approved landscaping list provided by the City. Landscaping may be provided and installed by the City and will be maintained by the Neighborhood Association or landscaping volunteer. Landscaping will not be approved which will obstruct the driver’s vision of approaching traffic, pedestrians or bicyclists.

6. Traffic Circles

Traffic circles are circles of varying diameter formed by curbs. Motorists must drive around the circle, or in the case of longer vehicles, drivers may drive slowly onto and over a mountable concrete curb forming the circle. Traffic circles reduce motor vehicle speeds through the intersections, depending on current intersection controls in place.

Other criteria to be applied and considered prior to installation include:

- Design Considerations: For each intersection the size of the circle will vary depending on the circumstances for that specific intersection. In general, the size of the circle will be determined by the geometry of the intersection.
- Where intersecting streets differ significantly in width, it may be more appropriate to design an

elongated “circle” using half circles with tangent sections between them. Smaller circles will be constructed on a case-by-case basis. Normally the circle will be located as close to the middle of the intersection as practical. Under special circumstances, such as being on a Fire Department response route, bus route or due to snow removal accommodations, the size and/or location of the circle will be adjusted to more appropriately meet these special circumstances.

- Design Considerations for “T” Intersections: For “T” type intersections, all of the above design considerations apply. In addition, curb extensions (or curb bulbs) may be included along the top of the “T” at the entrance and exit to the intersection.
- Signage: Appropriate signage for traffic circles will be determined by the City Engineer and may vary based on the location of the circle.
- Channelization: Where curbs do not exist on the corner radii, painted barrier lines, defining the corners, should be installed.

Yellow retro-reflective lane line markers shall be placed on top of the circle at its outer edge.

- Parking Removal: Normally, parking will not be prohibited in the vicinity of the circle beyond that which is prohibited by the City of Bloomington, ie, “within the intersection” or “within 20 feet of a crosswalk area”. However, where special circumstances dictate, such as where the circle is on a response route for the Fire Department or to accommodate snow removal, or in an area where there is an unusually high use by trucks, additional parking may be prohibited as needed.
- Sign Removal: At intersections where circles are to be installed, any previous right-of-way controls may be removed at the time of circle construction completion. However, where special circumstances dictate, the existing traffic control may remain in place or be otherwise modified at the direction of the City Engineer.
- Landscaping: Landscaping will be selected by the neighborhood association or the City Parks and Recreation Department from an approved landscaping materials list provided by the City. Landscaping will be provided and installed by the City and will be maintained by the neighborhood association. If the landscaping is not maintained, the traffic circle will be topped with concrete or asphalt pavement.

Volunteer Required: Plant material will only be installed at traffic circles where a local resident or neighborhood association has volunteered to maintain the plant material. This maintenance will include watering, weeding and litter pick-up, as needed. All volunteers will be provided with information on maintenance of the plant material and common problems.

Points at which volunteers will be required: During initial contact, the person or neighborhood association requesting participation in the NTSP will be informed of the need for a volunteer for landscaping. In the notice of the neighborhood meeting, before construction, all residents will be informed of the need for a maintenance volunteer. This will be reiterated at the meeting if no one has volunteered. If no one has volunteered by the time that the circle is constructed, a special letter will be distributed to all residents informing them of the need for a volunteer (Figure 4). A final notice to residents will be included in the cover letter for the “after” survey of the residents.

Plant Replacement: Where the Public Works Department has had installed plant material in a traffic circle, the Department will replace any plant material which is damaged by traffic or vandalism or which dies due to planting, for a period of one year after the initial planting. If such damage is a

persistent problem, the Department may decide to cover the circle with a concrete or asphalt topping rather than continue to replace plant materials.

Stop Signs

In some instances stop signs can be used as an effective traffic management and safety device. However, stop signs are not used as a traffic calming device within the NTSP.

Stop signs are used to assign right-of-way at an intersection. They are installed at intersections where an accident problem is identified, where unremovable visibility restrictions exist (such as buildings or topography), and/or where volumes are high enough that the normal right-of-way rule is potentially hazardous.

Stop signs are generally not installed to divert traffic or reduce speeding. Studies from other jurisdictions show that such use of stop signs seldom has the desired effect. In fact, the use of stop signs solely to regulate speed typically causes negative traffic safety impacts (non-compliance with the signs and increased accidents as well as mid-block speeding).

In the Council Chambers of the Showers City Hall on Wednesday, April 15, 2009, at 7:30 pm with Council President Andy Ruff presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
April 15, 2009

Roll Call: Piedmont-Smith, Rollo (9:08), Ruff, Sandberg, Satterfield, Sturbaum, Volan, Wisler (7:47)
Absent: Mayer

ROLL CALL

Council President Ruff gave the Agenda Summation

AGENDA SUMMATION

There were no minutes for approval at this meeting.

APPROVAL OF MINUTES

Susan Sandberg mentioned the Homeward Bound Walk to be held on Sunday, April 19th at 3rd Street Park in support of agencies that provided assistance to the homeless population.

REPORTS:
COUNCILMEMBERS

Andy Ruff noted a recent report by Forbes Magazine that ranked Bloomington in the top 5 of Best Small Places for businesses and careers. He said he remembered an orchestrated campaign of rumors in the late 1990s to portray Bloomington as anti-business or hostile to business. He said the campaign ended because of the absurdity of the claim. He said that Bloomington currently ranked close to the top of most lists that rank business friendliness, business success, good climate for start up businesses and job creation. He said since that campaign was “dropped,” the city was doing better, which indicated that the misguided campaign had been detrimental to the economy of the community in the 90s.

There were no reports from the Mayor’s Office.

MAYOR and CITY OFFICES

There were no council committee reports at this meeting.

COUNCIL COMMITTEES

Citizen Jim Hart asked the council to consider the establishment of a “Dignity Village” to help with the needs of the homeless in a manner that would acknowledge a right to dignity, safety, public health and sanitation. He noted other communities had established such places.

PUBLIC INPUT

Robert Rogers, city resident, said he was starting a non-profit group named Fathers Against Non Support (FANS). He said that economic development should be defined and addressed in broader terms so that someone like himself, who had been incarcerated for non-payment of child support, would not have to face the issues of trying to find a job as a felon.

Larsen Clark, from an IU legislative research and advocacy group, said they had written a proposal regarding air pollution. Boris LaSebikinov said that the SPEA group studied the complexity of air pollution and proposed credits that could be traded between businesses.

Citizen Hal Taylor said he had about 250 names on a petition signed by homeless and low income citizens as well as more affluent citizens. He asked that serious consideration be given to some kind of housing for the homeless in the difficult months ahead.

Marc Haggerty, west side resident, said that providing child care during public meetings would allow parents to participate in democracy, sit on boards and commissions and attend public meetings. He said this would also close the gap between economic classes in the community.

There were no appointments to boards or commissions at this meeting.

It was moved and seconded that Resolution 09-04 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation. It was moved and seconded that Resolution 09-04 be adopted.

Lisa Abbott, Director of Housing and Neighborhood Development, noted that \$744,000 was allocated for Community Development Block Grant (CDBG) funding in this resolution.

Volan asked why this was being reapproved and Clerk Moore noted that Resolution 09-03 was inadvertently filed in the wrong folder after the meeting at which it was approved, and instead of going into the folder for the mayor's signature, ended up filed with the completed legislation to be distributed. She said that this wasn't discovered until she was ready to copy, distribute and permanently file the completed legislation as usual. Moore apologized for the inconvenience and delay of passage to all who were associated with the funding.

Abbott noted that she had built plenty of time into the entire review process, and that there was no actual inconvenience.

Wisler asked if there was any change in the amount of funding in this resolution compared to the previous approved resolution. Abbott said that the numbers were exactly the same.

Referring to the Stimulus Package, Piedmont-Smith asked if there was any word of additional funding for the CDBG process. Abbot said there had been an additional \$224,000 coming to the city, but she did not have with her a copy of the rules governing the allocation of those funds. She said the process for that allocation had not been started but she was hopeful that the regular CDBG funding formulas would apply. This would allow allocations for both physical improvements and social services.

Resolution 09-04 received a roll call vote of Ayes: 7, Nays: 0. (Rollo had not yet arrived)

It was moved and seconded that Appropriation Ordinance 09-02 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0-1. It was moved and seconded that Appropriation Ordinance 09-02 be adopted.

Mike Trexler, City Controller, said that a portion of the road near the 1901 Legg House was in need of improvement. He said that INDOT was funding about 75% of the work and that one of their process stipulations was that there would be no adverse effect on the historic property. He said that Indiana University was donating property to the city for the project, but asked that the wall to guide pedestrian traffic to the intersection be designed to match some of the other stone walls in the area. He said upon reviewing the plan, the State Historical Officer found that the wall, as designed, looked as if it could be misconstrued as part of the original structure, and that would have an adverse effect on the property.

Trexler said there would be a lengthy INDOT process to mitigate that adverse effect and the appropriation was to fund a consultant to guide the city through that process.

BOARD AND COMMISSION APPOINTMENTS

LEGISLATION FOR SECOND READING

Resolution 09-04 To Reapprove Recommendations of the Mayor for Distribution of Community Development Block Grant Funds for 2009

Appropriation Ordinance 09-02 To Specially Appropriate from the General Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the General Fund for Additional Design Services for Improvements at the Atwater and Henderson Intersection)

Volan asked when the changes to the intersection would begin and also asked about the approval process for the intersection changes.

Appropriation Ordinance 09-02
(cont'd)

Susie Johnson, Director of Public Works, said that the finding of adverse effect slowed this project. She said that the appropriation ordinance would allow the design process to continue. Volan clarified that the design of the whole intersection was yet to be vetted with the public, to which Johnson agreed. Volan asked when the public meetings would be held on this intersection design, to which Johnson said probably in the coming summer.

Sandberg asked if an adverse effect would still have been found if the retaining wall was more modern looking in design. Johnson said it probably would have, and that there was a fine line in making a determination.

Wisler asked if there were other similar cases, precedents or ways to argue the adverse effect finding. Johnson said Nancy Hiestand, Preservation Officer for the City, could not persuade them otherwise. Wisler asked what would happen if the city just upgraded the intersection with the wall as designed, to which Johnson said INDOT would pull funding from the project. Johnson said this was akin to an environmental problem being found, in that the problems needed to be mitigated before funding was released. Johnson said that this was a 90/10 reimbursement of funds, so it was worthwhile to not just use general funds to complete the project. Wisler and Johnson clarified that the funding did not include the design costs.

Sturbaum asked if this was a red tape issue. Johnson said it was.

Ruff asked if Johnson had gotten any messages from the public that indicated a belief that the city was trying to drag the project on. Johnson said that one citizen thought that a design was going to be approved at this meeting, but she told them that was not the case.

In final councilmember comments, Wisler said he was originally inclined to vote against this appropriation to make the point that it was absurd that a completely subjective matter of opinion could tie up important project like this. He said the city wanted to move forward with the project, but their hands were tied. He said he wanted this project to move forward and therefore he would support the appropriation. He thanked Johnson for making the case that the City did know how to build its own roads and ought to be allowed to do so.

Volan said that the council had been concerned with the intersection of Dunn, Atwater, Third and Indiana for quite a while. He said the debate centered on pedestrian traffic, and that delineators had been installed to prevent traffic from entering neighborhoods. He said that it was unfortunate that this could have been derailed by the state, although he was appreciative of the state's sense of history. He said it was a shame that this held up the whole intersection, which was supposed to be finished in 2009.

Appropriation Ordinance 09-02 received a roll call vote of Ayes: 7, Nays: 0. (Rollo had not yet arrived)

It was moved and seconded that Ordinance 09-06 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 4-2-3. It was moved and seconded that Ordinance 09-06 be adopted.

Ordinance 09-06 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" (Changes in Provisions Regarding One-Way Alleys, Various Parking Regulations, Crosswalks, and Penalties)

Volan said that the amendment would not decrease the number of parking spaces on the block in question, nor would it increase the perceived width of Walnut Street in that block. He said from his experience this was one of the heaviest pedestrian-used blocks in the city after 10:00 pm and added that people continually jay-walk across the road to the parking garage. He noted the argument for the original ordinance plan to remove parking from the west side of the street included concern for the safety of these jay-walking pedestrians, that it would make it easier for them to see cars coming north on Walnut, and that east bound travelers on 8th Street stopped at Walnut could not see traffic coming north on Walnut with cars parked on the west side of the street.

In addressing these concerns, Volan said that parked cars on the west side of the street actually gave a bit of a buffer for pedestrians walking across the street mid block. He said that he did agree that oncoming traffic was hard to see for a car or pedestrian stopped at 8th Street and Walnut.

He said his study of the area led him to believe some changes could be made, none of which would require changing the Bloomington Municipal Code. He suggested a zebra striped cross walk at the south side of the intersection with 8th Street, a bump out on the east side of Walnut at 8th Street, and parking on the east side of the street.

Volan said that the city needed to reconsider the timing of the lights on Walnut, as they are timed to expedite a fast trip through town. He said that drivers on Walnut sped up to make the light at 7th Street, and were traveling the fastest at the very place where pedestrians were jay-walking across Walnut. He acknowledged that this was an engineering problem and couldn't be decided with any discussion at the meeting. He said more study was needed to make changes with the timing of the lights. He then said that all these measures needed to be considered for the evenings between 10:00 pm and 4:00 am.

He said that Amendment #1 under consideration only established parking on the east side of Walnut in the block from 7th to 8th Streets, while the ordinance removed it from the west side.

Piedmont-Smith noted that she was a co-sponsor of this amendment.

Susie Johnson said she supported Volan's amendment.

Sandberg asked Johnson about any reservations with the timing of the stoplights. Johnson said that there were several engineering studies that indicated that changing sequenced stoplights to flashing lights actually increased crashes. She said a City study and analysis should be conducted before anything was done with the traffic lights. She said the discussion and preliminary data collection had begun, but she was not prepared to make a modification based on the amendment at this time.

Sturbaum asked if Johnson was committed to researching this and examining the possibility of changing the traffic lights.

Satterfield noted that the aerial photos were a little misleading and asked if there was a more graphic representation of the bumpouts. Johnson said the idea had just come up the day before, and that nothing had been prepared.

Volan interjected that his philosophy was that wherever parking could be added to both sides of a street, it should be done. He added that he

Amendment #1 to Ordinance 09-06
This amendment is co-sponsored by Councilmembers Volan and Piedmont-Smith and adds parking on the east side of Walnut between 7th and 8th Street at the same time the ordinance removes parking on the west side of the street. The additional spaces will be enforced as 2-hour parking from 5:00 a.m. to 5:00 p.m. on Monday through Saturday. Please note that support for this amendment rests, in part, on improvements that do not involve a change in the code. These include: striping the perimeter of the new parking spaces, installing "bump-outs" and a marked "sharrows" lane along the east side of the street to help narrow the roadway, marking the crosswalk at 8th Street with zebra stripes and "yield to pedestrian" signs and exploring changes to the signalization at 7th Street.

would rather have that happen in this instance, even though he was sponsoring this amendment. He said that Walnut Street south of 7th Street was wider than north of 7th Street and wouldn't accommodate three traffic lanes plus two lanes of parking. He added that he was personally ambivalent about the solution, and believed the real problem was with the timing of the traffic light on 7th and Walnut.

Piedmont-Smith asked if traffic would have to jog a little to one side if there was parking allowed on the east side of Walnut in the block in question and also allowed in the west side of Walnut on the next block. Johnson said it wouldn't have to do that.

Johnson said this ordinance portion was brought forward by the request of the property owner of Kilroy's Sports Bar and the Bloomington Police Department. She said a discussion with Volan had occurred at the last minute, and that there had been no real survey or scope of the project that would entail changing the traffic lights. She said that they would support what the council decided but also expressed ambivalence.

Piedmont-Smith said that a 90 Day Order had been in place to ban parking in front of Kilroy's and asked Johnson if traffic in the western most lane jogged to the right after crossing 8th Street. Johnson said it did not. Piedmont-Smith asked if all lanes would be located slightly to the west if parking was added to the east side of Walnut between 7th and 8th Streets. Johnson said the issue would need study to determine that fact.

Wisler asked about the width of Walnut Street south of 7th Street. Johnson said that it was about 2 feet wider, resulting from the garage being built closer to the street. She said that in front of the garage there were three 11-foot lanes and an 8-foot parking lane. Volan asked about the width of a bike lane there, which Johnson said was 4 feet wide.

Wisler asked the minimum width needed for three traffic lanes and 2 parking lanes. Johnson said that the minimum on an arterial street was 11 feet per lane. Wisler said there was not a current width for parking on each side, while there was south of 7th Street.

Satterfield asked about a more comprehensive plan to upgrade Walnut Street, and said that he was concerned about any modification that might be made that would have to be changed later. He asked if there was a chance of an investment that might have to be changed with in a couple of years. Johnson said if there was a change in this main arterial street, it would need to be done through the Metropolitan Planning Organization, and would not want the funding of a plan to be done with General Fund dollars. She said that project would take more than one to two years and said she was not sure that North Walnut Street was a priority for that kind of a major overhaul. She said that slowing traffic between 7th and 10th Streets and making it safer for pedestrians could probably be done without a major overhaul and the administration would entertain those thoughts and ideas coming from the council, her staff and the community. Satterfield asked if the proposed modifications in the amendment would fit into any future plan, to which Johnson said there was no way of telling that.

Sandberg said her concern was with the loss of parking. She asked if there had been conversations with other businesses in the area. Piedmont-Smith said that she had a call and email with a business owner who opposed the removal of parking. Volan said that the amendment basically moved parking from the west side of the street to the east side and would not result in the loss of parking spaces. He said

the bigger question was if this solution was needed at this time. Volan said that if the amendment didn't pass, he would introduce a second amendment to restore parking to the west side of Walnut.

Ruff asked if there was reason to believe that more accidents could result from a change of the traffic light. Johnson said the information came from engineering studies. Ruff said he would assume that increasing speeds in the area would increase accidents where past street widening had increased speeds. He asked Johnson if any studies had been done on that section of Walnut Street. Johnson said there had not been. She said that one of the main reasons for eliminating parking on the west side of the street was the sight line problems for cars traveling east on 8th Street approaching Walnut. Ruff asked how many spaces would need to be removed to improve the sight line. Justin Wykoff, Director of Engineering Services, said that four spaces would need to be removed based on the speeds on Walnut.

Volan said that 8th Street was the road that law enforcement used to go to points north and east. He said a car waiting to cross Walnut Street could not see oncoming cars. He said it was a unique situation.

Ruff asked if the parking issue had been reviewed by the Traffic Commission and the Bicycle and Pedestrian Safety Commission. There was an answer that it had been discussed at the former but not the latter.

Ruff asked what non-ordinance changes the sponsors wished to see as a result of passing the amendment. Piedmont-Smith said that they anticipated zebra striping on the south side of the intersection of 8th and Walnut, along with signage that clearly states that drivers must yield to pedestrians who are crossing there. She said that they expected parking spaces on the east side of Walnut to be clearly marked so that even when there were not cars parked there, the spaces would visually narrow Walnut Street. She said that they expected to have a traffic study done at the light at 7th and Walnut to see what improvements might be made to slow traffic. She said that bumpouts would be installed at 8th and Walnut.

Volan added that the eastern lane on Walnut would also become a sharrows lane. He agreed that signs should point to the crosswalk, but didn't expect a 'yield to pedestrian' sign. After asked to address the question of signage, Johnson said appropriate signs would be installed. She said these would be triangular signs to indicate a crosswalk, but would not include a 'yield to pedestrian' sign.

Volan asked if a 'crosswalk ahead' sign could be added before the actual crosswalk signs.

Ruff asked what level of agreement had been reached with staff on these items. Volan said that he trusted Johnson and Wykoff and their ability and willingness to do these things. He said his own ambivalence came from the fact that studies may show there was no change warranted in the signals. He said that there needed to be some change to stop the traffic going 30 mph through synchronized lights and understood their reluctance to commit to change before studies had been done. He said he was eager to hear from persons using these intersections.

Wisler asked Volan if he was going to introduce a second amendment if Amendment #1 was adopted. Volan said he would not.

Public comment on the ordinance:

Buff Brown said that the group Bloomington Transportation for People (BTOP) had brought a number of experts on transportation to speak in the city in recent years. He said that others had spoken on pedestrian safety, walk ability and pedestrian environments and that all of them had said that parked cars created a parking buffer that was an imperative part of traffic calming, pedestrian safety and driver safety. He showed a slide from Dan Burden's talk that showed how parking, trees, traffic lanes and sidewalks had been altered for safety sake in the last fifty years. But he said that trend would reverse itself in the next fifty years. He said that if sight lines were really a problem, many parking places would be removed. He gave the example of angled parking on the square where a driver would have to back completely into a lane of traffic to see oncoming traffic. He also said that the amendment had not been well thought out and urged the council to table it.

Maggie Prall of Kilroy's Sports Bar said the request to remove parking in front of her business was purely a matter of public safety. She said that she, Johnson, Wykoff and the mayor had been working on this issue for two years, with the suggestions for the amendment and non-code issues coming from them as a business on that block. She said that there had been many accidents in this area in the last two years, and that they didn't include Kilroy's customers exclusively. She said that the Smallwood bus stopping at 7th and general use of the parking garage increased traffic in this area. She said she would actually like a street light at 8th Street, but knowing that this was an expensive and long proposition, offered the suggestions previously mentioned for the problem.

Prall also said that there was a similar visibility problem at 8th and College Streets with cars parked in front of Smallwood. She said she would not like parking on the west side of Walnut, so therefore would support the amendment. She added that a bumpout would cause a similar visibility issue for motorists coming out of the garage. She said that not having parking in front of her business would allow persons to drop off or pick up patrons, and leave the area free for police cars, and she didn't think it was good to have cars there. Prall said that her business staffed the street area with up to four or five persons to help pedestrians get across the street.

Wisler thanked Prall for her input. He asked if her concern was that the cars impaired the line of sight of pedestrians crossing to the parking garage. Prall said that the traffic was the problem.

Sandberg asked Prall for her objections to parking being established on the right side of Walnut. Prall said she had no objections, but that she thought the bumpout would create the same problem with the traffic exiting the garage.

Sturbaum asked Prall if she thought a stoplight would be a good solution. Prall said that it would be good, but synchronization would be an issue. Sturbaum asked the Public Works staff if pedestrians or cars were counted in figuring warrants and asked if Johnson thought a stoplight would be warranted at the corner of 8th and Walnut. She said both were counted, and that the volume of traffic might not warrant a light at this intersection.

Satterfield said that there were a lot of inconsistencies in the way facets of the problem were being approached. He said he was interested in tabling the amendment, and in effect table the ordinance until a later time. Council Attorney Dan Sherman explained the options of this action.

Volan asked for a clarification of Satterfield's intent to table or postpone the ordinance. Satterfield said his motion was not to postpone, but to table the amendment.

Amendment #1 to Ordinance 09-06
(cont'd)

It was moved and seconded to table Amendment #1 to Ordinance 09-06 with the effect of actually tabling the Ordinance. The motion was not debatable and needed a majority to pass.

MOTION TO TABLE

The motion received a roll call vote of Ayes: 5 (Rollo, Wisler, Piedmont-Smith, Ruff and Satterfield), Nays: 3 (Sandberg, Volan, Sturbaum) and therefore passed. Ordinance 09-06 was tabled and would need to be brought back before the end of the year.

Ordinance 09-06 tabled.

It was moved and seconded that Ordinance 09-05 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 3-1-5. It was moved and seconded that Ordinance 09-05 be adopted.

Ordinance 09-05 To Amend Title 4 of the Bloomington Municipal Code Entitled "Business Licenses and Regulations" Re: Replacing Section 4.04.110 (Lunch Wagon) and Chapter 4.16 (Itinerant Merchants) with Chapter 4.16 (Itinerant Merchants, Solicitors, and Peddlers)

Miah Michaelsen, Assistant Director of the Department of Economic and Sustainable Development, said that this ordinance was a collaboration between the Controller, Public Works, Legal and Parks and Recreation Departments along with her office. She said that the current section of the code had been reviewed and the proposed ordinance was proposed to more effectively streamline the coordinating and permitting of vending and soliciting activity in the city. She summarized the major changes with definitions, types of licenses and fee structures, requirements in public display of the license, adherence to the noise ordinance, adherence to fire and health precautions, insurance requirements and specific areas on the B-line and areas near other establishments where the vending and soliciting would or would not be permitted. She said there was an appeal procedure attached to the ordinance also.

It was moved and seconded that Amendment #1 to Ordinance 09-05 be adopted.

Amendment #1 to Ordinance 09-05

Piedmont-Smith outlined the provisions of the amendment as stated in the amendment summary. Michaelsen said she appreciated the opportunity to discuss the issue after these items were brought forth after the committee meeting on the ordinance.

This amendment is sponsored by Councilmembers Piedmont-Smith, Satterfield and Sturbaum and comes forward with the support of the Office of the Mayor. The changes affect the application and revocation provisions and also make a few other minor corrections to other provisions as well. In particular, the changes to the application procedures remove the requirement that the applicant:

During the public comment section the following persons spoke:

David White said it wasn't clear to him whether an appeal would be possible if a permit was revoked. He was directed to speak to a member of the staff with that particular information.

Marc Haggerty was concerned about insurance requirements, and what criteria would be considered in granting the licenses. He wondered which actual persons would be granting the licenses.

- File a social security number (See Section 2);
- File statement of criminal convictions or a copy of a criminal history check (See Section 3) and no longer make convictions of crimes a basis for denial of an application (but still make violations of the Chapter a discretionary basis for denial) (See Section 4); or
- Provide a photograph that would be attached to the license (See Section 5).

Robert Rogers, resident, said his conversation with Councilmember Sandberg had enlightened him on some aspects of the ordinance because the newspaper article had not been clear about some of the provisions. He thanked the council for taking out the sections on denying a license because of criminal history.

Erin Marshall said she appreciated taking out the sections regarding criminal history and added that it was a step towards preventing classism in the community. She said she was concerned about the provision regarding insurance, and was interested in assistance for those who could not afford insurance.

The changes to the revocation

Jennifer Mickel wondered if it was more beneficial for the vendor or the city for the vendors to have insurance.

Wisler said this was a step in the right direction, although he still had concerns about the ordinance as a whole. He said he supported the amendment.

Piedmont-Smith thanked all those who worked on the amendment and added that it made the ordinance better and more solid.

The Amendment #1 to Ordinance 09-05 received a roll call vote of Ayes: 7, Nays: 0, Abstain: 1 (Volan).

It was moved and seconded that Amendment #2 to Ordinance 09-05 be adopted.

Piedmont-Smith said that the amendment clarified the extent of the prohibition of itinerant merchants with regards to special events making clear that such sales were allowed on private property under certain conditions.

Michaelsen said the administration was supportive and appreciated dialogue in the creation of the amendment.

Satterfield asked if the one block radius in the amendment was any different from the "100 block delineation" that was previously discussed. She said it was the same.

Volan asked if the amendment corrected something that was not in the city's jurisdiction, i.e., what occurred on private property. Sherman noted that Volan's question was larger than the setting up shop in a yard and getting a special use permit. Sherman said three council members and three staff members met with him and indicated that they did not intend for the ordinance to cover private property within the buffer of special events. He said he would not foresee a litigation if it was not included, as the city would not enforce it. Volan asked Piedmont-Smith if the amendment just corrected unenforceable language. She said she had read the ordinance to mean that there could be no vending on private property within the one block radius of a special event, but either way she believed the amendment to be a good one.

Michaelsen said the administration never wanted the ordinance to be applicable to private property and appreciated the amendment for clarifying the issue.

There was no public comment on this amendment.

The Amendment #2 to Ordinance 09-05 received a roll call vote of Ayes: 8, Nays: 0.

Rollo asked what personal injury or property damage insurance as outlined in the ordinance would cost. Michaelsen said quotes ranged from \$180 to \$300 for an annual policy, with professional arts organizations that offer policies to their members. Rollo asked about the 'hold harmless' clauses in regards to the insurance requirements. Patty Mulvihill, Assistant City Attorney, said that it was to protect the public. Rollo asked about any exclusionary aspect of the ordinance, and wondered if the city could assist those of limited means in purchasing insurance. Michaelsen said it was discussed and considering that each application would be handled on an individual basis, the process would allow for looking for assistance if needed.

procedure:

- Require city staff to contact licensees whose license has been revoked either by phone or in person at the same time as the letter of revocation is mailed (See Section 6)

Lastly, the changes make some corrections and changes in numbering elsewhere in the ordinance (See Sections 1, 7 and 8).

Amendment #2 to Ordinance 09-05

This amendment is sponsored by Councilmember Piedmont-Smith and clarifies that vendors who conduct business on private property are not prohibited by this ordinance from doing so within a block radius of special events. Please note that those vendors would still need to have written permission from the owner of the property who, in turn, would need to obtain a temporary use permit through the Planning Department.

Final Vote on Ordinance 09-05 as amended (*cont'd*)

Sturbaum asked what the city was worried about with a vendor selling cards as opposed to hot dogs. Michaelsen said that in windy conditions patrons could get knocked over with a display, and that there could be hazards to tripping people. Sturbaum asked about fee waivers or scholarships for people who may be completely stopped by the requirements of insurance and license. He said it might be a big hurdle for people who are just starting out. He said one size fee doesn't fit all, and that this doesn't fit entry level artists. He mused about a no cost registry, and asked Michaelsen for her response. She said that she anticipated working one on one with each applicant, and thus could help people in start up capacities with some other resources, coop, and collaborative arrangements. She said that her department often connected potential business owners with grants and other resources to help them get started. She said she considered herself and Adam Wason to be advocates for these folks.

Sandberg asked Michaelsen to address the issues of regulations and problems that she might have encountered regarding other festivals that had not been regulated. Michaelsen said that she had spoken to the director of the Ann Arbor Street Fair regarding the jury process, and their thoughts on artists or food vendors who were not juried or vetted and the effect on the event. She said that integrity of a high quality event could be hampered by activities on the public streets and sidewalks adjacent to the event. Sandberg added that the intent of the BEAD was to encourage artists. Michaelsen agreed.

Piedmont-Smith asked if there was a dollar figure for insurance costs. Michaelsen said that she had talked to two local insurance agencies and gave the cost of \$150 to \$300 for an arts vendor, with food vendors' insurance being higher. She said there were many factors that could vary the cost, and reiterated that there were insurance options available through arts and craft organizations. Piedmont-Smith asked if this insurance could be purchased for time periods shorter than one year. Michaelsen said she didn't know.

Rollo said that the insurance requirements set a bar that some people would not be able to meet. He asked Michaelsen what she had uncovered about insurance cooperatives for this type of business. Michaelsen said she had heard anecdotal information but had no first hand knowledge of a cooperative arrangement for itinerant merchants or street vendors. Rollo asked for a counsel opinion, to which Patty Mulvihill, Assistant City Attorney, said it could be a simple cooperative of people banding together for this purpose and there would be nothing to prohibit this.

Piedmont-Smith asked for clarification about vending on private property. Michaelsen said that the vendor would need the required licensing, and the owner of the property would need to get a 'temporary use permit' from the planning department which was not a change from current code. Piedmont-Smith asked about enforcement, and Michaelsen said that it would be a regular enforcement issue. She also said that the need for a license was not a new issue. Piedmont-Smith said that this was good to keep in mind.

Sandberg asked if the current vendors surrounding the 4th Street Arts Fair were currently in compliance with the code for vending. Michaelsen said that there were some vendors in surrounding areas of the Fair that were not in compliance.

Rollo asked if there were some organizations that were exempt from the fees. Michaelsen said that there were opportunities for dialogue between the event director and vendors. Rollo asked about benevolent

organizations. Michaelsen read from the ordinance definition that it would be free from the possibility of profits accruing to the founders, officers, directors or members, and that a 501(c)3 or schools would be an example of this. Rollo asked about certification of this.

Danise Alano, Director of Economic Development and Sustainability, said that examples of this type of activity in the past included a school having a car wash at a corner for a softball team, or a rotary club doing something to raise money for a scholarship. Rollo asked if a church or Shalom Center could set up a cooperative under which people could participate. Alano said yes.

Ruff asked if there was something beyond public safety for the requirement of insurance. Michaelsen said it had to do with the city's issuance of a license. Attorney Mulvihill said it was to supervise a public protection. She said that the current ordinance in Title 4 of the code was somewhat out of date. She added that the Risk Management Department required anything that happened on public property or any agreement that the City entered into to have and provide a proof of insurance. She said that this was an amendment to that area and that the City had been working on this for several years. She said that the waiver would protect the City, and the insurance would protect the public the same as in a bar, restaurant, store or theater.

Ruff asked about a board or committee that would approve applications and asked what fees they would have the authority to waive or if they would create a sliding scale. He asked if there would be a temporary use permit, licensing fees and insurance fees. Michaelsen said that it was not stated in the ordinance and that the intent was to take any potential arbitrariness out of the process. Adam Wason, Assistant Director of Economic Development for Small Business and Sustainability, said there was no ability to waive fees if they were stated in the ordinance.

Rollo asked for clarification that the City had immunity and that clauses one and two were to protect the citizen. Mulvihill said that immunity did not mean that the City wouldn't be sued, but should be immune from being found negligent in these cases.

Public comment on the ordinance:

Hal Taylor, of New Leaf, New Life, asked if it was the business of the council to limit this type of action, and wondered about the morality of a small group of people making the decisions about the actions of a larger group of people who live at the bottom of the social ladder and couldn't live well with these kinds of restrictions.

Marc Haggerty thanked Taylor for his remarks. He said he was dissatisfied with his interactions with BEAD and said he agreed with Taylor that this was just a reaction to a need to regulate. He added that this was a boon for the insurance industry and called it a red tape nightmare. He said there would be arrests and law suits and added that he would break the law.

Jennifer Mickel said that "buy at your own risk" stickers would solve the problem. She said that small, old fashioned things for sale would make a charming scene but that the regulations would not help those lower economic segments that might need this type of work. She expressed concerns about the policing of the regulations, wondered what kind of insurance would be obtained for the prices mentioned earlier, and finally mused if the next things to be regulated would be lemonade stands and garage sales.

Martina Celerin, artist and vice president of the 4th Street Arts Festival, and said that the festival was now in the top 100 art fairs in the US. She said data was collected to analyze the crowd, and that in 2008 there were more than 40,000 people who attended the fair. She said the high caliber fair was maintained through a focus on the arts, not periphery items. She asked the council to support the focus on the arts and protect the arts fair intent especially in the buffer zone.

Erin Marshall said that the insurance requirement was one more barrier for vendors who wanted to be close to events. She said that using the word 'integrity' regarding the event spoke to the classism of the event.

Laura Plummer, volunteer with the Lotus Festival, said she was pleased to support the ordinance. She said Lotus was interested in protecting the street scene around the festival and appreciated knowing who the vendors would be, and thought it would help in bringing in vendors and coordinating the production of the Festival.

Bonnie Gordon-Lucas, artist and illustrator of children's books and magazines, said she has watched the 4th Street Arts Festival grow in the past 30 years. She said that she realized the marketing opportunity in the crowd drawn by the festival and noted that many non-profits had taken advantage of this.

Steve Anderson said he had recently sent the council an email. He said he priced insurance at \$180 which was expensive for a small business person and asked the council to not include that portion of the ordinance or to substitute a \$20 fee for the insurance segment. He said the brick and mortar businesses downtown should be able to take advantage of the Lotus crowd. He said he appreciated both amendments but did not think the ordinance was needed. He said the provision of selling on sidewalks needed to be clarified.

Becky Barrick, Community Events Manager for the Parks and Recreation Department, said that the City offered the Affairs of the Arts in the Showers Common six times a year and that the entry fee was lower in cost at \$50.

Cappy Phillips, artist and 4th Street Festival committee member, said she exhibited and sold at art festivals all over the country. She said that the growing number of patrons don't come to see a flea market, but to sell their work to an educated and enthusiastic audience and enjoy a high quality event. She said this was evident by the number of patrons and number of artists applying for spaces. She said that without the ordinance, and the buffer that would result, the event could lose its focus. She urged council support for the ordinance.

Jennifer Mickel, artist, said 40,000 attendees meant that there was plenty of space for bric-a-brac sales on the outskirts of the festival. She said this actually added to the festival.

Marc Haggerty said that gentrification was actually segregation and that the community was rapidly becoming segregated. He questioned the requirements for insurance for vendors and said it was a bar that was capable of being used arbitrarily, especially by insurance agents. He said the public areas should remain public for use by the public. He urged council to take up more important matters.

Ruff asked if the council members wanted any clarification on items brought forth during the public comment section.

Piedmont-Smith asked what insurance requirements were for other businesses in the city. Michaelsen said that the discussion was on actions in the public right-of-way and they were required to have insurance. Attorney Mulvihill said that private stand alone businesses were not required by the city to have insurance. She said the city's insurance carrier had advised higher requirements for this type of insurance. Piedmont-Smith asked about licenses required by businesses. Mulvihill responded that it depended on the businesses, and insurance requirements would vary also.

Volan said that sometimes insurance was tied to a permit, but that there was no mandate for insurance otherwise.

Satterfield asked about garage sales. Michaelsen said that they were not covered under this ordinance but were covered under the UDO. Piedmont-Smith asked about lemonade stands, to which Michaelsen said children were not required to have permits.

Ruff said that a person could be injured at or near garage sales and asked what the difference would be. Danny Lopez, City Communications Director said it was that the city does not license garage sales. Ruff countered that the license then required a permit, to which Lopez agreed. Ruff said the UDO addressed the existence of garage sales, and didn't that indicate some degree of knowledge. Mulvihill said that it was different than the city taking an additional step and actually issuing a permit. She said there was a difference between an affirmative act and just not prohibiting something.

Wisler asked if he lived on 4th Street could he set up a lemonade stand. Michaelsen said that he would need a vendor's permit for food in that area.

Volan asked about the condition of the person vending. He said that the condition of the person doing the sale didn't allow the city to ignore the public aspect of the sale. He said it was reasonable to ask for insurance, and perhaps the city could benevolently put together an insurance fund to offset the cost of that product. He said it was also reasonable to hear from merchants who were operating on public land. He said there was still work to be done to help people for whom insurance would be a hardship, but he supported the ordinance and said it was an interesting debate.

Sturbaum said he was concerned about the \$500 fine, and wished there was a little more flexibility and waivers, but would be willing to try it out for now and make adjustments later.

Sandberg said she was in support of the amendment. She said events planning was part of her day job, and said that people who were attracted to the arts were not in it for lots of money. She said the BEAD was intended to expand the arts for all strata, and this was an attempt to regulate for the good and that it was fair and balanced. She said she took exception to the statement that the ordinance was classist.

Wisler thanked the staff for their work on the ordinance and the amendments. He said that the arts and entrepreneurship were his passions and were combined in this ordinance. He liked the longer term permits. He noted that the staff said they'd be available to hold hands of applicants through the process, but it bothered him that there would need to be hand holding at all. He said it implied that the process would be lengthy and that some folks might skip the help area and that they wouldn't benefit from it. He said he was concerned about

the effect the insurance requirements would have on visiting merchants. He said that processes that inhibit entrepreneurial actions were not conducive to growing businesses. He added that the ordinance was well intentioned, but was not comfortable supporting something that was 49% good.

Satterfield talked about lack of zoning and its relevance to incentives for investment and classism. He said he was irritated at the insinuation that this ordinance was classist. He said that insurance was part of maintenance of an investment, and that the festivals and events were trying to protect their investments, too. He said that an itinerant could do the same thing. He noted that many obstacles were removed from the ordinance, and the discussion of a collective was begun.

Piedmont-Smith thanked those who were still in the council chambers at 11:30 pm. She said that the ordinance was good regulation in protecting the customer. She added that the ordinance also regulated door-to-door sales. She said that the penalty of \$500 was steep, but was assured that there would be education for compliance before a penalty was levied. She added that festivals benefitted everyone, and said that regulations were a good thing.

Rollo said structure and regulations protected everyone, however the requirement of insurance was a sticking point. He asked that staff work on a cooperative for artists, and wanted to revisit the issue as regulating the commons served everyone. He called his vote a "qualified yes."

Ruff said he didn't anticipate how difficult this decision would be for him until he put together all the messages and emails he had received. He said that the community benefited from good management of the festivals and events. He said his concern was that at the time of the economy getting tougher, and people were looking for small creative ways for making a living; we are expanding our requirements to do something like that. He added that a balance of providing opportunities for as many people as possible without affecting the character of the community was a balance. He said the addition of insurance requirements didn't balance this for him. He said he could not support this.

Volan encouraged the council to have final debate as discussed in the Rules Committee last year. He said that even with listening to all the comments, he was having trouble making a decision on this ordinance.

Sandberg noted that booth fees covered the expense of the festivals and said that arts were not always free, especially quality events. She said unauthorized vendors had taken advantage of this, and that she wanted to make sure this was mentioned again. She said this was not and could not be the only thing the city could do to encourage and help low income people.

Wisler said that a legitimate reason for considering this ordinance was the people who had taken advantage of these opportunities which he called the 'black market.' He said that increasing regulations would not decrease that black market but rather increase it.

Satterfield requested that festival organizers and economic development staff develop a buffer zone for non merchant items to give continuity to the folks who were out on the edges taking advantage of the crowds. He said non-profit groups could give separation from juried artists and those not affiliated with the event.

Ordinance 09-05 as amended by the above two amendments received a roll call vote of Ayes: 6 Nays: 2 (Wisler, Ruff).

Final Vote on Ordinance 09-05 as amended (*cont'd*)

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Clerk Moore read the legislation by title and synopsis.

LEGISLATION FOR FIRST READING

Appropriation Ordinance 09-03 To Effect Refunding of the City of Bloomington 1998 General Obligation Bonds

Appropriation Ordinance 09-03

Ordinance 09-07 An Ordinance Concerning the Current Refunding by the City of Bloomington, Indiana, of its General Obligation Bonds of 1998; Authorizing the Issuance of General Obligation Refunding Bonds for Such Purpose; Providing for the Safeguarding of the Interests of the Owners of Said Refunding Bonds; Other Matters Connected Therewith; and Repealing Ordinances Inconsistent Herewith

Ordinance 09-07

Ordinance 09-08 An Ordinance of the Common Council of the City of Bloomington, Indiana, Approving the Issuance and Sale of Refunding Revenue Bonds by the City for and on Behalf of the Bloomington Parks and Recreation District to Provide a Savings to the Park District

Ordinance 09-08

Steve Anderson thanked the staff, council and everyone who worked on the legislation.

PUBLIC INPUT

The meeting was adjourned at 11:50 pm.

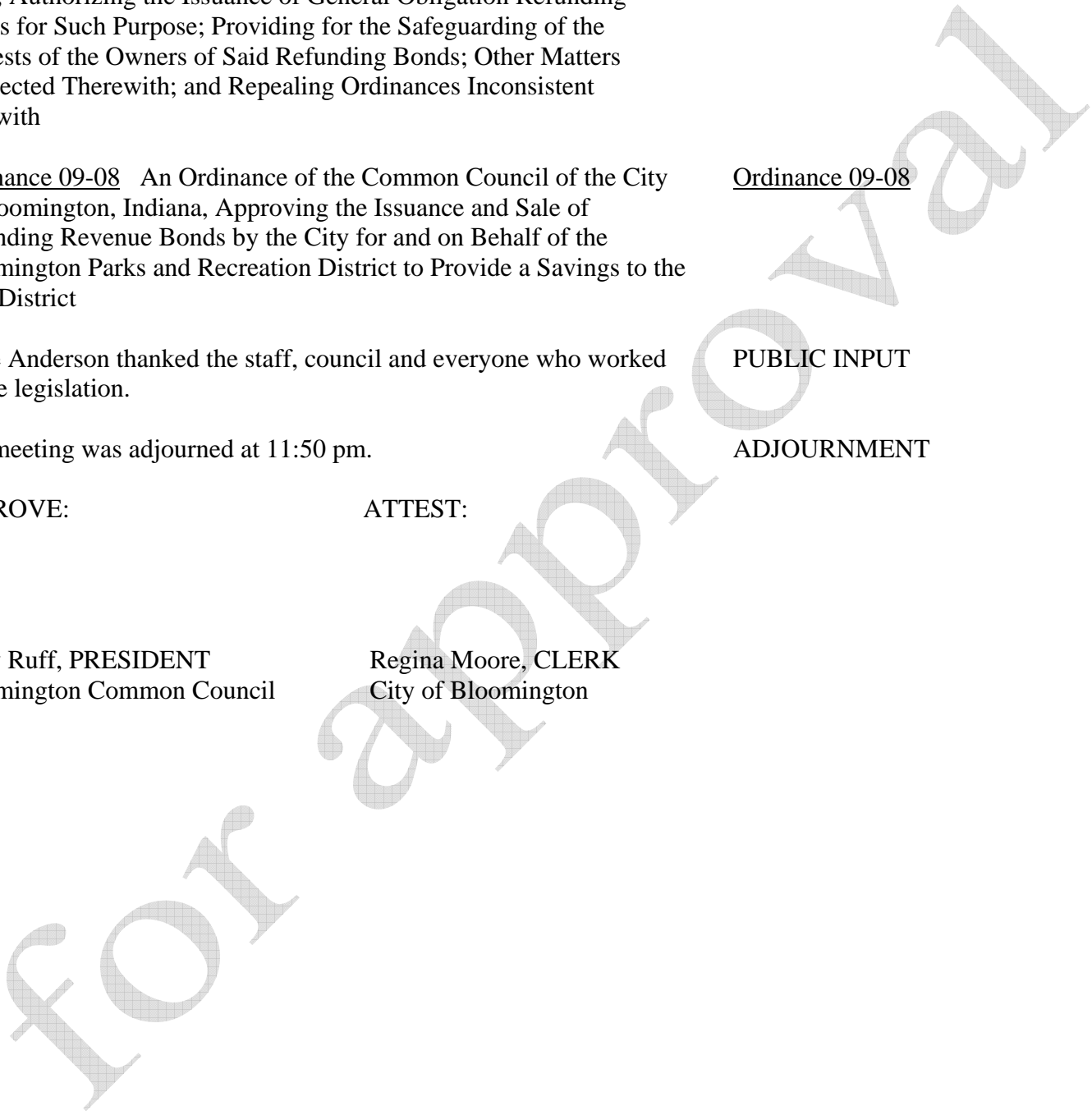
ADJOURNMENT

APPROVE:

ATTEST:

Andy Ruff, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington



In the Council Chambers of the Showers City Hall on Wednesday, April 29, 2009 at 7:30 pm with Council President Andy Ruff presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
April 29, 2009

Roll Call: Mayer, Piedmont-Smith, Rollo, Ruff, Sandberg, Satterfield, Sturbaum, Volan, Wisler

ROLL CALL

NOTE: Wisler arrived at 7:42pm, before votes were taken. Satterfield arrived at 8:12 in time for the last two votes.

Council President Ruff gave the Agenda Summation

AGENDA SUMMATION

It was moved and seconded that Ordinance 09-07 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Ordinance 09-07 be adopted.

LEGISLATION FOR SECOND
READING AND RESOLUTIONS

Ordinance 09-07 An Ordinance Concerning the Current Refunding by the City of Bloomington, Indiana, of its General Obligation Bonds of 1998; Authorizing the Issuance of General Obligation Refunding Bonds for Such Purpose; Providing for the Safeguarding of the Interests of the Owners of Said Refunding Bonds; Other Matters Connected Therewith; and Repealing Ordinances Inconsistent Herewith

Mike Trexler, Controller, said that there would be five separate actions regarding the refunding of bonds at the meeting. He said that the actions were similar to refinancing a loan, but were called refunding because a new bond would be issued. He said the proceeds of the bonds would be used to pay off the debt, and a new debt would be issued at a much lower rate. He said that municipal bonds were in demand and that the current interest rate was very attractive. He added that the term of paying back the debt was not changing according to state law.

He said this was the final step in a long process involving the Bloomington Municipal Facilities Corporation, the Redevelopment Commission, the Parks Board, the Board of Public Works, which had all approved actions getting to this point.

He noted that the council packed had contained information on cost of issuance and added that there were three quotes for this action and the lowest cost was selected.

He said that Ordinance 09-07 dealt with Transportation 2000 bonds issued to deal with a broad array of infrastructure projects for transportation needs. The repayment had been done with property taxes as allowed by law, and the call date, the earliest date for paying back the bonds without penalty, would be July 1, 2009. He said that the new bonds would be issued before that date, and the money would be put in escrow until the bonds were paid back. He said the maturity date would be July 1, 2017 and the rating would be AA-. He added that the savings would be over \$300,000 over the life of the bond. He reiterated that this ordinance would allow the issuance of new bonds.

There were no questions from council or comments from the public.

Mayer thanked Trexler for his work on this item.

Rollo noted that the Committee of the Whole meeting had many more questions that were answered satisfactorily.

Sandberg said she would support this issuance.

Sturbaum noted for this and other issues that the city would be saving \$1.3 Million and that was a good deal.

Ordinance 09-07 received a roll call vote of Ayes: 8, Nays: 0.

It was moved and seconded that Appropriation Ordinance 09-03 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Appropriation Ordinance 09-03 be adopted.

Appropriation Ordinance 09-03 To Effect Refunding of the City of Bloomington 1998 General Obligation Bonds

Mike Trexler, Controller, said that this appropriation ordinance would allow the City to appropriate the proceeds of the new bonds to pay off the previous bonds.

There were no questions from council or comments from the public.

Volan noted the Committee of the Whole process allowed for questions before this meeting and actions, and that was the reason for so little discussion on these items.

Appropriation Ordinance 09-03 received a roll call vote of Ayes: 8, Nays: 0.

It was moved and seconded that Resolution 09-05 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Resolution 09-05 be adopted.

Resolution 09-05 Resolution of the City of Bloomington, Indiana Approving the Current Refunding of the Bloomington Municipal Facilities Corporation Economic Development Lease Rental Bonds of 1998

Mike Trexler, Controller, said the bond was originally the second part of the T-2000 bonds for transportation projects dealing with infrastructure. He said the projects were located in and could be supported by Tax Incremental Financing (TIF) funds. He said this portion of the original bond was separated to pay for it out of the Whitehall/West Third Street TIF. He said the bond was used to pay for the Patterson Drive truck route, the Third/Fifth/Adams intersection, and widening of Third Street from Indiana to SR37. He added that the call date was August 1, 2009, the maturity date was January 1, 2017, the bond was rated as AA-, and the original issuance was \$11.75 Million with a current outstanding principle of \$8.15 Million and that net present value savings with refunding would be \$525,000.

Wisler asked about the term 'net present value savings'.

Trexler said the actual dollar savings would be higher, but the number was deflated to reflect today's dollars.

There were no comments from the public on this resolution.

Resolution 09-05 received a roll call vote of Ayes: 8, Nays: 0.

It was moved and seconded that Resolution 09-06 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Resolution 09-06 be adopted.

Resolution 09-06 Resolution of the City of Bloomington, Indiana Approving the Current Refunding of the Bloomington Municipal Facilities Corporation First Mortgage Refunding Bonds of 1998

Mike Trexler, Controller, said that this bond dealt with the current City Hall building. He said this payment was currently made through County Option Income Tax (COIT) funds. He added the call date was August 1, 2009, the maturity date was January 1, 2021, a rating of AA-, an original issuance amount of \$8.66 Million, outstanding principle of \$5.94 Million, with net present value savings of \$384,000.

There were no questions from council or comments from the public.

Resolution 09-06 received a roll call vote of Ayes: 8, Nays: 0.

It was moved and seconded that Ordinance 09-08 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Ordinance 09-08 be adopted.

Mike Trexler, Controller, noted that this bond was issued by the Parks District but the Common Council had authority to approve their issuance of debt. He said the bond was used for the addition of nine holes at Cascades Golf Course in 1999. He said with this revenue bond, the debt service was paid from the revenue from the golf course with a back up of other park funds and property tax levy by the parks district. He added that only golf course revenue had been used to make these payments. He said the call date had passed and only needed a 30 day notice to call the debt. He added the maturity date was February 1, 2019, was insured to a AAA rating, issuance amount \$2.46 Million, outstanding principle of \$2.1 Million. He said the less of the principle on this bond had been paid because the new nine holes would not be generating revenue for some time. The debt was structured so that the initial payments were very small and would escalate over time. This was the main reason for refunding the bond. He said the net present value savings for this bond would be \$84,000, but that didn't reflect the added benefit of restructuring the debt to pay an even amount each year instead of escalating payments. He said this would be of benefit to the Park District.

There were no questions by council or comments from the public.

Ordinance 09-08 received a roll call vote of Ayes: 8, Nays: 0.

It was moved and seconded that Resolution 09-09 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation. It was moved and seconded that Resolution 09-09 be adopted.

Doris Sims, Assistant Director of the Housing and Neighborhood Development Department, spoke about the Bloomington Urban Enterprise Association (BUEA). She gave background information on the BUEA, its board of directors and administrative oversight. She said that any business located within the Urban Enterprise Zone and that made investments could apply for a ten year investment deduction on the increased assessed value of the property. It can be applied to the purchase of a building, the rehab of a building, new construction, retooling or purchase of manufacturing equipment. State Statute dictates that if the investment was made within a TIF, the investor must appear before the Redevelopment Commission, and then apply to the governing body rather than just apply with the County Auditor. McDaniel Rentals, LLC, had renovated the exterior of their building with a Historic Façade Grant of \$10,000. She added that the council packet had information on how the investment deduction worked and the difference between it and a tax abatement. She added that 20% of the savings of the investment deduction would be paid to the BUEA as a participation fee, with a 1% fee paid to the state of Indiana if the savings was over \$1000.

Wisler asked if there were other investment deductions that did not need council approval. Sims said there were.

Piedmont-Smith asked the cost of the total renovation of the building. Sims said it was over \$772,000.

Volan asked about the BUEA expiration date. Sims said that the zone was established for ten years, and was within the last of two five year renewal terms which would expire in 2012. She said to continue this

Ordinance 09-08 An Ordinance of the Common Council of the City of Bloomington, Indiana, Approving the Issuance and Sale of Refunding Revenue Bonds by the City for and on Behalf of the Bloomington Parks and Recreation District to Provide a Savings to the Park District

Resolution 09-09 To Approve an Enterprise Zone Investment Deduction (EZID) in the Downtown Tax Increment Financing (TIF) District – Re: McDaniel Rentals, LLC at 215 North Walnut

endeavor the city would have to create a new zone with a new application process to the State of Indiana.

Volan asked if BUEA was doing good work and asked if the city should look for a new zone. Sims said it did excellent work and that the hardest thing was awareness of programs of the BUEA, grants to the Small Business Development Center to do business assistance, work with development of business plans, work with Seed Corp to make loans to businesses, operate scholarship programs for residents in the zone, and help with economic development in the zone.

Volan asked about the boundaries of the zone. Sims said that it was created to help Thompson with their inventory tax, which also helped with BUEA funds. Since that was abolished in 2006, revenue for the BUEA currently came from interest credit charged by banks to businesses or residents within the zone and the investment deduction participation fees.

Volan said that the zone had done its job in the downtown, but could think of other areas that could use these programs. He asked if the City was going to continue the program. Sims said that after 2012 there would be no revenue but the non-profit activities could continue. She said ProCure and the McDoel Grocery had used investment deductions.

Mayer asked if there were restrictions on the type of businesses that could apply for investment deductions. Sims said there were no restrictions. Mayer asked if the council then had discretion in granting or not granting the investment deductions based on the types of businesses they felt worthy. Sims said it was up to the council.

Ruff asked Sims if she knew why the General Assembly thought these issues should be heard by the Common Council. Sims said she didn't and wouldn't want to speculate.

There were no public comments or final council comments on the resolution.

Resolution 09-09 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Resolution 09-07 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, stating that there was no committee recommendation. It was moved and seconded that Resolution 09-07 be adopted.

Danise Alano, Director of Economic and Sustainable Development, gave background for this resolution giving the details of the original resolution regarding the Cook Pharmica, LLC business lines, property improvements and employment that would necessitate infrastructure changes. She said that the Industrial Development Fund (IDF) had received revenue from the incremental growth in the Thompson Community Revitalization Enhancement District (CREED) and said that the new infrastructure changes would allow Cook Pharmica, LLC to contribute \$4.3 Million to the IDF over the lifetime of the CREED. She said this revenue would otherwise go to the State of Indiana rather than being available for local use. She said that in the original resolution an amendment provided that the design would be presented at a later date. She was presenting the plan at this meeting for acceptance. She added that Cook Pharmica, LLC CEO Tedd Greene and Facilities Engineer George Ridgeway were present to answer questions particular to their investments.

Resolution 09-07 To Review and Accept Street and Intersection Changes and Site Improvements to Support an Economic Development Project as Called for in Council Resolution 08-12 (Cook Pharmica, LLC)

Alano said Justin Wykoff, Manager of Engineering Services and Adrian Reid, City Engineer, were present to answer questions about infrastructure improvements.

She said the project goals were to facilitate the expansion project, and added additional development of the Indiana Enterprise Center Life Sciences Business Graduation Facility had been approved by the Plan Commission for this site. She said this would also bring more traffic to the area and that the city wanted to develop bike and pedestrian modes of traffic there in accordance with City policies. Finally she added that the streambed in the property would be restored and naturalized to be in compliance with LEED standards.

She showed slides and outlined road improvements and landscape changes proposed for the area. This included the extension of Hillside Drive west from S. Rogers Street to the Cook Pharmica property, the addition of a left turn lane for northbound Rogers Street traffic onto the new Hillside Drive extension, the addition of a traffic signal at Fairview Street and Patterson Drive, the addition of a right turn lane for eastbound traffic on Patterson Drive turning south onto Rogers Street, and rehabilitation of the stream on the property in coordination with the Department of Natural Resources.

Volan asked Alano to give more information about the crosswalk relocation. Alano said that only the ramps would be realigned. He asked if Hillside was being connected to Fairview, to which Alano clarified the position of proposed building and roads and said the improvements would not connect these two streets.

Volan asked about warrants that called for the right turn lane onto Patterson Drive. Wykoff said there were 71 right hand turns within a one hour period which backed up traffic in the area before any improvements or increased employees at Cook Pharmica. He said this was recommended by the engineering consultant firm. Volan asked about the time of day, and Wykoff said that the counts were high during the entire day. Volan had concerns about traffic maneuvering through the parking lot to avoid the intersection. Alano said the issue was discussed with Cook and there was a possibility of a gated entrance to their property. Volan said that he didn't see a need for widening the road at this time.

Rollo said that the alternative transportation greenways plan (bike and pedestrian plan) called for a future north/south sidepath along Rogers Street and asked if this plan took that into consideration. Wykoff said it did and would connect with new sidepaths. He confirmed that it would be an 8 foot sidepath.

Rollo asked if the Traffic Commission had seen the plan. Wykoff said the CAC and Bike and Pedestrian Safety Commission had reviewed the plan. He added that both bodies made a recommendation for small modifications to a tree plot. Rollo asked if there were any other suggestions that were not incorporated. Wykoff said there weren't. Rollo asked if the plantings along the riparian buffer would be native. Alano said that according to the DNR they would be.

Wisler asked if there had been a Police or Fire Department review on the pedestrian island he noted on one of the slides. Wykoff said it was not something that they had an issue with in the past, but would be glad to consult with them. He said the area was 1600 feet away from the intersection and the traffic didn't build up in that area. He discussed some pavement marking changes in the area. Wisler asked if there would be stopped traffic in the area, to Wykoff said he didn't think there would be.

Wisler asked about the traffic counts in the area, noting that there were fewest cars turning left from Patterson north onto Rogers. Wykoff said that if the intention was to get to the neighborhood to the north, there were other ways to get there from Patterson before this intersection. Wisler verified that the right turn lane was the additional proposal. Wykoff said that all four segments of this intersection had left turn signals. Wisler asked if this proposal affected additional on street parking on Rogers that was presented with the IEC plan. Wykoff said it was still the in their plan.

Sturbaum asked if all lanes were right turn on red lanes. Wykoff said they were and they hadn't created any problems. Sturbaum asked if there were pedestrian buttons, to which Wykoff said the intersection upgrades would include pedestrian activated signals with push buttons and countdown timers which would be new to the area.

Mayer asked about the backup of traffic between Walnut and Rogers. Wykoff said Engineering was looking at that area in the general scheme of traffic flow in the area, especially with the B-line extending in that area.

Piedmont-Smith asked what the signage would be on Hillside and Rogers. Wykoff said there would be a stop sign for eastbound and westbound traffic on Hillside. Piedmont-Smith asked if a few spaces of IEC on street parking on Rogers would be lost with the proposed intersection changes. Wykoff said that that may be the case. Piedmont-Smith asked if the problem of flooding on Allen Street would be partially addressed by the naturalization of the stream. Wykoff said the area of flooding was more of a problem of the elevation and underground pipes in the area.

Ruff asked if the stream was permanently flowing rather than an intermittent one. Ruff asked Rollo why the DNR would not prefer a meandering stream to a straight channelized one to which he indicated he did not know. He asked if the City could negotiate with the DNR. Wykoff said there were difficulties in reestablishing a stream bed. Rollo said that perhaps it was too much of an intrusion or an issue of possible flooding in the area that made DNR come to their conclusion.

Rollo asked if the walking path between Patterson to Hillside was actually an 8 foot multiuse path. Wykoff said it was. Rollo asked Wykoff if it was in the interest to place native trees in the tree plots to compliment the landscaping on the property. Wykoff said this responsibility would lie with Urban Forester Lee Hess and City Landscaper Jay Davidson.

Volan asked for clarification on the south side of Patterson pedestrian path and how they would change as a result of this project. Wykoff said there would be upgraded signals, ramps and a move of the sidewalk to add a right lane and tree plot. Volan asked what would happen if the lane didn't get added, to which Alano and Wykoff said the current tree plot and sidewalk could be kept as is.

Jack Khan from the Active Aging Coalition said he was impressed by the questions asked by the council members. He said he was new to the city and asked about a planning recommendation for this item.

Michelle Cole said she appreciated the pedestrian safety in accommodating this growth. She said she was concerned about traffic on Patterson being stopped by a signal being tripped by a car on Fairview. She said that Bloomington Transportation Option for People had heard a speaker who gave information on principles of sensible

traffic, efficiency of streets and throughput of cars in intersections. She said the most efficient was two lanes with a left turn lane. She noted that there were other ways for right turns to be made in the area.

Piedmont-Smith requested another question period. She asked how many cars would trip the signal to stop traffic on Patterson for Fairview Street traffic. He said that at shift changes this was necessary.

Wisler asked for traffic counts at Patterson and Rogers again.

Volan asked about these numbers also. Wykoff said they referred to morning and afternoon peaks. Wykoff showed his slides again and Volan noted that few cars were counted on Fairview during the morning hours. Wykoff said that would fluctuate with a change in employment in the area and a signalized intersection.

Piedmont-Smith said she received an email from a constituent, Mike Tosick, who asked her to read it at the meeting. His concern was how the increased development and the associated lost floodway use would affect the flash flooding problem north of the intersection. He asked that the flood plain and/or meandering stream be used. He also wrote that the water treatment plant often flooded making the situation even worse. Piedmont-Smith said she was working with engineering and utilities staff on the flooding issues on West Allen. She said that she supported the resolution in light of the accommodations for Cook Pharmica and pedestrian changes as well.

Rollo commented that the Indiana Division of Fish and Wildlife, which had done stream evaluations, might have some advice for this stream. He added that he appreciated the petitioner's patience in allowing the council to have more time to scrutinize over the public infrastructure improvements and to make sure that pedestrian and bicycle accommodations be included in the plan. He reiterated that the city step up to provide continuity with plantings and stream restoration on the site and consider using native trees in the area. He said it would lead by example in the hope that others would do the same. He asked that fellow council members join him in signing a letter to the Urban Forester to that end.

Volan said he was disappointed that the road had to be widened for any reason. He said the addition the sidewalk on Patterson was a Faustian bargain and if he had been better prepared, he would have moved to strip the ordinance of this provision. He said that there would be additional crowding of the intersection at Fairview, and that the development in the area that would cause this and the need for the stream work. He said that this same body didn't want to widen Walnut even two feet to accommodate more traffic. He said cars either needed to have to have limits or not, and in this instance he felt that the city was saying cars could and should go every which way. He said the tree plot and sidewalk should go in and not be dependent on the addition of traffic lanes and accommodation of more cars.

Sturbaum said all modes of transportation had been considered and that he would support the resolution.

Wisler said he didn't think that the addition of a right turn lane would increase throughput as the bulk of traffic leaving Cook Pharmica would not choose to leave the site at that intersection. He said he was concerned that the city had not been pro-active in seeking feedback from public safety officials. He added that ambulance traffic would be going through the intersection also. He said he understood this was different from the Second Street islands but didn't want to hear after the fact that

it was not fully operational. He said this was a model for economic development and was glad the city was making these changes to help with that. He thanked Cook Pharmica for their patience with the process.

Mayer thanked Cook Pharmica for their investment in the community and thanked the staff for their work. He said that he believed that the EPA had addressed the problems at the treatment plant by increasing the capacity. He suggested that John Langley, Deputy Director of Utilities, be asked to report on this issue.

Ruff said he was confused about the wishes of the DNR in not wanting a meandering stream in this area and said he'd like to approach them to change their stand. He said that the design was a decent compromise with alternative transportation issues, but if the demand decreased for the turn lanes, the old design would allow an area for bike lanes. He said he was glad that the council had taken more time on the issue.

Resolution 09-07 received a roll call vote of Ayes: 8, Nays: 1 (Volan).

The meeting was adjourned at 9:25 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Andy Ruff, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

for approval

In the Council Chambers of the Showers City Hall on Wednesday, September 9, 2009 at 7:30 pm with Council President Andy Ruff presiding over a SPECIAL Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
SEPTEMBER 9, 2009

Roll Call: Mayer, Piedmont-Smith, Rollo, Ruff, Sandberg, Satterfield, Sturbaum, Volan, Wisler
Absent: None

ROLL CALL

Council President Ruff gave the Agenda Summation

AGENDA SUMMATION

It was moved and seconded that Ordinance 09-13 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 8-0-0.

LEGISLATION FOR SECOND
READING

Daniel Grundmann, Director of Employee Services, explained that this ordinance was controlled by the collective bargaining agreements with the Fire and Police Departments. He said that the negotiations were not yet finished for the 2010 contract and said he suspected there would be an amendment to this ordinance after the negotiations were finished.

Ordinance 09-13 An Ordinance
Fixing the Salaries of Officers of the
Police and Fire Departments for the
City of Bloomington, Indiana, for the
Year 2010

Rollo asked about the salary increases in this ordinance. Grundmann said there were no increases except for those not covered by the collective bargaining agreement. He said there would be an amendment later that would include that increase. Rollo asked if this was an unusual situation. Grundmann said the bargaining was usually finished by the time salary ordinances were written, but it wasn't this year.

There were no public comments on this item.

Rollo, in a general comment about the council process, said that he considered the idea of council committees as a way of taking stock of comments that were said at Committee of the Whole meetings. He noted that those meetings did not require minutes and that often pertinent comment at those meetings did not become part of the council record.

Volan noted that he had no formal proposal for forming council committees at this time and that it didn't have relevance to the budget.

It was moved and seconded that Ordinance 09-13 be adopted.

Ordinance 09-13 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 09-14 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 6-1-1.

Ordinance 09-14 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 2010

Daniel Grundmann, Director of Employee Services, explained that this was the 2010 salary ordinance for the employees that were not covered by the collective bargaining agreement. He said that this ordinance did not specify which position got which salary, but covered the salary minimums and maximums for the job titles and job grades. He summarized the changes from 2009 reflecting the job evaluation committee's review that included changes in job descriptions. He described the budget impact where there were changes.

There was no public comment on this item.

Satterfield that his vote on this ordinance during the Committee meeting on this was "pass." He said this was meant to indicate his disappointment with the funding split between Utilities and the Mayor's

office, and to express general uneasiness with the development of the job description and plans for the Coordinator for Sustainable Development position. He said he felt obligated to say that he supported the ordinance, but wanted the mayor's office to carefully consider the roles of this position within both departments.

Piedmont-Smith noted her questions during the Committee meeting on this ordinance focused on the wisdom of giving an across the board 2% raise to City employees despite the performance ratings. She said the professionals in the Employee Services Department had recommended this and so she would defer to them and would support it.

Wisler said he disagreed with the position on the overall 2% raise, and added that he would have a tough time voting to reward a worker who had performance deficits. He said it would not get folks to improve if they were rewarded for poor performance.

Rollo said he was at peace with this decision because Grundmann had told the council of repeated efforts to bring employees up to par, and that there were very few in this category. He said it was like making a mountain out of a molehill. He thanked the mayor for creating the position of Sustainability Coordinator. He said even though the position was a little vague at this point, he understood that they would be the liaison to the Sustainability Commission and would work with other boards and commissions throughout the city and would coordinate all efforts that would have to do with sustainability.

It was moved and seconded that Ordinance 09-14 be adopted.

Ordinance 09-14 received a roll call vote of Ayes: 8, Nays: 1 (Wisler).

It was moved and seconded that Ordinance 09-15 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 7-1-0.

Ordinance 09-15 To Fix the Salaries of All Elected City Officials for the City of Bloomington for the Year 2010

Daniel Grundmann, Director of Employee Services, said the pay increase for the Mayor, Council and Clerk was set in the center of the pay grid at 2% as it had been for the previous 10 years.

Clerk Moore commented that it might be time for the council to consider setting elected official's salaries for the council term of four years so that council members would not be voting on their own salaries in an election year. She said that it would be similar to a contract with the public for a term of four years. She noted that she was the only person involved in this ordinance who didn't propose the figures or vote on them.

Volan said Moore's comment was interesting but questioned her not being involved in these figures. He wondered at what level the four year salaries would be set under her plan.

Ruff asked for comments from the public.

Wisler said he agreed with the Clerk, and would not vote for a pay increase for himself as this would effectively be the council doing its own performance review. He said voting for the salaries for the next term would allow voters to effectively give the council salaries an increase.

Rollo said the council would not be assuming a pay increase that no one else in the City was getting and that the council's performance evaluation took place every four years. He asked Moore if she

Ordinance 09-15 (cont'd)

supported the ordinance, since she had not been asked by anyone else. She said it would buck the system to not do it this way. She said that since the middle of the grid had always been chosen for the elected officials' salary and it was known before hand, she thought the salary should be set every four years rather than each year. She likened it to Fire and Police salaries that escalated each year in a multiple year contract. She said she didn't support the yearly ordinance for that reason.

Rollo said he was in agreement with Moore's statement, and that this would avoid political grandstanding at this time of year as well.

Ruff noted that there was not a general election vote on salary increases for council members, and that if members of the public felt that the council members were not working hard enough or being effective enough, they had the opportunity to make a change. He said he had no qualms about supporting this ordinance.

Piedmont-Smith read the figures for the salaries of the Council, Clerk and Mayor for the public.

It was moved and seconded that Ordinance 09-15 be adopted.

Ordinance 09-15 received a roll call vote of Ayes: 8, Nays: 1 (Wisler).

It was moved and seconded that Appropriation Ordinance 09-06 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 7-1-0.

Appropriation Ordinance 09-06 An Ordinance for Appropriations and Tax Rates (Establishing 2010 Civil City Budget for the City of Bloomington, Creating the Vehicle Replacement Fund, and Appropriating Monies from the Fund in 2009)

It was moved and seconded that Appropriation Ordinance 09-06 be adopted.

It was moved and seconded that Amendment #1 to Appropriation Ordinance 09-06 be adopted.

Amendment #1 to Appropriation Ordinance 09-06 This amendment makes two principal changes to Appropriation Ordinance 09-06. The first changes the effective date and the second removes an erroneous word in Attachment A. In regard to the first change, a technical amendment is offered to modify the effective dates of the budget legislation in order to comply with the provisions of I.C. 6-1.1-17 et seq. In particular, the date the estimated tax rates and levies and the proposed budget are effective changes from September 9th to November 1st. The Clerk is directed to present the ordinance to the Mayor for his approval on October 16th pursuant to I.C. 36-4-6-14 (which requires the Clerk to present legislation to the Mayor for his approval as part of adopting it). This amendment provides time for the County fiscal body's statutory review of the estimated tax rates and the proposed budget and the issuance of their non-binding recommendation to the City regarding the same prior to the City's adoption of the budget. It affects

Ruff said that this amendment was sponsored by the Council office and the City Legal department. He asked that it be explained.

Dan Sherman, Council Attorney/Administrator, said that there was a misplaced word in the Attachment A that this amendment would remove.

Margie Rice, City Attorney, said that the second part of the amendment had to do with a new statute in which the County Council was required to review of the budgets for every civil taxing unit of the county and provide a non-binding recommendation 15 days before the unit adopted their budget. She said that the statutory timelines were not met last year, and said that the City would like to do a better job with that during the current year. She said the best way to do this would be to change the effective date of the budget to November 1, 2009, the last date that the council could adopt the budget. She added that the county council would do their review before that but that the date had not yet been set. She added that the Clerk would also be directed to not present the budget to the Mayor for signature until October 16, because by statute the ordinance is adopted after being signed by the presiding officer and the mayor. She said that the Mayor would then have 10 days to sign the ordinance, building in flexibility to the process. She added that the amendments were technical and that the council's actions would not change. She concluded by saying that by making these changes the City would meet all the statutory deadlines and would provide the county council with the opportunity to meet their statutory deadline as well.

Piedmont-Smith asked why the October 16th date was selected. Rice said that once the Mayor signed the ordinance, it became adopted, and the word 'adopt' would trigger the requirement for the county council. She said that would allow the required 15 day period between their review and the City's adoption of the ordinance. Piedmont-Smith clarified that the City was counting on the county council to review this budget before October 1st so that the Mayor could sign it 15 days after that, otherwise it would be considered adopted at the time of his signature, even before that date. Rice said that she had had conversations with the county attorney and that the meetings were going to be scheduled. Piedmont-Smith asked if Rice was reasonably sure that the proposed timelines would work. Rice said she was, but that the new procedure would allow all participants in the process to do a better job.

Volan asked Rice to comment on the state legislation, particularly the legislature's intent in requiring a non binding review of the budgets. Rice said it seemed as if they wanted one entity in each county to have the big picture view of all the county budgets, to see what the impact would be on the taxpayer and to give recommendations to taxing units. She said the county council seemed like the logical entity to do this. Volan asked what the purpose was to add time, bureaucracy and red tape if there were no teeth in the law. Rice said more meetings and reviews would be the result, but that the City intended to review the recommendations from the county.

There was no comment from the public on this amendment.

Wisler commented that the intent was an important one, especially relevant because of the situation in budgets in general this year. He said the accumulation of the rates of all the taxing authorities had an impact on the individual taxpayer. He said the county could look at all the budgets to see the impact on the taxpayer, and it was the only opportunity for the public to see what was coming in taxes. He said he thought the change was well intentioned and that good would come from it.

Sandberg said that there was merit in having the discussion even if recommendations were not binding. She said the other part of this equation was that citizens should have some presentation of what was provided with tax dollars: an idea of the critical needs, how those needs were being met, and if there were sufficient taxes to provide for them.

Amendment #1 to Appropriation Ordinance 09-06 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded to adopt Appropriation Ordinance 09-06 as amended.

Mike Trexler, City Controller, noted that the budget was discussed over four nights in July, and at the previous week's Committee of the Whole meeting. He explained the changes from the July budget presentations, gave an overview of projected and actual revenues for the past few years, and noted that the 2010 budget was a balanced one. He said it was actually smaller than the 2009 budget. He presented slides that showed revenues, expenditures, and fund balances.

Piedmont-Smith asked about a projected increase in property tax income in 2010 as compared to 2009. Trexler said that it was of the result of House Bill 1001. He said there was lost property tax revenue due to credits in 2009. He said the City sets a maximum tax rate that is applied to net assessed value, which usually goes up. He said the gross assessed

Form 4 and Attachment A. In regard to the second change, the word "Telecom" is deleted from the title "Telecom Vehicle Replacement Fund" in Section One of Attachment A.

MOTION to adopt Appropriation Ordinance 09-06 as amended.

value had risen, but due to new property tax credits in HEA1001, the net assessed value decreased by about \$350 Million, and thus the City received less than the actual amount that was planned for. He said that the 2010 budget assumed that the levy would be set to capture what was 'lost' in 2009 and explained how property tax levies were calculated.

Piedmont-Smith asked when the bill was enacted, and if the City hadn't taken all the property tax credits into account. Trexler said that the credits caught a lot of communities off guard, and said that this was a one time reduction in the tax base, and now things would proceed as they had before the bill was passed.

Piedmont-Smith asked about the proposed increase in levy, to which Trexler said that this would be submitted in November, and that he had conversations with the Department of Local Government Finance about the issue.

Wisler asked Trexler to outline the types of credits that caused the shortfall. Trexler said that the major one was a 40% credit for certain types of homes that were under a certain value so that the credits went to residential property owners. He said that the net effect tax burden would be shifted from residential home owners to commercial businesses and rental property owners.

Wisler asked if the credit was a one year credit, referring to Trexler's statement of 'a one time hit' to the City's revenue. Trexler said that it was a new credit that could continue to be claimed by taxpayers. He said the one time hit referred to the fact that the tax rate was set before the credits were given.

Wisler asked if the total increase in levy was capped every year, to which Trexler noted that the City was asking for an adjustment to the number that the state used to calculate the maximum amount of property tax levy. Wisler said that the adjustment would be figured into the rate and that all taxpayers would share in this whether they received the credits or not.

Sandberg recapped that the City took a one time hit of \$1.5 Million and would have the opportunity to make an adjustment to that, but wouldn't be able to reclaim the entire amount.

Trexler said that the City could rightly claim to recover half of the amount, but it would apply to recover the entire amount as well.

Sandberg asked about Trexler's relationship with the Treasurer and Auditor in regards to these financial matters. Trexler said that while the jobs were all defined differently and had different functions, the relationship between them was good.

There were comments from the public on this item.

Wisler said that as long as the value of property in the City was growing faster than the City's spending, the tax rate would go down; if spending grew faster, the tax rate would go up. He said that Net Assessed Value was important to watch. He said last year's trend was that the property value rose and so it allowed the City to not make the drastic cuts that other cities had to do. Wisler said that as long as the increase in assessed value came from new construction, there would be no new burden on the average tax payer. He added that last year he was pleased to support the budget because it was actually a reduction in the tax rate. He said that the credits had now caused the City to ask for a greater increase, and now there would be a greater than normal increase in the

rate on commercial properties. He said in the last year there was not as much new construction added to tax rolls. He said that an increased burden on commercial property with a lack of new value on the tax rolls would lead to sticker shock for commercial property, and we have a surplus of commercial property. He said there would be a small effect for homeowners, too, but not as much. He said that there was not enough belt-tightening in this budget to offset the increase in the rate. Wisler added that there were a couple of places, such as sanitation, where there was room to save.

Volan said that he was disappointed that the City wasn't more supportive of a Materials Recovery Facility and thought that the City should join in a county wide effort to help build one. He also said that he thought the Sustainability Coordinator's role as presently defined, was not a strong enough position to deal with the tenets of the 2006 ordinance. He said that his problem with these two issues was not enough to prevent him from voting for the budget. He said he appreciated the care of administration and department heads in the preparation of the budget.

Sturbaum said that California had cut their property taxes and capped them at 1% and which harmed the public good and education programs. He told of Niagara Falls where the Canadian side made the right financial decisions when the US side didn't and were currently suffering consequences of worn infrastructure and less tourism. He used these examples to illustrate that balance and good government was the focus of the budget.

Mayer told of folks he had met that paid over \$17,000 per year for property taxes in New Jersey. Mayer said that Bloomington's taxes were low for the services provided for citizens. He thanked the administration for a good balance between present and future priorities with their stewardship.

Sandberg said that she attended the Monroe County Solid Waste District Directors meeting where the business plan for the Materials Recovery Facility was presented. She said the board asked for more time and study on the issue, and she said she agreed with that, adding that there could be unintended consequences and other factors to consider. She said she felt that it was a good start but wasn't quite the 'slam dunk' as the July discussion had indicated.

Rollo said that he supported the idea of a Materials Recovery Facility and would continue work on that concept. He said that he hoped to explore the concept of an organic materials recovery facility which had many potential uses. He said he appreciated Volan's work on the issue and added that the dialogue should continue.

Piedmont-Smith said she appreciated the inclusion of the Sustainability Coordinator in the budget, but would have preferred it to have been given a higher profile than a position within the Economic and Sustainable Development Department. She added that it was a work in progress and would evolve to meet the needs of the city. She said she was glad to support the Public Works' creation of a facilities division that would be helpful in implementing the Green Building ordinance. Her comments on the budget process indicated that she thought the gap between the Budget Advance session and the July budget presentations was large and lacked communication of priority funding. She indicated she would like more collaboration with the administration on these items, and used the Sustainability Director position as an example. She said she greatly appreciated the efforts of the department heads and the controller in preparing the budget.

Ruff commented on the tax discussion. He said that tax policies further community goals, tax credits provide option for society benefits and County Option Income Taxes from those who don't live in Monroe County contribute to infrastructure in the county. He said that tax abatements shift the tax burden to all other tax payers as they take up the slack for those not paying the abated taxes. He said the discussion at the meeting was a good one in this regard as it evaluated the process of reduced revenue and planned for the future. He added that the problem with the reduced revenue was the same concept as that of a tax abatement.

Appropriation Ordinance 09-06 as amended (cont'd)

Ruff added that Indiana was considered to be a tax friendly state, a low tax state, and that was one of the factors in calling the state business friendly. He cautioned that research has shown that tax friendly states are not always friendly to the community with higher environmental impacts and fewer public goods provided with less tax revenue. He said that this had to be balanced with excessive taxation that would stifle quality of life in other ways.

Lastly he said that the council often thanked people within the administration for doing their jobs well, and contributing to the process through their work. He said that at this time the council should take time to thank taxpayers for their contribution in the form of taxes to allow the City to provide services and amenities that they offer which contribute to our community's quality of life.

Appropriation Ordinance 09-06 as amended received a roll call vote of Ayes: 8, Nays: 1 (Wisler).

It was moved and seconded that Appropriation Ordinance 09-07 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 8-0-0.

Appropriation Ordinance 09-07 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 2010

It was moved and seconded that Appropriation Ordinance 09-07 be adopted.

Patrick Murphy, Director of Utilities, said that nothing had changed since the July meetings where the Utilities budget of \$27,322,740 was presented. He added that the Utilities Service Board had approved the budget at their July 21, 2009 meeting. He noted that Mr. Roman, a board member, was present. Murphy said that the budget was one that addressed issues in the changing economy that had impacted the utilities budget. He added that projections were based on revenues and expenditures and the changing nature of energy, fuel, shipping, chemical and other material costs. He said the budget was a good window on 2010 and provided resources while being realistic and conservative and that it reflected the values of the council as expressed in different hearings.

Rollo said that Utilities revenue hadn't met expenses in the last year and asked if without a rate increase this were a sustainable course. Murphy said that the Utilities had to dip into cash reserves but that the budget had planned well for 2010. He added that he understood concern and interest in the issue and thanked the council for that.

Ruff asked if Roman or Mayor Kruzan wanted to make any statements on the budget.

Pedro Roman, Utilities Services Board member, said that the higher than expected expenses of 2008 and 2009 were taken into consideration in preparing the 2010 budget. He said that some costs were out of the

control of the board, and that with a wet summer season there was less water used, and therefore less revenue. He reported that the Utilities conservation plan was at a draft stage and the outcome would have a bearing on the responsibilities of the Sustainability Director. He said the details would be fleshed out at the finish of the report.

There was no public comment or final council comments on this budget presentation.

Appropriation Ordinance 09-07 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 09-16 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 8-0-0. It was moved and seconded that Ordinance 09-16 be adopted.

Ordinance 09-16 An Ordinance Reviewing and Modifying the Budget of the Bloomington Public Transportation Corporation for the Year 2010

Lew May, Director of the Bloomington Public Transportation Corporation, said there had been no changes in the budget since the July presentation. He said the PTC board had reviewed the \$6.76 Million budget and would take the final vote in October.

Rollo said that in a future of problematic energy supply the expansion of BTC services was necessary. He asked May to speak about expansion of the service area, low frequency service areas and the issue of no-fee ridership.

May said that his vision was to enhance and expand services as it would support sustainability in the community. He said that the board's plans to expand services included more frequent buses on established routes and the expansion of the Sunday bus service from just the campus area to the entire community. May noted IU busses ran 7 days a week, with limited service on Sundays.

May talked about an expanded geographic coverage to meet the demands of growth and development of the community and said that faster travel times make the service more competitive. Rollo asked if this would include dedicated bus lanes. May said it could and referred to a renaissance in public transportation. He said the challenge is that this service doesn't pay for itself and requires all levels of governmental investment. He spoke of the need to shift national transportation policy away from the automobile to alternative modes and public transportation. He said that technology in the future could also make public transportation more attractive to more people, but they needed adequate resources from federal state and local sources. He said there was not a lot of hope of state investment in public transportation but mentioned that Congress would take up a reauthorization of the SAFETEA-LU national transportation bill. He hoped that there would be a major paradigm shift with more resources going into public transportation. He said currently one in five dollars federal dollars goes to public transportation with the rest going to road and highway infrastructure.

Rollo noted the local BT fares were a dollar with passes being \$30 per month, and that this makes up about \$400,000-500,000 of revenue. He said there had been studies done to indicate that offering free ridership would increase ridership by 15% and this figure could then be used to increase federal funds to the corporation. He asked if the board and staff had explored the revenue differential for no fee ridership. May said that potential for more federal resources is limited, most of the federal investment in public transportation is based on population and population density and a smaller portion is based on performance and

productivity. He said the greatest potential for income is at the state level, and it's not a given, but is tied to performance and productivity. He added that one strategy was a possible unification of the City and IU bus systems. He said that the 3.5 million riders on the IU campus bus system are not counted in the formula for the state funding in this community. He said, too, that a unified system that meets the INDOT requirements could bring another \$1 – 2 Million dollars in additional state funding.

May added that there were other things to consider with free fares, and indicated that the BT Access service for people with disabilities would be problematic as the law stated that this service could not cost more than twice the regular fare. He said the personalized curb service was the most expensive type and it actually costs \$15 per trip while the fare is \$2. If the passengers were to ride free, this service would be free also, and could cause a large increase in demand for the service.

Lastly May said that federal funding could not make up the whole \$400,000 revenue from present fares, and that the cost of BT Access would also have to be considered in any revenue replacement plan that would include free ridership.

Rollo asked about the increase in bus shelters. May said there were 46 shelters double that of ten years ago. He said this amenity was considered part of attracting and encouraging ridership.

Rollo asked about coordination with the Bike and Transportation plan, asking about Park and Rides for bikes so that that type of transportation could be encouraged. May said that bike racks on the buses have been popular, and the PTC is looking onto bike lockers and bike parking areas at the new downtown transit facility. He said they frequently partner with planning as part of the alliance in alternative transportation.

Rollo asked how close the community was to a comprehensive transportation plan that would allow folks to leave bikes or cars in the perimeter of the community and bus in to the city core. May said there had been discussions with the University about this, and that ideally this would happen on a regional basis, but statewide legislation with incentives was the missing link.

Sarah Ryterband, citizen, said that she hoped that the PTC would carefully consider the both the service and labor contract in taking over the BT Access service. She said that labor issues were important to the ridership clients and the community.

Rollo asked that May not take his questions as being critical of the system but one of continued interest and the desire to enhance the system.

Piedmont-Smith said that she was looking forward to the new transit facility downtown.

Volan said that Bloomington had, by a factor of two, the highest ridership in the state and that he hoped that the new station would be in keeping with the Master Plan and the UDO. He predicted the day would come when the combined BT and IU would exceed the ridership of the City of Indianapolis.

Sandberg said that bus ridership can be a matter of conservation, avoiding driving in traffic or being green for some, but for others it was a matter of necessity in livelihoods and employment. She said the discussions at the meeting had focused on public investments in

services, and she considered this one that needed to be increased. She said she was not against subsidizing to meet the needs of the vulnerable in the community who depend on this service.

Ruff emphasized that what the PTC did in providing service was as important to the community as the chance for an education, or health care. He said we should provide these opportunities for citizens without regard to a person's income or background as part of governmental services.

Ordinance 09-16 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded to suspend the rules to take up an item that was not published on the agenda.

MOTION TO SUSPEND RULES

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

It was moved and seconded that the Regular Session meeting scheduled for September 16, 2009 start at 7:00 pm instead of the advertised 7:30 pm.

RESCHEDULING OF REGULAR SESSION OF SEPTEMBER 16, 2009

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

The meeting was adjourned at 9:50 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Andy Ruff, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

for approval