

In the Council Chambers of the Showers City Hall on Wednesday, April 15, 2015 at 9:00 pm with Council President Dave Rollo presiding over a Special Session of the Common Council which immediately followed a Committee of the Whole which started at 7:30 pm.

COMMON COUNCIL  
SPECIAL SESSION  
April 15, 2015

Roll Call: Rollo, Ruff, Sandberg, Volan, Granger, Sturbaum, Neher, Spechler, Mayer  
Absent: None

ROLL CALL

Council President Rollo gave the Agenda Summation

AGENDA SUMMATION

It was moved and seconded that Ordinance 15-10 be introduced and read by title and synopsis. Deputy Clerk Wanzer read the legislation and synopsis, noting that there was no Do Pass Recommendation on this item. She noted that a motion to hold this Special Session to continue discussion on the ordinance received a vote of 8-1-0.

LEGISLATION FOR THIRD  
READING

It was moved and seconded that Ordinance 15-10 be adopted.

Ordinance 15-10 To Amend Title 2 (Administration and Personnel) and Title 15 (Vehicles and Traffic) of the Bloomington Municipal Code (To Improve Parking Management in the Downtown by Imposing a Maximum Charge for On-Street Metered Parking, Setting Forth Actual Times and Fees in an Amended Schedule U, Providing a Period of Free Parking in all Garages, and Establishing a Fee Discount and Waiver Program to be Guided by a New Parking Commission)

Councilmember Volan, sponsor of this legislation, explained the purposes and intents of the ordinance, and detailed the changes from current legislation. He noted the inclusion of a waiver program for nonprofits and merchants, a lowered fee for periphery parking, shortening enforcement hours, changing the ParkMobile system to a "pay-as-you-go" feature, and extending free garage parking time to all garages. He gave detailed information on the proposal for a program that would allow merchants to pay for parking for their customers. Additionally, he highlighted fiscal impacts and the increase in revenue that would be realized by the city. Volan then compared his proposal to the current regulations saying that his proposal was more tightly focused and was an improved program. He estimated the fiscal impact of his total proposal would be \$410,000 and noted, that the administration's proposals would have a \$570,000 impact on revenue.

Ruff moved, and it was seconded, to divide the question into three parts:

Motion to Divide the Question into 3  
Parts

1. Parking Commission and parking meter discounted fees and waivers: Sections 1, 7, 8, 9
2. On street meter fee provisions: Sections 2, 3, 4
3. Municipal lots and garages: Sections 5, 6; and modifications and promotions of ParkMobile services: Sections 10, 11

Ruff explained that he moved to divide the question so that the entire ordinance would not be defeated if council opposed only one portion of the ordinance.

Volan said he understood the reasoning, supported the way the ordinance was divided, and reminded the council that there was no straw vote on the divisions as presented here, and not all members spoke to this ordinance at the previous meeting. He also noted that he believed there was no substantive conflict between his and Neher's proposed Ordinance 15-09 which would be heard later in the evening.

The motion to divide the question into 3 parts received a roll call vote of Ayes: 8, Nays: 1 (Mayer).

1st Division: Sections 1,7,8,9

It was moved and seconded to consider the First Division.

1st Division -- Parking Commission and Parking Meter Discounted Fees and Waiver Provisions (Sections 1, 7, 8, 9)

Volan said he was willing to strike Section 9 which would eliminate the waiver for nonprofits due to the difficulty of enacting it. He said the merchant discount program, and therefore Parking Commission, were still necessary.

Motion to strike Section 9 from the 1st Division

Neher asked about the fiscal impact based on an email he received from Controller Underwood regarding a month-by-month breakout of revenue and costs. Volan said he was not familiar with the email but that the maximum fiscal impact of this proposal would be \$50,000 and would likely be less than that.

Ruff asked Volan to strike Section 9. Volan moved and Rollo seconded striking Section 9 from Ordinance 15-10. Volan produced this amendment in writing.

Public Comment:

Daniel McMullen agreed with the motion because he thought all parkers should be treated equally.

Council discussion:

Mayer verified that the section to be eliminated was that of Section 9, Waiver of Fees for Social Service Activity. Volan said his amendment would eliminate his proposal for that program.

The motion to eliminate Section 9 from Division 1 received a roll call vote of Ayes: 9, Nays: 0.

Volan noted that there was no commission currently within the city operations that concentrated specifically on parking. He said a Parking Commission would be of benefit whether or not there was a fee waiver program which was his original intent for the Commission to oversee. He said that it could now advise the administration on parking issues.

Discussion on Division 1 as amended

Neher asked if the Parking Commission was confined solely to the considerations of a discount and waiver program. Volan said as defined in this ordinance, it would be. He added that he would be happy to amend the creation of the commission to add a broader definition and expand its duties.

Granger asked Deputy Clerk Wanzer if the proposed term length and expiration date was consistent with other Boards and Commissions. Wanzer responded that yes, it was consistent with most of the other Boards and Commissions.

Public Comment on Division 1:

David Schleibaum questioned how changes could be proposed to the parking meters without knowing the precise amount of revenue. He stated that he had not seen accurate information, and would like to know what safeguards were in place to properly account for revenue. He also suggested that fines be cut in half.

Daniel McMullen commented on the Parking Commission and suggested its purpose should be expanded.

Council Comment on Division 1:

Sandberg said this was a bit too complicated and was disappointed that no one from the administration was present to address questions. She said she would rather see less than more, and this just added too much confusion to a system that had already experienced a difficult transition.

Volan said the Parking Commission's charge was very narrow although it could be used in a different function. He said his proposal was more

cost effective than the administration's proposal. He noted that the garage revenue had not gone down after the implementation of meters.

Ordinance 15-10  
Discussion on Division 1 as amended  
(cont'd)

Mayer clarified that the motion contained Sections 1, 7, 8, to establish a Parking Commission, to authorize a meter fee discount for commercial activity, and implement a fee waiver program.

Spechler said the authority of the Parking Commission proposal was so narrow as to make it negligible, and it was a waste of staff and council time. He called this a bureaucratic approach to parking and said the city needed something simpler.

Granger said she had told Volan she would support a Parking Commission at some point in the future but wasn't happy with this proposal. She said that Sections 7 and 8 in this division were overly complicated. She added that she appreciated his time and effort in exploring these issues.

Ruff said the Parking Commission was discussed from the beginning of the legislation on parking meters and he assumed that it would eventually be a part of developing and fine tuning the policies with meters. He said the lack of input by the administration indicated they had no concern about this proposal and therefore this proposal wasn't problematic to them. He said he would support this Section.

Rollo said he knew there had been a lot of work devoted to this proposal with merchants and non-profit groups. He added it was an interesting experiment without much cost.

Division 1, as amended by removing Section 9, received a roll call vote of Ayes: 3 (Ruff, Rollo, Volan), Nays: 6 and **therefore failed**.

Vote on Division 1, Ordinance 15-10

It was moved and seconded to adopt Division 2, which included Sections 2, 3, 4.

Ordinance 15-10 Division 2 which includes Sections 2, 3, & 4

Volan explained that Division 2 reduced parking fees from \$1.00 to \$.50 in the outer areas of the downtown. He added that although he had heard comments about the proposal being complicated, it was not, and merely needed differentiated signage. He said it was harmless, not complicated, and a boon to everyone.

Sandberg asked about the cost of signage to inform drivers of different costs in different parts of the city, and whether new signage was needed if the meters' displays listed the cost. She asked if new signage would create excess clutter.

Volan said there would be no more signs than the current signs listing meter times. He said that the meters themselves created a degree of clutter. He said that the meters could be programmed to change the cost of parking with the time of day, week or year, and that would inform parkers of fees.

Neher asked for the number of metered spaces that would be reduced to \$.50. Volan said it was about 30% of all spaces. Neher noted Volan thought there would be little impact on garages as a result of this change. He asked if Volan had done calculations considering the effects on garages with the new \$.50 meters. Volan said it could only be estimated, not calculated. Volan said he believed there would be an increase in the \$.50 spaces since they were so under used at 5-10% of capacity. He argued that the meter installation increased garage revenue, and felt that this proposed change would not decrease that revenue either.

Spechler noted he was the only professional economist on the council and said he was appalled by the 'estimates of revenue from the \$.50 zone,' and the neglect of consideration of the move from the \$1 zone to the \$.50 zone, and said that the numbers were imaginary. He asked Volan for the basis of his estimate.

Volan said he believed that cutting the rate in less used areas would not decrease meter usage but would increase meter usage. He said that even if usage stayed the same, the maximum loss of revenue would be one half of the current revenue or \$135,000.00. He said if the council was willing to engage in an experiment to install meters with no data, no analysis, and no way of knowing what would occur, certainly council members should be willing to engage in this very minor experiment with more data.

Rollo asked if Volan thought that this was a step in regulating parking that might increase revenue in the long run.

Volan said the maximum impact would be no more than \$135,000.00. He added that the meter fee in the higher usage areas should be increased. He said by doing that, some people who currently park in the areas of higher demand would seek a cheaper block in which to park and thereby free up spaces in the higher demand areas. He said his proposal of fee changes would mean no more than a 5% loss, if any at all, and therefore was worth trying.

#### Public Comment

Allison Chopra said that she talked to her neighbors during the past couple of months. From those conversations she believed that adding the varied price zones system might exacerbate parkers' frustration more than the cost of parking.

Daniel McMullen spoke to having metered spaces for bicycles so they couldn't park all day or all week, tying up spaces for other bicyclists. He called for additional bike parking spaces downtown.

#### Council Comment

Spechler questioned the purpose of this amendment asking if it was to bring more cars to the streets or more shoppers and diners to the downtown. He said the proposal was too complicated, would produce frustration and even anger, and saw no great public benefit.

Rollo said if there was a general dislike of meters, it was due to cost and hours of enforcement. He said this was an experiment and was reminiscent of the recommendations of Donald Shoop. He said the lowering of costs in outlying areas might even draw parkers away from the core. He appreciated the proposal, but said he was conflicted as he was about to offer another proposal for South Washington Street.

Ruff suggested amending the proposal to eliminate the meters on S. Washington from 2nd to 3rd Streets that addressed Rollo's concern about parking meters on S. Washington Street between 2<sup>nd</sup> and 3<sup>rd</sup> Streets.

Rollo moved and Ruff seconded the motion to strike parking meters on S. Washington Street between 2<sup>nd</sup> and 3<sup>rd</sup> Streets from Division 2.

Neher asked if this was related to an amendment coming later.

Volan said this motion would remove a block of meters which were included in his proposal.

Neher asked if this should wait until Division 2 passed. Adding that the motion to strike those meters could be added later.

Volan said he was surprised anyone was amending this section since prior to this he had heard no comments on this section.

Ordinance 15-10  
Division 2 which includes  
Sections 2, 3, & 4 (cont'd)

After discussion with Attorney Sherman about the difficulties reconciling this ordinance with the next one Ordinance 15-09, Rollo withdrew his amendment regarding parking meters on S. Washington.

Sandberg said she was one of three council members who opposed the meters in the downtown. She said that the range of options was appealing. She said she had adjusted because now it was not difficult to find a spot downtown. She added that as tempting as it was to reduce some parking fees, she believed that having differentiated pricing would be too complicated.

Granger said this was unnecessarily complicated, and would not support it because there were other options of free parking available.

Volan said while he appreciated the decorum in his colleagues' disagreement, he was disappointed that they did not recognize the logic in this proposal. He said he was surprised that his colleagues would not take the opportunity to fine tune the system. He said the principle for charging for parking was that the lower demand areas would have a lower price and higher demand would have higher prices. He noted the expensive 'smart meters' could be adapted to vary pricing and wondered why the city purchased them if that feature was not going to be used. He questioned whether anyone even read the details of his proposal. He stated he had never been so disappointed in his colleagues.

Granger clarified that there was another ordinance being introduced later in the evening, acknowledged that changes were needed in parking, and she would be supporting the next ordinance.

Spechler said a person would need a map to find the appropriate meter or to know the cost, and that this was too complicated for the ordinary citizen.

Neher said no matter what changes were made, people might not be happy.

Division 2 received a roll call vote of Ayes: 4 (Neher, Ruff, Rollo, Volan), Nays: 5 and therefore failed.

Vote on Division 2, Ordinance 15-10

A quick exchange between Rollo and Sherman clarified that a "yes" vote would include the relevant enactment clauses that went with the ordinance.

It was moved and seconded to adopt Division 3 which included Sections 5, 6, 10, & 11.

Ordinance 15-10 Division 3 which includes Sections 5, 6, 10, & 11

Volan explained Sections 5 and 6 which included changes in parking in the Morton Street Garage (first three hours free). He noted changes included in Sections 10 and 11 converted conventional style meter usage to a "pay-as-you-go" system in Parkmobile, which allowed parkers to start paying when they parked and stop payment whenever they left the parking space.

Spechler said he didn't use this app and asked why the change was necessary. Volan noted that the Parkmobile App operated in one or the other system, and the customer could not choose which system was operational in a municipality. He noted that the app currently only allowed customers to pay for a specified time. He said the change could be done in 24 hours, and be implemented on a Sunday.

Neher asked about the Morton Street Garage and the number of spaces available, noting that it was constrained in space and was not included in the first parking ordinance that offered limited free parking in garages. He asked if that was still the case. Volan said that the administration told him the Morton St. Garage had a second set of gates with different 'ownership' of the spaces beyond the second gate which would complicate free parking. Subsequently, the second set of gates was removed, and when the county was seeking parking spaces for employees it was learned that at peak usage there were 117 spaces going unused.

Ordinance 15-10 Division 3 which includes Sections 5, 6, 10, & 11 (cont'd)

Public Comments:

Daniel McMullen addressed Sections 5 & 6 by talking about bicycle fees.

Council Comments:

Sandberg said she supported the additional free parking in the Morton Street Garage which, she said, would free up parking on the streets.

Spechler said he agreed with Sandberg that the consistency of 3 free hours in all garages was acceptable.

Council Attorney Sherman said Division 3 and the next Ordinance 15-09 both amended Schedule W with rates being created by differing amounts of time. He asked the Council to authorize staff to reconcile the language and make the appropriate conversions if Division 3 was adopted.

The motion to adopt Division 3 of Ordinance 15-10 received a roll call vote of Ayes: 8, Nays: 1(Mayer).

Vote on Ordinance 15-10, Division 3

It was moved and seconded to adopt Sherman's request to authorize staff to correct the heading in Schedule W in Title 15 to read 'price per hour' and to make the appropriate pricing conversions to resolve differences in Ordinance 15-10 and Ordinance 15-09.

Motion to reconcile difference by staff.

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

It was moved and seconded that Ordinance 15-09 be introduced and read by title and synopsis. Deputy Clerk Wanzer read the legislation and synopsis, noting that there was no Do Pass Recommendation on this item. She noted that a motion to hold this Special Session to continue discussion on the ordinance received a vote of 9-0-0.

Ordinance 15-09 To Amend Title 15 Of The Bloomington Municipal Code Entitled "Vehicles And Traffic" And To Make Other Changes Related To Metered Parking Re: Shortening The Hours Of Enforcement Of On-Street Metered Parking, Eliminating The Credit Card Convenience Fee For Meter Use, Authorizing The Mayor To Declare "Parking Holidays," And Extending The Hours Of Enforcement For Lot 9 (Fourth Street Garage)

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

Councilmember Neher, sponsor of the ordinance, reviewed his proposal and noted the passage of the ordinance would:

- Change hours of enforcement to 9am to 9pm. He noted fees collected during the 9pm-10pm hour were \$39,000 and the 8am-9am hour were \$134,658.
- Eliminate credit card fees for payment of meters. He said this had a fiscal impact of \$150,000. He said this was a response to citizen's surprise that the fee was paid by them, unlike other retail credit card transactions.
- Grant the Mayor the ability to suspend enforcement. He noted this would be exercised during holidays, inclement weather, or other circumstances.
- Extend hours of enforcement in the 4<sup>th</sup> St Garage from 8am-5pm to enforcement hours of 7am-6pm. He said this was intended to prevent folks from parking just before 8am and leaving just a little after 5pm in order to avoid parking fees.
- Express rates for parking in 'per hour' fees rather than per 15 minute or 30 minute increments for clarity purposes.

Ruff proposed Amendment #2 to Ordinance 15-09 which would change meter enforcement hours from 9am-9pm (as proposed in this ordinance) to 9am-8pm. Neher noted that he welcomed discussion on this proposal. It was moved and seconded to change meter enforcement to 9am-8pm.

Amendment #2 to Ordinance 15-09  
This amendment is sponsored by Councilmembers Rollo and Ruff. It shortens the hours of on-street meter enforcement from the proposed 9am-9pm to 9am-8pm

Rollo said this would remove 107 space hours per day with a fiscal impact of \$110,000 or about 4% of the revenue of the meters. Rollo said he supported this change.

Ruff added that he believed restaurant owners favored moving the hours of enforcement to end earlier in the evening. He said he talked to several restaurant managers or owners earlier in the day who strongly favored the change to 8 pm. He said it was the tradeoff in lost revenue to help some of the downtown businesses.

Public Comments:

Daniel McMullen supported the shortening of hours.

Robert Arnove said he agreed with Ruff that the hours of enforcement should be shortened with an ending time of 8pm.

David Schleibaum said he agreed with the reduction of hours of enforcement, and would like to see fines lowered at the same time. He said the "\$2M kitty" that the city had was indicative of the need to lower the fines.

Council Comments:

Mayer said Ruff talked about restaurants with more casual seating and where no reservations were usually needed. Mayer said that restaurants that take reservations were more supportive of 9am-9pm rather than 9am-8pm due to the reservation system they used.

Spechler noted that parking meter revenue was one of the few ways to fund street repair. He said the loss of revenue by shortening parking meter hours would not allow as much improvement to the downtown for repairs and paving. He said the 9am-9pm hours were easy to remember, and would help raise the money needed for public benefit.

Sandberg said the 9am – 8pm enforcement was also good for the arts and entertainment district. Many who attend arts programs also ate downtown and the reduced hours would help those people. She said this would reduce costs and frustration for those patrons.

Volan said since the council had established that their preference was for simplicity in parking regulations, he was surprised at this amendment. He said this amendment was an arbitrary change to gain support from those who were perceived as not liking the parking meters. He said the purpose of the meters was to regulate the limited number of spaces on the streets. He said the amendment would arbitrarily waive that regulation in favor of a perception that businesses would benefit from the change. He urged the council to not support this amendment.

Sturbaum said he liked the symmetry of 9 am to 9 pm.

Rollo said this wasn't arbitrary because it was documented that the 8pm-9pm hour had the least amount of revenue except for 9pm-10pm. He said he had also talked with business owners and managers, and they said the change would be a benefit to them. Also, he said constituents said they supported this.

Ruff said for those who originally voted against the meters this amendment was entirely logical to reduce enforcement hours.

Volan questioned how the council voted down a proposal for year round, half price reduction in parking costs for 27 blocks of the downtown but seemed to support this reduction in hours. He said it was hypocritical to support this and reject the previous proposal.

Amendment #2 to Ordinance 15-09  
(cont'd)

The motion to adopt Amendment #2 to Ordinance 15-09 received a roll call vote of Ayes: 4 (Neher, Ruff, Rollo, Sandberg), Nays 5 (Granger, Mayer, Sturbaum, Volan, Spechler) and therefore failed.

Vote on Amendment #2 failed.

Amendment #1 to Ordinance 15-09

Volan proposed an amendment which, in effect, would prevent the city from absorbing credit card user fees that were proposed in the ordinance. He said that those who paid for parking have the option of doing so with cash and the ParkMobile app for convenience. He said each individual user should pay the fee rather than having it absorbed by the city, and therefore passing it along to city tax payers.

Amendment #1 to Ordinance 15-09  
This amendment is sponsored by Councilmember Volan. It removes Section 3 of the ordinance, which eliminates the convenience fee associated with use of credit card for the payment of parking meters.

There was no public comment on this amendment.

Council Comment:

Spechler said someone had to pay the credit card fee, and the fairest means was to allow those who use the service to pay the fee.

The motion to adopt Amendment #1 to Ordinance 15-09 received a roll call vote of Ayes: 5, (Granger, Ruff, Rollo, Volan, Spechler), Nays: 4 (Neher, Mayer, Sturbaum, Sandberg).

Vote on Amendment #1

Rollo moved and Volan seconded a motion to consider Amendment #3 to Ordinance 15-09 which would designate certain parking spaces on public streets for use by specially endangered persons.

Amendment #3 to Ordinance 15-09

The seven spaces were located at 318, 320, and 338 South Washington and would be designated at all times. Rollo said that the violation for parking in these spaces would fit under Class D which would incur a \$20 fine with a late fee of \$20. He said his motivation for proposing this was the location of the domestic abuse shelter, Middle Way House. He noted he had invited the director to speak at the meeting.

This amendment is sponsored by Councilmember Rollo and designates certain parking spaces on public streets for use by specially endangered persons. These parking spaces are set forth in a new Schedule S-1 (Parking for specially endangered persons), are subject to certain limitations, and go into effect only after an applicant organization enters into an agreement with the City regarding administration and enforcement of these provisions and signage is in place.

Rollo said the spaces would be reserved for clients endangered by violence, a deliberate life-threatening violence intended to intimidate or terrorize those seeking shelter at MWH. He said the spaces reserved by this amendment were on this main street, under lighting, easily accessible by clients and staff, within view of the Police Department, and would allow spaces for the discretion of Middle Way House to insure that their clients had maximum protection from harassment and attack. He said this was necessary because, although it was an exception, it met a very high bar with the potential and likelihood of physical violence.

Toby Strout, Executive Director of Middle Way House, thanked the Council for their consideration of this amendment. She said that she and the staff had serious concerns about the safety of the clients, and even staff were a little afraid of the parking that had been set aside for them behind the building. She said the street was now used as permanent parking by the students in the apartment building to the south of MWH, and also students who lived in the periphery of the area to park and walk to campus. She said the spaces were filled all day long and there was no place for people with trauma to park safely and access services.

Sandberg asked if the meters stricken from Ordinance 15-10 could be added back to address this issue.

Volan said that he moved to strike the meters from Ordinance 15-10 (the previous ordinance) after consultation with Strout. He said that meters would work there only with another 'combo' zone similar to the



Amendment #3 to Ordinance 15-09  
(cont'd)

city's Zone 4 which would be complicated in this instance. He said he was originally not in favor of reserving spaces but after looking at the problems and the space, he came to a different conclusion. He said that even reporting the license plate numbers for permit issuance or payment of parking would violate privacy laws in the Violence Against Women Act (VAWA), and would create more bureaucratic hoops to conquer. He said he felt the only way to solve the problem was to dedicate spaces to this function. He added that there was no other shop or business on the street that would want the parking.

Rollo said there were no meters on this block, and if they were installed, it would require a waiver program to reserve spaces.

Spechler said he was very sympathetic to this cause and this agency. He asked Strout how it would be monitored. Strout said that her agency had created a permit for use by clients that would be dispensed by the agency. She noted that if a person came for help with a protective order, the process could take up to four hours and a time limit would impede the provision of this important part of their service.

She said that pursuant to VAWA, there could be no data entered into a data system that could trace the identity of a person the agency served.

Spechler asked what would protect the cars from vengeful family members. Strout said the public nature of the street would help deter this action. She noted that cars parked behind the shelter were being vandalized. Spechler asked if the agency had private parking that was more protected. Strout said she hoped that vandalism would be less likely to occur on the street than in the lot behind the building.

Spechler asked about the probability of having some private parking for especially sensitive cases. Rollo noted that this would be essentially reserved parking. He said people would be less likely to be terrorized in such a public place. Spechler said he was trying to be sympathetic and wondered if there was a more protected place for clients to park.

Volan explained that parking on the street was closer to the building and safer than the private parking behind the building which was off an alley and not as safe. He said that because of the no-smoking policy of the bus terminal, immediately north of MWH, people would smoke in the alley and littered the alley. He said that the parking spaces on the street would amount to private spaces in a very public area which would intimidate those who might do harm while not intimidating people who needed services.

Granger asked about the number of parking spaces behind the building. Strout replied that there were four right on the alley and seven that were recessed and closer to the building. Granger asked for the number of spots at the Rise. Strout said there were 28 units, but she didn't know the exact number of spaces or cars that parked there.

Neher asked if enforcement would be complaint based or patrolled by Parking Enforcement.

Rollo said it would be both. He said it was more likely to be complaint based, and that the services were extended for 23 hours a day.

Mayer asked about the provision in this amendment for a reasonable fee and wondered if it would be like the neighborhood permit fees.

Sherman said he had looked at the standard permit program for the Neighborhood Parking Permits. He said this proposal said there would be a fee, and it would be reasonable, and that the council would have an opportunity to review it. Answering another question by Mayer, Sherman said he looked at permits for downtown employees that amounted to \$75. He said he could look into those prices further. Mayer

said there should be an equitable charge for the amount of space used and the enforcement time. Sherman said it would cover the costs in administering and enforcing the program along with signage and marking the spaces.

Granger asked if Strout had consulted with the owners of the building to the south about sharing their parking spaces behind their building. Strout said those spaces were all currently leased, and some of the people who held permits for their private lot actually parked on the street.

Sandberg asked about the need for seven spaces on the street. She asked if the spaces were for residents, client intake or services. She said five out of six units in MWH had vehicles with about half of the 12-17 women in the shelter had vehicles. She said the staff had to use their cars in service to their clients and that was seven on call at any time.

Granger asked for clarification that the on-street spaces were not for staff parking. Rollo said that was correct.

Sturbaum asked how long these spaces would exist. Rollo and Sherman said this would be codified, adding these addresses to the schedule in the code. They would therefore exist in the Code until amended.

Sandberg said the case was compelling but wondered what type of precedent this would set for others who might also make this same request. Rollo said if there were other clients in danger at another shelter, he would support creating special parking spaces for clients there as well. Rollo said the need cannot be met in any other way because of privacy concerns.

Volan said he knew of no other agencies in the downtown where Federal Law protected personal identity to this extent.

Sandberg suggested parking meters would be a viable alternative. Volan said that asking people to pay for emergency help was an undue burden on the clients and/or the agency. Moreover, in his previously proposed ordinance, he had proposed a method for waiving fees for non-profits, but the council opposed it.

There was no public comment.

Council comments:

Volan said that he went to Middle Way House to look at the parking areas and demonstrate ParkMobile to the director. He said at that time the issues of license plates numbers, identity and privacy concerns became apparent to him. He said a combo permit zone would also introduce more complications to the situation. He noted the phrase "specially endangered persons" indicated no ordinary situation. He voiced his support for this amendment and asked council members to support it.

Granger said she understood the challenges of parking in this area. She was uncomfortable legislating this, and would rather create a permit program for this situation. She also wanted to help figure out a way to make their back lot a safer parking area.

Ruff said he too had earlier concerns about setting a precedent, but then realized the level of safety and security made this a reasonable request, since clients visit there because they are in danger.

Mayer said this was precedent setting but that a case could be made for special populations at any number of other social service agencies. He

said there should be another way to solve this, and thought that a permit system would be a better solution.

Amendment #3 to Ordinance 15-09  
(cont'd)

Neher also said the issue of setting a precedent was also of concern to him, but recognized the need and the demand. He said he would support it, but also mentioned that there needed to be a larger discussion on the management of spaces and permitting, and would support exploring a broader program. He said this needed to be a temporary solution and that a broader program needed to be developed to address the wider range of possibilities.

Sandberg said she supported Neher's comments and approach to this. She said she would like this to be a temporary solution to the situation, and in the future would like to explore other means to solve this. She mentioned the close proximity to the police station and talked about an escort program for clients if needed.

Spechler said this was a precedent, but believed there were enough singular characteristics here to warrant support.

Rollo said he couldn't find another way to solve this parking issue without creating undue burdens, and this was an extraordinary circumstance.

Volan said the problem with a permit system was how to get the permit to clients who were there in an emergency situation. He said issues that were associated with this amendment were addressed in his earlier proposal of Ordinance 15-10 which failed.

The motion to adopt Amendment #3 to Ordinance 15-09 received a roll call vote of Ayes: 7, Nays: 2 (Granger, Mayer).

Vote on Amendment #3

Consideration of Ordinance 15-09 as amended.

Ordinance 15-09 as amended.

Neher reviewed what was in the ordinance, what had been eliminated and what was added by the amendments.

There was no public comment.

Spechler said the council should be proud of this, and that it was a wonderful change. He said the promise of revisiting the meter program was fulfilled with these changes.

Volan said this was very close to Ordinance 15-10 which he introduced earlier and which failed, and said he wished the sponsor of this ordinance and he could have worked together to create a collaborative approach to one ordinance rather than two. He said he supported this ordinance as amended.

Sturbaum said he believed there would come a time when council made the changes in differential price rates as suggested by Volan in the earlier ordinance proposal. He said it wasn't a bad idea, but he just wasn't ready to support it at this time.

Sandberg said she hoped the public would embrace these changes.

Granger said she was proud of the council for exploring the research, considering different proposals, and responding to the community about something they said was important. She added she was excited to support this.

Neher thanked his colleagues for their support. He highlighted the fiscal impact as \$175,000, the three free hours in the Morton Street Garage and the change in ParkMobile. He said that the change in ParkMobile will help people to not get parking tickets.

Ordinance 15-09 as amended (cont'd)

Rollo extended his appreciation to Volan and Neher for their work on the ordinance proposals, and said this ordinance was a good change to parking meter policies.

The motion to adopt Ordinance 15-09 as amended received a roll call vote of Ayes: 9, Nays: 0.

There were no updates to the council schedule.

COUNCIL SCHEDULE

It was moved and seconded that Amanda Burnham be appointed to the Utilities Service Board.

APPOINTMENTS TO BOARDS  
AND COMMISSIONS

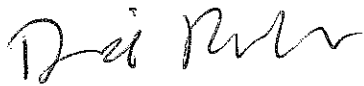
The appointment was approved by a voice vote.

The meeting was adjourned at 12:05 am.

ADJOURNMENT

APPROVE:

ATTEST:



Dave Rollo, PRESIDENT  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington