

In the Council Chambers of the Showers City Hall on Wednesday, May 4, 2005 at 7:30 pm with Council President Andy Ruff presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
May 4, 2005

Roll Call: Banach, Diekhoff, Ruff, Gaal, Rollo, Sturbaum, Volan, Sabbagh, Mayer

ROLL CALL

Council President Ruff gave the Agenda Summation

AGENDA SUMMATION

The minutes of February 2, 2005 were approved by a voice vote.

APPROVAL OF MINUTES

Jason Banach congratulated graduating students of Indiana University and spoke of the economic contributions the university makes to the community.

REPORTS:

- COUNCILMEMBERS

Chris Gaal announced that the annual letter carriers food drive will take place on Saturday May 14th. He noted that it is the largest food drive in the nation and that anyone interested in donating may leave non-perishable food items in their mailbox that day. Gaal said the Hoosier Hills Food Bank is the recipient of what is collected locally.

Gaal reported that Amy Goodman, host of the independent news show Democracy Now, will speak in Bloomington on Thursday May 5th at 7:30pm at the Buskirk-Chumley Theater. Gaal elaborated on the importance of independent, impartial media and announced that Democracy Now airs on community radio station WFHB (91.3 FM and 98.1 FM) and is also broadcast on CATS TV.

David Sabbagh reported that this is the final week of classes at Ivy Tech and that he has instructed a math course for the past three spring semesters. He congratulated all graduating students from Ivy Tech and Indiana University.

Tim Mayer thanked Gaal for announcing the postal workers food drive. He recalled volunteering at the Hoosier Hills Food Bank last year after the food drive and encouraged citizens to take advantage of volunteer opportunities.

Andy Ruff recalled a recent fundraiser at Suburban Lanes in which the City Administration's team competed against a city council team. Ruff presented an amusing brass bowling belt buckle to team member Steve Volan who was unable to attend the fundraiser.

Maren McGrane of the mayor's office introduced Laurie Ringquist, director of the animal shelter.

- MAYOR and CITY OFFICES

Ringquist announced that May 1st through the 7th was National Be Kind to Animals Week. She encouraged citizens to consider adoption. Ringquist also discussed the need for contributions and volunteers, including foster parents to care for animals. She noted that the shelter would host an open house Saturday May 7th from noon to 5:00PM in order to celebrate National Be Kind to Animals Week and the one year anniversary of the renovated shelter.

Banach inquired how citizens could make a cash donation to the shelter. Ringquist noted that contributions may be made payable to the Monroe County Humane Association and designated for the shelter fund.

There were no reports from council committees.

- COUNCIL COMMITTEES

Marti Crouch, resident, talked about the potential herbicide treatment of Brazilian Elodea in Lake Griffy. She said that the decision to treat the lake chemically was rushed and encouraged the city to consider an alternative that would satisfy a larger number of residents. Crouch recommended that boat traffic in and out of Griffy be restricted. She pointed out that she has not found any evidence, nationwide, of herbicides eradicating water weeds and requested that this be considered.

Mike Andrews, resident, distributed handouts regarding Brazilian Elodea and argued that no evidence exists that supports the successful eradication of any plant with a chemical herbicide. He warned that once chemicals are applied, native species will be negatively affected and invasive species will only increase over time. In addition, Andrews stated that the toxicity of chemical herbicides may be harmful to animals and he urged the city to explore alternative remediation methods such as manual harvesting.

Marc Haggerty, resident, invited biology professionals at Indiana University to participate in developing alternative ways to treat Lake Griffy for invasive species. He also noted that the city environmental commission should be involved in the city's decision to treat the lake.

Jim Hart, resident, said that he lives near Lake Griffy urged the city to reconsider the use of chemicals to treat the lake. He spoke specifically about the potential unknown long-term effects of herbicides and asked the city to consider alternative methods.

Nick McGill, resident, reiterated that it is impossible to eradicate weeds from Lake Griffy and argued that the use of chemicals in the lake will do more long-term damage than good.

Cynthia Brethiem asked members of the public in attendance at the meeting to signal by raising their hands if they disagree with the use of chemical herbicides in Lake Griffy. She explained that this gesture would show the level of support without requiring everyone to speak.

Mike Diekhoff nominated Nicole Montembeault and Susie Hamilton for the Bloomington Housing Quality Appeals Board. The appointments were approved by a voice vote.

Mayer nominated Richard Burke, Karen Brosius and Robert Monroe for the Community and Family Resources Commission. The appointment was approved by a voice vote.

Gaal nominated Rachel Tolen for the Utility Service Board. The appointment was approved by a voice vote.

Sturbaum nominated Matt Reckard for the Historic Preservation Commission as an advisory member. The appointment was approved by a voice vote.

Ruff nominated Frank Motley for the Martin Luther King Jr. Birthday Commission. The appointment was approved by a voice vote.

All appointments were approved by a voice vote.

It was moved and seconded that Ordinance 05-15 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 4-0-3. It was moved and seconded that Ordinance 05-17 be adopted.

▪ PUBLIC INPUT

BOARD AND COMMISSION
APPOINTMENTS

LEGISLATION FOR SECOND
READING

Ordinance 05-15 To Amend Title 2
of the Bloomington Municipal Code

Entitled "Administration and Personnel" (Adopting Section 2.12.100 entitled "Bloomington Commission on Sustainability")

Ruff reported distributing Amendment 01 to Ordinance 05-15 to council members and briefly explained that the amendment emphasizes the importance of the Sustainability Commission coordinating and cooperating with other city boards and commissions. Ruff read aloud the portions of Ordinance 05-15 that would be amended by Amendment 01.

Amendment 01 to Ordinance 05-15

Jason Banach offered a friendly amendment that would insert the word "boards" in conjunction everywhere city commissions are mentioned in Parts (8)(c), (8)(d) and (8)(e).

Dave Rollo reiterated concerns from the Environmental Commission that this amendment be codified in order to help prevent redundancy among city boards and commissions. Rollo voiced his support of the amendment.

Public Comment on the Amendment:

Deb Backhus, Environmental Commission member, voiced support for the amendment and said that the Sustainability Commission should have this language in its enabling legislation that requires it to cooperate with other boards and commissions.

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

Rollo introduced Ordinance 05-15 and gave a presentation, featuring a summary of sustainability challenges and opportunities.

Ruff thanked Rollo for this presentation on sustainability and said that it is humbling to feel that while Bloomington is on the leading edge in Indiana, other municipalities are leading the way in sustainability measures nationwide.

David Sabbagh asked for clarification on local sustainability and asked to what extent a community can provide goods for itself, using the purchase of a new computer as an example.

Rollo said that the local production of goods and services has advantages due to decreased transportation costs. In addition, he said it is economically healthier for a community to diversify its economy and supply its needs locally. While addressing some negative ramifications of globalization, Rollo said the concept of sustainability supports free trade.

Sabbagh asked how the members of the commission will be chosen, adding that diversity is very important. In addition, he spoke about benchmarking and a sunset provision.

Rollo confirmed that the commission members will represent a wide cross section of the community. Regarding a sunset provision, Rollo said that it is likely the commission will be needed in the future. However, he pointed out that if the commission proves to be ineffective, the council has the ability to dissolve the commission at any time.

Mike Diekhoff asked why other city boards and commissions are unable to do the work of the sustainability commission. Rollo noted that some boards and commissions are trying to do some of the work, such as the Environmental Commission, but that a component of city-wide

coordination is lacking. He added that the economic perspective in particular is missing from other boards and commissions.

Diekhoff asked if the council committee which reviews applications had been established yet. Rollo noted that the council president would help determine which council members would sit on the committee and coordinate with the administration to work out the details of the application review process.

Diekhoff asked where the commission will start and asked if it will be advisory only. Rollo confirmed that the commission would be advisory and recommended that the commission might begin by establishing a set of sustainability indicators for Bloomington and look at other communities with best practices in sustainability.

Steve Volan asked how the Sustainability Commission might address the issue of population growth in Bloomington, especially if the commission is successful in enhancing the community's quality of life and attracting a higher population. Rollo recognized that a goal of the Sustainability Commission is to enhance the livability and desirability of the community, which could effectively increase population growth.

Volan asked if the Sustainability Commission might someday serve more than an advisory role. Rollo reiterated that the commission would serve an advisory role and make recommendations much in the same way that the Environmental Commission does. He noted that the commission was intended to coordinate and collaborate with other city boards and commissions as oppose to play an adversarial role.

Public Comment:

Lucille Bertuccio spoke about the Sand County Almanac by Aldo Leopold and said the establishment of the Sustainability Commission was a step in the right direction. She also asked that chemicals not be used in Lake Griffy.

Jim Hart spoke about the community's responsibility for overseeing resources. He suggested that sustainable thinking would allow the community to be more aware of production processes, working conditions, and how and where money is spent.

Catherine Stafford urged the council to vote to establish the Sustainability Commission. As a lifelong resident of Bloomington, Indiana University Graduate, resident of a core urban neighborhood and proud business owner, she said she knows how much the city needs the commission. Stafford specifically highlighted the need for the commission to address small business and core neighborhood concerns.

Carril Mills said she was excited by the comprehensive nature of the Sustainability Commission and said it will be a great opportunity for the community to position small businesses more effectively. She also underscored the need for diversity on the commission.

Council Comments:

Sturbaum complimented Rollo for coordinating the creation of the Sustainability Commission and for accepting so much input.

Gaal seconded Sturbaum's comments. He also stressed that there will be an ongoing need for the commission due to the overwhelming complexity and longevity of the challenges it will address. He noted that the commission will not be able to solve all of the city's problems, but said it is an important movement that will play a vital role.

Banach offered his services to be a member of the council interview

committee in order to help promote diversity within the membership of the commission. He said he plans to support the commission, describing it as the right thing to do, and thanked Rollo for working with him on the issue.

Amendment 01 to Ordinance 05-15
(Cont'd.)

Sabbagh noted that while most of the goals of the commission are a no-brainer, he has some reservations regarding circulation of money and the global economy. He also spoke to the importance of a diverse commission in order to promote a good, broad community discussion. Sabbagh announced that he plans to vote in favor even though the sunset provision was not approved.

Volan said that the commission was very much needed and suggested that the commission will address questions that have not been asked, including population growth in Bloomington. He reminded Sabbagh that the council has the ability to abolish any commission at will and said a sunset provision is not necessary.

Mayer thanked Rollo for bringing the proposal forward and said that he is heartened that the issue of sustainability seems to be embraced by the current generation. Mayer closed his comments by citing the quote, "We have met the enemy, and he is us."

Rollo said that sustainability, to him, was accountability and internalization of costs. He said that Bloomington has potential to be a regional supplier of sustainable resources and thanked everyone that was involved with developing and supporting the idea, specifically Mayor Mark Kruzan, members of the Center for Sustainable Living, Heather Reynolds, Paul Schneller, Steve Howard, Jason Banach and fellow council members.

Ruff said the recognition and thanks that Rollo received regarding the Sustainability Commission was well deserved. He described the development of the commission as a collaborative and educational process for the council, administration and community as a whole.

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

It was moved and seconded that Ordinance 05-14 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation (As Amended) of 6-0-1. It was moved and seconded that Ordinance 05-14 be adopted.

Ordinance 05-14 To Amend Chapter 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" (Amending Chapter 15.26 "Neighborhood Traffic Safety Program" in Order to Authorize Traffic Calming Devices on East Azalea Lane between Wylie Farm Road and Highland Avenue)

Justin Wyckoff, Manager of Engineering Services, gave a presentation on the Azalea Lane traffic calming proposal.

Sabbagh asked if emergency services officials have given their approval of this proposal. Wyckoff indicated that with the exception of a couple of conditions that have been addressed, city fire and police officials have verbally agreed to support the project.

Sabbagh asked how Azalea is categorized as a road. Wyckoff indicated that Azalea is a local street. Sabbagh asked if traffic calming is being proposed based on the city's twelve step process that measures the need for traffic calming. Wyckoff responded affirmatively.

Sabbagh said that while he is not agreeable with the process of developing traffic calming, he is reluctant to bring his amendment forward which will conflict with the current, accepted process.

Mayer asked if the process and procedure developed by the city has

been followed by previous neighborhoods requesting traffic calming. Wyckoff confirmed Mayer's statement and said the process has been unchanged.

Mayer asked where the funding originates for traffic calming. Wyckoff said the Council's Discretionary Fund covers this type of project.

Sturbaum asked for an approximate cost for the Azalea Lane traffic calming project. Wyckoff said the traffic calming initiative would cost about \$12,000 to \$13,000, leaving about \$10,000 to \$12,000 in the fund.

Sturbaum asked if signs would be erected notifying drivers of upcoming traffic calming along with a reduced speed limit. Wyckoff said the city does make use of signs to notify drivers in those situations.

Volan asked for clarification on what a speed table is and inquired how decisions are made on what type of traffic calming devices are to be used. Wyckoff said a speed table is a twenty-two foot long traffic calming device that is less obtrusive than a speed hump and that the city tries to find the best fit when matching calming devices to different streets and neighborhoods. He said that what works to slow traffic on one street might not work well on another.

Rollo reiterated some citizen concerns that he received regarding emergency vehicle access and parking. Wyckoff expressed that it is the city's desire to minimize impact on normal operation of emergency vehicles. In addition, he said that safe and ample parking will be established once the calming devices are installed and tried.

Public Comment:

Resident Jeffrey Cochran voiced opposition to the traffic calming proposal. He said he drives on Azalea every day and does not feel like traffic calming is needed or fiscally responsible.

Resident Donna Dayton said that traffic calming is needed and emphasized that residents who attended neighborhood meetings were in agreement and urged approval traffic calming.

Resident Craig Howerton cited safety concerns on Azalea Lane and strongly urged approval of the project.

Resident Andy Szakaly presented a couple of photographs taken at Azalea Drive and expressed concern about the width of the road if a traffic island was installed. He said he supports traffic calming but is concerned about the method that will be utilized and how it will affect the flow of traffic, particularly the delivery of a modular home to a property of his.

Mayer asked if there was a conflict between the timing of the delivery of Mr. Szakaly's modular home and installation of a traffic island. Wyckoff said that even after the island is installed, a large vehicle with an oversized delivery could pass by if a sign was temporarily removed.

A resident who lives on the corner of Azalea Drive and Wylie Farm Road said she was opposed to traffic calming on Azalea Drive now since the amendment to place traffic calming devices on Wylie Farm Road was withdrawn. She voiced opposition to traffic calming since the proposal involves speed bumps when many residents said they did not want them. In addition, she said delivery drivers do not support traffic calming and that some mailboxes will have to be moved away from the road. She also predicted additional parking problems if the proposed type of traffic calming is implemented.

Resident Joanne Bunnage offered her support for traffic calming and noted that the majority of neighbors who participated in the process and provided input do support traffic calming. She noted a recent observation of vehicles traveling too fast around a curve by her house and crossing over to the other side of the street. Bunnage said this happens several times a day.

Ordinance 05-14 (cont'd.)

Council Comment:

Rollo asked Wykoff if residents on Wylie Farm Road were surveyed. Wykoff responded that of the 68 residents surveyed, two households on Wylie Farm Road were included due to their corner lot position; the remainder live on Azalea Drive.

Rollo asked Sabbagh if he intended to propose traffic calming on Wylie Farm Road. Sabbagh said he would support and start the process of a traffic calming proposal on Wylie Farm Road if residents requested it.

Rollo asked if the position of mailboxes will be a problem. Wykoff indicated that this was the first he heard of the need to move mail boxes, but that they can be moved if necessary and still remain on the owner's property.

Banach said that he takes traffic calming issues very seriously. He said he is, personally, not a big fan of traffic calming but that he plans to support the ordinance due to the overwhelming support within the neighborhood. He noted that the neighborhood has made a good case for traffic calming and that the cost, at approximately \$13,000, is affordable compared to past traffic calming estimates in other neighborhoods.

Diekhoff said he intends to support the ordinance based on the number of telephone calls he received from residents.

Sturbaum complimented the neighborhood for their efforts and said not supporting the ordinance would be a disrespect to the majority of people who participated in the process and support the traffic calming proposal. He said that traffic calming will help drivers be respectful to people who live in the neighborhood.

Mayer said he will support the ordinance and believes that traffic calming will be the way of the future. He said that drivers are removed from the environment in which they traveling through and, whether intentionally or not, often times drive too fast.

Sabbagh said he will support the ordinance and hopes someone comes forward to request additional traffic calming near Azalea Drive and Wylie Farm Road.

Volan suggested that if drivers perceive that they can drive fast on a certain road, they will. He said the installation of traffic calming should change that perception on Azalea Drive.

Rollo said the traffic calming has significant support from residents and should be carefully implemented and that he will support it. He voiced support for Wykoff and his ability to work with residents in the neighborhood and thanked him.

Ruff announced that he will support the ordinance in order to help improve safety and livability of the neighborhood. He also noted that he does not believe it is fiscally irresponsible to perform this type of project, as a member of the public had suggested earlier.

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

Ordinance 05-14 (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

Appropriations Ordinance 05-03 To Specially Appropriate From the General Fund, Risk Management Fund, Telecom Fund, and Municipal Arts Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the General Fund for the Animal Care & Control Division and the Community & Family Resources Department for Various Purposes; from the Risk Management Fund for Increased Hours for the Assistant City Attorney; from the Telecom - Infrastructure Fund for expansion of the Bloomington Digital Underground (BDU) and Wireless Internet Access in City Hall; and from the Municipal Arts Fund to Reimburse the General Fund for a Percent for the Arts Project)

APPROPRIATIONS ORDINANCE
05-03

John Zody applauded the council for ^{unanimous} ~~anonymously~~ approving the Commission on Sustainability and offered materials that he had from the President's Council for Sustainable Development.

PUBLIC INPUT

The meeting was adjourned at 10:38.

ADJOURNMENT

APPROVE:

ATTEST:



Chris Sturbeum
Andy Ruff, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington