

In the Council Chambers of the Municipal Building on Wednesday July 15, 1992 at 7:30 p.m. with Council Vice President Kiesling over a Regular Session of the Common Council.

Common Council
Regular Session
July 15, 1992

Roll Call: Sherman, Swain, Miller, Fernandez, Kiesling, Cole, Hopkins
Absent: Service, White

Roll Call

The agenda summation was given by Kiesling.

Agenda Summation

Councilmember Swain discussed the importance of keeping pets on leashes. Councilmember Sherman thanked all the people that helped stage the Fourth of July firework display at the Stadium. He also spoke of the great need for a National Health Care Program for the elderly.

Messages From
Councilmembers

Councilmember Kiesling congratulated, Heather Hertling, a Bloomington resident who was recently crowned Miss New Jersey. She also offered an explanation for the recent loss of television services during the storms. The police station offers weather updates on Channel 5.

There were no messages from the Mayor's office.

Tim Mayer, member of the Greater Green Acres Association, discussed the recent court settlement with INVID. Mayer urged the Council to establish a review process for City Department Heads.

Sam Artery, attorney for INVID, came before the Council to explain the process they went through with a number of city offices during their dispute with the Greater Green Acres Association. He also provided some information on the recent court settlement.

Councilmember Kiesling called for the members of the Green Acres Neighborhood Association to stand up and be recognized.

Councilmember Fernandez responded to Mayer and Artery, informing them that they should expect some changes to occur before the next years budget hearings.

Tim Mayer added that meetings between the Neighborhood and the Council could be arranged for any additional input.

Al York addressed the Council concerning any future development in Park Ridge East, especially regarding Noble King's property and the proposed Marsh site. He summarized the Neighborhoods' feelings concerning future development of Park Ridge East. Specifically, ensuring that future developments are compatible with existing development

Councilmember Hopkins responded that he was glad to see the Park Ridge Neighborhood being revitalized and becoming more involved.

Tim Mueller, City Planner, responded to the presentation given by both the Greater Green Acres Association and Sam Artery. He stated that the permitting process is shared by a variety of departments. He went on to define the specific duties of each department. He went on to explain the BZA's override decision which stopped the work. He felt it was unfair to characterize the situation as miscommunication among the staff.

It was moved and seconded that Resolution 92-15 be introduced and read by title only. Deputy Clerk Burris read the resolution by title only.

Legislation For
Second Reading
Res. 92-15

It was moved and seconded that Resolution 92-15 be adopted. The synopsis and committee recommendation of Do Pass: 8-0 was given.

Scott Dompke, Utilities Engineer, reported that there were not any changes from last week, except that the Utilities Service Board approved the agreement.

Councilmember Kiesling requested a brief description of the resolution.

Dompke explained this resolution would allow the city utilities and the county to award a contract to improve the Curry Pike Relief Sewer and the Curry Pike Road widening project at the Whitehall Intersection.

The ordinance received a roll call vote of Ayes:7 Nays:0.

It was moved and seconded that Ordinance 92-26 be introduced and read by the Clerk by title only. Deputy Clerk Burris read the ordinance by title only. It was moved and seconded that Ordinance 92-26 be approved. The synopsis and Committee Recommendation was read Do Pass:2-1-5.

Ord. 92-26

Councilmember Kiesling asked that Riggert explain the ordinance by sections. Bill Riggert, City Engineer, began explaining the new signalized intersection at College Mall Road, Sare Road and Moores Pike. From here, he explained the proposed no parking on a part of Indiana Avenue. Councilmember Fernandez offered an amendment for Section 4 so that the first of the four items under schedule M reads:

Indiana Ave. Anytime	Henderson St/ Atwater Ave.	80 ft. N of Cottage Grove	East
-------------------------	-------------------------------	---------------------------------	------

Councilmember Kiesling stated the amendment came from her due to the possibility of future legal questions.

The amendment received a roll call vote of Ayes: 7 Nays: 0

Riggert went on to explain the Second and Park Street parking area. From here discussion was lead into the proposed no parking on Saturday's in the area of the Farmer's Market.

Councilmember Fernandez asked if new signage would be in similar to the ones in the lot except for higher visibility for motorists.

Riggert responded that the standard No Parking Zone signs will be used.

Councilmember Miller asked Riggert if the signs would be effective for 6 months but be permanent signs.

Riggert responded that they would.

Councilmember Miller responded that she would agree to allow the signs if they could be removed after the Farmer's Market season.

Barbara Baker, Human Resources, spoke about the placement of already existing signage and discussed the proposed amount of new signs. She told the Council that she had spoken with Ralph Merkle about the possibility of removing the sign from the post.

Councilmember Fernandez questioned Baker on how she arrived at the number of signs.

Baker responded that she made the determination due to the length of the block.

Councilmember Fernandez stated that there are 7 signs in each half block between Washington and Lincoln. He responded that this would add to the clutter of signage.

Councilmember Sherman talked about the length of the market for this year and the location for the next year. He spoke to the towing problem for one day and a short period of time.

Councilmember Kiesling suggested to the Council that this be dealt with after having more information about the question of signage pollution.

Councilmember Miller offered an amendment and it was seconded, which stated:

To Delete item 4 under Section 4 in Schedule M.

Councilmember Fernandez questioned Riggert about the policy for a violation of temporary No Parking orders results in immediate towing.

Riggert responded that was City policy.

Councilmember Fernandez asked what policy was for violation of a permanent

No Parking sign.

Riggert responded that it was a ticket.

Councilmember Fernandez summarized that the violation of these signs would only be a ticket and the cars would still be parked.

The amendment received a roll call vote of Ayes:5 Nays:2.(Hopkins,Swain)

Riggert went on to discuss Sections 5 and 6. Which addresses the 30 minute and 2 hour parking restrictions on Fourth Street. He explained on College Avenue the handicapped parking will be extended to four hours under Schedule S.

Councilmember Kiesling asked about the official vehicle parking.

Riggert responded that they have been deleted.

Councilmember Hopkins asked about the handicapped space at the end of 8th Street.

Riggert responded that it's due to its proximity of a more accessible ramp.

Councilmember Kiesling asked County Commissioner Tilton to post better signage for handicapped parking spaces at the Justice Building. Riggert went on to explain the spaces on Seventh street which are proposed to be made 30 minute spaces. They will extend to College Avenue and encompass six spaces.

Tom Klein explained that these spaces are for people who do quick business in the Justice Building.

Mary Ann Miller, Deputy County Clerk, came before the Council to report of the numerous compliments they have received due to the 30 minute spaces on College Avenue in front of the Justice Building.

Councilmember Hopkins requested that Riggert not include official vehicles.

Riggert explained the proposed Handicapped Parking Zone time extensions.

They will be going from two to four hour zones. These are covered in Schedule S in the BMC.

Councilmember Sherman questioned the area that will be covered.

Riggert responded that it would be all handicapped parking spaces on city streets.

Riggert explained Section 10 which deals with Public Employee Parking. He went on to describe the effected areas. On an overhead projector he walked through the areas which will be limited to public employees.

Councilmember Fernandez called for a clarification on the meaning of unrestricted.

Riggert responded, no sign means unrestricted parking.

Councilmember Fernandez questioned the number of spaces which this section will cover.

Riggert responded approximately twelve spaces per block.

Councilmember Cole asked Riggert to define the White and Blue permit parking.

Riggert responded that it is defined under the section entitled "Eligibility". He went on to read the definition from the ordinance.

Councilmember Fernandez asked what other types of city employees work in the Justice Building besides the police department.

Riggert responded that it was only the police department.

Councilmember Fernandez asked if the civilian employees were excluded from obtaining white permits. He went on to ask which employees would be qualified for white permits.

Tom Klein responded that the police officers would be eligible for the white permits.

Councilmember Fernandez questioned the parking in the impounded area.

Klein responded those spaces are for official vehicle parking.

Councilmember Kiesling asked Klein if the police officers could park their personal cars where their official cars are inside the compound.

Councilmember Hopkins asked if the Municipal Building employees would be

eligible to park in the Justice BLDG. parking?

Riggert responded they could park in the white permit spaces.

Councilmember Miller asked why the officers couldn't park their personal cars in the spots where their official vehicles are parked.

Klein responded that they approached the police department as to opening up the spaces in back, but they were not in favor of that part of the proposal.

Councilmember Kiesling asked if personal cars could be parked in official vehicle spots while officers are on duty.

Klein responded that he did not know.

Councilmember Hopkins asked how many spaces would be restricted on Morton under this proposal.

Riggert calculated that it is 31 spaces.

Commissioner Tilton thanked the Council for the Interlocal Agreement and for their work on this difficult problem. He defined that problem as the limited number of available parking spaces and the spaces on Morton which have been recently designated as city spaces. He asked for the Council to support this plan. He made reference to a letter from Jack Harlow.

Councilmember Sherman asked if the suggestions made by Harlow were the same as the ones in the ordinance.

Tilton responded that he had not followed all of the changes made in the process.

Councilmember Kiesling questioned Klein as to the need for white and blue permits.

Riggert responded that it was to distinguish between the present white city permits.

Councilmember Kiesling questioned if the permits were a recommendation from the Traffic Commission.

Riggert responded this is the version which was approved by the Traffic Commission.

Councilmember Sherman asked if there was not a distinction between the permits would as many spaces be needed.

Riggert responded that if they were put together then the same amount of spaces would be needed.

Councilmember Fernandez thanked everyone for the information which has been presented to the Council. He spoke of the Council's frustration at receiving pertinent information very late in the process. He also expressed disappointment on the part of the Administration in terms of advising the Council of their feelings on important issues.

Councilmember Fernandez offered an amendment which stated:

1. In Section IX of the ordinance, delete reference to Schedule T-
PUBLIC EMPLOYEE PARKING

2. Delete Section X of the ordinance concerning BMC 15.38.010-
Eligibility for Public Employee Parking Permits

Councilmember Sherman expressed the same concerns as Councilmember Fernandez.

Councilmember Hopkins again reiterated the concerns of both Sherman and Fernandez but felt the employees of the Justice Building should not be punished for poor planning.

Councilmember Swain questioned the employees present of the recently vacated lot at the corner of 8th and College. He also discussed the possibility of buying this lot for employee parking purposes.

Councilmember Fernandez spoke of the unrestricted parking on 8th Street. He felt that the only people which would be harmed by this proposal would be the

taxpayers.

Councilmember Cole spoke of the number of employees versus the number of proposed spaces, and that the whole plan would not solve the problem. Commissioner Tilton thanked the Council for being concerned about the Justice Building employees.

Councilmember Kiesling spoke about not having the minutes from the Traffic Commission which addressed this ordinance.

Mike Davis talked with the Council about future solution to the Justice Building parking problems. He told the Council he did not understand their frustration with the process of obtaining information because all of the meetings are public.

Councilmember Kiesling explained when the Council gets an ordinance it should have all the accompanying back-up information.

The amendment received a roll call vote of 5-2. (Hopkins, Swain)

From here Riggert went on to explain the pedestrian crossings.

Councilmember Fernandez spoke of ways to raise awareness and increase the safety of pedestrian crossings. He asked the Council office to make a formal request to the Bicycle and Pedestrian Commission to examine the present pedestrian crossings and offer suggestions on ways for improvement.

Councilmember Hopkins spoke about making the crossings more enforceable. Councilmember Kiesling requested the Council office write to Steve Sharp requesting him to enforce pedestrian crossings and policy.

The ordinance, as amended, received a roll call vote of 6-0.

It was moved and seconded that Ordinance 92-20 be introduced and read by the Clerk by title only. Deputy Clerk Burris read the ordinance by title.

Ord. 92-20

It was moved and seconded that the ordinance be adopted. The synopsis and committee recommendation of Do Pass:8-0 was given.

Chris Spiek, Redevelopment Director came before the Council to make a request of rezoning two parcels of land located on Rockport Road. The two parcels encompass twenty acres. On the overhead projector he outlined the proposed rezone area. He went on to explain that the area would be subdivided into a 29 lot subdivision for affordable housing.

Mike Davis, Executive Assistant to the Mayor, reported that the City has made great strides in developing affordable housing.

Councilmember Cole questioned Spiek for the residency requirement for eligibility to purchase.

Spiek responded that the Monroe County Housing Solution will be in charge of giving preference to county residents.

Davis spoke of the City establishing a revolving fund which would enable them to continually provide affordable housing through monies received through the sale of lots.

Councilmember Sherman spoke for the Council in stating their high level of interest in establishing affordable housing for residents.

The ordinance received a roll call vote of Ayes:7 Nays:0.

It was moved and seconded that Ordinance 92-21 be introduced and read by the Clerk by title only. Deputy Clerk Burris read the ordinance by title only.

Ord. 92-21

It was moved and seconded that the ordinance be adopted. The synopsis and committee recommendation of Do Pass:7-0.

Tim Mueller, City Planner, summarized the boundaries of the development. The proposed uses of the land will be conventional single family housing and

on the east side attached condominiums. There will be 140 units. The project was well received by the neighbors and the Plan Commission.

Councilmember Sherman asked Mueller about the drainage problem to the north of the development.

Mueller replied that they had not had enough time to look into it.

Mike Probst, Smith Quillman & Associates explained that this development was designed with the environment in mind.

Councilmember Fernandez thanked Probst for the information. He also expressed the Council thanks for taking the time to consider the environment with the development.

Councilmember Kiesling also thanked Probst for the information.

Councilmember Cole commented on the need for MCCSC to note the growing need for more Middle Schools in out communities.

The ordinance received a roll call vote of Ayes:7 Nays:0.

It was moved and seconded that Ordinance 92-24 be introduced and read by the Clerk by title only. Deputy Clerk Burriss read the ordinance by title only. It was moved and seconded that the ordinance be adopted. The synopsis and committee recommendation of Do Pass:7-1 was given. Tim Mueller, City Planner explained that the proposed site is a small triangle which encompasses .23 acres of land directly south of land which is also owned by the petitioner. The Master Plan calls for Industrial Development filling up the triangle. He went on to explain that the Plan Commission recommended approval because to go ahead and begin fulfilling the Growth Policies Plan for how the entire tract of land will be zoned.

Ord. 92-24

Councilmember Kiesling questioned about the zoning at Curry Pike and Hwy. 45.

Mueller responded that it was RE.

Councilmember Fernandez inquired about the improvement for the intersection of Curry Pike and 45.

Mueller responded that it is probably a couple of years off.

The ordinance received a roll call vote of Ayes:6 Nays:1 (Swain)

It was moved and seconded that the following ordinances be introduced and read by the Clerk for first reading before the Common Council. Deputy Clerk Burriss read the legislation by title only.

Legislation
For First
Reading

Ordinance 92-28 To Vacate a Public Parcel -Re: Right-of-Way Located at 318 N. Rogers Street (Keller Heating and Cooling, Petitioner)

Ordinance 92-29 To Amend the Outline Plan -Re: 1600 West 3rd Street (Westplex)
(South Central Community Mental Health Center, Petitioner)

Ordinance 92-30 To Vacate a Public Parcel -Re: Alley Located off Wylie Street Behind 714 S. Rogers (Bloomington Convalescent Center, Petitioner)

Ordinance 92-31 Salary Ordinance for Police and Fire Officers

The meeting adjourned at 10:00 p.m.

APPROVE

Pam Service, President
Bloomington Common Council

ATTEST

Patricia Williams, Clerk
City of Bloomington