



City of Bloomington Common Council

Legislative Packet

Regular Session

17 January 2007

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

812.349.3409

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



Packet Related Material

**Memo
Agenda
Calendar**

Notices and Agendas:

None

Reports – from Committees:

Sidewalk Report

- Report; Estimates and Aerials; Table of Committee Deliberations and Recommendations for Use of Alternative Transportation Funds for 2007 (*Table of Committee Deliberations and Recommendations*); History of Funding

Contact: Chris Sturbaum at 349-3409 or sturbauc@bloomington.in.gov
Dan Sherman at 349-3562 or sherman@bloomington.in.gov

Legislation for Final Action:

Ord 07-01 To Amend Title 7 of the Bloomington Municipal Code Entitled “Animals” (To Implement the Trap-Neuter-Return Method of Feral Cat Management and to Establish Feral Cat Care Guidelines)

Please see the 03 January 2007 Council Legislative Packet for the legislation, summaries, and background material

Contact: Patty Mulvihill at 349-3552 or mulvihip@bloomington.in.gov
Laurie Ringquist at 349-3870 or ringquil@bloomington.in.gov

Legislation and Background Material for First Reading:

None

Minutes from Regular Sessions and Organization Meetings:

October 4, 2006

October 18, 2006

November 1, 2006

January 3, 2007

Memo

Two Items Ready for Final Action – None Ready for Introduction at the Regular Session on Wednesday, January 17th

There is one report and one ordinance ready for final action, but no items ready for introduction at next week's Regular Session. The report is from the 2007 Council Sidewalk Committee and can be found in this packet. The ordinance (**Ord 07-01** – Authorizing Trap-Neuter-Return Management Program for Feral Cats) can be found in the *03 January 2007 Council Legislative Packet*.

Council Sidewalk Committee Report - 2007

The *Council Sidewalk Committee Report* will need your approval before its recommendations can be put into effect. The *Report*, aerial maps and estimates, *Table of Deliberations and Recommendations*, and history of funding are all included in this packet.

The Committee consists of four council members appointed by the President of the Council which include Council members Mayer, Rollo, Ruff & Sturbaum (Chair). The Committee 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 were increased from \$185,000 to \$200,000 for 2006. In addition these monies now include up to \$100,000 from the CBU for the storm water component of Council Sidewalk Projects. After meeting six times over the last four months the Committee made the following recommendations:

Committee Recommendations:

After six meetings the Committee made the following Recommendations:

1. **Allocate the \$200,000 of Alternative Transportation Funds appropriated in 2007 in the following manner:**

\$200,000	Annual Appropriation
- \$15,000	Traffic Calming
\$185,000	Sidewalk Projects

2. **Authorize the Engineering Department to submit claims to the Utilities Service Board for the storm water component of sidewalk projects in an amount not to exceed \$100,000.**

3. **Allocate Funds already appropriated for 2007 in the following manner:**
 - a. **Design - Henderson Street from Maxwell Lane to Hillside Drive**

<u>Street</u>	<u>Alternative Transportation Fund</u>	<u>Stormwater Component (CBU)</u>	<u>Total</u>
Henderson Street from Allen Street to Hillside Drive (west side)	\$45,000		\$45,000

This multi-block project was requested by the Bryan Park Neighborhood Association a few years ago, but not given a high priority due to the presence of a sidewalk on the other side of the street. Susie Johnson, Director of Public Works, believes this is a high priority and requested the Committee consider funding the design. Funding for construction would then follow from other sources. Please note that the Committee heard a Report from City Engineering on steps the City and School could take to alleviate congestion and improve safety when children are going to and leaving school.

- b. **Construction – Arden and East 5th Street**

Arden Drive - From Windsor to High Street (South Side)	\$47,353.50	\$53,098.50	\$100,452
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This is a two-block long project which would provide a safe walkway for the neighborhood's many children. The design for the first block was funded in 2006 and construction of that block would now occur in 2007.

<u>Street</u>	<u>Alternative Transportation Fund</u>	<u>Stormwater Component (CBU)</u>	<u>Total</u>
East 5th Street – From Overhill to the Deadend	\$92,646.50 <i>(or whatever is remaining in this year's appropriation)</i>	\$29,344.60 +	\$121,991.1

This multi-block project would provide the only east/west walkway through Greenacres. The design was funded in 2003, but construction could not proceed because of the extensive storm water costs associated with this project. Two funding initiatives lead to the recommendation to go forward with construction of one block in 2007. First, an additional \$100,000 has now been made available by the CBU to help cover storm water components of sidewalk costs. Second, CBU set aside \$225,000 to address storm water issues on East 5th from Overhill to the deadend next to the SR 45/46 Bypass. *Note on the Estimates: The \$92,646.50 represents what remains in this year's ATF appropriation after other projects have been covered. This is less than the \$128,022 needed for the ATF portion of this project. These funds would be used for curbs and other infrastructure, but not for sidewalks on this deadend leg of the project. The Committee declared its intent to apply money next year to complete the project and requested that staff explore timing the project to lessen the disruption for the neighborhood and minimize costs. The \$29,344.60 from CBU was derived by subtracting the CBU allocation of \$225,000 from the \$ 254,344.6 estimate for the two-block project. This figure may go up or down depending on whether CBU does the work with its own crews and whether certain "green" initiatives are incorporated into the project.*

Total	\$185,000/ \$185,000	\$82,443.1+/ \$100,000 *	\$267,443.1/ \$285,000
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* Note: City Engineering is authorized to submit claims up to \$100,000

4. Recommend requesting the Mayor to consider reappropriating \$34,000 which reverted to the ATF at the end of 2006 to be used to construct the sidewalk on north side of Maxwell Lane from Clifton Sidepath to High Street

5. Recommend, if necessary, requesting the Mayor to consider reappropriating \$94,000 in Alternative Transportation and Greenways monies that may have reverted to various cumulative capital improvement funds at the end of 2006 so that it can be used to construct a sidewalk on the west side of Nancy Street from Ruby Lane to Mark Street. *Please note: this request will not be necessary as the \$94,000 was applied to other projects in 2006 and AT&G funds in 2007 will be used for this project.*

**NOTICE AND AGENDA FOR
COMMON COUNCIL REGULAR SESSION
7:30 P.M., WEDNESDAY, JANUARY 17, 2007
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 NORTH MORTON**

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: October 4, 2006 (Regular Session)
October 18, 2006 (Regular Session)
November 1, 2006 (Regular Session)
January 3, 2007 (Organizational Meeting)

IV. REPORTS FROM:

- 1. Councilmembers**
- 2. The Mayor and City Offices**
- 3. Council Committees**
 - **Sidewalk Committee**
- 4. Public**

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS

1. Ordinance 07-01 To Amend Title 7 of the Bloomington Municipal Code Entitled “Animals” (To Implement the Trap-Neuter-Return Method of Feral Cat Management and to Establish Feral Cat Care Guidelines)

Committee Recommendation: Do Pass 7- 0 -1

VII. LEGISLATION FOR FIRST READING

None

- 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
Indiana

City Hall
401 N. Morton St.
Post Office Box 100
Bloomington, Indiana 47402



Office of the Common Council
(812) 349-3409
Fax: (812) 349-3570
e-mail: council@bloomington.in.gov
www.bloomington.in.gov/council

To: Council Members
From: Council Office
Re: Calendar for the Week of January 15-19, 2007
Date: January 12, 2007

Monday, January 15, 2007

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

A Day On! Not a Day Off

Tuesday, January 16, 2007

3:00 pm Board of Public Safety, McCloskey
3:30 pm Community and Family Resources Commission, Hooker Room
5:30 pm Animal Control Commission, McCloskey

Wednesday, January 17, 2007

9:30 am Tree Commission, Rosehill Cemetery Office, 930 W. Fourth Street
2:00 pm Hearing Officer, Kelly
5:30 pm Black History Month Men of Color Fashion Show Committee, Dunlap
7:00 pm Council of Neighborhood Associations, Hooker Room
7:30 pm Common Council Regular Session, Council Chambers

Thursday, January 18, 2007

8:00 am Bloomington Housing Authority, 1007 N. Summit, Community Room
3:30 pm Bloomington Municipal Facilities Corporation, Hooker Room
4:00 pm Bloomington Digital Underground Advisory Committee, McCloskey
5:30 pm Board of Zoning Appeals, Council Chambers
5:30 pm Citizens Advisory Committee for Social Services, McCloskey
7:00 pm Environmental Commission, Hooker

Friday, January 19, 2007

8:00 am Blood Drive, Council Chambers
10:30 am Council for Community Arts Accessibility Committee, Dunlap
12:00 pm Domestic Violence Taskforce, Hooker Room

Report of the Common Council Sidewalk Committee January 17, 2007

Committee Members and Staff

The members of the 2007 Committee were appointed by the President of the Council in 2006 and included:

- Tim Mayer, At-Large
- Dave Rollo, District 4
- Andy Ruff, At-Large
- Chris Sturbaum, District 1 (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

Rick Alexander, Assistant Manager of Engineering Services

Planning

Scott Robinson, Long Range / Transportation Manager

Raymond Hess, Transportation Planner

Russell White, Zoning Compliance Planner

HAND

Bob Woolford, Housing Coordinator

Parks and Recreation

Steve Cotter, Natural Resources Manager

Utilities

Jane Fleig, Assistant Engineer

Schedule and Topics of Meetings

The Committee met six times from October 2006 to January 2007 in the course of making its recommendations for funding allocations in 2007. Here is a brief overview of what occurred at those meetings (the memoranda and summaries of which are available in the Council Office):

October 3 and October 16, 2006 at Noon in the McCloskey Room

- Elected a Chairperson (Chris Sturbaum);
- Requested the Council Office to make a record of the meetings;
- Reviewed the Sidewalk Inventory and new publicly and privately installed sidewalks and side paths since last year;
- Reviewed recent, ongoing, or future sidewalk (or sidewalk-related) projects and initiatives presented by:
 - Parks and Recreation, which include:
 - Lower Cascades Park, B-Line Trail, Renwick, and Jackson Creek Trail, and
 - working with Monroe County on Alternative Transportation projects serving Karst Park.
 - HAND, which include:
 - West Dixie and Wylie historic sidewalks, Rogers and Country Club Drive, West 14th and Cottage Grove, Bryan and Coolidge Project (as monies become available), and an offer to contribute the cost of materials for the North Maple Street project.
 - Public Works, which include:
 - 10th and Jefferson, bridge work at 1st and Walnut, signal at West 2nd and Basswood, East 10th Street (State project) and *a request for the Committee to fund design for a sidewalk on the west side South Henderson to help students walk to and from Templeton School.*
 - Utilities, which include
 - A storm water project on East 5th Street from Hillsdale to the deadend by SR 45/46.
- Reviewed money available in the Alternative Transportation Fund for 2007 (this money derives from neighborhood parking revenues that are in excess of program expenses and was increased from \$185,000 to \$200,000 in 2006);
- Acknowledged that as a result of a 2007 budget initiative, \$100,000 was for the first time being made available from the City of Bloomington Utilities for the storm water component of Council Sidewalk projects and heard from Susie Johnson that the Engineering Department, which works with CBU on projects, would file claims for storm water related costs with the USB;
- Discussed sidewalk standards and how those affect cost and usage. Here, the Committee
 - Previously noted its strong preference for use of tree plots as a buffer between pedestrians and vehicles;

- Heard of the ADA requirement for pedestrian ramps which are distinguished in color and texture from the surrounding surfaces;
- Heard a suggestion to use 1” raised cross-walks in order to alert motorists to the potential presence of pedestrians.
- Heard about revisions to the Alternative Transportation and Greenways Plan being undertaken by the Planning Department, which has identified some areas where sidewalks are needed and explained the process for making those revisions.
- Reviewed on-going and recently-completed Council sidewalk projects (see Table of Committee Deliberations and Recommendations for Use of Alternative Transportation Funds (ATF) in 2007) (*Table of Committee Deliberations and Recommendations*);
- Reviewed the statement of criteria for funding sidewalk proposals that include:
 - safety considerations, roadway classification, pedestrian usage, proximity to points of destination, and costs/feasibility;
 - Added Indiana University as a “point of destination”; and
 - Decided that “synergy” was an implied criteria which needn’t be made explicit.

November 6 and 14, 2006 at Noon in the McCloskey Room:

- Began reviewing proposed projects in the following order:
 - Previously funded projects
 - Recent previously discussed but unfunded projects
 - New projects
 - Projects entirely funded by other sources
- Voted to forward a letter from a local law firm to Bloomington Transit

Rescheduled the November 29, 2006 Meeting and met on December 11 and 19, 2006 at noon in the Council Library:

- Heard an oral report on how to alleviate congestion and improve safety at the beginning and end of the day at Templeton School, which included a combination of the following measures: signage, crosswalks, sidewalks, realignment of a drive, and construction of a pull-off (to help separate the cars from the buses);
- Continued to review proposed projects.

January 8, 2007 at Noon in the Council Library:

- Recommended the allocation of 2007 ATF appropriation and requests for reappropriation of 2006 ATF and Alternative Transportation and Greenways funds. (See *Table of Committee Deliberations & Recommendations* for further details).

- Delegated the approval of the minutes for the meetings to the President after review and comment by members.
- Agreed to submit the Sidewalk Report to the Council at the January 17, 2007 Regular Session; and
- Agreed to meet in early October 2007 to begin the deliberations for 2008.

Highlights of Committee Deliberations

2007 Funding – \$200,000 in the Alternative Transportation Fund (ATF) and \$100,000 Available from CBU for Stormwater Related Costs

The Committee makes recommendations regarding the use of the Alternative Transportation Fund (ATF), which is funded primarily by surplus revenues from the Neighborhood Parking Program (BMC 15.37.160). In 2006, those funds were increased from \$185,000 to \$200,000. In addition, a new budget initiative made \$100,000 available from the CBU for the storm water component of Council Sidewalk projects. Please see the recommendations below for information regarding the 2007 allocations.

Overview of Recommendations

The Committee deliberations regarding sidewalk proposals are summarized in the attached *Table of Committee Deliberations and Recommendations*. In a broad overview these recommendations:

- Take advantage of new CBU funds and initiatives to revisit past projects that were stalled because of the high storm water costs;
- Take into account the delay and rebidding of certain projects;
- Defer to Public Works on the need for the Henderson Street project and contributes ATF monies for the design of this project;
- Move forward with the construction of a sidewalk project on Arden Drive;
- Urge the Alternative Transportation and Greenways Project Committee to consider funding the construction of a sidewalk on the north side of East 2nd Street just east of Woodcrest; and
- Leave much to be done in future years.

Committee Recommendations:

After six meetings the Committee made the following Recommendations:

- 1. Allocate the \$200,000 of Alternative Transportation Funds appropriated in 2007 in the following manner:**

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- b. Construction – Arden and East 5th Street**

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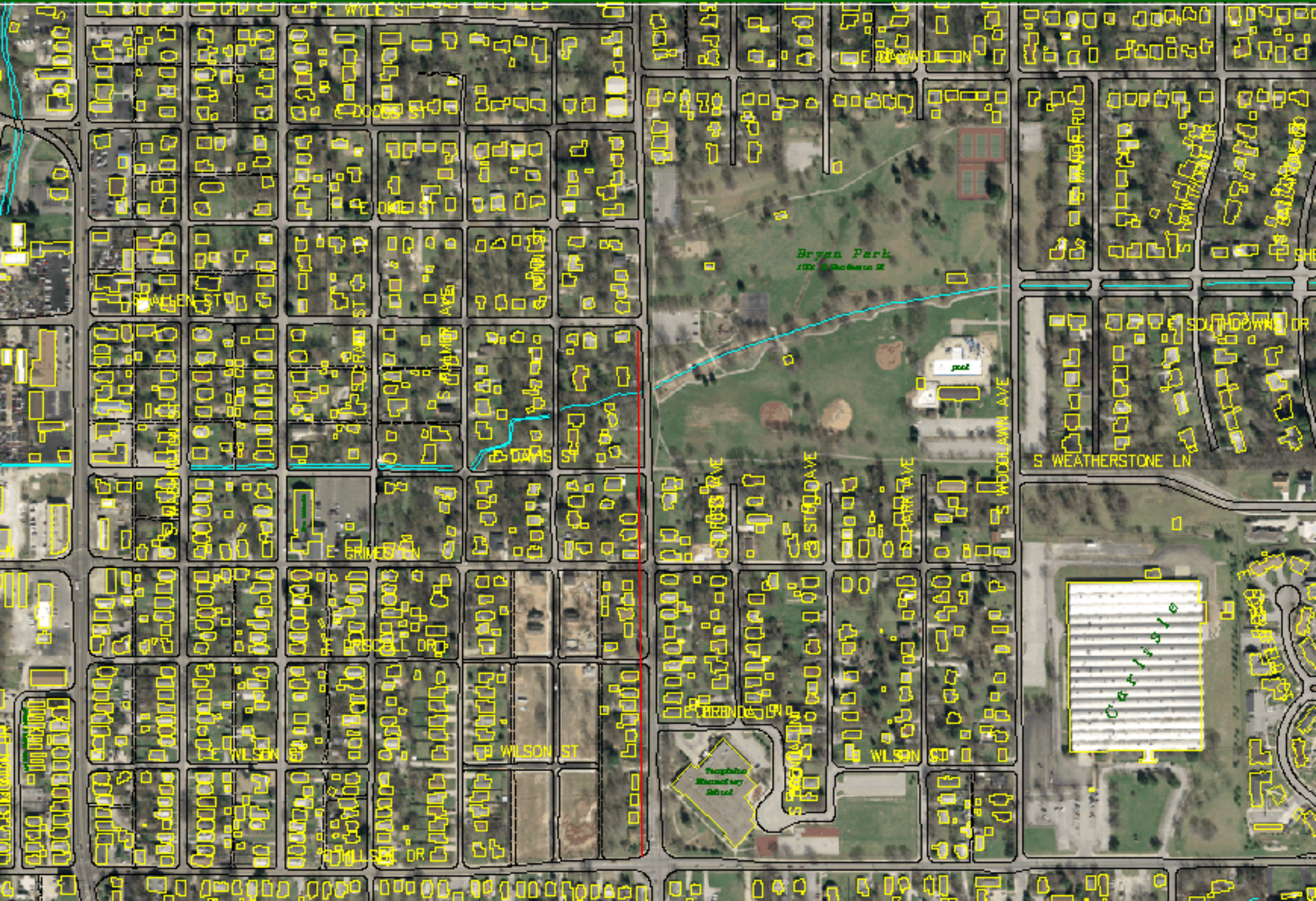
Total	\$185,000/	\$82,443.1+/	\$267,443.1/
	\$185,000	\$100,000 *	\$285,000

** Note: City Engineering is authorized to submit claims up to \$100,000*

4. Recommend requesting the Mayor to consider reappropriating \$34,000 which reverted to the ATF at the end of 2006 to be used to construct the sidewalk on north side of Maxwell Lane from Clifton Sidepath to High Street

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Arden Drive: Windsor to High (South Side)				
Item	Engineer's Estimate		Unit Price	Total Price
	Quantity	Unit		
Mobilization and Demobilization	3	LSUM	\$1,000.00 / LSUM	\$3,000.00
Construction Engineering	3	LSUM	\$1,000.00 / LSUM	\$3,000.00
Field Office		MOS	\$1,200.00 / MOS	
Clearing	2	LSUM	\$1,000.00 / LSUM	\$2,000.00
QC Testing / Videotaping	2	LSUM	\$1,000.00 / LSUM	\$2,000.00
Protection of Utilities	10	LSUM	\$1,000.00 / LSUM	\$10,000.00
Misc Pipe/Utility/Structure Removals	2	LSUM	\$1,000.00 / LSUM	\$2,000.00
			/	
			/	
Common Excavation	20	CYD	\$20.00 / CYD	\$400.00
Borrow	55	CYD	\$22.00 / CYD	\$1,210.00
Proofrolling/Fine Grading	1	LSUM	\$1,000.00 / LSUM	\$1,000.00
Undercut/Replace	10	CYD	\$35.00 / CYD	\$350.00
Concrete Pavement Removal	55	SYD	\$40.00 / SYD	\$2,200.00
			/	
Compacted Agg. for Base	35	TON	\$16.80 / TON	\$588.00
Pavement Patching at Curbs	20	CYD	\$100.00 / CYD	\$2,000.00
Bituminous Mix For Patching (Bituminous Base 5D)		TON	\$65.00 / TON	
HMA Surface for Roads, Type A	20	TON	\$42.00 / TON	\$840.00
Tack / Prime Coat		SYD	\$1.00 / SYD	
1" Milling		SYD	\$3.00 / SYD	
Concrete Drives, Class I or III	55	SYD	\$40.00 / SYD	\$2,200.00
			/	
			/	
			/	
Concrete Curb Removal		LF	\$15.00 / LF	
Concrete Curb and Gutter	230	LF	\$25.00 / LF	\$5,750.00
Integral Curb and Sidewalk		LF	\$40.00 / LF	
Standing Curb		LF	\$20.00 / LF	
Roll Curb		LF	\$20.00 / LF	
4" Concrete Sidewalk	125	SYD	\$30.00 / SYD	\$3,750.00
Concrete Sidewalk Removal		SYD	\$10.00 / SYD	
PVC Sign Inserts		EA	\$50.00 / EA	
Brick Sidewalk Ramp (ADA Compliant)		SYD	\$100.00 / SYD	
Brick Pavers	8	SF	\$8.50 / SF	\$68.00
Concrete Curb Ramp	11	SYD	\$50.00 / SYD	\$550.00
Riprap, Revetment		CYS	\$18.00 / CYS	
Geotextile		SYS	\$3.50 / SYS	
Handrails		LF	\$60.00 / LF	
			/	
			/	
Valve Cover, Adjust to Grade	1	EA	\$150.00 / EA	\$150.00
Casting, Adjust to Grade	1	EA	\$300.00 / EA	\$300.00
Casting, Storm Inlet/Manhole		EA	\$300.00 / EA	
B-Borrow for Structure Backfill	63	CYD	\$30.00 / CYD	\$1,890.00
Reinforced Concrete Pipe, 24"	70	LF	\$70.00 / LF	\$4,900.00
Reinforced Concrete Pipe, 18"	30	LF	\$60.00 / LF	\$1,800.00
Reinforced Concrete Pipe, 12"	323	LF	\$50.00 / LF	\$16,150.00
Concrete Pipe End Sections	3	EA	\$300.00 / EA	\$900.00
Manhole, C	3	EA	\$2,000.00 / EA	\$6,000.00
Manhole, D	1	EA	\$2,400.00 / EA	\$2,400.00
Inlet E-7	2	EA	\$1,500.00 / EA	\$3,000.00
Inlet J-10	1	EA	\$1,500.00 / EA	\$1,500.00
Cored Holes in Structures	1	EA	\$400.00 / EA	\$400.00
Class A Concrete for Structures	1	CYD	\$150.00 / CYD	\$150.00
Drain Pipe, PVC, 6" with Cleanouts and Fittings	90	LF	\$7.00 / LF	\$630.00
Aggregate for Underdrains		LF	\$30.00 / LF	
Geotextile for Underdrains		SYD	\$2.00 / SYD	
Catch Basin F-7		EA	\$1,600.00 / EA	
			/	
Construction Sign, Type A	18	EA	\$50.00 / EA	\$900.00
Maintenance of Traffic	3	LSUM	\$1,000.00 / LSUM	\$3,000.00
Silt Fencing	120	LF	\$2.00 / LF	\$240.00
Construction Fencing	80	LF	\$2.00 / LF	\$160.00
Temporary Walks		LSUM	\$1,000.00 / LSUM	
Inlet Protection	4	EA	\$100.00 / EA	\$400.00
Culvert Protection	1	EA	\$100.00 / EA	\$100.00
Tree Protection	1	EA	\$50.00 / EA	\$50.00
Topsoil	16	CYD	\$40.00 / CYD	\$640.00
Mulched Seeding		SYD	\$2.00 / SYD	
Sod	250	SYD	\$7.00 / SYD	\$1,750.00
			/	
Mailbox, Relocate	1	EA	\$150.00 / EA	\$150.00
Signs		EA	\$250.00 / EA	
White Painted Lines, 4"		LF	\$0.50 / LF	
White Painted Lines, 8"	70	LF	\$0.75 / LF	\$52.50
Yellow Painted Lines, 4"		LF	\$0.50 / LF	
Thermoplastic "ONLY"		EA	\$100.00 / EA	
Thermoplastic Arrow		EA	\$100.00 / EA	
Thermoplastic Stop Bars, 24" White	15	LF	\$10.00 / LF	\$150.00
Light Pole Bases		EA	\$600.00 / EA	
Light Poles		EA	\$1,800.00 / EA	
			/	
Water Main and Hydrant Work by CBU	5	LSUM	\$1,000.00 / LSUM	\$5,000.00
			/	
Subtotal:				\$95,669
Construction Contingency at 5%				\$4,783
Total Estimate (including CBU work):				\$100,452

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City of Bloomington
East 5th Street, Sidewalk and Drainage Improvements, Phase 1

Preliminary Opinion of Probable Cost for Civil Site Work

Prepared by Bledsoe Riggert & Guerrettaz, Inc. -- November 22, 2006

BRG Project No.: 4043

Public Works Improvements

Phase 1 - Hillsdale Drive to Overhill Drive - STA 66+68 to STA 72+04

Phase 1 - Overhill Drive to dead end - STA 72+04 to STA 77+30

No.	Description	Quantity	Unit	Unit Price	Cost
1	Mobilization / Demobilization	1	LS	\$4,000.00	\$4,000.00
2	Layout	1	LS	\$2,200.00	\$2,200.00
3	Construction - SPP - silt fence	0	LFT	\$2.50	\$0.00
4	Demolition - Asphalt Pavement	60	SYD	\$7.00	\$420.00
5	Demolition - Fill and Abandon Storm	5	CYD	\$400.00	\$2,000.00
6	Demolition - Sidewalk Removal	14	SYD	\$7.00	\$98.00
7	Excavation - Earth Removal	510	CYD	\$35.00	\$17,850.00
8	Traffic Circle	1	LS	\$2,800.00	\$2,800.00
9	Driveway Aprons - Concrete - 6" Thick	290	SYD	\$60.00	\$17,400.00
10	Driveway Aprons - #53 Stone	200	Ton	\$25.00	\$5,000.00
11	Monolithic Concrete Curb and Sidewalk	350	SYD	\$60.00	\$21,000.00
12	Standing Concrete Curb	780	LFT	\$25.00	\$19,500.00
13	ADA Sidewalk Ramp, Type "F"	2	Ea	\$2,500.00	\$5,000.00
14	ADA Sidewalk Ramp, Type "G"	1	Ea	\$1,200.00	\$1,200.00
15	ADA Sidewalk Ramp, Type "H"	1	Ea	\$1,300.00	\$1,300.00
16	Backfill Material - Earth	5	CYD	\$12.00	\$60.00
17	Backfill material - Granular Fill, #53 Stone	10	Ton	\$15.00	\$150.00
18	HMA Intermediate - 12.5 mm / HAC #9 - Wedge & Level	12	Ton	\$46.00	\$552.00
19	Tack Coat	1,650	SYD	\$0.50	\$825.00
20	HMA Surface - 9.5 mm / HAC-#11	100	Ton	\$65.00	\$6,500.00
21	Full Depth Concrete Pavement Patch	425	SYD	\$40.00	\$17,000.00
22	Pavement Markings	1	LS	\$300.00	\$300.00
23	Topsoil	55	CYD	\$35.00	\$1,925.00
24	Finish grade, Seed & Mulch	450	SYD	\$3.00	\$1,350.00
25	Miscellaneous / Contingency	1	LS	\$5,000.00	\$5,000.00
Total					\$133,430.00

Quantity	Unit	Unit Price	Cost
1	LS	\$4,000.00	\$4,000.00
1	LS	\$2,200.00	\$2,200.00
0	LFT	\$2.50	\$0.00
60	SYD	\$7.00	\$420.00
5	CYD	\$400.00	\$2,000.00
0	SYD	\$7.00	\$0.00
512	CYD	\$35.00	\$17,920.00
0	LS	\$2,800.00	\$0.00
370	SYD	\$60.00	\$22,200.00
240	Ton	\$25.00	\$6,000.00
340	SYD	\$60.00	\$20,400.00
775	LFT	\$25.00	\$19,375.00
0	Ea	\$2,500.00	\$0.00
0	Ea	\$1,200.00	\$0.00
1	Ea	\$1,300.00	\$1,300.00
5	CYD	\$12.00	\$60.00
10	Ton	\$15.00	\$150.00
12	Ton	\$46.00	\$552.00
1,510	SYD	\$0.50	\$755.00
110	Ton	\$65.00	\$7,150.00
510	SYD	\$40.00	\$20,400.00
1	LS	\$300.00	\$300.00
35	CYD	\$74.00	\$2,590.00
550	SYD	\$3.00	\$1,650.00
1	LS	\$5,000.00	\$5,000.00
Total			\$134,422.00

Storm Sewer Utility Improvements

Phase 1 - Hillsdale Drive to Overhill Drive - STA 66+68 to STA 72+04

Phase 1 - Overhill Drive to dead end - STA 72+04 to STA 77+30

No.	Description	Quantity	Unit	Unit Price	Cost
1	Mobilization / Demobilization	1	LS	\$4,000.00	\$4,000.00
2	Layout	1	LS	\$2,200.00	\$2,200.00
3	Demolition - Remove Storm - Old	495	LFT	\$11.00	\$5,445.00
4	Demolition - Saw Cut Pavement	2,000	LFT	\$2.50	\$5,000.00
5	Demolition - Concrete Ditch	0	SYD	\$5.00	\$0.00
6	Demolition - Asphalt Pavement	890	SYD	\$16.00	\$14,240.00
7	Excavation - Earth Removal	510	CYD	\$35.00	\$17,850.00
8	12" Type "S" HDPE Pipe	278	LFT	\$8.70	\$2,418.60
9	15" Type "S" HDPE Pipe	102	LS	\$11.10	\$1,132.20
10	24" Type "S" HDPE Pipe	134	LFT	\$22.50	\$3,015.00
11	30" Type "S" HDPE Pipe	394	LFT	\$40.00	\$15,760.00
12	36" Type "S" HDPE Pipe	0	LFT	\$44.00	\$0.00
13	Storm Box, Type "A"	3	Ea	\$1,000.00	\$3,000.00
14	Storm Box, Type "C"	5	Ea	\$1,500.00	\$7,500.00
15	Storm Box, Type "E"	3	Ea	\$1,250.00	\$3,750.00
16	Storm Box, Type "J"	10	Ea	\$1,250.00	\$12,500.00
17	Manhole - 6' Deep	1	LS	\$3,100.00	\$3,100.00
18	Storm Sewer - 36" End Section	0	LS	\$900.00	\$0.00
19	Rip Rap	0	CYD	\$75.00	\$0.00
20	Full Depth Concrete Pavement Patch	458	SYD	\$40.00	\$18,320.00
21	Backfill material - Granular Fill, #53 Stone	90	Ton	\$15.00	\$1,350.00
22	Backfill Material - Bedding, #11 Stone	25	Ton	\$20.00	\$500.00
23	Miscellaneous / Contingency	1	LS	\$5,000.00	\$5,000.00
Total					\$126,080.80

Quantity	Unit	Unit Price	Cost
1	LS	\$4,000.00	\$4,000.00
1	LS	\$2,200.00	\$2,200.00
495	LFT	\$11.00	\$5,445.00
2,500	LFT	\$2.50	\$6,250.00
45	SYD	\$5.00	\$225.00
1,200	SYD	\$16.00	\$19,200.00
512	CYD	\$35.00	\$17,920.00
164	LFT	\$8.70	\$1,426.80
0	LS	\$11.10	\$0.00
0	LFT	\$22.50	\$0.00
67	LFT	\$40.00	\$2,680.00
438	LFT	\$44.00	\$19,272.00
3	Ea	\$1,000.00	\$3,000.00
6	Ea	\$1,500.00	\$9,000.00
0	Ea	\$1,250.00	\$0.00
3	Ea	\$1,250.00	\$3,750.00
1	LS	\$3,300.00	\$3,300.00
1	LS	\$900.00	\$900.00
15	CYD	\$75.00	\$1,125.00
543	SYD	\$40.00	\$21,720.00
90	Ton	\$15.00	\$1,350.00
25	Ton	\$20.00	\$500.00
1	LS	\$5,000.00	\$5,000.00
Total			\$128,263.80

Grand Total:

\$522,196.60

**Council Sidewalk Committee
Table of Committee Deliberations
&
Recommendations for Use of Alternative Transportation Funds for 2007**

Identified Need Street (Sponsor)	Relevant Area	Estimated Costs	Previous Committee funding via ATF	Notes	Other Funding Sources	Recommended Funding 2007
				Previously Funded Projects		
Nancy Street (Rollo)	Ruby Lane to Mark Street (west side)	\$94,000	\$11,388.00 (design)	Need: This project is on the Greenways Plan and is one phase of a sidewalk that would connect Southdowns to High Street via Circle, Ruby, Nancy and Marilyn. Other: It was extended from Marilyn to Mark Street to serve residents on Longwood and areas to the south. 2007 Deliberations: The City had to re-design the sidewalk and either widen the street or move a gas line. Engineering will have to rebid this work which will require either a request for re-appropriation or the shifting of Greenways in 2006 to other projects in order to free monies in 2007 for this one. <i>Note: The latter course of action was taken by Public Works.</i>	Alternative Transportation & Greenways Fund (ATG) (2007)	
Maxwell Lane (Rollo)	Clifton Sidepath to High Street (north side)	\$192,336	\$10,681.43 (design)	Need: Maxwell Lane is an arterial used by many pedestrians. The Committee has already installed sidewalks between Henderson and Woodlawn and Sheridan to the Clifton sidepath. 2007 Deliberations: Engineering will rebid this work which will require a request for re-appropriation.		Request for Re-Appropriation of \$34,000 in 2007
Arden Drive (Rollo)	Wilton Drive to High Street (south side)	\$100,452 -- High to Windsor \$118,771.49 - Wilton to Windsor \$178,258.21	\$3,875.94 (design)	Need: The neighbors met with Councilmember Rollo and wanted a sidewalk to help their kids get to High Street and Southeast Park. Other: The Committee discussed which side of the street was appropriate. Justin didn't have a preference for side of street and anticipated piping stormwater. Given the new trail going up the east side of High Street and the nature of the intersection, the south side was preferred. 2007 Deliberations: The High-to-Windsor leg estimate was updated: \$100,452		\$47,353.50 (ATF) \$53,098.50 (CBU- for stormwater component of project)
East 2nd (Mayer)	Woodcrest East for the length of one parcel (north side)	\$34,300	\$3, 875.95 (design)	Need: This is the sole segment of missing sidewalk on the north and south side of East 2 nd between College Mall Road and High Street. 2007 Deliberations: Committee preferred efforts to save large pine tree by routing sidewalk closer to the building; however the City's Urban Forester advises that the tree's shallow roots would be damaged by routing a walk around the tree and the tree would not survive. As the tree also suffers from a parasitic infestation, it should be removed. Engineering plans for 6' wide sidewalk.	Request that ATG explore funding this project in the future	
East 11th (Volan)	Washington to Lincoln (north side)	\$46,460 w/curb on one side, but not the other	\$7,751.98 (design)	Need: Councilmember Volan identified this as a block in the urban core without a sidewalk. Other: Justin had no preference for side of street which meant issues of parking and vegetation were similar on both sides. 2007 Deliberations: The estimate was updated: \$46,460. This area receives low traffic and there is little neighborhood support for this project.		

Marilyn Drive (Rollo)	Nancy Street to High Street (south side)	w/ piping along street - \$165,424.25 w/ piping north - \$119,000	\$10,588 (design)	<p>Need: This project is on the Greenways Plan and is one phase of a sidewalk that would connect Southdowns to High Street via Circle, Ruby, Nancy and Marilyn.</p> <p>Other: There are two alternatives for the routing of stormwater that affect the cost of this project. The cost for the route along Marilyn is uncertain because of the risk of hitting rock. Justin has sought borings, but estimates that with 8' trench down Marilyn it would cost an additional \$12,500 if crew hit rock at 3'. The stormwater costs should be explored further with the Utilities department. Design costs have already been funded, but the cost of construction will not be known until a route for the stormwater is chosen.</p> <p>2007 Deliberations: Complete Nancy Street before pursuing Marilyn Drive. Public Works intends to complete the Southdowns to Circle Drive link in 2007.</p>		
Roosevelt	4 th to 5 th (west,)	\$124,000	\$13,289 (design & construction)	<p>2007 Deliberations: This project is currently underway. The sidewalk will be installed on the west side, while curbs will be installed on both sides of the street. The City has met with neighbors to address issues such as driveways.</p>		
5th Street (Mayer)	Overhill to Deadend (south)		Union to Deadend - 55,126.60 (design)	<p>Need: Good east/west connection through the neighborhood.</p> <p>Other: CBU will be improving the stormwater facilities in this area</p> <p>2007 Deliberations: The 11/06/06 estimate of the two-block project was \$522,196.60 – with \$267,852 for sidewalk infrastructure and \$254,344.60 for stormwater infrastructure. CBU has allocated \$225,000 for this project in 2007, independent of the \$100,000 CBU is contributing to the Sidewalk Committee for stormwater work. A curb and not sidewalk may only be needed for the deadend and the money could be used for improvements to the west. Fleig communicated CBU will itemize the stormwater component, some costs might be absorbed by the Street Department. Curbs may or may not fit the definition of stormwater;” Fleig will consult with Patrick Murphy. Fleig also pointed out that the stormwater costs cited in the estimates are contractor costs; since CBU intends to build the stormwater component, the total cost will be somewhat less.</p> <p>► The Committee committed to dedicating 2008 Sidewalk Committee funds if necessary to finish the project. The Committee decided not to include curbwork in the definition of stormwater for this year, but will work with CBU to provide a working definition next year to clarify the scope.</p>	\$128,263.80 (CBU for the 5 th Street Improvement Program)	<p>\$92,646.50 plus any remaining 2007 funds toward \$128,022 (ATF)</p> <p><i>Note: Committee declared intent to use 2008 funds to complete this project.</i></p> <p>\$29,344.60 (CBU for stormwater component of project)</p> <p><i>Note: This number was derived by subtracting \$225,000 from the \$254,344.60 estimate for this two-block project)</i></p>
5th Street (Mayer)	Hillsdale to Overhill (south)			<p>This stretch of the 5th Street project sees much more pedestrian traffic and is in greatest need of sidewalk installation.</p> <p>2007 Deliberations: See above.</p>	\$126,080.80 (CBU for the 5 th Street Improvement Program)	

Jefferson (Mayer)	3 rd to 4 th Street (east)	\$136,243.20 w/ curbs \$73,252.08 w/o curbs	3 rd to 10 th \$6,927.60 (design)	<p>Need: Greenacres is a largely rental area without sidewalks. In 2002 and 2003, the Committee funded sidewalk and stormwater design projects for Jefferson from 3rd to 10th and 5th from Union to Overhill. CBU is working on the bigger stormwater issues on 4th Street. In 2006, the Committee decided to consider this project in future years when money for the large stormwater costs are available.</p> <p>2007 Deliberations: Mayer requested that the 3rd to 4th stretch be addressed before other segments of this project.</p>		
Jefferson (Mayer)	4 th to 5 th Street (east)	\$142,747.20 w/curbs \$69,796.19 w/o curbs	7 th to 8 th \$113,346.75 (construction)			
Jefferson (Mayer)	6 th to 7 th (east side)					
Jefferson (Mayer)	8 th to 10 th (east side)					
Maxwell Lane (Rollo)	Highland to Jordan (north side)	\$65,658.98 – w/ tree plot and piping	Highland to Sheridan \$7,751.89 (design)	<p>Need: Maxwell Lane is an arterial used by many pedestrians. The Committee has already installed sidewalks between Henderson and Woodlawn and Sheridan to the Clifton sidepath. This would be the last link between Henderson and High Street. If the City constructs the sidewalk at the edge of the roadway, the cost of the project would increase due to the piping of the stormwater that now flows in a ditch.</p> <p>2007 Deliberations: Committee acknowledged the increase in cost if sidewalk is placed next to the street (due to the need to pipe the stormwater).</p>		\$10,000 for design of this two block project.
Maxwell Lane (Rollo)	Jordan to Sheridan (north side)	\$72,479.88 – w/ tree plot and piping Update: 11/6/06 Total Cost for both legs \$192,000				
Nancy Street (Rollo)	Mark Street to Hillside Drive (west side)	\$142,282.01		<p>Need: This project was proposed by the neighbors. It would connect the sidewalks on Hillside to the Greenways project further north on Nancy and provide a place for students in the apartments south of Hillside and other neighbors to walk to and from campus and other destinations to the north.</p> <p>The previously funded sidewalk on Nancy was extended from Marilyn to Mark Street. The previous extension will alleviate conditions for many pedestrians who can choose Mark and Longwood rather than Nancy Street. Further extension to Hillside rates lower than other projects being considered this round.</p> <p>2007 Deliberations: The Committee confirmed that this project is not a high priority.</p>		
South Walnut (DPW)	Hoosier Street to Legends Parking Lot (west side)	\$65,967.26		<p>Need: The Committee recognized the need for a sidewalk along the west side of Walnut south of Tapp Road and worked with DPW to install one from Pinewood north. The Committee should await developments at the Winston/Thomas Plant, see whether DPW will be able to assist with the project, and get a better sense of the potential usage of this pedestrian way.</p> <p>2007 Deliberations: The Committee wanted to wait and see what would be needed given the changes that were occurring in this area and the prospect of progress by the owners of property.</p>	?	
South Walnut (DPW)	Winston-Thomas (CBU) to Nat'l Guard Armory (west side)	\$93,056.04				?

Previously Discussed But Unfunded Projects

<p>Henderson Street (Sabbagh & Jan Sorby)</p>	<p>Maxwell Lane to Hillside Drive (west side)</p>	<p>\$51,452.28 – Dodds to Maxwell \$47,692.26 – Dixie to Dodds \$36,409.82 – Allen to Dixie \$46,564.85 – Creek to Allen \$46,564.85 – Creek to Davis \$49,664.34 – Davis to Grimes [\$45,000 – Allen to Hillside (design)]</p>	<p>Need: Jan Sorby of the Bryan Park Neighborhood Association submitted this request in 2005 and requested reconsideration in 2006. Other: There were questions about whether the sidewalk would hinder parking at Bender Apartments and whether parallel parking would adequately serve the tenants. Since the total cost of the project approached \$500,000, the City should explore installing appropriate crosswalks, which some thought shouldn't be placed at Brenda. There were no estimates for the segment south of Grimes Lane in 2006 and questions about the improvements to be made by the South Dunn PUD and how that might affect future pedestrian usage.</p> <p>In 2006, the Committee decided that the project was expensive and redundant (given sidewalk on east side of the street). City should encourage crosswalks that align with improvements in the Park and with some of the improvements to be made by the developer of the South Dunn project.</p> <p>2007 Deliberations: 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.</p> <p>Engineer Wykoff presented the Committee with a report on how to alleviate congestions and improve safety at the beginning and the end of the day at Templeton School, which included a combination of the following measures: signage, crosswalks, sidewalks, realignment of a drive, and a pull-off to help separate the cars from the buses.</p> <p>Rollo requested that a raised crosswalk at Grimes be installed in the interim.</p>	<p>\$45,000 – Allen to Hillside (design)</p>
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New Projects						
Greenwood Ave (Rollo)	Covenanter to Greenwood Ave			Need: This is an old sidepath crossing a drainage ditch that is used by residents and children going to school. This is an old “connector” path that could be addressed through the Greenways budget.	ATG	
Nota Ave (Rollo)	Nota to Maxwell Lane			Need: This is an old sidewalk between two properties used by children going to Rogers & Binford schools. This will be addressed through the Greenways budget.	ATG	
Roosevelt Ave (Rollo)	Maxwell Lane to Binford & Rogers School			Need: This is an old sidepath between two properties used by children going to Binford and Rogers schools. This will be addressed through the Greenways budget.	ATG	
Palmer (Ruff)	Wylie and 1 st Street			Need: This would provide the only north/south bicycle and pedestrian access from Brian Park Neighborhood to campus and downtown between Lincoln and Henderson. Signage and type of surface were discussed. This will be addressed through the Greenways budget. Possible signage, width and surface, and room for adjacent owners to access parking were discussed.	ATG	
Projects Funded Through Other Sources						
East 17th	Dunn Street to Fee Lane (south side)	\$60,406.83 – Indiana to Fess \$64,445.44 – Woodlawn to Forrest <u>\$140,464.37</u> – Fess to <u>Woodlawn</u> \$265,316.64		Need: Carolyn McClary requested this project in 2006 after her experience walking to and from basketball games In 2006, Justin indicated that Hazard Elimination and Safety (HES) funds will be used to redo the intersection of 17 th and Fee Lane. City will work with IU on the acquisition of ROW. In 2006, the Committee thought there were a number of unknown factors – the sidepath, HES improvements, IU contributions – to recommend any improvements at this time. Better crosswalks may be the best alternative. 2007 Deliberations: Once IU’s Board of Trustees approves the vacation of the right-of-way from the intersection to Jordan, the City will submit the project for approval by INDOT. The proposed sidewalk will be located on the south side of the street from Fee to Jordan; a bike path will be installed on the north side of the street from the intersection to St. Paul’s. ATG has identified the Dunn to Fee sidewalk stretch as a priority, but does not have immediate plans to fund.	Hazard Elimination and Safety (HES) funds – 80% / Public Works – 20%	

South Rogers (Sturbaum)	Rockport Road to Country Club Drive (west side)	\$160,000 (design)		<p>Need: South Rogers is a busy and fast flowing arterial that serves many neighborhoods.</p> <p>Future improvements at the intersection of South Rogers and Country Club Road will include 500' of sidewalk. Stormwater needs to go east and could provide sidepath. CDBG funds will be used to design and acquire ROW for this project.</p> <p>2007 Deliberations: The Committee reviewed the City's plans for sidewalks in the Broadview area. These include: a) a sidewalk and sidepath along Rogers from Country Club to Rockport Road; b) a sidepath on Country Club from South Walnut all the way to Rockport Road; and c) sidewalk along portions of Rockport Road between Rogers and Country Club. Scott Robinson was invited to attend a neighborhood meeting and will report to the Committee resident's thoughts on future projects. Greenways is funding design of the intersection. There is no need to commit ATF monies at this time.</p>	CDBG – design CBU? ATG -- design	
North Maple (Sturbaum)	Ramps at 15 th and approximately 230' of sidewalk on the west side between 15 th and 17 th			2007 Deliberations: HAND offered to provide materials, Public Works will build the project and CBU will provide stormwater work.	HAND, Public Works & CBU	N/A
Wylie and Dixie		N/A		Rehab WPA Sidewalks	HAND, BUEA, and Public Works	N/A

A HISTORY OF COUNCIL SIDEWALK COMMITTEE FUNDS, 2002-2007

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.
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.
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 Street (to connect with an existing sidewalk) and that sidewalk be placed to preserve trees, if that isn't possible, include a tree plot.
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.
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	

1996 - 2001

2001

Site	Cost
Maxwell Ln - Henderson to Manor Rd	\$2,607.85
N. Kinser - BHSN to Ridgefield	\$395.00
Winslow Road	\$27,000.00
Hillsdale Drive	\$34,752.70
Parkridge Road	\$22,990.00
N Dunn - 45/46 to Tammarack	\$74,746.70
Maxwell Ln - Sheridan to Clifton	\$10,700.00
Sare Road	\$275.00
Clifton MUP - Maxwell to 1st	\$1,532.75
Grimes - Henderson to Woodlawn	
Total 2001	\$175,000.00

2000

Site	Cost
Maxwell Ln - Henderson to Manor Rd	\$29,516.54
Hillsdale - 3rd to 5th	\$21,000.00
Hillsdale - 5th to 7th	\$24,885.00
Parkridge - Cambridge to Sheffield	\$29,800.00
N Kinser - BHSN to Ridgefield	\$46,960.53
Clifton MUP	
Sare Road	\$14,860.00
Total 2000	\$167,022.07

1999

Site	Cost
Maxwell Ln - Henderson to Manor	\$145,105.57
3rd & Union	\$4,186.43
Atwater - Mitchell to High	\$708.00
Clifton MUP	
Total 1999	\$150,000.00

1998

Site	Cost
Kinser - Marsh to Skyline	\$19,456.88
Covenantor - High to Nota	\$14,548.08
Atwater - Mitchell to High	\$430.04
Kirkwood I - Walnut to Grant	\$115,565.00
Parkridge	
Total 1998	\$150,000.00

1997

Site	Cost
7th - Bryan to Hillsdale	\$18,052.65
2nd - Walnut to Basswood	\$1,900.00
Willow Manor	\$5,408.00
Atwater	\$9,281.25
S Walnut Sanitation and Animal	\$2,658.75
6th St	\$3,363.40
17th & Kinser	\$3,600.00
Ramps	\$24,000.00
Parkridge east Park	\$10,000.00
downtown lights	\$10,000.00
RR xings (sidewalks on 7th & 8th)	\$10,000.00
signals 10th & Fee - 2nd & rogers	\$10,000.00
Road Markings	\$20,514.50
Total 1997	\$128,778.55

1996

Site	Cost
7th - Bryan to Hillsdale	\$81,264.97
Ramps	\$28,800.03
Traffic Calming	\$38,035.00
Total 1996	\$148,100.00

In the Council Chambers of the Showers City Hall on Wednesday, October 4, 2006 at 7:30 pm with Council President Chris Sturbaum presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
October 4, 2006

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

ROLL CALL

Council President Sturbaum gave the Agenda Summation

AGENDA SUMMATION

There were no minutes to be approved.

APPROVAL OF MINUTES

Brad Wisler was elected by a caucus to fill Jason Banach's seat for the remainder of his Council term ending 12/31/07. Council members thanked Banach for his years of service, and welcomed Wisler to the Council.

MESSAGES FROM
COUNCILMEMBERS:

Andy Ruff-Took a moment to read an editorial from the Indianapolis Star on Indiana's future interstate I-69. Ruff stated that the Indianapolis Star was a Republican driven paper. He referenced Tom Tokarski of Citizens for Appropriate Roads, who said that unless state officials came to a meeting of the minds with him, the taxpayers and the landscape will haul a huge excess load.

Tim Mayer-Announced two events: Bloomington's annual international Lotus Festival and the Red Cross Book Fair. Finally, Mayer welcomed ProCure to Bloomington which is a Bloomington based operation that would teach people how to use proton therapy.

Dave Rollo-Expressed a note of gratitude to Cook which committed \$600,000 for a free healthcare clinic that is scheduled to open next summer in Bloomington.

Rollo read statistics from two stories on climate change. The first was from an independent newspaper in the United Kingdom called the new Scientist Magazine dated September 27, 2006. The article reported that according to new predictions from Britan Scientist, 1/3 of the planet will be desert by the year 2100 because of rising temperatures around the world. Eight agencies and many development specialists believe poor countries will be the worst hit, and will be a death sentence for millions of people. Migration will occur off the land at levels we have not seen before and poor countries will not be able to deal with the devastating effects.

The second article is described in the New Scientist which describes another decade of business as usual on carbon admissions. At the rate we are going it will be too late to prevent climate change in the Eco systems of the north. NASA Scientists, one of the most prestigious scientific journals in the world, reinforces a series of recent findings on accelerating environmental disruption in Siberia, Northern Canada, and Alaska. These areas are pivotal to climate change. Earlier this month, NASA Scientist reported that climate change is speeding up the melting of artic sea ice. Further, global warming of one degree defines a critical threshold, and earth will be a different plant then the one we know. The title of the article is Climate Change, One Degree and We are Done For. Still federal governments such as our own are in denial of this problem and have chosen to downplay these reports.

Councilmember Rollo commends the Council for adopting the resolution for Kyoto Protocol and our Mayor Mark Kruzan for signing the U.S. Mayors Climate Protection Agreement. The City's Environmental Commission has been working on an action plan for the community to cut our atmosphere carbon admissions. It is a dangerous game being played by the federal government and ignoring the problem and leaving it to future generations to sort out is wrong. The current administration is also ignoring the account deficits that we are leaving to the next generation with enormous debt. They have not taken our energy crisis seriously and having devoted essentially pocket change to renewable energy and nothing to conservation. We also have a health crisis in this country where tens of millions go under or uninsured risking financial ruin and terrible suffering. The degree of disconnect this administration has with reality is staggering. All major cities in the Midwest

could have rail infrastructure and the capital cost would be a mere 7 billion dollars which is less than a month of the Iraq war and does not consist of killing anyone.

Chris Gaal-Commended Dr. Haddawi for creating the free healthcare clinic in Bloomington. He commended Lotus Fest, the volunteers, and the Lotus Board which helps put Bloomington on the Map as a tourist and recreational destination.

Brad Wisler- Thanked everyone for their kind words and support at the swearing in ceremony conducted earlier in the day. He thanked Jason Banach for making the transition easy. He also wanted everyone in his district to know that they could now feel free to call him with any concerns and is eager to help.

Tim Mayer- Commended Volunteers of Medicine. Their target population are folks who are working but can't afford health insurance. He noted that a family of four making \$40,000 or under would be eligible for this program.

Chris Sturbaum-Thanked the people involved with Volunteers of Medicine and is impressed with the sincerity of the physicians involved in the process. He is amazed people can step up and solve a problem like this here in our local community. He also reminded the public that October 10, 2006 was the last day to register to vote.

Regina Moore –Welcomed the new Deputy Clerk, Cara Huddleston. She also introduced Justin Tate who is the new intern to the Clerk's Office.

Maria Heslin- Shared highlights from the *Be-Bloomington Campaign* and gave a sneak peak of what is to come from the campaign this year. *Be Bloomington* is a campaign that Mayor Mark Kruzan launched in the spring of 2006. *Be Bloomington* was designed to have activities each month to celebrate, preserve, and enhance Bloomington's unique character.

MAYOR and CITY OFFICES

Police Chief Barlow- Talked about fire prevention week starting on Sunday, October 10, 2006. The Theme this year is "Prevent Cooking Fires, Watch What You Heat." According to National Fire Protection statistics, cooking fires are the number one cause for home fires and injuries. The leading cause of cooking fires occurs from unattended cooking. He encouraged folks to read the Mayor's proclamation on Fire Prevention Week, and thanked everyone for their support.

Kevin Enright, Monroe County Surveyor, said he was a part of the welcoming committee for Governor Daniels when he came to Bloomington. He said There was 1.12 million dollars in grant money for communities to plan for I-69. He added that there is a lot of controversy on the toll road and there was a chance for people to express their opinions at the meeting at Bloomington North High school on October 26th.

PUBLIC INPUT

It was moved and seconded that the following people be appointed to boards and commissions:

- Hans Huffman Community and Family Resources
- Brad Wilhelm Community and Family Resources
- Phaedra Pezzulo Environmental Commission

BOARD AND COMMISSION APPOINTMENTS

The appointments were approved by a voice vote.

LEGISLATION FOR
SECOND READING
Ordinance 06-17 To Amend
the Preliminary Plan for the
Kingston Planned Unit
Development to Allow Office
and Retail Land Uses-RE:123
S. Kingston Dr. (Bryan
Rental, Petitioner)

It was moved and seconded that Ordinance 06-17 be introduced and read by title and synopsis. Deputy Clerk Huddleston read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 5-0-3. It was moved and seconded that Ordinance 06-17 be adopted.

Tom Micuda- Planning Director for the City of Bloomington was sitting in for Eric Greulich. Micuda gave a history of the PUD. The Petitioner, Bryan Rentals, had a significant number of meetings with the Park Ridge neighborhood in regards to developing this site. The developer worked with the neighborhood throughout the process to develop the site plan for this location. The Planning Commission then had two hearings, and voted unanimously with positive recommendations to approve this proposal.

Council Questions:

Rollo- Stated that this development is termed as a community activities center, and asked Micuda if he could discuss what he meant by a community activities center because the plan looked like a standard strip mall.

Micuda – Community activities center is essentially the middle ground, anchored by grocery stores and serves a one mile radius. It gets a combination of local foot traffic trips, multi family housing near-by, and has a combination of vehicle trips from a particular sector of town. It is predominantly retail service, but has a mixture of office services and higher density residential development. This is a typical community activities center.

Rollo- Said when he thinks of a series of shops or businesses that are placed one beside the other with parking in the front that it begins to resemble a strip mall. Strip malls are uninviting to the public and when he thinks of a community activity center he thinks of a gathering place.

Micuda- Said it is not a true community activity center but it is a modified version to fit the circumstances with legitimate neighborhood concerns.

Rollo-Wanted to know if there is a neighborhood association in Park Ridge, and were the meetings well attended?

Micuda-The neighbors had extensive discussions and are very satisfied with the product that was created in this location.

Rollo- Asked what was the value added to the land by this new use?

Micuda- Stated the property had sat vacant for years and the neighborhood was cooperative in the process. He stated that the value was in the process that occurred.

Rollo- Asked Micuda if he went on the assumption that land has no value unless it is developed?

Micuda- Said he saw value in undeveloped land for green space purposes.

Volan- Asked if he had any study or figure projecting the number of people who would be arriving in motor transportation other than a four wheel motorized vehicle?

Micuda- Said there are no specific studies and he did not know the percentage. However, he added that there were many people that live in and around this location.

Volan- Asked Micuda if he had an idea of pedestrians that would use this new development?

Micuda- Stated he did not know the exact number of people that would be using this new development.

Ruff- Stated that this was a strip mall, not a community activity center. What is your opinion when neighborhood preferences conflict with community vision? We have concluded that we don't want any more one story suburban style sprawl, but this is what is going up at the Kingston location.

Rollo- Stated there was certain inertia of planning and these developments look the same as past developments. He was disappointed that we can't overcome this inertia. Rollo asked if there were similar structures nearby that resemble this development?

Micuda- Yes, there are several that resemble this project around the location. Our role in planning is to put forth positive suggestions and serve the entire public which is neighborhoods, developers, and the wide array of people planning deals with.

Diekhoff- Wanted to know if Micuda was aware of how many meetings were held with the neighborhood association and the developer.

Micuda- Said he thought there were nine meetings held with the neighborhood associations and developer.

Volan- Stated that Micuda had previously addressed the issue of the neighborhood having concern of high density, multi-family housing, and wanted to know if he could be more specific.

Micuda- Stated there was a subsidized housing project north of Longview which had complaints dealing with noise and crime.

Wisler- Wanted to know if Micuda could touch briefly on traffic patterns?

Micuda- Said that the petitioners created three access points into the PUD at the north, central, and the southern points. Planning decided it was better to come off the Marsh rather than Longview.

Sturbaum- Asked for him to explain the PUD regarding design. He wanted to know the extent of commitment to the kind of buildings we will see in the future. He also wanted to know if a separate review would be done by the planning commission if the site developed over time.

Micuda- Stated when the building would come in for final approval there would be a specific building elevation that Planning judges the product on. This is part of the petitioner's submittal which is part of the commitment to the PUD. We will have quality construction for these office buildings. The last question is on the unified development ordinance (UDO), and with this ordinance, any property that is within 300 feet of an arterial street, will be governed under a set of review requirements. These buildings are not within 300 feet but the buildings along East Third Street are.

Sturbaum- Asked if the regional activity center, community activity and neighborhood activity center language disappear in the UDO?

Micuda- Stated the language in the growth policies plan is language that is always used to guide new development.

Mayer- Stated that once the PUD is approved; it has 18 months of opportunity, and theoretically it could be called back in and revert to the current zoning. Mayer asked Micuda if this was an accurate statement?

Micuda- Stated that 18 months is the standard in which preliminary plans can be acted upon before they become expired. There would be three years under the proposed UDO rather than 18 months. He said that when a PUD expired, Planning typically asked the developer for a new proposal.

Steve Smith spoke for the developer. He noted the PUD's long history. "We talked to the land owner about what could go there, it was essential we included the neighbors in this process. We had many meetings with the neighbors and tried to find a project that met all the criteria of the original PUD while meeting the needs of the neighbors. The buildings all provide housing on one side and the parking on the other. We discussed having two stories on this site; however, the problem with this is the second floor of the apartments would be looking down at the houses next door."

Smith stated that this project was about the transition between Marsh, a commercial site, and the single family neighborhood. He said this plan was the attempt to achieve that transition and to please neighbors who want to be able to walk to the activity center, but don't want people cutting in on their driveways and yards.

Smith concluded by saying that the neighbors supported this project so this is why they are not here; if they thought there would be a problem they would have been here.

Volan- Stated he did not know why the neighbors assumed the council would be a rubber stamp. He said he did not know who would have led them to believe that. "You say this is a unique plan but how is it unique; it looks like a strip mall."

Smith- It's unique in the fact that it provides the buffer, protection for existing neighborhoods, and provides pedestrian access.

Rollo- said he believed that a lot of these questions could be avoided if we had an asset value of the land before and after.

Deikoff- Acknowledged that Smith had been involved in this piece of property for years, and Marsh put in some services that they really did not want in order to help the neighborhood out when they took over the property. Diekhoff stated that there were a lot of discussions about this development and that he took offense to comments regarding the neighbors because he said they thought this was a slam dunk.

Smith- said the neighbors watched the meetings very carefully. He noted that the committee Do Pass recommendation was 5-0-3, and because of that the neighbors thought there was not a reason to come tonight.

Rollo- Stated he appreciated Smith's willingness to meet with the neighbors. He disagreed with the idea of probing the question of value because there was cost to the city involved with the infrastructure, traffic, road improvements, and storm water. However, Rollo said his major problem with this development was the shoehorning of a strip mall and defining it as an activity center.

Chris Gaal- He thought what stood out with this project is that the neighborhood was a part of the process. He gave thanks to other council members for looking to the GPP and the new urbanism vision. He acknowledged the fact we could have done this more creatively, and felt we should keep this vision in mind in the future.

Diekoff- Stated Smith contacted everyone involved when this project was first proposed. The neighborhood has always had to deal with cut-through traffic and has always dealt with crime in the area. He knows from experience that people in the apartments go to Park Ridge to commit crimes because there have been a number of arrest made. Park Ridge residents did not want more apartments in that area due to crime. Park Ridge residents have a park in that area where they can gather; they do not need another gathering place. These residents had a lot of concerns and cared a lot about what was built on this piece of property. He commended Steve Smith, planning, and the neighborhood for getting together and compromising on this development. He was disappointed the council spent so much time on a project that should have been very easy to approve.

Ruff-Said we want to give Bloomington the kind of character and feel that makes Bloomington a special place and is the key to Bloomington's long term economic vitality. He said it was like global warming, a lot of people are in denial but it is an established research fact that developing land cost more than it would generate in tax revenues and noted that this had been studied and researched by public policy institutes around the country. Ruff stated that we need to be asking questions about economics because a part of what we are trying to do is balance the public interest with the intent of the private property owner. He did not believe he was elected to generate more of this type of standard, uninspiring suburban sprawl. However, a lot has gone into this project and respected the efforts made so was going to vote for it.

Volan-He would like to see the developer make more money off this project than less because it would appeal to more people than just the surrounding neighbors. He stated his fellow council members don't get him because they don't get new urbanism. As a resident and a representative of the center of the city he does not want to see any more of the city turned into suburbia.

Mayer-Believed the most important part of this project is the collaboration of the parties involved in this project. He sees this as a win for the neighborhood, and his whole political career has been based on supporting neighborhoods.

Sabbagh-This meeting took over an hour and a half and was disappointed at the neighborhood bashing at the meeting. He feels it is the council's job to support neighborhoods and believed this ordinance to be a good development.

Wisler-Believed this is an improvement over the current situation, and will help avert some of the traffic flow. He warned that the Council had to be careful in defining value because there is value to the neighborhoods, and to the people who work and shop at this site.

Sturbaum- Felt this project had not deserved this kind of treatment because at this time we are building for 2006 not 2025. However, he wants Council to start working on moving in that direction.

Ordinance 06-17 received a roll call vote of Ayes: 7, Nays: 2 (Rollo, Volan).

It was moved and seconded that the Ordinance 06-22 be introduced and read by title and synopsis. Deputy Clerk Huddleston read the legislation and synopsis, giving the Do-Pass Recommendation of 8-0-0. It was moved and seconded that Ordinance 06-22 be adopted.

ORDINANCE 06-22
TO VACATE A PUBLIC
PARCEL -Re: An Alley
Running East/West Between
320 and 326 South Dunn
which is Approximately 10
Feet Wide and 178 Feet
Long(John S., Myra, John P.,
Mark, and Christopher S.
Burnham, Petitioners

Micuda-Stated there is a right-of-way which is splitting properties owned by the petitioner. The petitioner was interested in building a multi-family housing at this location. There is good alley and street utilization at this location so it is not necessary to approve this right-of-way for vehicle, pedestrian, or bicycle use. The decision tonight is to decide whether or not the property should be vacated. We don't see any reason for not approving this ordinance and letting the petitioners take ownership of the property.

Rollo-Stated he did not find value in the alley and that there was enough of a pedestrian and biking grid work to offer means of getting around in this area.

Volan-Noted that this was his district and wanted to thank Mr. Burnham for the project he built on the corner of Dunn. He said that Mr. Burnham gets the new urbanism concept and he is happy to support this ordinance.

Ordinance 06-22 received a roll call vote of Ayes: 9, Nays: 0.

Ordinance 06-19 To Amend the Bloomington Zoning Maps from Residential Estate (RE 2.5) and Planned Unit Development (PUD) to PUD and to Adopt the Preliminary Plan for the Meadowood/Jill's House PUD - Re: 2520 North Dunn Street (Meadowood Retirement Community/Jill's House, Petitioner)

LEGISLATION FOR FIRST
READING
Ordinance 06-19

~~Ordinance 06-20~~

Ordinance 06-20 To Amend the Bloomington Zoning Maps from Q to PUD and to Adopt the Preliminary Plan for the Southern Indiana Health Sciences Park Planned Unit Development - Re: 2401 West Tapp Road (Southern Indiana Medical Park II, LLC, Petitioner)

There were no comments in this part of the meeting.

~~PUBLIC INPUT~~

The meeting was adjourned at 10:20 pm.

~~ADJOURNMENT~~

APPROVE:

ATTEST:

Chris Sturbaum, PRESIDENT
Bloomington Common Council

Cara Huddleston, DEPUTY CLERK
City of Bloomington

for approval

In the Council Chambers of the Showers City Hall on Wednesday, October 18, 2006 at 7:30 pm with Council President Chris Sturbaum presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
October 18, 2006

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

ROLL CALL

Council President Sturbaum gave the Agenda Summation

AGENDA SUMMATION

There were no minutes to be approved.

APPROVAL OF MINUTES
REPORTS:
COUNCILMEMBERS

Brad Wisler-Recognized the Fuse Business Awards which is a ceremony for small businesses in Bloomington that are innovative in the way they produce goods, services, and impact our community. He also praised the Indiana University President for going before the Indiana State Legislature to talk about Life Science Initiatives which will bring quality high paying jobs to our community.

Chris Gaal-Reported that he attended a Chamber of Commerce meeting recently where one of the topics of discussion was the high percentage of high school dropouts in the state of Indiana and learned that Bloomington's high school drop out rate is higher than the rest of the state. He feels it is important the community addresses these problems. The Franklin Initiative recently received a large grant to deal with high school dropout issues in our community. This money will go to programs aimed at finding solutions to fight high school dropout rates and provide services for these students.

Dave Rollo- Encouraged community residents to attend two upcoming forums which would be sponsored by the Bloomington Commission on Sustainability and the Bloomington Environmental Commission. One of the forums will be addressing global greenhouse gasses. The purpose will be to provide information on changes to everyday activities that benefits the planet and the individual. The second forum will be for home and business owners, concerning renewable energy resources appropriate for the southern Indiana region which include solar, wind, and geothermal energy.

Steve Volan-noted that almost 100 citizens were at this Council meeting. He wanted to personally welcome the community members in attendance and thanked everyone for taking a part in their city's government.

David Sabbagh- He wanted to follow up on a previous comments made by Wisler on Life Sciences. At the BEDC meeting earlier in the day four Life Science companies gave presentations: Bio Convergence, Cook Pharmacia, ProCure, and Baxter Pharmaceutical. He said it was really exciting to see what is happening with Life Sciences in our community.

Andy Ruff-Made an announcement about a discussion that will happen Friday morning at the Communities United Organization. The Former Mayor Tomi Allison and her husband, Jim, would be discussing "Verify the Vote Indiana." He said that this was a nonpartisan organization which promoting transparent, observable, and audited elections.

Tim Mayer- Was saddened to hear that people are finding KKK literature in their driveways and yards. He asked citizens to contact the Mayor's office if they found any of this literature. Mayer reported on the Higher Potential Program which was designed and established in Bloomington which helps peoples with disabilities

find employment. He noted that people with disabilities tend to be excellent employees and encouraged folks to talk to employer about hiring people with disabilities.

Mayer concluded his comments by noting that the Sycamore Land Trust held meeting recently and announced they had acquired more land to be put aside for protection. They also go to schools and educate children on conservation and environmental issues.

Chris Sturbaum-Regretted missing the small business luncheon but he was working at his small business. He also mentioned the fact that most folks in Bloomington embrace diversity, and encouraged folks not to make too much of a few sad people who promote hate with KKK literature.

Daniel Grundmann-Director of Employee Services for the City of Bloomington. His purpose at the meeting was to inform the Council that they month of October was dedicated to National Disability Employment Awareness Month. He expressed the significance of this month and the hurdles people with disabilities face with employers. He addressed the stereotypes employers have about hiring people with disabilities. The purpose of this month is to break barriers and educate the community on the importance of hiring those with disabilities.

MAYOR and CITY OFFICES

There were not reports at this meeting

COUNCIL COMMITTEES

Cindy Lott- Is one of the founding board members from Vounteers in Medicine (VIM) for Monroe County. She is a lawyer and she came with Dr. Haddawi, whom is Chairman of VIM for Monroe County. The goal of VIM is to provide accessible affordable healthcare to people in Monroe and Owen County whom can't afford health insurance. The clinic will benefit the 21,000 uninsured Monroe and Owen county residents; it will be a new, no-cost health care clinic. The Volunteers in Medicine clinic will provide treatment for both acute and chronic problems, as well as educational programming about healthy living. The clinic will serve residents of Monroe and Owen counties who are without any form of health insurance and whose income falls at or double the amount of the federal poverty line. This year, patients making less than \$19,600 for a single adult and \$40,000 for a family of four annually will qualify. The Volunteers in Medicine clinic will replace the Community Health Access Program, the low-cost clinic run by Bloomington Hospital. The new clinic will have more than four times the capacity of the CHAP clinic.

PUBLIC INPUT

Lott stated that many people forgo preventative care and instead use emergency room services for otherwise routine medical needs. Lack of progress of the state and national level has created a problem that Bloomington can't handle on its own. Community leaders have founded Volunteers in Medicine of Monroe County based on a national model that is proved successful in many other communities. 46 million Americans are without health insurance and the vast majority would have it if they could afford it. Half of all bankruptcies are related to healthcare problems. The fundamental tenet for the VIM model is that it is a community owned, operated, and supported clinic. VIM will succeed if it has support from three entities in our community which are the Bloomington Hospital, Medical Volunteers, and the community at large. VIM is looking for 200-300 volunteers and operating funds from the community at large. They have already raised \$8.5 million through in-kind donations, yet they still need \$1.5 million for operating expenses. This is a community driven project which hopes to enhance the quality of life to the thousands of uninsured people in our community. Dr. Haddawi hopes the city will donate resources and money to this worthy public service.

Volan- He would like to know how many patients VIM will see per year, versus the number of patients the CHAP Clinic saw in the previous year.

Dr. Haddawi- Stated last year the Chap clinic saw between 3500-3700 patients. VIM, in its first year alone, is expected to treat about 14,000 people. Dr. Haddawi expects they will have a central location in town (in 10 years) and that the clinic will be large enough to accommodate the 20,000 people that will come through for visits. VIM will expand its services and programs in the future.

Sabbagh- Stated the CHAP clinic is limited to the services it can provide while VIM will provide a number of services.

Wisler- Asked if they could state the requirements for the clinic so that people know who will qualify for these services.

Dr. Haddawi- Stated people have to be residents of Monroe or Owen County, have no insurance of any kind, and must prove to VIM that they fall below the federal poverty line.

Gabe Rivera- Said it was nice to see people bringing free healthcare to Bloomington, however, he came to talk about Monroe County Jail. He feels the City of Bloomington is participating in violations against human rights in the Monroe County Jail.

There were no appointments to Boards or Commissions.

BOARD AND COMMISSION APPOINTMENTS

It was moved and seconded that Resolution 06-11 be introduced and read by title and synopsis. Deputy Clerk Huddleston read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 9-0-0. It was moved and seconded that Resolution 06-11 be adopted.

LEGISLATION FOR SECOND READING

Resolution 06-11 To Approve the Interlocal Agreement between Monroe County and the City of Bloomington for Animal Shelter Operation for the Year 2007

Laurie Ringuist, Director of Animal Care and Control, explained that Resolution 06-11 was the annual agreement that comes before the Council that governs our relationship with the County. Last year, 50% of the animals arriving at the Animal Shelter came from the County and we apply that 50% to the cities portion of the budget for the Animal Shelter resulting in \$218,711 to be paid by the County to the City.

Rollo- Asked if more animals were coming from the county than the city?

Ringuist- Said approximately 50% comes from the County, 35-37% comes from inside the city limits, and 13-15% comes from surrounding counties. These were the same percentages we had last year.

Wisler- Asked how the Animal Shelter tracks which animals come from the city and which come from the county?

Ringuist- Said they track all the animals by where they are picked up. However, some of the animals are given to Animal Control by the owner, and some of the animals have tags on them which allow Animal Control to tell where the animals are from.

Sturbaum- Thanked the Animal Shelter for all they do for animals in the City and County.

Ordinance 06-11 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 06-19 be introduced and read by title and synopsis. Deputy Clerk Huddleston read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 9-0-0. It was moved and seconded that Ordinance 06-19 be adopted.

Tom Micuda, Planning Director, explained the ordinance. He said that one of the big issues with this site is its location. He said the Plan Commission voted unanimously to approve this site for the following reasons: It is environmentally friendly; it incorporates good construction elements, ample water quality mitigation, and has a detailed onsite management plan. He said that most importantly the Plan Commission determined this PUD approval did not change an established policy by the commission or council which is to discourage development in the Lake Griffy watershed. This PUD works because it meets all community needs.

Dave Rollo- Asked if the final site plan required a Plan Commission hearing?

Micuda- Stated the site plan for the Meadowood portion, both the condos and the assisted living care facility, will both go to the Plan Commission for final review. The Jill's House portion which was more detailed will go to staff review.

Rollo- Stated he enjoyed hearing about this project and Jill's House will be an enormous asset to our community. However, what we are considering with this Ordinance is a land use petition so the context of the site is an important part of this decision. We have environmentally sensitive features to this site which are very important to us because this is a natural area that has already been heavily impacted by other developments to the area. Rollo was very happy with the tremendous effort that has been made with 50% of this site being undisturbed, having a partial green roof, planting of native plant species, and the redundant water quality and erosion control which is all a part of this petition. He found that this is a good plan environmentally and would like to thank the petitioner planning staff, and environmental commission for their hard work.

Gaal- Stated this development was by the Griffy watershed so it did receive a high degree of scrutiny because Griffy had been impacted by development in the past. He was happy to have made adequate environmental protections with this project which strikes a balance between the needs of the community and the environment.

Sabbagh- Stated that Jill's House is a symbol of renewal and hope and is very happy to support the project.

Mayer- Stated this project gives people with disease a chance to heal in a loving environment, and serves as a living memory for Jill Berhman.

Volan- Said the dispute was not the worthiness of Jill's House and Meadowood but concern for Griffy Reservoir and the threat to the environment.

Sturbaum- Thanked everyone for coming to the meeting. The Council had a lot to balance with the neighbors, environment, and the needs of the community.

Ordinance 06-19 received a roll call vote of Ayes: 9, Nays: 0.

Ordinance 06-19 To Amend the Bloomington Zoning Maps from Residential Estate (RE 2.5) and Planned Unit Development (PUD) to PUD and to Adopt the Preliminary Plan for the Meadowood/Jill's House PUD - Re: 2520 North Dunn Street (Meadowood Retirement Community/Jill's House, Petitioner)

It was moved and seconded that Ordinance 06-20 be introduced and read by title and synopsis. Deputy Clerk Huddleston read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 0-3-6. It was moved and seconded that Ordinance 06-20 be adopted.

Ordinance 06-20 To Amend the Bloomington Zoning Maps from Q to PUD and to Adopt the Preliminary Plan for the Southern Indiana Health Sciences Park Planned Unit Development - Re: 2401 West Tapp Road (Southern Indiana Medical Park II, LLC, Petitioner)

Sturbaum noted that at this time they would entertain an alternate motion.

Rollo-Said he would like to make a motion regarding the development of the 101 acre parcel at 2401 West Tapp Road: The Common Council would favorably consider the PUD proposal for the 101 acre parcel at 2401 West Tapp Road which includes development north of the creek (currently known as Phase I) in the manner proposed in Ordinance 06-20 including all the relevant conditions of approval; and the preservation in perpetuity of the area south of the creek (which is an environmentally sensitive area currently known as Phase II) with dedication of right-of-way for future frontage road.

Sturbaum- Stated this has been moved and seconded which means that the Council has made a motion to send a message that there is an alternate proposal to this position that the Council is suggesting they would view favorably in the future. The Council will address Ordinance 06-20 after this motion has been discussed.

Sabbagh- Asked if the Council was instituting a new procedure to petitions that come before the Council?

Volan- Stated the Council can bring about any motion it sees fit.

Sturbaum- Said that the discussion of the alternate motion would give light to the discussion of Ordinance 06-20 and this motion is not binding. He said they are bound to either approve or deny these positions but wanted to give clear guidance from the Council.

Wisler- Asked if the city wants to build the road, under what circumstances could construction on the road be without Council approval?

Micuda- Said there are three basic mechanisms when the city decides to build a road. One is creating a Tax Increment Finance District, another mechanism is where the city builds roads through bonding, and the last process is a Metropolitan Planning Organization process (MPO).

Sturbaum- Stated that another reason for this motion is to send a message to the Plan Commission and give it a recommendation.

Dan Sherman- Agreed with Councilmember Sturbaum stating a motion sends a message to planning and the petitioner and outlines what you would favorably consider in the future.

Steve Smith spoke for the petitioner. He stated it is a long process to get here and it's good to get direction and see who votes which way so we have some direction. He would much prefer that the Council approve this petition as it is presented. He believes the community is much better served by having the road in this location. He appreciates the feedback but stated the project will survive either way. He thinks it is best for the Council to approve the project, and let the developer pay for the road.

Mike Litwin represented the Environmental Commission. He stated that one of the Environmental Commissions jobs is to review development petitions. The site south of the creek is where the Environmental Commission has constantly recommended that the area be preserved

because there are too many environmental constraints to develop this piece of land.

Dave Rollo- Stated that in the Comprehensive Greenspace report in 2002 that this area was identified as one of the most environmentally sensitive areas left within the city's jurisdiction.

Litwin - Said that this is one of the few areas of this size with this many environmental features relatively undisturbed remaining in the planning jurisdiction.

Bill Brown, developer of the property, said he learned over the years that developers come and go but traffic stays. He remembered sitting on committees throughout the BEDC over the years and recalled years ago when they wanted a frontage route for this location. The Council has the opportunity to make the developer build the road now, and believes the Council must take advantage and build this road now. He pleaded with the Council to follow what Steve Smith suggested which is to connect Tapp Road and Fullerton Pike.

Duncan Campbell- Stated he owned the property to the east of this proposal. He needed some clarification because the message he wants the Council to promote is to protect the land. He believes advocating for some future right-of-way does not protect this land. He was confused because it is his hope that a road never go through this area.

Wisler- Said he was going to abstain from voting on Ordinance 06-20 because it sends the message that we want to build a road in the future.

Rollo- Said he respectfully disagrees with council member Wisler because the council has decisions to make that are broader than the Plan Commission. He stated this was an unusual situation because it stems from a conflict in the growth policy's plan. He believes having this motion provides direction for the Plan Commission, planning staff, and the petitioner. Rollo stated this road was conceived at a time when little attention was given to the impact of environmental integrity. He said this site has a variety of environmental features and councilmember Wisler did not have the advantage of seeing this petition come before us at an earlier date. He urged colleagues to vote in affirmative on the motion.

Sabbagh- He said he had a problem a new motion. He said that if you don't like the petition then vote "no" on the project. He did not see why we needed an extra motion and feels the Council's job is not the job of the Plan Commission. He stated he was going to vote no.

Gaal- Stated that by the time the PUD gets to the Council it has already been through a long process. However, he said the Council is not a rubber stamp for the Plan Commission and that the environmental aspects of the site should dictate prudence on the Council's part. He also said that Steve Smith made good arguments because the developer is doing what the GPP stated. He noted that the issue of a right-of-way did not come up at the Plan Commission but it is our responsibility to give a recommendation. He feels it is better to give direction with a motion.

Ruff- Said he disagreed with a previous statement that this sends a message that the Council wants a road in this area in the future. He respects Mr. Brown and said he has been a good businessman. However, he disagrees with the statement made by him that business will be conducted in the same manner as it has been in the last 30-40 years. The way we interact with the environment will change because the levels of consumption we currently use is not sustainable for the next 30-40

years. In the future, the ways we do business will be dramatically different due to the environment.

Ordinance 06-20 (cont'd)

Volan- Stated that we do not need this road because it is a conflict with the city's environmental issues. He believes this proposal would harm the environment and people in cars will find a way to get to where they need to go without building this road. He wants the Plan Commission to know that any construction on this site and even the attempt to preserve the right-of-way should be abandoned.

Mayer- He stated that both the Environmental Commission and Mr. Campbell have it right, and if we want to preserve these woods the Council should not approve the right-of-way dedication.

Sturbaum- He stated that there is not need for this road to be built.

The motion regarding future development on the 101 Acre Parcel at 2401 West Tapp Road received a roll call vote of Ayes: 7, Nays: 1 (Sabbagh), Abstained: 1 (Wisler).

Motion regarding development on parcel

Ordinance 06-20 received a roll call vote of Ayes: 2 (Wisler, Sabbagh), Nays: 7 and thus failed.

Final Vote on Ordinance 06-20

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

LEGISLATION FOR FIRST READING

Ordinance 06-21 To Amend the Title 7 of the Bloomington Municipal Code Entitled "Animals" - Re: To Permit Small Flocks of Chickens by Waiver

Ordinance 06-21

There was no public comment in this section of the meeting.

PUBLIC INPUT

The meeting was adjourned at 10:10 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Chris Sturbaum, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

In the Council Chambers of the Showers City Hall on Wednesday, November 1, 2006 at 7:30 pm with Council President Chris Sturbaum presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
NOVEMBER 1, 2006

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

ROLL CALL

Council President Sturbaum gave the Agenda Summation

AGENDA SUMMATION

There were no minutes to be approved.

APPROVAL OF MINUTES
REPORTS:
COUNCILMEMBERS

Micheal Diekhoff-Reminded folks of the election on Tuesday and encouraged people to get out and vote.

David Sabbagh- Stated he was surprised at the lack of elected officials who did not attend the I-69 meeting at Bloomington North high school. He said the meeting had a lot of healthy debate both for and against and applauded all elected officials who participated in this process.

Andy Ruff- Stated elected officials have had discussion on I-69 for 15 years so he does not think anyone who did not participate in the meeting at Bloomington North High School should feel bad for not continuing to go along with INDOT's charade of public input. Ruff stated for years, people have tried to communicate to INDOT about the negative impact I-69 would have on the environment. INDOT publicly told people there would be enough money to build I-69 which has turned out to be a lie. Ruff said we now have found out that the current administration is going to build a toll road in order to pay for expenses.

Tim Mayer- Encourage folks to vote early at the Curry building because it is a very important election.

Chris Sturbaum- Stated some people say their vote does not count but he has seen races decided by as little as four votes. Sturbaum stated that we have seen legislative decisions at the state and national level swing by one vote. These votes do matter or people running for office would not be spending huge amounts of money on campaigns.

There were No Reports from the Mayor and City Offices

MAYOR and CITY OFFICES

Marc Haggerty said he came to the meeting to talk about the current election process. He asked the Council for three things to improve our democracy: one is a verified paper trail, the second is preferential voting, and the last is to make it easier for third parties to run for office. He believes these things need to be changed in order for our democracy to work effectively.

COUNCIL COMMITTEES
PUBLIC INPUT

No Appointments were made to Boards and Commissions

BOARD AND COMMISSION
APPOINTMENTS
LEGISLATION FOR SECOND
READING

It was moved and seconded that the Resolution 06-12 be introduced and read by title and synopsis. Deputy Clerk Huddleston read the legislation and synopsis, stating that there was no committee recommendation. It was moved and seconded that Resolution 06-12 be adopted.

Resolution 06-12
Waiving Current Payments In Lieu
Of Taxes By The Bloomington
Housing Authority To The City

Jennifer Osterholt, Director of the Housing Authority, explained this resolution. She said taxes this year were astronomical due to the high cost of utilities. HUD funds utility expenses for the housing authority on a three year rolling basis. This year, HUD is using a lot of money from the reserve funds to cover the cost of utilities. She is asking the Council to kindly forgive \$2788 dollars that HUD would pay to the city for

services provided by the city. HUD is normally more generous with them in regards to utilities but they are not being funded at 100%.

Mayer- Stated what we are really dealing with is the federal government reducing the money we have paid in taxes to the federal government that would traditionally come back to our community under HUD or the Community Development Block Grant programs. Mayer stated these are the dollars you and I earn that go to pay taxes and the money is not coming back to us like it has in the past.

Sturbaum- Said it cost four billion dollars every four days to fund the War in Iraq so this is where the money is going and the effects trickle down to local governments.

Resolution 06-12 received a roll call vote of **Ayes: 9, Nays: 0.**

It was moved and seconded that the Ordinance 06-21 be introduced and read by title and synopsis. Deputy Clerk Huddleston read the legislation and synopsis, stating the do pass recommendation was 5-1-3. It was moved and seconded that Ordinance 06-21 be adopted.

Ordinance 06-21
TO AMEND TITLE 7 OF THE
BLOOMINGTON MUNICIPAL
CODE ENTITLED "ANIMALS"
Re: To Permit Small Flocks of
Chickens by Waiver

Sturbaum- Stated this ordinance came about because the Board of Zoning Appeals was enforcing the chicken situation and wanted the Council to take charge of the situation. Sturbaum stated Ordinance 06-21 balanced the chicken owner's rights with neighbor and community rights. Ordinance 06-21 has regulations such as a \$25 annual fee for chicken owners, a regulation that states you must keep the chicken coup a certain size, and regulations on where the chickens come out and run. Sturbaum stated he did not feel it was in the interest of the City of Bloomington to tell people what they could and could not do in their own back yards.

Mayer- Stated Ordinance 06-21 has two amendments attached to it which the Council must vote on. One of the amendments deals with when the ordinance would take effect, and the other is a good neighbor amendment. He asked Councilmember Sturbaum to introduce amendment number one.

Sturbaum- He stated that amendment one pertains to a zoning ordinance so the Council will delay the implementation of Ordinance 06-21 until January, when the zoning ordinance goes into effect.

Sabbaugh- He stated that if Ordinance 06-21 passed it would be in conflict with the current zoning. The current zoning ordinance says you can't have chickens unless you have two acres. Sabbagh said he gets concerned when the Council passes ordinances in violation of current ordinances.

Volan stated that the new ordinance would be replaced by the old ordinance so it would not be in violation.

Dan Sherman, Council Attorney/Administrator, said there was a long history with this UDO, and what the Council was doing tonight was using this forum to work out the details on regulating small flocks of chickens in RE and RS districts. If the Council decided the ordinance was a good idea then the Plan Commission and the Council would change the UDO to reflect Council action.

Sturbaum- Asked if this created an exemption to the law that bans chickens because the Council is not going into the zoning ordinance and changing it significantly, the work is in title 7.

Ordinance 06-21, Amendment #1

1. Section 9 of this ordinance regarding the effective date shall be deleted and replaced with the following:

Section 9. Once passed by the Common Council, signed by the Mayor, and published in accordance with the law, this ordinance shall go into effect at the same time as Ordinance 06-24 which would, among other actions, repeal and reenact Title 20 (Zoning) of the Bloomington Municipal Code.

Ordinance 06-21, Amendment #1
(cont'd)

Sherman- Stated "yes because in title 7, it is made clear chickens are not allowed in small lots in RE and RS districts unless they follow the provisions set by the ordinance you are considering tonight."

Wisler- Asked if this ordinance did not pass tonight, would this mean the chickens would be allowed in RE and RS zones with no restrictions.

Sherman- Stated yes.

Sabbaugh- Said that this is an illegal action.

Sherman- Stated that throughout this whole process, they expected to change both the UDO and title 7, and both need to be done.

Volan- Asked if there was ever an ordinance by the Council that was passed in anticipation of another ordinance being passed?

Sherman- Stated that often packages of legislation require many steps so this is not unusual.

Sturbaum- Stated that this is not taking effect until the zoning ordinance passes in January and so it would sit in a holding pattern until then so it can't be illegal.

Public Comment:

Jeanette Richart- Stated she is a member of the Bryant Park area and approves of her neighbors having chickens.

Volan- Stated his esteemed colleague from District 5 (Sabbagh) declared last week that wearing a chicken suit on the week of Halloween was inappropriate. His colleague from District 5 is now trying to say that this issue is a zoning issue. He rejects this notion.

Sabbagh- Stated that this is a zoning issue and wants to make sure the zoning is in place before this ordinance is enacted.

Ruff- Stated we pass utilities rate changes and then have to wait to see what the state will do until the commission approves it. There are a lot of examples when we do something that is dependent on something that happens later. He does not see problems with this ordinance but is glad we hashed it out.

Gaal- Stated that this amendment is a housekeeping matter. The amendment should go into effect the same time as the UDO is updated. If you disagree with the chicken ordinance then state that instead of using the zoning issue as a distraction.

Amendment #1 to Ordinance 06-21 received a roll call vote of Ayes: 9, Nays: 0.

Proposed Amendment: Ordinance 06-21, Amendment 2

Mayer- He would like to introduce Amendment #2 which is part of the good neighbor policy. Amendment 2 deals with corner lots and the neighbors across the street whom may not want to see chickens.

Rollo- Asked if the neighbors that are adjacent to the chicken owners were in agreement about the chickens, would they have to be obscured from everyone's view?

Sherman- Stated the coop and run must be screened by both the adjacent neighbors and those neighbors across the street.

Ruff- Asked Councilmember Mayer if he felt that the house across the street should be considered as a neighbor?

Mayer- Stated Yes.

Ordinance 06-21, Amendment 2

Section 5 of this ordinance entitled "Standards for maintaining chicken flocks" shall be amended by adding the phrase "from a public street or" after the phrase "if visible" in 7.21.057 (b) (1) so that part (b)(1) reads as follows:
(b)(1)

Provide a sight fence or shrub screening of at least four (4) feet in height around both the coop and run if visible from a public street or to occupants of neighboring lots; and

Public Comment:

Jeanette Richart- Stated that most chicken's owners would be willing to put these barriers up out of consideration for other neighbors.

Judith Sylvester- Stated she would be very sorry if this amendment effects the overriding amendment because she loves people stopping to learn about her chickens. She walks to work regularly and see lots of things in people yards that she does not like but she learns to live with it.

Lucille Bertuccio- Stated she likes to see chickens in people's yard.

Marc Haggerty- Stated that when he moved into his neighborhood a lady three doors down had hens, geese, ducks, and chickens. He said it was wonderful to wake up to in the morning and look at these animals.

Bill Hayden- Stated that he sees Judy's chickens as a neighborhood asset that all neighbors can enjoy. He would hate to see a big fence that would prohibit him from seeing the chickens.

Carrol Krause- Stated that we don't impose the same rule on dog kennels and they look a lot worse then a well kept chicken run.

Jim Opiat- We do not require that dog kennels are screened. Why are we treating chickens different then dogs?

John Bavender- He keeps a flock of chickens and the majority people that come down the alley bring their kids to look at his chickens. It is very educational for families that come to look at his chickens. He will put up a screen but the chickens are beautiful and does not feel he should have to hide them.

Liz Brown- She is a neighbor of Judy's and did not even know that she had chickens for a long time because her landscape hides them. She attended the Council meeting to show her support for Judy.

Mayer- Stated he wanted to point out that this amendment only requires screening on corner lots and the number of people who live on corner lots that would want to have chickens is minimal.

Wisler- Stated that his concern with this ordinance is how it will be enforced. He said he was just as concerned with the enforcement of screening requirement as the ordinance itself.

Rollo- He sympathized with the intent of the good neighbor policy but is going to oppose the amendment because the ordinance is already stringent enough.

Volan- He is conflicted because he has not heard a compelling point either way in regards to Amendment #2. He said hw was troubled by the idea that people are treating chickens much more stringently than dogs. He said he was also concerned about the nature of the screening material.

Diekhoff- Stated the Council has heard from exceptional neighbors that all get along. However, this is not the case with the rest of the city because he sees neighbor feuds everyday. He agrees with councilmember Mayer because a lot a neighbors do not get along.

Gaal- Stated this ordinance does have a lot of regulations but if it is successful the Council can go back later and loosen up some of the regulations. Gaal stated he is going to support this amendment.

Sabbaugh-He thinks this amendment is good and will support it.

Ordinance 06-21, Amendment 2
(cont'd)

Ruff- Stated we close up in our house enough as it is and this goes against my concept of community and sustainability.

Gaal- Said the screening is what would allow the experiment to succeed.

Volan- Said he does not see the difference between four dogs and four chickens. He will be voting against the amendment.

Amendment #2 to Ordinance 06-21 received a roll call vote of Ayes: 4, Nays: 5 (Rollo, Sturbaum, Ruff, Volan, and Wisler) and failed.

VOTE:

Amendment #2 to Ordinance 06-21

Sturbaum- Stated that the discussion would now focus on the ordinance as amended.

Rollo- Asked if the attorneys could state the stringency of these ordinances compared to other cities?

Stacey Jane Rhodes, Assistant Council Administrator, stated that Indianapolis allows chickens passively, and does not have permit, inspection, or number requirements. She noted that she had looked at a score of other ordinances and Bloomington's was among the most stringent.

Rollo- Said the Council had a debate on the \$25 fee last week and asked what the fee was for?

Sturbaum- Said the fee goes to a good place because there is a cost to the City with Animal Care and Control inspections.

Ruff- Asked to what extent the city deals with dogs & cats such as spay and neutering, licensing fees. In general what extent do tax payers pay for dog and cat concerns.

Mayer- Stated there is no licensing fee for dogs and cats.

Volan- Asked if Councilmember Mayer knew why fees for dogs and cats were stricken? Why do we charge a fee from adopting from the shelter?

Mayer- Stated the expenses are for the animal being spayed, neutered, microchipped, health exams, and vaccinations.

Volan- Stated he would like to introduce another amendment.

Sherman explained that the Bloomington Municipal Code required amendments be submitted in writing before the meeting.

Public Input

Kevin Keyo said that this would all be part of the open record law.

Susan Brackney- Said she is in support of this ordinance and appreciates the way the Council has thought it through. Bloomington wants a progressive community and we want a more sustainable way of life and this is a simpler way of life and it's good to talk to neighborhoods.

Jim Opiat- Stated he was the secretary of the Bryan Park Neighborhood Association. He said that at their last meeting they unanimously passed a resolution in support of this ordinance. They are very supportive and hope the Council will be.

Mike Andrews-Said Volan asked to make an amendment and was disturbed the Council had passed a restriction not to allow amendments during the Council meeting. Stated the \$25 chicken fee is not a good idea because it does not promote sustainability.

Carrol Krouse-Said he has not seen any evidence of predators getting chickens. She also brought some information on the avian flue that states this is not a chicken disease but a human one.

Bill Hayden-wanted support for the ordinance because it would make it legal for us to have chickens again. He stated chickens are something we should be encouraging for sustainability reasons. He also stated that dogs are much more of a problem than chickens and he does not feel that we should discriminate against chickens.

Charles Sprag-He lives on the same block as Judy Sylvester and he thinks the Council has put a lot of thought into this ordinance. He hopes that the Council will vote for allowing Bloomington to have chickens again.

Rusty Peterson-He is in favor of chicken ownership and almost feels it would be better if this ordinance did not pass so a more lenient ordinance would come through in the future.

Volan-The amendment that he would have introduced would be to strike the \$25.00 fee. He meant no harm by wearing the chicken suite last meeting. He believes this ordinance is too strict and does not know how the Council got to be so chicken about chickens. It is better to introduce this ordinance now and revise it later than to do nothing.

Ruff-Stated that Council member Volan could have written something down and submitted it and they could have voted on it today. At the last meeting they discussed eliminating the \$25 fee but he did not think it would pass so he opted not to bring forth this amendment.

Mayer-Stated that the majority of people in this community are not for this ordinance. Mayer feels this is going to be a nightmare for Animal Control and they already have high stress jobs. He will not support this ordinance.

Rollo-He commended Council member Sturbaum for all the work he put into this ordinance. Rollo was initially concerned with Animal Control but he contacted them and they are fine with the ordinance. He understands that chickens might not be popular but he is very impressed with how the chicken owners care for the animals.

Gaal-Stated that this is a very strict ordinance and the reason for that is because the Board of Zoning appeals have dealt with conflict in the past. Gaal stated that this ordinance is not going to solve every problem but it has been carefully crafted and tries to anticipate most conflicts that could occur. He is going to support the ordinance.

Diekhoff- He appreciates all the people that have been involved in this whole process, but he has to go with what his constituents want and most are not in support of this ordinance.

Wisler-He believes enforcement of this ordinance will cause more problems than occurred in the past so he is not going to support it.

Sturbaum-He stated that the reason we don't have a group of people upset about this ordinance is because if you don't want chickens then you don't have to have them next door. He stated that he looked to

create an environment that considered everyone and he believes this ordinance has accomplished that.

Ordinance 06-21 (cont'd)

Ordinance 06-21 as amended received a roll call vote of Ayes: 5 (Gaal, Rollo, Sturbaum, Ruff, Volan), Nays: 4 (Wisler, Diekhoff, Mayer, Sabbagh).

Dan Sherman-Recommends Council meets next week for a special session which would mean cancelling the committee of the whole. This would require a 2/3 majority by the Council to pass.

Motion to Suspend the Rules: received a roll call vote of Ayes: 8, Nays: 1, (Volan)

Motion to Suspend the Rules

Motion to Cancel Committee of the whole and hold a special session on November 8th received a roll call vote of Ayes: 8, Nays: 1, (Volan)

Motion to Cancel Committee of the Whole

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

LEGISLATION FOR FIRST READING

Appropriation Ordinance 06-07

Appropriation Ordinance 06-07

TO SPECIALLY APPROPRIATE FROM THE GENERAL FUND, FLEET MAINTENANCE FUND, RISK MANAGEMENT FUND, PARKS & RECREATION FUND, AND SANITATION FUND EXPENDITURES NOT OTHERWISE APPROPRIATED (Appropriating Various Transfers of Funds within the General Fund for Animal Care & Control, Clerk's Office, Fire, Planning, and Police; Appropriating Transfers of Funds within the Parks & Recreation General Fund, within the Sanitation Fund, and within the Risk Management Fund; Appropriating Funds from the General Fund for Animal Care & Control, Police and Housing & Neighborhood Development; Appropriating Funds from the Risk Management Fund and from the Fleet Maintenance Fund)

Ordinance 06-23

Ordinance 06-23

TO DESIGNATE AN ECONOMIC DEVELOPMENT TARGET AREA (EDTA) - Re: 2300 Rockport Road and 2101, 2105, 2109, 2112, 2113, 2116, 2117, 2120, 2121, 2124, and 2125 Susie Street (City of Bloomington Housing and Neighborhood Development Department, Petitioner)

There was no public comment at this part of the meeting.

PUBLIC INPUT

The meeting was adjourned at 10:45 p.m.

ADJOURNMENT

APPROVE:

ATTEST:

Chris Sturbaum, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

In the Council Chambers of the Showers City Hall on Wednesday, JANUARY 3, 2007 at 7:40 pm with Council President Chris Sturbaum presiding over the Organizational Session of the Common Council.

COMMON COUNCIL
ORGANIZATIONAL SESSION
JANUARY 3, 2007

Roll Call: Wisler, Diekhoff, Ruff, Sandberg, Rollo, Sturbaum, Volan, Sabbagh
Absent: Mayer

ROLL CALL

Council President Sturbaum gave the Agenda Summation

AGENDA SUMMATION

There were no minutes to be approved.

APPROVAL OF MINUTES
REPORTS:
COUNCILMEMBERS

Mike Diekhoff welcomed Susan Sandberg to her first meeting as a council member. She replaced Chris Gaal who was elected Prosecutor in the recent election.

Susan Sandberg said she was delighted to be present on the council. She noted the day's newspaper article regarding hunger not being just a seasonal problem. She encouraged citizens to support the Hoosier Hills Food Bank and other organizations that address this issue all year long.

Dave Rollo welcomed Sandberg to the council, noting that he looked forward to serving with her.

Steve Volan, noting that Councilmember Mayer was not present, sent get well wishes to him at home. He also welcomed Sandberg to the council and wished everyone a Happy New Year.

David Sabbagh welcomed Sandberg to the council also, noting that she had been sworn in to office several days before this. He noted the passing of President Gerald R. Ford, the 38th US President. He read a few quotes by Ford that were published after he became president regarding the war in Vietnam, his family, political life, his pardon of Richard Nixon and parts of his inauguration address.

Andy Ruff welcomed Sandberg to the council.

Chris Sturbaum welcomed Sandberg. He said his New Year's wish for our country was that we would now find our national conscience and with that find peace.

There were no reports at this meeting.

MAYOR and CITY OFFICES

There were no reports at this meeting.

COUNCIL COMMITTEES

There were no comments by the public at this meeting.

PUBLIC INPUT

It was moved and seconded that the following slate of officers for 2007 be elected:

ELECTION OF OFFICERS

President	Dave Rollo
Vice President	Steve Volan
Parliamentarian	Timothy Mayer

The slate was approved by a voice vote.

Council Members changed seats in accordance with their new positions or assigned by the new president. New council president Rollo thanked outgoing president Sturbaum for his service, and presented him with an engraved gavel to commemorate his term as president.

It was moved and seconded that the following appointments to various Council Positions be considered:

BOARD AND COMMISSION APPOINTMENTS

- Citizens Advisory Committee (Community Development Block Grants)
 - Social Services Andy Ruff
 - Physical Improvements Timothy Mayer (07)
 - Physical Improvements Susan Sandberg (08)
- Commission for Bloomington Downtown Chris Sturbaum
- Economic Development Commission (City) Mike Diekhoff
- Economic Development Commission (County) Regina Moore
- Environmental Resource Advisory Committee Dave Rollo
- Metropolitan Planning Organization Andy Ruff
- Plan Commission Chris Sturbaum
- Solid Waste Management District Stephen Volan
- Urban Enterprise Association Board Chris Sturbaum
- Utilities Services Board Timothy Mayer
- Bloomington Economic Development Corporation Dave Rollo

The nominations were approved by a voice vote.

President Rollo appointed the following council members to the Council Social Services Funding Committee:

- Diekhoff, Mayer, Ruff, Sabbagh, Sandberg

President Rollo appointed the following council members to the Council Sidewalk Committee:

- Sandberg, Rollo, Ruff, Sturbaum

President Rollo appointed council members to Board and Commission Interview Committees according to a proposal published in the packet for this meeting.

There was no legislation for second reading or final action.

LEGISLATION FOR SECOND READING

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

Ordinance 07-01 To Amend Title 7 of the Bloomington Municipal Code Entitled "Animals" (To Implement the Trap-Neuter-Return Method of Feral Cat Management and to Establish Feral Cat Care Guidelines)

Ordinance 07-01

There was no public input at this time.

PUBLIC INPUT

The meeting was adjourned at 7:53 p.m.

ADJOURNMENT

APPROVE:

ATTEST:

Dave Rollo, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington