

In the Council Chambers of the Showers City Hall on Wednesday, April 4, 2012 at 7:30 pm with Council President Tim Mayer presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
April 4, 2012

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

ROLL CALL

Council President Mayer gave the Agenda Summation.

AGENDA SUMMATION

Minutes for March 7, 2012 were approved by a voice vote.

APPROVAL OF MINUTES

Mayer announced that each segment of the first part of the agenda was limited to 20 minutes per segment. He asked therefore that the Council stay within their allotted 20 minutes.

REPORTS:

- COUNCILMEMBERS

In response, Andy Ruff said he would yield time to Dave Rollo.

Dave Rollo said he wanted to comment on remarks made by council member Spechler on February 23rd about peak oil, because the comments highlighted several common fallacies. He offered a Power Point presentation which he said explained why the world was experiencing peak oil or as he termed it "peak demand." Rollo said in response to those who thought peak oil was a myth, he would say no, it was an observation. He said Norway's oil production peaked at the turn of the century and had been on a decline since. Also, Mexico peaked in about 2005 and was now in permanent decline. The United Kingdom also now was in permanent decline, and the United States also was in decline. He said the problem existed because currently four gallons of fuel were used for every gallon produced.

Steve Volan announced that April 26th would be the first in a series of open public forums, sponsored by the IU Political and Civic Engagement program. The first topic would be issues related to housing, landlords, tenants, and affordability.

Marty Spechler responded to Rollo's presentation saying that yes of course, peak oil is a myth, for one reason because oil came from many different places, and even new places, that he said Rollo wasn't considering. He said that there was a peak in the United States because of price, but the peak oil concept was something that was out of date. He added that he would prefer the council focus more on the issues of Bloomington, since, he said, the number one priority was local economic development and creating good, new jobs.

Darryl Neher recognized and welcomed Mr. Geoff Aiken and his government class from Bloomington High School North.

Dorothy Granger pointed out the good work that the Commission on the Status of Women did during March with all of the events surrounding women's leadership and celebrations of women's achievements.

Chris Sturbaum mentioned the article in the newspaper about Cook Inc. restoring the Tivoli Theater in Spencer. He said this boded well for historic preservation and for Spencer.

Susan Sandberg announced that the Bloomington Water Color Society, with the endorsement of the Bloomington Arts Commission, was collecting art supplies for the Henryville schools to help replace the needed art materials lost during the recent storms and flooding. She also announced it was Arts Week and the April 14th fundraiser for the IU Art Museum was called Arts on Tap.

Tim Mayer announced the Be More Awards recognizing volunteer efforts in Bloomington. He thanked staff Bet Savitch and Lucy Schaich, Community and Family Resources Department, for all of their work coordinating the event. He also mentioned the sad and untimely passing of Ellen Brantlinger who was a retired Professor of Education focusing on education for people with disabilities and people in poverty. He said she would be sorely missed.

Deputy Mayor Maria Heslin announced the ASPCA Rachel Ray \$100,000 challenge. She said animal shelters around the country were competing for the cash award. She said that Bloomington had already pre-qualified and now it was up to the community to vote online everyday.

- MAYOR and CITY OFFICES

Heslin also announced the appearance of Gene Bauer, Co-Founder and President of Farm Sanctuary, in Bloomington on April 10th and 11th. She said he was a noted expert on humane farming techniques and protection of farm animals.

Reports from the Mayor and City Offices
(cont'd)

Kathy Mayer, Community and Family Resources Department, described the upcoming Homeward Bound Walk and thanked Sandberg for serving as the MC for the third year in a row. Mayer shared statistics and information about homelessness in the community along with the amounts of money raised by this event in the past.

Byron Bangert, Human Rights Commission, described the work of the commission and its mission and goals. He said the award that they presented for efforts in human rights and public service was not awarded every year, rather it was awarded when deserved. He presented the award for Human Rights and Public Service to Virginia Hall and Charles DuPree, both pastors at Trinity Episcopal Church.

Jami Scholl presented a team project created as a part of this year's Leadership Bloomington that focused on the benefits of buying local and the revenue that benefited Bloomington, which was lost when shopping elsewhere. She said the message was to think about local first.

There were no reports from Council Committees.

COUNCIL COMMITTEES

A video about Passover was presented by Mr. Hedrick, a local citizen. He also read prayers to wish everyone a Happy Passover.

PUBLIC INPUT

CW Poole said Occupy Bloomington would like a space where they could gather and share their message. He said their hope was to claim the commons for places of community power, and that they sought diverse ideas and different ways of thinking.

President Mayer announced that Council Attorney Dan Sherman advised that the council was bound by the rights of the first amendment governing free speech. He said the public comments presented at this meeting may be judged by those watching, but the council would comply with the Constitution.

It was moved and seconded that Thomas Gillespie be appointed to the Telecommunications Council.

BOARD AND COMMISSION APPOINTMENTS

It was moved and seconded that Chris Kurtz be appointed to the Bloomington Digital Underground Advisory Council.

The appointments were approved by a voice vote.

It was moved and seconded that Resolution 12-03 be introduced and read by title and synopsis. Deputy Clerk Wanzer read the legislation and synopsis, giving the committee recommendation of Do Pass 9-0-0.

LEGISLATION FOR SECOND READING

It was moved and seconded that Resolution 12-03 be adopted.

Resolution 12-03 Resolution of the City of Bloomington, Indiana Consenting to the Financing of Improvements to the YMCA of Monroe County, Inc. Through the Issuance of Economic Development Revenue Bonds by Monroe County, Indiana

Adam Wason, Assistant Director of the Economic and Sustainable Development Department, presented the background information. He said that the resolution would allow Monroe County government to issue Economic Development Revenue Bonds in an amount not to exceed \$2.75 million to improve aquatic facilities at the Highland Avenue YMCA. He said the debt service on the bonds would be paid exclusively by the YMCA, with no financial obligations from the city or county. He said the county would issue less than \$10 million in bonds, and it would allow the YMCA to designate the bonds as 'bank qualified.' He said the role of the city was to consent to this because the YMCA was located within the city limits.

David Sabbagh, President of the YMCA, spoke on behalf of the YMCA, its activities and mission in the community. He asked for council support.

He said the action by the council was required in order for this to move through the Monroe County Economic Development Commission and the Monroe County Council.

There were no questions or comments from council and no comments from the public on this item.

Resolution 12-03 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 12-06 be introduced and read by title and synopsis. Deputy Clerk Wanzer read the legislation and synopsis, giving the committee recommendation of Do Pass 9-0-0.

It was moved and seconded that Ordinance 12-06 be adopted.

Pete Giordano, Director of the Community and Family Resources Department, said this name change would more accurately reflect the more targeted focus of serving children and youth that the Commission was adopting.

Rollo asked if the Commission voted unanimously to make this change. Giordano said they did.

There was no public comment on this resolution.

Sandberg said she had worked closely with this Commission over the years, and supported their effort to find a mission which the community could collaborate around. She recognized the Commission's efforts and the work of JoAnne Bunnage, Chair. She said she wholeheartedly supported this change.

Volan agreed that the former mission was too broad and he supported this new narrower focus. He added that perhaps other Boards and Commissions would choose to review their mission in order to target or modify their focus.

Spechler supported this change and questioned whether the current court system was adequate to work with the many problems facing youth in the community. He said he hoped the Commission would consider this part of their charge.

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

It was moved and seconded that Ordinance 12-07 be introduced and read by title and synopsis. Deputy Clerk Wanzer read the legislation and synopsis, giving the committee recommendation of Do Pass 9-0-0.

It was moved and seconded that Ordinance 12-07 be adopted.

Ordinance 12-06 To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration and Personnel" Re: Changing the Name and Focus of Section 2.26.050 from the "Community and Family Resources Commission" to the "Commission on the Status of Children and Youth"

Ordinance 12-07 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" – Re: To Amend Chapter 15.26 Entitled "Neighborhood Traffic Safety Program" to Approve Installation of Traffic Calming Devices in the Prospect Hill Neighborhood (on West Third Street) and to Amend BMC 15.32.090 – Schedule N (Limited Parking) per 90-Day Order

It was moved and seconded that the council limit public comment to one five minute period.

Mayer polled the people in attendance and determined that about 15 people wanted to speak on this issue.

Sturbaum asked how his 8 minute presentation would fit into the meeting. Mayer said council debate wasn't limited.

Neher said he would not support this motion in order to hear all comments completely.

Sandberg said she concurred that this was the opportunity for the public to speak, and she wanted to allow that opportunity.

Volan noted the public comment at the last meeting extended for over 2 hours, and wondered whether the council should limit their own debate and comments. He said he supported no more time for council to speak than what was given for the public to comment. He said there were two competing interests—wanting to hear all public comment and not wanting a long meeting. He asked whether the decision on the ordinance had to be made at this meeting, and said that the council should consider that if they wanted to hear everyone speak. He urged his colleagues to postpone the decision in order to hear all comments, yet not create a lengthy meeting.

Spechler said the motion was not unduly restrictive. At the last meeting speakers held themselves to under five minutes, and he said this was a reasonable motion. He said the limitations were to prevent filibustering and that there had been people who had abused the council's patience in hearing comment.

Motion to Limit Debate on Ordinance 12-07

Sturbaum said he thought five minutes was adequate and the speakers would have no problem limiting their comments to five minutes. He said the neighbors who wanted to speak would be happy to accept the limit, and expected such limits, out of respect for the council's time.

Motion to Limit Debate on Ordinance 12-07 (cont'd)

The motion to limit debate received a roll call vote of Ayes: 3 (Sturbaum, Spechler, Volan), Nays: 6, and failed.

Vote on limiting debate

Susie Johnson, Director of Public Works, reviewed the process for installing traffic calming through the Neighborhood Traffic Safety Program, which was requested by the Prospect Hill Neighborhood Association. She said it was forwarded to the Bicycle and Pedestrian Safety Commission by staff with a negative recommendation because the field research and data did not warrant traffic calming. She said the Commission moved the petition forward by a unanimous vote.

Johnson said her department also met with residents and conducted traffic counts and speed checks. Those residents directly affected by the street in question were eligible to participate in balloting for traffic calming. In that vote 74% supported traffic calming.

Johnson said that as a result of the meetings, studies and testing of speed cushions, her department's recommendation was not to install speed cushions since there was not a speeding problem and traffic calming was not warranted.

Spechler asked if this street was the narrowest in Bloomington. Johnson said it was one of the narrowest. Spechler asked about the use of the '85th percentile.' Johnson said the 85th percentile was used to design streets so that 85% of the drivers could achieve a reasonable speed. The recommendation was to design streets for the reasonable driver and not the fringe that may speed. Therefore the 85th percentile, or 85% of the drivers driving reasonably, was the goal.

Neher asked if the 85th percentile was applied to all streets in Bloomington and about the classification of this section of 3rd St. Justin Wykoff, Manager of Engineering Services, said it was classified as a residential street. He also said the 85th percentile was used to determine a speed limit plus or minus 5 mph.

Neher asked if the 85th percentile was a valid measure for all kinds of streets -- one way streets, local service streets, arterials. He asked if the requirement was more restrictive on certain streets. Wykoff said since it was about setting a speed limit, that it would be applicable to all streets.

Sandberg asked about the cost of this since it was reported on a local radio program that it would cost \$10,000. Johnson said that the cost of the installation would be about \$200.

Sturbaum asked, referring to a chart, *Percent of Vehicles by Speed*, why the speeds were averaged in the way they were, and didn't that distort the data?

Johnson said the data could be viewed in a variety of ways, however, the speed, generally speaking, was not at the point that required traffic calming. Johnson said the speed on the street was so slow that the recommendation was that no additional traffic calming was required. He asked why engineering wasn't concerned about the 15% of the traffic that was speeding. Johnson said that streets were designed for the reasonable driver. Sturbaum asked if it was law. Johnson said it was practice. Sturbaum asked if there was flexibility. Johnson said that the council had that flexibility, but the recommendation was that since the speeds on the street were generally so slow, additional traffic calming was not required. Sturbaum said that there were 2000 cars per week that were traveling faster than 25 mph before traffic calming. He said he didn't understand why engineering wasn't concerned about the cars traveling so fast that they were dangerous to pedestrians.

Volan asked about the cost and about cushions being chosen rather than bumps. He said he was surprised that the cushions were not rubber. Johnson said trial ones were rubber, but the permanent ones were made of asphalt and that they were not "cushiony." Volan asked about the turn from Third to Jackson to Third again at the east end, and what would be done to discourage speeding. Johnson said neighbors objected to the trial bump-outs because they interfered with parking.

Rollo said that he agreed that roads shouldn't be designed for the rare dangerous driver, but said that one in six was not rare. He asked what the

authority was for the 85th percentile. Wykoff explained that it was an industry standard. Wykoff said that meant was 1% to 5% were speeding, and not 1 in 6, because exceeding the speed limit somewhat was common. Rollo asked if there was discretion in applying this standard. Wykoff said that staying within 5 mph of the speed limit was a key factor, and in this case, only 0.1% were speeding in the test.

Neher asked if staff could estimate how many other 'local' streets were serving as arterials, or if this street section was an anomaly. Johnson noted that a similar situation happened with Covenanter, 1st Street, and 6th Street.

Sturbaum said the peculiarities of this street -- four lanes funneled into two lanes and then one lane, narrowness of the street, and lack of tree plots -- were not included in the report. Johnson said because they did not find a speeding problem, it was not considered an issue. Mayer asked for clarification about four lanes of traffic from Sturbaum. He answered that the nature of 3rd Street changed at the intersection with Rogers.

Sturbaum again consulted the chart "*Percent of Vehicles by Speed*" and noted what he called 'dramatic increases in safety' during the test period. Johnson said traffic was reduced.

Mayer asked about a streetscape proposal for the intersection of 3rd and Rogers, and what the status of the proposal was. Wykoff said it was still being considered with modifications for pedestrian crossings. He added that the design was nearly complete, but no funding had been allocated.

Rollo asked about the effect on emergency vehicles. Johnson said Bloomington Police Department said it would slow them down, but it would not restrain responding to an emergency. She said the Fire Department was agreeable as long as the cushions were narrowed. The Ambulance Service said any traffic calming or any contrivements interfered with patient care and response time.

Neher asked if multiple traffic calming devices on one street created a hazard. Johnson reiterated that staff did not think there was a speeding problem and that staff did not recommend installation of cushions.

Sturbaum asked if the bump outs and cushions were intended to complement each other. Johnson said they did not perceive a speeding problem, but that it did reduce speeds.

Ruff asked how the chicanes were installed. Wykoff said in 2001-2003 the chicane effect of alternating or staggering parking was one of the first steps of this process. He said the concrete chicanes were used in the area where people were not parking and had the same effect. Johnson said that staggered parking was a common form of traffic calming, and chicanes mimicked parked cars. Ruff asked why chicanes were needed when speed humps were cheaper to install. Wykoff said it was better for emergency services providers. He said 'cushions' were a newer adaptation of the speed humps.

Ruff asked about the interpretation of the balloting and the way questions were asked. Johnson said those who "must use" the street were included in balloting. Johnson agreed that there needed to be improvements to the Neighborhood Transportation Safety Plan (NTSP), and in defense of the neighbors, they used the system that was in place.

Spechler said many people used this street to travel to Landmark, and asked how long it would delay a driver who would be slowed by traffic calming, to which Johnson said mere seconds. He also asked about bicycle and pedestrian accidents reported on this street. Johnson said none had been reported.

Volan asked about the controversy over the Covenanter traffic calming process, to which Johnson said that was what caused the NTSP to be developed. He also asked how many projects had gone through the NTSP, and Johnson said about 10. Volan asked how many went through the process over the objections of engineering. Wykoff said some had positive recommendations and some did not.

Volan asked why the cushions were tested for such a long period of time. Wykoff noted the adjustments that were made in placement of the cushions over the period, and also told of other adjustments in curbing that affected the whole traffic calming effort. He noted there was not much change in count for the area whether students were in session or not.

Spechler asked what would happen with speeds in the periods after traffic calming was installed, and if drivers adjusted themselves in some way. Johnson said the chicanes worked and the speeds did not go back; people changed their behavior.

Neher asked why pricing was excluded from the costs. Johnson said that the labor costs were included when the work was contracted, but not if the city was using paving crews.

Rollo asked if W. 3rd Street carried 1200 or 400 cars per day noting that 1/6th of these numbers were significantly different. Wykoff said in each case, the 85th percentile helped set a safe and reasonable speed limit. Rollo asked if 3 times the speeders on a street would influence an engineering decision. Wykoff said it would if those drivers were going above 5 mph over the speed limit, but not one mph over the limit.

Ruff asked if there had been a dramatic change in the amount of traffic on this street relative to the other streets in the area. Johnson said there had been development west of the neighborhood over time, it was the only street that went all the way through, and 3rd Street carried the bulk of the traffic. Ruff asked if it was a fluctuating or steady increase and if there were counts. Johnson said she could look for specifics, but it was generally understood that traffic had increased.

Volan noted speed limits were recently lowered on this street, and asked for the year it changed. Johnson replied it was the fall of 2010, before the traffic calming was installed.

Volan wondered if a neighborhood wide approach be more sensible and asked if it were even considered. Johnson said it would be grand if it could be considered as part of a whole plan, but it would slow the process even more and be extraordinarily more expensive. The NTSP was designed to allow neighbors to come together to work on specific problems on a smaller scale.

Volan asked for Johnson to identify the most egregious streets that needed calming. Johnson said she couldn't say, and that was the purpose of the NTSP, so neighbors could identify those streets. She added that the administration worked through the MPO and used the 'crash reports' as information in making decisions.

Mayer asked how long had W 3rd been a one way street, and asked what would the result be if it was two way. Johnson said it was one way as long as she had been in Bloomington. Sturbaum said it had for as long as he'd lived there. Johnson said if the street was a two-way street, then a lot of people would not have a place to park.

Sturbaum shared a video about traffic calming to give context to the issue. It came from former Bloomingtonian Greg Raisman who was now the Traffic Safety Program Specialist at the Portland, Oregon Bureau of Transportation. Sturbaum said they were considering a greenway program within the city for the creation of calm streets. Sturbaum said that Portland looked to the Netherlands for guidance in traffic issues. Raisman asked his contact there for the best device for traffic calming: the answer was speed bumps. Raisman said that the 1500 bumps in Portland were integral to the greenways. He asked the council members to help the neighbors make their street safe.

Volan asked Sturbaum why he was not advocating for a bike lane on 3rd Street. Sturbaum said Raisman recommended Howe Street for that feature. Volan asked Sturbaum if he preferred bike lanes or neighborhood parking spaces. Sturbaum said that choice was not on the table.

Public Comment:

Cynthia Bretheim, Prospect Hill Neighborhood Association, said all they wanted were four speed cushions between Jackson and Waldron, and not the traffic island or bump outs. She said this was not a suburban street where residents could park in driveways; they needed to park on the street. She outlined the actions of the neighbors in the past three years with regards to identifying, studying and petitioning for this change.

Sarah Alexander said she was surprised that so much time and resources were spent on this one, already overwrought, less than half a mile, of narrow residential street when there were so many other streets without sidewalks that were dangerous to pedestrians and needed changes.

Ordinance 12-07 (Cont'd)

Brenda Ogborn said she was a frequent speaker about opposition to speed bumps and other traffic impediments. She said there were many features of this street that naturally slowed traffic. Diverting traffic and reducing the number of cars as shown in the video led her to believe that Bloomington was anti-traffic and anti-vehicle. She said since the construction on W. 3rd Street had been finished, she believed that the traffic on this little stretch had been reduced. She said the council would set a dangerous precedent if they approved these speed bumps when the engineers said it was unnecessary. It would also mean that every other neighborhood would expect speed bumps as well.

John Schroeder, Prospect Hill resident, asked about what would happen when Patterson Pointe was in place. He asked if this entire exercise would be repeated then because of traffic trying to get to Patterson Pointe residences and retail spaces. He wondered how much it would cost the city in yearly maintenance for speed bumps.

Eleanor Kinser, 618 W. 3rd Street, said with the traffic calming devices currently in place there was no need for any more speed bumps. If the intent was to keep people away from the street, then speed bumps should be used, but that it wasn't necessary to slow traffic. She said there would always be some speeders, no matter what was done. She had lived there 42 years and had never felt unsafe with traffic. She said several years ago, speed bumps were suggested, but were voted down in favor of the bump outs with green space, which would never be maintained, which served as a traffic calming devices.

Jim Rosenbarger, Chair of the Bicycle and Pedestrian Safety Commission, said the Commission looked at the entire range of speed, not just the 85th percentile, although that may be good for design. He reiterated stopping distances, saying that at 20 mph it took 69 feet to stop a car, to make the point that he supported reducing traffic speeds. He said the Commission was concerned about the width of the street. He said that the residents had requested the speed cushions, and they were economical. He said approval would send a message to the community that the city was serious about traffic speeds on residential streets.

Patrick Murray, resident of the area, said he thought W. 3rd Street was a little different and warranted additional traffic calming. He said on W 3rd Street houses were closer to the sidewalk, the street was more narrow, had higher traffic counts, and had no tree plots to create space between the pedestrian and cars which was much different than W. Howe or W. 4th Street.

Marc Cornett noted the book *Green Metropolis: Why Living Smaller, Living Closer and Driving Less are the Keys to Sustainability*, which he had been reading. He said W. 3rd Street was quite different to pedestrians, as being closer to the cars made the speeds seem higher. He said the streets predated the guidelines that were in place. He asked that the council help the neighbors by making the change to speed cushions.

Krista, who did not give a last name, said she and her husband had lived in Prospect Hill for three years. She said this began with neighbors who wanted to feel safe on the streets in the neighborhood. She said she had no idea how many people used W 3rd as an alternative route to the west side of town before she bought her house there. She said it was a problem of speed with a large number of drivers on a narrow street.

Doug Wissing, resident of Prospect Hill, said the city paid \$8,000 for the original rubber cushions that were tested. Also, he said, the cost of staff time had to be figured in because of the hundreds of hours spent on this project that could have been used elsewhere. He called this a decade long attempt to privatize a public street by removing non-resident traffic. He addressed the NTSP process, calling it flawed because it did not take the impact to surrounding streets into consideration. He called for a city wide traffic safety program that would benefit all of Bloomington.

Paula Worley, a resident of Maple Street, said that sidewalks were not always safe. She related a story of a recycling bin being hit by a car, the problem of cleaning up broken glass, all while traffic was still traveling on the street. She asked the council support for speed bumps because she felt they would help.

Richard Lewis, 720 W. 3rd Street, said that his street was classified as a local street, not a collector street as someone earlier had noted. He said the

neighborhood had been mischaracterized with negative comments. He said the speed cushions were the most pragmatic, highly effective and economical solution that the neighborhood had worked for with cooperation from engineering and Public Works. He said speeding cars were reduced from 1900 to 80 speeding cars per week with the test cushions in place.

Michael Squires, resident of Park Ridge East, made a correction to a statement he had previously made. He showed a table of an impromptu study that he and Karen Knight did on W. 3rd Street as to where cars entered the street, and where they left the street. He said the problem was that the street served as an arterial when it was actually a local street. He said the speed limit should be lowered to 20 mph. He said the energy of a car increased with the speed of a car, and going from 20 to 25 mph, the energy of the vehicle increased by 50%, which he said was not minor to a pedestrian.

Stacey King said she moved to W. 3rd Street, just before the area of the 'obstacle course' was developed. She was skeptical of the process until she saw that speed bumps worked to decrease volume and speed. She said she witnessed more pedestrian traffic, more neighbors on the street, and a good feeling of neighborliness. She said that the cushions made a meaningful and important change.

Karen Knight, resident of 3rd and Buckner, spoke about issues of diverting traffic. She showed several tables of speed counts done on W. 3rd Street, noting changes in driving along with the various changes in the street plan. She said the cushions were effective in reducing speed.

CW Poole said travel from east to west in Bloomington was a ridiculous situation. He likened speed limits to safety measures in that going beyond the limit did not mean it was dangerous, just like the date on a carton of milk didn't mean the product was dangerous after that date. He said he didn't drive but chose to walk everywhere he went. He said some of the speed bumps were painful for bicyclists. He said chicanes were dangerous for bicyclists, and that he rode on the sidewalk at times. He said these, and others in the city, were of greater concern than speed bumps.

David Weirhake, resident of W. Smith Ave., thanked the council for not limiting comments to three minutes. He said some didn't believe the effect of speed bumps or cushions, but people had investigated them and shared their opinions. He said the concern was for those who disregarded the speed limits, and that speed bumps slowed traffic on this narrow street and made it safer for walking and biking. He said the Prep School located in the area and students walked to the Building and Trades Park. He said traffic islands could welcome people to an area but also could deter emergency service help. He read from "You've Got to Read This Book" about why we do things, and said that we do things because they were right. He equated this to the approval of the speed cushions.

Council Comments:

Rollo said the case for this was very compelling, and Howe and 4th streets were better suited for bike routes than 3rd Street. He said the number of speeders without the cushions would be alarming for other city residential streets. He mentioned the impact of Patterson Pointe, the major arterial street entering the neighborhood, the narrowness of the street, and the hard work of the neighbors, whose work he respected, were all factors in his decision. He asserted that Johnson's message regarding the ambulance being opposed to any traffic calming was reasonable, but didn't have a bearing on this.

Spechler said this was an exceptional situation and there would not be a precedent set with the decision. He said the narrowness of the street and the special situation with its being the only through street, led him to support the proposal. He called the money used and the time saved in slower traffic to be insignificant compared to the safety that would be created.

Sturbaum said the quest for four speed cushions turned into something more than it should have, and that some people resented the neighborhood for being an activist neighborhood. He said this was ultimately about making a street safer, and hoped the next request for a safer street would not be a three year marathon of incremental actions. He said the slowing of an emergency vehicle

would not cause a loss of life. He said the NTSP had a core of grass roots and neighborhood action that empowered citizens. He said the top down approach wasn't always the best way to create policy on transportation.

He read from the NTSP:

the ability of residents to feel safe and secure within their neighborhood, the opportunity to interact socially with neighbors without distraction or threats, the ability to experience a sense of home and privacy, a sense of neighborhood and community activity, the ability to safely and enjoyably walk, bike, ride, take transit, the ability of parents to feel their children's safety is not at risk by playing in the neighborhood, a balanced relationship between multiple uses and needs of the neighborhood. Quality neighborhoods are the fundamental building blocks of a sustainable city and to maintain this quality, Bloomington neighborhoods should be protected from the negative impacts of traffic.

He said the document was ahead of its time and one that could be built on for the future. He apologized that it took so much time and energy and urged the council to listen to the neighbors and help the NTSP work better for people in the future.

Volan said if the area of 3rd Street east of Rogers was a problem, it should be redesigned and narrowed, not for the other part to be speed bumped. He said chicanes didn't act like parked cars because there was no height or mass above the curb, and they could also be scratched. He said alleys were public streets and no one was asking for alleys to be wider so that people could go faster on them. He noted the alley behind the Uptown Café that had a speed bump. He added that if there were small accidents on streets, it needed to be reported to Public Works so that they had the data.

Volan said that there was not unanimity for this proposal, as demonstrated by the statements and the balloting on this issue and to calling it unanimous was divisive. He said there had been more dangerous places in the city than Prospect Hill. He noted the extended time for the test to determine if the student population made a difference in the numbers, but noted that there were not many students who lived in that part of the city, and noted that there was not much difference in the numbers.

Volan said there wasn't a mechanism for measuring the supporters from detractors. Those who wanted this the most were the most vocal and who showed up in multiple meetings. He said that the Prospect Hill neighbors now would know what it was like for the people who lived in Garden Hill, or Old Northeast and Highpoint, to be between a rock and hard place.

Volan said 10 times more people died in cars than in fires, so he dismissed the idea that the road should be configured to deal with fire trucks as a 'non-starter' for him. He also said that people in Prospect Hill didn't have to be transported very far to reach the hospital. He said he was most persuaded by the dispassionate statements that W. 3rd was narrower than most streets.

Volan said that car drivers had a great sense of entitlement that he said should be nipped in the bud. He said Sturbaum wanted the council to make an exception and decide against the recommendations of the staff, when in the past he had taken the opposite position of "trust the experts."

Volan took exception to the statement that this was a simple decision. He said the consideration of this issue had already taken over seven hours which included over three hours of public comment, and added that if everyone were of one mind, the debate would have been much shorter. He said that traffic should be diverted, but more equitably. He added that more time had been spent on Prospect Hill issues than that of any other area in the city, and added that the argumentation based on emotion was the worst kind of discussion.

He asked if the Prospect Hill residents would support bike lanes. He concluded by saying there was enough evidence to support the petition, but he deplored the argumentation that had been made for the traffic calming, especially from Sturbaum. He said Sturbaum was too close to the issue and too emotionally involved, and should abstain from the vote. Volan said if Sturbaum would abstain, he'd vote for the traffic calming, but otherwise would not vote for it.

Granger said it was not an easy decision. She said she appreciated the passion in the statements made, and appreciated Sturbaum fighting for the people of his district. She said she would prefer a more comprehensive NTSP, but believed that the people who had worked on this for so long had followed the process as it was presented to them. She said the neighbors needed this measure.

Neher said he was still conflicted and noted persons he respected on each side of the issue. He said he was trying to balance advocacy for neighborhoods --

one of the issues he ran for council on -- with city considerations and his own district. He said he had talked to many people and had messages from his own district residents and had yet to hear a comment in support of the plan.

Neher said no matter how this vote came out, everyone was in agreement that there needed to be an examination of how transportation issues were handled in general, how the planning process would unfold, making the work and status of the process more transparent, and making the process stronger.

Sandberg recognized there were different sides to the issue, but said the neighbors had come together to observe and analyze the street issues and had proposed this solution. She said she especially appreciated the statement of 'let's not muddy the waters with other things' and recognized that the NTSP needed to be revised and improved. She said the stories were compelling while the detractors' statements using words like 'pork barrel' and 'those people' to characterize the neighborhood were not helpful.

Sandberg said the argument that was troubling to her was the one that there were problems in other areas of the city. She said this seemed to indicate some jealousy when any neighborhood could show the same commitment to their own neighborhood issues and get attention from the whole council.

Ruff, noting that he was a community cyclist, said Howe Street would have problems as it was not a direct route, but a zigzag bike route into town from the west. He said while it might not work in the end, he preferred the connections that 3rd Street had to the downtown and to the B-Line.

He added that he had sympathy with the problems caused by the narrowness of the street with getting kids, car seats, and groceries in and out of a car so near the line of traffic, but said it would happen whether the speed limit was 20 or 25 mph.

Ruff said he was surprised, confused, and a little bit amused in noting Sturbaum's significant disregard of engineering's opinion, bordering on hostility at this meeting. He compared it to Sturbaum's almost complete deference to engineering's opinion regarding the scale and size of the Sare and Rogers roundabout the previous fall, even to the point of almost admonishing those who differed with him. He said he felt compelled to point that out.

Ruff said his priorities for transportation were in line with Rosenbarger and Cornett, noting that he lived in an area where he could make most of his trips on a bike or by walking, but was surprisingly conflicted by the issue. He said he was convinced that amending this ordinance by attaching the provision of a bike lane to the street was not prudent at this time, as it needed more study, but he felt that there needed to be a larger community benefit in this proposal.

Ruff noted his appreciation and admiration for those citizens who worked through this process, noting their commitment to the whole community. He also noted that he had always voted in favor of traffic calming measures in the past. He said the chicanes were a mistake made by the city and if they were not present he would be in favor of speed humps, but both together were too much. He said the city should remove the chicanes without any further study, balloting, or delay.

He said this portion of W 3rd Street was a lot better off than many streets in the city that didn't have sidewalks, chicanes, or bump outs. He added he was troubled by the diversion of traffic to another area.

Ruff commended the staff for working through the issues with the neighbors and said that the fact that they did not support the speed cushion idea was not reflective of the way they approached the whole problem. He acknowledged the time taken by neighbors and the process that was followed to bring forth this proposal, but said he didn't think that in itself was part of the decision. He said he would not vote in favor of this ordinance, but would support speed humps without chicanes if it were proposed in the future.

Mayer noted the reference to former council member Tony Pizzo and his stand on the Covenanter speed humps. He said he remembered Pizzo's statement about driving over the 1st Street speed bumps at 30 mph and it not bothering him a bit, which was a different sentiment than presented at this meeting. He added that the speed humps were added as a diversion issue not a speed issue. He said he supported alternate side of the street parking in 2003.

Mayer said the meeting's packet contained a table with traffic counts, speeds, and the 85th percentile measure. He compared the W. 3rd Street data with E. 7th Street in his neighborhood where the traffic counts were higher on a street with no curbs or sidewalks or gutters. He said the council needed to address the issues with the NTSP and shouldn't consider any more traffic

calming initiatives until that was resolved. He said one major change should be notification of travelers along streets proposed for changes. He said he would support the staff on their recommendation, citing valid information.

Ordinance 12-07 received a roll call vote of Ayes: 5, Nays: 4. (Neher, Mayer, Ruff, Volan)

Ordinance 12-08 To Vacate a Public Parcel – Re: Alley Right-of-Way Running North/South between North College Avenue and North Morton Street, North of West Ninth Street (KPM Hotel Group, Petitioner)

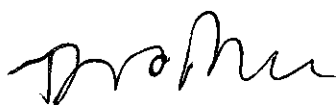
No action was needed at this meeting.

Greg Alexander spoke of the adaptive behavior ‘suburban man’ exhibited in response to his environment, examining the travel habits of juveniles and adults in modern society. He said ‘city man’ would have a different pattern of adaptive behaviors, and he promised to return with another lesson.

The meeting was adjourned at 12:17 am on April 5, 2012.

APPROVE:

ATTEST:



Timothy Mayer, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington

Ordinance 12-07 (Cont'd)

LEGISLATION FOR FIRST READING

COUNCIL SCHEDULE

PUBLIC INPUT

ADJOURNMENT