

In the Council Chambers of the Showers City Hall on Wednesday, August 3, 2011 at 7:30 pm with Council President Susan Sandberg presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
August 3, 2011

Roll Call: Mayer, Piedmont-Smith, Sandberg, Satterfield, Sturbaum, Volan, Wisler
Absent: Rollo, Ruff

ROLL CALL

Council President Sandberg gave the Agenda Summation

AGENDA SUMMATION

Minutes for June 29, 2011 were approved by a voice vote

APPROVAL OF MINUTES

Chris Sturbaum thanked the Bloomington Police Department for their decisive and courageous action in an incident where a citizen wielded a gun in the street.

REPORTS:
COUNCILMEMBERS

Susan Sandberg noted that a City/County Citizen Breakfast would be held on August 11, 2011 at the Village Deli. She noted the topic would be the bio-tech and life sciences initiatives and advances that have taken place in Bloomington.

There were no reports from the Mayor at this meeting.

MAYOR and CITY OFFICES

There were no reports from any council committees at this meeting.

COUNCIL COMMITTEES

Norm Crampton of S. Coppertree Drive in District 5 urged the council to fund the improvements needed at the intersection of Sare Road and Rogers and hoped it would be like the one at High and Moore's Pike. He said he frequently used that intersection and appreciated having quick access through it. He said the presence of the medical facilities and school had increased the traffic in the area and that impatient drivers sought shortcuts. He gave examples of people cutting through neighborhoods with impatience and haste.

PUBLIC INPUT

Daniel McMullen referred to an email that he had written to the council and read from the constitution, relating it to city government.

David Sabbagh, a neighbor of Crampton's on Coppertree and former city council member, talked about roundabouts, specifically one planned for the Sare and Rogers Road intersection. He said they often walk together through this intersection and found the new philosophy of 'limiting capacity' so that motorists would become frustrated to the point of not driving disturbed him. He advocated for a sizable roundabout at this location.

Buff Brown talked of transportation needs in the next ten years and the latent demand of walking, biking and transit that exist except for certain safe routes. He said that money available now should be used for these types of transportation issues, and encouraged reevaluation of projects that had been planned in the past but are no longer relevant at their planned scale. He said the CAC of the MPO voted down the Sare/Rogers roundabout plan as presently designed because of the size and effects of the plan on bicyclists and pedestrians.

It was moved and seconded that Judi Maki be appointed to the Traffic Commission and that Caleb Steiner be appointed to the Commission on Sustainability.

BOARD AND COMMISSION
APPOINTMENTS

The appointments were approved by a voice vote.

It was moved and seconded that Resolution 11-11 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 7-0-2. It was moved and seconded that Resolution 11-11 be adopted.

Sandberg asked Sturbaum to give the rationale for this item. Sturbaum said that the local transportation system had grown 10-fold in the last thirty years, but feared that the trend for state and federal funding could be in the opposite direction. He reported that Kent McDaniel, Director of the Bloomington Transit Board and Executive Director of the Indiana Transportation Association, said that federal funding was down by 3% for the second year and he warned of more cuts in the next years. Sturbaum said that there was more demand for the public transit system at the very time when there would be funding cuts from previously reliable state and federal sources. He said the legislation would propose that local government take actions to find funding for the transit system. He invited Kent McDaniel to speak.

McDaniel said that this was actually a statewide initiative that several transportation groups were supporting to seek legislative support for enabling legislation to allow local governmental units to raise taxes for this purpose. He said that voting for this resolution would not be a commitment to raise taxes, but a commitment that local government be able to make that decision. He noted several groups that were supporting this initiative, said that 30 resolutions had been passed to this date, but that this one was the first from a city council. He said that the resolution was important to consider before the larger cuts.

Sturbaum asked what INDOT's role was in funding local transit. McDaniel said that they managed the money from the federal government that goes to smaller systems. He said in larger systems with a metro area between 50,000 and 200,000 people, the Federal Transit Administration would make a recommendation for the use of the "Governor's Apportionment," or how that federal money was to be distributed. He also explained that there was a formula used to distribute money, but that the Commissioner of INDOT had the authority to change that formula, and has a lot of discretion. McDaniel said that this was of great concern to him.

Piedmont-Smith asked if McDaniel had been working with particular legislators to sponsor this initiative. McDaniel said state senator Luke Kenley had expressed interest. He said other legislators were interested in the concept to further development or connectivity in their respective areas.

Volan asked about metro areas with a population of more than 200,000. McDaniel said that they would get their money directly from the Federal Transit Administration and that INDOT would have very little influence on that portion of funding. Volan asked what portion of the Bloomington Transit budget was in federal vs. state dollars. McDaniel said that about 25% was from the federal government and a little more from the state.

Sandberg asked McDaniel to summarize discussion of the Metropolitan Planning Organization on this initiative. He said one objection was that the initiative was not practical because it would never happen or that it was just a symbolic gesture. McDaniel said he countered both arguments. Sandberg asked if there would be less incentive for state and federal governments to fund transit systems if local governments were funding a greater portion of their own budget. McDaniel said this was already happening and told some stories of legislation in the past session.

LEGISLATION FOR SECOND READING

Resolution 11-11 Supporting Enabling Legislation for Local Authority to Conduct Referenda to Dedicate Local Revenue to Transit and Transportation Alternatives

Resolution 11-11 (cont'd)

Sturbaum asked McDaniel about the chances of this actually happening. McDaniel said there was broad support for this, and that two state legislators were very supportive and that there was a chance for this to be taken up by the general assembly.

A call for public comment brought Buff Brown to state that he was in full support of this resolution. He said this option was necessary for future community benefits and noted that there were other communities that had passed referenda.

Sturbaum expressed his support.

Volan noted that the commuter population of Lawrence County coming to Bloomington might, as a result of this last census, put the Metropolitan Area over the 200,000 threshold, and would allow federal dollars to come directly to the area rather than going through the state and INDOT. He supported this resolution and its benefit to the community.

Mayer thanked Council Member Ruff for working with McDaniel to create this resolution and thanked McDaniel for his presentation which made the advantages of the initiative very clear.

Sandberg said she was grateful to Ruff for his support of this resolution.

Resolution 11-11 received a roll call vote of Ayes: 7, Nays: 0.

It was moved and seconded that Ordinance 11-08 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 4-1-4. It was moved and seconded that Ordinance 11-08 be adopted.

Ordinance 11-08 TO VACATE TWO PUBLIC PARCELS -Re: An East/West Alley Right-of-Way and a Segment of North/South Alley Right-of-Way on the North Side of the 1900 Block of East Third Street Between Rose Avenue and Union Street (The Trustees of Indiana University, Petitioner)

Susan Sandberg, Isabel Piedmont-Smith, and Steve Volan made a statement about their positions with Indiana University, said they had no financial benefit to gain from this legislation, and could deliberate in a fair, objective manner in the public interest. Sandberg stated that this statement was not required by either state or local code, but the council members wanted to put this statement on the record.

Lynn Darland, Zoning and Enforcement Manager in the Planning Department, presented the request for the alley right-of-way vacation. She showed a graphic of the area and said that these two alley portions were missed several years ago when Indiana University took a grouping of alley segments through the court system to be vacated. She said there were four homes located south of this right-of-way that would be razed. She said the request would allow IU to replace the West University Apartments which were demolished in the past year. She said the student residents were associated with the school of music and would most likely be international graduate students. She showed updated renderings for the four story limestone building from various directions. Darland answered questions that had been raised in previous committee meetings. On the question of alley counts she noted that traffic counts were taken from Friday, July 29th (148 in 24 hours) through Monday, August 1st (168 in 24 hours), with the highest count being the hour of 5-6 pm and was 14 vehicles.

Darland referred to a previous question regarding bike and pedestrian improvements in the area of East Third Street presenting information on sidewalk and bike path improvements from Bryan to the College Mall Road.

Referring to a previous question regarding this site being part of a mixed use area, she said that the Growth Policies Plan called for a

neighborhood activity center on the South Side of Third and Jordan which was close to the proposed vacation area.

Regarding a previous question about recommendations from the Platinum Bike Task Force, Darland said that the Task Force was looking at the city as a whole, as a big picture, and had no recommendations on individual projects.

Piedmont-Smith asked Lynn Coyne, Indiana University Assistant Vice President for Real Estate, about discussions with Bloomington Restorations, Inc. regarding saving or moving the four single family homes adjacent to this alley.

Coyne said the University would be grateful for the council's support on this ordinance. Coyne went on to address a previous question regarding the Growth Policies Plan with reference to this project. He said that he checked with several staff members who worked with the IU Master Plan and was told that they had considered the GPP and connectivity in addition to other issues when creating their Master Plan. He said the bike and pedestrian connection questions were addressed by the plan for the building that allowed bicycles and pedestrians to access through the building.

Coyne then told Piedmont-Smith that he sent her an email regarding her question regarding the conversations with BRI. He said he contacted their executive director, Steve Wyatt, regarding a discussion in February and March of 2011. He said that Wyatt said that the houses were tall, wide and deep, and that moving them very far would be difficult and expensive. Wyatt also said that land in that area was expensive and with the cost of moving and the affordable housing goal of BRI, he didn't think it would be feasible to move the houses. Coyne noted to Wyatt that IU didn't have any lots for sale in the area at that time.

Coyne said that one of the reasons that IU didn't choose to move the houses was that to move each house, even a short distance, could reach \$100,000 with site preparation, moving cost, and permits; the cost of the land would be additional. He said that BRI was more interested in a house on North Dunn Street that the University was interested in moving.

Piedmont-Smith said she corresponded with Wyatt who responded with similar answers. She said he noted that moving houses of size any distance would be problematic, and that there was no lot nearby that was able to be used. Coyne said that the construction of the houses was also an issue. Piedmont-Smith continued and said she found that IU had 4 vacant lots south of Third Street. She asked why those could not be used.

Coyne said those lots were planned for other uses. Piedmont-Smith asked about those plans. Coyne said that there were two or three contiguous lots and one other one, and consolidating them would provide a site for construction of a structure. He said that the university had considered such areas, from time to time, for small student-use facilities such as the Hutton Honors College.

Piedmont-Smith noted three single lots in the area that she said were owned by IU or the IU Foundation. Coyne said the lots were for future use by the university and that IU was looking into consolidating four lots for their use. Piedmont-Smith said that the lot at 2020 E. Third Street owned by the IU Foundation was vacant, but wasn't big enough for something institutional. Coyne said that over time, if other adjacent properties were acquired, it might be.

Volan said he looked at the Comprehensive Master Plan and commended Coyne for a fine document. He asked if Seventh Street

Ordinance 11-08 (cont'd)

between Willkie, Forest and Ashton would be developed. Coyne said that area was the academic Main Street of the campus, and it would be reserved for academic development. Volan asked if there would be development on Seventh Street east of Jordan. Coyne said that there was a component of the plan for that area. Volan said that he was surprised to hear that IU was thinking of building structures way from its campus area. He asked why structures for activities could not be built in the interstices of existing buildings. Coyne said that some may be included in the Master Plan, and that what he had just described would be a private organization. When Volan asked for an example, Coyne said he would rather not discuss the plan without their knowledge. Volan asked if it was a fraternity; Coyne said no. Volan asked if it was a student group; Coyne said "potentially, yes."

Sturbaum expressed regret about the inability to save the four houses, and he said that he knew Coyne regretted it too. Sturbaum said it wasn't a sustainable practice to raze houses and he thought Coyne agreed. He said that if he had been aware earlier he would have helped to find a place and future for these houses. He thanked Coyne for the project and said he would support the vacation of the alleys.

Mayer noted his statements of concern at the previous meeting regarding traffic in this area, adding his appreciation for traffic counts, but noting also that the counts were not done while classes were in session. He also noted that when it was in session, traffic would back up for over a block, while there was not that traffic during other times. He asked Coyne if, given the fact that this building would increase traffic in the area, the university would be willing to work with the city to improve the intersection at Third and Union to facilitate the movement of traffic. Coyne said this had happened in the past and would continue to happen under the guidance of the city. Mayer said he would be advocating for a sidewalk on the east side of Union from Third Street to Seventh Street and asked Coyne to consider a sidewalk to 10th Street on the university property. Coyne said the university had great interest in bicycle and pedestrian circulation and that area would be important, and that they would work with the city on the project. Mayer said it was a goal for pedestrian access on that side of the street.

Volan asked how much traffic would be in the area in the school year. Mayer invited Volan to sit on his front porch. Volan asked Mayer to estimate the volume. Mayer said that depending on the day and activities, the traffic would back up at least a block on Hillsdale, Union and Bryan Streets with cars trying to access Third Street. Volan asked Darland if she had information. She said there would be a need for traffic counts to be done during the school year. Mayer said that there had been several traffic studies done in the area looking at traffic flow on the streets around the Bryan/High/Third intersection, and perhaps that could be used.

Volan, looking online at a traffic database provided by the city to the Herald Times, said that Bryan Avenue south of Seventh Street had a count of 409 cars in November of 2003 and that Union Street south of Seventh Street had a count of 5409 cars in November of 2005.

Darland pointed out that the count she gave earlier in the meeting was done in an alley, not a city street. Volan expressed a bit of surprise at the number of cars using the alley.

Piedmont-Smith asked where the traffic would go if the alley was not available for use. Darland said it would most likely go out to Rose, Union and Third Streets. Piedmont-Smith asked if the counts revealed the direction of traffic in the alley. Darland said that the direction of

travel was evenly divided between east-bound and west-bound. They verified that there were no traffic lights on Rose or Union that would facilitate left turns onto Third Street. Darland said that this project was actually taking the place of the building that was razed near there. She didn't think that there would be additional traffic, just replacement traffic from the old building. Piedmont-Smith noted that there were not traffic signals for entry from these streets onto Third Street. Darland said that this project was taking the place of the old University West Apartments, and that the traffic counts in the area would possibly remain much the same as in the past. Piedmont-Smith noted that there was another building being constructed in the footprint of the old University West Apartments, and while it was not a residential building, there would be additional traffic associated with that structure.

Piedmont-Smith asked Coyne about the timeline for demolition of the four homes. Coyne said the end of August would be the time for the demolition, and that the original date of demolition was delayed to accommodate the council schedule.

Piedmont-Smith asked if any of the materials from the four homes would be reused. Coyne said one of the conditions of demolition as listed for contractors noted: *"To the greatest extent possible, and in compliance with state and federal rules and laws, items that can be recycled, reused or resold shall be separated from the waste stream and diverted to be reused, recycled or resold."* Piedmont-Smith said that she was particularly thinking of the limestone being used in the new building. Coyne said that the limestone taken from the old structures would have to be re-milled or changed in thickness or depth for use and it would be 'quite a process' to evaluate each piece of limestone. He said that it would be more likely to be sent to a place where it could be stored and sold to someone who could use it as it existed. He added that residential limestone was traditionally thinner in depth than that used on the quality of building that was planned for this area.

A call for Public Comment brought Jennifer Mickel to the podium to say that it was impossible to travel south on Union and then turn east on Third Street.

Burhan Elturon, a near west side resident, said that in the future there should be some mechanism for IU to be helpful in allowing structures such as the houses on these alleys to be demolished by people or groups who would reuse the materials. He said allowing enough time, notice and a set procedure for doing so would be beneficial to any number of people and the city.

Buff Brown said he didn't understand why the alley property, which had value to the public, was not sold to adjacent property owners instead of being vacated. He said he often called IU's real estate policy that of "bought, rot, lot" meaning that they eventually turned lots that they owned into parking lots. He said that he was glad to see that this housing was being built close to the university, but wished the parking situation would be considered differently. He said people would still live in the area without parking, and that they'd find other modes of transportation. He said that the Ashton Center had missed opportunities for this by putting parking across the street. He said they missed opportunities to build a tree plot on Union when they put parking along that street. He said that the current request was one where the council could ask the university to move the houses to the advantage of and in policy with the city. He said this request was the opportunity of the council to set precedent and policy regarding transportation and salvage of buildings.

Ordinance 11-08 (cont'd)

Marc Haggerty said he agreed with Brown, and said that he liked the prospect of bargaining with IU. He said that IU was the biggest player in town and did pretty much what they wanted, and that this was an opportunity to guide them into a better position, both for them and for the city. He said it wasn't easy to go against IU.

Volan said he looked up the traffic counts on the streets in question. He noted that 18,000 cars passed through South Union to South High Street in February of 1997. He said that North Union to Union Street had 15,000 cars in April of 2009. West of Rose had 19,000 cars a day in July of 2002. Third Street between Mitchell and Arbutus had 21,000 cars during May (exam week) of 2000. North Swain to North Mitchell had 13,000 cars in April of 2009. He noted that this area was where University West Apartment was located, and now the apartments were being constructed east of that area. He noted that the counts on the alleyway were low because of the time of year. He predicted a noticeable increase of traffic on Union, Rose and Third Streets because of the alley not being available for a shortcut. He said it was disappointing that it took council questions to bring the traffic subject to light.

Volan said he looked at the IU Comprehensive Master Plan adopted in March 2010 noting it was parallel with the city's Growth Policies Plan in its references to broader life of the community. He said, however, that the IU plan barely referred to the city's plan, and seemed to be developing with little interaction with the city. He asked if the city would ever draw a line in granting requests for right-of-way vacations and tell IU that it should develop within its current footprint, not within the city's public right-of-ways and streets. He noted that two-thirds of IU students lived off campus as well as most faculty and staff. He said that the City of Bloomington contributed more than most towns to 'the broader life' of the university.

He cautioned that his critique for the lack of due diligence on the part of IU in this proposal should not be taken as critique for the institution. Criticizing the timing of this legislation, he said that with more time to think or act, one or more of the houses perhaps could have been saved. He said that everyone should be held accountable in the promises to work better together.

In summation, he stated he could not support giving away more public right-of-way.

Satterfield said the legislation was about vacating an alley, and that the discussion had little to do with that by including the projects that surround the area. He said some criticism was warranted: traffic bottlenecks on Third Street, vacating the right-of-ways with no cost to the petitioner and loss of housing. He noted that the eastern gate of the campus deserved more attention, and asked for more active participation from Planning and IU in mitigating the traffic problems in the area -- pedestrian problems, bicycle rider issues and other transportation issues. He said he had issues with the proposal but also acknowledged the university's cooperation in working with the city on sidewalk proposals, and said he would support this request.

Piedmont-Smith said she had been enthusiastic about the project but had second thoughts. She said she had mentioned the vacation request at her monthly constituent meeting and the reaction of constituents was that IU would do what they wanted and the council would let them do it. She said that the constituents told her to ask IU to save the homes or give something in return for vacating the land. She said she had changed her mind after thinking about the feedback, the public good that would come from the project and the prospect of giving away the public's right-of-way for free. She said that the master plan for the university had been approved in March of 2010 and moving some or all of the four homes

on the property could have been planned better. She said there were four vacant lots owned by IU or the IU Foundation within a few blocks of the building site and wondered, again, why those lots couldn't be used. She reiterated that the business of the city was to make sure that there was a public benefit when giving a public right-of-way. She said there were no incentives for IU to work closely with the city if there were no teeth in the request process. She said that closing this alley would exacerbate the traffic on Third Street between Mitchell and High Streets. She added that there were probably other places where the new residence building could have been sited where a right-of-way would not have to have been vacated.

She said that the building looked nice, would be built anyway, and that she appreciated the efforts of the university to employ Green Building techniques but said that LEED Certification did not consider usable buildings demolished for a project, and that it should. She said that in light of the traffic issues, the assumption by the university that the vacation would be approved, and the public benefit not being great enough in giving this land to IU, she would vote 'no' on this item.

Sturbaum said that a monkey wrench should not be thrown into these plans because of the alley vacation. He said, he too, had dealt with what he considered an insensitive manner of the university's relationship to the city, but thought that their attitude had changed. He said that the vacation request had come to the council late in the overall process, and would have liked for that to happen sooner, but that there had been opportunities early on for Bloomington Restoration to make arrangements with the houses. He said he regretted that something had not been worked out for the salvage of the houses, but thought it would be irresponsible to not pass this vacation. He added that he thought the university and city should interact in a predictable way. He stated his support for the project.

Sandberg expressed discomfort with what she perceived as an "us vs. them" mentality. She said collaboration and cooperation with trusting relationships was a better way of doing business than tactics of 'making' someone do something. She said the public good would be residences in the core of the university rather than the downtown area which she said was saturated with student housing. She said that IU Master Plan was reviewed last year and that we should continue to respectfully act with the university. She also noted that IU had thought that the alleys had already been vacated, and so acted with the best of intentions. She stated her support and hoped that the trustful relationships would continue in the future.

Mayer talked of the university's purchase of many parcels of land in his neighborhood for a previous expansion plan which is no longer part of the Master Plan. He said in that light, this vacation was a good deal and a good project. He said he was not sure if it would add traffic through the neighborhood, but that the city needed to think about the traffic in this area, especially on Third Street and adjoining roads. He voiced his support for the vacation.

Volan said that the project was presented to the council at the last minute, that the council was told that the project was on a tight deadline, that there was no traffic data to accompany this request, and asked Sandberg what good faith effort was made on the part of the university. He questioned the increase in on-campus housing when he said that the IU Master Plan called only for the new Union Street residences. He said the good faith effort required more invitations into IU's internal processes rather than what he called the 'mixed bag' approach. He said he had advocated for first floor retail in the newest student residences on 10th and Union, saying it was the very thing that the Growth Policies

Plan called for and should be included in the IU Master Plan. He added that it was only because of this long discussion, and another pass, that IU would work more closely with the city the next time one of these issues comes forward.

Ordinance 11-08 (cont'd)

The motion to approve Ordinance 11-08 received a roll call vote of Ayes: 5, Nays: 2 (Volan, Piedmont-Smith).

It was moved and seconded that Ordinance 11-07 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the committee recommendation of do pass 5-0-4. It was moved and seconded that Ordinance 11-07 be adopted.

Ordinance 11-07 To Amend Title 15 of The Bloomington Municipal Code Entitled "Vehicles And Traffic" - Re: Various Changes, Including But Not Limited to, Creating a Schedule for Pedestrian Hybrid Beacon Signals (BMC 15.12.030 – Schedule D[2]), Lowering Speed Limits on Neighborhood Streets from 30 mph to 25 mph (BMC 15.24.020 – Schedule I), and Clarifying the Notice Period Before Cars May be Towed (BMC 15.48.010)

Volan moved and it was seconded that the council divide consideration of Ordinance 11-07 into a series of questions, instruct the council staff to compile the sections which receive a majority vote into one ordinance with sections appropriately numbered for signatures and codification.

Motion to divide the question.

The motion to divide the question received a roll call vote of Ayes: 5, Nays:2 (Mayer, Satterfield)

First Section included the lines in Section 14 that proposed alternate parking on West Seventh Street between Oak and Maple Street.

Question – Item One - Section 14 Proposed Alternate Side Parking W Seventh Street from Oak to Maple

Susie Johnson, Director of Public Works, explained that the neighbors in the area had approached the city for help in slowing traffic on Seventh Street, and this proposal was the result of that collaboration. She said the Traffic Commission had approved the request.

Volan asked who thought of the idea for staggered parking, to which Johnson answered that the neighborhood association requested it. Volan asked the date of the Traffic Commission meeting. Johnson said it was in May.

A call for public comment on this section brought the following people to speak:

Veda Stanfield said there were concerns about bicycles and pedestrians on Seventh Street from Maple to Elm because there were no sidewalk extensions. She said alternate side parking would be an inexpensive, but safe way to protect them.

Burhan Elturun, a Seventh Street resident and bicycle rider, relayed his perspective on traffic patterns in the area and asked the council to take this step to prevent any accidents from happening.

Marc Haggerty said he worked in the neighborhood and was concerned about the foot traffic between the Banneker Center and Fairview School. He said the traffic circles have helped, but he supported the proposed measure for additional safety.

Wayne Young, a Seventh Street resident, said parking on the opposite side of the street from one's house would add only eight steps for some folks and that alternate side parking would protect the kids who walk on the street.

Mayer said he would support this proposal. He said that traffic counts and speed studies were requested. He noted that in four sections of

Seventh Street none of the speeds exceeded 29 mph. Wisler said he was sympathetic to the cause, but the solution proposed was 'over engineered.' He said it would slow speeds, but said it was not automatically safer. He said he worked in the area, and understood the issue, but thought the street in this proposal would look more like an obstacle course, and with zigzagging traffic would not be safer. He said the right solution would be to create parking on one side, a painted bike lane on the other with a yellow line in the middle to create the illusion of a narrower street. He said on-street parking created more of a buffer, but alternate side parking with the intersection islands created too many distractions for drivers, and would not be safer.

Sturbaum said he respectfully disagreed with Wisler, saying that slower traffic was safer traffic as it gave people more time to react. He said when the driving became more complex the message to the driver was to slow down and pay attention. He said the experts in this situation were the three people who lived in the area who have experienced traffic in the area.

Satterfield noted that the traffic studies indicated speeds of less than 30 mph, while he was sure that the perceived speed was higher. He said as a bicycle rider he was concerned with the area available for both bikes and cars. He said that the neighborhood association had asked for this measure, and although he didn't really agree with the proposal, he would support the item. He added that that he would discourage projects like this in the future, saying that the 'big picture' of the area needed to be addressed, not just part of the area.

Volan said he agreed that slower was safer, and said logically then, the intersection at Sare and Rogers would be safer without a roundabout. He also noted that other portions of this ordinance would lower speed limits on city streets. He said he could support the proposal because he thought it would help drivers to slow down, but wanted to be persuaded by more council comment.

Piedmont-Smith said that slower was safer, and if obstacles were added in the street, drivers would drive slower and be more aware of pedestrians. She said that the same plan had worked well on West Sixth Street, and it might work as well on West Seventh Street.

Wisler said that if as a driver your attention was focused on the middle of the street, it would be difficult to pay attention to a pedestrian on the side of the street. He said traffic should be slowed in a way that would not be so distracting to the driver that they would not be paying attention to the sides of the street.

Sturbaum said that 15% of drivers on the street were traveling faster than 29 mph, and reminded the council that the Traffic Commission was unanimous in its approval of this measure. He called this a 'queuing street', where a car approaching another would wait for the oncoming car to pass before going on. He said it was important to support the request of the neighbors, and then evaluate whether the design needed to be changed later.

Sandberg said she appreciated the definition of 'queuing street' and was not for inconveniencing drivers, but thought that drivers would adjust to this plan, and was comfortable supporting it.

Volan said this would provide more parking and would slow traffic. He asked why there could not be parking on both sides of the street. Justin Wykoff, Manager of Engineering Services, said that in residential areas there needed to be 7 feet for a parallel parking space on each side of the street with two 10 foot travel lanes that would be wide enough to

accommodate fire vehicles. He said that was a total of 34 feet and Seventh Street was roughly 26 feet wide, and could only accommodate one parking lane and two travel lanes of 9 feet each.

Question – Item One Section 14
(cont'd)

Piedmont-Smith said that she had experienced this type of parking situation in the past and said that she believed it worked and that she would be voting yes.

The motion to approve Item One (Section 14) of Ordinance 11-07 received a roll call vote of Ayes: 6, Nays: 1. (Wisler)

Motion to approve Item Two (Section 8) of Ordinance 11-07 received a roll call vote of Ayes: 7, Nays: 0

Question – Item Two included Section 8 - converting Smith Avenue between Washington Street and Lincoln Street from a One-Way (Eastward) to a Two-Way Street.

Susie Johnson, Director of Public Works, said that the Traffic Commission approved this proposal, and that the Project School administration and Parks and Recreation administrators of the Allison Jukebox and Kid City were consulted about the change. She said they fully supported the change allowing cars to queue on Smith Street to pick up students.

Volan asked about a previous proposal of a dedicated bike lane on this block of Smith. Johnson said that with this question of having two-way traffic there would be no room for a bike lane. Responding to questions from Volan, she said the street was about 19 feet wide, and that the Traffic Commission considered this request in April. Upon further questioning, Wykoff said that this change had been discussed formally or informally since the last traffic change on Smith.

Wisler asked about Smith Road between College and Walnut. Wykoff said it had always been a two way street and would remain so in this proposal.

Piedmont-Smith said this issue was discussed at one of her constituent meetings, and added that it looked more like an alley. To her question Wykoff said that the platted right-of-way was actually 20 feet wide. He said it was only 15 feet wide between the Chocolate Moose and the Project School.

There were no public comments on this question.

Wisler said his son would be going to the project school soon and that he would be giving this traffic configuration a thorough testing.

Volan noted that Smith Road would, after this change, be a two way street except for the one block between Walnut and Washington. He said that one way section bothered him, but thought the rest of the two-way direction was fine and would support this change.

The motion to approve Item Two (Section 8) of Ordinance 11-07 received a roll call vote of Ayes: 7, Nays: 0.

Motion to Adopt Amendment #1 to Ordinance 11-07 received a roll call vote of Ayes: 6, Nays: 1 (Volan)

Amendment #1 This amendment will allow a bike lane to be added to east side (up-hill) side of Rogers Street from Kirkwood to 11th Street by shifting 2-hour limited parking from the east side to the west side of Rogers Street between Sixth and Eleventh Streets. This change was heard And approved by the Traffic Commission.

Sandberg introduced this amendment and said that Susie Johnson, Director of Public Works, could answer any specific questions.

Volan asked when this was brought to the Traffic Commission and why it was being added to the ordinance. Johnson said the street was recently paved and needed striped, and that to wait for another legislative cycle wouldn't be prudent considering the traffic volume.

Volan asked about the timing of the idea, and Johnson said that it was discovered that while the street was being paved, the idea of the change was brought forward.

Wisler verified that all the parking would be moved to the west side of the street.

Sturbaum asked about the number of parking spaces, to which Wykoff said that there would be 65 spaces on the west side instead of the former 62 spaces on the east side. Johnson said that this side was chosen for the bike lane because it was an uphill and bicyclists would be going slower.

Piedmont-Smith asked about the marking of the street. Johnson said that the T-boxes would be used for parking spaces, and that once the traffic was used to being shifted to the east side, it wasn't her intention to maintain that marking.

Volan noted that there was one objection at the Traffic Commission and asked about the nature of that objection. She said that Mr. Keller from Keller Heating and Cooling objected because he wanted the parking to remain directly in front of his business.

Satterfield asked about parking for the Keller Heating and Cooling, to which Wykoff noted the parking adjacent to the building on Seventh Street would still be available to Keller, along with a loading space in that area.

Piedmont-Smith asked what the public notice about this amendment had been. Johnson said she had talked to Mr. Keller earlier in the day, despite the fact that there was no requirement for a public notice on an amendment.

There was no public comment on this amendment.

Volan said he encouraged the idea of a bike lane, but that there was not enough notice of this particular change. He said he could vote for this later, but not at this time.

Satterfield said that he had seen that signs were posted on that street for some time.

Wisler said this change was exactly right, with visible markings that would command respect and attentiveness from drivers. He said this was the route he took to work every day and didn't seem sudden to him.

Piedmont-Smith said she was glad to see the bike lane, but wondered about the connectivity of the bike lane with other areas. Johnson said that bike lanes would be continued to be added as roads are paved and marked. Piedmont-Smith said she looked forward to a bike lane being extended to South Rogers near her home.

The motion to approve Amendment #1 to Ordinance 11-07 received a roll call vote of Ayes: 6, Nays: 1 (Volan).

Motion to adopt Item Three of Ordinance 11-07 received a roll call vote of Ayes: 7, Nays: 0

Johnson continued to explain the remaining sections of the ordinance. She explained reasons for codifying stop conditions, yield conditions, pedestrian beacons, and new signalized intersections.

Item Three - All remaining sections of Ordinance 11-07 including Sections 1-7, 9-13, portions of Section 14 not included in Item One, and Sections 15-26

She said that the remaining proposed sections changed the speed limit on neighborhood city streets to 25 mph.

She noted that collector streets and arterials would be studied to see if the speed limits needed to be lowered as well. She noted several limited parking spaces on Kirkwood were being changed to two-hour parking. She noted the codification and marking of Union Street between Seventh and 10th Streets which were currently unmarked. She noted several new bus zones, removal of some parking spaces to conform to new uses and practices. She noted changes in the permit schedule to eliminate the mention of fees for less complicated updating for the future. She also noted a change in the hours of notification for no parking sign postings.

Piedmont-Smith asked about bus zones. Johnson said that these were needed in places where there's a lot of parking so that there would be room for busses to pull out of traffic to load and unload passengers without parked cars in the area to prevent complete pull off. Wykoff noted that on the newly paved West Third street these areas were in the form of an indented curb area of the street.

Sturbaum asked when the bus shelters would go up on West Third Street. Johnson said there were no immediate plans for the shelters. In answer to another question by Sturbaum related to this section, Johnson explained that employees of businesses on Kirkwood who were eligible for parking permits in the neighborhood parking zone (by virtue of the location of their business) would be specifically prohibited from purchasing visitor passes, and noted that those visitor passes were intended for residents' use.

Mayer asked about a new sign in the City Hall parking lot, and Johnson noted that parking was more of a premium due to the new recycling center, and the sign was erected to help an employee who was pregnant and unable to walk long distances from the garage or other parking spaces in the extreme heat of the summer.

A call for public comment brought the following persons to comment: Brenda Ogborn, a 26-year resident of Bloomington, said that while she wished to speak to the issue of reduced speeds in neighborhoods, she perceived the history of the council and administration to be anti-vehicle and anti-driver citing traffic calming speed bumps on Covenanter several years ago, the concrete barriers on Lincoln Street, the zigzag concrete barriers on West Third Street, the round barriers on the near west side, the last two roundabouts that she said were too small, a stop sign erected at Bainbridge and Elliston by the request of one person, and the stop sign and crosswalk on Henderson at Allen Street. She said the council sent mixed messages in wanting to reduce speed on residential streets, and yet not wanting to add more traffic to Third Street by vacating an alley. She said she examined the crash report from 2007-2009 and said accidents occurred with bicycles and pedestrians not in the neighborhoods, but on main thoroughfares. She wondered if the proposed reduced speed limits would lead to the elimination of concrete barriers, speed bumps and other traffic calming devices. She said that she would like to see larger notices posted along each street and every intersection of proposed changes for at least 30 days. She said she opposed making traffic more difficult and restrictive.

Marc Haggerty said he drives continually around the town in his work, and welcomes narrowing of streets, adding that it was not an inconvenience. He welcomed the recent traffic calming in his neighborhood and said it changed the neighborhood for the better.

Piedmont-Smith commented that Ms. Ogborn was one of her constituents and that she wanted to address her criticisms, but Ogborn had left the meeting at this point. She said that there were differing points of views and that she had heard from residents in the areas where changes were made that they were pleased with the traffic calming measures. She said that her decisions were not anti-car but 'pro' all kinds of safe transportation with the view that fewer people will drive in the future because of an exorbitant cost of fuel. She noted that the traffic calming noted by Ogborn did not make it impossible to drive, but to make it more important to slow down and pay attention for the safety of all. She invited Ogborn to contact her directly.

Sturbaum said this legislation didn't ask people to not drive on streets, but to drive slower and safer. He said little changes are friendly reminders to make for safer neighborhoods, and he said he doesn't regret the changes made.

Volan said that Ms Ogborn was one of the most well spoken people who had appeared in the council chambers and regretted that she left before she had a chance to hear any comments regarding her statement. He said he hoped that in the future vehicle and traffic legislation would be brought forth in smaller chunks so that people would not have to wait for 3.5 hours to make a statement such as hers.

He said that sometimes there was not enough public notice for discussions and that traffic plans should be neighborhood-wide, not dealt with one street at a time.

Referring to Ms Ogborn's statement, he said he would rather have carbon emissions rather than faster cars. He noted that narrowing streets might be the reasons that there are fewer accidents on neighborhood streets. He said he was not opposed to vehicles, but rather to the prioritization of cars.

Sandberg said that this ordinance was smaller based on the council's request for smaller multifaceted traffic ordinances. She said work sessions and smaller portions of traffic issues were part of what the Public Works Department was doing in response to that request.

The motion to approve Item Three (all remaining sections of Ordinance 11-07 including Sections 1-7, 9-13, portions of Section 14 not included in Item One, and Sections 15-26 received a roll call vote of Ayes: 7, Nays: 0.

There was no legislation for First Reading at this meeting.

LEGISLATION FOR FIRST
READING

There was no change to the council schedule at this meeting.

COUNCIL SCHEDULE

There was no public input at this point in the meeting.


PUBLIC INPUT


The meeting was adjourned at 11:20 pm.

ADJOURNMENT

APPROVE:

ATTEST:


Susan Sandberg, PRESIDENT
Bloomington Common Council


Regina Moore, CLERK
City of Bloomington