

In the Council Chambers of the Showers City Hall on Wednesday, March 3, 2010 at 7:30 pm with Council President Isabel Piedmont-Smith presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
MARCH 3, 2010

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

ROLL CALL

Council President Piedmont-Smith gave the Agenda Summation

AGENDA SUMMATION

There were no minutes for approval at this meeting.

APPROVAL OF MINUTES

Councilmember Ruff reported on the Bloomington Economic Development Corporation annual meeting held earlier in the day and attended by several City Council members. He commented on the BEDC brochure which described Bloomington's high ranking as a business-friendly city. Ruff also said that Bloomington was ranked by Bicycling Magazine and the Leagues of American Bicyclists as one of the nation's best places to bike.

REPORTS:
COUNCILMEMBERS

Ruff corrected information that had been presented at an earlier council meeting describing Indiana teacher salaries and the amount spent per pupil as the 5th or 6th highest in the country. He said that Indiana actually ranked 22nd to 29th depending on the category. He said the figures showed that Indiana was right in the middle and not at the top as had been alluded to at that earlier meeting.

Councilmember Mayer said his only comment was that he was looking forward to seeing a little sun.

Councilmember Sturbaum congratulated all who made it through the Midwestern winter and said to "hang in there" because spring was coming.

Councilmember Volan congratulated the students from the School of Journalism in whom he worked on a recent Census project to inform college students of the purpose, importance and their place of residence for the purpose of the Census. He also recognized John Keyes from the Census Bureau who was in the audience.

No Reports at this meeting.

MAYOR and CITY OFFICES

No Reports at this meeting.

COUNCIL COMMITTEES

John Keyes, US Census Bureau, reported on the recruitment of census workers in Monroe County. He thanked Councilmembers Ruff, Volan and Sturbaum for helping to spread the word about the need for census workers. He reminded the public that the Census count would affect funding for the next ten years.

PUBLIC INPUT

Bob Loviseck, President of the Bloomington Metropolitan Firefighters, was present to address the citizens and council for their past and present support of their charity work. He reported that his organization worked with a variety of charities, and emphasized the local charities they worked with such as CASA, Big Brothers/Big Sisters, Community Kitchen, Stepping Stones, and Boys and Girls Club, among others. He reported on a new charitable program, "Cell Phones for Soldiers," a national program that his organization was supporting. The purpose of the program was to recondition used cell phones that would then be donated to military. Phones that could not be reconditioned would be disassembled and the parts used in reconditioned phones.

Buff Brown said the need for a long range travel plan for Bloomington was supported by city documents that emphasized the need for such a plan. He said the Growth Policies Plan contained a section called traffic mitigation that described a set of public policies focused on actively reducing the demand on automobile trip-making. The report of the Bloomington Peak Oil Task Force also contained similar suggestions such as dedicating a network of existing streets and lanes such

as bus lanes making bus service faster and more reliable. The report also said that the city and Bloomington Transit should investigate how to create several fast east-west and north-south routes in which buses have priority. The Bloomington Transit Development Program suggested that key corridor services could be enhanced in Bloomington with the provision of transit priority measures such as transit signal priority and dedicated lanes. However, he said the report stated that changes would not be acceptable without a comprehensive assessment of the complete traffic network. He said the city had documents that recommended the exploration of transit and dedicated lanes (bus traffic transit) and there was a plan to update the travel demand model which was scheduled to begin soon. Therefore he recommended that rather than work piecemeal on separate road and transit plans that favored car traffic, there needed to be one holistic approach to travel and transit plans.

There were no appointments to boards or commissions at this meeting.

It was moved and seconded that Ordinance 10-01 be introduced and read by title and synopsis. Deputy Clerk Wanzer read the legislation and synopsis, giving the Committee Recommendation as Do Pass 5-1-2.

It was moved and seconded that Ordinance 10-01 be adopted.

Mike Trexler, City Controller, spoke to the ordinance and gave some examples of similar past projects which used these funds including the intersection at Country Club and Rogers, the Animal Shelter, painting the Garage Art stairwells, greenways designs, trucks.

Piedmont-Smith asked about the projected revenue for the CCD budget which Trexler confirmed as being \$966,000 but explained that what was budgeted was \$983,000, which he said was acceptable.

Justin Wykoff, manager of Engineering Services, responded to an earlier question from Satterfield regarding the numbers of accidents after the installation of traffic signals at the intersection of 3rd and Dunn. He said the change in the number of accidents indicated that the signals helped contribute to increased safety.

Wykoff also answered a question from Piedmont-Smith and Satterfield who asked about consequences in time and money of delaying approval to incorporate changes in the design. He said it would be about a 2 month delay for approval with a cost of \$6,000.00 to make the changes.

In response to Volan's question about average speed and turning counts on Atwater, Wykoff said the average speed on Atwater was 26 mph and the percentage of cars exceeding the speed limit of 25 mph was 55.15% coming around the curve, which was something he said he hoped would be improved with the changes. The left turn count from Atwater to Henderson was 639 cars during the study period with 10,021 going straight through the intersection.

He also responded to a question from Volan about sharrows –shared-lane markings indicating bicyclists and motorists share the same lane. Wykoff said this project promoted the use of sharrows according to national sharrow criteria. In response to Volan's question about the turn around area on Atwater, Wykoff explained the changes in design and in signage to create a better turn around space.

In response to another question, he said the cost to acquire another foot of right-of-way on Henderson south of Atwater would involve new appraisals, the cost of the right of way acquisition and reimbursement to property owners for temporary right-of way for a total \$49,800.00.

In response to Volan's request for the proposed design laid over the current intersection, Wykoff presented such an image.

PUBLIC INPUT (cont'd)

BOARD AND COMMISSION APPOINTMENTS

LEGISLATION FOR SECOND READING

Appropriation Ordinance 10-01 To Specially Appropriate From The Cumulative Capital Development (CCD) Fund Expenditures Not Otherwise Appropriated (Appropriating Funds for the Local Match and Inspection Portions of the Atwater and Henderson Intersection Improvement Project)

This ordinance appropriates \$149,512.38 from the CCD Fund for the 10% local match and construction inspection portions of the Atwater & Henderson Intersection Improvement Project. Note: On March 3, 2010, this ordinance was amended to add Section II regarding installation of a sharrow on Henderson Street between Hunter Avenue and 10th Street.

Wykoff responded to a request from Rollo about the use of sharrows and said the city would like to use sharrows and appropriate signage on Henderson from Hunter to Tenth Street. He said the proposed sign would be informative, stating that bikes may use the full lane.

Appropriation Ordinance 10-01
(cont'd)

In follow up questions from the council, Volan clarified that about 6% of cars were turning left from Atwater to Henderson. Volan asked about information on the speed of cars east of Henderson which Wykoff did not have with him. Volan also asked about making the turn around area a tow zone. Wykoff said he would have to defer to the Legal Department for that, but would have no problem reporting that.

Sturbaum asked about the location and length of Hunter. Wykoff pointed it out on the map.

Ruff asked about and Wykoff reviewed traffic counts at Jordan and Atwater and the left turn actions. Wykoff added that there was much higher pedestrian numbers at Atwater and Henderson than at Atwater and Jordan.

Volan asked for further explanation of the numbers on the map presented by Wykoff and to see the map of Jordan. It was explained that the numbers were through traffic and turn traffic.

Satterfield asked if there were any additional costs from federal sources in the estimation of cost increase. Wykoff reviewed the previous estimates for right-of-way acquisition and design changes.

Volan asked about the appropriateness of using sharrows on this street. Wykoff said the design and width of the lanes would allow sharrows on the outside lane. He also asked if new sharrow signage which says "May Use Full Lane" was currently in use. Wykoff said this was newly approved by the governing body which regulated this signage, and that it would be used by the city from now on.

Councilmember Rollo introduced Amendment # 01 to Appropriation Ordinance 10-01.

It was moved and seconded that Amendment # 01 be adopted.

1. The current "Section II" shall be renumbered "Section III."
2. A new "Section II" shall be added and shall read as follows:

This appropriation is made with the understanding that the City shall pursue the installation of a sharrow accompanied with proper signage on Henderson from Hunter to Tenth Street.

Rollo said the sharrow was in compliance with the city's alternative transportation planning. He said it actually called for a bike lane from Smith to 17th St. along Henderson/Indiana, but after discussion with staff, he said it was clear that even though there was enough room to put a bike lane between Atwater and Third Streets, it would require changes that would remove planned tree plots and cause delay and additional expense. Rollo further said that it could become complex, because further north on Indiana there was not enough space for a bike lane. To accommodate the additional lane it would require easement acquisition and repositioning of curbs that would require additional expense and time. Therefore, Rollo said the sharrow lane made sense for this street because it would give bikes a dedicated lane. Rollo showed a picture of a sharrow in another community that had a wide green stripe painted within the sharrow that he thought was quite illustrative of the way Bloomington could mark their lanes.

Ruff asked whether having lanes marked with sharrows may incorrectly give the impression that bikes cannot use other lanes.

Rollo responded that he didn't think it was a problem, but deferred to Wykoff. Wykoff said from an engineering standpoint, there had been much consideration

Amendment # 01 sponsored by Councilmember Rollo specifies that the City pursue the installation of a sharrow.

This amendment is sponsored by Councilmember Rollo and makes it clear that the Council makes this appropriation with the understanding that the City shall pursue the installation of a sharrow accompanied with proper signage on Henderson from Hunter to Tenth Street.

and thought put into it. The general national standards would indicate that there wouldn't be a problem.

Amendment # 01 to Appropriation Ordinance 10-01 (cont'd)

Volan asked if bikes were allowed to use the full width of other lanes to which Wykoff said yes.

In response to Volan's question about the cost of painting the colored stripe in the sharrow lane, Susie Johnson, Director of Public Works, said she did not have an estimate, but cautioned that any type of road colorization did not have much longevity, therefore it could be quite expensive.

Wisler asked for an illustration of the placement of the sharrow on the lane. Wykoff displayed one and acknowledged that it would be set a bit off center.

Sarah Clevenger said this amendment did not go far enough because bikes traveling south used the sidewalk and expected pedestrians to move.

Buff Brown said the sharrows were helpful, but that it was true as Ruff pointed out that it gave the impression that it was the only lane for a bike.

Satterfield thanked Rollo for proposing this and working with staff towards a solution that did not have a high cost of redesign.

Volan said this change was definitely better than the original, but said he wasn't thrilled that a bike lane could not be added to the part of the road south of Atwater, especially given the city's pride as a bicycle town. He said roads were complicated undertakings and wished that there wasn't always more consideration given to cars than to bikes. He asked for increased efforts for bicycle access.

Sturbaum said it made a good plan better.

Ruff said he was still concerned that the sharrows sign would create a misunderstanding about bikes' right to use other lanes and other roads. He said this was far from perfect, and would listen to the opinions of other members.

Rollo said in an ideal world it would be great to have a bike lane, but a bike lane wasn't possible here and a sharrow was. He said this was the best option because of the physical constraints of building bike lanes. He also agreed that the city needed an educational program to help the public understand bikes' rights to use the roads with or without a sharrow sign. Because this was a one-way north bound route, he hoped that in the future the City would expand this type of sharrow lane to Dunn Street, the south bound counterpart.

Wisler said his biggest concern was with the placement of the sharrow. He said he would support it.

Piedmont-Smith said the Bike and Pedestrian Transportation Plan actually called for bicycle lanes in this area, but the revised version was not used in this design. She acknowledged that to add a bike lane would cause undue cost and delay. She said the sharrow was better than having no markings for bicyclists.

Ruff said he learned that according to Indiana State law, under certain conditions, bicycles may pass cars on the right as long as they do not leave the roadway.

Volan said this was an important component to District 6 and had wanted to see this type of improvement for several years. He agreed that a southbound route needed to be completed as well, and also would request a discussion about where in the city sharrows needed to be added.

Amendment # 01 received a roll call vote of ayes: 9, nays: 0

Susie Johnson, Director of Public Works, made the appropriation request which she said was \$149,512.38 for expenses related to improvement at Atwater and

Appropriation Ordinance 10-01 as amended

Henderson. The total cost of the project was \$903,036.38. Of that, \$115,500.00 was for design, \$40,025.00 was to purchase the right of way, and the cost of construction inspection required by INDOT was \$83,062.38. She added that Indiana University donated their portion of the right-of-way which had a value in excess of \$250,000.00. She said the city was grateful for their generosity.

Appropriation Ordinance 10-01 as amended (cont'd)

Johnson explained that this was a Hoosier Improvement Safety Program Project that funded projects designed to eliminate traffic hazards, which was the intent of this project. Due to the nature of this program, Johnson said that 90% of the construction and construction inspection was paid by federal government, with the city being responsible for the design and right-of-way.

Rollo asked about the removal of trees. Johnson said the city was planting 2 trees for each one removed. Wykoff said that the Tree Commission, which was consulted on removal of trees, requested removal of the Bradford Pear trees.

Brock Ridgeway, Eagle Ridge Civil Engineering working on the project said he was given a list of acceptable trees to plant by Lee Huss, Urban Forester. Rollo added that he hoped the newly planted trees would be native. Ridgeway responded to Rollo's question about the construction schedule and said they would be sensitive to the move-in dates for Indiana University students, and that the construction portion of the project would take four to six months.

In response to Volan's question about the bidding process and possible delays if the council waited to render a decision, the process to let the bid was described. Johnson said that any delay in action by the council would cause a delay in the bidding and construction process.

Buff Brown offered slides of diagrams of alternative designs for the intersection which would involve opposite-flow-traffic, single lane traffic that would include a bicycle lane, decreased curb radii, painted bike asphalt and improved pedestrian crossings. He said the city engineering department was car-focused, and that they would continue to be car-focused until the council decided to turn one down. He said the city needed a bicycle and pedestrian engineer who would understand how to make a city bike friendly. He said this was the council's chance to turn this down and ask for more progressive designs.

Sarah Clevenger said she supported bicycle lanes which ran in both directions on Henderson, a one way street, and added that most bicyclists would not go a block or more out of their way to get to the bike lane going the correct direction. She also asked for better pedestrian crossings. She said she thought a sharrow might be preferable to bike lanes.

Greg Alexander described a biking incident he once had and said he was riding his bike in the middle of the lane and obeyed the green left turn arrow, and a car going the opposite direction turned right on red because he wasn't seen. He hit the car and flew over it. He thought that by following the law, he would be protected, but even the responding police officer and car owner thought he was at fault, even though he was cut off. He suggested that a smaller turning radius that required a complete stop would cause drivers to be more attentive. He also questioned the construction of the wall for pedestrians saying it would create additional problems.

Buff said that he appreciated all of the work devoted to this, especially in the last week by staff and council, especially Councilmember Rollo. He said that in the near future there would be far less automobile use, and therefore new infrastructure initiatives must be geared toward alternative use. He added that this ordinance was an improvement and moved the city forward, but it needed to be more dramatic, and the city needed to be bolder in its initiatives. Therefore, he said he probably wouldn't support it.

Piedmont-Smith reminded her colleagues that this ordinance was about the funding and not the design.

Sturbaum said this was a paradigm shift which naturally brought questions and reflection from the public and others. He said the movement towards change was a process which required questioning and he believed that was happening.

Appropriation Ordinance 10-01 as amended (cont'd)

Rollo said this was a massive improvement, and that a traffic light had been needed there for years. He acknowledged that some of the design may not be perfect and while he might like some other changes, the council needed to work with current expectations.

Wisler said the ideas raised were worthy of consideration. He thought the project was an improvement over what was currently there, and while he believed there could be additional improvements, it did not rise to the level of his opposing this measure. He liked the idea of a decreased turning radius, and hoped some of the suggested ideas would be considered in the future.

Sandberg agreed with Sarah Clevenger that this design was a retro-fit which made it more difficult to design and required more compromise, because consideration had to be given to cars and buses along with bicycles and pedestrians using a road that already existed, but yet needed improvements. She said she regretted the city designers were being maligned by some, and that there needed to be a balance when it came to transportation options, and that she would be supporting this.

Volan said he would prefer a retro-fit over the confusion of starting from scratch. He said that he objected to the idea that any discussion of bikes diminished consideration for cars. He said the issue was as complex as any problem and required study, research, discussion and deliberation. He said he agreed with most of the criticism of this project, especially the need for the left turn lane, which he wished had been addressed, however this project improved the intersection and was an effort toward becoming a complete street.

Piedmont-Smith said she believed the wall along the sidewalk would deter jaywalking. She agreed that the project was a big improvement over what was currently there. She said the signal was greatly needed and the ideas presented during this meeting were interesting and merited consideration in future projects.

Appropriation Ordinance 10-01 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 10-05 be introduced and read by title and synopsis only. Deputy Clerk Wanzer read the legislation by title and synopsis.

LEGISLATION FOR FIRST READING

ORDINANCE 10-05 To Amend Ordinance 09-14 Which Fixed The Salaries Of Appointed Officers, Non-Union And A.F.S.C.M.E. Employees For All The Departments Of The City Of Bloomington, Monroe County, Indiana, For The Year 2010 - Re: Positions in the Legal, Parks and Recreation, and Public Works (Administration, Fleet, Street, and Parking Enforcement) Departments and the Council Office

Ordinance 10-05

Greg Alexander talked about the number of pedestrians hit in crosswalks that he was able to find online in the Herald Times. He questioned the safety of crossing a street even in a crosswalk.

PUBLIC INPUT

The meeting was adjourned at 9:45 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Isabel Piedmont-Smith PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington