

In the Council Chambers of the Showers City Hall on Wednesday, June 3, 2009 at 7:30 pm with Council President Andy Ruff presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
June 3, 2009

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

ROLL CALL

Council President Ruff gave the Agenda Summation

AGENDA SUMMATION

There were no minutes for approval at this meeting.

APPROVAL OF MINUTES

Susan Sandberg noted the Summer Night of Lotus, a preview for the fall program was coming up. She also announced that it wasn't too early to think about Picnic with the Pops.

REPORTS:
COUNCILMEMBERS

Isabel Piedmont-Smith reported she was disappointed with the Governor because he suggested that money could be saved in the expansion of I-69 by cutting corners and not meeting federal highway standards. She also was disappointed with his lobbying efforts against the climate bill before Congress in which he bashed Congress's effort to address the dire situation of global climate change to which the carbon-based system contributed. The governor said this measure would harm Indiana jobs and therefore he could not tolerate any regulation of carbon emissions. She said rather than denying the existence of a problem, he should focus his efforts on changing the Indiana economy to build green jobs and new jobs which would not be detrimental to the environment.

Tim Mayer noted that a new water main was being installed by the city on 3rd St. between Grant and Dunn which would improve service to the homes in the area and more importantly would improve fire protection. Mayer also commented on his trip to northern Indiana where he was excited to see wind generation being developed. Mayer also mentioned that this was his 47th wedding anniversary and thanked his wife Sue for those 47 years.

Mike Satterfield noted that kids were out of school which meant they would be outside riding bikes, walking, playing and sometimes not paying attention, and asked that everyone be careful especially while driving.

There were no reports from the Mayor or City offices at this meeting.

MAYOR and CITY OFFICES

Piedmont-Smith provided a report about the Council Neighborhood Enhancement Award Committee which selected the Woodlands as the 2009 award recipient. She asked for the council to approve this report. The report was approved by a voice vote.

COUNCIL COMMITTEES

- Report and Memorandum for 5-18-09 meeting of the Neighborhood Enhancement Award Committee

She announced the upcoming neighborhood presentation presented by the Housing And Neighborhood Development Department and the Council of Neighborhood Associations. She also announced the upcoming Blooming Neighborhoods at the Farmers Market with information about neighborhoods and neighborhood associations, where The Mayors Excellence Award will be awarded to Bryan Park Neighborhood Association and the HAND Neighbor of the Year will be awarded to Jan Sorby, president of Bryan Park Neighborhood Association.

- Neighborhood Presentation
- Blooming Neighbor

Randy Paul updated the Council on information he reported at a previous Council Meeting concerning Area 10's labor problems including multiple managers and no pay raise for 5 years. He said that statewide they were ranked last in compensation and benefits. Because of these problems, workers attempted to organize a union, but he said the Area 10 manager said she wouldn't negotiate with a union. He reported they would "dump the largest program they really have which is BT Access" and as a result jobs would be lost. He also said she had systematically targeted specific drivers through harassment and intimidation of drivers and their family members. He went on to say drivers couldn't support families on \$9.45 an hour. He said that today the Manager kept her promise and announced she was dropping BT Access. He added that after 20 years of operating the service, it came now as a union was being developed. Mr. Paul concluded by saying that these drivers would be out of jobs and would now need employment. Because BT Access was a provision of the Americans with Disabilities Act, it must be operational, and if no other organization operated it, then it would go back to Bloomington Transit. His request was that those jobs be transferred with the service. He said these drivers did nothing wrong and they deserved their jobs.

Sherlyn Reynolds spoke as a witness to an event involving a BT Access driver that Randy Paul had described above which involved inappropriate and intimidating behavior by the BT Access management. She said that the drivers needed to be protected since these were highly qualified drivers with expertise in working with people with disabilities.

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

It was moved and seconded that Ordinance 09-09 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Ordinance 09-09 be adopted.

Justin Wykoff, city engineering, presented the background information on the West 7th Street traffic calming information. He said the proposal would add an island at 7th St. and Waldron and at 7th St and Oak. At 8th St. and Adams, due to emergency service transportation, an island would not be appropriate, so it would be a street narrowing and there would be a circle at the intersection of Pine. At 7th and Rogers, due to the turning radius needed for buses, the city would work with the school and the neighbors to fine tune the final product.

Sturbaum asked for clarification of the process for the Rogers St. solution. Wykoff said it would be as in similar instances in the past whereby the city would work with each affected neighbor to come up with consensus on the approach. Sturbaum asked if MCCSC was considered a neighbor to which Wykoff responded yes.

Rollo asked about maintenance of the islands since there was no funding for this. Sturbaum clarified that Parks and Recreation had taken over maintenance of some of these traffic islands with funding providing by Council. He said he would advocate adding this to the maintenance budget of Parks and Recreation. At this time, he said, the neighborhoods had committed to caring for the islands, however, he believed it was in the best interest of the city to treat them as small parks and provide maintenance since it enhanced the community's attractiveness.

There was no public comment on this item.

PUBLIC INPUT

BOARD AND COMMISSION APPOINTMENTS

LEGISLATION FOR SECOND READING

Ordinance 09-09 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 Near Westside Neighborhood (on West Seventh Street)

Final comments from councilmembers:

Wisler said he was committed to maintaining the grid pattern in the city streets because he believed it was the best way to promote smooth and safe flow of traffic and to avoid congestion. He said the more options one has to get from point A to point B, the less congestion there was, the smoother traffic flowed and the safer it was for everyone. When the grid is dismantled and drivers have fewer options, congestion is created, which to avoid, drivers will zoom through neighborhood streets. Installing traffic calming devices was an attempt to force traffic onto the main streets. He said all that does is to move frustrated drivers to another side street rather than the main thoroughfares. He said the answer was to promote the grid rather than dismantling the grid, so he would vote no on this and probably on future traffic calming measures.

Rollo said he disagreed with Wisler because it didn't interrupt the grid; it just prohibited drivers from going excessively fast through the grid. He said it was a means to reclaim neighborhoods. He congratulated the neighborhood for working through this issue and thanked the engineering and street departments and also Councilmember Sturbaum for their work.

Sturbaum said new data for 3rd Street indicated drastic decreases in speed after the addition of traffic calming. He said it really eliminated the people who go excessively fast, who are the ones who are the most dangerous.

Sandberg said she was in support of this. She said she liked the respectful manner in which the neighbors brought this forward and the way in which they worked together to find common agreement. She said this wouldn't stop or block traffic; it merely slowed it down so that the quality of life in the residential core neighborhoods was respected.

Volan asked whether the Parks Department was really ready to care for all traffic islands as council member Sturbaum said they might be. He also commented that while this may shift traffic to other streets, it may be shifting it appropriately. He said he believed it wouldn't change the grid and had the effect of slowing traffic.

Mayer said he would support this. He said he believed traffic moved to this street during commute times to avoid Kirkwood or 4th Streets. He said the failure of traffic calming was that the city had not taken a comprehensive approach to the issue. When traffic calming went in on 4th St it was very effective, but it moved the traffic to 7th and to Kirkwood, and then Kirkwood developed a plan for traffic calming which continued to divert traffic to 7th St. Therefore, a comprehensive approach would provide a more complete solution. He also talked about the Parks Department maintaining traffic islands. He said when these programs first started, there was an arrangement that the neighbors would maintain the islands in a way that was presentable to the community. He said he had a hard time with the city taking over all of the traffic island areas especially in these economically challenged times. He would like to see the neighbors step up to maintain these traffic islands since it's a good way to create community and assist the city. There were many benefits to neighbors taking care of their neighborhood. In Norway, they call traffic calming, sleeping policemen, which he said he always found somewhat charming.

Ruff asked that the Council refrain from discussing maintenance of the traffic islands since it was not part of the proposed legislation, but would be discussed at another time.

Ruff also said he would support this, but was sensitive to Wisler's concerns. He said bad traffic calming would divert traffic to other areas and cause problems elsewhere. He added however, that this solution which was appropriate and balanced didn't discourage traffic, but discouraged the speeding.

Wisler said he did not discount the existence of a problem and believed the residents had a very legitimate concern. He said this plan was an improvement over previous plans with the street narrowing rather than speed bumps. He also said he believed it would slow traffic and reduce unsafe speed, but he believed that it would be due in part to the frustrated drivers choosing other routes. He predicted that it would be only a matter of time before those new routes would need traffic calming. The reason he was voting no was that he agreed with Councilmember Mayer that a more comprehensive approach was needed to traffic calming and to parking. He said the council thinks it has solved a problem for one neighborhood, but just shifts it to the next neighborhood, which is why there needs to be a more comprehensive approach to street design, to traffic calming and to parking. He said he sympathized with the neighbors and that their problem was real, but believed this short term solution would create more problems.

Sturbaum said the problem with a comprehensive approach was that it implied all of these issues would be tackled at once, which they can't because of the limited amount of money that would come in over a period of time. He said this was a common sense approach.

Volan said the phrase about a sleeping policeman was very apt. Police can't and aren't expected to be everywhere, so this was the best substitute. He said he agreed with and would like the council to consider a comprehensive approach to street design. He said rather than subscribe to the state and federal standards which the city engineering department adhered to, the council, if they wished to see something different should take it upon themselves to develop their own set of standards for traffic movement.

Ordinance 09-09 received a roll call vote of Ayes: 8, Nays: 1 (Wisler).

It was moved and seconded that Ordinance 09-10 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 1-0-6. It was moved and seconded that Ordinance 09-10 be adopted.

Justin Wykoff, city engineering, presented the update on the ordinance. He said that in response to questions about the current overgrowth of flora, beginning the next day, enforcement to cause compliance would begin. He said it was the responsibility of the owner to keep the adjacent right-of-way clear and cut any growth that caused interference. He reported that HAND had received 103 complaints about vegetation in this area beginning in 2004. However, there had been a moratorium requested on that enforcement until this issue was resolved. He added that the city would explore whether the speed limit could or should be lowered from 30 mph. He said the traffic count data for Monroe St. showed that out of 125, cars 5 were going over 30 mph, with 2 going between 31 and 33, 2 were going between 34 and 36 and one car was traveling between 37 and 39 mph.

Piedmont-Smith asked that the information about the upper 15th percentile of speeds be repeated. Wykoff said the traffic count on Monroe St. had some of the higher speed numbers, and that one day of monitoring traffic yielded 125 cars, 5 of which exceeded the 30 mph speed limit.

Ordinance 09-10 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 Diamond Gardens / J. N. Alexander Neighborhood

Sandberg asked if there would be no further encroachment into the public right-of way by vegetative traffic calming to which Wykoff responded yes.

Mayer asked if vegetation would be cleared from all sides, with nothing encroaching onto the sidewalk, or from above with an 8 ft clearance. He also asked if it was correct that the overgrowth of vegetation would be modified to meet city code, and who was responsible for that. Wykoff said that per the ordinance the property owners were responsible for cutting back vegetation. Mayer said since this has been ongoing for a long time and there would be much vegetation to trim, would there be any assistance from the city? Wykoff said that would have to be a discussion with Public Works, but at this point they were going to adhere to the Code.

Satterfield asked the consequence of an owner who did not cut the overgrowth. Wykoff said it was the property owner's responsibility to adhere to the City Code and if there was a lack of compliance, it was referred to the Board of Public Works for action, which could result in a hired contractor doing the work which would be billed to the property owner.

Rollo asked what would be a safe speed on Monroe St. if the vegetation remained. Wykoff said it would involve stopping sight distances from each intersection. Rollo said he believed the 30 mph was too fast on Monroe, and asked for assurance that the speed would be reduced. Wykoff said a lower speed limit would need to be approved by the council in a Title 15 amendment. Wykoff said in his traffic study most of the speeds he clocked were well below the 30 mph speed limit. Wykoff said another option was to install yellow advisory speed placards with a lower speed.

Volan said what struck him most was the vegetation that was blocking signs and curbs at corners. He asked to what extent was this issue about vegetation in the middle of the block versus vegetation at intersections. Wykoff said the intersections were particularly problematic because of the parking situation there. Volan asked if warning signs could be helpful. Wykoff said he was reticent to install a sign that said the intersection was dangerous, but did say there would be reflective markings in the bump-outs.

Piedmont-Smith asked if bushes that were really tall, but did not hang out over the street had to be cut. Wykoff said flora needed to be cut 15 ft. above the paved area or curb line.

Sturbaum asked if Councilmember Mayer's suggestion about assistance for residents hauling the flora could be provided by the city and by whom. Wykoff said it would be handled through Public Works as a one time issue since it was not something typically done for neighborhoods. Sturbaum said he was asking for this due to the special circumstances.

Satterfield asked for guidance on whether the vegetation in a tree plot could obscure the sidewalk from the street, and whether it had to be open or have a tree planted every so often. Wykoff said the City Code required the property owner to maintain the tree plot, and that the city did not plant fruit trees in the tree plots. He said the vegetation growing in tree plots needed to be thinned out to allow sun light to get to the rest of the trees. Satterfield said he was trying to balance traffic calming with sidewalk safety. He wondered if it would be acceptable to have a tree plot that blocked the views of the sidewalk from the street that would cause an unsafe pathway.

Wykoff said the city's desire was to make it safer, and if that required vegetation to be removed, then that would happen in order to open it up and make the sidewalk more visible. Satterfield asked how many other sidewalks in this neighborhood might be obscuring the views of sidewalks. Wykoff said the south side of 10th St. was probably the worst case.

Mayer asked for an estimate of cost for installation of traffic calming. Wykoff said it would be approximately \$34-37,000.00 for these improvements.

Volan asked if the vegetation could be left as is and create a bump-out around it, add a curb on the edge of it and thereby create a sidewalk that was carved from the street that would also help with traffic calming. Wykoff said it would eliminate the tree plot and reduce pedestrian safety and was undesirable to put the pedestrian up against traffic. Wykoff said the two distinct issues of this proposal were traffic calming and pedestrian safety, and added that no matter what action was taken, the noncompliant vegetation would be trimmed to increase pedestrian accessibility and safety.

Piedmont-Smith asked about the safety of the sight lines at intersections with the proposed bump-outs. Wykoff said by removing the obstructive flora the sight lines will be improved.

Volan asked why the city would want to keep the speed limit at 30 mph rather than reduce it to 25mph. Wykoff said according to research and his experience, reducing the speed limit doesn't necessarily slow drivers, since they drive the speed they are comfortable driving. Volan asked whether signs reading "Slow, children at play" would help increase safety. Wykoff said those types of signs are too ambiguous to yield an effect and his recommendation for safety has been improving visibility at intersections, making sidewalks safe and addressing the speeds, even though his traffic count did not show there was speed here.

Satterfield asked whether this neighborhood had contacted the Environmental Commission for guidelines on their desire to develop traffic calming utilizing natural vegetation and landscaping. Sturbaum said it was more of a do-it-yourself job.

Wisler asked about the locations of bump outs where they were directly across from each other. Wykoff said the bump-out locations were guided by the requests of the neighbors to preserve the existing vegetation. Furthermore, Wykoff said the proposed bump-outs would protrude 8 feet into the street which is about the width of a parked car, which still preserved space for two-way traffic. Wykoff said it accomplished preserving the vegetation as well as narrowing the street for traffic calming.

Satterfield asked about differentiating between alleys and street and their respective widths. He wondered if in addition to exploring traffic calming in this proposal, a wider area should be explored.

Public Comment:

America Bass said she thought that cars went too fast and it was too dangerous to play in those areas.

Michael Miller said he was reading a comment from his sister-in-law who asked why did she have to ask for city code to be enforced, and why aren't fines being levied for the overgrown trees and why have people been allowed to blatantly ignore city code for four years. He

added that common sense would tell you how fast to go. He said he didn't believe that city time or money should be wasted on this, but rather the current laws should be enforced. He said the bump outs won't slow traffic, and didn't think there was a speeding problem in the area.

Marc Haggerty said there really was limited overgrown vegetation, but rather this was an attempt to compromise with the city to keep children safe. He said this was the neighborhood's effort to homestead the area and make it a place that was good to live. He said they never wanted the wide thoroughfares put into their neighborhood and said this was a legitimate, good solution.

Tracey Miller who grew up on Cottage Grove said that since 1981 it had deteriorated. She said she can no longer visit there because of the insects that are drawn by the vegetation and deterioration. She also added that she was almost in an accident because visibility on the streets was obstructed. She also said that people being chased by police have hidden in the vegetation. She said she didn't feel safe in this neighborhood. She expressed concern that the city code wasn't being enforced.

Ruth Beasley acknowledged the five years of time and effort that went into this compromise proposal. She thanked Chris Sturbaum, Justin Wykoff and JD Boruff, as well as her neighbors who have participated and spoken up. She believed there was a problem with speeders and questioned whether the vegetation really drew wild animals anymore than anything else would. She said she agreed with some of her opposition and also believed their neighborhood was one that was pleasant, cooperative, friendly and helpful. She said there was a lot of work to do and the neighborhood would be pitching in. She said they would also consider the offer from Vickie Provine in the HAND department to help form an association. She asked that the council support this proposal.

Larry Williams said he would like to see the city treat this neighborhood as they would the rest of the neighborhoods in the city. He said if there was a rule, then everyone should abide by it, and if there was no rule then anyone could grow weeds. He said the traffic was not that bad, and although he was not opposed to the traffic calming, he questioned paying \$32,000.00 for this and said he thought the money could be used for other things.

Gena Winzeler said she grew up in this neighborhood and said she was confused about whether the issue was about speed or the flora. She said it was two totally different issues. The city code regulated the flora in the neighborhood and should be enforced. Speeding issues should be addressed with traffic calming devices and not overgrown flora. She said the data already indicated that speeding was not a problem. She said the overgrown vegetation was a danger to traffic, because you can't see over it and you can't see through it, and if the overgrowth could be regulated, then everyone would be happy.

Erich Nolan said that when the traffic calming is installed the overgrowth would be brought into compliance and sight lines would be open. He also said he never heard of criminals hiding in bushes or danger in the trees. He said he went door to door with the ballots, and didn't intend to violate the rules. He said he didn't think they intimidated or coerced anyone in the process, but that he was just trying to facilitate the process. He also added that many people who were speaking on this issue lived outside of the affected area, and although they were entitled to their opinion, they were not within the voting boundary. He said it was the few people who drove very fast who caused the problem.

Lanna Pedro said that the people circulating the petitions said it was for stop signs and never said anything about other traffic calming devices. He also said he was told that some people signed the petitions just to get rid of the people circulating them because they wouldn't leave them alone. He also said he was one of the people who for 10 years had asked the neighbors to cut their vegetation, and added that for a year he called the HAND Department as well to complain. He asked where were his rights and believed they had been abridged. He added that there was no speeding problem.

Bobbie Hall thanked Steve Volan for coming to the neighborhood. He said that while safety was an issue, the neighborhood also wanted to look good. He was concerned that the vegetation would still exist because the bump-outs would create a greater space to allow the vegetation. He said rather than add sidewalks the sidewalks that exist could be utilized if the vegetation was just cleaned up. He said he had asked for the yellow curbs to be painted, but to no avail, and was concerned that complaints and requests were not answered. He said he was concerned that the railroad would cut vegetation on his private property, but the city wouldn't enforce its own code for trimming vegetation. He said the vegetation problem and weeds was a problem with only 6 or 7 pieces of property.

Council questions for staff as a result of Public Comment

Piedmont-Smith asked if the curbs would be painted yellow at the intersection, to which Wykoff said yes. She also asked if the funding for this was available now. Wykoff said there was not enough funding for this and the 7th St. project, but was going to approach the Council Sidewalk Committee to determine if they might have available funds.

Final Comment

Sturbaum said this was a compromise and that there was a moratorium on enforcement over the last couple of years, but that ended. He agreed with the residents who said the regulations had to be enforced. He said this had been a great opportunity for the neighborhood to tell the council and the city that a better job needed to be done in that neighborhood, and he pledged publicly to do so. He said the neighborhood had been heard about how they wanted the neighborhood cared for. He said this was a very positive outcome because a neighborhood that never got attention before was now getting attention. He added that the message the neighborhood sent was that they cared about their neighborhood and wanted to work to be a part of it.

Satterfield said he believed that neglect was the issue here. Whether it was from the neighbor's side or the city, it was neglect. He said he visited the area and felt that the flora was a real problem and had been neglected, which he called a safety issue. He said the council had received very thoughtful comments from the neighbors, and although using flora as traffic calming was a novel idea, the neighborhood needed to help with this, which they said they would. He said the balloting process did not go well and it left the same questions as to whether this was a worthwhile invest of city time and money, but he was also concerned about the resulting safety issues, which was a deciding factor for him, he said. He suggested working with the city for natural landscaping programs.

Piedmont-Smith said there were two mistakes made here. The first was the past street-widening and the second was that the city did not enforce the city code. She said she wanted to make it clear that the vegetation would be cut, and recognized that the vegetation was an important issue

for many residents. She also said that she viewed this proposal as an important compromise, and that it will be good for the neighborhood.

Rollo said he supported this compromise, but was troubled about the lack of Code enforcement. He said he would like to propose that in a year the Council receive a report on compliance on both sides and the neighborhoods impression of outcomes.

Sandberg said she was left with an unpleasant impression by the overgrown vegetation and obscured sight lines. She said she loved it when neighborhoods became organized and worked for their common good to improve their neighborhoods. She didn't believe that traffic calming should occur through civil disobedience and the overgrown vegetation. She said everyone wanted what was best for the neighborhood, and hoped that the process would move forward with a better understanding of getting needs met. She viewed this as an opportunity to assist this neighborhood and other vulnerable neighborhoods in the city.

Wisler acknowledged how difficult this issue was. He said the plan was a step in the right direction, and was a better kind of traffic calming than previous efforts, especially due to on-street parking which he supported as a traffic calming means. He said if this was just about traffic calming, he could probably support it, but said the placement of bump-outs was clearly a result of the overgrown vegetation. The compromise sends a terrible message that the city is selective in code compliance. He said if the vegetation now will be cut, he didn't understand why the city had waited until now. He said the funding became the crucial issue for him, and since this project had never been mentioned at the Council Sidewalk Committee, he was stunned that this would now be considered because there was a whole list of other priorities which never included this project. He added that the Council was the only body with the power to change the speed limit, and perhaps, since that had been mentioned as an issue, the council should explore that in the future.

Mayer said this problem had been brewing for 30 years. He said when he left last week's meeting he decided to vote no on this, but after a discussion with Councilmember Sturbaum he understood that the long time and effort put into this and the type of compromise for this proposal which shifted his opinion. Then an email from a neighbor which he found very disturbing and insulting caused him to change his mind. He said a subsequent conversation with Sturbaum provided the answers he needed to assure that his concerns for clear sidewalks that would be safe and passable, intersections that would be cleared to create good sight lines, and traffic would be addressed in a meaningful way. He added that this was an opportunity for the neighborhood to come together and to create agreement.

Volan said the decision was difficult because it was a question of whether speed or flora was being addressed. He said the streets didn't have enough parked cars to gain the safety benefits from that type of traffic calming, and that this must be the only neighborhood without a parking problem. He praised those involved for their civility and lack of rancor. He said the hold placed on vegetation trimming raised the question of whether the system worked. He said the problem actually arose from what he called a clever form of civil disobedience, which was to grow trees to narrow the streets and slow traffic. He said he thought the roads were too wide but not sure that this was the right way to narrow them, especially in light of the cost.

Ruff said, as pointed out, the process wasn't ideal, but in the end a good compromise was reached. He said that vegetation will be trimmed and in

compliance, and reminded that it hadn't been in compliance because a request was made by a councilmember not to enforce it, because the vegetation might someday become part of the traffic calming effort. He said he too was concerned about the expenditure for this, but believed that this would correct a mistake that was made when the roads were widened. He said he would defer to Councilmember Sturbaum for his work on this and would vote yes.

Sturbaum complimented his fellow Councilmembers for their time and effort.

Ordinance 09-10 received a roll call vote of Ayes: 7, Nays: 1 (Wisler), Abstain: 1 (Volan).

It was moved and seconded that the rules be suspended to consider a motion not on the agenda.

The motion received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that the Council request that a compliance report relevant to Ordinance 09-10 be presented at a meeting of the Common Council within one year after the installation of the traffic calming devices. The compliance report will provide information on sight lines, complaint record, speed limit modifications, and other matters related to code compliance. This information will be offered under the direction of the Mayor.

Volan said he would request more than one day of traffic count data to be included in the study.

Danny Lopez, Mayor's Office said the Mayor's Office supported this motion and that he looked forward to making the requested report. He suggested that engineering be allowed to make the determination as to how the data should be collected for the study.

Volan said he thought it needed to be made clear that the data would include more than one day's count of traffic in the study. Wykoff said there is always more than one day of data as in this past study, and that one to two weeks of data would be included in this study.

The motion received a roll call vote of Ayes: 9, Nays: 0.

There was no legislation for first reading at this meeting.

It was moved and seconded that the rules be suspended to consider a motion to cancel the committee meeting scheduled for 5-10-09. The Motion received a roll call vote of Ayes: 9, Nays: 0

It was moved and seconded that the Committee of the Whole scheduled for June 10, 2009 be cancelled. The motion received a roll call vote of Ayes: 8, Nays: 0 (Satterfield out of room)

Randy Paul returned to the podium to continue his previous comments, that the suspension of BT Access by Area 10 had created a sense of urgency. He said the Area 10 Director said she would never negotiate with a union and she would drop BT Access which happened today. He said for anyone who was a friend of labor, now is the time to speak up. He said there needed to be more than just a few people speaking out in order to protect these drivers.

MOTION TO SUSPEND THE RULES TO CONSIDER AN ITEM NOT ON THE AGENDA.

MOTION TO REQUEST A COMPLIANCE REPORT RELATED TO ORDINANCE 09-10

LEGISLATION FOR FIRST READING

MOTION TO SUSPEND THE RULES TO CONSIDER AN ITEM NOT ON THE AGENDA.

MOTION TO CANCEL COMMITTEE OF THE WHOLE SCHEDULED FOR 6-10-09

PUBLIC INPUT

Bobby Hall said he was quoting the Mayor who said in a previous statement that the city will aggressively pursue neglected properties to reduce neighborhood blight, unfair living conditions and crime.

The meeting was adjourned at 11:20 pm.

ADJOURNMENT

APPROVE:

ATTEST:



Andy Ruff, PRESIDENT
Bloomington Common Council



Regina Moore, CLERK
City of Bloomington