

In the Council Chambers of the Showers City Hall on Wednesday, August 3, 2009 at special starting time 7:00 pm with Council President Andy Ruff presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
August 5, 2009

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

ROLL CALL

Council President Ruff gave the Agenda Summation

AGENDA SUMMATION

There were no minutes to approve at this meeting.

APPROVAL OF MINUTES

Steve Volan, council representative on the Monroe County Solid Waste Management District Board of Directors, reported that its Executive Director Larry Barker issued a business plan to build a Materials Recovery Facility. Called for by a resolution by the board, the MRF would enable the District to bale its own recyclables in order to get the best market price for the recyclables. He said it was a significant initiative that represented the city and community's discussion of sustainability, and deserves discussion. He invited citizens to the board's meeting the next day.

REPORTS:
COUNCILMEMBERS

Peak Oil Task Force

MAYOR and CITY OFFICES
COUNCIL COMMITTEES

It was moved and seconded to consider a request to postpone the due date for the final report from the Peak Oil Task Force.

The motion was approved by a voice vote.

Dave Rollo, Chair of the Peak Oil Task Force, said that the Task Force, created by council actions, had been meeting for about 18 months. He noted that a report had been created by this body, but that it needed more time to design, edit and review the report before it could be presented to the council.

- Peak Oil Task Force

It was moved and seconded that with the consent of the mayor, the council postpone the submission date of the Peak Oil Task Force Report as outlined in Resolution 08-15 from July 31, 2009 to October 14, 2009.

The motion received a roll call vote of Ayes: 8, Nays: 0.

Amended Sidewalk Committee Report

- Council Sidewalk Committee

It was moved and seconded to adopt an amended 2009 Sidewalk Committee Report.

Council Attorney/Administrator Dan Sherman, acting for Council Sidewalk Committee Chair Chris Sturbaum, recommended that the council adopt an amended Sidewalk Report. Sherman noted that the original report recommended \$20,000 of the allocation be set aside for traffic calming, and that \$205,000 be set aside for sidewalks. He said by mid-year most of the traffic calming funds had been used, and yet the Common Council had approved two new projects for \$61,900. He noted that this amount could be funded with an unused portion of the original sidewalk funding, along with monies allocated for an East Third Street right-of-way acquisition which is still in an early in-house design phase and not ready for property acquisition. He noted the Sidewalk Committee, while acknowledging the importance of the Third Street project, voted to reallocate those funds to finish the traffic calming this year and asked the council to approve this amendment.

Brad Wisler asked exactly how the money from East Third Street would be used. Sherman said that the council had approved two traffic calming projects for West Seventh Street and Diamond Gardens in June.

Council Sidewalk Committee (cont'd)

Wisler asked at what point this new committee decision was made and if this was an amendment by the 2010 committee of the 2009 committee's recommendation. Sherman noted that the 2010 committee met on July 16, 2009.

President Ruff called for public comments and there were none. In council comments, Wisler said he did not like this at all. He said the 2009 committee thoroughly examined a long list of sidewalk projects, and that the two traffic calming projects presented in this amended report were not anywhere on the list. He said it was unfair to projects further up in the queue to have these funded first, and unfair to the 2009 committee decisions.

Tim Mayer said that the Common Council, Council Sidewalk Committee and the Administration should recognize that a sidewalk on the North side of East Third Street was a critical need. He said it is heavily used by pedestrians and cyclists in the traffic lane facing traffic.

Isabel Piedmont-Smith, Sidewalk Committee member for both 2009 and 2010, said that the funding of the two traffic calming projects was important because the neighborhoods had worked long and hard to receive permission to put traffic calming devices in these areas. She said to wait another year or two for funding would defeat those measures approved earlier this year, and would also thwart the budding cohesion of the neighborhoods for these projects. She said that she viewed traffic calming funding as a separate from that of new sidewalks.

Volan said that while he was ambivalent about the traffic calming issues, and wondered just when the East Third Street project would be done. He indicated interest in other council members' comments.

Satterfield said that he supported the amendment and report, but noted that as a Sidewalk Committee member, he did not consent to this easily. He said he was unhappy that the Diamond Gardens traffic calming proposal was taking a higher priority than the Third Street project. He noted that the Third Street project was a multi-year project, and that the funds were not needed to acquire property this year. He said there was a solid commitment from the committee and administration that the Third Street project was next in line of priority.

Susan Sandberg said she would support this amendment with the understanding that the Third Street project would be of high priority next year.

Ruff said that he understood the concerns of the council, but noted that this was an example of an unforeseen need that might sometimes arise. He said flexibility and shifting priorities was sometimes needed and this was the case in this issue.

Volan questioned if there was money for the East Third Street project, and how many years would it take to build the sidewalk on the north side of the street.

Mayer said there were no funds allocated in the Public Works budget for 2010 for the project, but the Council Sidewalk Committee could fund it.

Wisler said that it was clear that the Third Street project would be larger than any one year's allocation of money that the Council Sidewalk

committee would have. He said that was exactly why part of the money was recommended for that use in 2009. He said that the notion to spend that money this year was against the spirit and priority of the 2009 committee. He said that if money wasn't put aside this year and next, there would never be enough money to fund that sidewalk project. He said his argument was for the council to put the original amount of funding aside for the Third Street project this year.

Council Sidewalk Committee (cont'd)

Sandberg said her earlier statement was based on the idea that if this project was bumped to next year, it would remain of highest priority next year. She said there was a logical hierarchy and extenuating circumstances at play in this instance.

Piedmont-Smith said Sandberg's assumption was correct. She said she assumed that the budget for next year's sidewalks committee would be \$225,000, which was not even enough for Phase 1 of the Third Street Sidewalk project. She said that the committee agreed that this project would be of high priority next year. She also noted that the Director of Engineering Services, Justin Wykoff, had told the committee that the East Third Street area was still being surveyed and the timeline wouldn't allow for the purchase of rights-of-way this year.

The motion to accept the amended Sidewalk Committee report received a roll call vote of Ayes: 7, Nays: 1 (Wisler)

Cancelling Internal Work Sessions

- Internal Work Session

It was moved and seconded to cancel the Internal Work Session scheduled for August 14, 2009.

The motion received a roll call vote of Ayes: 8, Nays: 0

It was moved and seconded that the Council President be authorized to cancel the internal work session scheduled for August 28, 2009 in the event that no items need be discussed that day.

The motion received a roll call vote of Ayes: 8, Nays: 0.

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

PUBLIC INPUT

It was moved and seconded to appoint Bill Brown to the Bloomington Commission on Sustainability. The appointment was approved by a voice vote.

BOARD AND COMMISSION APPOINTMENTS

There was no legislation for final action at this meeting.

LEGISLATION FOR SECOND READING

There was no legislation for introduction at this meeting.

LEGISLATION FOR FIRST READING

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

PUBLIC INPUT

The meeting was adjourned at 7:38 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Andy Ruff, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington