

In the Council Chambers of the Showers City Hall on Wednesday, September 19, 2007 at 7:30 pm with Council President Dave Rollo presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
SEPTEMBER 19, 2007

Roll Call: Wisler, Diekhoff, Ruff, Sandberg, Rollo, Sturbaum, Volan, Sabbagh, Mayer

ROLL CALL

Council President Rollo gave the Agenda Summation

AGENDA SUMMATION

The minutes of June 20, 2007 and September 5, 2007 were approved by a voice vote.

APPROVAL OF MINUTES

Brad Wisler said that he had attended the grand opening of Bloomingfoods the past weekend and lauded the investment to the downtown.

REPORTS:  
COUNCILMEMBERS

Chris Sturbaum apologized publicly to Council Member Sabbagh for not following the ideals of civility and respect in public meetings at a previous council meeting.

Tim Mayer noted that even with the warm weather, fall would be coming soon.

Dave Rollo said that he had celebrated Constitution Day and was happy to see that the newspaper had covered leaders speaking to middle school students about the importance of the Constitution. He praised The Herald-Times for publishing the Bill of Rights, but also said that the media often undermines the constitution. He noted that there was nothing written in this article about how the Bill of Rights could be weakened by legislation such as the Patriot Act. He noted the Military Commissions Act, The John Warner Defense Authorization Act, The National Security and Homeland Security Presidential Directive, signing statements that reinterpret past legislation, and renewed legal domestic wiretapping as programs that undermine the Bill of Rights.

Community and Family Resources Director Pete Giordano introduced the department's Latino Outreach Coordinator Melissa Britain, who read passages from a mayoral proclamation designating Hispanic Heritage Month from September 15 to October 15, 2007. Britain informed the council that the month's multicultural activities calendar was online, including a Latino cooking demonstration at the Farmer's Market and a Fiesta to close the National Hispanic Heritage Month.

MAYOR and CITY OFFICES

Daniel Soto, a 24-year Bloomington resident, said when he first arrived here from Costa Rico, he thought he was the only brown person in Bloomington. He said that he had since met many other Hispanics, helped them understand the local culture and had a greater appreciation in becoming a US citizen because of these connections. Visitors applauded his words.

COUNCIL COMMITTEES  
PUBLIC INPUT

David R. Grubb said that he was worried about the Anderson Road Landfill cleanup that was supposed to be accomplished a year ago. He said that there were poisons seeping through the porous yellow clay into Lake Monroe. He said the county and city should share this responsibility, and promised he would run for county commissioner at his next opportunity.

Ten-year Parks Board President Mary Catherine Carmichael announced her resignation from the Board of Park Commissioners, effective September 26, 2007. She highlighted programs and activities that had

taken place in the Parks Department over the last ten years and shared some thoughts on the benefit of Parks partnerships, the excellence of department leadership, staff members, and fellow board members, and the re-energized park foundation fundraising. She shared thoughts on challenges, saying that a repair and replacement budget should be guaranteed and stressed the need for greater indoor recreation opportunities even if there are reasonable risks involved. She noted that the community should not have to wait for the trail system to be funded from Federal Funds, and that the fully developed trail system would be the best legacy to leave our children. She thanked the council for their support of the Parks Department, and hoped her successor would work more closely with the mayor than she was able to. She said she hoped that during her time on the board she was able to contribute to the development and maintenance of the parks system. Rollo thanked Carmichael for her work on the Parks Board and the award winning department that she helped build.

There were no appointments at this meeting.

It was moved and seconded Ordinance 07-21 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 9-0-0. It was moved and seconded that Ordinance 07-21 be adopted.

Director of Community and Family Resources Pete Giordano addressed questions that the council had during the committee meeting. He said that a full time staff member would be assigned to the commission for staff support as part of their work within the department. He noted that this support would be augmented with additional staff and interns as needed for projects. He said that typical work for the department's commissions include attending meetings, facilitating the work of the commissions, providing clerical and other support services, grant writing and assisting in fundraising, and assistance in planning and carrying out events. He noted that each commission had the ability to take in and spend funds (either donations or grant funds) at their discretion. He said the funds could be supplemented from the department's general fund, but the commissions were not totally reliant on them to support their activities. He said that the commission members, not staff or department members, decide how these funds are raised and spent.

A call for Public Comment brought the following folks to speak. Lillian Castillas said that she was excited to learn of this commission, as it was an opportunity to make sure that the Latino community would have a voice, be included, and provide a support system to those working with the Latino community as it continues to grow.

Phillip Vargas said that this commission would bring a voice to those in the community that didn't currently participate in the political and governmental life of the community.

Council comments:

Sturbaum said that in the McCloskey era there was a concerted effort to get citizen commissions formed as part of government. He added that voluntary commission members from all areas and backgrounds had worked to make a more responsive and stronger government.

Mayer thanked the mayor, Giordano and staff for working on this initiative. He said it was an important step. He also added that many of the boards and commissions in the city were not required by statute, but were voluntary on the part of the city.

BOARD AND COMMISSION APPOINTMENTS

LEGISLATION FOR SECOND READING

Ordinance 07-21 To Amend Title 2 of the Bloomington Municipal Code Entitled "Administration and Personnel" (Inserting Chapter 2.23.080 Establishing the Commission on Hispanic and Latino Affairs)

Sandberg said she strongly supported the commission, and that it was part of knowing the needs of all the members of the community.

Ordinance 07-21 (cont'd)

Volan noted, especially for the students visiting the council chambers, that he often reads in the Indiana Daily Student's encouragements for students to get involved. He said that students should urge the student government to form permanent commissions to make differences on the issues that concern them. He urged them not to leave this for others to do, but to take on the task themselves.

Rollo noted that the mayor had especially encouraged students to become involved in the community by applying for boards and commissions. He gave information on how a citizen applies for a commission seat.

Ordinance 07-21 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded Resolution 07-08 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, and gave the Committee Recommendation to table this item by a vote of 9-0-0.

Resolution 07-08 To Designate an Economic Revitalization Area, Approve a Statement of Benefits, Authorize a Period of Tax Abatement, and Declare Intent to Waive Certain Statutory Requirements – Re: 300 East Third Street (The Plaza at Third and Lincoln LLC, Petitioner)

President Rollo noted that this motion was not debatable and asked for the question to be called.

The Motion to Table Resolution 07-08 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded Ordinance 07-22 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Recommendation to table this item by a vote of 9-0-0.

Ordinance 07-22 To Designate an Economic Development Target Area – Re: 300 E. Third Street (The Plaza at Third and Lincoln, LLC, Petitioner)

The Motion to Table Ordinance 07-22 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded Ordinance 07-23 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 5-1-2. It was moved and seconded that Ordinance 07-23 be adopted.

Ordinance 07-23 To Vacate a Public Parcel – Re: The Portion of the West 9th Street Right-of-Way Running from North Rogers Street to the B-Line Trail (CFC, Inc., Petitioner)

Planning Director Tom Micuda presented the request alley vacation. He used maps to delineate the area and describe the properties surrounding it. He said the area was 21 ft. wide by 80 ft, and was one of the smallest he had seen. As part of the background, he noted that CFC had been paying taxes on this property since 1999, but that research had found it had not ever been vacated by the city.

Micuda noted that all emergency service providers and others had been contacted and it had been determined that this property was not needed for any essential utility corridor, street grid or pedestrian access or any other pedestrian link in the city's system, currently or in the future.

Micuda said that while CFC did not originally intend to do anything with the property, they now think it would be beneficial to expand the clinic parking to the south of this property into this right of way.

He addressed a concern about using this parcel for surface parking to make the council comfortable with this vacation with or without regard to the parking issue. He said the right of way was smaller than typically vacated rights of way. The right of way had not been improved in any way, and in fact the city didn't even know it hadn't been vacated, and there was no plan for public utilization for this property in the future.

He said another reason was to allow lots in the area to be combined for aggregated unified development, which he said was a good thing for opportunities in the future.

He said if it were used for a parking lot it would only have room for 11 cars, and would include parking in the area north of the right of way, with a little over 10% increase in the parking for the medical clinic to the south. He also said that the council should consider the future changes in land use in the area, indicating that this property may not always be a parking lot.

He noted that this use was allowed by the Zoning and Unified Development Ordinance, as it was not a new stand-alone surface parking lot but an expansion of an existing lot.

Micuda then addressed the committee discussion of vacating the right-of-way in light of the city's general policies for development outlined in the Growth Policies Plan and Downtown Plan. He said that, generally speaking, the plans indicated surface parking should be minimized, especially in the downtown. He said that this particular lot was small enough to not put the property at risk and that there wasn't a chance that a large parking lot would be developed.

CFC Vice President Jim Murphy said that Micuda had presented the petition fairly. He said again that the plan for the area was to remove a small unsightly building and expand the parking lot in that area. He added that the approval needed to come to the plan department for landscaping and other requirements.

Murphy said he had looked at the 1887 Sanborn maps and city maps from 1927 and 1947. He found that 9<sup>th</sup> Street was platted, but it was not a through street, and actually had a building on the Showers property. He noted that in 1947 there was not even a platted street. He said he brought this information forward to indicate how difficult it sometimes was to piece together information about properties, even with good resources.

Murphy showed a slide of the small building on the triangular piece of property north of the right-of-way, and with the help of digital manipulation, what the area would look like when the building and some poles were removed and a new sidewalk and landscaping was added.

He noted that CFC parking behind Showers and in the Johnson Hardware lot near the Farmer's Market Area was shared with shoppers on Saturdays as an indication of CFC's good will and commitment to the city.

Sandberg said that she had driven by the property and asked about the large mature trees outside the clinic just south of the right-of-way. Murphy said that they were planted about 15 years ago. Sandberg asked if the landscaping in the right-of-way would be similar to those trees. Murphy said that CFC typically created screening with landscaping to separate a sidewalk from a parking area, keeping in mind safety concerns. He said it would compliment the area.

Wisler asked how we would know if the rest of the 9<sup>th</sup> Street right of way was vacated. Micuda said that there were rights of ways vacated in association with the City Hall Showers Project, but the only vacation he had researched was the one at hand. He said that this area was murky and thought the best thing to do was to bring this petition forward now to make sure the vacation was done. Wisler said if the city found about a vacation because of a map, the council records should be examined to determine if the vacation stops at the rail road tracks.

Ordinance 07-23 (cont'd)

Dan Sherman, Council Attorney/Administrator, noted that over the years, the vacation of Right of Way process had undergone a number of changes in procedure. He said that in the past the courts, Board of Public Works and council have all done this work and that the records could not be found in just one place.

Wisler wanted to clarify that no one was actually saying the parcel had not been vacated and that the action of this ordinance was being undertaken to make sure that it was vacated. Micuda agreed, and Murphy said he brought this to the council because he didn't want a cloud over the issue.

Sturbaum addressed the public good of this vacation, and said that the landscaping and sidewalk would be a public good, and that the planning process would also oversee the specifics of future plans there. He thanked Murphy for his public commitment to shared parking and said that it would not be subject to an amendment in this legislation but that his word would be part of the public record.

Rollo asked about the access to the public trail, to which Micuda said access would be about 80-100 ft. north of this parcel and also at 8<sup>th</sup> street to the south. He said that there would be significant public plaza space to the south of Showers. Rollo asked when the first meeting with CFC had taken place, to which Micuda replied that CFC had been working on this for about 9 months before this time.

Volan asked Micuda if he remembered a story of a sale of a single inch of property in Monroe County. Micuda said he had heard something about it. Volan said it was actually a deeded platted parcel of one inch in Owen County that was sold for \$1700 and asked if even small plots of land could be valuable. Micuda said that the parcel in question could be developed as he had indicated earlier, but that an aggregated property allowed more options.

Volan asked how long the city had a Historic Preservationist. Micuda said that there had been someone working with the Historic Preservation Commission for as long as he had worked at the city which was later determined to be 14 years.

Volan asked if it were reasonable to assume that a good title company would have found this problem when CFC was purchasing the property. Micuda said the question was outside of his area of expertise and Volan then asked Murphy who was the title company for CFC when the property was bought eight years before. Murphy did not recall the company that was used.

Volan asked Micuda to comment on several phrases he had found in the 2002 Growth Policies Plan. The first was the issue of using multi-level parking structures in commercial areas, which he said the property area in question was. Micuda said he stood behind the GPP principles. He added that his emphasis in his report on this legislation was looking at the facts in this case and determining whether they were important enough to find that this amounted to a minor amount of surface. He said that every principle could not be adhered to for every site.

Rollo asked how many parking spaces were within the right of way, to which Micuda said that the area itself would have room for about four spaces, but combined with the area to the north would allow for the addition of 11 spaces to the parking lot for the clinic.

Volan next asked Micuda to rationalize his report with a GPP statement (from page 28) that stated that "*new surface parking areas and drive*

through uses should be limited if not forbidden within the downtown area." Micuda said stand alone surface parking lots were not permitted, but that this was a small addition to an existing lot and believed it should be viewed differently than separate stand alone parking, and felt it was permissible. Volan noted that it seemed unambiguous to him as well as other statements in the GPP and the UDO. Micuda said that the specifics in this case allowed the council to say that they were not compromising general city policy, which would be different if the right of way were more important to the city, or if the parking were for a stand-alone parking lot or a large surface parking lot. He reiterated that the facts justified vacating the right of way.

Volan asked how many spaces the city used in the overflow lot behind Showers. Micuda said that the area was used for the storage of city vehicles and there were some spaces for overflow from the main city employee lot. Volan asked if it were full, to which Micuda said that often it was 90-95% full, but depended on vehicle use and time of day.

Volan made the point that CFC could use four spaces in the city overflow lot and that the alley could be used as access to the spots, rather than the city vacating the alley. Micuda said that he was not privy to the agreement between CFC and the city, but reiterated again that this should be viewed differently from the larger policy issue of allowing large amounts of surface parking downtown.

Volan asked what Micuda thought of shared parking. Micuda said the concept was favored among planners but they were harder to execute in practice because of indemnification issues. Volan asked if he thought the city should avoid the concept because of its cumbersomeness. Micuda said he was in favor of the concept and it was a legitimate issue to pursue.

Volan said he would ask more questions after other council members had their questions answered.

Wisler asked Micuda if he were familiar with how legal descriptions were written. Micuda said that he dealt with them in his daily work, and at one time actually plotted them out for clarity. Wisler said that the GIS legal description ended with a ".vacst" and asked if that meant that the street was actually vacated. Micuda said it might mean that, but that he wasn't an attorney, and couldn't comment definitively on that supposition. Volan said that he had the same information and believed that it did mean that the street was vacated.

Volan, referring to the 2005 Downtown Vision and Infill Strategies Plan, asked Murphy if he thought that the city had enough parking available in the downtown. Murphy said he would not respond to that question as he did not believe it was relevant to this petition. Volan agreed that Murphy didn't have to respond to questions, but that he would still ask them.

Volan asked Murphy if he knew of REI Management's current 'take' on the parking garage situation. Murphy said he didn't know what was meant by that question, to which Micuda noted that Volan had every right to ask questions, but these queries were not within the expertise of Murphy.

Volan said he was asking questions that he believed were germane to the petitioner's opinion of downtown parking, especially in consideration that he was asking for a provision for more downtown parking. Volan said Murphy's opinion about parking garages only two blocks away were quite relevant. Volan noted that the CFC was the top purchaser of parking in the city's garages and lots.

Rollo asked that the questions be directed to both Micuda and Murphy, to which Volan replied that he would do that, but insisted that his previous questions were, indeed, germane to the issue at hand.

Murphy said he felt they were not relevant and that he would not respond to the questions at that time that were not germane to this petition. He added that he would be happy to participate in a discussion about parking, REI, and the UDO at another time.

Volan noted that Murphy didn't know the amount of property tax paid on this parcel at the committee meeting and asked if Murphy could produce that number at the current meeting. Murphy said he did know, he had given this information to the city 9 months ago, but he still didn't feel that this was germane to the discussion. He said that \$1060 had been paid on the Rogers street properties for 6 months. Volan said that he got the \$679.32 from the county office and supposed that 5/16ths of that total cost would be allocated to the alley portion of the land. Murphy said he was not going to make these calculations. He added that the documents showed that the taxes had been paid, and the amount was irrelevant.

Volan noted for the council that the petitioner had said in the committee meeting that his company had been paying taxes on the property, and Volan thought it was reasonable to ask further into this statement. He stated that a further solution to the entire question of vacation was to simply refund the tax money to CFC. He said he had calculated the taxes for 8 years to be about \$4100. He maintained that this could be a reasonable solution to the problem.

Volan asked if CFC had ever tried to sell the property. Murphy indicated that they hadn't.

Volan asked for the size of the building on the parcel north of the alley in question. Murphy replied that it was 1437 square feet. Volan asked if CFC had a use for the building when the property was purchased. Murphy said they did not, although it was contiguous to their other property CFC did use it as a carpenter shop and storage. He said that they had tried to lease that building in the last 18 months, but were unsuccessful because of the size of the building and the land. Volan asked about uses, to which Micuda said zoning would allow office, retail and residential use, whereupon Murphy said that the property was off the market now.

Ruff asked Micuda about future uses. Micuda said that many redevelopment and changes had occurred in the area in the last 15 years, and that as this continued, 'higher and better' uses would be apparent. He said the interim use of parking space for four cars on this lot was not as important as the long term options of it being aggregated with the triangular lot to the north for future development.

Ruff asked about the potential for public use of this parcel considering the position of the site in relation to the B-Line Trail. Micuda said that looking at the entire trail, and considering that it would be done in parts, there would be benefits to the city in shared use parking. He said that as the trail was built out, that use might diminish.

Ruff asked if there was an argument to be made that this parcel would have significant value to the trail as a staging area, or gathering area. Micuda said it probably would not be logical, although combined with the triangular property to the north, benches could be added for the public, if the owner chose to do so.

Ruff asked Micuda if the unique characteristics of this situation prevented it from being pointed to as being a precedent in terms of any actions that might be in contradiction to the city's planning documents. Micuda said it was not precedent setting because it did not have public use, was not a stand alone parking lot, and was a relatively small request.

Sandberg asked for verification that this vacation request was legal and permissible under the UDO, and that it was reasonable and did not violate the spirit of these policies. She asked if the parcel to the north was, indeed, too small to develop by itself. Micuda said that a multi-story building in this area could not be fit onto the site with parking requirements.

Ruff asked if Micuda agreed that the council discussion was relevant and legitimate in its responsibility to examine requests in light of city policies. Micuda said he would have been disappointed if these points had not been raised and weighed against the facts of the petition. He said he understood that it had been the council's policy to look at a project's benefit as well public use in making a decision.

Volan asked about other right of way vacations. Micuda named several. Volan asked if there were plans for the use of the vacated parcels submitted with these vacation requests. Micuda said some requests did and some didn't, depending on the request and timing of the proposed project.

Volan asked for the dimensions of 9<sup>th</sup> Street in the Sanborn maps. Micuda said that the 1927 maps showed the street as 30 feet wide. Volan wondered why there were so many different numbers provided for the size of the street, to which Micuda said that there was a certain amount of ambiguity in the old documents, but assured Volan that a new survey was made.

Public Comment brought Jennifer Mickel to speak. She said that the older records should be carefully checked, and that it was not fair to make any property owner pay taxes on a property and not be able to use it.

In final council comments, Ruff noted that this related to the parking issue downtown, and was important to the community. He said he understood what seemed wrong with vacating a parcel for parking and why Volan and Bloomington Transportation Options for People were concerned. He said that when applying a plan, some parts may conflict and some practical realities come into play that might conflict with policies. He noted that Micuda had given his perspective on the scale and shape of the property and that he (Ruff) felt that this could be done without giving up the principles of planning that the council supported. He added his appreciation for the work and concerns of Micuda, Volan, and CFC.

Sandberg thanked Micuda for his clarification, and Murphy of CFC, adding that this had been a robust discussion. She said that she fully supported the UDO and the GPP and that the situation at hand was one of those 'shades of grey' areas where common sense dictates that one weighs the merits of the case. She said that CFC was a good corporate citizen with good design aesthetics, and trusted that this would continue. She noted her support for this vacation.

Volan said he had spoken with Gary Thompson of REI and wanted to give a report on that conversation. He said that the restricted areas of the garages downtown had been opened up so that one permit could be



Ordinance 07-23 (cont'd)

used to park anywhere in the garages. He said that the system was converted to an electronic one, and that the first monthly bills would be sent out the day after this meeting. He said that REI had been analyzing the vacant spaces in the garages on a twice daily basis and had discovered that there are many available spaces at both 7<sup>th</sup> and Walnut garage (with 100-150 spaces vacant per day) and the Register Garage (200-300 spaces available day and night). Volan said that Mr. Thompson characterized the garages as ghost towns.

Volan said that the Hilton Garden Hotel was pleased that there were more spaces actually opened up by this system. He then noted that he brought this up to say that there was no clear need for more parking in the downtown area at all, especially since the cost of the permits were lower than the 24/7 guaranteed spot reserved space permits.

Volan said that the petitioner was asking the city to give public land to them with one rationale of the existing building being ugly. He noted that a parking lot, even with trees and landscaping, might not beautify the area, adding that asphalt was not beautiful except perhaps from a commercial standpoint.

Volan said that he heard Micuda say that the proposed use on this property met only the letter but not the spirit of the UDO and added that it did not, however, meet either the letter or spirit of the GPP. Volan said that he rejected the notion that the parcel was small, and that he could think of many uses for that property as well as other tiny plots of lands such as a kiosk, news stand, or hot dog stand. He added that this was about to become one of the most popular amenities in the city, the B-Line Trail. He said that CFC might not have a use for this building, but it was refurbishable and reiterated that he did not agree that this alley should be vacated just because the property was small.

Volan noted that previous alley vacations requests were usually accompanied by some building plan, and that this one was not. He said he would be happy if CFC developed this land, but at this time, there was not even a guarantee on how the land would be paved. Volan then threw out the idea of paving the lot with a pervious surface.

Volan said that aggregating the two lots was not the issue, and that neither was the confusion of why the land was platted the way it was in the past. Volan said that neither CFC's value to the community or the fact that this strip of land was not needed for public access was the issue. Volan said that he didn't blame Murphy for not answering the questions posed because the council support was already indicated to him. However, Volan added, he felt he would not be doing his job if he did not pose these questions in the public interest. He questioned why his fellow council members would prefer him not ask these questions, especially since he had informed them of his line of questioning in advance of the meeting. Concluding, he noted to Murphy that he hoped he understood that this line of questioning was not about him or CFC.

Sturbaum said that he had done some research on parking in Portland, the most walkable city in the country, where he said, 70% of the market-goers drive to their market. He said that at the B-Line trail head, this little bit of convenient parking would make a difference to Bloomington Farmers' Market attendees. Sturbaum added that Bloomington was a 'naturally occurring retirement community' which. He said this indicated that people would drive to the market and trail to walk there. He added that convenient and shared parking would stimulate trail use.

He said that unifying the lots would allow a good future development of the land, and that it would be good because of the UDO requirements for

buildings along the trail. He said that even he doesn't want to save the little cement block building on the property, that he said he remembered as a child was an ice house. He said there was a lot of public good in this vacation and that he was supportive.

Mayer said he remembered the building in the 1960's next to Seward's blacksmith and machine shop, taverns and the general run down nature of the area at that time. He noted that parking was in great demand during the Saturday Farmers' Market, adding visitors had reached 6,600 earlier in the year, with many out of town visitors. He noted that this shared parking would help with that as well as the B-Line trail head.

Mayer said Ruff was right with his comments about planning documents. He used the example of the Pro-Cure building on North Walnut to illustrate that what was a parking lot for a long time could be transformed into a useful and attractive structure, and that the same thing could be done with this combined lot. He thanked the staff for doing such a thorough job in preparation of this petition.

Rollo thanked Micuda and Corporation Counsel Kevin Robling for attending the meeting.

Volan said he had brief comments to add. He said the council was actually making the case of getting a downtown shuttle up and running sooner rather than later with regards to Farmer's Market parking. He read again from the GPP:

*New surface parking areas and drive through uses should be limited, if not forbidden, in the downtown area.*

He thanked CFC for doing the right thing, thanked his colleagues who went on the record to explain their positions, even if it was contradictory to the GPP and the spirit of the UDO documents that they helped author. He added that he someday hoped to understand this logic.

Ordinance 07-23 received a roll call vote of Ayes: 8, Nays: 1 (Volan).

There was no legislation to be introduced at this meeting.

LEGISLATION FOR FIRST READING

It was moved and seconded that the next week's committee of the whole meeting be cancelled due to lack of legislation to consider.

CANCELLING THE NEXT COMMITTEE MEETING

The Motion to Cancel the Committee meeting of 9-26-07 received a roll call vote of Ayes: 9, Nays: 0.

Citizen Jennifer Mickel read a complaint that she had written regarding the policy and protocol failure of the city police force. She described her interactions with police officers, her arrest and confinement and said she hoped that a jury trial would prove her innocence and the inappropriate action of the arresting officers.

PUBLIC INPUT

The meeting was adjourned at 10:00 pm.

ADJOURNMENT

APPROVE:

ATTEST:

SUSAN SANDBERG  
Dave Rollo, PRESIDENT  
Bloomington Common Council

Regina Moore, CLERK  
City of Bloomington