

In the Council chambers of the Municipal Building held on Wednesday, March 3, 1993, at 7:30 P.M. with Council President Hopkins presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
MARCH 3, 1993

Roll Call: Sherman, Swain, Miller, Fernandez, Hopkins, Service, White, Cole, Kiesling.

ROLL CALL

Hopkins gave the agenda summation.

AGENDA SUMMATION

The minutes were approved by a voice vote with a correction by Swain.

APPROVAL OF
MINUTES

Kiesling reported on a meeting with state Enterprize Zone heads and legislators. There will be a meeting at Broadview School on March 22 at 6:30 and also March 29 at the Monroe County United Ministries to inform citizens and businesses of their benefits and rights. She also mentioned the "Share the Dream" petition celebrating Martin Luther King.

MESSAGES FROM
COUNCILMEMBERS

White talked about riding with the snow plow crews last Thursday and commended them on a job well done. He also said he would be going to the National League of Cities meeting in Washington D.C. next week and would report at the next meeting.

Cole talked about the National Traffic Safety Board fact sheets that provide some alarming facts about fatalities/accidents among young drivers. She suggested that the results of that study be compared to the IU Professional Council's evaluation of freshman and sophomore students having cars on campus and thought there would be interesting conclusions if both documents were compared.

Fernandez said he was very glad to be back and he appreciated all the calls of support for the recent Human Rights Commission report.

Service thanked the Bloomington Voice for voting her one of three persons to run out of town.

Swain agreed with White in praise of the snow removal crews.

Sherman expressed his personal condolences to the Mayor and her family for the recent deaths in her family.

Hopkins said that he would be meeting with the Human Rights Commission director to determine if/what the next step would be regarding their recent report on gay bashing.

Miller also thanked the Street Dept and the crews for the great job they did as well as all the people who participated in the recent Sanitation Fee public hearing.

Mike Davis presented a Key to the City to Lu Chan Lan for the beautiful art work currently hanging in the Council Chambers. Mr. Lan presented a gift of two paintings to the city and Regina Miller thanked Mr. Lan and Charlie Cho for their generosity.

MESSAGE FROM
THE MAYOR

Davis also thanked the Street Department for a job well done and announced that Jim Sherman would represent the city at the Vital Quiz Bowl.

Davis also synopsisized three pieces of legislation. The first was on Senate Bill 567 regarding property taxes. The second was Senate Bill 241 which would prohibit local governments from prohibiting fire arms. This bill would change home rule. The third was House Bill 1732 which would limit the ability of municipalities in St. Josephs County to annex areas, Davis reminded the Council that this bill could be easily amended to include all municipalities in the state. Davis encouraged all citizens who were concerned to write their State legislators and the Governor expressing their opinions.

Hopkins asked if there were any more reports from departments or committees. Hopkins then discussed the Middle Way House parade permit and then called upon Kathleen Rutherford and she described the "Take Back the Night" organization and it's and the immediate question of a parade. Hopkins discussed safety and expressed concern for safety while walking down Third St, and in particular the fact that it is an ambulance route. It was agreed

COMMITTEE REPORT

that the parade, this year, would take place on the sidewalk.

It was moved, seconded and approved by a voice vote that the following appointments to boards and commissions be made:

BOARD & COMM.
APPOINTMENTS

Animal Control	Cynthia Neidhart
Utilities Service Board	David Tuomey
	Marie Webster
Redevelopment Commission	Patricia Gross
	David Walter
Historic Designation	Duncan Campbell

Hopkins thanked all the people who volunteer for our community.

It was moved and seconded that Resolution 93-10 be introduced and read by the Clerk by title only. Clerk Williams read the resolution by title only. It was moved and seconded that Resolution 93-10 be adopted. The synopsis and the committee recommendation of 8-0 was given.

LEGISLATION FOR
SECOND READING/
VOTE
RES. 93-10

Chris Spiek, Director of Redevelopment, reviewed how the grant recommendations were determined. He said that this was the final step in the process.

Kiesling thanked the people who were involved in the process.

Sherman wished there was more money for Social Services.

Spiek said that more revenues might be available in the future due to the President's Economic Stimulus Package.

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

It was moved and seconded that Ordinance 93-8 be introduced and read by title only. Clerk Williams read the ordinance by title only.

ORD. 93-8

It was moved and seconded that Ordinance 93-8 be adopted. The synopsis and committee recommendation of 6-0-2 with two amendments.

Bill Riggert said this ordinance is the result of many years and many people and their input and concerns about the heavy vehicular as well as pedestrian traffic. Samples and numbers of pedestrian crossing was done along the entire corridor in 1991 as well as accident numbers along Atwater St. as a way to alleviate the problem. The warrants do not indicate enough traffic on the side streets to actually warrant a signal. The pedestrian minimum warrant was the only one we could satisfy to some degree and that was at Atwater and Woodlawn as well as Woodlawn/3rd. The concept is to platoon traffic from 3rd and Jordan and a vehicle traveling at 25 mph would move through the phasing without actually having to stop, but once the traffic stopped, then pedestrians would be able to cross. Hawthorne was chosen for a light based on utilizing a one-way pair as well as the bus pull off just west of Hawthorne and also making Memorial Drive one way westbound (counter clockwise). Hawthorne would be realigned so that it lines up with the street that goes back to the parking garage (Ballantine garage) and it would be a true intersection facilitating all vehicles leaving IU. The one way streets are included in this ordinance to 1) reduce conflict in traffic and line of sight problems and 2) divert traffic into specific directions. He said a 40' wheelbase semi-trailer could accommodate the turns at any of the one way intersections. There are 30' pavements and with 8' given to parking, there is plenty of room. Access to the TIS parking lot will allow for cars to line up and wait to get into the lot and there is room for other cars to pass the waiting line and continue northbound. One-way streets are also an added safety factor for bicyclists and pedestrians.

Fernandez asked about the decision to make Highland one way north and having people cross Atwater to travel northbound. He also suggested that by creating the "loop" on the north side of 3rd St we are asking for more problems as people try to drive straight across. Riggert said the line of sight is better and it is a safer transition because a car would be in a left lane continuing northbound, rather than having eastbound cars trying to turn onto Atwater from Highland. Also a concrete triangle at the Music School would indicate that it is a one way turn. He said we need to facilitate the over 150 vehicles that park in the Ballantine garage and the 30 or more that park east of the drive.

Service asked for a better explanation of the Hawthorne straightening. Riggert said it is worth realigning a signalized intersection creating a proper flow of traffic rather than people crisscrossing streets. It will also facilitate pedestrian crossings.

Riggert said if the council is uncomfortable with this for he would like to see this go through as a whole project, the council can table this and he can go back and resolve any outstanding issues.

Fernandez wondered if we had any data on traffic exiting the garage, were they heading south or turning west and thought we should have that information before we made a decision like this and cars are backed up waiting to cross Atwater. Riggert said the Atwater signal would function and then cars wishing to cross or turn onto Atwater would be able to make it. Fernandez said as we try to deal with pedestrian/car conflict we are, in essence, grouping both into certain intersections and it seems that a momentary all way stop would allow pedestrians to cross safely in this situation as well as on 10th St. . Riggert said that could be implemented; traffic has to move so as to not backup. He said he would look into it.

Swain asked Riggert about the impact on businesses (TIS and Bears). Riggert said there are ways to get deliveries into the lot. The semis can get into the alley and are able to make these maneuvers in both directions. Perhaps deliveries can be more efficiently arranged and timed.

Sherman expressed concern about semis trying to make two turns one block apart to get into a lot.

Swain asked if the Atwater/Woodlawn signal would provide sufficient interruption of traffic flow for cars to sneak onto Atwater if the two streets remained one way. Riggert said it might be sufficient, but what also might happen is that the vehicles would get stretched out and not keep them grouped as much and therefore not have the ultimate desired effect.

Kiesling thought the Highland intersections were about the same and suggested that if Ballantine were one way the other way, the improvement on the university side would not have to be made, because it encourages people to jump across 3rd St. She also thought the right turn out of Ballantine garage area is still a way of control early on rather than wait for the signals. 3rd and Jordan will still have to be paused to allow people to cross. She also suggested turning the one way pairs around and asked Riggert to explain why overpasses are not being considered. He said the distances needed for ramps would be difficult and ADA requirements would make it very expensive.

It was moved and seconded that two amendments be introduced and discussed. Amendment #1 corrects a typo in Section I dealing with placement of signals.

Amendment #1 received a roll call vote of Ayes:9, Nays:0.

Amendment #2 deletes Section III dealing with the One-Way pairs on Ballantine and Highland.

Kiesling asked if this section is deleted we can still bring it back at a later time. She was assured that it could be done.

Service asked that the council vote for the amendment now, delete the one way pairs, put in the traffic lights, give it a year and see how it works and if we haven't dealt with the problem, then consider the one way streets. A Traffic Commission member said the focus of their discussion had been on the lights, not the one-way pairs. TIS and Bears are important businesses in the community and we are causing a tremendous amount of indirection for some of their customers/deliverers and at the same time creating additional traffic snarls. This is a part of town that has a lot of visiting drivers and it is a mistake to have streets that suddenly change to one way.

Cole did not think we should have these illogical north/south streets scattered along 3rd St. She too thought the one-way pairs should be deleted.

Swain reminded the council that if we put the truck routs legislation into place, with legislation with teeth, we will be causing indirection for a lot of Bloomington businesses. He said that a Bicycle/Pedestrian Commission member came to our committee meeting and said that if we do this, we do it as a package and when Ted Rhinehart suggested that the Traffic Commission felt strongly that this be implemented as a package and rather than us tinkering with what they have put a lot of time into, we go the other way and err on the side of caution, take their recommendation and then if we are not satisfied at the end of that period we remove the one-way pairs then.

Hopkins thought that Ted Rhinehart said last week that the proposal for the one way pair was not one that the commission felt strongly about. Sherman said it was the Bicycle Commission that was present.

Miller supported the amendment and asked for public input.

Ray McConn from Bears Place and Mr. Lloyd from TIS said after 20 years they have a pretty good idea of what works and rerouting traffic is a tremendous issue. The greatest concern is that people will not come if it is that inconvenient. He went on to explain the very preliminary plans for a joint parking lot between the two businesses. McConn asked that the one way pairs be deleted because once it's passed it will be hard to turn back. Put it on hold and look at it in a year or so and let the signals take effect.

Darrell Haille said that last week we did not discuss the one way pairs and the line of sight problems on Highland would be solved by this pairing.

Jim Kennedy, representing IU, said that the city made a presentation to the university several years ago and that is all facets of it, it was carefully studied and they said at that time they would like to help with financial support provided that it went as a package and they have not changed that position and he emphasized that they will reserve the right to financial participation to look at the ordinance in final form. That is not said as a threat, but to let the council know their position. He emphasized that the Traffic Commission heard the debate that has moved from an inconvenience argument that has become an economical argument to a projected business impact argument. Instead of deleting the one way pairs it would be helpful to have evidence, not conjectures to present to this body so that an informed vote can take place. Kennedy said he was suggesting that this amendment not be passed but that the

entire package be passed. Sherman asked what kind of evidence would be suggested. Kennedy said he thought it was hard to imagine that semi traffic was entering on such a frequent basis and always from the east. He also did not believe that a majority of customers come by vehicle but are pedestrian in nature. Vehicle counts out of Ballantine lots is easily proved as well as a other traffic counts.

Service said that earlier discussions with IU never contained the one-way pair discussions and this has been a fairly recent part of the discussion. She did not think it was fair to suggest that this has always been the package.

Sherman asked about the general purpose of the ordinance is safety and said there has not be a compelling discussion of the safety concerns that the one-way pairs would address. Riggert gave the accident numbers. In 1992 there were 10 accidents at Highland/3rd St, 5 accidents at Ballantine/3rd St., 6 accidents at Atwater/Highland; in 1991 there were 2 at Highland, 4 at 3rd; and in 1990 there were 5 at Highland/3rd and 4 at Atwater/Highland. He said this did not reflect IU accident counts.

Tim Lloyd said that the Highland/3rd St accidents are related to people turning left off the right lane on 3rd.

Sherman thought much of this discussion is conjecture and yet we have a lot of expert data. He said he preferred to table this at this time.

Swain suggested that the businesses are the only objections, not faculty, or nearby residents and that the businesses enjoy a fairly captive audiences.

Service said we'll have more statistics, but it won't be hard data. The lights will give us more data over a period of time.

White said that considering the discussion, there are strong beliefs on all sides. We need a few weeks to discuss this.

Kiesling said that when she recommended one-way streets long ago it was when we did not have the money to do anything else. One way south just makes more sense. She said this was in the December Traffic Commission meeting.

Sherman moved that the entire ordinance be tabled. It was seconded.

The motion to table received roll call vote of Ayes: 6, Nays:3 (Service, Hopkins, Fernandez).

It was moved and seconded that Ordinance 93-9 be introduced and read by title only. Clerk Williams read the ordinance by title only. ORD. 93-9

It was moved and seconded that Ordinance 93-9 be adopted. The synopsis and committee recommendation of 7-0 was given.

Bill Riggert said that this ordinance is necessary because of new traffic patterns on S. Walnut St. after the recent construction as well changes as on Fee Lane.

White said IU was committed to enforcing speed limits on the campus streets.

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

It was moved and seconded that Ordinance 93-7 be introduced and read by title only. Clerk Williams read the ordinance by title only. ORD. 93-7

It was moved and seconded that Ordinance 93-7 be adopted. The synopsis and committee recommendation of 6-1 was given.

Toni McClure was available for questions. It was determined that this ordinance had received more than adequate discussion.

Kiesling said she would vote against this. It is in the Jackson Creek flood area and it was originally identified as residential rather than business. Most of the commercial area should be on the south side of 3rd St..

Fernandez apologized for the long process, but it creates a clean, decent proposal that reflects the master plan appropriately.

Hopkins commended the petitioner for patience and tolerance.

The ordinance received a roll call vote of Ayes:8, Nays:1 (Kiesling).

It was moved and seconded that Ordinance 93-4 be introduced and read by title only. Clerk Williams read the ordinance by title.

ORD. 93-4

It was moved and seconded that Ordinance 93-4 be adopted. The synopsis and committee recommendation of 6-0-1.

Toni McClure said this rezone request on Gordon Pk has been careful discussed. The trees will be retained as well as a geologist's report are all part of the conditions of approval.

Michael Burk was available for questions, said the middle lot is the only one slated for development right now and when the front lot is developed the sidewalk would go in.

The ordinance received a roll call vote of Ayes: 8, Nays:0 (Swain was out of the chambers)

It was moved and seconded that the following ordinance be introduced and read by title only before the Common Council for first reading by the Clerk. Clerk Williams read the ordinance by title only.

LEGISLATION FOR
FIRST READING
ORD. 93-10

Ordinance 93-10 An Ordinance to Amend Ordinance 92-63 regarding the Drawing of Council Districts.

There were no petitions or communications from the public.

PETITIONS

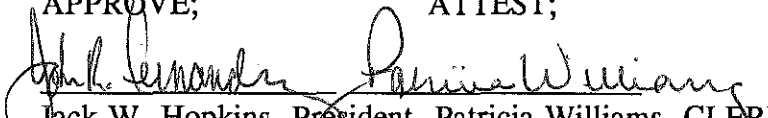
It was determined that the council would not meet for the next two weeks due to only one ordinance for first reading this evening and no meeting during spring break. It was decided that there would be both a council and committee meeting on March 24.

The meeting was adjourned at 10:10 P.M.

ADJOURNMENT

APPROVE;

ATTEST;


Jack W. Hopkins, President Patricia Williams, CLERK
Bloomington Common Council City of Bloomington

Approved on March 24, 1993