

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

COMMON COUNCIL  
REGULAR SESSION  
APRIL 7, 1993

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

ROLL CALL

President Hopkins gave the agenda summation.

AGENDA SUMMATION

The minutes of March 24, 1993 were approved by a voice vote.

APPROVAL OF MINUTES

Kiesling thanked everyone involved with the Martin Luther King Jr. Birthday memorial activities as well as the WTIU Sesame Street Pre-School Training Sessions/Programs.

MESSAGES FROM  
COUNCIL MEMBERS

White reminded the community as a whole to be patient with the upcoming weekend activities (Little 500) and for people to enjoy the activities sensibly.

Cole said the West Side Community Center will be closed for renovation until mid-summer.

Fernandez asked the IU Foundation to "come clean" regarding the recent land sale transaction in Noxubee County and said the community and public deserves the truth and then get this behind us.

Service thanked everyone on the 175th Bloomington/Monroe County Anniversary Committee especially Evelyn Powers and Karla Nicholson for the tremendous job they have done.

Miller thanked the IU Committee for Noxubee County for the fine job they have done in bringing this issue before the public and called people's attention to the art work of Carole Hesling currently hanging in the Council Chambers (Men from Monroe County killed in Vietnam).

Sherman congratulated Fernandez upon passing the Illinois bar exam and the IU Basketball team for the wonderful year they have given everyone.

Hopkins said the Human Rights Commission would have a hearing on April 20 at 7:00 P.M. regarding what the next step will be for the "Gay Bashing" report.

Mike Davis, representing the Mayor, agreed with Sherman about the wonderful basketball season, announced the upcoming Vital Quiz Bowl and said the city would field a team. A ribbon cutting ceremony on Hillside Drive will take place next Tuesday.

MESSAGE FROM THE  
MAYOR

Evelyn Powers gave the council an update on the 175th Anniversary activities.

COMMITTEE REPORTS

White reported, as a Joint Board Justice Building committee member, that the committee has met and the building is in good shape after 8 years of hard use.

The following appointments to board and commissions were made:

BOARD & COMMISSION  
APPOINTMENTS

HISTORIC DESIGNATION	Dee McIntire	2yr.
HUMAN RIGHTS	Steve Sanders	2yr.
TREE COMMISSION	Michael Crowe	1yr.
	Brian Webb	2yr.
HOUSING QUALITY APPEALS	Bruce Jennings	2yr.
WOMENS COMMISSION	Mary Vogt	2yr.
MONROE COUNTY EDC	Pat Williams	1yr.

It was moved and seconded that Resolution 93-16 be introduced and read by title only. Clerk Williams read the resolution by title only.

LEGISLATION FOR  
SECOND READING/  
VOTE  
RESOLUTION 93-16

It was moved and seconded that Resolution 93-16 be adopted. The synopsis and committee recommendation of 8-0 was given.

Trish Bernans, Legal Department, was available for questions and said the synopsis was quite complete in describing the purpose of the resolution.

Frank Young, Art Center Director was present and invited everyone to the Evening with the Arts on April 24.

The resolution received a roll call vote of Ayes: 8, 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. ORDINANCE 93-8

It was moved and seconded that Ordinance 93-8 be adopted. The synopsis and committee recommendation of several meetings was given.

Ted Rhinehart gave a lengthy overview of the traffic signalization issue, defining safety as the major concern. Accident reports have been reviewed and by themselves are not quite enough to justify the one-way pairs suggested for Highland and Ballantine. If we want to revisit that question at a later time, that would be a better resolution of the issue and the "gaping" of traffic on 3rd St. as well as Atwater will make it safer to cross both streets.

Regarding amendments: Amendment #1 dealing with corrections in Section II regarding signal placements was approved during an earlier hearing on March 3, 1993.

It was moved and seconded that Amendment #2 deleting the one-way pairs on Highland and Ballantine was introduced.

Service said she owed IU an apology for remarks made at a much earlier time about the one-way pair debate. She said the meetings with IU and the city had been very useful and the conclusions were based on the fact that most of the Atwater accidents are actually caused by lane changing rather people trying to turn from Highland and go east on Atwater. Better lane markings as well as resolution of the bus stop pulloffs problems with drivers not wanting to pull into the slots was also suggested. It was decided that the streets would be monitored a year after the lights have been installed and then it would be determined if the one-way pairs were necessary.

White commended Service for the good job she did for her district by jumping in and getting this whole issue resolved.

Doug Strong said he wanted the light at Ballantine/3rd.

Amendment #2 received a roll call vote of Ayes:8, Nays:0.

Kiesling said she hoped that the Atwater/<sup>Woodlawn</sup>~~Hawthorne~~ light could be installed earlier because less engineering design time would be involved.

It was moved and seconded that Amendment #3 dealing with flasher hours for the lights be introduced.

White said the entire purpose of this ordinance is pedestrian safety and it is unnecessary to have lights cycling for an 24 hours. His amendment, based on information from the registrar's office dealing with class times and numbers of students in those classes, would have the signals flashing from approximately 6-8:30 pm until morning as well as a different schedule for weekends. He also said that the lights would be pedestrian activated.

Rhinehart said it was his impression that signals would NOT be pedestrian activated and apologized if that was somehow misinterpreted during earlier discussions of the lights. Ralph Merkle also understood that pedestrian activated signals could not be timed and activated signals at the same time. He thought that Bill Riggert agreed to it at the flashing times, but not the timed signals and he could not confirm that they were pedestrian activated signals.

Sherman was concerned about the Friday evening 6 pm flasher timetable, saying that traffic is very heavy at that time.

Robert Steinmetz thought 8:00 pm on Friday would be better.

Darrell Haile disagreed with the early flasher and thought there was little reason to change the current hours.

John Ewing and Doug Strong agreed with Haile.

Council sentiment was not in favor of Amendment #3 with Fernandez saying he would vote against it, Kiesling suggested it be revisited at a later time, Cole suggested that each day of the week be the same, rather than different time zones for weekends and Hopkins thanking White for the data he provided in the amendment dealing with the number of students in class at those particular times, but that it did not reflect the actual automobile traffic on those streets. White did not think it made any sense to have everyone stopping on weekends when there is hardly any reason to do so.

The BMC was consulted and it was noted that most flashing signals begin at 11 pm.

The amendment was defeated by a roll call vote of Ayes:1 (White), Nays:7.

White suggested that it be left the way it currently is stated in the ordinance and that a pedestrian activated button be considered when we have the times accurately charted as well as the money to do so. He also reminded people that the reason for the lights in the first place was driven by pedestrian counts, not traffic counts. Traffic signals purpose is not to slow down traffic, that is what speed limits are for.

Sherman asked, if the push buttons are there and say at 3 pm in the afternoon someone pushes the button, is it going to do anything. Rhinehart said that pedestrian activated buttons change the cycling of signals. Since the phasing of these signals is to move the traffic along the street, it would not work. Fernandez said he would vote against this ordinance. A lot of alternatives have not been seriously pursued that would be safer and cheaper. Interim measures could be improved signage, and enforcement of speed limit.

Rhinehart said the signals would be installed as soon as possible. Our capital budget is funding this with IU on a 50/50 split.

The ordinance, as amended, received a roll call vote of Ayes:7, Nays:1 (Fernandez).

It was moved and seconded that Resolution 93-14 be introduced and read by title only. Clerk Williams read the resolution by title only.

RESOLUTION 93-14

It was moved and seconded that Resolution 93-14 be adopted. The synopsis and committee recommendation of 8-0 was given.

Chris Spiek gave a brief summary of the resolution allowing appropriations from the Industrial Incentive Loan Fund.

Fernandez did not think that this was an appropriate use for this fund. We amended the fund guidelines for child care, in the past, because there was a lot of data to support the cause. The city is already paying for the property, so why should we go further with it.

Service pointed out that we are paying the property owners, not the lessee who is being displaced by this project.

Hopkins thought there were situations that justify expansions of loan funds and that this was one of them.

Cole thought it was important to support small, local businesses

The resolution received a roll call vote of Ayes:7, Nays:1 (Fernandez)

It was moved and seconded that Resolution 93-15 be introduced and read by title only. Clerk Williams read the resolution by title only. It was moved and seconded that Resolution 93-15 be adopted. The synopsis and committee recommendation of 4-0-4 was given.

RESOLUTION 93-15

Chris Spiek again gave an overview of the resolution and essentially saying that the preceding resolution was created to deal with this particular request. He said the current fund balance is \$100,670.

Jim Thompson, representing Tom and Kathy Haggerty the petitioners, spoke on their behalf noting the problems they have had in trying to relocate in order for the city to progress with the Showers renovation.

It was moved and seconded that the resolution be amended to reflect a reduced amount granted from the loan. The original amount requested was \$50,000 and the actual amount is \$34,000.

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

Sherman said that with limited amounts of money to disperse, it might be wise to establish deadlines for people wishing to apply and that while his heart tells him that this is a good thing to do, he still isn't sure. This is a gain for the Haggertys, not simply a relocation loan. Hopkins thought that it was important to assist our local businesses.

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

It was moved and seconded that Resolution 93-11 be introduced and read by title only. Clerk Williams read the resolution by title only. It was moved and seconded that Resolution 93-11 be adopted. The synopsis and committee recommendation of 8-0 was given.

RESOLUTION 93-11

Chris Spiek provided a brief summary of the Henke project and Tim Henke said that affordable housing is always built with public sector support and that is why the tax abatement is so necessary. He continued that over a period of years, the tax on the improvements grows slowly. He emphasized that the current tax code structure really penalizes new construction.

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

It was moved and seconded that Ordinance 93-12 be introduced and read by title only. Clerk Williams read the ordinance by title only. It was moved and seconded that Ordinance 93-12 be adopted. The synopsis and committee recommendation of 7-0-1 was given.

ORDINANCE 93-12

Tim Mueller gave a brief description of the tract. Dee McIntire from the Historic Designation Committee discussed the architecture type, (somewhat combined styles) and the appropriate positioning of this tract between BA and residential. Travis Vencel, owner of First Appraisals who will occupy the premises was available for questions.

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

It was moved and seconded that Ordinance 93-11 be introduced and read by title only. Clerk Williams read the ordinance by title only. It was moved and seconded that Ordinance 93-11 be adopted. The synopsis and committee recommendation of 6-0-2 was given.

ORDINANCE 93-11

Tim Mueller discussed the details of the request as well as the particular area along Gray St and the Vernal Pike area in general.

Pat Cole said she had a lot of reservations about this request as Vernal Pk is very narrow and heavily traveled.

The petitioners were available for questions.

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

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

LEGISLATION FOR  
FIRST READING  
APP. ORD. 93-2  
ORDINANCE 93-13  
ORDINANCE 93-14  
ORDINANCE 93-18

Appropriation Ordinance 93-2 To Specially Appropriate from the General Fund and Sanitation Fund Expenditures Not Otherwise Appropriated.

Ordinance 93-13 To Amend Title 6 of the BMC Entitled "Health and Sanitation" (Sanitation Fees).

Ordinance 93-14 To Amend the Outline Plan re; 2800 Rex Grossman Blvd. (Bob Whitacre, petitioner)

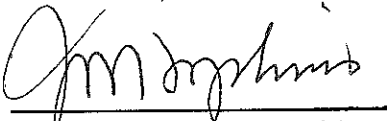
Ordinance 93-18 To Amend Title 2 of the BMC Entitled "Administration and Personnel" (Rose Hill Fees).

There were no petitions or communications from the public. The meeting was adjourned at 10:25 P.M.

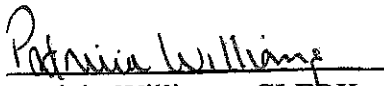
PUBLIC COMMENT  
ADJOURNMENT

APPROVE;

ATTEST;



Jack W. Hopkins, President  
Bloomington Common Council



Patricia Williams, CLERK  
City of Bloomington

Approved on 1st April, 1993