

In the Council Chambers of the Municipal Building held on Wednesday, January 16, 1991 at 7:40 P.M. with Council President Fernandez presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
JANUARY 16, 1991

Roll Call: House, Foley, Kiesling, Olcott, Fernandez, Regester, White, Service, Hogan.

ROLL CALL

Fernandez gave the agenda summation.

AGENDA SUMMATION

The minutes of January 7, 1991 were approved by a voice vote.

APPROVAL OF
MINUTES

The Councilmembers remarks are given in the context of the tragic news that this evening, sometime after 6:00 P.M. the United States and their allies began bombing Iraq.

House quoted Franklin D. Roosevelt and George Washington regarding peace.

MESSAGES FROM
COUNCILMEMBERS

Foley said the representatives in Congress voted their conscience and that he applauded their efforts and wished them well during the recent debate. Kiesling said that she hoped and prayed that tomorrow would be better for all of us.

Olcott and Regester agreed with the other remarks and hoped that people would really pray for peace.

White said this is a very emotional time for all of us.

Service thanked the people who organized activities in our community, rallies, vigils and she thanked Congregations for Peace for organizing the prayer service on Monday evening. This will not be a 24 hour war, but a long protracted engagement in the Middle East.

Hogan said he hoped people would continue praying, he hoped that Pam was entirely wrong, that this will be over in 24 hours and that we make every effort to communicate with our children as they try to understand the situation.

Fernandez expressed disillusionment about what government was about with this situation. He also thanked people for the community expressions regarding the conflict.

Mayor Allison expressed her sadness at the day's events, noting that she began her political career organizing and running campaigns for peace candidates in the 1960s. The purpose of those campaigns was to stop what she considered an illegal war. There was a good debate in the Congress this time regarding the various resolutions proposed by different congressmen compared to the Tonkin Gulf resolution twenty some years ago, when only a handful of congressional members entered into any discussion of that resolution. She said there has been too much doublespeak regarding the statement that we will prevent war by going to war. "We will eventually have to settle the differences by talking", she said.

MESSAGES FROM
THE MAYOR

It was moved and seconded that Ordinance 91-1 be introduced and read by title only. Clerk Williams read the ordinance by title only.

LEGISLATION FOR
SECOND READING
ORD. 91-1

It was moved and seconded that Ordinance 91-1 be adopted. The synopsis and committee recommendation of 4-0-4 was given.

Regester proposed an amendment deleting Section I and II of the ordinance. This would delete the proposed change from 4-Way to 2-Way Stop Signs at Henderson and Grimes Lane and Rogers and Dodds Street.

Steve Brewer asked that the stop signs remain as currently in place.

*Add warrant counts
in second #*

Bill Riggert said that these intersections don't actually meet the warrant for 4-Way stops. Traffic counts for both intersections warrant 2-Way stops. The counts were taken in July of 1990 for both intersections. Fernandez asked if new counts would provide more accurate numbers, since the first counts were done during the summer. Riggert had records from several years back and the numbers for each of the years is relatively constant. There might be a slight increase on Henderson now, but the fact is that Grimes is minor street and therein lies the question - whether it warrants a stop sign.

Kiesling said that the amendment was proposed so that a 90 Day Order might be considered and so we could see how it would work on a temporary basis and what affect it would have on the area. In July of 1990 Hillside and High were closed for road work and that also affects the accuracy of the count.

Olcott thought at first that this ordinance would alleviate some of the traffic congestion that area is experiencing now, but if the stop sign is removed it will be a straight shot from Hillside to Maxwell and that would be a danger to the neighborhood. Riggert said that new counts had a 98% increase on Henderson and about 58% on Rogers Street during the peak travel time now that Walnut is closed.

Regester said that the intent of a stop sign is not to slow down traffic, but because of the park extra consideration must be given to the area in general. There are also many children in the area and that coupled with the school, he recommended that the 4-Way signs remain and that a 90 day order be considered for Dodds and Rogers Street. Riggert said that there must be more than 500/hour entering the intersection from all approaches to warrant a 4-Way Stop with 200 vehicles plus pedestrians entering the intersection on the minor street. So we are just a little under to really warrant a 4-Way Stop. Kiesling pointed out that pedestrians were not counted at any time.

Hogan said the park is an overwhelming argument for keeping the stop signs.

Riggert gave the numbers for Rogers. Rogers exceeded the 500 and the minor street had a count of 143 vehicles per hour. Also no pedestrian count was taken. Regester asked that the Traffic Commission consider the parking situation on Dodds Street and perhaps a 90 Day Order on Dodds and Rogers would be appropriate regarding the 4-Way Stop as well as the parking in that area.

Riggert said his 90 Day Order could also contain restricted parking on Dodds Street to see how it would work.

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

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

It was moved and seconded that Ordinance 91-2 be introduced and read by title only. Clerk Williams read the ordinance by title only. ORD. 91-2

It was moved and seconded that Ordinance 91-2 be adopted. The synopsis and committee recommendation of 8-0 was given.

Doris Sims said that this ordinance would make possible the change from part-time to full-time for the Risk Management Attorney and also to upgrade the Fleet Maintenance Dept. Office Manager to bring it up to current step and grade pay plan figures.

Steve Abbott said that increasing this position to full time is part of the normal progression of self insurance.

White said this will save money in the long run and is cost efficient.

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

It was moved and seconded that Ordinance 91-3 be introduced and read by title only.. Clerk Williams read the ordinance by title only. ORD. 91-3

It was moved and seconded that Ordinance 91-3 be adopted. The synopsis and committee recommendation of 8-0 was given.

There was no pertinent discussion of this routine transfer.

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

It was moved and seconded that Ordinance 91-4 be introduced and read by title only. Clerk Williams read the ordinance by title. ORD. 91-4

It was moved and seconded that Ordinance 91-4 be adopted. The synopsis and committee recommendation of 8-0 was given.

This ordinance increases parking lot/garage fees as well as the parking ticket fine schedule. \$5 fines would increase to \$6 dollars if paid within three business days, from \$10 to \$12 if paid within thirty business days and from \$15 to \$18 if paid after 30 business days.

Kiesling asked that the committee discussion of last week (January 9, 1991) be incorporated into the current minutes. It was agreed upon by the council that the Clerk would combine the two discussions in the interest of moving along more efficiently.

Ted Rhinehart said that there has been very little comment in the last month regarding the proposed increase of fees.

White said this is a proactive measure in order to insure that the facilities are maintained in good working condition and that the investment we have is also maintained.

Last week's discussion centered around these points: There are different categories of expenses within the lot/garage program - maintenance and supplies as well as debt service for the Walnut Street garage. All the expenditures come to a total of \$952,000 annually for all parking related expenses. We are taking in from the enterprise areas about half that amount (\$952,000) with the debt service being covered from the general operating monies. We are proposing a fee structure to cover more effectively our security concerns and also more maintenance services. Annual permit fees were increased last year, taking care of the first leg of the process. Now we are increasing meters and parking citation fines. Parking garage fees are included in meter revenue. Current revenues are about \$30,000/yr and the increased fee/fine would increase that to about \$50,000/yr. This year there will be about \$17,000 in conversion costs, e.g meter mechanisms. The increase would also cover some increased security, improved lighting and structural repairs.

White said that this has been one of the problems in the past, maintaining our lots and garages with the

current revenues. He suggested that this be viewed as a user fee and if the City is willing to maintain a higher quality of facility, then the users should be willing to pay for it.

Fernandez thought the rates were too low compared to other comparable cities and that free street parking contributes to the congestion and it seems inconsistent to charge for lots and at the same time its free just around the corner. He suggested the Downtown Committee look into the whole issue and review the current program that allows 2 hour free parking.

Foley asked what improved security meant. Rhinehart said we would work with CFC and the Commission for Bloomington Downtown to get some of their patrol people to spend some time over at the Walnut Street Garage after we close at 7 P.M., perhaps more fencing or as a last resort, the very expensive option of cameras.* Hogan said lot fees should go up, they are just too cheap.

Service said we should not compare our fees with other communities, but with the Mall's free parking.

Olcott said this is a reasonable increase, rather than what the university did some time back by making it very costly to park on campus.

Talisha Coppock said that the Commission for Bloomington Downtown felt that the 2 hour parking is working very efficiently and supported the fee increase.

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

It was moved and seconded that Resolution 91-1 be introduced and read by title only. Clerk Williams read the resolution by title only.

It was moved and seconded that Resolution 91-1 be adopted. The synopsis and committee recommendation of 8-0 was given.

This is a basic contract that we have with the Bloomington Public Transportation Corporation covering such areas as personnel, controller and legal services. The committee remarks are as follows: Service asked why we were passing this 1990 agreement at this time. Mike Davis said that this agreement was based on long discussions concerning actual charges/costs/fees and has finally been reached and the formula is based on Transits pro rata share of the services based on their budget, rather than the City of Bloomington's budget.

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

It was moved and seconded that Resolution 91-3 be introduced and read by title only. Clerk Williams read the resolution by title. RES. 91-3

It was moved and seconded that Resolution 91-3 be adopted. The synopsis and committee recommendation of 8-0 was given.

Norm Merrifield said that the grant is to renovate two floors for the West Side Community Center. It is a competitive grant and we are competing with other park departments across the country. Register said the Citizens Advisory Commission (CDBG) has recommended to provide to the parks department as part of the matching portion, some upgrading on Elm Street and providing some monies for a retaining wall.

The following remarks are from the committee meeting of last week: Frank Ragan said that this is federal park money and the decision to again fund UPAR is a very

recent one. For many years, there was no money for this type of program. This money is earmarked by the federal guidelines for low-income areas and the Community Center is a natural for this request. We can apply for up to \$250,000 in federal monies and we would have to match it with another 30%, that is \$107,143. We have been able to get a firm commitment from CFC for architectural and engineering services amounting to \$38,280. Redevelopment had already planned on spending \$34,000 on sidewalk, curb and street repairs. That leaves \$34,863 that we have to come up with. Last year's revenues were good due to the extended good weather and so the remainder can be covered from the department budget. An elevator, air and heating installations, and renovation of the limestone retaining walls are the planned improvements. The State Historical Society has already made some recommendation to us and we will consider those.

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

It was moved and seconded that Resolution 91-2 be introduced and read by title only. Clerk Williams read the resolution by title. RES. 91-2

It was moved and seconded that Resolution 91-2 be adopted. The synopsis and committee recommendation of 8-0 was given. Kiesling read the resolution in its entirety.

Hogan said we have to continue our prayers so that the conflict will be as short as possible.

Service again thanked everyone who has been involved with the community/campus events this week. She did not think we are going in for a 24 hour ass-kicking operation. We are getting involved in something that has even more ramifications than our expert experts can put a finger on and we have opened another Pandora's box and it could go on for a long, long time.

White said as a National Guardsman he might not be able to finish the year with us if this continues. He had hoped to serve his community in a more local way but as the national militia he would serve if called. We must continue the dialogue about where we are heading, if for no other reason than to keep our own sanity and as Americans we must support our government as best we can and it will take a country as united as it can be to see an end to all of this.

Register said the events of the night are very difficult and he pointed out that our ability to make these statements is what democracy is all about and must be supported around the world. There isn't a strong enough word for the emotion involved.

Olcott said it's not an easy day but that he was glad there weren't tanks in the street to keep people from marching downtown. He said we haven't filled this chambers too often in the 16 years he'd been on the council. Fourty years ago, this month, he was called to active duty, we made it through that and we are going to make it through this. He told the audience that they are the future and he wants American to be free so that we can all be proud and free.

Kiesling thanked everyone for being here and that tomorrow brings hope for all of us. We must let other people know what we think and feel.

Foley commended everyone for being here. He saluted the audience for being here and saluted Kirk White and said it is unfortunate that it has happened. This country has given it its best shot and that happens to be war.

House said this is a trying time for everyone and this all boils down to understanding major regional differences.

Fernandez said it was disturbing that our leadership engaged in an unethical, premature conflict. He never thought as a councilmembers he would be talking about war.

Sean Deaner spoke against the war as did Carl Voss and Jessie Slocum. Slocum asked the council to consider making Bloomington a haven for persons objecting to the war.

Cindy Elliott also spoke against the war and in support of the resolution and thanked the council for acting on this matter. Jennifer and a young baby named Jade also spoke in favor of the resolution and against the war. Phoenix Myers spoke eloquently against an immoral war and pleaded with the council that those who object to this war should have a place to stay and he proposed that Bloomington become a sanctuary for those who do not want to go.

Maria thanked the council for passing this resolution. Jessie, Doug and Pamela Ead also spoke in favor of the resolution and against the war. All expressed the support for the concept of a haven for conscientious objectors.

The resolution received a roll call vote of Ayes:9, Nays:0 The Clerk asked that her vote of support be added to the resolution. (This resolution will be sent to the entire Indiana delegation, the President, and the Iraqi Embassy).

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.

Ordinance 91-6 An Ordinance to Grant Revised Outline Plan Approval re: 555 S. Smith Rd. (SE corner of Smith Rd and 3rd St. (Gwendolyn Baker Estate, Petitioner)

Ordinance 91-7 An Ordinance to Amend the Zoning Maps from RS to RL and to Grant Outline Plan Approval and Designate a PUD re: property located at 1605 and 1609 N. Kinser Pike (Frank Vanlandingham and William Newby, Petitioner.

LEGISLATION
FOR FIRST
READING
ORD.91-6
ORD. 91-7


There were no petitions or communications from the public.

PETITIONS

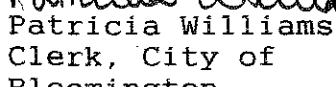
The meeting was adjourned at 9:00 P.M. in order to hear an address by the President of the United States regarding the War in the Persian Gulf.

ADJOURNMENT

APPROVE:


John Fernandez, President
Bloomington Common Council

ATTEST;


Patricia Williams
Clerk, City of
Bloomington