

In the Council Chambers of the Municipal Building held on Wednesday, October 16, 1991 at 7:30 P.M. with Council President Fernandez presiding over a Regular Session of the Common Council.

COMMON COUNCIL
OCTOBER 16, 1991
REGULAR SESSION

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

ROLL CALL

Fernandez gave the agenda summation.

AGENDA SUMMATION

The minutes of September 18, 1991 were approved with additions to the minutes regarding White's comments pertaining to Ordinance 91-41. Clerk Williams said the minutes would reflect his remarks.

MINUTES FOR
APPROVAL

House congratulated the Regesters on the birth of twin daughters.

MESSAGES FROM
COUNCILMEMBERS

Kiesling said the Citizens Information Committee of the EPA will meet on October 21. Old telephone books may be recycled between Oct 28-Nov 18 at grocery stores within the community as well as at the recycling centers.

Olcott apologized to the citizens of Paoli for comments made two weeks ago regarding a planning and zoning discussion. He never intended to offend anyone because small towns are wonderful. If people are that impatient with driving conditions here in Bloomington, they should probably live somewhere quieter.

White said that he visited the Street Dept and was pleased to report that two, big dump trucks with massive snow plows on the front have arrived.

Service also welcomed Amy and Jennifer Regester. She recognized the Art Center people who recently acquired the old fire station. They still need public support.

Hogan said the arrival of twins is exciting as did Fernandez. John also congratulated the Art Center fire station acquisition.

Mike Davis welcomed the Regester twins, saluted IU on the fabulous homecoming this past weekend, and said that the United Way campaign is on its way!

MESSAGES FROM
THE MAYOR

It was moved and seconded that Ordinance 91-34 be introduced and read by title only for first reading. It was moved and seconded that Ordinance 91-34 be adopted. They synopsis and committee recommendation of 2-0-4 was given.

LEGISLATION FOR
SECOND READING
ORDINANCE 91-34

Bill Riggert said there are 7 different areas that this ordinance addresses.

Fire Station 4th & Lincoln. To change the alley to one-way east between Lincoln St and the NS alley to keep cars from exiting into Lincoln St as trucks are coming back to the fire station.

4th Street Parking: No parking from Lincoln to 100 ft west of Grant (north side)

Official Vehicle Parking Area on edge of the apron to the alley(south side).again on 4th St.

Section II Schedule M amendment NO PARKING ZONES adding 4th St from Lincoln to 100 ft west of Grant on North side anytime.

Amendment #1 It was moved and seconded that Section I be amended to read Lincoln instead of Washington. (Bill was talking about it in the above paragraph). Also adds the official vehicle zone west of Grant St on 4th St and rennumbers all the sections accordingly as well as limited parking zones on 4th & Lincoln to Dunn as 2 hr restriction

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

He continued by discussing the other section additions and deletions.

White asked about official zones at the old fire station and Riggert said it would be done later because vehicles are still parked there.

Riggert talked about no parking changes on Dunn between Saville and 13th St. deleting the 17th St. reference.

Palmer St The Traffic Commission recommended No Parking between Hillside and Grimes on Palmer St on both sides. At the last meeting it was recommended that parking be eliminated on only one side of the street. Riggert recommended no parking on the west side of Palmer from Hillside to Driscoll

White asked about road width. Riggert said it is between 13-17 ft with a typically two lane road with parking on one side should be 27 ft. minimum. White expressed concern about emergency vehicle access if parking remains on both sides. White also asked why it was built in the first place without curbs. Riggert said it was a platted subdivision and the individual can build on each lot independently without street improvements other than putting in side walks to comply with the Board of Works.

Service asked about the gravel area insets between the driveways. Riggert said those are supposed to be grass/green spaces and never intended to be parking space and were placed there by the developer.

Occupancy permits were actually given out before the units were completed.

Olcott said the only real objection to parking on both sides is the emergency vehicle access and why not try a 90 day order to see if it will work. Riggert said he could do a 90 day order. Olcott said that no road work is going to be done at this time of year.

Hogan said it is a very long block and there is no where else for residents to park, if it is banned.

Kiesling asked what the Traffic Commission recommended. Riggert said no parking on both sides.

Eric Lee, a Palmer St resident said that when he purchased the house he understood that the city had a bonded contract with "these people" with money to repair the roads after construction. Some residences are already too close to the street with driveways that can only fit one, possible two cars at the most. He had 24 signatures from Palmer St. residents all opposed to the no parking.

Bill Mueller, also a Palmer St resident, said that in talking with Rod McClure of the Engineering Office he said that the area was also bonded and in doing a check, the bond was signed and yet not paid for. He did not understand this, if he was supposed to be bonded in order to build in the area. The check did not go through or was cancelled. This needs to be looked into.

Bill Riggert said that McClure inspects street cuts for the engineering dept. and anyone who does street cuts has to be bonded for \$3,000 and the bond is only for street cuts. Midwest Development only made two or three street cuts for storm, sanitary sewer and maybe one for water. Those were done substandard and that is the bond they are talking about and has nothing to do with building. We tried to get the road cuts redone, and he was not aware that this guys check bounced and it will be checked into and we were having

a lot of trouble getting this guy to tow the line.

White asked if we have taken any legal action regarding the bonds he put up and said we need to check on this. Riggert agreed.

Walter Maynard said that at least 5 houses were built too close to the street. One side parking would only make the problem worse. He has tried over and over to reach Randy Frazier in California to help with some of these problems and the guy never responds.

Riggert said the difference in road width is the reason for the parking restriction, not the age of the homes further north on Palmer St.

Kiesling wondered why we couldn't make the street go to the edge of the sidewalk to what is now the tree plot, making the road part of the curb lip. Riggert said that is what we would have to do and the right of way goes to the back of the sidewalk. Fernandez asked why the sidewalks were built in the right of way. Riggert said the back of the sidewalk is the outer edge of the public right of way.

Hogan asked why construction is not halted when the foundation is found to be too close. How do 3 houses get built before this is all discovered? Riggert said it went undetected with the first two that were built and we basically go on the assumption that the placing of a house surveys it out and gets the house in the right place. We do not go out and measure it and this is the first time that this has happened. A stop work order did go out on the third unit, but this individual continued to build and we were unable to have him tear it out of the ground, even tho that was a recommended solution. Hogan said there has to be some way to say something is wrong here and other places where there are problems. These are 1950 "no planning" problems. Enforcement is crucial.

Olcott said that next spring the street needs to be widened. We let this guy off the hook and the taxpayers are going to pay for it. Don't let him build anything when we get the same thing. Olcott said the road is scheduled for repaving next spring, why not just widen it at the time and be done with it. Fernandez said there are limitations regarding what we can do with early platted subdivisions.

Olcott said that people who live on Palmer St have enough problems and until we can straighten this all out, he had a problem laying any more on them. Riggert said a fire truck can get through if the cars stay off the pavement. Fernandez wondered about our liabilities since we discussed this and if a fire truck could not get down the street.

White said there are several hydrants in the area and as long as there is enough space along a hydrant they could get into, we could get in. Williams said there is a fifteen ft provision for hydrants, at least that is the way it is downtown.

Kiesling suggested a 90 Day Order and revisit it at that later date.

It was moved and seconded that the Palmer St section of the proposed ordinance be deleted.

Service requested that future councilmembers remember the people involved with this development and act as institutional memory relating to any future requests. Fernandez asked Riggert to look into the bond payment situation and pursue it in what ever manner it takes to solve it.

The amendment received a roll call vote of Ayes: 6, Nays:2 (Fernandez, Foley).

The present parking arrangement will remain the same and the street will be widened next spring and Fernandez said that he voted against the amendment because he did not want to delete all the changes in the ordinance.

Riggert said we need to take care of the drainage problems in the area, and then repair the road so that newly completed road work does not have to be dug up for drainage repairs.

Riggert went on with other yellow curb changes in a rather complicated presentation pattern. The tape of the actual meeting reflects descriptive details but it seems reasonable to presume that the final amended ordinance is self-explanatory for future reference.

There was no public input regarding the loading zone on Kirkwood Avenue.

Dr Schick protested the E-W alley changes off Lincoln Street and asked why it was necessary. Riggert explained by saying that the fire trucks come into the bays from that alley and they do not want a vehicle opposing their return. Fernandez asked how many times a truck goes in and out. White said two or three times daily and he also questioned the need for a directional alley change because not a lot of time would be spent waiting for a car to clear the alley. Fernandez said we are not talking about that many "conflicts" and returning from a fire run is not an emergency, said Hogan.

Schick also asked about the no parking along Lincoln St because of 4th St visibility and now there is no parking anywhere. Lincoln in the same width from this corner past the library and parking is allowed there. He would like it to be 2 hour parking and this would enable the tenants (8) upstairs to have somewhere to park. He asked if permits would be available to rent spaces in that area.

White wondered if space might be available for leased parking (5) spaces to the east of the fire station that abuts the alley (former Dr. Smith's office)

Schick asked for two hour parking along Lincoln St. and a fairly long discussion ensued regarding stop signs, parking and visibility. Riggert said the recent Traffic Commission counts now warrant a 3-Way Stop at 4th and Lincoln.

With the stop we could allow parking along Lincoln, said Riggert.

It was moved and seconded that an amendment to delete Section I and renumber the other sections and approved by a roll call vote of Ayes:8, Nays:0.

Riggert then discussed the area bounded by Jordan and Indiana and 3rd St and Atwater defined in Section II to extend the No Parking beyond the normal 30 ft. at intersections. This is all part of a comprehensive parking program. A 90 Day Order is currently in effect for the east side of Hawthorn St. 15 minute parking is also eliminated in the bus zones along 3rd St. Another possibility to explore is a pair of one way streets (Hawthorne/Ballentine), signals at Hawthorne and signals Woodlawn at 3rd and Atwater. Bus pull-offs need to be extended so that they actually be used by the buses.

Theresa Churchman a resident of the Kappa Kappa Gamma

House, said that for 80 girls in the house there are only 13 parking spaces with the possibility of 15 spaces on Hawthorn. She protested the NO Parking on the east side of Hawthorn. She thought the parking problems would only move further south on Hawthorn if the no parking on the east side continued.

Allison Betty also objected to the no parking on Hawthorn. She thought the parking should be allowed in the 300 block so that the residents further south are not infringed upon.

Hogan asked why the east side rather than the west side of Hawthorn. Riggert said realignment with the IU circular drive north of 3rd St.

John Logsdon, a graduate student, said that the bus would not work for him because of spending hours in the evening in a Biology laboratory.

Service said this is part of an overall parking proposal and a plan will be forthcoming and she wondered if all the change on Hawthorn is necessary. If we lose this parking it just isn't going to vanish; it will go someplace else. She wanted Hawthorn No Parking removed from this ordinance now. Fernandez asked if this could be amended and have it just like the others with no parking at the corners to 70 S. of Atwater and 70 Ft. north of Atwater and 70 Ft south of 3rd St. No Parking on the east side of Hawthorn/Anytime.

The above amendment received a roll call vote of Ayes:8, Nays:0. Riggert said a work order would be issued immediately and Kiesling suggested that No Parking from here to corner signs might be best. Fernandez said fresh bright paint would do the job.

White thanked the Traffic Commission members and hoped we could move ahead with the comprehensive traffic pattern changes quickly. Hogan asked that we look into one-way pairs for those streets.

Olcott said he hoped the young people who came tonight will also put the pressure on the university so that we can work together to make these changes.

Nick Macry, a Faculty Ave. resident asked that the final ordinance be clarified and what the council actually did tonight. It was explained to him.

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

It was moved and seconded that the following ordinance be introduced and read by title only by the Clerk for first reading before the Bloomington Common Council. Ordinance 91-54 To Amend Title 15 of the BMC Entitled Vehicles and Traffic.

LEGISLATION FOR
FIRST READING
ORDINANCE 91-54


There were no petitions or communications from the public.

PETITIONS


The meeting was adjourned at 9:30 P.M.

ADJOURNMENT

APPROVE;


John Fernandez, President
Bloomington Common Council

ATTEST:


Patricia Williams, CLERK
City of Bloomington