



Packet Related Material

Memo

Agenda

Calendar

Legislation for Final Action:

App Ord 03-02 To Specially Appropriate from the General Fund Expenditures Not Otherwise Appropriated (Appropriating Funds through the Mayor's Office for the Establishment of the Corporation for Capital Improvements and Attractions)

(Please see the January 30th Packet for the legislation, summary, and background material)

Contact: Tom Guevara, Controller, at 349-3412 or quevarat@city.bloomington.in.us

Res 03-03 Approving the Enlargement of the Tapp Road Economic Development and Tax Allocation Area

(Please see the February 7th packet for legislation, summary and background material)

Contact: Susan Failey at 349-3426 or faileys@city.bloomington.in.us or Susan Clark at 349-3418 or clarks@city.bloomington.in.us

Ord 03-02 To Amend the Bloomington Zoning Maps from RS 3.4/PRO 6 to PUD and to Amend the Preliminary Plan for the Rolling Ridge Planned Unit Development (PUD) - Re: 1107 and 1113 S. Weimer Road Michael and Patricia Pauly, Petitioners)

(Please see the January 30th Packet for the legislation, summary, and background material)

Contact: James Roach at 349-3527 or roachja@city.bloomington.in.us

Legislation and Background Material for First Reading:

App Ord 03-03 To Specially Appropriate from the General Fund Expenditures not Otherwise Appropriated (Appropriating Grant Funds to Police Agencies for Additional Enforcement of DUI Laws)

- Memo from Susan Clark, Budget & Research Manager

Contact: Susan Clark, Budget and Research Manager, at 349-3416 or clarks@city.bloomington.in.us

Ord 03-05 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" (Allowing 2-Way Traffic on the North Side of the Courthouse Square and Altering Parking Along 6th Street on and to the West of the Square)

- Memo from Justin Wykoff, Manager of Engineering Services: Aerial Photo of Courthouse Square; Letter from Downtown Bloomington Commission; Cost Sheet

Contact: Justin Wykoff at 349-3593 or wykoffj@city.bloomington.in.us

Minutes for Council Meetings:

Organizational Meeting on January 6th, 2003

Regular Session on January 15th, 2003

Notices and Agendas:

Notice of Council Special Session on Thursday, February 20th, 2003 at the Buskirk-Chumley Theatre to Hear the State of the City Address

Meeting Reminders

Council Special Session to Hear the State of the City Address on Thursday, February 20th in the Buskirk-Chumley Theatre at 5:30 p.m. (114 E. Kirkwood Avenue)

Demolition Review Advisory Committee Meeting on Wednesday at 4:00 p.m. in the Council Chambers

Legislation for February 19th Regular Session

Three Items Ready for Final Action and Two Items Ready to be Introduced at the Regular Session on February 19th

The three items discussed a Committee of the Whole are coming forward for final action next week and two items are being introduced for action during our next legislative cycle. All those items are briefly noted below and the new ones are summarized further in the memo and included in the packet.

**Smoking Ordinance and Spring Break -
Action Needed to Reschedule March 19th Regular Session to March 26th**

Please note that the smoking ordinance should be considered during the first legislative cycle in March, which is scheduled to conclude over Spring Break. However, a number of council members have suggested that the Council not meet over Spring Break and move that Regular Session to March 26th. This change will require a motion by the Council as early as next week.

February 19th Regular Session - Items Ready for Final Action

App Ord 03-02 Appropriating \$144,000 for the Corporation for Capital Improvements and Attractions (Cultural Tourism)

Res 03-03 Approving Action of the Redevelopment Commission to Enlarge (and Revise the Plan for) the Tapp Road TIF District (by Adding the Woolery Stone Mill Project)

Ord 03-02 Amending the Zoning Maps from RS 3.4/PRO 6 to PUD and Amending the Preliminary Plan for the Rolling Ridge Planned Unit Development (PUD) to Allow 40 Units on 2.4 Acres at 1107 and 1113 S.Weimer Road (Michael J. Pauly, Petitioner)

February 19th Regular Session - Items Ready for First Reading

App Ord 03-03 Appropriating a \$14,000, County-Wide Grant to Enforce the Drunk-Driving Laws

Ord 03-05 Amending Title 15 (Vehicles and Traffic) to Allow 2-Way Traffic on 6th Street Between College Avenue and Walnut Street and to Alter Angle-Parking on 6th Between Morton and Walnut Streets

First Readings

Item One - App Ord 03-03 Appropriating \$14,000 Grant to Three Agencies for OWI Enforcement

App Ord 03-03 appropriates \$14,000 of a year-long, county-wide, \$27,918 grant from the Indiana Criminal Justice Institute to enforce the laws regarding driving under the influence of drugs or alcohol. The grant will be used by the City, Indiana University Police Department, and the Monroe County Sheriff's Department to pay for officers to work overtime patrolling the streets on Friday and Saturday nights. The first installment of the grant was received in December and will be dispersed to the three agencies in the following manner: \$3,750 will go to the Bloomington Police Department and \$10,250 will be split between the IUPD and the Sheriff's Department. The allocation to the City should provide as much as 150 more hours of enforcement.

Item Two - Ord 03-05 - Amending Title 15 (Vehicles and Traffic) to Allow 2-Way Traffic on the North Side of the Courthouse Square and Alter the Angle Parking on Sixth Street Between Morton Avenue and Walnut Street

Ord 03-05 amends Title 15 of the Bloomington Municipal Code in order to allow 2-way traffic on 6th Street north of the courthouse square as well as to adjust the angle parking on 6th Street from Morton to Walnut Streets. The memo from Justin Wykoff, Manager of Engineering Services, explains that the change will help the economic prospects for businesses on that side of the square and improve the circulation of cars around the square. There is a letter in the packet from the Downtown Bloomington Commission supporting the proposal, which also suggests that the change is well timed to help alleviate traffic potential problems created by the pending demolition and reconstruction of the Register Parking Garage.

Traffic Commission

At its meeting on January 22nd, the Traffic Commission recommended approval of the 2-way traffic on the north side of the square as long as there was no loss of parking in the area. This recommendation was partly the result of concerns expressed by Brad Night, owner of Bloomington Paint and Wallpaper, who did not want to lose parking in front of his business.

2-Way Traffic

As you all know, the courthouse square is bounded on the east, north and west by one-way streets. This proposal would allow cars to circle the square in a counterclockwise direction. Traffic would have one lane going east and one lane going west on 6th Street with a middle turn-lane for cars turning south onto College Avenue, but no such turn-lane for cars turning north onto Walnut Street. The absence of a turn-lane at Walnut Street will provide room for a half-block of angle parking on the east half of the block along the north side of 6th Street.

Parking

Sixth Street currently has parallel parking from Morton Street to College Avenue and angle parking from College to Walnut Street. This proposal would move a half block of angle parking on the north side of 6th Street just east of College Avenue (in front of the former WonderLab site) to the south side of 6th Street just west of College Avenue (by the Bakehouse) and replace it with parallel parking. The angle parking along the south side of 6th Street between College Avenue and Walnut Street will remain unchanged.

Cost

The City will need to add a signal for the westbound traffic and restripe the traffic lanes and parking spaces for a total cost of approximately \$15,330 (see Justin's cost sheet).

Happy Birthday, David Sabbagh!

NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL REGULAR SESSION
7:30 P.M., WEDNESDAY, FEBRUARY 19, 2003
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: Organizational Meeting, January 6, 2003
Regular Session, January 15, 2003

IV. REPORTS FROM:

- 1. Councilmembers**
- 2. The Mayor and City Offices**
- 3. Council Committees**
- 4. Public**

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS

1. Appropriation Ordinance 03-02 To Specially Appropriate from the General Fund Expenditures Not Otherwise Appropriated (Appropriating Funds through the Mayor's Office for the Establishment of the Corporation for Capital Improvements and Attractions)

Committee Recommendation: Do Pass 6 – 0 – 2

2. Resolution 03-03 Approving the Enlargement of the Tapp Road Economic Development and Tax Allocation Area

Committee Recommendation: Do Pass 7 – 0 – 1

3. Ordinance 03-02 To Amend the Bloomington Zoning Maps from RS 3.4/PRO 6 To PUD And To Amend the Preliminary Plan for the Rolling Ridge Planned Unit Development (PUD) – Re: 1107 and 1113 S. Weimer Road (Michael and Patricia Pauly, Petitioners)

Committee Recommendation: Do Pass 7 – 0 – 1

VII. LEGISLATION FOR FIRST READING

1. Appropriation Ordinance 03-03 To Specially Appropriate from the General Fund Expenditures Not Otherwise Appropriated (Appropriating Grant Funds to Police Agencies for Additional Enforcement of DUI Laws)

2. Ordinance 03-05 To Amend Title 15 of the Bloomington Municipal Code Entitled “Vehicles and Traffic” (Allowing 2-Way Traffic on the North Side of the Courthouse Square and Altering the Parking on 6th Street Between Morton and Walnut Streets)

VIII. PRIVILEGE OF THE FLOOR (This section of the agenda will be limited to 25 minutes maximum, with each speaker limited to 5 minutes)

VIII. ADJOURNMENT

Dated and Posted: Friday, February 14, 2003



To: Council Members
From: Council Office
Re: Calendar for the Week of
February 17, 2003 – February 23, 2003
Date: January 14, 2003

Monday, February 17, 2003

4:00 pm Council for Community Accessibility, McCloskey
5:00 pm Farmers' Market Advisory Council, Parks
5:00 pm Redevelopment Commission, Chambers
5:30 pm Bicycle and Pedestrian Safety Commission, Hooker
7:00 pm Community and Family Resources Commission, McCloskey

Tuesday, February 18, 2003

12:00pm Bloomington Industrial Advisory Commission, Hooker
4:00pm Board of Public Safety, Police
5:30pm Bloomington Human Rights Commission, Hooker
5:30 pm Public Transportation Corporation Board, Transit Center
7:30 pm Animal Control Commission, McCloskey

Wednesday, February 19, 2003

10:00am Chamber of Nonprofits Meeting, McCloskey
2:00 pm Hearing Officer, Hooker
4:00 pm Common Council Advisory Committee – Demolition Review, Council Chambers
7:00 pm Committee of Neighborhood Associations, McCloskey
7:30 pm Common Council Meeting – Regular Session, Council Chambers

Thursday, February 20, 2003

7:30 am Domestic Violence Task Force, Hooker
8:00 am Housing Authority Board of Commissioners, Housing Authority Office
9:00 am Step Ahead Board, Stonebelt Center
2:00 pm Child Care Development Fund Oversight Committee, McCloskey
3:30 pm Bloomington Municipal Facilities Corporation, Hooker
5:30 pm State of the City Address – Special Session of the Common Council,
Buskirk Chumley Theatre
5:45 pm Martin Luther King, Jr., Birthday Commission, McCloskey

Happy Birthday, David Sabbagh!

Friday, February 21, 2003

5:30 pm Skateboard Park Design Meeting, McCloskey

APPROPRIATION ORDINANCE 03-03

**TO SPECIALLY APPROPRIATE FROM THE GENERAL FUND EXPENDITURES NOT OTHERWISE APPROPRIATED
(Appropriating Grant Funds to Police Agencies for Additional Enforcement of DUI Laws)**

WHEREAS, the City has been awarded a \$27,918.00 grant from the Indiana Criminal Justice Institute for the Countywide DUI Taskforce to reimburse Monroe County law enforcement agencies for overtime incurred for additional DUI enforcement; and

WHEREAS, the City has received the first payment of the Indiana Criminal Justice Institute grant;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. For the expenses of said municipal corporation, the following additional sums of money are hereby appropriated and ordered set apart from the funds herein named and for the purposes herein specified, subject to the laws governing the same:

General Fund – Police Department	AMOUNT REQUESTED
Line 51130 – Salaries and Wages – Overtime	3,750.00
Line 53960 – Grants	<u>10,250.00</u>
Total	\$ 14,000.00

SECTION II. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2003.

CHRIS GAAL, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2003.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2003.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance appropriates from the General Fund – Police Department a portion of a \$27,918.00 grant awarded by the Indiana Criminal Justice Institute for additional DUI enforcement by local police agencies.



**City of Bloomington
Office of the Controller**

Memorandum

To: Council Members
From: Susan Clark, Budget and Research Manager
Date: February 14, 2003
Re: Appropriation Ordinance 03-03

General Fund – Police Department

We are requesting authorization to spend a portion of a \$27,918 grant awarded by the Indiana Criminal Justice Institute to fund additional overtime for DUI enforcement.

We received \$14,000 in December, 2002 and it was deposited into the General Fund. Of that amount, \$3,750 will be allocated to the Bloomington Police Department and will be added to Line 113 – Overtime. The remaining amount, \$10,250, will be allocated to the Monroe County Sheriff's Department and the Indiana University Police Department and will be added to Line 396 – Grants.

Feel free to call me at 349-3416 if you have any questions or concerns.

ORDINANCE 03-05

**TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED
“VEHICLES AND TRAFFIC”**

**(Allowing 2-Way Traffic on the North Side of the Courthouse Square and Altering the
Parking on 6th Street Between Morton and Walnut Streets)**

WHEREAS, the Traffic Commission has recommended certain changes be made in Title 15 of Bloomington Municipal Code entitled “Vehicles and Traffic”;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Section 15.20.010 Schedule E shall be amended to delete the following:

ONE-WAY STREETS

Street	From	To	Direction of Travel
Sixth Street	College Avenue	Indiana Avenue	East

SECTION II. Section 15.20.010 Schedule E shall be amended to add the following:

ONE-WAY STREETS

Street	From	To	Direction of Travel
Sixth Street	Walnut Street	Indiana Avenue	East

SECTION III. Section 15.32.030 Schedule L shall be amended to delete the following:

ANGLE PARKING

Street	From	To	Side of Street
Sixth Street	College Avenue	Washington Street	North

SECTION IV. Section 15.32.030 Schedule L shall be amended to add the following:

ANGLE PARKING

Street	From	To	Side of Street
Sixth Street	Walnut Street	Washington Street	North
Sixth Street	Walnut Street	1 st Alley to the West of Walnut St	North
Sixth Street	College Avenue	1 st Alley to the West of College Avenue	South

SECTION V. If any sections, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION VI. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2003.

CHRIS GAAL, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2003.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2003.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Title 15 of the Bloomington Municipal Code (Vehicles and Traffic) in order to allow 2-way traffic on the north side of the courthouse square as well as to adjust parking on 6th Street next to College Avenue.

Engineering Memorandum

TO: Common Council Members
FROM: Justin Wykoff, Manager of Engineering Services
SUBJECT: Ordinance 03-05
DATE: February 14, 2003
CC: Dan Sherman, Council Administrator/Attorney

Ordinance 03-05 is composed of several modifications, not only to vehicular traffic flow, but includes modifications to parking spaces along 6th Street. This Ordinance will allow two-way traffic (East – West) on 6th Street between Walnut Street and College Avenue.

I was asked to attend a Downtown Bloomington Commission meeting in November, 2002 in which I presented to the members what would be needed to make 6th Street two-way for vehicular traffic. I presented to them the required changes that included the modifications of parking along this section of street and all members present at the meeting voted unanimously to proceed with the two-way proposal. I informed the Downtown Bloomington Commission members that this would need to go to the Traffic Commission and then need approval of the City Council in order for these changes to occur.

On December 13, 2002 I received a letter from the Downtown Bloomington Commission (enclosed) dated December 10, 2002, stating that they were in support of the changes and copied the Traffic Commission in their letter to the Mayor.

This request was presented to the Traffic Commission on January 22, 2003. I presented the proposal to the Traffic Commission stating that two-way traffic would require that we would need to change the angle parking along the North side of Sixth Street to parallel parking. This would have resulted result in a loss of 8 parking spaces in this area. Of those lost spaces, 4 would be gained by changing the parallel parking along the South side of Sixth Street just West of College to Angle parking. At that meeting, Brad Night, Bloomington Paint & Wallpaper spoke as the primary opposition to the proposal as parking would be reduced along the North side of 6th Street adjacent to his store. Buff Brown suggested eliminating the turn lane for Eastbound traffic turning left onto Walnut Street and allowing the angle parking to remain in that half block. After reviewing this modification I believe that this change can be done as long as we do not have problems with pedestrians crossing Walnut Street (North side of 6th Street) causing a backup of left turning vehicles that do not have their own turn lane. With this modification (leaving angle parking in the East half of 6th Street along the North side) we will not be losing any parking in the immediate area, but still 4 spaces will be shifted from the North side of 6th to the South side of 6th a half block to the West.

After much discussion regarding parking in the downtown area, Traffic Commission voted to approve the request for making 6th Street two-way for vehicular traffic, with the condition that no parking be lost. Also Traffic Commission voted to make the change from parallel parking to angle parking on the South side of 6th Street just West of College Avenue. I have included the following information

1. Letter dated December 10, 2002 from the Downtown Bloomington Commission in support of making 6th Street two-way.
2. Cost Estimate for the modifications that will be required for the signal at 6th Street and College Avenue.
3. Map of the area showing the proposed pavement markings, lane configurations, and parking spaces.

The Engineering department, as well as the current City Administration is in support of this proposal in the overall interest of the Downtown Bloomington Commission to create better flow of traffic in the downtown area.

I look forward to answering any questions you may have regarding these changes in the near future.

Thanks,

Justin Wykoff



December 10, 2002

Downtown Bloomington

Your Place to Shop, Eat and Play!

Mayor John Fernandez
City of Bloomington Public Works- Traffic Commission

RE: Sixth Street Two- Way

Dear Mayor Fernandez and Members of the Bloomington Traffic Commission:

The Downtown Bloomington Commission requests 6th Street between College Avenue and Walnut Street be reconfigured to an east bound and a west bound lane of traffic to increase the visibility and vibrancy of the Courthouse Square.

The north side has been the weakest side of the square since the street was turned into a one-way street. Property owners have experienced turn over businesses and vacancies. The current traffic pattern sends vehicles out of the downtown square area as well as causes confusion and customer inconvenience.

We believe that two -way traffic on 6th street will provide for flexibility in traffic circulation.

We realize that the current angle parking on the north side will need to be turned into parallel parking to allow for adequate lane widths. We support relocating the necessary parking spaces from the Square to the 6th street block immediately west of College Avenue.

We understand that much has already been done to accommodate necessary traffic signals and we support the additional cost to make the additional changes.

The *timing* is right to address this need. Register Parking Garage will undergo demolition and then construction taking at least a year. Walnut traffic wishing to get to the west side of the square will need to pass thru construction traffic causing even more frustration. Making Sixth Street two-way will better facilitate traffic flow during construction and after.

Thank you for your assistance.

Sincerely,

Bob Costello President

Talisha Coppock Executive Director

Downtown Bloomington Commission 302 South College Avenue. Bloomington, IN 47403 .812-336-3681 Fax 812-349-2981
www.downtownbloomington.com .downtown@kiva.net

In the Council Chambers of the Showers City Hall on Wednesday, January 6, 2003 at 7:30 pm with Council President Gaal presiding over the Annual Organizational Session of the Common Council.

COMMON COUNCIL
ORGANIZATIONAL SESSION
January 6, 2003

Roll Call: Banach, Diekhoff, Ruff, Pizzo, Gaal, Willsey, Sabbagh, Mayer
Absent: Cole

ROLL CALL

Council President Gaal gave the Agenda Summation.

AGENDA SUMMATION

There were no minutes to be approved.

APPROVAL OF MINUTES

Jason Banach wished everyone a happy and prosperous new year, noting that 2003 would be an election year. He said he looked forward to talking about issues and said he would be seeking re-election. He said that despite a previous statement that he would never work full time, be a student and run for office at the same time, this year he would be doing just that.

MESSAGES FROM
COUNCILMEMBERS

Andy Ruff said Governor O'Bannon was about to make an announcement regarding his selection of route for I-69. He said this would be a great opportunity for citizens to voice their opinion regarding the proposal for the route to come through our community. He said uncertain benefits did not outweigh costs and negative impacts to the community. He referred folks to a recent Indianapolis Star editorial, Courier Journal article and Gary Post Tribune columns.

He read a statement from the Bloomington Alternative On-Line News of January 5, 2003, in which Mark Kruzan stated his opposition to a new terrain highway. He said he didn't trust that the H-T would cover this as they seem to feature more coverage of the professional prospects of a non-local athlete than the letter sent to the governor from seven council members concerning community issues.

Tim Mayer said Mary Flanagan, his 90 year old neighbor, passed away on New Years Day. He sent his condolences to her family. He also wished everyone a happy, healthy, prosperous, and peaceful new year.

David Sabbagh teased Banach about his announcements. He said this was an important year for the city, state, nation and world. He said state budget problems could affect education, the nation was building up for war, the county lacks money for basic services, and the city election will have issues to be debated. He asked that we resolve to heed the words of Judge Ted Najam in his address at the swearing-in ceremony on New Years Day when he asked that the debate be civil, though vigorous and loud.

There was no report from the Mayor's office.

MESSAGE FROM THE MAYOR

There was no public comment at this time.

PUBLIC INPUT

It was moved and seconded that the following officers be nominated for the following offices for 2003.

- President Chris Gaal
- Vice President Mike Diekhoff
- Parliamentarian Tony Pizzo

ELECTION OF OFFICERS

The nominations received a roll call vote of Ayes: 8, Nays: 0. Council Members exchanged seats in accordance with their new positions.

It was moved and seconded that the following appointments to various Council Positions be considered:

BOARD AND COMMISSION APPOINTMENTS

- | | |
|------------------------------------------------------------------|----------------------|
| Citizens Advisory Committee (Community Development Block Grants) | |
| Social Services | Anthony Pizzo |
| Physical Improvements | Timothy Mayer |
| Commission for Bloomington Downtown | Michael Diekhoff |
| Economic Development Commission (City) | Anthony Pizzo |
| Economic Development Commission (County) | Regina Moore |
| Environmental Resource Advisory Committee | Chris Gaal |
| Justice Building Commission | L. David Sabbagh |
| Metropolitan Planning Organization | Andy Ruff |
| Plan Commission | Tim Mayer (4 months) |
| Solid Waste Management District | Andy Ruff |
| Urban Enterprise Association Board | L. David Sabbagh |
| Utilities Services Board | Timothy Mayer |
| Bloomington Economic Development Corporation | Chris Gaal |

The nominations received a roll call vote of Ayes: 7, Nays: 1 (Sabbagh).

President Gaal appointed the following council members to the following council committees:

- Council Social Services Funding Committee --
Mike Diekhoff, Chris Gaal, Tim Mayer, Tony Pizzo
- Council Sidewalk Committee --
Tim Mayer, Mike Diekhoff, Jeffrey Willsey, David Sabbagh

He announced that the interview Committee assignments would remain the same as last year.

Gaal thanked the council members for having the confidence in him to elect him president for another term. He said he enjoyed the experience and looked forward to the 2003 term and to making progress on a lot of issues for the City of Bloomington this year.

It was moved and seconded that Margaret Contompasis be reappointed to the Bloomington Community Arts Commission. The appointment was approved by a voice vote.

CITIZEN BOARD AND COMMISSION APPOINTMENTS

There was no legislation for final action at this initial meeting of 2003.

LEGISLATION FOR FINAL ACTION

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Clerk Moore read the legislation by title and synopsis.

LEGISLATION FOR FIRST READING

Ordinance 03-01 To Designate an Economic Development Target Area –
Re: 315 West Kirkwood & 314 West Fourth Street (CFC, Inc., Petitioner)

ORDINANCE 03-01

There was no public input.

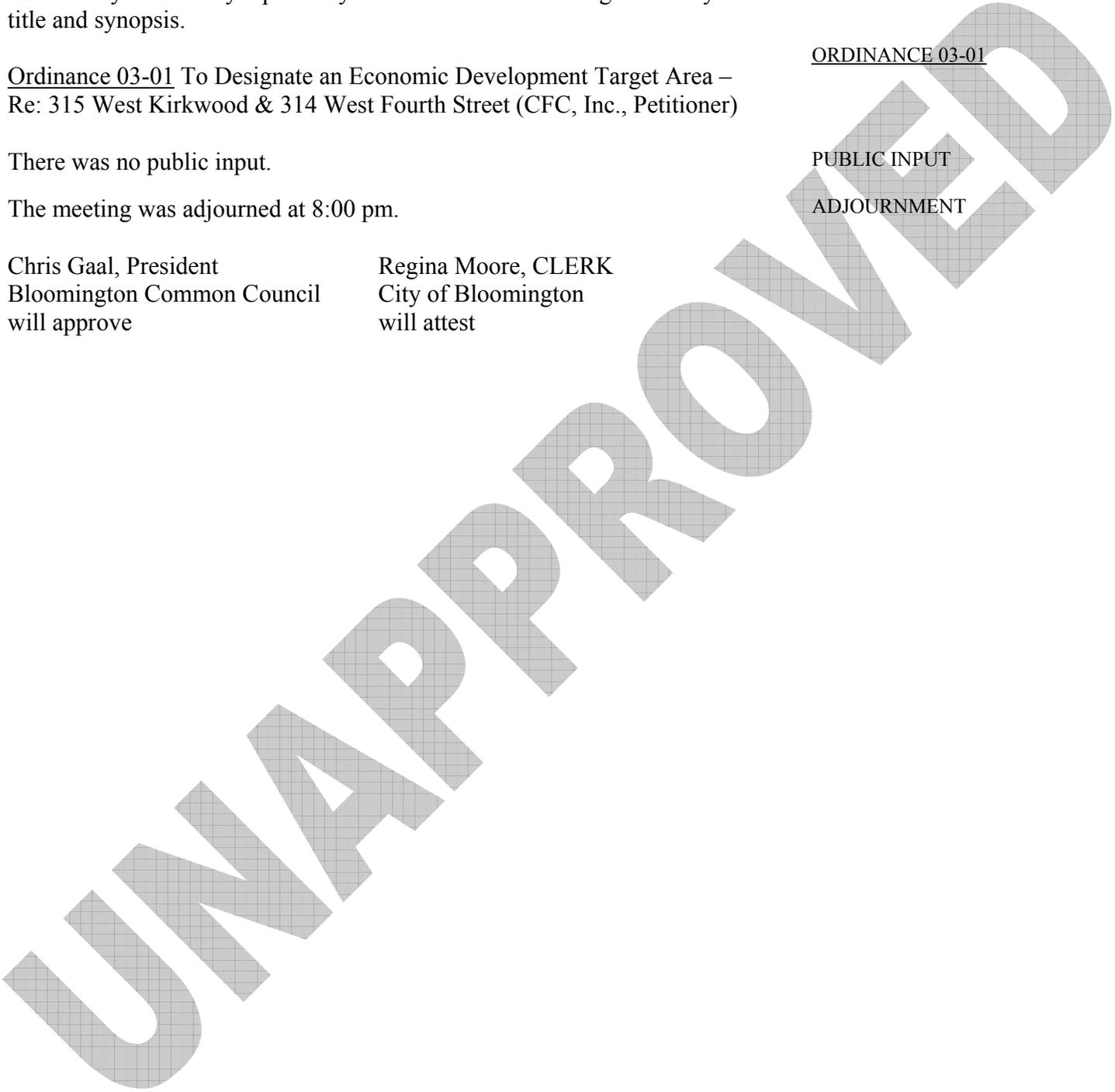
PUBLIC INPUT

The meeting was adjourned at 8:00 pm.

ADJOURNMENT

Chris Gaal, President
Bloomington Common Council
will approve

Regina Moore, CLERK
City of Bloomington
will attest



In the Council Chambers of the Showers City Hall on Wednesday, January 15, 2003 at 7:30 pm with Council President Gaal presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
January 15, 2003

Roll Call: Banach, Cole, Diekhoff, Ruff, Pizzo, Gaal, Willsey, Sabbagh, Mayer

ROLL CALL

Council President Gaal gave the Agenda Summation.

AGENDA SUMMATION

There were no minutes to be approved.

APPROVAL OF MINUTES

Cole congratulated Gaal for being elected president of the council and thanked him for his willingness to serve as president.

MESSAGES FROM
COUNCILMEMBERS

Ruff noted that the meeting was the last for Jeffrey Willsey as he had tendered his resignation to be effective after the council meeting. Ruff said that his own rewarding, enriching experience on council had been enhanced by the development of a friendship with Willsey. He said he didn't want to embarrass Willsey, but stated that Willsey had brought an intellect and insight to the council that Ruff relied on. He said the council would miss these attributes as Willsey's comments often penetrated to the core of the issues, shedding light on hidden nuances of decisions and issues, and helped clarify the complexities inherent in council decisions. Ruff said that counter to public perception, he and Willsey often voted differently, but that even though they did, Willsey's comments and criticisms, ideas and insights had always challenged Ruff to the brink of reconsidering his positions. Ruff said this always helped him feel like he had done everything he could to consider issues before his decision. Ruff said that Willsey had shown leadership in major issues in the last three years while leading the debate of concurrency in the Growth Policies Plan, asking hard questions about the Thompson site and often reminding the council that it was a separate branch of government with separate responsibilities and duties from the administrative branch. He said Willsey often reminded the council that this separateness needed to be protected, honored, and safeguarded. He concluded saying that Willsey had taken his elected role seriously, worked hard for the district and worked hard for the city. He thanked Willsey for the last three years, for his hard work and said he would miss him.

Diekhoff wished Willsey luck in the future.

Mayer said it was an unusual event when a council member stepped down in the middle of a term and wished Willsey the best in whatever he pursued, and said he looked forward to seeing him in the community.

Sabbagh said he met Willsey about eight years ago at the Information Executive Forum and related a story of Willsey raising money for a matching grant from the Department of Commerce regarding telecommunications structures in the community. He said despite Willsey's absence from the council on Wednesday evenings, he expected

to be in regular communication with his long-time friend regarding issues in the community.

Message from council members
(cont'd)

Pizzo said that Willsey would be sorely missed as a contributor to the council process and also would be missed as a friend. He said he hoped that Willsey would continue to contribute to the community because it needs people with knowledge and energy like Willsey.

Gaal announced the Martin Luther King Jr., Birthday Celebration on January 20, 2003 which featured keynote speaker Dr. John Stanfield, chair and professor in the department of African-American and African Diaspora Studies at Indiana University. He outlined the program and focus of the evening.

Gaal recognized Willsey for his service to the council and mentioned his participation in a number of discussions over the past three years including standards of public accountability and public disclosure from the private sector in public/private partnerships, and the inclusion of new priorities and perspectives in areas of economic development. Gaal said he appreciated Willsey's tireless work in bringing these tough questions to the discussion. He also said he appreciated working with Willsey to co-sponsor resolutions regarding the IU Golf Course near Lake Griffy and in support GE workers. He said Willsey's greatest single contribution was his work on the Growth Policies Plan in the area of concurrency. He said that Willsey educated the public, city and council members about the need to pace infrastructure with development. He thanked Willsey for making concurrency an explicit policy of the City of Bloomington by its inclusion in the GPP. He concluded by wishing Willsey well in the future.

Willsey said that it had been a great pleasure serving on the city council, mainly because Bloomington was a unique place, a place of the heart – a concept understood and protected by citizens and council members alike. He thanked the Democratic party executive committee who worked so hard to move the Democrats to electoral success. He thanked council staff and Dan Sherman for their incredible work that had very little visibility but was critical to the functioning of council. He thanked city employees with whom he worked in the last three years noting that their amazing commitment to the city with long hours and good work allowed the city to function well under the leadership of Mayor Fernandez.

Willsey commented on civility in the governmental process and noted that he had started his public service as the Director of the Safe and Civil City Project. He said that "civility" had become a theme in the last electoral season, and added that we all would like to see a civil discourse. He said the usual definition included implications of politeness and consideration, but there was another definition to be considered. He said the more profound meaning of civility was that of civic engagement: the commitment of citizens, people who work for the city, and elected official to engage vigorously, energetically, whole heartedly and even controversially in the affairs of our city, state and nation. He said it was important that this engagement be present even with rough edges, when it seems impolite, or causes controversy and discomfort. He added that this

definition was more important for the health of the community than other definitions.

Message from council members (*cont'd*)

Willsey concluded his remarks by saying that reductions in funds for child care in the community caused by federal and state level budget deficits will affect working families and children. He said children of working class people need support, and encouraged the council and citizens to support financially the Monroe County United Ministries Child care program which provides for fundamental, kind, caring and protective services for working class children in the community.

James McNamara, Deputy Mayor, introduced Reverend Byron Bangert, Chair of the City of Bloomington Human Rights Commission who read the charge of the HRC to enforce the ordinance that calls for equal opportunity in employment, education, housing and access to public accommodations regardless of race, sex, color, sexual orientation, national origin, ancestry or disability. Bangert thanked the council for the existence of this ordinance. Bangert named Rev. Dr. Ernest Butler the recipient of the Commission's Annual Individual Human Rights Award and named the Council for Community Accessibility the recipient of this year's group award. He outlined the work of each of the recipients before they received their awards. Dr. Carolyn Calloway-Thomas accepted the award on behalf of Dr. Butler who was unable to attend the meeting.

MESSAGE FROM THE MAYOR

McNamara also introduced Katie Weismiller, Head Coach of the IU Women's Volleyball team who read a proclamation from Mayor John Fernandez naming February 9, 2003 as National Girls and Women in Sports in Bloomington. Weismiller introduced Pat Bookwalter who explained the celebration and events of that day. Terri Tock from the Tulip Trace Girl Scout Council distributed patches commemorating the event to the council.

There were no reports.

COMMITTEE REPORTS

Stu Statham presented information on Presidential Classroom, a non-profit, non-partisan, civic education and leadership program based in Washington, D.C., and held on the campus of Georgetown University. He asked the council to please consider fostering interest and sponsoring area students' enrollment in this program.

PUBLIC INPUT

There were no appointments.

BOARD AND COMMISSION APPOINTMENTS

It was moved and seconded that Resolution 03-01 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 8 - 0. It was moved and seconded that Resolution 03-01 be adopted.

LEGISLATION FOR SECOND READING

Nathan Hadley, Mayor's Office, said that the CFC project received unanimous support from the Economic Development Commission. He said the resolution would abate taxes for a period of ten years for a project at the former Mace's site in the downtown area. He outlined the project particulars stating that the project was a \$12M investment for 58-80 apartment units that will contribute significant revenue to the downtown TIF district and would replace a vacant, blighted building and surface parking lot. He said the administration strongly supported this project as it would make a major contribution to the downtown development, was consistent with the newly adopted Growth Policies Plan, and was a great looking building. He said the final confirming resolution would be brought before the council in two weeks.

Resolution 03-01 To Designate an Economic Revitalization Area – Re: 315 West Kirkwood and 314 West Fourth Street (CFC, Inc., Petitioner)

Bill Thompson, project manager for CFC, Inc, stated that the project site had been vacant for many years. He cited the city's recent blanket Economic Development Target Area (EDTA) and Economic Revitalization Area (ERA) designation of the West Kirkwood area as an indication that the city wanted to spur new growth, development and investment in the area. He also cited recent downtown residential and other commercial and governmental projects in the area surrounding the proposed project. He described the proposed brick and stone buildings, the underground parking area for 78 cars and added that this area would contain storage lockers. He said an office and fitness center would be included in the project along with studios, one bedroom, two bedroom and three bedroom apartments with some being of the townhouse style. He described other amenities and added that they were willing to work with the city on the sidewalk plan in the area. He stated the project would offer "Lifestyle urban living in a small town setting." He said current property taxes on the site would generate \$110,000 in ten years, while with the tax abatement and improvements it would generate \$1.3 M, with \$260,000 in annual property taxes after the abatement period expired. He said this project fit the new Growth Policies Plan saying that it would promote compact urban form, conserve community character, nurture environmental integrity, leverage public capital, sustain the economic and cultural vibrancy of the downtown, and mitigate traffic. He said the proposal had the support of the Board of Zoning Appeals, Planning Staff, Economic Development Commission and Redevelopment Commission. He asked the council to support the project and introduced Nicki Johnson, CFC, Inc., Residential Property Manager, and Ted Ferguson, Counsel.

Mayer asked if the construction would allow for removal of billboards on the east property line, to which Thompson said yes. Willsey asked if other space on the property would be leased for a billboard, to which Thompson said he didn't think that would happen.

Mark Brennan, representing the Taxpayers' Law Center, said he was present to reiterate and repeat objections to the project. He said the five major objections were that there was no provision of any type for affordable housing, that the stated cost of the project would limit residents to those who could afford \$1,000 to \$2,000 per month in rent, that only

three full time jobs would be created by this project, that it was likely that within a year the units would be sold as condominiums when they couldn't be rented and therefore would be equal to tax credits financing luxury apartments, and said that the public review of this project had been abbreviated at best.

Sabbagh said tax abatements should be for job creation, affordable housing and for some social good, but that the community, council and administration had stated strongly that housing downtown was desirable. He added that downtown housing was the only reason he would vote for a tax abatement that didn't include those three concepts. He added that the hidden parking was 'neat' and that he would support the project.

In clarification of Brennan's statement, Mayer said that Lockerbie was presented as a condominium project from the beginning. He said the CFC project was worthy of support. He compared it to the downtown Smallwood Project that has neither a tax abatement nor sufficient parking on site. He said that the city pays one way or another, either with a tax abatement for a quality project or in the form of other parking spaces for residents of a building that didn't have a tax abatement. He said that the community wants a vibrant downtown, that the downtown right now is fragile, and that this was one way this concept could be supported.

Willsey said that this project and others that are coming on line would revitalize the downtown and he would be happy to support the project.

Cole said that the council had discretion in applying tax abatement guidelines. She said that the prospect of over a million dollars in property tax was an incentive to approve the resolution. She said she didn't like all the projects along College Avenue but thought that this would bring revitalization to the area. She commended CFC for their pedestrian friendly approach to their projects. She said other benefits from the project needed to be weighed in with legal guidelines.

Mayer noted that the next few years would be difficult for parking in the downtown noting the construction of Smallwood, Register, and this CFC project, but encouraged citizens to still come downtown.

Resolution 03-01 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that Ordinance 03-01 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis giving the Committee Do-Pass Recommendation of 8 - 0. It was moved and seconded that Ordinance 03-01 be adopted.

Ordinance 03-01 To Designate an Economic Development Target Area – Re: 315 West Kirkwood & 314 West Fourth Street (CFC, Inc., Petitioner)

Nathan Hadley, Mayor's Office, said that this designation needed to be approved to allow the project to receive a tax abatement without an affordable housing component. Also in response to Brennan's objections to the project, he said the EDC voted on the project on November 22,

2002, the BZA voted on the project on November 21, 2002 and the Redevelopment Commission voted on the project on December 2, 2002. He said that CFC had had a public meeting to which neighbors and the public were invited to view plans for the project, and therefore had had a full hearing.

Ordinance 03-01 (cont'd)

Thompson said that the three permanent jobs created by the project would total \$71,000 in wages, and that the 130 temporary jobs would total \$6M in wages, adding the fact that this would impact the local economy.

Ordinance 03-01 received a roll call vote of Ayes: 9, Nays: 0.

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Clerk Moore read the legislation by title and synopsis.

LEGISLATION FOR FIRST
READING

Appropriation Ordinance 03-01 To Specially Appropriate from the Telecommunications Non-reverting Fund (Infrastructure) Expenditures Not Otherwise Appropriated (Appropriating Funds to Connect Fiber Optic Cable with and Lease Space in the Telecom Hotel)

Appropriation Ordinance 03-01

There was no public comment at this time.

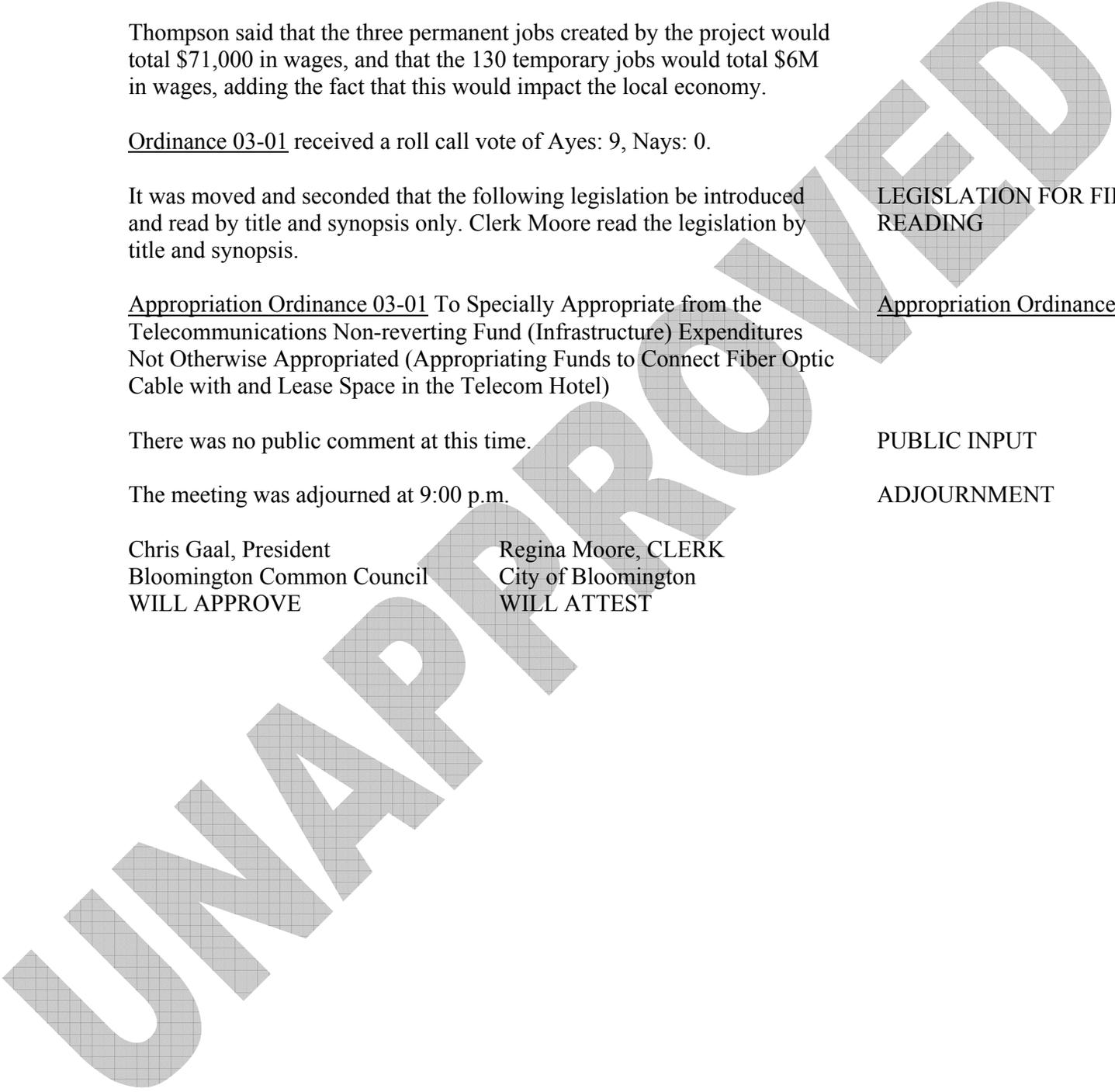
PUBLIC INPUT

The meeting was adjourned at 9:00 p.m.

ADJOURNMENT

Chris Gaal, President
Bloomington Common Council
WILL APPROVE

Regina Moore, CLERK
City of Bloomington
WILL ATTEST





City of Bloomington
Office of the Common Council

MEETING NOTICE

THE MAYOR HAS CALLED A
SPECIAL SESSION OF THE
COMMON COUNCIL FOR
THURSDAY, FEBRUARY 20, 2003,
AT 5:30 P.M. IN ORDER TO DELIVER

**THE STATE OF THE
CITY ADDRESS**

AT THE
BUSKIRK-CHUMLEY THEATRE
114 EAST KIRKWOOD AVENUE