

COMMON COUNCIL REGULAR SESSION, MAY 15 1991

In the Council Chambers of the Municipal Building held on Wednesday, May 15, 1991 at 7:00 P.M. with Council President Fernandez presiding over a Regular Session of the Common Council.

ROLL CALL

Roll Call: Foley, Kiesling, Olcott, Fernandez, Register, White, Service, Hogan. Councilmember House resigned from the Common Council District III seat on May 6, 1991.

AGENDA SUMMATION

Fernandez gave the agenda summation.

APPROVAL OF MINUTES

The minutes of April 17, 1991 were approved by a voice vote.

REPORTS FROM COUNCILMEMBERS

KIESLING: I just want to congratulate all the citizens of Bloomington who are participating in the recycling program. We've had something like in April 59% participation which is fantastic. And we're diverting anywhere from 95 to 100 tons in any one month from the landfill in our activities of recycling and I think we ought to be congratulated to put in that kind of activity. I want to thank you.

OLCOTT: Just a warning to those that go by Henderson and Grimes Lane. I went through twice today and people coming north on Henderson don't stop. So be careful when you look and then wait and be sure you got the clearance.

WHITE: A couple of things. First, with all the community interest in the Little 500 weekend, today was one of the first of many meetings that will take place between now and the fall. I'm sure that as we move down the road to try to find the best kinds of positive solutions to work on the Little 500 activities, the race and other related things as well. As usual, as happened in 1988 when we had the problems before, the meeting starting out today with about 30 people and I challenged them all before we left that I hoped that wouldn't dwindle to five or six like it did the last time we had to go through these discussions. We all need to do a little bit more from the angle of enforcement, from alternative programming, from the actual activity planning and how the race is done and how it's held, when it's held and I think our number one problem is an over-consumption and alcohol abuse that weekend. So we're trying our best. We had some very good discussions. The meeting lasted about two hours today. And we're going to continue working on that and I hope that we'll that have some positive outcomes that will help us maintain the integrity of what started as a fine tradition in Bloomington a long time ago and just been tarnished here over the past few years. Second, for the first time in as long as a lot of people can remember this Saturday, May 18th, Bloomington will celebrate Armed Forces Day with a rally on the Courthouse Square at 1:00. I encourage all of you to attend. There'll be several speakers and we're going to recognize the area residents who were guardsmen or reservists or perhaps were on active duty who are still in town or have returned and we're going to recognize them for their contributions to the Desert Storm and Desert Shield operation as well as other veterans who served in the armed forces. So it should be a very nice rally and I encourage you to be there this Saturday.

SERVICE: I want to call attention to the very intriguing paintings by Joanne Shank in the Council Chambers here. Every meeting I change my mind as to which I think is my favorite. They're worth coming and taking a look at. And then I want to thank all the organizers of Bloomington's first annual Renaissance Fair. I hope that we'll see a second and third and so

forth, preferably with a little less rain than we had last weekend. But I think this is a worthy effort.

HOGAN: I would like to let the Council know and the public know that tomorrow evening the Republican party will be holding a caucus meeting to replace Howard House who resigned last week. So next week we should have a full nine members on the Council again. It will take place tomorrow evening at 7:30.

REPORTS FROM THE MAYOR AND CITY OFFICES

There were no messages from the mayor or City offices.

REPORTS FROM COUNCIL COMMITTEES

KIESLING: I would like to report on an activity I took part in this afternoon. As a member of the Solid Waste District Board, we went up and talked to the Indiana Department of Environmental Management. And I have to say that they have given an 100% approval, not final okay on the landfill in terms of permit, but 100% improvement of the running of the landfill since the Solid Waste District management has taken it over. I'm optimistic we can negotiate something that we can continue using this landfill a couple years and open up a new state of the art landfill sometime in two or three years out from here. I just want to say that we should be pleased, not only that we've gotten our recycling going, but the landfill could have been closed down on us already this last year. Because we have some people working hard making it happen I want to say thank you and I want all the people here in Bloomington to know that we're just plain lucky because otherwise we'd be in a lot of trouble and a heap of trash too.

APPOINTMENTS TO BOARDS AND COMMISSIONS

It was moved and seconded that Lois Smith be appointed to the Housing Quality Appeals Board. Motion carried on a voice vote.

LEGISLATION FOR SECOND READING AND RESOLUTIONS

Ordinance 91-22

It was moved and seconded that Ordinance 91-22 be introduced and read by the Clerk by title only. Motion carried on a voice vote. Clerk Williams read the ordinance by title. It was moved and seconded that Ordinance 91-22 be postponed until the May 22 and June 5 meetings. Motion carried on a 8-0 vote.

Resolution 91-15

It was moved and seconded that Resolution 91-15 be introduced and read by the Clerk by title only. Motion carried on a voice vote. Clerk Williams read the resolution by title.

REGESTER: It's my pleasure to move that the Bloomington Growth Polices Plan be adopted as recommended by the Plan Commission. Included in this motion are the following statements, intended to emphasize the importance to the Council of certain elements of the plan.

1. Bloomington's retail shopping industry offers significant local employment and continues to be an important economic sector. The retail trade area serviced by Bloomington includes approximately 250,000 people from six counties. The retail services industry serves as a basic employer bringing significant new dollars into the Community. The policy plan recognizes this important contribution and facilitates its continued economic vibrancy. Medical services industry will expand with changes in area demographics. Efforts to expand medical services to reach a regional market should be encouraged. The proposed plan

recognizes the importance of continued retail growth in several specific recommendations:

The provision of new neighborhood serving retail in certain areas.

The identification of three large-scale retail opportunities at the intersections of S.R. 37 bypass with S.R. 45-46, S.R. 48, and possibly the proposed Evansville highway.

Upgrading and intensification of commercial uses in the established commercial zones along West Third Street, West 17th Street, and S. S.R. 37.

Infill and intensification of commercial uses in the established business zones around College Mall, at Whitehall and the S.R. 37 bypass, at E. 3rd and S.R. 446, and S. S.R. 37 at Fairfax Road. Accommodate the on-site expansion of College Mall.

2. Bloomington Growth Policy Plan recognizes the importance of Indiana University and its stabilizing influence for the local economy. As such, the policy plan encourages and supports Indiana University, Bloomington campus to grow and prosper. The Bloomington campus must remain strong and competitive relative to other I.U. statewide campuses. The policy plan should further encourage the retention of existing Indiana University programs and services now offered on the Bloomington campus and discourage any efforts to move those programs and services to other regional campuses.

3. The plan encourages a balance of new housing development among the southeast, southwest, and west sectors of the community. The intent is not to stop or discourage growth in the southeast quadrant. The land use plan offers approximately 800 acres of developable land for average densities of 6 units/acres, so that growth should continue in the southeast. Other policies in the plan seek to encourage residential growth to the west.

4. Priorities for infrastructure investment must be based on present and anticipated demands relative to existing capacities on a community wide basis. This is explicit in the policy plan's statement on page 103, "The street concepts in this policy plan supplement the existing adopted thoroughfare plan and the long-range capital plan for streets." East and central area street improvements will continue as currently prioritized, including the southeast arterial, the 3rd St.-Atwater corridor, S. Walnut, E. 3rd and Smith Road and S.R. 45-46 bypass. The growth policies plan is consistent with established transportation priorities other than those referenced above, such as Curry Pike, Whitehall Pike, Bloomfield Road, Tapp Road, Vernal Pike, Allen Street, and a solution to Thomson Consumer Electronics truck routing. Most of the new street links proposed in the policy plan in developing west side areas will be provided by developers as they are currently being provided in other developing areas. New revenue opportunities deriving from the Thomson expansion or from westside annexation could facilitate the funding of westside improvements without detracting from eastside projects.

5. While promoting traffic mitigation we must continue to make significant improvements to the roadway network. We strongly support the transportation planning process (MPO) and the aggressive pursuit of Federal Highway funds and the use of local bonding for roadway improvements. An adequate network of arterials and collector streets must be provided to move the vast majority of the trips made in our Community.

6. The reference to a network of bicycle priority streets (pg. 24,H) does not refer to all streets. It means that certain streets should be designated as bicycle and pedestrian routes, and on which traffic and parking controls should favor pedestrian and bicycle use. In adopting this plan, the Council understands that all bike and pedestrian pathways should be planned and designed to recognize the safety and security needs of the pedestrian and cyclist and the safety, security and privacy rights of the residences and businesses along the pathway.

7. "The plan document serves as a reference point in the planning process. The purpose of the plan document is to guide future public policy decisions..."(pg. 1, 3rd paragraph). As such, it

will guide the preparation of regulations setting forth specific development standards. The plan itself does not constitute new regulations and should not be so used.

8. It will be appropriate to pursue policies which preserve prime industrial and employment center land and uniquely suited prime retail sites for future economic development. It is not, however, the intent of this Master Plan to block the reasonable use or to place land in a holding pattern until the recommended use becomes viable. The zoning maps and codes will be developed to support this concept.

9. We recognize this Policy Plan to be a flexible document responding to the changing environment of this Community. It must be regularly challenged, reviewed, and updated. In January of each year, commencing January 1992, the impact of the Growth Policies Plan is required to be audited and updated by resolution of the Plan Commission and Common Council. The Growth Policies Plan audit and assessment should provide valid mechanisms through which assessment can occur. The assessment mechanisms should be open, encourage wide participation and seek out a variety of perspectives.

The plan advises the we "consider establishing" a policy of reviewing non-complying rezones only in the context of a periodic plan review. In adopting this motion, the Council has considered such a policy and decided not to implement it. The Plan Commission, Common Council, or Property Owners will be provided the opportunity to present or review rezoning petitions at any time and not wait for periodic review of the plan.

This motion also requires that the record of the Council's approval be incorporated in the front of the final bound document.

The motion was seconded.

TIM MUELLER (Planning Director): As you know we began this process with the hope of making it a very citizen driven plan. We've involved the community to the furthest extent possible. As you all know, we're a very diverse community, sometimes a contentious community, and it's been a long process. I personally am kind of amazed we've come through the 14 months of this process with as much consensus as we have on the plan. This really just reflects the effort that's been put into this plan by everybody involved: the Plan Commission, the community at large, various interest groups and the City Council. I am very happy to see this particular motion made. Certainly, the statements that are made with the motion represent the ongoing process of consensus building and are necessary in order to provide some of the participants in the process with the comfort level that they need to support the plan. For those who may not concur totally with the emphasis placed in this motion by this language, I think I would like to call attention to the first sentence of the motion. Basically the motion adopts the plan. So if this motion talks about the importance of retail trade and doesn't talk about the importance of environmental protection, for example, keep in mind that all of these things are embodied in the plan as submitted. The motion in fact does adopt the plan. So this motion gives us the potential to come out of this process with a broadly based, bipartisan approval by the City Council. We knew we came into this Council consideration with pretty broad support from the citizen sectors of the community - our pro-planning interest groups, our neighborhoods, etc. This motion also gives us the opportunity to conclude the process with a green light from our Chamber of Commerce, which represents the business sector of the community. And approval of this nature, with this broad a consensus, will make this a better plan than one that might squeak through with a minimal vote, a plan that we think will stand better chances over time of being implemented. We certainly were aware of the discussion that stimulated this motion after last week's committee meeting, so I took the results of that committee meeting to the Plan Commission Monday. In discussion I

talked about it. We didn't vote so I don't have a resolution of the Commission to bring, but we really couldn't do that without having given notice and publication and so on. But I think I can accurately represent that the consensus of the Commission is supportive of this language. We've screened it pretty carefully. There's essentially nothing in here that is not already evident in the plan. All of the things that are embodied in the motion that Jim made are already in the plan so this is a matter of calling attention to it. The matter of the periodic review of rezonings which do not comply with the comprehensive plan in the context of periodic plan reviews is a procedural matter. It's not substantive in the sense of affecting the land use pattern recommended by the plan or the terms of development, conditions under which we would allow development. It's a procedural matter. To be sure there are Commissioners and members of the public and members of the Council who would like to see such a policy implemented. The reason that language is in that motion is that at this point in time this particular policy does not appear to have the necessary Council support to put it into effect. Given that fact, it should not stand in the way of a strongly based approval of the entire plan. So planning staff is certainly supportive of Jim's motion. Again, I think I can speak confidently on behalf of the Plan Commission that the Plan Commission is supportive of this motion. You know about the plan so unless there are specific questions that's all I'll say.

TOM SWAFFORD (Plan Commission President): The only thing I would say is I'll repeat what I said last week. I hope the plan is approved as submitted, without amendment. It has had many, many hours of public debate. It is a widely accepted plan and we hope that you will approve it as submitted.

OLCOTT: I just want to make it perfectly clear that when the Chamber came with their five amendments, lots of us looked at it very favorably. And this is a solution that Mr. Mueller came up with for us that we are not actually amending this resolution. We are adding wordage to it that we feel are more acceptable. Is that a true statement, Tim?

MUELLER: Sure. The wording you're adding reflects things that are in the plan. That's why it's not an amendment. What you are doing is calling attention to that stuff. You're emphasizing it. Perhaps you're making a statement of the Council's relative weighing of these factors relative to some other factors. This is not at all uncommon. I think very few votes take place at the Council level without some statements made by makers of motions and by everybody when they vote. So this is perhaps a little more elaborate than we customarily see, but then we're dealing with a much more elaborate issue.

OLCOTT: So those that are afraid that we're changing the world by adding these five amendments, we are not changing it. It's just the wordage that will be added to. It will not go back to the Planning Commission?

MUELLER: No. This will not go back to the Planning Commission. The text of the master plan will remain intact. That's what the first sentence says. Basically, what's going to happen though is the minutes of the Council's approval will be bound with the plan and will be part of the legislative history of this adoption -- the statements of the Council's posture on it, what you intend the document that you are adopting by resolution to mean and how you intend it to be used.

OLCOTT: So 20 years from now or six months from now someone can look and read this into it.

MUELLER: That's right. This will be bound with the document right up front. Frankly, this document is a pretty hefty volume, something like 110-120 pages of text, a lot of it kind of windy. I think the essentials are going to be administered carefully by the City Council and planning staff and perhaps reference will be made to it now and then for specific issues. But for the most part, I don't think all of the language in the document is going to be invoked in every staff report or every zoning discussion.

OLCOTT: We'll run out of paper.

FERNANDEZ: We should emphasize again -- and it will probably be said several times tonight -- that this in essence is just one of many important steps in this process and we still need to get into the actual implementation phases where ordinances are changed and proposed. That's when this kind of language is probably going to play a part. Those will be the key elements, probably as equally important as is the policy statement itself.

REGESTER: I just wanted to follow up on the motion. The first thing I want to say, the most important, is the gratitude to the Plan Commission and staff, and Councilmembers and the citizenry of Bloomington for literally hundreds of volunteer hours of effort and service to our community in this process. You are the authors of this plan and your willingness to sacrifice your time and energy deserve the gratitude of the people of Bloomington, both now and in many years to come. The planning staff, under Mr. Mueller's professional leadership, has worked diligently over the last week or so to resolve any remaining concerns both with the Chamber of Commerce and other concerned citizens. If this motion passes, we'll have allowed the master plan process to move forward into the truly substantive phase as John referred to -- code amendments and implementation -- with a strong broad-based support and hopefully without the need for delay through amendment.

HOGAN: On the very last sentence in this motion, it says this motion also requires that the record of the Council approval be incorporated in the front of the bound document. Isn't the intention of that that this actual wording of the motion appear and not the record of our approval or what our votes are?

REGESTER: If I can answer that, the intention is for the minutes of this hearing to be incorporated...

HOGAN: But not this document?

REGESTER: I just read this into the minutes.

HOGAN: It will be just the minutes included it won't be just this document.

REGESTER: It will be the minutes that shows the legislative intent of the discussion and adoption by the City Council.

FERNANDEZ: So it will include other comments as well.

REGESTER: Right, including what we're saying right now.

SERVICE: This motion is obviously Jim's motion and not mine, and were I to be drafting a preamble I would probably phrase things differently. But for all that I am a writer of fiction, I'm also a rather practical person and I feel that this is a necessary step to take. And I don't believe that it significantly alters what we have produced over the long time that we've been working on the master plan. I do feel that it's very important that we pass the plan tonight unamended and if this resolution is part of that, that's fine. At one point I was thinking of going to the children's department in the library and checking out the story

about the little blue hen. I don't know if any of you remember that one. It's, to me, very reminiscent of what was happening at the last meeting we had at the Council. The little blue hen finds this grain and she goes out and she asks all these people to help her with it. Nobody wants to help. She goes on and has to plant it, and grow it, and cut it, and make it into bread and bake it and the whole thing. And then finally when the bread is ready everybody shows up to have their slice -- which is somewhat reminiscent of some of what we were hearing at the last meeting. However, I think actually we had a great many people helping with the baking of this particular loaf. I found it, again, somewhat amusing at the last meeting where we had some people who are probably generally perceived as among those who make things happen in this community complaining that the master plan was the product of an elite and a small vocal minority when in fact the studies that even began this process showed that many of the results of the plan very closely parallel what the vast majority of Bloomington population was feeling. And the people who have contributed the most time and effort to this plan are usually those very people who feel that they have the least say in what happens to the community, that is to say the neighborhood organizations and so on. So I think that we can really only call this an elitist plan in the sense of elite meaning the best there is, the cream of the crop and I think that the product that we have produced, that this community has produced, is exactly that. I would like to see us support it in that light.

FERNANDEZ: Pam, I was thinking more of the Lorax for any Dr. Seuss fans out there. Can I get a show of hands of how many people want to speak tonight, so we can get a sense of time? Okay. We'll just ask you to come to the mike and identify yourselves. Lloyd is going to keep you to four minutes in keeping with last week's practice. Just make sure you state your name for the record.

RICK RECHTER: I believe I've just been chastised for my previous remarks so I'll be brief. I agree though lots of input was put into this process. But I must say that the tone of the process was already set when the questionnaires were sent in and read by the Plan Department and Camiros. I attended early meetings and I was heckled. I decided not to come back but would come back to elected officials who would treat me, I'd hope more open-minded and better. The amendments that I asked be put forth were to allow additional growth in the College Mall area. I saw on your motion that it said it would to continue to contain it on site. That means, ladies and gentlemen, there is no more room to build anything on that area apart from what's there. So you before you a no-growth plan for that segment of the city. Just call a spade a spade. I understand its a traffic problem, at least that's the problem I heard mentioned the most. The City and the County and the state government received several million dollars a year from that area. There is no City, County money spent to build all the streets and so on, water... you guys haven't put a dime on it, taken out. Even Disney World cannot stop where it is even though it's an attractive place to go. It had to put Epcot in and they had to put Universal Studios, because they know as an attraction, if they've seen it all, people are going to stop coming back. That's why the mall has been vital, slow... it's taken twenty years, there hasn't been anything zoned in twenty years in the mall area. It's taken us twenty years to fill that area up. If you stop it, in my opinion, you'll kill it. I would like to wrap up what I had to say like this. I've heard a lot of really well-meaning people, many of them who came up here and say I'm from California or I'm from New York, boy I don't want to see Bloomington become something like that. Yet they all say that Bloomington is a pretty good place to live. Well I'm a fifth generation Monroe Countian. Bloomington was made what it was by Monroe Countians, so at least give us the same respect that you give them and listen to us.

GLENDIA MORRISON (Director, Greater Bloomington Chamber of Commerce): I want to thank all of those who participated in the master plan process -- the citizens, the Plan Commission, the staff, and the Council, for all the hours put in over the last year or so. Last week, Tom Hirons, president of the Greater Bloomington Chamber of Commerce, and I requested amendments to the plan. After much discussion with Councilmembers, with the staff, the Chamber has worked with Mr. Register and others and we are willing to accept the resolution which he just read to you which incorporates the major points we brought to you last week. The resolution will be bound in the final document, rather than involving the amendment process which we discussed last week. I want to thank Tom Hirons, president of the Chamber, and Steve Smith, chair of the Chamber master plan committee, for their work in the last week as well as the other committee members. I also want to thank Tim Mueller for drafting the resolution language which has been presented to you tonight. The Chamber looks forward to continuing to be involved in the implementation process as we go forward from here.

MIKE DAVIS (assistant to Mayor Allison): The mayor could not be here yet, she should be here before too long. She's at the local elected officials meeting for the Private Industries Council bringing job training money to Bloomington. But on behalf of the mayor, she did ask me to make some comments. This has been a long and laborious process. The plan represents the best of Bloomington. It's come from a variety of people, diverse interests, including the Chamber of Commerce, the League of Women Voters, Quality Growth, the Council of Neighborhood Associations, individual citizens, business owners, government officials, elected officials. The planning staff and Planning Commission have done an excellent job. The Plan Commission is to be commended for the long hours of hard work that they've put into this plan over and over again. Planning staff has worked tremendously hard to put this document together and they're to be commended as well. In effect, this master plan process started long before the fourteen months that we've been talking about. The Bloomington Tomorrow forums started in November of 1988. Three forums of our community leadership, with over two hundred people attending those forums, resulted in recommendations, one of which was to begin the master plan process, develop a comprehensive master plan. So in effect the process has been more than fourteen months but more like about three years. And it has represented the diverse elements of the community. What we have tonight, comments made by Councilmember Register, comments made by Councilmember Service, reflects the consensus and the diversity that the plan represents. The mayor asks that you approve the master plan without any amendments and I want to also thank the Councilmembers on behalf of Mayor Allison for their support of the process and of the plan.

JACK HOPKINS: I'm a resident of Hoosier Acres and a member of the Hoosier Acres neighborhood association, although I don't claim to speak for that organization. The Growth Policies Plan is not perfect. We all know that. In the ideal world it could be modified here and there to make it more perfect. You could amend it to suit the preferences and interests of all kinds of people and groups and organizations. But there would be no end to that process once you started. The final result would be a plan without coherence, a plan without vision of what Bloomington wants to be. All of us I think have had more than an ample opportunity to participate in the making of this plan. I have rarely seen a process that was more open and accessible to everyone who was interested in it. There were numerous public forums, workshops, information sessions, polls, surveys and so forth, all intended to maximize public input into the plan. There's been extensive publicity about the plan, in the local press, on television, on the radio. For someone now to claim that public input was not provided for makes no sense at all. The plan, I think, is as close

as we'll ever get to being a consensus document. We need to protect its coherence, because that is essential if the plan is to provide a guiding vision of the future of Bloomington. This is not the time for a string of amendments to protect this group and that group, amendments that will weaken the effect of the plan and start us on the old road of case by case zoning and all of its destructive effects. I urge you to adopt the Bloomington Growth Polices Plan as it is. It is critically important for the healthy development of our community.

NATALIE RYAN: I ask to present three good reasons why the master plan should be adopted without major amendments. Major amendments would or should generate many more public meetings during which the same opinions would be expressed that were already expressed during the many meetings during the past year. If we try to amend the master plan to please every individual, sector, neighborhood and commercial interest in Bloomington, we will never have a workable master plan. Two, amending the master plan would slowly but surely transform it into something that could be named the patchwork plan. An altered master plan would generate more pitched battles between neighborhoods and developers. We again here how more traffic, parking lots and duplications of existing shopping facilities are good for us. Public input has already demonstrated that residents, especially in the southeast sector, know these arguments to be false. Why then reopen this settled issue. We ask for a do-pass on the master plan.

ESTHER RICHERT (League of Women Voters): Ordinarily I am at these meetings as an observer for the League of Women Voters and as such I don't say a word because I'm here to observe. But tonight I've been asked to speak for the League. The League has spoken to this group and to some of the planning meetings previously and I'll just point out some of the main points of what we have said before. The League of Women Voters of Bloomington and Monroe County support sound planning for the City of Bloomington and encourages community action towards meeting this goal. We continue to actively support the enactment of the master plan. We support and applaud the process by which the City during the past year has provided information and has obtained input from all sectors of the community. Citizen participation in government decision-making will continue to be essential at every level. The League believes that natural resources should be protected and managed wisely in the public interest by recognizing the interrelationships of air quality, energy, land use, waste management and water resources. We support the master plan's emphasis that special care be given to conserve and to manage sensitive environments. We urge that careful study be given to all proposed development both industrial, commercial and residential with thorough investigation regarding the probable effects upon the environment. As has been emphasized throughout the meetings attended by the public and recognized within the master plan, Bloomington has a sense of community and a unique character which we all want to retain and enhance. The League supports the direction given by the master plan in plotting the future of Bloomington. The master plan basically is a set of guidelines, a working plan to be implemented by ordinances to be adopted in the future. This provides opportunity for particular issues and concerns to be addressed in the future. So that it's not a closed book, its always a developing implement. As this implementation occurs the public will also have input, I know it will have input. So the League of Women Voters supports the adoption of this master plan. We hope it will happen.

WILLIAM RYAN: I rise to, I hope, ease the fears of Mr. Rechter slightly. While I disagree with the inevitable growth of the retail trade in the southeast sector, particularly of the Mall, if at some future time there would develop an economic need for more retail shops, of whatever character, in the Mall area, if the time should come when that Mall is filled, not in a declining

state as it is now, the resolution that has been proposed by Mr. Regester, which I support, at that time a specific change in zoning could be considered, and fully argued, and if appropriate, adopted. Now is not the time to anticipate questionable future needs. I would support the plan as it has been written without major amendments.

HERBERT MARKS (Elm Heights Neighborhood Association): I want to read a brief statement adopted by the neighborhood association at the meeting of April 30th. The Elm Heights Neighborhood Association endorses the Bloomington Growth Policies Plan. The planning effort has been open and non-partisan. Thousands of Bloomington's citizens, with a variety of interests and viewpoints have taken part. Together the participants have created a plan that encourages the desirable future growth while preserving those qualities that make Bloomington a good place to work and to live. We particularly applaud the following policies and objectives. We support the plan's overall vision encouraging development where its appropriate to the natural site, accessible to existing infrastructure, and compatible with existing plan uses. We support the plan's proposal for protecting environmentally sensitive areas. We support efforts to reduce conflicts between automobile traffic and pedestrian and bicycle traffic. We support the development and enforcement of a community-wide system of truck routes that will keep trucks out of residential neighborhoods. We support the objective of maintaining existing community-wide tree crown coverage. We support the creation of an enforcement division charged with the responsibility for implementing City ordinances and development commitments. We support attempts to make the planning process less adversarial by creating a neighborhood advocacy function within the Planning Department. We support measures to preserve and acquire natural areas for use as open space and parks. We support the policies of recognizing and of maintaining the integrity the core residential neighborhoods. We support downzoning of core neighborhood areas that are currently zoned multifamily but contain predominantly single family style housing in order to prevent the replacement of such housing by apartment houses. We support efforts to encourage mutual cooperation between Indiana University and the community. We support measures designed to mitigate parking problems in core residential neighborhoods. We support measures to ensure that rezoning petitions that do not comply with the policy plan would be considered only periodically and in the light of their effects on the whole community. We support cooperation between City and County planning agencies and coordination of planning measures. As concerned citizens and as participants in the planning process we call on the Bloomington City Council to adopt the master plan without amendment. The plan reflects extensive consultations with many segments of the community and lively public discussion. It has won the endorsement of the local government body responsible to the people for long-term community-wide planning, the Plan Commission. Its principles incorporate and integrate a variety of ideals cherished by a wide variety of Bloomingtonians. To borrow from the plan's language, we want further development that will conserve community character while it sustains economic and cultural vibrancy. More concretely, we recognize development of Bloomington will be largely shaped by specific decisions made in the marketplace about the use of currently undeveloped land. Most citizens of Bloomington will not participate in such decisions. The plan has given citizens a say in setting goals and policies that can structure and channel those marketplace decisions. It seeks to address community interests that the marketplace may not protect. The plan recognizes the value of Bloomington's diversity and its economic dynamism. Thus it acknowledges the inevitability and desirability of change. The plan is not perfect and it too will need change. Once the city government starts to carry out the master plan it can be revised in response to experience,

public sentiment, and suggestions from Bloomington citizens. While we urge the City Council to adopt the plan, we know that adoption is only a first step toward making the plan real. We therefore urge the Councilmembers to draw on the plan itself and on the many fine ideas put forth during the planning process in order to devise bold implementation measures.

ROBERT HARMON (Near Westside Neighborhood Association): I am speaking for the members of the Near Westside Neighborhood Association and though I may not sound like it, I have been living in Bloomington for fourteen years. Much has been said over the last fourteen months, so I won't take up very much of your time. At our meeting last night the Neighborhood Association unanimously agreed that the Council vote for the master plan without amendments.

ELLEN MILLS (Vice President, Sycamore Knolls Neighborhood Association): We wish to reaffirm our statement to the Common Council of May 8th, 1991. We urge you to accept the master plan without amendments.

MARY KAY ROTHERT (President, Quality Growth): I spoke to you at your last meeting and asked that you adopt the plan without amendments. I'd like to speak just briefly about the resolution that is before you primarily because a number of our members have been urging for a very long period of time that our plan has some sort of a vision statement, so that at the beginning of the plan a preamble to try to pull together sort of a vision for Bloomington. I have the sense now, unless I'm mistaken, that we now have a preamble that was written by the Chamber of Commerce which in a way I have some concerns about, about what that means in terms of this community. But I would like to speak specifically in opposition to the very last part of the statement. A lot of our members were very concerned for a long period of time about the process, how difficult it was for citizens to be involved in the planning process of this community, the business as usual operation of the planning process and the approvals for rezones and so on. It has been a major concern of Quality Growth. When we have tried to discuss these kinds of issues we've been told over and over again, those are implementation issues, they will be handled later on in the process in the implementation stage. I would like to ask that you delete that section from the Chamber of Commerce statement and let it be considered later on in the process during implementation so that the citizens of the community can have some say in it.

ERIC STOLBERG: I speak to you tonight and urge you to support Mr. Regester's motion. Contrary to what some City Councilmembers may have said in the past, this is not an eleventh hour statement. On the contrary, it is a very timely statement. Mr. Regester's motion will hopefully bring some balance to this plan which I consider to be at the present time out of balance. So I urge you to support that. Those of us that have spent hours and hours and hours involved in this process for the most part were not heard. You as the elected body are our last opportunity to be heard and we thank you for that opportunity and we hope that you will support the motion.

WILLIAM BAUS: One of the things that's nice about Bloomington is that you can appear before the City Council dressed in shorts and a t-shirt. People live in Bloomington, for the most part, not because this is the economic capital of Indiana, but because it's a good place to live. We believe that the planning process which was implemented over the past many months was a very open process. It provided a chance for citizens with differing opinions to make these opinions known. I think it was a good process. Many of us participated in that and felt that we were being heard. I strongly urge the Council to pass the master plan

without change, without amendment or modification so that the voice of the citizens, all the citizens -- ecologists, developers, ordinary people -- can be heard in the future. In particular I want to mention a couple of points which I think are very good about the present plan. I think the treatment of the older parts of town, the core neighborhoods, is very good and I support that in the current plan. Now it's not perfect, but it's the right direction and I think that in the balance it is going to be very good for the city. Also I want to support the provision in the plan that provides for grouping of non-conforming zoning changes -- that is, zoning changes which do not conform to the master plan -- in three or sixth month groups so that neighborhood associations and ordinary citizens don't have to be alert to every single Council meeting to find out when something is happening in their neighborhood, so that they can know when these things are going to happen, so that they can be prepared for it, so they can support them or oppose them as they feel is their privilege.

SUSAN FERNANDES (County Planning Director): Lloyd, I'm really two people tonight. I have a comment on the draft plan for you from me as the Planning Director and I have a message to you from the County Commissioners. First is my comment. Speaking as someone who's observed and participated in your planning process, while overseeing the County's parallel planning effort, I congratulate you on this plan. I think it's a very complete and thorough document with a good direction. I'm happy to tell you that many of the County plan policies as established so far have very similar principles to yours. I am giving you a list of examples of the similarities that I'll skip because everybody else has been mercifully brief, but you can read them if you're interested. There are a lot of similarities. But as you all know, developing the guidelines and standards for carrying out these principles is going to be our next task, as it is with the City plan. We hope to work closely with you. Although there are some very real differences between City and County needs, we hope to have similar regulations where appropriate to avoid confusion for developers and property owners. As we all also know this next year will be a very interesting time. I'm looking forward to a successful completion of our very large, complex and joint project because I think this is really developing as one project and I think that's something that people are very pleased with, I'm very pleased with it and I think the City staff feels the same way. Now taking off my planner hat and putting on my messenger girl hat, the County Commissioners would like to congratulate you on your planning process thus far. Your Plan Commission, staff, consultants and the public have worked very hard. However, the Commissioners would like to express their concern regarding the management of the two-mile fringe. As you know, while the City has planning and zoning authority for the fringe, the County is responsible for providing most of the public services, such as road construction and maintenance. The County should have greater authority in the fringe. We know need joint authority along with our current joint responsibility. We ask you to consider the three C's: cooperation, coordination and last, but not least, compensation. For example, cooperation. With your City annexation plans we'd like for you to let us know where and when you plan to annex and where and when you plan to provide services. Coordination. Zoning enforcement and nuisance complaints need more responsive coordination. Approval of major fringe development should require input from the County highway and planning departments. Compensation. Joint planning of road improvements should also be followed by joint funding agreements. I've also been instructed to say that in the absence of this necessary cooperation, etc. the County may be forced in the planning process of the next year to consider taking back the fringe. The section "Cooperative Agreements and Arrangements" on page 116 of your plan cites the need for new and innovative intergovernmental relationships. We urge you to put a high

priority on establishing actual procedures for this. We're looking forward to working with you. And I might add I talked to a Plan Commissioner last night and I think the Plan Commission and staff here are quite willing to do this. I think our concern is making sure you know that it's also a priority for us.

BEN BEARD (Home Builders Association): We have reviewed the language which has been incorporated into the motion for passage. We believe that that is a positive addition to the plan and we would support that motion for passage.

HOGAN: What I was inquiring about after Jim read the motion is that language is not going to be incorporated in the front of the document as a separate preamble it will merely be in the minutes of this evening's meeting and in with all the minutes to be placed in the plan. There's a considerable difference in what three or four people have referred to as a preamble and just that language being in our minutes this evening and I think that the lady from Quality Growth should know that, and I think that Ben should know that in the discussion. This is not going to be a separate page in the front as the motion was made by itself. It will just be included in the minutes of this evening.

REGESTER: Which will be incorporated into the final bound document in the front. So that anybody that carries around a copy of the master policy plan, when they open up the document the record of the discussion at this meeting and not just my motion - - and I'm really pleased with all the comments we're getting from the public, because we have neighborhood associations on record, we have the Building Association, we have the Chamber on record making their statements, their understanding and from their perspective clarification of the intent of this plan and what we're looking to for the implementation process...

HOGAN: I only meant to emphasize that this is not a preamble. This is this thing incorporated in the minutes, the motion as read.

REGESTER: Right. And it will be part and parcel to the document.

FERNANDEZ: Tim, do you want to add anything to that?

OLCOTT: How are you going to handle it, one more time?

MUELLER: Okay. First of all, this motion adopts the plan as submitted. It emphasizes things by creating legislative history the way we often do when we hear Councilmembers making speeches as they cast their votes or make motions. The amendment reflects a lack of intent on the part of the Council to establish the packaging of rezoning petitions to be held until after comprehensive plan review periodically...

COUNCILMEMBER: You said "amendment" instead of "motion".

MUELLER: The motion. Yes. It's not an amendment. It doesn't amend the plan. The motion calls for the record of the Council's approval, that is the minutes including the motion itself, to be placed in the front of the plan in the final bound version and bound with it so it will be available as a reference to the legislative history that goes into the adoption of the plan. And I think that summarizes what's happening. Again, I'll call attention to the key phrase: the motion adopts the plan as recommended by the Plan Commission. So what we have here is not an amendment to the plan but rather a statement of how the Council feels about it as they vote for it and how they intend to interpret it.

FERNANDEZ: Do we have any other speakers at this point?

RICHARD MARTIN: I want to point out to you that there is certainly in the language of the motion and in the content of the document a difference in the statement concerning the direction we're going to take, at least in the short term, concerning non-conforming rezoning. And I'm willing to accept the difference in those two languages, for I am convinced throughout this process that the public will insist that as one of the changes that is going to go on in this ongoing planning process that we pay far more attention to the requirements of the community as a whole than we do to an individual petition which is being placed before the Commission or the Council. It is certainly the case that we will always review each petition before the Plan Commission for a rezoning on its own merits. We are simply talking about the context in which that discussion will occur in terms of the time of presentation. I think that is going to change significantly over the next twenty years. And while you may opt for the purpose of garnering enough votes at this point in time to say that we will not distinguish rezonings which are in conformance with the plan from rezonings which are not in conformance with the plan, like many other aspects of the plan that position too will change over the lifetime of this plan.

FERNANDEZ: I want to add something at this point. For Dick and Mary Kay and others, I certainly supported that element of the plan because I think that there has been a sense in the public of having to constantly be on guard about potential changes in the zoning map. I would like for that to stay in the plan. But the reality is I don't have the votes for that, Dick. But having said that, having been on the Plan Commission, and knowing the kind of work that those folks do, I have no qualms at all about thinking that zoning proposals which are totally out of conformance with the master plan are going to be treated with a more stringent kind of scrutiny, by that body as well as the staff. Although that may not be exactly the way I would like to have had it, I think that I feel pretty comfortable in knowing at least in the short term that there's going to be a higher level of scrutiny given to those kinds of proposals. I hope that we can find some kind of comfort in that. We can vote on it and lose or we can just move forward. I think that these comments, along with yours and everyone else's, will be part of this document as well.

HOGAN: I want to make a couple of comments that concern me. Over the past week it seems to me that the flavor of many of the phone calls that I've had, the one's that are in favor of the plan, didn't address issues in the plan so much as the Council's will or right to amend the plan. Most of the discussions I've even had today with friends and others that are involved is over the overwhelming insistence from people saying that we've had so much public input that this body shouldn't even consider amending the plan. All the discussions that we've had I've respected every comment that's come out of you, the public. The Plan Commission has worked many long hard hours. I know that Camiros has worked hard, Tim has worked hard, the mayor has worked hard. I applaud all of that. I guess I'm changing the subject slightly because I'm concerned about the overwhelming attitude that this body should not consider amending something that's before it. I made a bunch of stuff but I'm not going to read it. So I'll try to say what I feel. Last week's meeting was a public hearing. This is a public hearing. And if we aren't here to hear the concerns of both sides and address a hundred and twenty page document that we're being asked to pass, what in the hell are we doing here? We are an elected body. We are here to review a document. We have all studied this document. Three weeks ago Tim Mueller gave thirty pages of amendments to the Plan Commission and they were passed. I would dare say that half of you haven't even seen the final document, let alone read it or studied it or looked at it. It's a pretty good document. And rather than nitpicking over some of the little things, I'm concerned about some of the public sentiment that we don't have the... it's not appropriate for us

to review it or to be concerned or to change words and that amending it is going to do something devastating to our plan. I think some people have brought some legitimate concerns before us. I think we should address those concerns. If it has to go back to the Plan Commission, if it takes an extra week, so what, we have a better plan. It's going to be an ongoing process for years to come. The energy that goes into planning is not something where we sit down and say 'okay, this is this the way it's going to be forever'. This document doesn't etch anything in stone, it's for that matter a resolution and anything that comes out of this is going have to come back for hours and hours and hours of scrutiny as ordinances before anything becomes law.

okay

It's a policy plan and for the public to come to me and say 'I want you to vote for this, but damn you if you change a word' then why should I bother to coming to the meeting. We're the only elected body that has reviewed this. It is my job to scrutinize this in detail and if I disagree with it to tell you. And if you want to have that discussion with me that's all the better. That's what our government's about. We do not yet have government by survey or by consensus of volunteer committees regardless of how much work they've put in. This is the only elected body that has the opportunity to review it. This is a public hearing and instead of the overwhelming sentiment being to say that it's absurd to even consider anything anybody wants to change, in a public hearing we should be welcoming comment, positive, negative or otherwise so that we have a better document. If we were going to stop it at the Plan Commission level, the we shouldn't even be addressing the document, we should have said 'great, that's the administration's policy, let's go on with our lives and address it as ordinances'. That wasn't why we've held these two meetings. We've held these two meetings to interact as Councilmembers, as your Councilmembers, with you the public. I think it is perfectly appropriate to amend a document that we're going to vote on. The people that favor the thing as written aren't going to like the amendments. The people that don't like it as written are going to favor an amendment. That is the representative democratic form of government that we have and that's been the discussion for a week. I don't think that compliments the plan or the process. I think it's a pretty good document. I know that you're surprised to hear that out of me. I think a lot work's gone into it. There are things about it that I absolutely don't support. I'm sure that each one of you has things in it that you absolutely do or don't support. That doesn't mean that we shouldn't take input from anybody and absolutely give it our full consideration. I sound like I'm on a soapbox and it doesn't have a lot to do with the plan, but I think this Council has every reason in the world to consider an amendment. It was my hope that what Jim had presented as a, we'll call it a preamble for lack of a better word, I thought that that short of amending the plan would in fact interject a lot of ideas from various segments of the public and temper some of the very black and white wordings within the policy plan and give us a little more leniency. Including in the minutes of the document and not as a separate or a cover letter as this is the motion that we approved, I don't think it carries a lot of weight. I apologize for that. I think it's very weakened to be in fifty pages of minutes that Pat will transcribe of a three or four hour long meeting possibly. I think some people met our demands upon them that if they had amendments that they wanted to be addressed by this Council, have submitted them to this body before noon on Monday, I feel very obliged, regardless of whether I support their amendments or not, to present those amendments to the Council. We've all read them. We were all given them by noon Monday and I think that we owe it to the people that did in fact do that to hear what they submitted to us. I was told by a lady last night that she no idea what we were even considering amending. Well, this is the public forum and there are people that did comply with our requests. I feel very awkward in saying well we've talked about it, we're going to include it

in our minutes and we're not going to address it. So at the appropriate time I would like to propose an amendment or maybe more.

SERVICE: I agree with Steve. I think we do have the right to amend this. That's the way the procedure is set out and it's certainly appropriate for us to listen and to consider anything that anyone has to say. I do not believe that it is in the public interest, however, to amend the document at this point. This a representative government and I feel that I'm representing the sixth district of Bloomington in saying that. I feel that this is an expression of opinion that coincides very closely with the feelings of the folks out there. Nonetheless, it is the right and responsibility of everyone of us up here to exercise our own individual judgement and if folks out there don't feel that that judgement coincides with theirs then there's election time and they can take care of it there. But I do really feel, and it is my own personal individual private totally unpressurized judgement that this is something that not only reflects the desires of the community but it reflects the best interest of the community. I think this is pointing Bloomington in the direction that it wants to go and that it should be going. So in both respects I can heartily support the plan as it is, unamended. I fear the amendment process at this point when the document has been so carefully crafted, and is so interdependent, to suddenly start pulling bits and pieces out and throwing more bits and pieces on and I don't think we'll end up with something that will be an overall improvement for the community.

PATTY PIZZO: It seems to me that any objections that you might have had or feelings that you had went into this group of people who were working for a year and a half who are professionals and apparently those ideas have been taken in and rejected. So it seems to me this is last ditch to try do anything at this point. Thoughtful people who care about the whole of the Bloomington community, now and in the future, and people who are concerned about the quality of life for the whole of Bloomington and Monroe County now and in the future, support this master plan. Already compromises have been made as a result of listening to the many voices of Bloomington. The time has passed for further amendments. I ask that you be faithful to the people who have crafted this plan, faithful to your constituents who have had input into this plan, and pass the plan as it was intended.

FERNANDEZ: Any other comments from the Council at this point?

OLCOTT: I came on the Council fifteen years ago when we were working, finishing up what had been done in a major, major rezoning in the early seventies. We've been going through zoning hearings for all my fifteen years. Some of the toughest nights down here are over zoning. Some of you have been here, or listened or watched. We're always talking about neighbors. We're always talking about progress. We're always talking about too much traffic. We're always talking about danger for my child to go to school. That's going to continue. You're going to have that next month, next year, twenty years from now, as long as this plan goes. Mr. Mueller will be looking at different plans to either support from the Planning Commission or not support and you the public will be here. Or I'll be here as a public one if they want to build a shopping center at the corner of Winslow and High Street. It's not in my backyard syndrome. We're accustomed to our life in Bloomington and it's a good life. But when we do this -- and Steve, like I tell everybody, I'll give you the opportunity, I'll second your motion for amendment -- but I think we've gone through the process. I think the compromise is Jim's statement to have some wording in this document, in this 120 pages, that allows some softening to some of the difficult paragraphs. I think that's what we asked for. Because I don't think when I come down here as a citizen in a year and Mr.

Rechter wants to build something down there, I don't want it to say never because the opportunity may be there that that's the best thing for the growth of the community or the best thing for my livelihood or your livelihood or your children's. So I hate to see never. I hate to see some of the wording that was put in there that would not allow somewhere, sometime to make decisions which will be made over the next five years, ten years, or 20 years if this plan goes that long. And then 20 years from now there may be a whole new focus on what we want to do with the plan. We may be a major metropolis. I hope we don't die on the vine. I hope Mr. Rechter's wrong and that the Mall continues to prosper and we continue to be a regional shopping center, regional medical center and a good employment base. But I don't want to stop that and I don't want the people up here to have those tough decisions to say you can't do that because the 1991 master plan said absolutely no.

FERNANDEZ: I'm really glad that tonight we're going to be voting on the growth and development plan for the community. I am particularly pleased because now the decision-makers for Bloomington are going to have a contemporary mandate from our citizens, a mandate by our people for the future Bloomington they have envisioned, and are insisting that we help create. The plan does represent many hours of input, bargaining by and among citizens, consultants, interest groups and staff members. Why are we doing this? In recent years, it was exceedingly clear to many of us that development decisions throughout the community, while individually reasonable proposals, were beginning to have a negative cumulative effect on Bloomington's land use. Growth and development outpaced the public sector's ability to provide services including road improvements, greenspace and other types of services. The public increasingly was frustrated by the process and demanded that the City develop a set of comprehensive policies in order to reestablish the citizens' confidence in the process. I think that's why we embarked on this project and I think now, many months later, this body, with a positive vote tonight, is going to cross a major threshold. The process is not complete. We still must have diligence as we try to implement the many important policies in this document. I'm going to vote for the plan tonight because I believe it represents a significant level of consensus within the community on these important issues. Admittedly, it does not go as far I would like in certain areas. But it does include many significant policies which I totally support. This plan strives to achieve a livable balance between the need for economic vitality and the protection and enhancement of the quality of life we cherish. The plan embraces policies which clearly identify our city as the home of Indiana University, the natural and cultural capital of southern Indiana and provides a framework for growth and change which will be able to meet the functional needs of all the activities associated with Bloomington's role in Indiana. Specifically, I'm pleased that the plan insists that we provide more protection to our environment and environmentally sensitive areas. It recognizes the importance of our core neighborhoods as a part of the city's livability and seeks to protect them and provide more funding for investment in them. It recognizes the city's need, and other local agencies' needs, to plan for better use of our limited resources for infrastructure improvements. It addresses the need for continuing efforts to mitigate traffic problems, including the development of bike paths and pedestrian ways. In sum, the plan sets us on the right course for insuring Bloomington will continue to be one of the best places in the midwest to live and do business. But before I stop, I do want to thank Jim, Lloyd, Kirk and members of the Chamber for the willingness to address the concerns that were raised in last week's hearing without delaying the process further with formal amendments to the plan. I think that the Council agrees with almost every point that was raised last week with the exception of the one that I talked about earlier. However, I think that some of us felt that we

needed to keep this process moving so that we can get into the implementation phase, so that we can continue to try and address many of the important policies that the citizens have asked us to deal with. And I think all of your willingness to move the plan forward is another example of the kind of give and take which is necessary to successfully put together such a plan. I want, for the record, to say thanks. In closing I want to thank Camiros and Corky and the planning staff for all their efforts and patience, I thank members of this body and the administration for their willingness to invest in the process, the countless citizens who worked so hard to make this their plan and the people at Channel 29 and Monroe County Library for all the extra effort required to provide extensive coverage of the proceedings. Finally, I want to especially thank Tom Swafford and the other members of our Plan Commission. Bill Steube is here, Joe Hoffman was here, and all the other members who have been intimately involved in this whole process. I think it's hard for us to say enough about the quality of work and the hard work that's put into their efforts. It is a volunteer commission. I think sometimes we forget that and I truly appreciate your hard work, Tom, and others and I know that Bloomington is a better place for your efforts.

REGESTER: Hopefully moving towards a resolution of this resolution. I'd like to apologize for all the calls that weren't returned promptly and I believe that were a few that may not have been returned at all, especially today as we worked feverishly towards adoption tonight without amendment, while trying to make a living at the same time. This motion, simply stated, adopts the Growth Policies Plan as recommended by the Plan Commission while at the same time showing and incorporating the legislative intent of the Council and, for that matter, as I stated earlier, and I'm very pleased that the entire record of this meeting will be incorporated into the document, which will include, of course, all the comments made, pro and con, concerns expressed, both for and against. I feel it's in the best interest of the community, all the members of our community, that we do move forward in this process and it was for that reason that I felt this motion was necessary.

KIESLING: I just want to thank all the citizens that have continued to stay with the plan over the whole 14 months, not only the Plan Commission, but the people who have continued to come out for this. I think it's a lot of time and energy and as Jim says everybody has another job besides family and business to take care of and it takes a little more out of one that just merely going to one meeting. I support the plan as it has been given us at this time and approved by the Plan Commission. I believe that if we were to do any kind of amendment at this time it would hold up the business of the City and it would hold up of the business of the development community because the Plan Commission and the plan department is going to have to address that in a timely fashion. Then we will have to revisit it again. And I'm not too sure that anyone, any sector of our community is going to be served by that. I think it is a guide and that there are a lot of aspects that still have to be done, worked on, in order to implement. I think that's really where the hard work is going to come. So all of you who have been involved over the last 14 months, stay tuned and stay involved because you're going to have to be there in order to make sure that things get done the way you want them done.

FOLEY: I'd just like to make some brief comments to follow up on some of Jimmy's comments, because it's not written in stone and as Iris just pointed out it's a guide, it's a guide through Bloomington's forest, if you would. I'm not going to be up here much longer. I've been up here a few times but I'm on my way out so I'm making a judgment call tonight. I think it's important the Bloomington really appreciate what it stands for and that's accommodation and that's bringing everybody in -- the

neighborhoods, the businessmen, the developers, the university community -- everything that makes this community diverse as everybody has pointed out so eloquently tonight. In my years up here I've never seen something that took so much of the community's time and energy that has not been modified, or not been spoken to or adjusted, fine-tuned like the Indy cars up there. And that's what Bloomington is. Bloomington is as beautiful and as intricate and precise as one of those cars up at the speedway, probably even better than that. And to pop a thing down on the table and say okay, just, you know... that's not the way Bloomington is. Bloomington is adjusted, it's fine-tuned, and it's run by mechanics whether it's Tim over here or Pat Williams or the mayor or Tim back there, it's fine-tuned. This is not going to solve the problem. If this passed as it is right now it's not going to solve the problem of people coming to planning commission meetings. As a matter of fact, this document demands more public input and more adjustment, more energy from the citizenry and that's something that this community can be very proud of. This is not a Betty Crocker microwave cookbook. It's not something you can just shove in the microwave, turn it on and I hope everybody, no matter how this vote goes, realizes that. This is not the cure-all or the recipe for everybody going home and sitting on their, you know, ja boom-boom. I think it's really neat that the community has been through this exercise and I think as all the issues that confront this community I think input and accommodation and adjustment and bringing people in is going to be the key. You can't just write a book and have all your problems go away. It's just not going to happen.

HOGAN: Out of respect for those who have complied with our request to submit written amendments by noon Monday, and those who complied, I would like to address the Council's willingness to hear the amendments and I'd like to make a motion to amend.

FERNANDEZ: And what would your amendment read?

HOGAN: I would to on the Council's willingness to amend? Are we willing to amend? Will this Council hear the amendments?

FERNANDEZ: If they're moved and seconded, we will hear them.

HOGAN: It's not appropriate to ask if the Council's willing to hear them?

OLCOTT: Make one.

FERNANDEZ: Make one.

REGESTER: Make a motion.

HOGAN: I have to go individual.

(Unknown): You certainly do.

HOGAN: We'll just start doing that.

FERNANDEZ: I'll just say that I have received a significant packet of proposals for amendment, which I won't be introducing. In the cover letter along with the submitted amendments it was stated very clearly that these parties would rather not go through this exercise and they urged us to consider adopting the plan as it stands. However, should we decide to go into a lengthy carving out of the plan then they would certainly want these things introduced. So I do not intend to introduce those amendments. If those folks are here and they want to add anything to that later I'll certainly recognize them.

HOGAN: There were only two other amendments that were given to us on Monday. I did agree to let the amendment for Rich Rechter and I will present it to the Council then and we can either say yes, no or change it. On page 70 of the growth policies plan, the first paragraph...

OLCOTT: Is this a motion to amend?

HOGAN: Yes.

OLCOTT: Make it in that language.

MOTION TO AMEND

HOGAN: This is a motion to amend the master plan page 70 and changes wording in the first paragraph and you all have the document in your hand, I assume. You want me to read it so it can be followed by the audience with page 70 and the changes?

(Unknown): Please.

WHITE: Is this the one that's one page?

HOGAN: Yeah.

WHITE: We probably ought to read it.

FERNANDEZ: Please read it, Steve.

(HOGAN reads the motion to amend): "Whereas, an overriding policy to contain commercial development in the College Mall Shopping District would be detrimental to the long term economic and social vitality of our community, and whereas a policy to discourage direct traffic on to College Mall Road would seriously impede the economic vitality of existing and future commercial businesses in that district, now therefore be it resolved that the College Mall Shopping District section of the Bloomington Growth Policies Plan dated 3/1/91 be amended as follows:
Major regional shopping district and major gateway to surrounding newer residential neighborhoods. Overriding policy in this district is to permit, on a case-by-case basis, superior quality retail commercial projects. This policy applies to College Mall Shopping Center, existing commercial tracts on the east side of College Mall Road, the community shopping center west of College Mall Road along Third Street; and to the commercial nodes along Route 45/46 Bypass including the commercial development at East 10th Street. Within this vicinity the following planning considerations are advised:
Maintain the economic vitality of the district while permitting, on a case-by-case basis, the expansion and enhancement of retail commercial tracts.
Encourage upgrading and intensification of existing commercial sites.
Control access to the district without discouraging direct traffic on to College Mall Road.
Improve streetscaping with common district signage, improve roadway landscaping.
Improve parking area landscaping and buffering; make parking areas more pedestrian/bicycle friendly.
Improve pedestrian/cyclist amenities both on roadway frontage and within commercial tracts.
Add pedestrian-scale lighting.
Improve landscaping on existing commercial tracts."

The motion was seconded.

FERNANDEZ: Any comments from the Council at this point?

WHITE: Although I have respect for the amendment process, and I hadn't had a chance to say that yet this evening, I want to wrap up with some comments before we do a final vote. We'll get back to that in a minute. On the amendment, I respect the fact that Bloomington is such a dynamic community that we have a free ability to bring these types amendments forth. I think that no matter what side of the fence you stand on we're always guaranteed that right in Bloomington and that's why I'm glad that we're going to go ahead and hear this particular amendment at least. In its individual points though I'm going to have to disagree with the amendment as its read because of, well, several reasons. I think number one just in very plain terms we have a very, very difficult hard to solve infrastructure problem in that part of town. True, 20 years ago we could have done a lot to solve that where it wouldn't be a problem now. But it would have required us to spend a tremendous amount of money, millions and millions, in the construction of new highways. And at the time the City did not want to do that. That's why we have traffic problems there now. As it's continued to grow we haven't been able to keep up with the infrastructure that needs to support. And frankly with all of the other problems that we have and other thoroughfare deficiencies we have in our city, I just don't see us able to build the six lane roads out there in that area to support this that we need to do. We're fortunate to be able to do the bond issue on the infrastructure improvements that are currently underway now. Spending \$1,500,000 just to straighten out Sare Road and Moores Pike, that's a lot of money for one intersection, and that's just the tip of the iceberg if we continue with the development process out there as it is. True, we are seeing a lot of tax money in terms of property taxes that are contributed to, motor vehicle highway taxes from all the gasoline that people buy coming in and out of there and all that stuff and it might not be a bad idea for us to reinvest some of that money in the area. We've been trying to do that when we can, realizing the other problems we have in other parts of the City. That's the overriding concern I have that's immediate, is our infrastructure deficiencies, but second that is more difficult to put your fingers on but very certainly easy to hear and that is we have opposition in the surrounding neighborhoods. We don't want to forget that. We have some integrity of the neighborhoods around that area that needs to be preserved and this amendment in its current form will not allow us to do that. So I'm not going to support.

FERNANDEZ: I'm going to vote no. I think that this amendment goes a lot further than the kinds of softening that the Chamber of Commerce and other members of the Council have talked about previously. If there's any part of the plan that I think there is incredibly strong support, not just in Hoosier Acres, but equally throughout this community, is the idea of not expanding the College Mall area at this time. If there would ever be an example of a small minority wielding excessive power, the adoption of this amendment would be that.

OLCOTT: Steve, I gave you the opportunity. I knew you were in trouble, because if you do page 70 somebody wants to do page 78 and somebody else would like to do page 83. I think this particular thing that you're talking about is going to come through the ordinances. As John said, it looks to me -- public viewpoint, if I'm taking a poll today -- it's going to stand pretty hard. I give you the opportunity because I think you should express your viewpoint and I welcome that. But I think the way we carried it forward and the way the plan has gone we're not going to have any line item changes, amendments at this point in time. And I don't think many of us support doing that.

SERVICE: It's hard to get unanimity in this community on anything and I think that one of the few exceptions has been the attitude towards further commercial development in the Mall area. That's

been a very negative attitude across party lines, across economic lines, across neighborhood lines, everything. Not only because of the difficulty that would create in all the infrastructure problems we already have there but also a general feeling that it really isn't needed. I could support, however, the last five points here on the bottom. These are great. However I absolutely do not feel that we should line item, amend these anymore than the other things I agree with and then this packet of material from the neighborhood association people I agree whole-heartedly with almost everything they suggested. But I don't feel it's the time to line item, amend those either. Some of all of these can be incorporated later on and I expect to see people turn out and urge us to do so. I urge them to do that. But I think we should go with the unamended plan as is.

HOGAN: I will note for the record that I asked the Council if they were willing to hear amendments. And without taking issue with what the amendment said, that was my purpose to see if the Council wanted to hear amendments. It's obvious what the sentiments are and I understand those.

Vote on the motion to amend

The motion to amend was defeated 1-7 with Councilmember Hogan voting yes.

WHITE: Over the past few years and particularly the past couple of months this has been a great learning experience, I guess exercise in representation, and human nature and neighborhood dynamics. As I mentioned earlier I think it's only appropriate for this group, being the kind of community that Bloomington is. You know we kind of run this community by committee anyway. Did you ever notice that? Most of our decisions have come from one of the many committees that we have appointed or make recommendations. In that kind of spirit it was unusual for me to get so many phone calls and letters saying "don't amend this". That really kind of struck me as odd because if the tables were turned the same people would be saying "My god I hope you can amend that" and I've seen that over the past three years and I'm sure we'll see it again. We'll chalk that one up to experience. It's unusual for this Council to put anything on the agenda, that we're going to get from anyplace, any kind of resolution or ordinance, that's going to say well when it gets to us we'll make sure not to amend it. I'm glad that that's not what happened here and I'm happy that that's the kind of community that we're involved with. When the Chamber of Commerce presented their proposed amendment, I think it was an attempt at coming to some sort of neutral ground in a lot of the concerns that our economic community has. As I understand it the Chamber started out with somewhere between 30 and 50 amendments that it wanted to make and through committees narrowed it down to the five that we received last week. And then as soon as the possibility of amendments came out, we started to see pro-growth amendments from the Mall, at least one there, and then about 20 anti-growth amendments from the Westside Neighborhood Association. So I'm happy to support the motion that Jim brought us because it comes as a nice compromise and it underlines a couple of things that we really do need to say in the plan that I feel strongly about. If we took a show of hands tonight about how many of you here, this side of the table or that side, have something to do with Indiana University, came here as a student, graduated from IU, depend on IU for your well-being, have sons or daughters at IU, or whatever, we'd have a majority in the room. This strong statement about Indiana University is very timely considering the announcement that there's problems with the medical education program. Folks, the Bloomington campus from what I can see and my own personal opinion working for the University for the past seven years is that the Bloomington campus isn't going to grow much more. If we put roadblocks in front of it we're going to see the base of economic vitality in this community start to erode

away year by year and we don't want that. We have to support Indiana University and we can't take it for granted. In addition, the comments in the motion about roadway improvements and infrastructure I think are very well placed as well. In the master plan as we have it I'm pleased that the process is come where it is and we're able to do this because back in 1988 when we first had our problems with the density of Varsity Villas, the riot that first happened out there after Little 500 and people started to really take a hard look at what we created out there, I started saying right then that we needed to restrict the RH zoning, that high density residential. At the time it was debated whether we should wait for a revision of the master plan to restrict what happens inside RH or go ahead and pass revisions and restrictions then. Remember did go ahead in '89 and passed restrictions to RH. Those kinds of things, that's just one example of the things that led us to this process and I think that this will help us protect the neighborhoods particularly up in my district, promote some more greenspace and park land. And finally, I think that as we look at the whole process and what's come out in the past six months to the past year, we really see a vision of today's priorities, priorities our citizens hold very dear, things that weren't necessarily held so dear 20 years ago when Bloomington was more wide-open spaces and empty lots and not nearly as grown-up as it is now. We see that today our concerns are of being more judicious about our resources and I think that's what this plan tries to make as a top priority. In closing I'd like say my thanks to the many folks in the neighborhood associations that I represent and others around the city. As soon as individual proposals would come up that affected my district folks from the neighborhood associations were very good about digging through the material and finding ways to work back and forth and that was very, very helpful. Thanks also to the planning staff and to Camiros who's helped us weigh these different kinds of ideas out as well and to all the others that have called me and written me over the past few months, particularly the past few days -- our apartment owners and students and long-term residents as well. It's a pleasure to get this adopted this evening.

OLCOTT: One of the most interesting things said tonight was said by Ms. Fernandes and if the County would decide to take back the two-mile fringe, we wouldn't have a heck of a lot to do in the next 20 years. So hopefully as we sit here and as we work in planning for the future that we work closely with the County, we do tell them our forecasts and plans. And someday, somewhere, somehow, County and City engineering will be together, County and City planning will be together, County and City highway departments will be together. There's a word that you never use because everybody goes bananas over it, but someday the taxpayers of Bloomington, Monroe County are going to decide that we're pay for two of about everything and those of us who live in the City are paying two of everything. Someday, hopefully, we'll put a lot of those together.

Vote on Resolution 91-15

The resolution passed 7-1 with Councilmember Hogan voting no.

LEGISLATION FOR FIRST READING

It was individually moved and seconded that the following seven ordinances be introduced and read by the Clerk by title only. All motions carried by voice vote and Clerk Williams read the titles. Fernandez read the synopsis of each ordinance.

1. Appropriation Ordinance 91-1 To Specially Appropriate from the Park General Fund Expenditures Not Otherwise Appropriated

[The council took at short break at this point while citizens left the Chambers.]

2. Ordinance 91-27 To Amend the Zoning Maps from RS to MG and Designate PCD and to Approve an Amended Outline Plan, Re: Property located directly west of the existing RCA/Thomson Plant (Thomson Consumer Electronics, Inc.)
3. Ordinance 91-28 To Vacate a Public Parcel, Re: Portion of Property on the Southeast Corner of Seventh and Rogers Streets (John I. Byers, Petitioner)
4. Ordinance 91-29 To Vacate a Public Parcel, Re: Alleyway Located at 1011 West Cottage Grove (Rainer and Dian Krumlauf-Hildenbrand, Petitioners)
5. Ordinance 91-30 To Amend the Outline Plan, Re: 3200 John Hinkle Place (BRC Development Corporation, Petitioner)
6. Ordinance 91-31 To Amend the Zoning Maps from RS to ML and to Grant Outline Plan Approval and Designate PCD, Re: Property Located at the Northwest Corner of Vernal Pike and Gray Street
7. Ordinance 91-32 To Vacate a Public Parcel Re: Property located directly west of the existing RCA/Thomson plant facility (Thomson Consumer Electronics, Inc., Petitioner)

PRIVILEGE OF THE FLOOR


RICHARD MARTIN: I want to take this opportunity to commend you for the adoption of the growth policy plan this evening. More particularly, for your support from the beginning of this process so many months ago. You have been a key element in the development of the current plan and I hope you'll become a key element in the continuing effort in this direction. You were able to soften the plan a little bit tonight and avoid part of the problem that is was going to create for many segments of the community as the implementation goes on. The hard tasks lie ahead and we will not be allowed to [inaudible] in the future. I ask for your continued support, both as active participants and as a source of funding for the continuing efforts to maintain and enhance the quality of life in Bloomington and Monroe County.

Fernandez reminded everyone that beginning next week Council meetings would return to their usual 7:30 starting times.

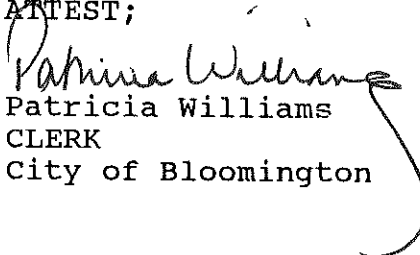
ADJOURNMENT

The meeting adjourned at 9:20 p.m.

APPROVE;


James Regester,
Vice-President
Bloomington Common Council

ATTEST;


Patricia Williams
CLERK
City of Bloomington