

AGENDA
COMMON COUNCIL REGULAR SESSION
7:30 PM, WEDNESDAY, FEBRUARY 1, 1989
COUNCIL CHAMBERS

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR JANUARY 18, 1989

VI. REPORTS FROM:

1. Councilmembers
2. The Mayor (STATE OF THE CITY) and City Offices
3. Council Committees

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS

1. Ordinance 89-2 To Amend Chapter 11.08 of the Bloomington Municipal Code to Add a Section 11.08.045 "Hazardous Activities" Dealing with Ice Skating and Ice Fishing.
2. Ordinance 89-4 To Amend the 1989 Salary Ordinance for the Utilities Employees of the City of Bloomington.

VII. LEGISLATION FOR FIRST READING

1. Ordinance 89-7 To Amend Ordinance 88-56, which Authorized the Issuance of Waterworks Revenue Bonds of 1989.
2. Ordinance 89-8 To Amend Title 9 of the Bloomington Municipal Code Entitled "Water."
3. Resolution 89-2 To Propose an Ordinance to Increase the County Option Income Tax.
4. Ordinance 89-9 To Increase the County Option Income Tax.
5. Resolution 89-3 To Propose an Ordinance to Increase the Homestead Credit.
6. Ordinance 89-10 To Increase the Homestead Credit.
7. Ordinance 89-5 To Amend the Zoning Maps from RS to SM re: 637 South Walker Street (DMR Development Corporation, Petitioner).
8. Ordinance 89-6 To Amend the Zoning Maps from RS to MP re: 1305 1/2 West Eleventh Street (Jim Ogle, Petitioner).

VIII. PRIVILEGE OF THE FLOOR (This section of the Agenda will be limited to 45 minutes maximum, with each speaker limited to five (5) minutes.

IX. ADJOURNMENT

In the Council Chambers of the Municipal Building held on February 1, 1989, at 7:30 P.M. with Council President Regester presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
FEBRUARY 1, 1989

Roll Call: Kiesling, Gardner, Olcott, Regester, Young, Service, White, Fernandez. Hogan arrived after the roll call.

ROLL CALL

Regester gave the agenda summation.

AGENDA SUMMATION

The minutes of January 18, 1989 were approved by a voice vote.

APPROVAL OF
MINUTES

Kiesling reminded everyone about the ongoing recycling program and urged people to cover the materials the night before if rain is forecast; it makes it so much easier for the pick-up crews.

MESSAGES FROM
COUNCILMEMBERS

Gardner mentioned the upcoming Housing Strategies Task Force meeting to be held on February 7th here in the Council Chambers. She announced that she attended and spoke at a Terre Haute, IN gathering of concerned citizens about the BASF incinerator to be constructed there that would burn imported hazardous toxic waste from other states. She noted that Terre Haute is only 50 miles from Bloomington. She also said that Casey, Ill. is considering a nuclear waste landfill and that community is only 90 miles from Bloomington. The EPA is currently testing at Fell Metal and Iron. Noxious odors are present and efforts to monitor fumes for more than the usual work day hours of 9-5 are being requested.

Olcott congratulated a "thin" Council President and Young wished Regester a Happy Birthday.

Service noted the death of Maggie Lynch. Maggie was the first woman to serve on the Monroe County Council and was very involved in community social service activities.

White noted that the Legislative Affairs Committee of the Chamber of Commerce is going to Lafayette to discuss their successes with area wide planning. The value, of course, is that Bloomington and Lafayette are very similar communities.

Fernandez welcomed everyone and announced that the USB would hold their first workshop regarding the incinerator.

Regester announced the upcoming open forum on the Jackson Creek Watershed. This committee is charged with formulating an amendment to the comprehensive plan for the entire area. He also announced that the Council was still seeking board and commission applications.

The Mayor presented the State of the City address. (A copy is attached to the original minutes).

STATE OF THE
CITY

It was moved and seconded that Ordinance 89-2 be introduced and read by title only. Clerk Williams read the ordinance.

LEGISLATION FOR
SECOND READING
ORDINANCE 89-2

It was moved and seconded that Ordinance 89-2 be adopted.

Frank Ragan discussed this ordinance dealing with signage at Lake Griffy. The signs are Caution signs indicating that ice conditions are variable and dangerous and that the City of Bloomington assumes no responsibility for any accident that occurs. He said that we are not trying to prohibit activity, but are telling people they are at their own risk. We realize that we have a potential liability risk.

Vicky Mayes said that Lake Griffy legislation was

updated last year and ice related activities was purposely left out to allow for further research. This particular recommendation has been approved by the Parks Board, the Legal Department and the Environmental Resources Advisory Council. There are two current classes of activity: Prohibited and Permitted. This ordinance would add a third: Hazardous, and the assumption of risk on the user. Mayes said that the Parks Department has looked at attempts to monitor, fence, etc., and enforcement would be difficult if not impossible.

Gardner asked questions about how this restriction compares to the swimming regulations. Mayes said it is a different liability risk and there are many more risks involved in swimming (it is prohibited at Lake Griffy). In many areas of the state or country ice will freeze to 6" and then there isn't the same risk as swimming.

Gardner wondered why not allow people to swim at their own risk, since they do it anyway. Ragan said we do not permit it because there are so many things that determine a safe swimming environment: the condition of the shore line, the type of ground base under the water, restroom facilities and bath house...things Griffy just can't do. Ragan said that at one time the swimming was out of control and there is one drowning on record. Knowing that, a lake within a city, places the city in a "liabelous" situation. Ragan went on to say that more than just swimming is prohibited at Lake Griffy, it's the noise from radios, tape players and associated activites that are also a problem.

Olcott asked if this relieved us of all liability and Ann Vaughan said, not necessarily. We have a "duty of care" and it is a balance and showing reasonable concern about the situation. She said this is an affirmative attempt to warn people.

Vicki Mayes said two yellow signs, and six "wooded motif" signs will be placed at the entries with the Caution message included in all Parks and Recreation literature.

Service, a member of a committee that spent hours determining permitted and prohibited lake activities, said that the levels of activity, swimming vs. ice fishing or skating are quite different..."it's a question of little ice holes versus scampering swimmers in and out of the water, that determine whether or not an activity should be permitted," she said.

Olcott asked how state and federal agencies deal with the problem and Mayes said the problem is ignored completely.

Norm Merrifield said that a local government has an extra responsibility to educate and inform its citizens.

Olcott asked Dick Martin, a Hinkle Road resident, about lake usage. Martin said that last year on a nice February day that were about 200 people on the lake.

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

It was moved and seconded that Ordinance 89-4 be introduced and read by title only. Clerk Williams read the ordinance.

It was moved and seconded that Ordinance 89-4 be

ORDINANCE 89-4

adopted.

Jim Williams said that there was an oversight when the USB budget was prepared and the salary line item for USB members was left out. USB members are paid on a quarterly basis. There was no further discussion and the ordinance received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that the following ordinances and resolution be introduced and read by title only by the Clerk for first reading. Clerk Williams read the ordinance.

FIRST READINGS

Ordinance 89-7 To Amend Ordinance 88-56 which Authorized the Issuance of Waterworks Revenue Bonds for 1989.

ORDINANCE 89-7

Ordinance 89-8 To Amend Title 9 of the BMC Entitled "Water."

ORDINANCE 89-8

Resolution 89-2 To Propose an Ordinance to Increase the County Option Income Tax.

RESOLUTION 89-2

Ordinance 89-9 To Increase The County Option Income Tax.

ORDINANCE 89-9

Resolution 89-3 To Propose an Ordinance to Increase the Homestead Credit.

RESOLUTION 89-3

Ordinance 89-10 To Increase the Homestead Credit.

ORDINANCE 89-10

Ordinance 89-5 To Amend the Zoning Maps from RS to SM re: 637 S. Walker Street (DMR Development Corp).

ORDINANCE 89-5

Ordinance 89-6 To Amend the Zoning Maps from RS to MP re: 1305 1/2 W. 11th Street (Jim Ogle, Petitioner).

ORDINANCE 89-6

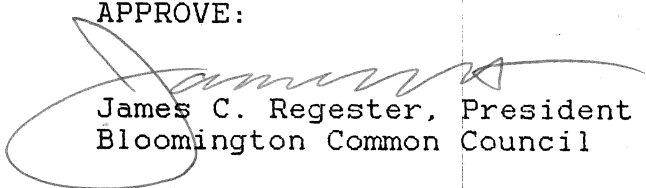
It was moved, seconded and a voice vote taken on not meeting the week of spring break. The Common Council meeting of March 15, 1989 will be held on March 22 (the fourth Wednesday).

There were no petitions or communications.

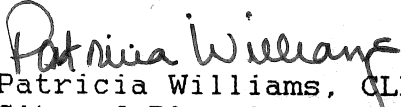
PETITIONS AND
COMMUNICATIONS
ADJOURNMENT

The meeting was adjournedd at 9:00 P.M.

APPROVE:


James C. Regester, President
Bloomington Common Council

ATTEST:


Patricia Williams, CLERK
City of Bloomington

STATE OF THE CITY

February 1, 1989

People around the country have begun to learn our secret-- that Bloomington is a great place to work and live.

Psychology Today recognized us as one of the least stressful cities in the country.

Family Wealth and Rand McNally rated Bloomington as one of the best places to retire.

The New York Times honored us as one of the "Big 10 of College Towns".

Bloomington continues to receive praise as a Tree City USA, as a great environment for bicycling, for top notch parks and recreation programs and, of course, for a world class university.

Bloomington has small-town charm and friendliness with big-city culture, education and recreation. That mixture plus a beautiful natural environment has populated our city with a diverse and talented citizenry.

Our advantages and successes have given us healthy growth and confidence. Business expansions, new businesses, more jobs, and low unemployment are signs of this confidence.

But growth brings a challenge, the effective management of growth, traffic, parking, waste disposal, water supply, affordable housing, and office space for city government.

The challenge is to move forward carefully but with a clear sense of direction. To take a hard look at the situations that will develop in a growing city, prepare ourselves for tomorrow's problems and opportunities.

The 1990s will be a Decade of the Cities. In the 1980s we endured a dramatic withdrawal of federal support--we lost revenue sharing and saw deep cuts in community development block grants. The state has failed to allow us greater homerule. Nevertheless, we weathered the national storm of the 1980s.

We were challenged then to find new ways to keep and improve basic city services. We have met this challenge. More than that, we have prepared for the future.

We did it with thoughtful hard work and innovative governance. Most important, we did it without unduly burdening Bloomington's taxpayers, but rather we did it through the skillful and knowledgeable management of our limited resources. The numbers tell the story.

According to the most recent state audit, our financial condition has dramatically improved. The most significant indicator of a city's financial condition is the year-end general fund balance. Between 1984 and 1987, we have been able to increase our general fund balance to a respectable 16 percent. We expect a further increase in 1988.

With the guidance of Betty Merriman, our past controller, we have continuously improved our financial planning and management. In 1988, the controller's office noted the following accomplishments:

- an improved investment strategy led to a 25% increase in investment earnings;
- improved financial and management analysis through the use of in-house management analysts;

- expanded and improved management information and data processing systems;
- a five-year revenue and budget forecasting system to improve financial planning;
- initial development of a comprehensive risk management program to decrease costs and improve safety.

Perhaps our most remarkable achievement, however, is that we made significant improvements in our financial condition--without significant increases in taxpayer costs. We have held the line on spending--and still progressed. I am particularly pleased to report that in the most recent state audit of similar-size cities, Bloomington has the second lowest spending level in the State of Indiana. Our general fund per capita costs of \$151 per person are \$51 below the state-wide average of \$202 per person. We have been just as judicious with the use of our bonding capacity. As Moody's observed in last year's review of our finances, our per capita debt of \$197 was well below the national average of \$444.

A critical linchpin in our long-range fiscal plan was--and continues to be--the County Option Income Tax. Your decision to adopt this tax in 1984 proved to be a wise choice and has been a significant factor in our improved financial condition.

Yet we cannot afford to rest on our laurels. While we can be rightfully proud of the accomplishments we have made in the last few years, we are still faced with rapidly

escalating pension costs in unfunded police and fire pension liability that is now estimated at more than \$29,000,000. Within the next few weeks, we will seek your consideration of a 1/10 of 1% increase in this local option income tax for each of the next four years. Your approval will enable the city to continue the progress we have made and provide a much needed source of funds to meet our ever-increasing state-mandated police and fire pension obligations.

As we work toward a revenue structure that can meet our needs, we must also make it as fair and equitable as possible. Admittedly, without homerule authority, we have precious few ways to reach this goal.

We do have one option that is appropriate to consider at this time. In 1984 when we adopted the County Option Income Tax, we also increased the homestead credit by 4%. In essence, we used some of the new income tax for property tax relief for homeowners--important to those living on fixed and moderate incomes. We are proposing a homestead credit increase of 1% per year for the next four years. We strongly feel that the proposed increase in the homestead credit will make our overall revenue structure more equitable to homeowners, without jeopardizing the significant progress that we have made since 1984.

No discussion of our city's finances would be complete without giving some recognition to a small group of individuals who make the numbers work--our city employees. We are indeed fortunate to have a highly-qualified and productive workforce, who can be counted on to do more with

less. In the 1980s we have judiciously controlled expansion in city employment. Our employees, despite their small number, have continued to respond to increased demands for service from our growing population.

In 1989 we will lay the foundation for the successful destiny of Bloomington in the 1990s and beyond.

Foremost on our agenda is careful planning for our future. We have updated the city's master plan through detailed area plans, and are now prepared to finish the plan for the Jackson Creek Watershed on the city's southeast side. This will require public dialogue. Through public meetings and further workshops of the Bloomington Tomorrow conference, the community will help us shape the quality of life in our neighborhoods. Indiana University and Monroe County officials will play important roles in shaping our community.

Nonetheless, the shape of our future depends partly on plans we have already formulated for major thoroughfare projects. Through our Metropolitan Planning Organization's approved Year 2000 Staging Program, we have established the city's priority projects for implementation between 1989-1991. These thoroughfare improvements will enable us to accommodate traffic flow and economic and population growth over the next several years. Increasingly, however, we find that our reliance on diminished federal and state sources has prevented timely implementation of our thoroughfare plans.

Despite these delays, we have achieved some major

successes. Projects like the Third Street underpass, the reconstruction of Third Street between College and Dunn, the Hillside project, and the Rogers Street bridge construction, which started today, are improving traffic flow around the city.

Under normal federal and state funding, needed projects have waited 5-6 years before they could be financed. Such delays are unacceptable.

We estimate the proposed priority projects to cost \$7.3 million. A local contribution of approximately \$1.1 million will be required to leverage about \$3.5 million in federal funds to finance the South Walnut Street project. The remaining projects will be locally financed through a \$3.7 million bond issue allowing the acceleration of several important east/west traffic flow improvements including the project at the critical intersection of Moores Pike, Sare Road and College Mall Road. We will also propose funding from the westside industries fund a corridor study to establish a blue print for the future regarding an east/west traffic route west to the bypass.

Pending state enabling legislation, thoroughfare district and "impact fee" proposals, could allow local governments to develop further resources for infrastructure improvements.

Beyond our thoroughfare needs however, we must enhance and build on our reputation as a livable city. As a walking, jogging, bicycling community, we must improve the safety of such activities. Over the past several years our

shopping, dining, health care and housing choices have expanded. People enjoy the quality of life in their neighborhoods, the revitalized downtown, beautiful parks and improved public safety.

The downtown renaissance has been an unqualified success and the object of tremendous pride throughout the community.

CFC's opening of Fountain Square and the Antique Mall in 1988 continues the momentum of this important community project. Redevelopment of the sidewalks, curbs and drainage, as well as increased quality landscaping, tree planting and investments in parking have shown our commitment to Bloomington's downtown revitalization.

Through an effective public/private partnership, we expect to consolidate these achievements with a convention center at Third Street and College Avenue.

A new convention center, with seating for 500, will remove a major obstacle to the continuing growth of our multi-million dollar tourist industry.

Our goal is to spend a minimum of public funds to bring in a maximum of new tourist revenue for area businesses. By providing up to \$1.5 million for surface parking and assisting with the promotion of the facility, we hope to leverage resources to bring an additional \$7.5 - \$12 million into Bloomington every year.

The successful renovation of the downtown area has brought to light the need for new fire fighting facilities to serve the area. The Fourth Street fire station was built

before we got contemporary fire fighting equipment, and cannot house some of this equipment. We need a new fire station to protect the community's investment downtown.

Downtown revitalization must not stop with the completion of projects currently in the pipeline. Additional development on the near west-side will help to spur private investment in downtown housing and allow us to provide for additional public space and "green space" downtown. Our new challenge is to expand the successes of downtown revitalization into new areas.

I propose that the cornerstone of this new development be a new city municipal building that will solve the alarming space problems in our current building.

The people who work in this building often have to work in tiny, insufficient cubby holes. Small- and medium-sized offices have been divided and partitioned, placing as many as three offices where one once existed. Essentially every inch of office and storage space is currently at or above capacity. This cramped atmosphere is not conducive to efficient administration of a growing city.

We are feeling the squeeze in three different areas: the municipal administration, the parks department, and fire department administration. Through consultation with all Council members, my staff and I have concluded that we should house the employees from these areas in one facility. Through a new city hall we will produce greater cost efficiencies and provide more space for the expanded programming and activities of the Older American Center at

the current parks administration building. Providing more space for the OAC is essential to serving the needs of seniors in a growing retirement community.

A new municipal building will be a facility for all Bloomingtonians, one that will serve as a beacon of pride in the continued renaissance of downtown for many years to come.

I have asked the Progress Council to form a committee to meet with our staff to review our serious space needs. We must carefully consider and balance our low property tax rates with the goals we must accomplish, keeping in mind that there is a limit to how much property taxpayers are willing to finance.

I pledge to you today that we will continue to work hard to develop innovative financial strategies to mitigate increases in the property tax rate. City government must always strive to address the needs of its citizens using the most efficient techniques at our command.

Looking back we have much of which to be proud. Our employees have provided Bloomington with high-quality services for a low cost per capita. The following examples illustrate the success of our team:

- Parks' renovation of the Frank Southern Center, the Westside Community Center, Ralph Mills and Bryan Park pools, Cascades, Third Street and Ninth Street parks, and the Arts and Crafts Center at Upper Cascades, as well as expanded parks' recreational programming for all ages;

- Valuable police community relations programs like Project DARE which brings drug awareness and resistance programs to the schools;
- Strong police leadership which has led to more police officers on the streets during peak crime periods;
- New station and equipment for fire department;
- Collective bargaining contracts which provide fair pay to our employees and stability for long-term financial planning to management;
- A position reclassification plan to equitably reward employees for longevity of service;
- Joint police record sharing with I.U. and steps toward sharing enhanced 911;
- Smart street management which has resulted in quadrupled paving output since 1984;
- Recycling and composting initiatives which will help extend the life of the landfill;
- A closely and carefully monitored cleanup of PCBs under the consent decree;
- Planning to increase our water supply;
- A reduced tax rate in public transit and access service to the handicapped;
- Increased the availability of high-quality, affordable child care;
- CARES Action for Teens substance abuse prevention program and a new teen job referral program;

- \$500,000 of federally-supported low-income housing improvements at the Housing Authority;
- Cost-efficient reorganization of parking enforcement;
- Quicker enforcement of nuisance ordinances;
- A new human rights director/attorney to reinforce our commitment to human rights.

Despite our many accomplishments, however, we have several challenges to tackle as we seek to maintain and enhance our reputation as a livable city. These are the challenges and the agenda that I see as I look to the 1990s and beyond:

- Ongoing review of our comprehensive master plan to ensure quality;
 - Implementation of major thoroughfare projects to enact our plans;
 - Continued renaissance of downtown and all of Bloomington through a convention center, a new fire station and a new city hall;
 - Targeted economic development, which continues low unemployment yet produces jobs with higher salaries through business retention and expansion, an I.U. research park, high-tech ties to Crane.
- To be successful we need better professional MBA and engineering educational opportunities and continued efforts in incubation of small businesses that could be the Cook, Inc., or Sunrise Publications of tomorrow;

- A community foundation to provide for human needs like social services and the arts;
- Solutions to housing problems through cooperation with the housing task force, Habitat for Humanity and Helene's House shelter for the homeless.

I have stated a hefty agenda to you this evening, an agenda of challenges for Bloomington in 1989 and into the 1990s and the 21st century.

This is an accomplished Council with a good blend of experience, know-how and energy. You have made many contributions to the success of this city, and you reflect that success. With your continued diligence and cooperation and in the true spirit of bipartisanship, we can make Bloomington's future even more dynamic than its past.

It is time for us not only to dream but to dare to take action. We must enhance and build on our reputation as a livable city. To tackle the problems of today, and have the vision to plan for generations yet to come.