

AGENDA
COMMON COUNCIL REGULAR SESSION
7:30 PM, WEDNESDAY, APRIL 5, 1989
COUNCIL CHAMBERS

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR MARCH 22, 1989

VI. REPORTS FROM:

1. Councilmembers
2. The Mayor and City Offices
3. Council Committees

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS

1. Resolution 89-8 To Express Common Council Support for an Adjustment to the Plan Commission Fee Schedule.
2. Resolution 89-16 To Express Common Council Support for Renovation of the former City Hall building by the Bloomington Area Arts Council for use as a Community Arts Center.
3. Resolution 89-17 To Recognize the Month of April as Child Abuse and Neglect Prevention Awareness Month.
4. Resolution 89-14 To Confirm Resolution 89-13 Which Designated the Property Located at 313 North Lincoln Described in the Application as an "Economic Revitalization Area" (Lincoln Partnership, Petitioner). (PUBLIC HEARING FOR RESOLUTION 89-14)
5. Resolution 89-5 To Designate the Property located at 1120-1122 E. Miller Drive as an "Economic Revitalization Area" (Kenneth R. Craig and Jeanne M. Walters, Petitioners). (Petitioners request that this Resolution be taken off the table.)
6. Ordinance 89-13 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic."
7. Appropriation Ordinance 89-2 To Specially Appropriate from the Local Road & Street Fund and the Cumulative Capital Development Fund Expenditures Not Otherwise Appropriated. (Controller requests that this Appropriation Ordinance be tabled.)

VII. LEGISLATION FOR FIRST READING

1. Ordinance 89-14 To Amend Titles 2, 10 and 15 of the Bloomington Municipal Code.
2. Ordinance 89-15 To Amend the Zoning Maps from RL to RL/PUD and Grant Outline Plan Approval re: 708 Cory Lane (Shady Acres Development, 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 April 5, 1989 with Council President Regester presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
APRIL 5, 1989

Roll Call: Kiesling, Hogan, Gardner, Olcott, Regester, Fernandez, White, Service. Absent: Young.

ROLL CALL

Regester gave the agenda summation.

AGENDA SUMMATION

The minutes of March 22, 1989 were approved by a voice vote.

APPROVAL OF MINUTE

Kiesling gave the recycling schedule and thanked everyone in Monroe County for their commitment and involvement in the process. She said that the events of recent note in the newspaper regarding the life expectancy of the landfill are serious and that the whole issue of recycling is "serious business." She also highlighted the recent housing facilities available in the community, with new facilities sponsored by CFC, Inc. employees, the use of Campbell House and the Perry Township facility.

MESSAGES FROM
COUNCILMEMBERS

Hogan asked his fellow councilmembers that in the future if a resolution comes to the Council Office after a decision is made to cancel the committee of the whole, that new consideration be given to having a committee meeting. Two important items (fees for planning and the Old City Hall proposal) are new and not heretofore discussed.

Regester agreed to Hogan's request and said that the resolutions would be tabled if necessary.

Gardner announced that on April 15 a gathering will take place at the Courthouse for survivors of domestic violence and that on Saturday, April 22 there will be a pancake breakfast at Binford to raise funds for the Child Advocacy Center. Gardner then introduced Greg Davenport and Chris Siefert from Troop #119 in Ellettsville. These young men are new Eagle Scouts. John Davenport, the troop leader reported on a trip taken to upstate New York by some members of the troop.

White also congratulated the scouts, noting that between 1 and 3% of all scouts actually attain the eagle rank. (White modestly said that he had been an Eagle Scout). Good job Kirk!

Service, wearing a chest full of medals from her Moscow trip last year, said that we would soon be sending 30 high school students to the USSR on a student exchange program and they were still trying to raise monies for the trip. She also announced April 14 as Arbor Day in Bloomington, a day celebrated by giving away "wooden pencils" and small trees of saplings. and April 29 as Tox A Way Day to be held at the Utilities Department. She commended Tricia Heiser Wentz for her art work in the Council Chamber.

White praised the Human Resources, the Prosecutor's Office, Monroe County Cares, and Parents in Action for their efforts on behalf of young people in our community and said that Coach Mallory would be talking on April 13 between 7-9 P.M. and urged everyone to attend. He thanked Capt. Dick Sexton and his fire station crew for the kind hospitality during a recent weekend spent at the fire station.

Regester announced the Quality Growth for Bloomington meeting that will take place on Thursday, April 6, at

7:00 P.M. and urged people to participate.

Mayor Allison showed everyone the Tree City Award and thanked Lee Huss for all his work to make spring time so pretty in Bloomington. Tomi then read a proclamation celebrating the Week of the Young Child. The Mayor called upon Wendy Perry from the Human Resources Dept. to discuss the upcoming Saturday breakfast honoring child care givers and a day of activities for children ending with a Teddy Bear parade. The activities will take place in the atrium of the Fountain Square Center.

MESSAGES FROM
THE MAYOR

It was moved and seconded that Resolution 89-8 be introduced and read by title only. Clerk Williams read the resolution.

LEGISLATION FOR
SECOND READING

It was moved and seconded that Resolution 89-8 be adopted. There was no committee report.

RESOLUTION 89-8

Fernandez said that during the 1988 budget hearings it was determined that planning department fees had not changed since 1979 and like the cost of everything else it would be wise to review the current fee schedule and work toward a more realistic dollar amount.

Kiesling said that the Plan Commission has also been considering this proposal and suggested the possibility of incremental increases to bring the fees into a current amount.

Mike Davis said that the Plan Commission has been reviewing the fee changes and both the Plan Commission and the BZA will consider proposals this month. Kiesling asked Davis to share the information he had with the Council and he said that copies of the proposed changes was in the mail today to the councilmembers.

Hogan expressed concern about just what direction we were going, and was this a first step toward impact fees and wondered why we were doing this.

Kiesling said that it was more than a year ago that the original suggestion was made and it was very clear that the proposed changes were not impact fees but would address the actual personnel costs in processing petitions...certainly more than the \$35 we are currently charging. Some cities charge from \$100 to \$175.

Mayor Allison said that local government could not impose impact fees and as currently structured, impact fees refer only to costs of new road development.

Fernandez said that the fees are for the application process, nothing else and actually it is not up to us to make this decision, we are only supporting or indicating support to the Plan Commission who is charged with the responsibility of changing the fee structure.

Olcott said he was reluctant to support a resolution that did not indicate what the proposed increases might be.

Hogan said he believed in user fees but that the general public is already a little afraid of city officials and what might happen when they come in to do business.

Fernandez said that he understood and expected that the council would have the actual proposed numbers before the meeting and moved that the resolution be tabled in light of the absence of those figures.

The motion to table received a roll call vote of Ayes:8, Nays:0.

It was moved and seconded that Resolution 89-16 be introduced and read by title only. Clerk Williams read the resolution.

It was moved and seconded that Resolution 89-16 be adopted. There was no committee report on a resolution supporting the use of the old City Hall as a Art Center.

Numerous persons spoke on behalf of the proposal for the City to convey to the Arts Council the Old City Hall for use as an Arts Complex.

Donna Robinson introduced various members of the Council and gave a brief history of the Arts Council, citing various projects over the years that the Council has been involved with.

Jef Davidson, President of the Arts Council, presented the actual proposal and feasibility study and outlined the various uses for the building.

Tom Hirons, of Hirons-Williams, said that Bloomington has always appreciated the Arts and that we call on our musicians, graphic designers and artists whenever we have a project we wish to promote. He warned us not to confuse love and appreciation for the arts with support of the arts. In essence, in Bloomington, our artists are the Patrons of the Arts. He stressed how useful artists are in promoting our community.

Malcolm Daglish said that he performs in communities all over the country, some smaller than Bloomington and invariably there is an arts complex/center.

There is a culture in the center of our downtown and that is where the complex should be.

Joe LaMantia, a local artist, spoke in favor of the project.

Tom Coleman, Professor of Graphic Design at the university commented on a recent poster depicting Billy Martin (baseball coach) commenting on the number of people, 70 million, who attended sporting events in a particular year and the 300 million who attended art related events in the same year. "Sports had a pretty good year," Martin said.

Ron Dye, President of Bloomington Playrights, stressed the need for performing space.

Denise Miller, State Director of Tourism and former Monroe County Tourism Director said that an arts center is an important tourism attraction as well as a quality of life issue and urged the Council to consider carefully this decision.

Hank Davis, Director of the Bloomington Area Arts Council and Irvin Grossack of the Bloomington Arts Council both spoke as did Regina Miller.

Dale Staten, President of Caravan Theater expressed concern about fees and how each "user" organization would be charged for use of complex space. He urged the Arts Commission to develop a program to go along with the current presentation so that artists would know if they could afford to participate.

Mayor Allison called attention to the inordinate number of Bloomington residents in the Indiana Art Treasures article and said how proud we as a city are of the university's facilities. But the I.U. facilities (namely opera and museum) are not open to non-university citizens. "There is no home for the arts in Bloomington," the Mayor said, "and space is at an absolute premium." There is a chance to turn a need into an opportunity, and if the arts can make their home in the downtown, it will greatly enhance the entire community.

Olcott expressed concerns about a \$250,000 building as well as the attached fire station. White expressed similar concerns about where we are in terms of delivering city services. He suggested waiting two

weeks for more information and opportunity for more input.

Hogan too said he wanted more time to think about the proposal and that there are many pressing needs the city is facing and that they are responsible for in terms of our citizens.

Mayor Allison said we do have many needs, but the use of this building as an arts center is not going to solve those needs. Allison said that many sites have been considered for municipal offices and consideration has been given to fire station location and one possibility is to combine the municipal office needs with a downtown fire station. She said that the city has looked at this Old City Hall many times and we simply cannot use it. Also, the building must not be destroyed or sell it and then the new owners demolish it. We must preserve it and there has been an ongoing interest in the facility as a community center, but it has never been an affordable proposal. This is an opportunity, an investment and rather than looking at it as \$250,000 that is being given away and the fire station would stay there.

Service said that she has been on the Council for ten years and numerous committees regarding this building. We are not giving away \$250,000 for if the Arts Commission does not raise the money the building comes back to the City.

Gardner stressed the need for the City to prioritize and if the Arts Center becomes a reality perhaps this will become the avenue for a teen center in our community. Hogan said he would like to support the resolution but there were still many questions.

The motion to table the resolution received a roll call vote of Ayes:6, Nays:2 (Olcott, Service).

There was a 10 minute recess.

It was moved and seconded that Resolution 89-17 be introduced and read by title only. Clerk Williams read the resolution.

RESOLUTION 89-17

It was moved and seconded that Resolution 89-17 be adopted. There was no committee report. Gardner read the entire text of the resolution.

Toby Strout, Director of Middle Way House said that children are the prime concern and their focus and that patterns of child abuse tend to repeat themselves. Nancy Slofer, from the I.U. Police Department urged support for the resolution telling the Council of the I.U.P.D. commitment to stopping child abuse. She talked about the recent conference she attended with other people from Monroe County.

Chris Gardner also talked about the cycle of child abuse and the appalling statistic that 25% of female children and 17% of male children were sexually abused as children. Gardner cited one theory for the problem is the breakdown of the family...he said that maybe it's the other way around...perhaps child abuse is what is breaking down our families. Gardner said that now is the time for a children's center and that we as a community need to be at the forefront and provide that shelter for our needy children.

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

It was moved and seconded that Resolution 89-14 be introduced and read by title only. Clerk Williams read the resolution.

RESOLUTION 89-14

It was moved and seconded that Resolution 89-14 be adopted. Clerk Williams announced that this was an legally advertised Public Hearing on this tax abatement reconfirmation.

Linda Williamson was available to answer questions. There was no significant discussion.

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

It was moved and seconded that Resolution 89-5 be removed from the table and introduced for reading by title only by the clerk. Clerk Williams read the resolution.

RESOLUTION 89-5

It was moved and seconded that Resolution 89-5 be adopted.

Linda Williamson, from Redevelopment, said that the ERA request is for a tract of land on the SW corner of 1120 E. Miller Drive. The 14,000 sq. ft lot would have built on it a duplex unit with each unit having 3 bedrooms and dedicated to renting to low income families. Williamson said the BZA vote was 3-0 in favor of the proposal although several residents of nearby Chestnut Ridge were concerned about a duplex in their neighborhood.

Walters said that the residents of the Chestnut Ridge were concerned that the units would be Section 8 housing (they are not).

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

It was moved and seconded that Ordinance 89-13 be introduced and read by title only. Clerk Williams read the ordinance.

ORDINANCE 89-13

It was moved and seconded that Ordinance 89-13 be adopted. There was no committee report.

Dean Behnke was available for questions and presented a brief overview of each section of the ordinance.

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

It was moved, seconded and approved by voice vote that Appropriation Ordinance 89-2 be tabled.

APPROPRIATION
ORDINANCE 89-2

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

LEGISLATION FOR
FIRST READING

Ordinance 89-14 To Amend Titles 2, 10, 15 of the BMC
Ordinance 89-15 To Amend the Zoning Maps from RL to RL/PUD and Grant Outline Plan Approval re: 708 Cory Lane (Shady Acres Development).

ORDINANCE 89-14
ORDINANCE 89-15

A man who did not identify himself said that the whole recycling program is getting too large and we need to put a "garbage czar" in charge of the whole picture. He also said that people who attend Art Centers also eat, drink, and would enjoy the downtown.

PETITIONS FROM
THE PUBLIC

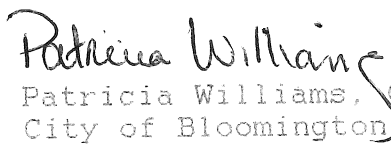
The meeting was adjourned at 10:30 P.M.

ADJOURNMENT

APPROVE:

ATTEST:


James C. Regester, President
Bloomington Common Council


Patricia Williams, CLERK
City of Bloomington