

AGENDA  
COMMON COUNCIL REGULAR SESSION  
7:30 P.M., WEDNESDAY, NOVEMBER 1, 1989  
COUNCIL CHAMBERS

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR OCTOBER 18, 1989

IV. 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. Ordinance 89-44 To Amend Title 16 of the Bloomington Municipal Code Entitled "Housing Inspection."

Committee Recommendation: Do Pass 7 - 1

2. Resolution 89-31 A Resolution Reserving to the Common Council the Right to Select the Design of the East/West Corridor.

Committee Recommendation: Do Pass 8 - 0

3. Ordinance 89-48 An Ordinance of the City of Bloomington, Indiana, Authorizing the Issuance and Sale of Bonds of Said City for the Purpose of Providing Funds to be Used for the Construction of Certain Street Improvements with the Incidental Expenses in Connection Therewith and on Account of the Issuance of the Bonds Therefore. (LEGALLY ADVERTISED PUBLIC HEARING FOR ORDINANCE 89-48)

Committee Recommendation: Do Pass 7 - 1

4. Appropriation Ordinance 89-7 To Specially Appropriate from the 1990 Street Bond Proceeds Expenditures Not Otherwise Appropriated. (LEGALLY ADVERTISED PUBLIC HEARING FOR APPROPRIATION ORDINANCE 89-7)

Committee Recommendation: Do Pass 8 - 0

5. Appropriation Ordinance 89-6 To Specially Appropriate from the General Fund and the P.L.A.Y. Fund (New) Expenditures Not Otherwise Appropriated.

Committee Recommendation: Do Pass 8 - 0

VII. LEGISLATION FOR FIRST READING

1. Ordinance 89-49 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic."

2. Ordinance 89-50 To Amend the 1989 Salary Ordinance for Appointed Officers and Employees of the City of Bloomington.

3. Ordinance 89-51 To Amend the 1990 Salary Ordinance for Appointed Officers and Employees of the City of Bloomington.

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 Wednesday, November 1, 1989, at 7:30 P.M. with Council President Regester presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
NOVEMBER 1, 1989

Roll Call: Kiesling, Olcott, Regester, Young, White, Service, Fernandez. Absent: Hogan. Council District 1 is vacant.

ROLL CALL

Regester gave the agenda summation.

AGENDA SUMMATION

The minutes of October 18, 1989 were approved by a voice vote with corrections by Kiesling.

APPROVAL OF  
MINUTES

Fernandez issued an apology to utility users for incorrect disconnect notices that were sent out by mistake. Also the Art Auction at Fountain Square on Friday evening to benefit the Arts Center.

MESSAGES FROM  
COUNCILMEMBERS

White said there is one day left for the Blood Drive at the I.U. Memorial Union. We are trying to beat Purdue this year in numbers of pints donated.

Service said there is a reception tonight after CATS that will benefit the Arts Center. The cast from the show will be there and the \$5 will go toward the Art Center. Also performances of Bertha the Beautiful Typewriter Girl proceeds will also benefit the Center, produced by the Civic Theater. Service also called attention to the new TREES brochure produced by Lee Huss, PSI and the Board of Works to inform people what kind of trees to plant and more importantly where to plant them.

Young said that the College Mall is now open at 6 A.M. for walkers! She also wished Lloyd and John a Happy Birthday.

Kiesling announced the Rails to Trails walk on Sunday afternoon. This project deals with the use of old railroad beds for bike and walking trails. She announced that the signs announcing a zoning change in a particular place are going to be available for placement on sites under consideration for rezonings. A truck will be at Jewell at College Mall Rd. on Monday, between 11 a.m. and 1 P.M. and will take aluminum, steel and plastic bottles; people will be reimbursed.

Regester reminded people about leaf collection services available by the city. Rake those leaves to the curb!

Mayor Allison announced two special awareness weeks. One for VEVA, Vietnam Era Veterans Association Issues and also National Food Bank Week. These special weeks are November 5-11. Allison also reported that she recently visited Charleston, S.C. as part of the "Making Cities Livable" Program and said what a wonderful job combined efforts were doing to offset the terrible effects of the recent hurricane in that state. Our local industry sent 42 large boxes of diapers to the area. Also discussed was the need for bicycle transport as well as pedestrian transport around a community and the need to make our city hospitable to that concept.

MESSAGES FROM THE  
MAYOR

Mike Hostetler, Deputy Police Chief, requested the council president's signature and council approval of a request that is being forwarded to the Governor for a \$1,000 grant for Holiday DUI

Enforcement between November 22 and January 1.  
The council approved the request by voice vote.

Kiesling reported on solid waste. The committee will be publishing the recommendations for county-wide recycling as well as county-wide trash pick-up.

Olcott said E911 will meet this week to hear presentations from two phone companies regarding this program.

It was moved and seconded that John Fernandez be appointed the council's representative on the Plan Commission for the rest of the year. PLAN COMMISSION APPOINTMENT

It was moved and seconded that Ordinance 89-44 be introduced and read by title only. Clerk Williams read the ordinance. LEGISLATION FOR SECOND READING/VOTE

It was moved and seconded that Ordinance 89-44 be adopted. Young gave the committee report of Do-Pass 7-1. ORD. 89-44

Service, the sponsor of this ordinance, said that this ordinance will produce a more workable ordinance removing subjectivity on the part of the housing inspector, but also removes the appearance of subjectivity. Service said the apartment owners association has no problem with this ordinance.

Olcott said that he would vote against the ordinance, because of lack of support from the housing code officers as well as the administration.

The ordinance received a roll call vote of Ayes:6, Nays:1 (Olcott).

It was moved and seconded that Resolution 89-31 be introduced and read by title only. Clerk Williams read the resolution. RES. 89-31

It was moved and seconded that Resolution 89-31 be adopted. The committee recommendation was Do-Pass 8-0.

Kiesling said there has been considerable discussion regarding the design for this area and in conjunction with councilmembers Service and Regester and the Mayor it was determined that the design be reviewed and that an engineering firm be retained to review traffic patterns and allow for input from the Commission and various groups and committees in the community and public hearings.

Mayor Allison said that she respected the concerns of the eastside neighborhoods and we will simply start over and include them in the decision making.

Nancy McEntire, President of the Eastside Neighborhood Association thanked the Mayor and the Council for all the support during this process.

The resolution received a roll call vote of Ayes:7, Nays:0.

It was moved and seconded that Ordinance 89-48 be introduced and read by title only by the Clerk. Clerk Williams read the ordinance. ORD. 89-48

It was moved and seconded that Ordinance 89-48 be adopted. Young gave the committee report of a Do-

Pass recommendation of 7-1.

Regester announced that this is a Legally Advertised Public Hearing on this ordinance (8:05 P.M.)

Linda Runkle, Corporation Counsel for the City announced and asked the minutes to reflect the fact that a clarification regarding the signatures that were collected in support of the street bond did state last week that the auditor had certified 1004 signatures. We do want to clarify that petitions bearing 1355 signatures were submitted for verifications. It is the opinion of the city administration that some of the signatures that were disqualified may be legally valid signatures and we wish to publically reserve our right to challenge the disqualification of some of those signatures in the event that a remonstrance is mounted. So there could be 1355 valid signatures. We do have reason to believe that at least 35 of the signatures that were disqualified are valid and we want to state that publically.

Chuck Ruckman was available for questions.

White proposed an amendment to the ordinance. Those amendments are attached to the original minutes.

Ruckman said we approved the amendments. #1 sets a maximum of 15 years.*for the term of the bond.* #2 states that the bonds may be subject to redemption prior to maturity on a schedule to be determined by the Controller with the advice of the financial advisor provided that the earliest redemption date shall be no later than 10 years from the date of issuance of the bonds and no redemption premium shall be greater than 3%. #3 amends the gender of controller to masculine. #4 amends Exhibit A to reflect the widening of Rogers to 4 lanes between Third and Fifth with added turn lanes at the Rogers intersections at Second and Fifth.

Ruckman said that the administration approved the amendments and discussed each amendment which allows maximum flexibility as we go to market and to get the best interest rate available. We also will have the flexibility in future years to give us more options to restructure the debt for other city projects.

White said the finance committee has worked for months to try to pay for these projects as they are used and prolonged terms limit us because we then max out on our debt and bond capacity. That's why 15 years or less gives us that flexibility.

Olcott said that 15 years was a compromise so that homeowners were not overloaded in the early years and so that money will be available for future bonds issues.

The amendments received a roll call vote of Ayes:7, Nays:0.

The Mayor thanked everyone who carried petitions and worked so hard to make this petition process successful.

Kiesling had several questions for Chuck Ruckman. She asked about current outstanding debt. Ruckman said the only General Obligation Bond that is outstanding is the 1986 Fire Station Bond. She also asked about bond insurance. Ruckman said that this is included to give us flexibility as we go to the market. Some cities can generate a lower rate by having bond insurance. As a practical matter, Bloomington would not gain anything by buying the insurance because we already have a fairly high rating and we will make available to the underwriters that they can buy at their own expense. Also a sinking fund and how much must be maintained. Ruckman said that on this bond this refers to a debt service bond that the city must have and we would have enough in the fund to make the July and January payment. By waiting until January to sell we save about 15-30 basis points on the sale.

Paul Schneller objected to the present street bond and how well it may fit with the results of the master planning process and if the plan determination was different from what is proposed for street improvements. Could not some of the monies be used for de-emphasizing car related problems. There must be some alternatives to moving more cars faster. Let's be sure that our changes and our growth will allow us to keep our quality of life we all enjoy so much.

Richard Martin said that the very clear nature of linking small projects with one very major project as a matter of necessity and in an attempt to meet long term transportation needs. Those are more neighborhood based and reflect the failure to plan adequate transportation needs. It is the failure in the past to plan for the future that is causing the present problem.

Chuck Brucker a Monroe County BZA member and GE employee approved the street improvements.

Roland Kohr a petitioner carrier was in favor of the improvements.

Mike Brooks, Chamber of Commerce said that the Board of Directors of the Chambers passed a resolution in favor of the ordinance.

Fernandez said that he appreciated the comments about alternative transportation methods and hopes that renewed interest might increase other types of transportation modes (the Bicycle Commission). He said that some of the local projects are so critical that the course would hardly be changed even with master plan input.

Kiesling still had concerns about the project and asked the Mayors assurance that we have a careful review of need, impact and appropriateness of design and how they fit into future planning and community priorities. She requested community input by the Mayor as projects are considered.

Allison said that the plans have been around for a while and new ideas have been projected and a review is worth doing.

The ordinance, as amended, on the legally advertised public hearing received a roll call

vote of Ayes:7, Nays:0.

It was moved and seconded that Appropriation Ordinance 89-7 be introduced and read by title only. Clerk Williams read the ordinance by title only.

APP. ORD. 89-7

It was moved and seconded that Appropriation Ordinance 89-7 be adopted. The committee recommendation of Do-Pass 8-0 was noted.

Regester also announced that this too was a legally advertised public hearing.

Ruckman said that we will petition the State Board of Tax Commissioners for their approval of this request and in due course consider this following a remonstrance period of 15 days and 45 days and we anticipate action during the month of December.

It was moved and seconded that Exhibit A be amended to reflect the changes on Rogers Street from Second to Fifth and turn lanes as mentioned before.

The amendment received a roll call vote of Ayes:7, Nays:0.

The legally advertised meeting of this amended ordinance received a roll call vote of Ayes:7, Nays:0.

It was moved and seconded that Appropriation Ordinance 89-6 be introduced and read by title only. Clerk Williams read the ordinance. It was moved and seconded that Appropriation Ordinance 89-6 be adopted. Young gave the committee report of Do-Pass 8-0.

APP. ORD. 89-6

Norm Merrifield from Parks and Recreation said that we are one of the few cities to receive this grant to provide leisure education so to speak and that this is a program that will help a lot of young people to better their lives. Olcott said there are already people interested in this program and this will be interesting to follow it and see how well this will work. (This program provides a leadership training program for teenagers who can be placed in a peer leadership position to influence young people for a better life.

The Mayor praised Merrifield for keeping this dream alive and allowing this program to come to fruition.

Pat Patterson was available for questions or comments.

The ordinance received a roll call vote of Ayes:7, Nays:0.

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

LEGISLATION FOR  
FIRST READING  
ORD. 89-49  
ORD. 89-50  
ORD. 89-51

Ordinance 89-49 To Amend Title 15 of the BMC Entitled "Vehicles and Traffic."

Ordinance 89-50 To Amend the 1989 Salary Ordinance for Appointed Officers and Employees of the City of Bloomington.

Ordinance 89-51 To Amend the 1990 Salary Ordinance for Appointed Officers and Employees of

the City of Bloomington.

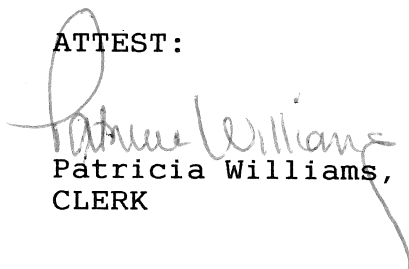
There were no petitions or communications from the public.

The meeting was adjourned at 8:45 P.M.

APPROVE:

  
James C. Regester, President  
Bloomington Common Council

ATTEST:

  
Patricia Williams,  
CLERK