

AGENDA
COMMON COUNCIL REGULAR SESSION
7:30 P.M., WEDNESDAY, DECEMBER 20, 1989
COUNCIL CHAMBERS

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR DECEMBER 6, 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. Resolution 89-35 To Adopt a Written Fiscal Plan and To Establish a Policy for the Provision of City Services to an Annexed Area.

Committee Recommendation: Do Pass 8 - 0 - 1

2. Ordinance 89-53 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory.

Committee Recommendation: Do Pass 8 - 0 - 1

3. Ordinance 89-55 To Amend the Bloomington Zoning Maps from RS to SI Re: Property located at 1969 S. Henderson Street (SE corner of Miller Drive & Henderson St.) (City of Bloomington Utilities Department, Petitioner).

Committee Recommendation: Do Pass 9 - 0

4. Ordinance 89-56 An Ordinance Prohibiting the Use of Skateboards in the Downtown Area.

Committee Recommendation: Table Ordinance on 12/20/89
8 - 1

5. Resolution 89-36 A Resolution Expressing Intent to Purchase Land Necessary to Widen Rogers Street Between Third and Fifth Streets.

Committee Recommendation: Do Pass 9 - 0

6. Resolution 89-37 To Approve the Use of Revenues from Municipal Building Vending Machines for City Employee Functions.

7. Resolution 89-38 To Express Council Support for an Indiana Recycling Grant Application.

VII. LEGISLATION FOR FIRST READING

1. Ordinance 89-57 To Vacate a Public Parcel re: Alley behind 1017-1019-1023 North Jackson Street (Bloomington Vendors, Inc., Petitioner).
(PETITIONER REQUESTS WAIVER OF SECOND READING.) *Denied by roll call vote 5-4*

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, December 20, 1989, at 7:30 P.M. with Council President Regester presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
DECEMBER 20, 1989

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

ROLL CALL

Regester gave the agenda summation.

AGENDA SUMMATION

The minutes of December 6, 1989 were approved by a voice vote.

APPROVAL OF MINUTES

Kiesling informed people that Lower Cascades will accept Christmas trees after the holiday as well as pick-up by the regular sanitation workers.

MESSAGES FROM
COUNCILMEMBERS

Foley and Hogan wished everyone a Merry Christmas, as did Olcott.

Regester thanked everyone for a good year and for their supportive efforts.

He thanked Kathy Saunders, Council Attorney and City Clerk Pat Williams and Deputy Clerk Jim McNamara.

Regester also submitted a Conflict of Interest Disclosure Statement regarding the Hyde Park Annexation as did Nancy Young.

Olcott moved that the Council approve the Conflict of Interest Disclosure statements by Councilmembers Regester and Young. It was seconded and approved by an unanimous voice vote.

Service wished everyone a Happy Decade and noted that there is still time to contribute to the Arts Center. She also thanked two churches in the area for maintaining the architectural beauty of their particular structures while expanding and in the case of the First Presbyterian Church they saved a historic building and it will be moved to another site. The First Christian Church has converted the Campbell House to homeless shelter housing.

White thanked the city workers for the hard work during the recent bad weather. There has been some negative feedback regarding the recent snow and the problems with the city streets being snowy and icy. Somewhere we skipped a few beats this time and a lot of our secondary roads did not get cleaned. We need to keep an eye on problem areas and see if we can take care of it in the future. He also reminded everyone that there were three days left to SHOP DOWNTOWN!

Fernandez extended best wishes to everyone and urged them to utilize the cab company if necessary.

Glenda Morrison, Redevelopment Director, provided two quick updates: the Downtown Redevelopment Plan is up for amendment on January 8, 1990. There will be a public hearing at the

MESSAGES FROM
CITY OFFICES

Redevelopment Commission meeting that night and the proposal is to extend the boundaries of the Redevelopment area which is also a TIF (Tax Increment Financing Area). The current area was adopted in 1985. Five blocks are being considered for addition to the area taking in the Tom O'Daniel site. The state legislature changed the law last year so that if we take in an area that is less than 20% of our total tax increment area we can make that change with one public hearing at the Redevelopment Commission level. Also in the proposed amendment is the possibility of buying the south half of the Tom O'Daniel site down to Smith Street for the possible parking lot for a possible convention center. This is all very "iffy" but it was decided that we needed to begin the process. Community Development applications for CDBG are now being accepted in the Redevelopment Office. We are not sure what the allocation from HUD will be, maybe around \$600.000. The public hearings will be on January 9 and 11, 1990.

Pat Patterson said that the Street Department is committed to doing the very best job it can. We did have an unusual storm last week, hitting as it did during rush hour. The salt was not effective in the extreme cold.

PUBLIC WORKS

Mike Davis, Assistant to the Mayor, said that city employees contributed a 47% increase in personal donations to the United Way and we should be very proud of this effort. Habitat has also completed two homes in the area with over 500 volunteers donating their time.

MAYOR'S OFFICE

It was moved and seconded that Resolution 89-35 be introduced and read by title only. Clerk Williams read the resolution.

LEGISLATION FOR
SECOND READING/VOTE
RES. 89-35

It was moved and seconded that Resolution 89-35 be adopted. The synopsis and committee report of Do-Pass 8-0-1 was given.

Linda Runkle was available for questions. Young asked what kind of notification residents within the area are given. Runkle said that the state statute does not require notification. Publication after passage serves as the legal notice.

Kiesling asked if this was involved in the street bond. Runkle said no, we would just be crossing a very small section of Sare Rd to the south of the intersection improvements at Moores Pike.

Kiesling asked about drainage in the area and Runkle said that the drainage will be done by the developer when the area is developed.

Chris Spiek, from Planning, said that

the Hunters Glen area is under development right now and the drainage is being addressed.

The resolution received a roll call vote of Ayes: 7-0-2 (Regester and Young).

It was moved and seconded that Ordinance 89-53 be introduced and read by title only. Clerk Williams read the ordinance.

It was moved and seconded that Ordinance 89-53 be adopted. The synopsis and committee report of 8-0-1 was given.

Hogan asked how much revenue this area will bring into the city.

Runkle said that reassessment is not complete and development is not completed. Brian Hacker said that a ball park estimate is roughly \$20,000, with 10 households including Hunters Glen and 44 condominiums.

The ordinance received a roll call vote of Ayes:7, Nays:0, Abstain:2 (Regester, Young).

It was moved and seconded that Ordinance 89-55 be introduced and read by title only. Clerk Williams read the ordinance.

It was moved and seconded that Ordinance 89-55 be adopted. The synopsis and committee report of Do-Pass 9-0 was given.

Chris Spiek was available for questions. The ordinance received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Ordinance 89-56 be introduced and read by title only. Clerk Williams read the ordinance.

It was moved and seconded that Ordinance 89-56 be adopted. The synopsis was given and the committee recommendation to table the ordinance by a vote of 8-1.

Ann Vaughan was available for questions as well as Chief Sharp from the Police Department.

Sharp felt that the ordinance was still necessary but that perhaps this was not the right time to bring it up. The dept. is still receiving complaints about skateboarders. The designated area is a high pedestrian area with narrow sidewalks for the most part. We plan to reintroduce this ordinance next spring and we hope that the new skateboard park will take care of the problem.

Fernandez said that if we come back in the spring we should have some documentation of the number of complaints, accidents, personal injuries as well as setting aside some streets that would be for skateboard use. Sharp said that the current targeted area is

mostly business areas. Foley thought a comprehensive plan should include anything that moves in this town and that means bicycles, mopeds, skateboards and other unidentifiable objects. Sharp said I.U., is also considering a comprehensive plan to ban boards because of the damage to steps and buildings. Skateboarding is not allowed on the streets in Bloomington. Kiesling wondered about areas without sidewalks and people who use a skateboard to say deliver newspapers and this is a problem because boards are not allowed on city streets. Olcott said that we have a park now and he was willing to table the ordinance now, but if it doesn't work he will vote to ban them.

Chuck Drew from TCBY on Kirkwood was in favor of the ordinance and did not want to table it. It is detrimental to business and his business has a handicap ramp that has become very attractive to skaters.

Jeff Patch, a member of the Advisory Council, spoke in favor of tabling the ordinance. He was concerned about the poor coverage of the issue in the Herald Times and how one-sided the coverage has been. Until adequate funding is available the facility will not be large enough for the number of skaters around. Six months will be the minimum to establish the park and attract people to the park.

James Stikleather from Campus Audio on Kirkwood said he had no problem with skaters and when it is a problem he asks the kids to sort of lay off during lunch hour, etc. He thought he had more concerns about runners, and folks coming out of Nick's after a home game and has more of a problem with ice and snow on Kirkwood just building up after a snowfall.

Service said that a lot of work has gone into our downtown and skateboarders are part of our downtown scene and it would be wise to wait, to give the park a chance and work on this dialogue between the skaters and business people. Some problems could be addressed as a nuisance and if they are skating on private property, there is already a method to address it in place. Kiesling suggested Chief Sharp be included as a member to any future task force that will be formed.

The motion to table received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Resolution 89-36 be introduced and read by title only. Clerk Williams read the resolution.

It was moved and seconded that Resolution 89-36 be adopted. The

RESOLUTION 89-36

synopsis and committee recommendation of 9-0 was given.

Pat Patterson said that this is necessary if property is valued at over \$25,000 and there is no problem with eminent domain being implemented.

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

It was moved and seconded that Resolution 89-37 be introduced and read by title only. Clerk Williams read the resolution.

RESOLUTION 89-37

It was moved and seconded that Resolution 89-37 be adopted. There was no committee report.

Mike Davis invited everyone to the City Christmas Party. This resolution is necessary in order to take funds from the Building Employees Concession Fund set aside for this purpose. Service wondered if this was from all city vending machines. Kathy Saunders said that only machines in public areas of municipal buildings are part of this fund. White also thanked the many local businesses who contribute to our annual party.

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

It was moved and seconded that Resolution 89-38 be introduced and read by title only. Clerk Williams read the resolution

RESOLUTION 89-38

It was moved and seconded that Resolution 89-38 be adopted., The synopsis was given and there was no committee report.

This resolution supports a grant application to the Department of Commerce for an education program, containers, waste reduction information for business and industry and composting. It is a joint matching grant with the county (\$10,000 for city and county and \$10,000 from the state).

Fernandez asked Pat Patterson if these containers would work with our proposed program for recycling and Patterson said that other cities have shown that containers increase participation in the program. We need to decide what equipment will work best with our system, said Patterson. Fernandez said this program needs to be city wide not just specific neighborhoods. Olcott said that decals have worked in other areas...decals for specific trash containers. Kiesling said that it is tentatively planned for one container per household.

Jean Patton questioned if people would comply with washing the glassware and how the city would cope with the question. Kiesling said one goal is weekly pick-up and one aspect of the

grant is education and the Board of Public Works is looking at proposals for a new facility to take the materials.

Kiesling said that there will be SPEA and student involvement. The decision to purchase a truck is somewhat under consideration until we know what kind of facility we will have. There is also a resolution in the works that the city purchase recyclable materials for their own usage.

Service said that the option exists to NOT pickup unsuitable materials. She also urged city-wide pick-up.

Kiesling asked for the flow sheet that was included with the grant application. Patterson apologized for not picking up the recyclables last Saturday because of the weather.

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

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

LEGISLATION FOR
FIRST READING

Ordinance 89-57 To Vacate A Public Parcel re: Alley behind 1017-1019-1023 North Jackson (Bloomington Vendors, Inc.)

Petitioner has requested a waiver of second reading.

It was moved and seconded that Ordinance 89-57 be forwarded for second reading. This requires a unanimous vote from the Council.

Roll Call Vote: Ayes:5 (Foley, Olcott, Regester, Young, Hogan). Nays:4. The motion failed.

The next meeting will be on January 2, 1990 at 7:30 P.M.

Pete Dunn asked about scheduling for his vacation request. It was agreed that every effort would be made to allow for the legal advertisements so that a legally advertised meeting could take place on January 2 for committee hearing/consideration/public hearing.

PETITIONS FROM
PUBLIC

Jean Patton protested the giving away of the Old City Hall for the Arts Center. She asked for all legal documents and minutes dealing with the Old City Hall that is about to be given away, instead of being appraised and put up for sale in a proper way.

She felt this was unethical and should only be done under referendum.

The meeting was adjourned at 8:55 P.M. ADJOURNMENT

APPROVE;

ATTEST;

James C. Regester
President

Patricia Williams
Clerk

Bloomington Common Council