

AGENDA
COMMON COUNCIL
JUNE 15, 1983, 7:30 P.M.
REGULAR SESSION
COUNCIL CHAMBERS

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. MESSAGES FROM COUNCILMEMBERS
- IV. MESSAGES FROM THE MAYOR
- V. PETITIONS AND COMMUNICATIONS
- VI. LEGISLATION FOR DISCUSSION/VOTE - SECOND READINGS
 - 1. Resolution 83-23 Recommendations of the Mayor for Distribution of Community Development Funds (Jobs Bill).
Committee Recommendation: Passed Without Recommendation 4-3.
 - 2. Ordinance 83-28 To Amend Title 15 of the Bloomington Municipal Code to Add a "Limited Parking Zone" and to Add "No Parking Zones" and "Yield Intersection".
Committee Recommendation: Do-Pass 6-1
 - 3. Resolution 83-20 To Designate the Property at 502 N. Morton Street as an Urban Development Area.
Committee Recommendation: Do-Pass 7-0.
 - 4. Resolution 83-21 To Designate the Property Located at 214 W. 7th St. (Curry Buick Building) as an Urban Development Area (CFC).
Committee recommendation: Do-Pass 6-0-1.
 - 5. Resolution 83-22 To Designate the Property Composed of Parts of Lots 5-9 and all of Lots 19-29 in the Barclay Gardens Subdivision in the Miller Drive Urban Renewal Area as an Urban Development Area (Pinestone Inc).
Committee Recommendation: Do-Pass 6-0-1.
- VII. INTRODUCTION OF LEGISLATION FOR FIRST READING
 - 1. Appropriation Ordinance 83-7 To Specially Appropriate from the Parks and Recreation Fund Expenditures Not Otherwise Appropriated by the City of Bloomington. (Trailer Renovation at Riddle Point on Lake Lemon).
 - 2. Ordinance 83-29 An Ordinance Concerning the Voluntary Annexation of Contiguous Territory (Rubeck)
 - 3. Ordinance 83-30 To Transfer Appropriations Within the Fleet Maintenance Fund of the City of Bloomington.
 - 4. Ordinance 83-31 To Amend the Bloomington Zoning Maps. (Stephen S. Riggins - Miller Drive Development).
 - 5. Ordinance 83-32 To Amend the Bloomington Zoning Maps, (Larry Price - RS and BA to BA/PCD)
 - 6. Ordinance 83-33 To Vacate a Public Parcel. (Bloomington Development Corp.)
- VIII. MINUTES FOR APPROVAL - JUNE 1, 1983
- IX. ADJOURNMENT

In the Common Council Chambers of the Municipal Building held on June 15, 1983, 7:30 P.M., with Council President Pro-Tem Pam Service presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
JUNE 15, 1983

Councilmembers present: Morrison, Towell, Porter, Service, Murphy, Olcott, Hogan, Gross.
Absent: Dilcher (Vacation).

ROLL CALL

Council President Pro-Tem gave the agenda summation.

AGENDA SUMMATION

Towell, recently returned from a vacation in California, said that the City of San Francisco has passed an ordinance making it the responsibility of the employer to protect employees from smoking. He felt that this was a reflection of future trends and indicated that the people of California depend on their government for essential services. Government must respond to people's needs and must continue to really look at individual problems. Indiana has a good image and we must continually strive to maintain a good system of government.

MESSAGES FROM
COUNCILMEMBERS

Service announced the Town Theatre current production of Brigadoon and called attention to the Batik Art, hanging in the Council Chambers, created by Helle Barnstone.

Mayor Allison informed the Council that the EDA grant application is moving very quickly and that it would probably be necessary to have a Special Session of the Council before the next Regular Session of the Council. This is the first time that the City has been in a position to apply for this type of Grant and that the necessary steps have already been implemented by the USB in terms of upgrading of pipes and lift station improvement at Tapp Rd. It is the City's position to vigorously capture monies for this Industrial Park.

MESSAGES FROM THE
MAYOR

Brian Werth, Herald-Telephone reporter, asked why the City is getting such short shrift regarding Cable TV.

PETITIONS AND
COMMUNICATIONS

Towell said he was amazed at the margin of the vote supporting the Cable TV bill. It will deprive the local community of any leverage in dealing with national companies. A national company can bring in programs of their own choosing with little regard to the community's stated wishes.

Hogan was also dismayed at the Senate vote on S.B. 66 and wondered why the federal government seemed to give a private company a monopoly or almost a utility status. There will be no overseeing body and certainly no reason to be more competitive.

Allison said that the City would be faced with a long-term lease with no real bargaining position. As we are about to go into refranchising negotiations our bargaining chips have been taken away. Hopefully cities and towns can notify their congressmen before the House vote and make their positions known. The burden of proof, regarding any complaints, will now be with the cities in fighting any court battles that occur over refranchising. In regards to public access TV, we will not be in a position of demanding it, but begging for it.

Olcott moved and Morrison seconded a motion to introduce and read Resolution 83-23 by title only. Clerk Williams read the resolution by title only.

INTRODUCTION OF
ORDINANCES FOR
SECOND READING:
RES. 83-23
CDBG (JOBS BILL)

Olcott moved and Morrison seconded a motion to adopt Resolution 83-23. Gross read the committee report.

Pat Patterson addressed the Council particularly directing his remarks to earlier questions about the Princess Theatre.

The goals and objectives of the project are several: to restore the Princess Theatre; to provide a local facility that is not a part of the university structure; to attract people to the downtown to participate in the events at the theatre; to revitalize the downtown; and to provide employment for artists as well as staff for the facility. The fact that the building is historical should be an encouragement to make it eligible for this loan. The total cost to bring the building up to minimum code would be about \$190,000. Private funds have already been expended for work already done. The monies being requested would be used for a sprinklersystem, restrooms, and some re-wiring. The Workable Programs committee recommended the deferred loan, contingent on other phases being completed before the loan, and completed in a timely manner - like 8 months.

Hogan asked for specifics about the loan. Patterson said that the usual period for deferment is five years. The interest figures could not be determined at this time.

Olcott asked if the Council would have any assurance that the loan obligation would be met if the property changed hands. Patterson said that if the new owner pursued the same purposes as the original owner then there would be no problems; if the use of the building changed then the terms of the loan would be renegotiated. It is not the owner, but the property that has the loan.

Don Overbay asked if the City was in the business of loaning monies to developers. If it is such a good deal for the community, then let the developer put his own money into the project and use the money to fix curbs and streets in Bloomington.

Regina Miller, representing the Arts Commission, said that the Commission is in favor of the restoration and encouraged the Council to vote favorably.

Rosemary Miller, a member of the Bloomington Restoration committee urged the Council to support the project. The building is an important historical site and the downtown does have promise to support an endeavor like this.

Towell said that the City has already made a number of efforts in the downtown area, most recently a change in parking regulations. The entire community will prosper if we make this type of commitment to a viable community effort.

Hogan said that he still had problems with the City being in the banking business. In time the interest could be as much as \$25,000 and we are being asked to vote on something of which we don't even know what the terms will be. The Princess is a beautiful building and will improve the viability of the downtown; but what if the project fails; what if Mr. Canada cannot secure additional funding; what if he cannot repay the loan; Mr. Towell's own family business has left the downtown. The \$40,000 could be well used to help existing programs like the bus system that we are having trouble funding. It should not be given just because it is federal money and we happen to have it at this time.

Morrison said that as a businessman he wanted to see a schedule of re-payment. This is not a sound way to do business and was sure that Mr. Canada would agree.

Tom Canada said that the initial request was in the form of a grant application and that he would still rather have a grant than a loan. A lot of work has already gone into the project and it is intended for Bloomington.

Canada said that he has no intention of running this particular business or of trying to make 10 million dollars from it. The project, as conceived, would unify the community around a structure that is already historical and has played an important role in Bloomington history. In many ways it (the loan) is a two-edged sword. One of the loan stipulations is the use of union labor on the project. To adhere to these federal guidelines will be quite expensive.

Hogan said that the request still bases the loan upon Mr. Canada's good intentions and if the building were to be sold the new owner might not have community-minded plans for the structure.

Murphy said that this is a part of a Jobs Bill designed to put the city and the downtown back to work. With the spirit of bi-partisan support the Council should pass on this resolution.

David Sleibaum asked if the loan is granted would the building be eligible for other federal grants and loans. Patterson said not necessarily so.

Towell said that we should consider the merit of the project. Usually the Council is the last step in a project. At this time we are given an opportunity to discuss the project in detail in the beginning and we are indicating by our discussion this evening that we are still unfamiliar with the process.

Hogan asked Jan Wagner about several appropriations that have to do with jobs and if the employment services were not already helping the unemployed.

Wagner said that the ES office is so overloaded that it does not have time or staff to assist people with resumes and job applications. The Displaced Homemakers serves the hard core unemployed. Last year \$50,000 financed a project that assisted over 200 people and placed 84%. In Monroe County alone there are 2-3,000 persons unemployed.

Porter asked if the Princess Theatre appropriation were removed would the City lose the \$40,000. Patterson said that the Council would be asked to appropriate it to another area.

It was moved and seconded that the Princess Theatre appropriation be removed from the resolution.

The motion received a roll call vote of Ayes: 1 (Hogan) Nays: 7
The motion was defeated.

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

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 83-28 by title only. Clerk Williams read the ordinance by title only.

ORD. 83-28
TO AMEND TITLE XV
KIRKWOOD PARKING,
YIELD INTERSECTIONS,
NO PARKING ZONES

Olcott moved and Morrison seconded a motion to adopt Ordinance 83-28. Gross read the committee report.

The ordinance, as amended at committee, included yield intersections and no parking zones.

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

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

Olcott moved and Morrison seconded a motion to introduce and read Resolution 83-20 by title only. Clerk Williams read the resolution by title only.

RES. 83-20
EDA 502 N. MORTON

Olcott moved and Morrison seconded a motion to adopt Resolution 83-20. Gross read the committee report.

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

Olcott moved and Morrison seconded a motion to introduce and read Resolution 83-21 by title only. Clerk Williams read the resolution by title only.

RES. 83-21
EDA CFC. INC FOR
214 W. SEVENTH ST.

Olcott moved and Morrison seconded a motion to adopt Resolution 83-21. Gross read the committee report.

The resolution received a roll call vote of Ayes: 7, Nays: 0, Abstentions: 1 (Gross). Mrs. Gross is employed by a subsidiary of CFC Inc.

Olcott moved and Morrison seconded a motion to introduce and read Resolution 83-22 by title only. Clerk Williams read the resolution by title only.

RES. 83-22
EDA FOR PINESTONE.
INC. (MILLER DRIVE
AREA).

Olcott moved and Morrison seconded a motion to adopt Resolution 83-22. Gross read the committee report.

Hogan said that he had problems with this EDA request. Legally we can do what we please with the funds but that we are setting a dangerous precedent with an action directed to a developer and from which the property owners will eventually benefit. If 35 homes are build, that could be 35-70 children added to the school system.

Steve Szostek said that he did check into whether property taxes for MCCSC are abated and yes they are. What needs to be emphasized is that the abatement is not given to any developer but to one who is willing to build in an area that is an unproven market. The City has spent millions in sewers and water to upgrade the area. Only 45% of the taxes actually charged will be abated over a ten year period. Schools in the area are not at full capacity. Every tax abatement does not reduce school taxes and in most cases actually generate taxes that might not be gained due to the lower tax on undeveloped land.

Olcott said that if something isn't built there no taxes are gained. We're not getting a cent for it now. A greater tax base will help the school financial situation. This is a step in the right direction.

Gross said the City has been subsidizing builders with sewer rate rebates and that didn't go to the property owner. Ever since I've lived in Bloomington there has been talk of low income housing and this is a chance to do something about it.

Hogan said if the only goal is to increase the tax base then we should be priming the pump and going after the Howard Youngs and the Tom Canadas. Miller Drive has been a blighted area for a long time; \$50,000 is not a "Cheap home"; and it seems totally inappropriate to be offering such a plan to a private developer.

Jeff Fanyo, engineer for the project, said that the tax abatement will provide the initiative for development that will otherwise not take place. There are additional expenses; it is not a clean site. There are oil tanks, mill blocks, R.R. ties and concrete slabs in the area and a 1500 foot water line will have to be installed.

Hogan said the buyer is getting a deferred payment plan.

Morrison said this practice is not new. When someone rehabilitates a home with federal funds the cost of the rehabilitation can be exempted.

David Sleibaum asked when the abatement starts. Patterson said the work has to be completed in one year. Sleibaum asked about other developers getting tax abatement. Porter said that it has to be in an urban development area and is not for projects already under construction.

Don Overbay disagreed with Mrs. Gross' remarks about the City subsidizing builders. The most he has ever received on a dollar is .35 cents. Mr. Overbay felt that he was subsidizing the City. Time will take care of developing this area.

Hogan said he fully supported the tax abatement program for commercial use but that the city is already having trouble funding some of its programs and that is where the money should go.

Olcott said we have gone west and east with development and this land needs to be developed in the best way possible. At this time B.F. Goodrich and RCA employees live outside the city limits as it is just too expensive to buy a home in town. We are also losing tax revenue when Mr. Mitchell builds on W. Adams St. outside the City limits..

Hogan disagreed with Olcott. Pay the developer back for the installation of water lines and take the \$40,000 from the Princess Theatre appropriation to finance it.

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

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

Clerk Williams read the ordinances by title only.

App. Ord. 83-7 To Specially Appropriate from the Parks and Recreation Fund Expenditures Not Otherwise Appropriated by the City of Bloomington. (Trailer Renovation)

Ordinance 83-29 An Ordinance Concerning the Voluntary Annexation of Contiguous Territory (Rubeck)

Ordinance 83-30 To Transfer Appropriations Within the Fleet Maintenance Fund of the City of Bloomington.

Ordinance 83-31 To Amend the Bloomington Zoning Maps (Steve Riggins - Miller Drive development)

Ordinance 83-32 To Amend the Bloomington Zoning Maps. (Larry Price - RS and BA to BA/PCD)

Ordinance 83-33 To Vacate a Public Parcel. Bloom. Dev. Corp.

INTRODUCTION OF
ORDINANCES FOR FIRST
READING:

APP. ORD 83-7

ORD. 83-29

ORD. 83-30

ORD. 83-31

ORD. 83-32

ORD. 83-33

The minutes of the June 1, 1983 were approved by a voice vote.

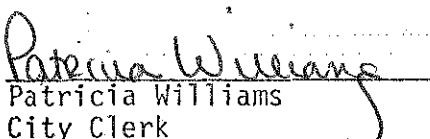
APPROVAL OF MINUTES

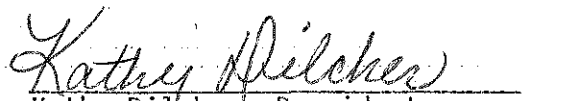
The meeting was adjourned at 9:40 P.M.

ADJOURNMENT

ATTEST:

APPROVE:


Patricia Williams
City Clerk


Kathy Dilcher, President
Pamela Service, President Pro-Tem
Bloomington Common Council