

In the Council Chambers of the Municipal Building, held on July 21, 1977 at 7:35 p.m., with Councilpresident Middleton presiding over a regular session of the Common Council.

REGULAR SESSION
COMMON COUNCIL
July 21, 1977

Present: Morrison, Middleton, Allison, Kinzer, Blume, Olcott, Richardson. Absent: Towell, Young.

ROLL CALL

Approximately 25 others were present.

Councilpresident Middleton gave the Agenda Summation. For first reading, Ordinance 77-51, To Amend Title 7 of the Bloomington Municipal Code, Entitled "Animals"; Ordinance 77-52, To Amend the Bloomington Zoning Maps (ZO-33-77) re: 602, 604, 606, 608, 610, 600, 612 West Wylie RS to SM; Ordinance 77-53, To Amend the Bloomington Zoning Maps (ZO-29-77) re: 1129 and 1133 S. Rogers St. RM to ML; Ordinance 77-54, Salary Ordinance for Appointed Officers and Employees; Ordinance 77-55, Salary Ordinance for Police and Fire Officers and Employees; Appropriation Ordinance 77-14, from GF and Parks and Recreation Fund; Ordinance 77-56, Salary Ordinance for Appointed Officers and Employees re: City Clerk and Court; Ordinance 77-57, Traffic Amendments re: 1-way streets and alleys, restricted parking zones and stop intersections; Ordinance 77-58, to Amend Zoning Maps (ZO-23-77) re: 4518 & 4520 E. 3rd St. BL to BG for restaurant. Minutes for approval, June 16, 1977.

AGENDA SUMMATION

Councilmember Blume expressed his satisfaction that a stoplight had finally been installed at South 37 and Winslow Road, having been badly needed for a long while. He also spoke of a dangerous intersection at High St. and Hillside. The presence of bushes, telephone poles, and some large stones obscures the view for drivers. He suggested that efforts be made to improve the situation.

MESSAGES FROM
COUNCILMEMBERS

Councilmember Richardson expressed his gratitude to Ed Kerr, Council Office work study student, who worked full time during Deputy City Clerk Connor's three-week vacation. He commented that the budget hearings are open to the public, and that all decisions made are not final. Rather, these decisions are recommendations. The public was urged to direct their problems to the Council in these hearings, or to speak with individual Councilmembers. Regarding the Emergency Housing Plan, he noted that it will need the approval of the County Council and the County Commissioners. Another meeting was announced on People's Park, as well as the possibility of construction of a Japanese garden in the park, designed by Professor Yasuda at no charge to the City.

Councilpresident Middleton noted that a letter had been distributed to Councilmembers for consideration from the Region X Plan Commission regarding budget considerations. He suggested that either a vote or a resolution be proposed to reaffirm the Council's participation in Region X.

Councilmember Kinzer suggested that this matter should be considered in a budget hearing rather than in a Council session.

After general discussion, Councilmember Blume moved and Councilmember Morrison seconded a motion to continue to participate in the South Central Regional Development Commission.

In a ROLL CALL VOTE, the motion was passed with a vote of Ayes: 6, Abstention: 1. (Abstention: Kinzer).

Councilmember Morrison moved and Councilmember Olcott seconded a motion to accept the Annual Reports of the Human Resources Department and Streets/Transit.

ANNUAL REPORT
Human Resources
Streets/ Transit

Councilmember Kinzer suggested that Annual Reports be considered some other way, such as in special sessions, so that a full hearing might be possible and greater

public hearing.

Councilmember Olcott suggested that each director be given five minutes or so in which to give a "synopsis" of his/her department's activities. Thus, the public would be made aware of more information.

Councilmember Richardson noted that the Council had few questions at the present time because they had recently met with both departments.

Jim Wray, Director of Transportation, came forward to summarize the report from Streets/Transit. He noted that efforts had been taken to have the report be as brief as possible, but concise enough to elicit questions from the Councilmembers. He then noted that 1976 was essentially a holding year for Bloomington Transit. Changes were made in Route 2, and ridership increased. He said that due to inadequate seating capacity during peak hours during the day growth is not likely to continue in terms of continuing increases in ridership. A grant request has been submitted which, if approved, would allow for the purchase of additional busses. Plans are being developed for alternatives to several routes. He acknowledged that several questions had been raised re: re-routing buses, and added that such re-routing is not as simple as those asking seem to think.

He noted that in 1976 the Street Dept. began consideration of several projects which are now under way. Among these, Smith Road improvements, signing of the East-West Corridor contract, serious attention to the storm sewer problem in the City, and the extension of College Avenue to Dodds, which allowed for the acquisition of a park and certain redevelopment. Among the more standard projects were street resurfacing, completion of a street inventory, and installation of traffic signals.

Councilmember Blume asked what the procedure is when a street in the City is up for auction. Pickwick Place's owners have not paid their taxes. Approximately 600 feet of street are involved.

City Attorney Richardson responded that if a street has been in public use for 10 years or more the people have prescriptive rights of easement of crossing. He suggested that if the City had the money to purchase the street involved they could do so.

Councilmember Kinzer commented that frequently developers construct streets which do not meet City standards. She questioned the wisdom of purchasing a street such as Pickwick Place that is in poor condition and would need repair work. She asked Mr. Wray to clarify the Board of Works' position on purchase of sub-standard streets.

Mr. Wray noted that the Board of Works reviews those streets which the City is considering purchasing. He noted that specifications for streets are being changed.

During general discussion, City Attorney Richardson noted that when the street involved was constructed, the subdivision which it serviced had not yet been annexed by the City.

Councilmember Olcott moved and Councilmember Blume seconded a motion to authorize Attorney Richardson to purchase the street at Mr. Olcott's expense.

Councilpresident Middleton suggested that action be delayed until August 4, when the Council meets. He urged City Attorney Richardson to keep working on the matter.

Human Resources Director Ed Howell came forward to present his department's annual report. He listed the various programs provided by his department.

Councilmember Blume asked what could be done to combat the problem that arises when a charge is brought against someone through the Human Rights Commission, causing the accused party to go to significant expense to defend himself.

Mr. Howell answered that this is a difficult matter. He felt that he was not in a position to provide an answer. He suggested that the Council meet with the Commission to search for a solution.

Councilmember Richardson commended Mr. Howell and Sandy Friedman, who was in the audience, for their work with the Youth Shelter Care Facility program.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to accept the annual reports of Human Resources and Streets/Transit as presented. The motion was passed by a unanimous VOICE VOTE.

Tom Wells came forward, representing the Kinzer Pike Safety Association, and distributed several letters to the Council. He spoke of the growing problem of flying golf balls inflicting damage to homes, cars, and people.

PETITIONS AND
COMMUNICATIONS

Councilmember Kinzer moved and Councilmember Richardson seconded a motion to have the Parks and Recreation Department investigate the problem, arrive at an interim answer by the next Council meeting, and suggest alternatives.

In general discussion it was agreed that the problem is indeed a serious one, and it was hoped that a solution would be found in the near future to the satisfaction of both the complaining homeowners and the users of the golf course.

The motion to have the Parks and Recreation Department investigate the problem was passed by a unanimous VOICE VOTE.

Bob Warner, of 3151 Kinzer Pike, invited anyone interested to come out to his neighborhood and take a look at the damage being inflicted by the balls. He noted that property value declines because of the problem.

Councilmember Morrison expressed the opinion that the only solution was to redesign the golf course.

Councilmember Kinzer asked the City Attorney whether or not the City would be liable for further damage caused by balls since the problem had now officially been brought before the Council.

City Attorney Richardson noted that the development involved was built after the golf course, and that the developers were aware of the possibility of this problem arising. He noted that the players are liable for any damage caused by the balls they hit.

After general discussion, Councilmember Kinzer moved and Councilmember Blume seconded a motion to shut down the three holes involved until a solution to the problem can be found.

Councilmember Olcott acknowledged the seriousness of the problem, but suggested that no one panic and follow through with efforts to close down certain holes, as such action would make it impossible to run the golf course at all.

Councilmember Kinzer wondered if play would be allowed to continue while awaiting suggested solutions from the Parks and Recreation Department.

Councilmember Blume pointed out that he seconded the earlier motion for the sake of discussion, and added that he did not want to see the holes closed down simply because a possible hazard exists. He pointed out that similar problems exist at the Country Club and the Pointe.

Councilmember Richardson noted that while the Parks and Rec. Dept. is responsible for matters involving the golf course, the City is responsible for protecting the safety of its citizens.

The motion to close the three disputed holes was defeated by a ROLL CALL VOTE of Ayes: 2, Nays: 5. Ayes: Kinzer, Richardson. Nays: Morrison (indicated his support of the need to redesign the holes), Allison, Blume, Olcott, Middleton.

It was reiterated that the question will come up again on August 4, the date of the next Council meeting.

Mr. Wells spoke of the safety hazard again.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-48 by title only.

ORDINANCE 77-48
To Amend Title 15 of the Municipal Code Section 15.64.330, "Intracity Bus Stop 15.72.040, "Parking Meters"

Clerk Dolnick read Ordinance 77-48 by title only.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to adopt Ordinance 77-48.

Councilmember Olcott gave the Committee Report and read the legislative synopsis, noting a DO PASS recommendation from the Community Development Committee.

Ordinance 77-48 was then adopted by a Unanimous ROLL CALL VOTE of Ayes: 6, Nays:0. Absent: Richardson.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-51 by title only.

ORDINANCE 77-51
To Amend Municipal Code, Title 7, "Animals"

Clerk Dolnick read Ordinance 77-51 by title only.

Councilpresident Middleton read the legislative synopsis.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-52 by title only.

ORDINANCE 77-52
To Amend Zoning Maps (ZO-33-77) re: 602, 604, 606, 608, 610, 600 and 612 W. Wylie St RS to S.

Clerk Dolnick read Ordinance 77-52 by title only.

Councilpresident Middleton read the legislative synopsis.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-53 by title only.

ORDINANCE 77-53
To Amend Zoning Map (ZO-29-77) re: 1133 S. Rogers and NW corner of S. Rogers and Grimes Lane.

Clerk Dolnick then read Ordinance 77-53 by title only.

Councilpresident Middleton read the legislative synopsis.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-54 by title only.

ORDINANCE 77-54
Salary Ordinance for Appointed Officers and Employees

Clerk Dolnick read Ordinance 77-54 by title only.

Councilpresident Middleton read the legislative synopsis.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-54 by title only.

Clerk Dolnick read Ordinance 77-55 by title only.

ORDINANCE 77-55
Salary Ordinance For Police and Fire Officers and Employees

Councilpresident Middleton read the legislative synopsis for Ordinance 77-55.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Appropriation Ordinance 77-14 by title only.

APPROPRIATION
ORDINANCE 77-14
From GF and Parks
and Rec.

Clerk Dolnick read Appropriation Ordinance 77-14 by title only.

Councilpresident Middleton read the legislative synopsis.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-56 by title only.

ORDINANCE 77-56
Salary Ordinance
for Appointed Offi-
cers and Employees

Clerk Dolnick read Ordinance 77-56 by title only.

Councilpresident Middleton read the legislative synopsis.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-57 by title only.

ORDINANCE 77-57
To Amend the Muni-
cipal Code, 15.36.370
"One Way Streets &
Alleys", 15.64.370,
"Restricted Parking
Zones", and 15.76.010
"Stop Intersections"

Clerk Dolnick read Ordinance 77-57 by title only.

Councilpresident Middleton read the legislative synopsis.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-58 by title only.

ORDINANCE 77-58
To Amend the Zoning
Maps (ZO-23-77) re:
4518 & 4520 E. 3rd
St. BL to BG

Clerk Dolnick read Ordinance 77-58 by title only.

Councilpresident Middleton read the legislative synopsis.


Councilmember Olcott moved and Councilmember Morrison seconded a motion to accept the minutes for June 16, 1977 as submitted.

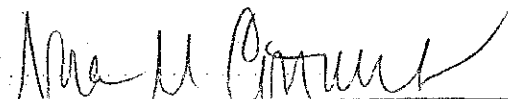
MINUTES FOR APPROVAL
June 16, 1977

The meeting was then adjourned at 9:05 p.m.

ADJOURNMENT

APPROVE:


Thomas O Middleton, President
Bloomington Common Council


Nora M. Connors, Dep. City Clerk

Approved upon this 21 day of July 1977.

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