



City of Bloomington Common Council

Legislative Packet

Regular Session

04 April 2007

Office of the Common Council
P.O. Box 100
401 North Morton Street
Bloomington, Indiana 47402

812.349.3409

council@bloomington.in.gov
<http://www.bloomington.in.gov>



To: Council Members
From: Council Office
Re: Weekly Packet Memo
Date: March 30, 2007

Packet Related Material

Memo

Agenda

Calendar

Notices and Agendas:

None

Legislation for Final Action:

- **Res 07-03** To Approve Application and Authorize Loan from the Business Investment Incentive Fund (Bloomington Cooperative Services, Inc., Petitioner)

Contact: Danise Alano at 349-3406 or alanod@bloomington.in.gov

- *Please see the Legislative Packet issued for the Council meeting on 28 March 2007.*

Legislation and Background Material for First Reading:

None

Minutes from Regular Session:

21 February 2007

Memo

**One Resolution Ready for Final Action and No Ordinances for Introduction at
Regular Session on April 4th
- Motion to Cancel Committee of the Whole**

The agenda for next week's Regular Session includes final action on **Res 07-03**, which can be found in the Legislative Packet for the 28 March 2007 Committee of the Whole. Please note that Councilmember Rollo will be filing a Disclosure of a Conflict of Interest regarding this resolution due to the fact that he and his wife have participated in a member loan program for this project.

As there is no legislation being introduced this week, nor expected the following week, the Council should consider a Motion to Cancel the Committee of the Whole on 11 April 2007.

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL REGULAR SESSION
7:30 P.M., WEDNESDAY, APRIL 4, 2007
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.**

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: February 21, 2007 (Regular Session)

IV. REPORTS FROM:

1. Councilmembers

- Disclosure of a Conflict of Interest

2. The Mayor and City Offices

3. Council Committees

4. Public

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS

1. Resolution 07-03 To Approve Application and Authorize Loan from the Business Investment Incentive Fund (Bloomington Cooperative Services, Inc., Petitioner)

Committee Recommendation: Do Pass 7 – 0 – 0

VII. LEGISLATION FOR FIRST READING

None

VIII. PRIVILEGE OF THE FLOOR (This section of the agenda will be limited to 25 minutes maximum, with each speaker limited to 5 minutes)

IX. ADJOURNMENT

City of
Bloomington
Indiana

City Hall
401 N. Morton St.
Post Office Box 100
Bloomington, Indiana 47402



Office of the Common Council
(p:) 812.349.3409
(f:) 812. 349.3570
council@bloomington.in.gov
www.bloomington.in.gov/council

To: Council Members
From: Council Office
Re: Calendar for the Week of April 2-7, 2007

Monday, April 2, 2007

4:00 pm Deadline for Submitting Applications for Jack Hopkins Social Services Funding Grants, Council Office
5:00 pm Redevelopment Commission, McCloskey
5:00 pm Utilities Service Board, IU Research-North Showers, 501 N. Morton Street 100B
5:30 pm Bicycle & Pedestrian Safety Commission Work Session, Hooker Room

Tuesday, April 3, 2007

1:30 pm Development Review Committee, McCloskey
5:00 pm Solid Waste Advisory Council, McCloskey
5:30 pm Bloomington Public Transportation Corporation, Transportation Center, 130 W. Grimes Lane
5:30 pm Board of Public Works, Council Chambers
7:30 pm Telecommunications Council, Council Chambers

Wednesday, April 4, 2007

12:00 pm Bloomington Urban Enterprise Association, McCloskey
2:00 pm Coordinated Public Transit Human Services Transportation Meeting, McCloskey
7:30 pm Common Council Regular Session, Council Chambers

Thursday, April 5, 2007

11:30 am Solid Waste Management District, Monroe County Courthouse, Judge Nat U. Hill, III Room
4:00 pm Bloomington Digital Underground Advisory Committee, McCloskey
5:30 pm Commission on the Status of Women, McCloskey

Friday, April 6, 2007

City Holiday – Offices Closed.

Saturday, April 7, 2007

8:00 am Bloomington Community Farmers' Market, Showers Common

In the Council Chambers of the Showers City Hall on Wednesday, February 21, 2007 at 7:30 pm with Council President Dave Rollo presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
February 21, 2007

Roll Call: Wisler, Diekhoff, Sandberg, Rollo, Sturbaum, Volan, Sabbagh, Mayer
Absent: Ruff

ROLL CALL

Council President Rollo gave the Agenda Summation

AGENDA SUMMATION

There were no minutes to be approved.

APPROVAL OF MINUTES
REPORTS:
COUNCILMEMBERS

Brad Wisler welcomed students to the meeting, inviting them to contact him if needed.
He reported that several council members had encouraged state legislators to support a bill that would fund a feasibility study high speed rail to connect Bloomington to Indianapolis and surrounding areas. He also spoke of a bill that would establish study committees that would allow in depth analysis of the vision of Bloomington in the future along with other areas of South Central Indiana. He hoped that the council as a whole would act to support this legislation.

Mike Diekhoff announced Youth Musical Theater productions, Honk and Pied Piper, at Tri North in the next two weekends.

Steve Volan noted the Big Brothers/Big Sisters Bowl-For-Kids’ -Sake fundraiser and noted that the council’s team (The City Council Commission on Pin Demolition) would be bowling on Sunday, February 25 at 1:00 pm and encouraged support of this event.

Susan Sandberg noted that her sister Sarah Sandberg created special hard hats for the DEMO team and thanked her for that creative effort. She noted that she attended the Arts Leadership Awards Luncheon recently held and announced that this was the beginning of Arts Week, the collaboration celebration between the city and IU. She noted that there were many events on the schedule, asked folks to check the website for details on them, and said that the arts were an important part of our economy.

Chris Sturbaum noted that as a business owner, he had worked with Anthem insurance. He said that their issue with the Bloomington Hospital’s contract was epitomized in their refusal to provide a wheel chair for an amputee, and the fact that their CEO who in 2004 received a three year merit bonus of \$42.5M, in times when premiums are rising and benefits are being cut. He noted that the recent opposition to national health care by insurance companies such as Anthem was greedy and pathetic.

Tim Mayer welcomed David Sabbagh to the Mayor’s race and added that he was sorry Sabbagh would not be running for council. He thanked the city workers for getting us all through the recent icy winter storm. He noted that the street deterioration was a result of this, and said that city street department employees were hard at work on it.

Dave Rollo noted a recent report that one of every \$5 spent in 2020 will be for health care expenses, but without some of the coverage. He noted that this budget line for the city was continually rising.

There were no reports at this meeting.

MAYOR and CITY OFFICES

Isabel Piedmont, former chair of the Environmental Commission gave a report on the activities of the Commission in 2006. She reported on sub-committee actions, working relationships with other city departments and commissions and highlighted major activities of the commission in the past year.

COUNCIL COMMITTEES

Heather Reynolds, present chair of the Environmental Commission reviewed the Bloomington Environmental Quality Indicator (BEQI) Report. Reynolds said that the Commission started to produce these reports in 1994 and has been updated every three to five years with this being the first time that the report was web based. She thanked the interns who researched, drafted and wrote the report under the direction of the Environmental Commission members. She said that the report was created to provide data regarding the quality of the environment to the City, and was, she said, an integral part of the mission of the Commission. Reynolds gave highlights of the report from the web version, spoke of the usability of the site and said that the full report or an executive summary could be accessed at www.bloomington.in.gov/environment.

David Grubb announced that he was going to have heart surgery and would not be in attendance at council meetings for a while.

PUBLIC INPUT

Alex Schrore-He commented on what Councilmember Sturbaum said about healthcare. He recently attended a meeting with Doctor Rob Stone who is advocating for a single pay system.

There were no board or commission appointments at this meeting.

BOARD AND COMMISSION
APPOINTMENTS
LEGISLATION FOR SECOND
READING

It was moved and seconded that Appropriate Ordinance 07-01 be introduced and read by title and synopsis. Deputy Clerk Pro Tem Alicia Ayers read the legislation and synopsis, giving the Committee Do-Pass Recommendation of 7-0-0. It was moved and seconded that Appropriate Ordinance 07-01 be adopted.

Appropriate Ordinance 07-01 To Specially Appropriate From the General Fund Expenditures Not Otherwise Appropriated (Appropriating Funds from the General Fund for Animal Care & Control)

Susan Clark, Controller, stated this was a simple appropriation \$5055 received from PetSmart charities which will go toward a new HVAC system for the older portion of the animal shelter.

Mayer-Asked if the foundation matched the money the people put in?

Clark-Stated she did not know but she would find out and get back with the Council.

Sturbaum-Stated this money came from donations people made at Petsmart when they were buying animal care products.

Appropriate Ordinance 07-01 received a roll call vote of Ayes: 8, Nays: 0.

It was moved and seconded that Ordinance 07-02 be introduced and read by title and synopsis. Deputy Clerk Pro Tem read the legislation and synopsis, stating that there was no committee recommendation. Giving the Committee Do-Pass Recommendation of 8-0-0. It was moved and seconded that Ordinance 07-02 be adopted.

Ordinance 07-02 To Amend the Bloomington Zoning Maps from Q to PUD and to Adopt the Preliminary Plan for the Southern Indiana Health Sciences Park Planned Unit Development – Re: 2401 West Tapp Road (Southern Indiana Medical Park II, LLC, Petitioner)

James Roach, Senior Zoning Planner stated the property in question was located to the southwest part of the community which is bordered to the north by Tapp road, on the west by state road 37, and by the east on the flood plane of Clear Creek, and to the northwest is the existing Southern Indiana Medical Park. He stated the Medical Park was 101

Ordinance 07-02 (cont'd)

acres which is currently zoned Q which allows for limestone quarry activities and the growth policies plan calls out for this part of the community to be developed as an employment center. The request as stated in the ordinance is to rezone the property and change the zoning from quarry to Planned United Development to create a new PUD, and to approve a preliminary plan which includes a permit use for the PUD such professional and medical offices, clinics, industrial and commercial mode of 3.9 acres. This would preserve 59 acres of environmentally sensitive land in perpetuity. He stated this plan has been in the works for a long time and this was the third version to come before the council. Council has reviewed the most prominent change in the project which is the preservation of all the land South of the creek which is the 59 acres. He noted the plan commission recommendation was a vote of 6-3 by the, with one condition concerning the wording on the future of easements placed on property.

Steve Smith, representative of the petitioner said that he concurred with what the staff has presented and asked for approval. He then stated he would be happy to answer any questions from the Council.

Volan asked Smith to give a review of the minority's position.

Smith-Stated the three Plan Commission members that dissented believed that the Wiemer road extension from the north property line to the southern property line should be constructed by the developer.

Sturbaum-Asked for clarification on the 20,000 square foot structure.

Roach-Stated the commercial portion of the Renwick Planned Unit Development at the intersection of Moores Pike and South Sare road was approved with 22,000 square feet. The White Hall Park development which is east of the Westside Marsh and west of Whitehall crossing has two building which have shops which are 10,000 thousand square feet. He noted that this would give the council ideas of similar structures.

Sabbagh asked where the fire station would be located to which Roach reported that the site had not yet been identified.

Sabbagh asked if the frontage road on 37 would continue to stay on 37. Roach-Stated it is not a yes or no answer but the road is recommended by planning documents.

Sabbagh asked if he saw any decrease in traffic over the next 10 to 15 years. Roach stated that this question was out of his area of professional experience and that when he does long range transportation planning it would project traffic in the future based on population growth. He added that, based on conventional projections if people continue to use vehicles, then traffic would increase. However, he stated factors such as peak oil, and different modes of transportation could come into play, and that this impact could not be predicted.

Rollo asked if the planning documents included environmentally sensitive areas to which Roach replied they did.

Rollo noted that this was one of the most environmentally sensitive areas left in the City. He asked if the petitioner if preservation of green space would be managed, either by a conservancy or by the owner of the parcel. Roach answered that it would be.

Duncan Campbell said they worked really hard to protect the historic preservation to the East. He believes they have done a good job with

the development of the land. He said they have protected historic property, environmentally sensitive land, and provided services the community could use. He thanked Steve for all the hard work and this continued effort of revisions in the plan showed that government is working.

Ordinance 07-02 (cont'd)

Mayer thanked staff, the Plan Commission, and the petitioner for all of their hard work.

Wisler also thanked planning staff and the petitioner for all their patience in the process.

Sturbaum stated that smoothness and quickness is not always the right answer.

Sandberg-Stated she was happy to support this ordinance.

Volan asked what was more important: connectivity or greenspace. He said they were not equivalent and if people were going to talk about transportation, they would have to think about zoning. He would argue this would not exceed the most current development of the growth policies plan, and building more roads does not mitigate auto traffic. Volan stated the key point he was trying to make was that the Growth Policies Plan did not only call for connectivity but also for compact development. He said he firmly believed they did not need this road. However, he was very pleased to see how this had turned out and was happy the land was preserved.

Rollo-He appreciated the work the Planning Department and petitioner did on this development. He was happy that 60 acres of high quality green space would be preserved. This development plan for this parcel had taken some time, but, he noted, that it had been worth it. He said he believed it was a wise decision for our community.

Ordinance 07-02 received a roll call vote of Ayes: 7, Nays: 1 (Sabbagh).

It was moved and seconded that the following legislation be introduced and read by title and synopsis only. Deputy Clerk Pro Tem Alicia Ayers read the legislation by title and synopsis.

LEGISLATION FOR FIRST
READING

Ordinance 07-03 To Amend Title 8 “Historic Preservation and Protection” and Title 17 “Construction Regulations” of the Bloomington Municipal Code – Re: To Implement Revisions to the Demolition Delay Ordinance, Including Enforcement Provisions, as Provided by the Bloomington Unified Development Ordinance and Codifying the Adoption of the 2001 City of Bloomington Survey of Historic Sites and Structures

Ordinance 07-03

There was not public comment at this point in the meeting.

PUBLIC INPUT

The meeting was adjourned at 9:20 pm.

ADJOURNMENT

APPROVE:

ATTEST:

Dave Rollo, PRESIDENT
Bloomington Common Council

Regina Moore, CLERK
City of Bloomington