

In the Council Chambers of the Showers City Hall on Wednesday, January 22, 1997 at 7:40 PM with Council President Pizzo presiding over a Special Session of the Common Council.

COMMON COUNCIL  
SPECIAL SESSION  
JANUARY 22, 1997

Roll Call: Banach, Mayer, Young, Cole, Pizzo, Service, Sabbagh, Sherman, Pierce.

ROLL CALL

Pizzo gave the Agenda Summation.

AGENDA SUMMATION

The minutes of December 4, 18, 1996 and January 6, 1997 were approved by a voice vote with a suggested correction from Service. The correction was noted and made.

APPROVAL OF  
MINUTES

Mayer thanked the Street Dept., Sanitation, Utilities and the Police Departments for all their hard work and a job well done in what has been very severe weather conditions the past several weeks.

MESSAGES FROM  
COUNCILMEMBERS

Young talked about a Public Works meeting in which a discussion took place about private trash haulers and his disappointment at having the request denied. He thought persons should be able to contract privately, if they wish, and the City maintain our own operating system the way it is. Two, three or twenty people out of our system can't be that bad or hurt us in the long term.

Cole wished her son, Will, a Happy 14th Birthday.

Service echoed the thanks to the Street Department for clearing the streets as well as they did during the recent snow and ice storms.

Sherman also expressed his thanks to the street and sanitation crews and he reminded people that there is an ordinance that sidewalks must be cleared of snow and he hoped that the city would warn or fine people who ignore the ordinance. He responded to Young's comments about trash hauling, and said it's called privatization and if we wanted to do that we would. The reasons we are in the trash collection business is for health and safety reasons and if ten different companies are collecting trash on different days of each week, it would be chaos.

Pizzo also commended the city departments for jobs well done.

Clerk Williams read an Encomium for Mary Ellis, retiring Human Rights Commissioner and thanked her for ten years of service to the commission. Mary thanked the council for the kind words. Barbara McKinney, Human Rights Commission Attorney, praised Mary's expertise and common sense in approaching the issues that the commission addressed.

ENCOMIUM FOR  
MARY ELLIS

It was moved and seconded that Ordinance 97-1 be introduced and read by title only. Clerk Williams read the legislation by title only. It was moved and seconded that Ordinance 97-1 be adopted. The synopsis and committee recommendation of Do-Pass 7-1-1 was given.

LEGISLATION FOR  
SECOND  
READING/VOTE  
ORDINANCE 97-1

Mike Phillips, Utilities Director, said the 5-year Capital Plan has been designed to accommodate plant improvements, infiltration and inflow problems, and the USB is recommending a 12% increase of all rates and charges, except for the haul/waste fees and sewer only users. Also a connection fund would be established with \$20,000 a year and

administered by the Dept. of Housing (Redevelopment). The increase is about \$18/year/household and compared to other communities of similar size our fees are less. He discussed the cost of administering the connection fund will operate the same way as the permit program, with costs absorbed in the routine operation and all money will be available to offset the connection fees. Haul fees were adjusted and increased in some categories in 1996 with about a 3% increase at that time. The cost effectiveness of I and I removal and its impact on planning capacity is a difficult question and requires a fairly detailed and long term study. He defined just what the infiltration and inflow problems actually are and how they impact the sewer and storm water systems and how maintaining and repairing our systems as they age and deteriorate is important. He showed the year to year water/wastewater increases and changes to the storm sewer system as they age and how rain and dry periods affect the water/storm water flows. He said that the plant improvement would increase the production flows by about 5 million gallons/day and how a reduction of I and I inflows is necessary in order to extend the life of the facility.

Young asked where the problems were and Phillips said, everywhere, starting with the collection basins at the eastern edge of the city and moving westward. Phillis said that smoke testing will be conducted to determine just what the problems are.

It was moved and seconded that an amendment deleting the 12% increase in wastewater connection fees be considered.

Young, as sponsor of the amendment, asked Phillips to comment on the amendment. Phillips said the effects of the amendment would be a reduction of revenues of about \$25-30,000/year for each year. He said that is the equivalent of about a salary for one person or repairing 30 manholes a year.

Young said that he felt that this is a new amount, set in 1994 and doesn't believe that it warrants an increase and is not fair to assess another 12% to the cost of a hook on for a house as well as the rate increase. It is a double dip, so to speak and just not fair when we are supposed to be trying to make housing more affordable.

Banach agreed and disagreed with some of Young's points. He agreed that the 12% increase for the connection fee is unnecessary but the connection fee is not altogether a bad thing. There is a lot involved with the process to do a connection. He agreed with Young's proposed amendment.

Sabbagh also supported the amendment as well as Young's statement about affordable housing.

Sherman supported the connection fee and said that the purpose of the connection fee concept is different from the 12% rate of use increase, however he did not like the idea of mixing the 12% everywhere you can get it. If we need the money, then raise the use fee another tenth of a percent, but don't increase it here.

Cole asked how much labor was involved in connecting a new home. Phillips said the property owner runs the lateral that connects to the street main and Utilities make the tap on the main for that connection. He said it was valued in 1994 at about \$75 and it was

rolled into the connection fee. Cole did not think that we should have the across the board increases, it is just too much.

Service asked if this amendment passes, what would be cut. Phillips said it is a revenue stream process and that manholes would be repaired and maintained as needed, he was just using those as examples of particular costs. She continued by asking what the council would not be funding by passing this amendment and Phillips said there would just be less revenues to work with on an annual basis.

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

Young said he thought that Utilities could make this money up with other increases, that they do a good job and provide good service, but he questioned if we were serving the public in the best way in the way we administer the treatment facility. He cited Ellettsville with their privately operated facility and said we need to look at competitive bidding, and that we have our wastewater plant employees actually bid at running the plant against an outside company. He said he was not talking privatization or giving this away, but competitive bidding that can keep the costs down.

Banach said he would support the increase as the need is certainly there. If competitive bidding should happen in the future, this increase will be taking care of the problems that currently exist.

Mayer noted that the Utilities Department has a board, that has already reviewed this very carefully and then forwarded it to the council. He said this proposal has had the closest scrutiny.

Cole, while hesitant to increase rates, said the increase has been well thought out, is necessary and that we are lucky to have the high quality of water for our community that we do have.

The ordinance, as amended, received a roll call vote of Ayes:8, Nays:1 (Young).

It was moved and seconded that Ordinance 97-3 be introduced and read by title only. Clerk Williams read the legislation by title only. It was moved and seconded that Ordinance 97-3 be adopted. The synopsis and committee recommendation of Do-Pass 6-0-3 was given.

ORDINANCE 97-3

Don Hastings, Planning Director, reviewed the petitioner's amendment request to replace a duplex that was previously deleted from the PUD. This PUD was originally approved in 1991, amended in 1995 to allow Textillery Weavers to expand on Lot 7, adding 2,200 sqft. and as a condition of approval in 1995, staff had recommended that one of the 4 duplexes be removed because of its close proximity to the industrial uses and the resulting space should be then used as a buffer, so to speak. This ordinance is requesting the return of the 4th duplex once again. Landscaping will be required between the duplex and the parking lot with twelve 5' Arborvitae shrubs and three 6' White Pine trees and there will be no tree removal in the rail road right of way area.

Robert Shaw, the petitioner, said that the duplexes were originally added because the South Central Mental Health organization was building 22 efficiency units on that site and the Plan Dept. thought the buffering was necessary. The businesses and the residential units are pretty much invisible to each other and neither side has any concerns about this proposal. These units will be 1600+ sqft for each duplex, with walk out basements, renting for about \$500/month.

Young asked about sewer costs, and Shaw said that the sewer cost him approximately \$40,000 to serve all the units and the textile facility.

Cole asked about his occupancy rates and Shaw said he believed that it was 100% occupied. She asked about Bloomington Transit and he said the pick up point in on 3rd Street. He noted all the various businesses that are located in this complex and he was not concerned about Textillery Weaving leaving and not having an appropriate tenant to blend with the rest of the other neighbors. She felt that there really needed to be green space and that the original reason for deleting the duplex in the first place was a valid concern. Shaw thought there was a lot natural vegetation in the area, in general.

Sherman commended Shaw for the good things he does for the housing stock in Bloomington.

A young man in the audience asked about the buffer zone and why it was required. Don Hastings described the landscaping as cutting down on noise as well as providing a screen for the complex in general.

Service thought the original reason for requiring the landscaping buffer is still a valid one providing a buffer between the residential and business units.

The ordinance received a roll call vote of Ayes:8, Nays:1 (Service).

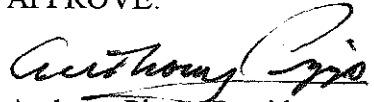
There was no legislation for First Reading.  
There was no public input.  
The next meeting will be February 5, 1997.

FIRST READINGS  
PUBLIC INPUT  
ANNOUNCEMENTS

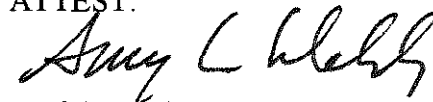
The meeting was adjourned at 8:55 PM.

ADJOURNMENT

APPROVE:

  
Anthony Pizzo, President  
Bloomington Common Council

ATTEST:

  
Patricia Williams, CLERK  
City of Bloomington