

In the Council Chambers of the Municipal Building held on Wednesday, March 27, 1996 at 7:30 PM with Council President Sherman presiding over a Regular Rescheduled Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
MARCH 27, 1996

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

ROLL CALL

Council President Sherman gave the agenda summation.

AGENDA SUMMATION

The minutes of February 21 and March 6, 1996 were approved by a voice vote.

APPROVAL OF
MINUTES

Service thanked the Street Dept and Utilities for their super human effort regarding snow removal last week.

MESSAGES FROM
COUNCILMEMBERS

Cole reported on the National League of Cities last week in Washington, D.C. The "hot" items in Washington, this year, being: the deficit, tax reform, the Telecommunications Act, the need to eliminate the partisanship that has dominated congress, and concerns about the new Federalism that state and local governments not pick up all the programs that are funded by the federal government.

Young reminded councilmembers to fill out the Leadership Bloomington surveys that were recently requested. He also responded to an Environmental Commission memo discussing erosion control enforcement and as someone who is directly involved in construction, he said that enforcement is very much in place and that there certainly are some problems.

Banach said that Traffic Commission hearings regarding Blue Ridge STOP signs have been postponed due to weather.

Sherman seconded Service's praise of citizens, city employees, and PSI for the wonderful job during the snow storm and subsequent removal process. He announced the acceptance of applications for the Affordable Housing Task Force and urged people to consider applying for this important board.

It was moved and seconded that Resolution 96-5 be introduced and read by title only. Deputy Clerk Byrd read the legislation by title only. It was moved and seconded that Resolution 96-5 be adopted. The synopsis was given.

LEGISLATION FOR
SECOND READING
AND VOTE
RESOLUTION 96-5

Doris Sims, Redevelopment Director, stated that the synopsis of the resolution is very comprehensive and explains the purpose of this legislation.

Bob Woolford, Redevelopment Dept, discussed specific points, noting that the correct date for Plan Commission approval was March 4, 1996 and there will be an amendment pertaining to the date correction. Citizen concerns about this area's infrastructure occurred during the annexation process last year and the city met with those citizens in order to address those concerns and priorities. The fiscal plan for this annexed area was amended this year and include road, intersection and water/sanitary sewer improvements to the proposed TIF area.

Young asked about the road improvements and if they were being influenced by the proposed I-69 highway/access. Jamie Brinegar, Controllers office said that the improvements are to alleviate the Kinser Rd congestive traffic problems. There is the anticipated traffic increase with the proposed business park and the need for improved access.

Kiesling asked about the time lines. Brinegar said the city could pay monies in advance of the TIF revenues coming in to assist with the development.

In this particular case, any tax dollars after March 1, 1995 remain in the TIF district. All the other taxing units receive the same base monies they just do not get the increased revenues from the improvements - those go into the TIF.

Mark Stoores reminded the council that the concept of TIF districts was originally structured for blighted areas and the length of time that the area is "TIFed" is also of concern.

Kiesling and Sherman also commented on the fact that this area was "just sitting there" and this TIF will be used to encourage development in an area that might otherwise not develop and the improvements go directly into improvements to this area.

It was moved, seconded and approved by a roll call vote that the resolution be amended to reflect the correct date, March 4, 1996, for Plan Commission approval.

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

Cole urged caution as the development of this area proceeds, as this is the main entrance to Bloomington. We must be careful.

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

It was moved and seconded that Resolution 96-4 be introduced and read by title only. Deputy Clerk Byrd read the legislation by title only.

RESOLUTION 96-4

It was moved and seconded that Resolution 96-4 be adopted. The synopsis was given.

Doris Sims discussed briefly the Industrial Incentive Loan program and how it is structured. Since the programs inception, eleven loans have been made encompassing the range of uses from daycare programs to business expansion. \$100,000 is the maximum amount that can be borrowed from the fund and is the average loan amount. If this loan is approved, there will be a fund balance of a little over \$57,000 left in the fund. The proposed loan would improve the current day care operation located at W. 14th Street and be capable of doubling their current capacity.

Banach asked about the loan repayment history and Sims said there has been an excellent repayment record and no one has defaulted.

Young said he would like to have a list of loan recipients and their repayment schedule.

Banach questioned applicants ability to repay the loans and how we determine if the applicant is able to repay. Sims said that the Redevelopment Dept has a loan specialist on staff who reviews each application and the feasibility of each request/loan repayment.

Mary Reinhold said that the payback dollar amount is feasible and she outlined the various funding sources that MACUM has to finance their operation. The loan request is for construction costs, not operation costs. The plan would double the actual space and number of children that the facility can accommodate. An extensive discussion followed about the broad spectrum of day care options available and the difficulty of minimum waged parents trying to find those options for their children. This money is part of a request with the Community Focus

Fund that requires a 10% minimum local match and this money, along with the fund match would be part of the total funding for the project (\$750,000) if all the approvals are in place statewide.

Young thought it was a good use, but was concerned that the fund will be getting pretty low.

Nancy Brinegar gave the exact repayment schedules for the various outstanding loans. Linda Williamson, EDC has requested that \$100,000 be "reserved" for a prospective business that may need assistance, so the balance is currently approximately \$157,000 and if this loan is approved, it would then be \$57,000 or \$157,000 if the EDC loan is not requested or processed.

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

It was moved and seconded that Ordinance 96-5 be introduced and read by title only. Deputy Clerk Byrd read the legislation by title only.

ORDINANCE 96-5

It was moved and seconded that Ordinance 96-5 be adopted. The synopsis was given and the various recommendations as follows: Committee recommendation: Do-Pass 3-0-5 on 2/14/96, Motion to Postpone 7-0-1 on 3/20/96.

Toni McClure, Planning Dept. described the 235 acre tract on Rockport Rd and Fullerton Pk for a proposed SF and MF project for 1165 units complete with green space, business park and commercial area. What has taken place since the last council discussion of this plan are agreements for road improvements between the city and the developer regarding off site improvements that would be made at certain points in the development. She pointed out floodplain areas, sewer alignment as well as bicycle and pedestrian trails as dedicated rights of way. If the development occurs faster than the planned public improvements the petitioner would allow for the following: development in Phase I will have access to Gordon Pk only and also stipulated that at such time that 100 units are built, the petitioner will make improvements to the intersection of Gordon PK and S. Rogers St with the approval of the County Highway Engineer. Further, Part I will not connect to Rockport Rd until improvements to Phase 2 are made. Up to 50 residential units or development in the business part, equivalent to traffic generated by 50 units, can go in without improvements being made. Road improvements will be made and either Adams St extension will be developed or the petitioner will improve another lane to the south leg of Rockport Rd or adding a left turn on westbound Country Club Rd.

McClure also discussed other road connections through Eagle View (southside), Rockport and Adams St. goes through the Sudbury tract as a major connective. Public improvements include traffic signal and lane improvements at Gordon Pk and S. Walnut St. Pk, also Rogers and Country Club intersection work are slated for this year. The county's Thoroughfare Plan calls for Tapp Rd to be 4-laned but there is no current funding for that project but it is planned for. The Redevelopment Dept. is responsible for road improvements for Rockport from Country View to Rogers with sidewalks and drainage improvements. McClure then briefly noted the density of all the surrounding developments adjacent to the proposed tract.

Lynn Coyne, representing the petitioner, said that the reason for the continuance of this project is the county's approval of phase improvements. Everyone is now in agreement. There are traffic considerations that must be met if this project is to move forward. The agreement is a recordable commitment.

Mike Probst, Smith Neubecker, discussed how this development complies with the compact urban form concept called for in the master plan. The quarry greenspace will be used as a buffer for the residential area tract. He noted that the Plan Commission wanted to have commercial development within the tract so that people did not have to leave their immediate area to meet daily needs, so a grocery store of 10,000 sqft and a 3,000 sqft convenience store were requested.

Probst then outlined the possible density of over 1500 units within the project, if they did not provide the road, greenspace, commercial and business park areas. He repeated the various road and intersection improvements that were noted earlier in McClure's presentation. This is a long term project that will take 20-30 years to complete and the infrastructure is ahead of this project, not behind.

Service asked about the proposed green space and Probst said it would be a combination of retention pond and recreation facility that is also designed to separate the residential areas from the business tracts. Probst said he thought the client would probably provide some fill to the quarry areas to make them more user friendly.

A discussion continued regarding approval processes for various parts of the project. It was determined that there would be Planning Staff approval for the Quarry Reclamation Plan and full Plan Commission approval will be required for the storm water detention plan.

Kiesling asked if all the various developments in the Tapp Rd area will act as a kind of insurance that Tapp Rd remain an access point if the new highway ever becomes a reality. McClure said that they are looking at a frontage road running parallel to SR 37 that would be an access point to the highway if the Tapp Rd connection were closed.

Steve Smith reiterated the phasing of their traffic improvements as related earlier by McClure. He talked about the continuation and improvements to Gordon Pk along their frontage. Next, the improvement of Gordon Pk and Rogers St with turn lanes with the possibility of a temporary 4 way STOP. He also talked about the correction on the Rockport Rd to create the proper elevations and improve the safety of both curves.

Scott Wells read from the County Comprehensive Plan and population projections and housing density that will be required over a 20 year period and the call for 7,750 units that will be needed. He then itemized the units already approved for a total of over 11,000. He also talked about infrastructure concerns, lost habitats for animal life and drainage detention.

Mark Stoores talked about the financial costs to taxpayers for the infrastructure needs that these developments are creating ranging from and including park, schools, utilities, fire and police protection. We are subsidizing developers who are benefiting financially from these developments. He went on to discuss impact fee legislation to offset the costs for the average taxpayers.

Susan Green thought that the developer had not been specific enough regarding this proposal and that the project should develop along with the infrastructure.

Sabbagh asked if the current zoning would allow this kind of density and McClure said that the rezoning does allow for a greater density and this plan allows for amenities to the area not included in the present zoning, the quarry park, greenspace, shopping opportunities and the business facilities.

Sherman expressed some thoughts about "creeping incrementalism"; that each development alone is okay, but what we are doing collectively is of concern. Perhaps we should be considering the "staging" of these developments. And at some point the numbers of the units we are talking about are beginning to make people nervous, and rightly so.

Pierce concurred with Sherman's concerns and thought it was time to review the Growth Policy Plan and see just where we are. Every project has a common component - infrastructure - and if we are not able to keep up with that demand then it has to be addressed at budget time. He was also concerned about storm water detention, that being another issue we need to address.

Banach agreed and thought perhaps, we should sit back and see just what we are doing and where we are going.

Cole said this project is just too far out there in terms of speculation and in terms of infrastructure. Also the one street ingress/egress is not right. The project is premature and should not be coming to us until the infrastructure is in place.

Service said that there are concerns about this particular plan and given that we have a master plan and given that there are not the glaring violations of our plan, the problem goes back to a threshold of what is significant in a development. She too, thought it was time to reevaluate the master plan.

Sabbagh thought, albeit nervously, that this plan fits the master plan, but has serious concerns about the infrastructure.

Pizzo thought we, in general, support the master plan, the Plan Department and the Plan Commission and it would be presumptive for us to begin arbitrarily interpreting the plan.

Young said that there are impact fees of a type, with the utility infrastructure and the costs that builders and developers pay.

Kiesling expressed reservations at the method of establishing the densities of the developments we are approving; lumping everything together does not reflect the real density of a residential area.

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

It was moved and seconded that the following legislation be introduced and read by the clerk by title only for First Reading before the Common Council. Deputy Clerk Byrd read the legislation by title only.

LEGISLATION FOR
FIRST READING

Ordinance 96-09 To Amend the Bloomington Zoning Maps from RM7, RS3.5/PRO6, PUD, and CA to PUD, and Approve the Preliminary Plan re: 3333 Moores Pike (Rogers, Group, Investments, Inc., Petitioner)

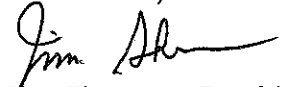
Sherman noted that next week the council will have a Committee of the Whole as well as a Regular Session back to back next week.

There was no public input.

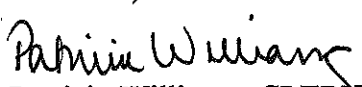
The meeting was adjourned at 10:30 PM

PUBLIC INPUT
ADJOURNMENT

APPROVE;


Jim Sherman, President
Bloomington Common Council

ATTEST;


Patricia Williams, CLERK
City of Bloomington