

In the Council Chambers of the Municipal Building held on Wednesday, April 17, 1996 at 7:30 PM with Council President Sherman presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
APRIL 17, 1996

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

ROLL CALL

President Sherman gave the agenda summation.
There were no minutes for approval.

AGENDA SUMMATION
MINUTES FOR
APPROVAL

Service discussed the recent newspaper story regarding animal abuse involving exotic animals and the need for the county to adopt stronger animal control legislation. She also announced upcoming theater productions.

MESSAGES FROM
COUNCILMEMBERS

Pizzo said he was at an IU Retirement Reception and Dinner earlier this evening and recognized and commended the retiring faculty and staff for their many contributions to the university and community.

Pizzo also read a Proclamation from the Mayor for National Medical Laboratory Week.

Young announced the upcoming Erosion Control Seminar on April 23 sponsored by the Planning Department and the Monroe County Home Builders Association.

Kiesling attended the Shelter Inc Annual meeting last week and commended them for the providing the badly needed services for our community, she also noted Tom Kings leaving the Community Kitchen and that he will certainly be missed. Child Care Recognition Dinner and Dorothy Johnson Award was presented. She also announced the upcoming Housing Authority Public Hearing on April 30.

Banach informed his Blue Ridge constituents that there will be a hearing next Wednesday before the Traffic Commission for the Ramble Road/Lakewood STOP sign as well as Glendora/Fritz Drive signage. He commended the Street Dept for their cleanup efforts in the area. He also attended the Child Care Dinner and was concerned about the many deficiencies that still exist in the child care area.

Sherman gave his annual spring flower report and hoped that everyone has a good and safe Little 500 Weekend.

Mayor Fernandez said that yesterday was Holocaust Remembrance Day and the ceremony of reading of the names of holocaust victims took place for six hours. It was a very moving and intense program and he thanked the organizers for their effort. Also the Learn and Serve Grants were awarded by our own Teen Council to young people who are making major contributions to our community in so many different ways.

MAYORAL MESSAGE

John Freeman, Public Works Director, announced awards for the Street Department from Monroe County Convention and Visitors Bureau and also the Commission for Bloomington Downtown. He also thanked the Utilities Dept for their snow removal efforts and the additional efforts involved in actually hauling snow from the downtown area, rather than piling it at corners or intersections. The crews and additional helpers were just phenomenal. He said that during/after the last snow storm we lost 84 street trees, there were 730 locations where large tree limbs were in the right of way, and hauled over 600 dump trucks of wood. He also announced disaster relief that would be forthcoming from the state and federal agencies.

DEPARTMENT
MESSAGES

Sherry Sheridan Sammis addressed concerns about PCBs and discussed a letter regarding the Consent Decree and problems with that document and the process as a whole. She urged the council to consider having an open discussion regarding consent decree concerns.

PUBLIC INPUT

Scott Wells discussed the number of units we as a community are approving and the specifics of the master plan are not relating to the general zoning ordinance. he also discussed at length concerns about the PRO6 zoning designation.

It was moved, seconded and approved by a voice vote that the following persons be appointed to the Boards & Commissions indicated:

BOARD &
COMMISSION
APPOINTMENTS

Commission on the Status of Women	Mary Ellen Keen	1997*
	Audrey McCluskey	1998
Redevelopment Commission	Lon Stevens	12/96
	David Walters	12/96

* Filing an unexpired term

Service commended everyone who applied and urged people who were not appointed to maintain their interest in the city. She thanked Rhonda Pearson for her involvement in the city and commended her for her participation and urged her to continue to apply for other vacancies as they occur.

Sherman assured everyone that we truly appreciate the many fine applicants that express an interest in our boards and commissions and that we are sorry that we are not able to appoint everyone who applies.

Kiesling encouraged people to apply for the Affordable Housing Trust Board. Clerk Williams announced that applications are kept on file for at least a year and that due to the very transient nature of Bloomington, vacancies occur frequently.

It was moved and seconded that Ordinance 96-11 be introduced and read by title only. Clerk Williams read the ordinance by title only. It was moved and seconded that Ordinance 96-11 be adopted. The synopsis and committee recommendation of Do-Pass 6-0-3 was given.

LEGISLATION F...
SECOND READING
ORDINANCE 96-11

Tim Lawson, Engineering Department, explained the various deletions and additions to the NO PARKING and LIMITED PARKING AREAS in various areas of the city. He discussed each change utilizing the computer generated maps for clarity. The ordinance itself describes each deletion and addition very clearly.

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

It was moved and seconded that Ordinance 96-16 be introduced and read by title only. Clerk Williams read the ordinance by title only. It was moved and seconded that Ordinance 96-16 be adopted. The synopsis and committee recommendation of Do-Pass 9-0 was given.

ORDINANCE 96-16

David Sabbagh, sponsor of the ordinance, asked Lawson to describe the site.

Young thought the biggest problem was the visibility on Highland and did anyone consider changing the actual corners, like peeling back the stone wall and the rest of the intersection. Lawson was not sure of the right of way provision regarding the actual location of the wall. Lawson suggested changing the STOP sign from 2nd Street as it currently is - to having the traffic stop on Highland instead of 2nd Street.

Sabbagh thought we needed a 4-Way STOP and then do a comprehensive investigation of the area to determine what is ultimately needed.

Jim Rosenbarger said this is only the second stop sign that has been approved in over 3 years despite an almost monthly request on the Traffic Commission agenda. Bloomington needs to consider the input of a professional bicycle-pedestrian planner if we want to balance the positions of the traffic manuals that we now use in the decision making process.

Kiesling said that a number of neighborhood residents spoke at the Committee of the Whole meeting in support of this ordinance.

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

It was moved and seconded that Resolution 96-6 be introduced and read by title only. Clerk Williams read the ordinance by title only.

RESOLUTION 96-6

It was moved and seconded that Resolution 96-6 be adopted. The synopsis and committee recommendation of Do-Pass 8-1 was given.

Randy Cassady, Petitioner, said that while everyone involved in this project has fulfilled the necessary requirements, the petitioners have asked that this resolution be continued until a later time because an adjacent property owner feels that they were not notified regarding the Board of Zoning Appeals hearing. He said he would be happy to do whatever is necessary to make this right and would like to talk with the Farmers (adjacent property owners) so that we can set the record straight and be good neighbors.

Tom Seeber said that they would like the tax abatement resolution postponed until a specific date, so that they could plan accordingly. He said that the proper notices had been served as required and they (the Farmers) are not the owners of record and that is why they were not notified. He said they were happy to meet with them and address their concerns.

It was moved and seconded that the legislation be postponed until May 1, 1996.

Service said that the Farmers have asked her to address some of their concerns, as they are unable to be at this meeting. They just learned about this proposal while watching the council meeting last week. There seemed to be some errors in the notification process and they were not notified. The property they live in, 529 N. College, is technically being administered by a trust and so they did not receive a notice and the trust officer, this afternoon, said that they also did not receive a notice, although someone in the mailroom signed for something, the trust officer was not aware that this property had development planned adjacent. The property at 531 N. College is in the Farmers' name, where Diamond Travel is located. They also did not receive a notice. That is the basis for the confusion about notification, it wasn't anyone's fault, but it did happen. The Farmers have concerns; no parking for the development, questions of compatibility, historic designation, and that this is a small parcel in a long strip that is under four different ownerships. She suggested a broader overall plan for the area and more community input for the Morton Street streetscape. They are not necessarily opposed to the development, they simply feel that more time would be advantageous for everyone.

Tom Seeber showed the plat records noting the Monroe County Bank as Trustees and said that while they did not have a problem waiting, legal notice was correctly served.

The motion to postpone until May 1, 1996 received a roll call vote of Ayes:8, Nays:0

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It was moved and seconded that Ordinance 96-14 be introduced and read by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 96-14

It was moved and seconded that Ordinance 96-14 be adopted. The synopsis and committee recommendation of Do-Pass 5-2-2 was given.

It was moved and seconded that Ordinance 96-14 be postponed until May 1, 1996.

The motion to postpone received a roll call vote of Ayes:8, Nays:0.

It was moved and seconded that the following ordinance be introduced and read by title only by the Clerk for First Reading before the Bloomington Common Council. Clerk Williams read the ordinance by title only.

LEGISLATION
FOR FIRST
READING

Ordinance 96-10 To Amend a Preliminary Plan re: 3300 Sare Road (Ken Blackwell, Petitioner).

There was no public comment.

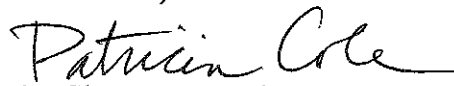
PUBLIC INPUT

It was moved and approved by a voice vote that the council will not meet next week.

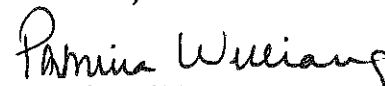
The meeting was adjourned at 9:10 PM

ADJOURNMENT

APPROVE;


Jim Sherman, President
Bloomington Common Council

ATTEST;


Patricia Williams, CLERK
City of Bloomington