

In the Council Chambers of the Municipal Building held on Wednesday, January 18, 1995 at 7:30 P.M. with Council President Kiesling presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
JANUARY 18, 1995

The Mayor gave the traditional State of the City Address a copy of which is attached to the approved minutes of this meeting.

STATE OF CITY
ADDRESS

Roll Call: Sherman, Service, Swain, Pizzo, Kiesling, Cole, White, Bonnell. Absent: Hopkins.

ROLL CALL

Council President Kiesling gave the agenda summation.

AGENDA SUMMATION

The minutes of November 2 and 16, 1994 and January 3, 1995 were approved by a voice vote.

APPROVAL OF MINUTES

Cole expressed her thoughts and prayers for the people of Japan in the aftermath of a terrible earthquake.

MESSAGES FROM THE
COUNCILMEMBERS

Pizzo said that the advisory committee for the CDBG program has completed its work and he urged the public and other social service agencies to pull together to try to help all these worthy organizations.

Service announced that in the expansion plans for the public library it has been determined that 4 houses will have to be moved or razed. They are there for the taking.

Swain also reported on the CDBG process regarding physical projects, namely S. Rockport Rd improvements and land acquisition budget line items.

Sherman congratulated IU President Myles Brand on his inauguration that will take place tomorrow and also congratulated Bloomington resident Bill Cook recently appointed IU Trustee.

Kiesling announced upcoming WTIU and Chamber of Commerce 3rd House Legislative public forums as well as EPA hearings related to PCBs.

Mike Davis announced the various Zoning Ordinance Plan Commission/Public Workshops that will take place in the next few weeks.

MAYORAL MESSAGES

Davis also announced the following mayoral appoints to the Affordable Housing Task Force: Cheryl Wertz, Barbara Joseph and Cheryl Dameron.

It was moved, seconded, and approved by a voice vote that the following council appointments to the Affordable Housing Task Force be made: Tim Henke, Tim Sutherlin, and Daniel Grundmann.

APPOINTMENTS TO
AFFORDABLE HOUSING
TASK FORCE

Bonnell also announced that Mark Stewart and Jeff Stone would be ex-officio members of the task force.

Cheryl Dameron, representing CATCH, thanked everyone involved in helping CATCH in the acquisition of two houses in our community.

It was moved and seconded that Appropriation Ordinance 95-1 be introduced and read by title only. Clerk Williams read the ordinance by title only.

LEGISLATION FOR
SECOND READING
APP. ORD. 95-1

It was moved and seconded that Appropriation Ordinance 95-1 be adopted. The synopsis and committee recommendation of Do-Pass 9-0 was given.

Chuck Ruckman said that the monies for this appropriation comes from the affordable housing fund created by the council a few years ago and the current revenues come from long term lease purchase payments from the sale of Amethyst House. This particular money will be used for the CHAP program and administered by Housing Solutions.

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This money will be used as grant money to secure more funding for the program.

The ordinance received a roll call vote of Ayes:8, Nays:0.

It was moved and seconded that Ordinance 95-6 be introduced and read by title only. Clerk Williams read the ordinance by title only. It was moved and seconded that Ordinance 95-6 be adopted. The synopsis and committee recommendation of Do-Pass 9-0 was given.

ORDINANCE 95-6

Doris Sims explained that these two positions were inadvertently left out of the 1995 salary ordinance and this ordinance is basically a housekeeping item.

The ordinance received a roll call vote of Ayes:8, Nays:0

It was moved, seconded and accepted by a voice vote that a Conflict of Interest statement by Michael Bonnell be accepted (Ordinance 95-1).

It was moved and seconded that Ordinance 95-2 be introduced and read by title only. Clerk Williams read the ordinance by title only. It was moved and seconded that Ordinance 95-2 be adopted. The synopsis and committee recommendation of Do-Pass 9-0 was given.

ORDINANCE 95-2

Lynne Friedmeyer described the tract and the petition for 5 duplex units as well as the retention of the SF home on site. The specimen trees will be preserved.

Jeff Fanyo, representing the petitioner, said that over the last week details confirming the access drive position to be moved further north were confirmed, increasing the sight distance as discussed and that will be part of the development plan at that time.

The ordinance received a roll call vote of Ayes:8, Nays:0.

It was moved and seconded that Ordinance 95-4 be introduced and read by title only. Clerk Williams read the ordinance by title only. It was moved and seconded that Ordinance 95-4 be adopted. The synopsis and committee recommendation of 8-0-1 was given.

ORDINANCE 95-4

Lynne Friedmeyer gave a brief description of the site, the two SF homes currently on the site will be retained, and once the projects are underway, these two homes will have internal access and that will help getting some of the traffic off of the through street. The units are duplex and quadplex with 42 three bedroom units and 6 two bedroom units. Trees and existing vegetation will be preserved as much as possible. On site detention will be planned and the petitioner is working on a contract to adjoin The Willows if at all possible. Sinkholes will be avoided and sidewalks on both sides of the street will be provided. The conditions of approval were read into the record and are attached to the approved ordinance.

Jeff Fanyo, representing the petitioner, said that all the conditions of approval would be easily met.

The ordinance received a roll call vote of Ayes:8, Nays:0.

It was moved and seconded that Ordinance 95-5 be introduced and read by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 95-5

It was moved and seconded that Ordinance 95-5 be adopted. The synopsis and committee recommendation of Do-Pass 7-0-1 was given.

Lynne Friedmeyer presented the details of this petition: a 12.15ac tract just west of the previous ordinance that was approved. This will be a 128 unit complex, Adams St will bisect this property, the density is 10.5 units/ac, large areas of trees and the SF home on the site will be preserved, sidewalks will be in place as well as a bicycle path on one side, and the small depression behind the SF home will be examined to see just what it is. The conditions of approval were read into the record and are attached to the approved ordinance.

Mike Probst, representing Mark Figg, was available for questions.

The ordinance received a roll call vote of Ayes:8, Nays:0.

It was moved and seconded that Ordinance 95-3 be introduced and read by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 95-3

It was moved and seconded that Ordinance 95-3 be adopted. The synopsis and committee recommendation of Do-Pass 8-0-1 was given.

Lynne Friedmeyer outlined the petition for Phase 3 of this project. The petitioner wishes to build apartments and retain SF homes and the existing business that is currently in a garage will cease and the structure will revert back to a regular garage. A rather confusing discussion took place regarding the number of units and Lynne clarified the numbers: there will be 6 one bedroom units in each building and there will be 15 one bedroom units and 15 three bedroom units of which the one bedroom units are the ones that will be used as affordable housing units.

It was moved, seconded and approved by a roll call vote of Ayes:8, Nays:0 that the ordinance be amended to clarify the two processes - the development plan as well as an outline plan approval for the petitioner.

Lynn Coyne said the only change is the recorded zoning commitment that is approved by Redevelopment, Legal and Planning saying that the project will comply with Section 8 Affordable Housing Guidelines, and that the petitioner will report annually to the Redevelopment Department and the department will have the right to inspect all records with regards to the one bedroom units as well as details in the event of non-compliance.

Service said that she hoped that when the 5 year agreement comes to an end that some consideration is given to tenants who wish to stay on in the complex and that rents be adjusted accordingly.

Coyne said that the petitioner agreed that the 5 year time period would begin at the time the unit is first rented, not when the unit is available for lease. Bonnell also asked that the record and document reflect that the actual rent for the units is rent plus utilities and this is determined by HUD Section 8 guidelines.

Micheal Pauly, the petitioner, said they have policy that rents are not raised each year or even on any regular basis for good, reliable tenants.

The ordinance, as amended, received a roll call vote of Ayes:8, Nays:0.

It was moved and seconded that Ordinance 95-1 be introduced and read by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 95-1

It was moved and seconded that Ordinance 95-1 be adopted. The synopsis and committee recommendation of Do-Pass 2-0-5 was given.

Lynne Friedmeyer described the 36 acre tract with 97 SF lots with a density of 2.65 units/acre on the west side of Leonard Springs Rd. The plan is in compliance with the Growth Policy Plan calling for RE zoning for this very environmentally sensitive area. The sink holes, the soil types and soil stability have all been carefully analyzed and the homes will be in the \$50 60,000 price range, the land to be held and sold at a later point. There will be sidewalks on both internal and main streets. The project will be developed in 3 phases sequentially with site checks at various points in the project before additional phases are started. The conditions of approval were read into the record and are attached to the approved ordinance.

Service asked about the turn over to the homeowners association and Friedmeyer said that there will be an escrow account that assures that money will be available to solve whatever problems that might arise.

Tom Micuda, Environmental Planner, said there is a good assessment of what the problems are and what the remedies that need to be in place and he briefly summarized the points of his written comments. There will be no construction in sinkholes; no road construction will take place over the identified sinkholes; there will be no direct discharge of water into the sinkholes; the sinkholes will be left in their natural state; and then if the phased inspections call for other measures then they will be considered or installed. There is one cave located north of this property but none on site. Regarding slopes, the sites are buildable. Sidewalk construction will be determined at development plan stage because in some areas they may have to be boardwalks or just on one side of the street because of the sinkholes. Utilities will have to be carefully located. Covenants and restrictions will be crucial to the whole project and enforcement is very important. In terms of soil; Micuda said that building on this severe soil has to be handled carefully and it has been done successfully in a lot of other areas here in Monroe County.

Phil Tapp, representing the petitioner, discussed the soil characteristics of the site and offered some comparisons with recent development projects. The soils in the area are Caneyville Hagerstown soil with some Crider and Bedford soils as well as Karst in the area. The soils are consistent with the sloping and flat terrain. Construction will take place in the safe areas and a site by site evaluation will take place. He showed overhead projections of other area that have all been constructed on the same type of soils; he discussed Woodhaven Estates drainage design extensively; Hyde Park, Peppergrass and Sherwood place all contain the same soils; also Arrowhead and Ridge Springs as well as the

high school and middle schools in Ellettsville are all built on the same soil.

John Bassett discussed the soil as well as Karst topography in the area. He also talked about construction concerns, and the plans for whatever the special treatment of the sink holes on the site will require. He explained how sink holes work and how they drain. He told the council that the road are frequently constructed over capped sink holes and used S.R. 37 south as a good example of that type of successful technology. There is a preference for avoiding that.

Steve Rumble talked about the covenants and restrictions for this neighborhood. The homes will remain on the leased lots, they cannot be moved. Lawn maintenance will be required of each homeowner; building in the conservancy areas will not be allowed; any additions would be subject to association review; sewers would be available to adjoining neighbors if they so desire; drainage problems and erosion control measures will be taken very seriously; all excavated earth will be stableized as quickly as possible; the neighborhood conservancy association will not have any responsibilities for tennis courts or swimming pools. A neighborhood association fee of perhaps \$10/month would be dedicated to maintaining or repairing the drainage system. He said that the association will be fully documented and the mechanisms for maintenance will have to be considered in the future as the need arises.

Scott Wells addressed the soil survey information and spoke at length that the project was unstable, unsafe and unsound. He praised Mr. Rumble for the care that he has taken with the project but was against the development because the land is not stable and it will set a precedent for future developments. He thought it was important to look at the whole picture; insurance concerns; he called attention to what is happening in California at this time; and surface and silt runoff.

Cole said she would like some better maps for this Karst area, is the water ever sampled for not just the amount of flow but also toxic chemicals. Cole left the meeting at this point.

John Bassett spoke again and assured the council that the California topography is in no way similar to Monroe County soil.

Service also thought there should be more information available for Karst and she was encouraged that the Environmental Planner was supportive of the plan. She was confident that the developer was looking at this site carefully and commended him.

Sherman said that he did not have serious, extreme concerns about the plan but this is not just another development; it is affordable, the Environmental Commission supports this, neighbors are not here in remonstrance; erosion plans will be in place; and finally, we have to take some risks and perhaps the benefits outweigh the risks.

Swain spoke in support of the plan and he also thanked Scott Wells for his input and concern.

The ordinance received a roll call vote of Ayes:6,Nays:0.

It was moved and seconded that the following legislation

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be introduced and read by title only by the Clerk for first reading before the Common Council.

Ordinance 95-8 To Amend Title 15 of the BMC Entitled "Vehicles and Traffic" (Amending the University Proximate Residential Neighborhood Permit Parking Program by Establishing Zone 4 in the Old Northeast Downtown Neighborhood).

LEGISLATION FOR
FIRST READING
ORDINANCE 95-8

There were no petitions from the public.
The meeting was adjourned at 11:55 P.M.

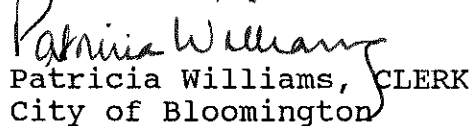
PETITIONS
ADJOURNMENT

APPROVE;



Iris Kiesling, President
Bloomington Common Council

ATTEST;



Patricia Williams, CLERK
City of Bloomington

A CLIMATE OF SUCCESS

State of the City Address

Mayor Tomilea Allison

January 18, 1995

Bloomington has enjoyed sustained growth and prosperity, not because of government action alone. Government can set the stage for success, but citizens act out that success.

Government leaders can bring people together to set priorities, then shape the community's work toward those goals. Government can provide the necessary infrastructure, from roads and sewers to modern communications. Government can provide a climate for success by being "user friendly," improving services, and working more efficiently. Is growth the same as success? No. In a successful community everyone shares the benefits of growth, especially the most vulnerable citizens. And success is not static; we must prepare to take advantage of the coming economic change, and as we grow we must maintain our quality of life, both physical and cultural.

We have several things to show from our bringing people together to plan for the future. We have a **comprehensive, citizen-driven Growth Policies Plan**. Soon we will have a new Zoning Ordinance to guide and manage growth and development. Already we have successful residential growth in the southwest near Thomson Community Park, and we expect even more.

Some of the city's most visible improvements will have come from our **forging of partnerships between the public and private sectors**:

****Our consolidation of city offices and an IU Research Park at City Hall in the new Showers Center** will preserve our heritage, bolster the downtown, provide one-stop shopping for government services, create opportunities for economic enrichment, and tie the community together.

****A revitalized downtown** features a rehabilitated Courthouse, Fountain Square Mall, Waldron Arts Center, the new Headquarters Fire Station and the successful new Convention Center, soon to be complemented by a Downtown Marriott Courtyard Hotel.

While planning While planning for future growth we have been mindful of the quality of life:

****By renewing and expanding our parks facilities** (Twin Lakes, Winslow Woods, Bryan, Third Street, Thomson, Cascades, and the neighborhood parks), we have enhanced our reputation as a recreational center. Our support of the arts should enhance our reputation as an art center.

****Our neighborhood improvement initiatives** include public works projects, residential permit parking, additional law enforcement (with three new officers this year), vastly better code enforcement, the neighborhood liaison program, and more routes friendly to pedestrians and cyclists.

****Protection of Human Rights for all citizens** with a commitment to providing accessible public services in the new City Hall.

****Support for Social Services** such as the new Community Health Clinic; the Hoosier Hills Food Bank's Food Rescue Program, Rape Awareness Education, and the Boys and Girls Club's satellite programs in public housing.

****We have expanded ridership on Bloomington Transit**, and planned a new city-university bus operation facility.

****We have preserved and enhanced the environment** with Tree City USA efforts, the Lake Griffy Nature Preserve, the proposed Lake Lemon Conservancy District, the Erosion

Control Ordinance, the Open Space Acquisition Fund, an environmental planner, park land acquisition, and a Tree Commission to safeguard the urban forest.

We must make sure that all citizens share in the success of our community.

****We created the innovative Affordable Housing Land Trust.** We have seen expanded Affordable Housing initiatives (for example, the Allen Building and Huntington Renaissance projects), and, this year, we will update our Comprehensive Housing Affordability Strategy with the help of the Affordable Housing Task Force.

****Through our Department of Human Resources we have increased day care resources and referrals.** With the addition of two new Parks programs, **Kid City and Tykes Town**, we have met the needs of both parents and children created by summer break, school holidays and vacations. And it's fun!

None of these programs would have been possible without the resources we gained by making city government more streamlined and efficient. Our capable employees have provided strong, creative financial management, featuring a cost saving risk management program, pension relief planning, and comprehensive annual financial reports that people can understand.

This is what we need to do in 1995 to improve the local economy, create opportunities for more of our citizens, and set the stage for continued success.

1. Industrial Development

Manufacturing accounts for 16% of our local work force, but 21% of our salaries and wages. To attract more of these well-paid jobs, we must pursue more industrial sites, properly zoned and competitively priced, with access to utilities. Current local prices, on the order of \$35,000-\$50,000 per acre, make us non-competitive with our neighboring city of Columbus,

where land sells at about \$25,000 per acre on an interstate highway. Together with county government, we must purchase land for an industrial park that will help us compete with nearby communities.

We have already done much to help industrial growth. We have approved the \$25 million water and sewer utilities project that will start this year. Several road projects are in progress: the Thomson truck route, Curry Pike improvements, and an improved Westside Corridor. We must continue our support of the I-69 Interstate project, and improvements to the County Airport. On the high-tech side, we should foster investment in telecommunications, Hoosiernet, fiber optics, and our Geographic Information System.

2) Education & Training for Job Growth

We must complement our investment in industrial land and infrastructure with investment in human resources. The Technology Manufacturing Internship established by General Electric and the County schools is a remarkable effort that our community must support. Students in the technology prep curriculum split their time between school and an internship at GE, gaining hands-on experience for future career development. I applaud GE and the school corporation for their leadership in this effort. Parents and the community must encourage such school to work programs. It is the skills of our workforce that will attract new industry.

We can also complement these efforts by supporting Workforce Development. And we should create one-stop shopping by co-locating two offices: Workforce Development, and Employment Security. We should assist Future Works (of Goodwill, Inc.), and the Enterprise Zone's job development efforts. We should help Ivy Tech get funding for their new campus and programs. We must support the Community Alliance for Lifelong Learning, and Volunteers in

Tutoring Adult Learners. We must support the IU Alumni Association "Good Friends", a mentoring program for young "at-risk" children. Family Services and CAP parenting programs need to be expanded because children's school performance improves with parental involvement.

We must work as a community on the problem of school drop-outs: courts; job training programs; schools; parents; and young people. For those without a high school education, economic security will be elusive. I applaud the school boards and courts for their initial efforts to provide education for these drop outs.

3) Affordable Housing

As we work to improve the local economy, we must not forget the high demand for affordable housing. I request that this community and the City Council join me in seeking additional resources for acquiring land for affordable housing.

We'll be off to a good start with the appointments to the Affordable Housing Task Force tonight. They will help us update our strategy. We will continue working with groups helping to house people--Mental Health, Middleway, Stonebelt, CATCH (Cooperative Housing), Amethyst House, Habitat, Redevelopment, Self Sufficiency, Public Housing and private developers.

We are working with Dr. Stafford at Bloomington Hospital and with a Ball State program on the feasibility of housing for seniors in our center city close to services and amenities.

We will continue to work with private developers and agencies to encourage more affordable housing. Government must continue to take an active role.

4) Southeast Park and a Greenbelt Trail

We need a new park and a greenbelt trail connected to our existing trails. Our budget

for this year includes resources for both of these projects, and I look forward to their development.

Given the vigilance and support of the community and this Council, we can surely extend our **Climate of Success**. Let us set the stage once again.