

In the Council Chambers of the Municipal Building held on Wednesday, July 5, 1995 at 7:30 P.M. with Council President Kiesling presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
JULY 5, 1995

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

ROLL CALL

President Kiesling gave the agenda summation.

AGENDA SUMMATION

There were no minutes for approval.

Service commented on a recent HT letter regarding a tree on N. Lincoln St that was not saved despite the developers promises to do so. The letter chastised Service for her comments about the developer. Her point is that the tree was not damaged or in danger prior to the construction project. She also commented on the Positive Progress distorted report on the Environmental Commission and said that the commission will respond to these charges by this very self serving organization. She defended the city's reasons and purposes for having an Environmental Commission and their expected role as activists for the community.

MESSAGES FROM  
COUNCILMEMBERS

Hopkins supported Services' comments about the Environmental Commission and Positive Progress' scurrilous attack on this excellent commission.

White thanked the American Legion for providing our community with a wonderful fireworks display on Monday evening as well as the Commission for Bloomington Downtown and VEVA for a 4th of July Parade.

Linda Williamson, Director of the Bloomington Economic Development Commission, introduced Tom Hirons who presented a visual display of the new BEDC advertising and marketing campaign theme of THINK BLOOMINGTON. The presentation is targeted toward local businesses as well as prospective business interests. He stressed the importance of a quality and well educated work force. Kiesling thanked Hirons for his presentation.

Bonnell talked about the lack of union representation on the Workforce Development Commission and he said he hoped that the BEDC would offer a board position to the president of the White River Labor Council.

Kiesling thanked John Freeman for taking on the responsibilities of the Public Works Department until a permanent director is appointed.

Kiesling announced upcoming budget hearings as well as the Law Enforcement and Civil Liberties Committee meeting here in the Council Chamber tomorrow.

Tim Sutherlin expressed his concern regarding the budget process and hoped future realistic goals need to be established, especially with anticipated federal budget cuts that everyone knows is coming. He asked how much money is "given away" with TIFs, CDBG cuts, pension funding and several other budget/financial questions.

REPORTS FROM  
PUBLIC

Jeff Brantley, Positive Progress, defended their report: an activist does not mean that they are experts; this is an advisory body, not a regulatory board. A small group reviews planning issues and then makes presentations that do not necessarily speak for the larger group. This report is viewed as a catalyst to change the commission and he hoped that will be accomplished.

page 2

It was moved and seconded that Resolution 95-20 be introduced and read by title only. Clerk Williams read the legislation by title only. It was moved and seconded that Resolution 95-20 be adopted. The synopsis was given. RESOLUTION 95-20

Gene Stokes said that this was his annual request for waiver of current payments in lieu of taxes by the Bloomington Housing Authority. The future of federal funding is totally unknown at this time and low cost housing will almost certainly have deep cuts. These cuts will fall back on the local communities by way of drastic measures regarding who and how we house people. This payment represents about \$25,000 and the services that the authority provides for themselves can be subtracted.

White asked what kinds of things would be good changes for a Housing Authority. Stokes said the federal mandates are the biggest things. They are essentially the caretakers for congress and they are the ones who decide, who, how, and when we house people, he said. There is a process for everything and they are penalized dollar for dollar if they try to operate as a "business" in an entrepreneurial manner.

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

It was moved and seconded that Resolution 95-17 be introduced and read by title only. Clerk Williams read the resolution by title only. It was moved and seconded that Resolution 95-17 be adopted. The synopsis was given. RESOLUTION 95-17

Matt Pierce, President of the Telecommunications Council (TCC) reviewed the authority of the TCC after the 1992 Cable Act. We have the ability to regulate the basic tier of broadcast channels and that is what we are talking about this evening. The other tier is expanded basic that is regulated directly by the FCC. Once we elect to regulate the basic tier we have to do it just as the FCC tells us, we don't have any flexibility. The current rate is at \$9.04 and for a period of time the FCC said they wanted to study this formula and its effect and they would get back to everyone and let them know if it needs adjustment. That was 1 1/2 years ago and we still don't know their decision. In the meantime rates can be changed to account for inflation. In essence the second rate increase cancels out the first one. He discussed the costs that the cable operator incurs and said that basically the rate dropped from \$9.04 to \$9.01 and once all the adjustments are made the rate will be \$9.41 for basic service.

Bob Lilly, representing TCI was available for questions and said that Matt had summed it up pretty well.

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

It was moved and seconded that the rules be suspended in order to consider Ordinance 95-29. ORDINANCE 95-29

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

It was moved and seconded that Ordinance 95-29 be

introduced and read by title only. Clerk Williams read the ordinance by title only.

It was moved and seconded that Ordinance 95-29 be adopted. The synopsis and committee recommendation Do-Pass 6-1 on 5/24, removed from agenda by council president on 6/7, a motion to continue failed by a 4-3 vote on 6/21 as well as a motion to adopt failed by a vote of 4-3 was given.

John Freeman, acting Public Works Director, said that the design engineers have been asked if they would include sidewalks in the scope of services. The outcome is not known at this time.

Alan Seyfret, a W.Allan Street resident, said his interest was piqued when sidewalks were discussed. The proposed truckroute is wonderful but there is concern about the entrance route and how trucks will make the steep grade. He was concerned that this is a partial solution without a companion ordinance insisting that INcoming traffic travel on Allen St. He enumerated all the new housing that is being developed in that general area. If money is to be spent on a sidewalk, put it where it will do the most good and where it will service the most people.

Kiesling said that this ordinance is a pledge to commit County Option Income Tax (COIT) for the truck route. Other monies will be pooled: Thomson, the state's Build Indiana money and the COIT funds. Kiesling provided a short summary of how and where the route is going. Neighbors in the past have been very concerned and she thanked Mr. Seyfret for his input.

Bonnell was concerned about the tone of the letter to Mr. Fanyo from Mr. Rhinehart regarding a rather negative slant to the sidewalk question. Maybe there are better alternatives to a sidewalk all along the truck route. Seyfert said he would be willing to participate in the process.

White said this process started years ago in order to support the Thomson plant and neighborhood concerns. We need to weigh the importance of the sidewalks but not at the expense of the truck route. Alternatives need to be considered, if necessary.

Hopkins asked Chuck Ruckman for an Enterprise Zone and the various benefits Thomson has received over the years.

A discussion took place with Mr. Seyfret regarding the pros and cons of sidewalk construction along the route, the width of the route and problems of trying to construct on a railroad bed in a flood plain and the wisdom of putting sidewalks where people would use them with more reasonable linkages. Service said we are trying to get away from the old practice of developing neighborhoods without sidewalks. We demand it of developers today and we should do no less if possible.

Bonnell said he thought the council made a difference by allowing the parties (Thomson and labor unions) to negotiate without the symbolism of a truck route being approved by this council. Thomson and the teamsters have reached a tentative agreement as well as an agreement between Penske Trucking and the teamsters.

page 4

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

It was moved and seconded that the following legislation  
be introduced and read by title only by the Clerk before  
the Common Council.

Ordinance 95-30 To Amend the Bloomington Zoning Maps  
from RS3.5/PRO6 to PUD, and Approve the Preliminary Plan  
re: 2031 S. Weimer Road (Cora Ann Sudbury, Petitioner)

Ordinance 95-31 To Amend the Bloomington Zoning Maps  
from RS4.5 to MED re: 527 S. Walker, 1020 & 1024 W. 2nd  
Street (Dr and Mrs. Gregory Walker, Petitioner).

There was no additional public input.  
The meeting was adjourned at 9:25 P.M.

APPROVE; *Iris Kiesling*  
Iris Kiesling, President  
Bloomington Common Council

ATTEST;  
*Patricia Williams*  
Patricia Williams, CLERK  
City of Bloomington

LEGISLATION FOR  
FIRST READING

ORDINANCE 95-30

ORDINANCE 95-31

ADJOURNMENT