

In the Council Chambers of the Municipal Building held on Wednesday, November 15, 1995 at 7:30 P.M. in the Showers Center City Hall.

COMMON COUNCIL  
REGULAR SESSION  
NOVEMBER 15, 1995

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

ROLL CALL

Kiesling gave the agenda summation. Kiesling also announced that the council would not meet next week due to the Thanksgiving holiday, and that the council would meet on Tuesday and Wednesday of next week to facilitate the legislative agenda introduced tonight at First Readings.

AGENDA SUMMATION

There were no minutes for approval.

MINUTES FOR  
APPROVAL

Kiesling welcomed everyone to the first meeting in our wonderful new City Hall and thanked everyone for making all of this possible.

MESSAGES FROM  
COUNCILMEMBERS

Sherman thanked everyone who voted last Tuesday, and said he would miss Hopkins, Swain and especially White who served as a model for what a councilmember should be. Under White's leadership, the Republican Party is now strong and respectable once again.

Service agreed with Sherman and thanked the 6th District voters for their confidence and support. She urged people to come down and really tour the building, it's a beautiful facility and belongs to everyone.

Swain thanked Sherman for his kind words as well as the voters for their support. It is a privilege to serve and one that is not lightly attained.

Pizzo said he felt humbled by reelection and thanked everyone and urged people to work together and be responsible for what happens here.

Cole also thanked the voters for their support and said that this beautiful building truly belongs to the community and is here to enjoy. She hoped to dedicate her term to including more people, to being more inclusive.

Hopkins said he would miss everyone, thought he knew a lot about government when he started and learned a lot more as a councilmember. He thought this building was an inspiration for what we can be when we work together.

White said, in a reflective mood, that he had a lot to say over the last year and he thanked everyone for their support and would reserve his remarks for a bit later.

Scott Wells, Environmental Enterprises, talked about the 18% slope restriction around Lake Monroe that has been removed from the County's Master Plan and again urged councilmembers to attend the public hearings. He talked about the makeup of the County Drainage Board and was concerned about a membership made up of engineers who are also petitioners for many planning proposals.

PUBLIC INPUT

Kevin Endwright, Protect Our Woods, was also concerned about the County Master Plan and particularly the Northwest Industrial Park. There is a massive "up zoning" taking place and this constitutes the greatest taking of property values.

Garry Wampler informed the council that his 30 year old rental mobile homes on a double mobile home lot, cannot, according to our code, be replaced except for the same blueprint that they sell now, because newer is bigger.

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The lot is too small for a duplex and too expensive for a house. He thought our code was restricting him from providing affordable housing units.

It was moved and seconded that Resolution 95-57 be introduced and read by title only. Clerk Williams read the resolution by title only. RESOLUTION 95-57  
It was moved and seconded that Resolution 95-57 be adopted. The synopsis was given.

Chuck Ruckman said that this is an annual resolution that allows vending machines monies to be used for city employee functions (City Christmas Party).

Bonnell asked if alcohol would be served and the answer was no.

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

It was moved and seconded that Resolution 95-33 be introduced and read by title only. Clerk Williams read the resolution by title only. RESOLUTION 95-33  
It was moved and seconded that Resolution 95-33 be adopted. The synopsis was given.

Chris Spiek said this was the final confirming resolution for this abatement for Middle Way House.

Service was concerned about adequate buffering on the east side of the plan (Lincoln Street) and Melanie Greene said that lighting on that side of the building will be sheltered so as to not intrude.

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

It was moved and seconded that Resolution 95-56 be introduced and read by title only. Clerk Williams read the resolution by title only. RESOLUTION 95-56  
It was moved and seconded that Resolution 95-56 be adopted. The synopsis and committee recommendation of Do-Pass 9-0 was given.

Chuck Ruckman, submerged in total darkness, due to the Clerk and Council Attorneys expertise in operating the computerized lighting panel explained the joint facility funding agreement (City and Monroe County Solid Waste District) and the use of bond proceeds for an 18 bay garage for our Sanitation trucks and related equipment. Our cost for the facility will be about \$40-\$45,000 per year for the next 9 years and will not involve any tax increases. The facility will also represent a savings of about \$40,000/year and so it really is a break even proposal.

Jeff Underwood said that the area currently occupied by the sanitation trucks on Miller Drive will be used by the Utilities Department for their own overflow parking. Landscaping will be provided.

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

It was moved and seconded that Ordinance 95-69 be introduced and read by title only. Clerk Williams read the ordinance by title only. ORDINANCE 95-69

It was moved and seconded that Ordinance 95-69 be adopted. The synopsis and committee recommendation of Do-Pass 9-0 was given.

Jeff Underwood, Utilities Department, said the changes requested are the same for both Ordinance 95-69 and 95-70. These are technical changes that lower the cost of the bond issuance.

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

It was moved and seconded that Ordinance 95-70 be introduced and read by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 95-70

It was moved and seconded that Ordinance 95-70 be adopted. The synopsis and committee recommendation of Do-Pass was given.

The ordinance received a roll call vote of Ayes:8, Nays:0. (Swain left Chamber)

It was moved and seconded that Ordinance 95-46 be introduced and read by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 95-46

It was moved and seconded that Ordinance 95-46 be adopted. The synopsis and committee recommendation of Do-Pass 6-1-2.

Tom Micuda said this is a very narrow preliminary plan amendment that requests set back changes from a combined side yard set back of 15' to a 6' and 6' combination for each side. The developer would like to place 48' wide homes on some of the lots rather than 45' structures, thus the amendment dealing with the issue in advance rather than each builder having to obtain the variance.

Kiesling was concerned that there seemed to be a readjustment of retention centers rather than just the setbacks.

Micuda said the conditions of approval call for a Geo Technical study that was submitted and looks very promising. It did not note surface Karst and the recommendation of the consultant suggested their presence when the pond is constructed. Also funding the detention basin would be the responsibility of the homeowners and the process has been put in place to accomplish this. The pond will be built with the first phase of development or when the Plan Commission determines it should be constructed. All floodway approvals and permits and financial guarantees to the city would have to be done upfront before any grading could take place on the site and present written confirmation to the city before any lots could be sold and proceed with temporary detention ponds. The ponds must be able to hold essentially 5 days of water before release through a 1" opening in the pond.

Cole asked if the houses would be more expensive and Micuda said they would be around \$100,000. He also said the County Drainage Board will be managing this system in response to Cole's question about who will oversee these basins.

Steve Smith, representing the petitioner, said that the only request is the setback question. The full pond is

being postponed until the second phase and in the first phase, two detention ponds are being constructed and will hold ten times as much water as would normally be required and will have a positive effect on the water downstream. The reason for the 48' home is that is a standard plan dimension.

The ordinance received a roll call vote of Ayes:7, Nays:2 (Kiesling, Service).

Service said she voted against the original development and while some of the problems have been abated and that the public interest will not be better served by this amendment.

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

LEGISLATION FOR  
FIRST READING.

Appropriation Ordinance 95-07 To Specially appropriate from the General Fund Expenditures Not Otherwise Appropriated (Animal Shelter and Police Department).

Ordinance 95-47 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Adams Bend)

Ordinance 95-48 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Bloomfield Rd Area)

Ordinance 95-49 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Browncliff Area)

Ordinance 95-50 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Canada Farm/MCCSC)

Ordinance 95-51 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Fairfield Inn/Franklin Business Park)

Ordinance 95-52 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Fountain Park).

Ordinance 95-53 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Furrows, Aldi, Park 35 Retail).

Ordinance 95-54 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Garton Property).

Ordinance 95-55 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Goat Farm/Forney)

Ordinance 95-56 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Hyde Park/Kensington II area).

Ordinance 95-57 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Meadowood Area).

Ordinance 95-58 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Mitchell Property).

Ordinance 95-59 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (North Dunn St).

Ordinance 95-60 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (3900 Block of North

Kinser)

Ordinance 95-61 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (N. Kinser Pk/Prow Road).

Ordinance 95-62 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Ramsey Rd/Sare Rd Area).

Ordinance 95-63 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Rogers Farm Area).

Ordinance 95-64 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Small Parcels South of Rogers Farm).

Ordinance 95-65 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Super 8/AIT Area)

Ordinance 95-66 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Tamarron/U-School Area).

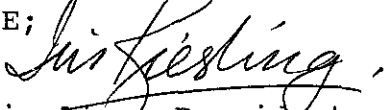
Ordinance 95-67 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (3rd St. Crossing/Westplex).

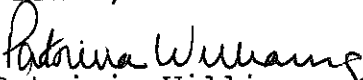
Ordinance 95-68 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory. (Thomson Truck Route).

Ordinance 95-75 Establishing the Housing Trust Fund and Its Board of Directors and Approving the Housing Trust Endowment Agreement.

There was no public comment.  
The meeting was adjourned at 9:30 P.M.

PUBLIC COMMENT  
ADJOURNMENT

APPROVE;   
Iris Kiesling, President  
Bloomington Common Council

ATTEST;  
  
Patricia Williams, CLERK  
City of Bloomington