

In the Council Chambers of the Showers Municipal Building held on Wednesday, December 6, 1995 with Council President Kiesling presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
DECEMBER 6, 1995

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

ROLL CALL

Kiesling gave the Agenda Summation and noted that the ordinances and resolutions pertaining to annexations would be considered as a unit.

AGENDA SUMMATION

The minutes of November 1 and 15, 1995 were approved by a voice vote.

APPROVAL OF  
MINUTES

Sherman wished everyone "Happy Holidays and Peace".

Service thanked the designers of the building for providing a public space for demonstrations. (People are here this evening for the affordable housing issue).

Swain was glad there was no I.U. game tonight.

Pizzo wished everyone "Happy Holidays" as did Cold and Kiesling.

MESSAGES FROM  
COUNCILMEMBERS

Mayor Allison announced a press conference for the next Monday regarding the ban on assault weapons. She asked Bob Barker to step forward and presented him the highest honor that the Governor can bestow: the Sagamore of the Wabash. She read a message from the Governor about this award and presented it to Mr. Barker, thanking him for his work spearheading the Showers Building renovation project.

MESSAGES FROM  
THE MAYOR

Diane Robertson was concerned about Rural Transit and Bloomington Transit Access and wondered about all the areas we are annexing and if that service will continue.

PUBLIC COMMENT

Mary Hawkins was concerned about getting on the sewer system. Kiesling referred her to Mike Phillips.

It was moved and seconded that Appropriation Ordinance 95-7 be introduced and read by title only. Clerk Williams read the ordinance by title only.

It was moved and seconded that Appropriation Ordinance 95-7 be adopted. The synopsis and committee recommendation of Do-Pass 9-0 was given.

LEGISLATION FOR  
SECOND READING  
APP. ORD 95-7

Controller Chuck Ruckman said that the Animal Shelter portion was to offset a shortfall and would be made up in other areas. The Police Department would use their money for in-car videos.

There was no further discussion and the ordinance received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Resolution 95-58 be introduced and read by title only; Clerk Williams read the resolution by title only.

It was moved and seconded that Resolution 95-58 be adopted. The synopsis and committee recommendation of Do-Pass 4-1-3 was given.

RESOLUTION 95-58

Susan Failey, Legal Department introduced Linda Williamson of Bloomington Economic Development Corporation to give background on the project.

Williamson said the proposed industrial park was a culmination of years of work by many in the community, after a Chamber of Commerce Task Force identified a shortage of industrial land. Another study identified the needs for a 5, 10, and 20 year span and a city-county project was carried out to provide this land.

Tim Tilton, County Commissioner, said he would like to move ahead on this as quickly as possible.

Failey went over the basic factors of the interlocal agreement, saying the city and county each have appropriated \$250,000 for land acquisition. The agreement provides if any funds are needed for further acquisition as well as other future

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needs. Another important provision is that funds could be used for development of other industrial sites in the community. She then explained the governing of the industrial park by a board and some of the provisions for marketing and sale of the lots.

Bonnell asked under what circumstances would the board have to come back to the City Council to expend the revolving funds. Failey explained that that would be if further land was to be added to the industrial park, and the City and County Councils would have to approve that purchase. Discussion followed about the expenditure of funds allowed without Council approval.

Thayr Ritchie of Strategic Development Group said they have been working with a group to set up recommended guidelines.

It was moved and seconded that the following Amendment #1 be considered:

Bonnell explained this amendment as inserting a new Section 2, which would provide that the City appointees to the board would present the environmental performance standards adopted by the City and advocate that they serve as standards for the park.

Kiesling asked how Amendment 1 and the upcoming Amendment 2 were related.

Hopkins explained the features of his proposed amendment saying that he thought Amendment 2 was a substitute for Amendment 1, and he moved the acceptance of #2 for #1.

Bonnell said he did not believe they were in conflict and explained that #1 specifically addresses the issue of using the City's environmental guidelines as the basis for the common standards. Discussion followed about how to tailor these amendments.

Kiesling asked for Council comments on Amendment 1. Service asked the Council attorney for his interpretation of the amendments.

Council Attorney Sherman said he did not think they were in conflict.

Cole asked if the board would automatically comply with the guidelines. Council Attorney Sherman said not necessarily.

Council member Sherman noted that these issues were of minor practical importance and urged the Council to proceed to other matters.

Tim Sutherlin said that these standards were not of minor importance. He was concerned that the interlocal agreement did not require adoption of these standards. He also did not think that industrial performance standards were sufficient to provide environmental protection. He had a number of suggestions to accomplish this.

Bonnell asked if Linda Williamson saw a problem with Amendment 1; she indicated she did not. He also asked Redevelopment Director Spiek if he had a problem either.

Amendment #1 received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Amendment #2 be considered.

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Hopkins noted that he had already explained his amendment.

White suggested wording to add Amendment 2 to the text of the resolution.

Tim Tilton asked if they were amending the interlocal agreement and Kiesling said no, only the Council resolution.

Bonnell said he supported the reasoning behind this amendment but the advisory board should be able to follow its own recommendations.

Hopkins said this was to reinforce that.

Amendment #2 received a roll call vote of Ayes:9, Nays:0.

Resolution 95-58, as amended, received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Resolution 95-59 be introduced and read by the Clerk by title only. Clerk Williams read the resolution by title only.

RESOLUTION 95-59

It was moved and seconded that Resolution 95-59 be adopted. The synopsis and committee recommendation of Do-Pass 8-0 was given.

Scott Hutchinson of the Human Resources Department said the resolution would transfer \$125,000 to the Community Foundation and the interest earned would be used for education and training recommended by the Community Alliance for Life Long Learning.

Ilknur Premo Ralston was concerned that the principal of money be ultimately available to the Foundation and explained the function of the Foundation.

Cole asked if the Foundation was approaching the amount of funds needed. Ms. Ralston explained current situation of the Foundation's funds. She said this trust fund would greatly help this process.

Bonnell asked about the commitment of the funds; Ralston said the endowment's purpose was to give the community funds without strings attached. Bonnell asked if the funds the Council was allocating were dedicated in perpetuity to the purpose mentioned. He asked if the Board's intention was to put the matching funds to work for the specific purpose and if the Board meetings were open to the public. Ralston affirmed that.

Swain asked about administrative costs and Ralston said that they chose the smallest amount allowed by the Lilly Foundation of 1% (one percent). Swain asked if the members were still asked to donate money; Ralston said they were. Discussion followed about future funding.

Sherman recognized the contributions of Diane Breeden-Lee to the CALL organization.

It was moved and seconded that Amendment #1 be considered.

Bonnell noted that the resolution was discussed and amended in committee and moved Amendment #1 to Resolution 95-59 be accepted by acclamation. Hopkins seconded.

Kiesling noted that the amendment received a 6-1-1 Do Pass vote in committee.

White said he would be voting against this because it removes the provision barring applicants in default to the City from being eligible for these funds until the underlying obligation was satisfied.

Amendment #1 received a roll call vote of Ayes:8, Nays:1 (White).

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

It was moved and seconded and approved by a roll call vote of Ayes:8, Nays:1 (Bonnell) that the following ordinances be tabled:

Ordinance 95-50

Ordinance 95-54

Ordinance 95-58

Ordinance 95-62

Ordinance 95-61

Ordinance 95-63

Ordinance 95-64

Ordinance 95-55 along with their accompanying resolutions.

Kiesling commented that several of these could return as soon as next week.

Kiesling announced that Ordinance 95-47 and Resolution 95-34 have been withdrawn by the administration.

ORDINANCE 95-47  
RESOLUTION 95-34  
(WITHDRAWN)

It was moved, seconded and approved by a roll call vote of Ayes:9, Nays:0 that the rules be suspended and that Ordinance 95-57 involving Browncliff and Ordinance 95-49 involving Meadowood be forward on the agenda.

It was moved and seconded that Ordinance 95-57 and Resolution 95-44 be introduced and read by the Clerk by title only. Clerk Williams read the legislation title only.

ORDINANCE 95-57  
RESOLUTION 95-44

MEADOWOOD

It was moved and seconded that Ordinance 95-57 and Resolution 95-44 be adopted. The synopsis and committee recommendation of Do-Pass 8-0 was given.

Kiesling noted that there was an amendment changing the effective date of annexation to January 1, 1997.

It was moved and seconded that Ordinance 95-57 and Resolution 95-44 be amended to change the effective date of annexation to January 1, 1997.

Service said she did not see the point of this amendment and saw no difference between this area and other areas being annexed.

Bonnell asked what the difficulty was and Kiesling said it was because of the difficulty of getting them listed on the tax rolls.

Controller Ruckman said there was no agreement about sewer at this time and that there was a precedent set by the Council a few years before of delaying Bloomington Township annexations. The main reason for this request was the desires of the property owners. Ruckman said Meadowood would continue to pay their in-lieu-of-annexation payments as before.

Laurel Cornell of 1243 Matlock Road said she thought the area should be annexed now because of zoning and sewers. She said that the City had been most helpful and concerned when the case of the "By-pass apartments" was being deliberated.

The city's zoning is very clear but the county's provisions for the area are very murky. The neighborhood is under tremendous pressure for development and needs the protection of City zoning. The other issue is sewers, and property values suffer with septic systems. Environment is a more important issue as many of these septic systems are 30-40 years old and are obviously failing. She pointed out many advantages to hooking on to sewers.

Bonnell asked what affect this would have on the County's takeover of the 2 Mile Fringe. Ruckman said that the county had usually agreed not to take control of areas planned to be annexed in the near future.

Swain said he saw no point in delaying this annexation.

Service said that there was nothing in writing from the County relating to the planning question about to-be annexed areas. She saw no point in the delay.

Eric Rasmussen (sp) said that the county would have to change the zoning by a public process and the neighborhood would have an opportunity to protest.

Sherman said he had heard no comments from Meadowood residents.

The motion to extend the effective date of approval received a roll call vote of Ayes:4, Nays:5 (Sherman, Service, Swain, Cole, Hopkins).

Jamie Brinegar, Controller's Office said they proposed two changes to the fiscal plan: First, to delete a line from the sewer agreement denoting a \$30,000 expense for sewer lines and lift station; these will remain privately owned and there will be no \$30,000 expense. Second, in the refuse collection section there is an additional two paragraphs added relating to the "hold-harmless" agreement.

Kiesling asked that a letter be sent as to the effect of the adjustments.

Bonnell asked if there was a commitment from Meadowood to pay for a new lift station. Brinegar said as of now, the cost of a new lift station would be borne by Meadowood and not by the City. Bonnell asked about the line from Browncliff running through Meadowood.

Mike Phillips, Utilities Director, said he believed the project to serve Browncliff area could be designed not to use Meadowood lift station at no higher cost that if it did use it. Phillips said that before Utilities took over ownership of private facilities, they require them to be brought up to their standards. The cost to do that here was estimated at about \$80,000 with the City paying about \$30,000 and the owner about \$50,000. The owners felt it was advantageous to keep the lift station private.

Susan Bucove, Director of Meadowood, said in their discussions with Utilities the staff was not able to tell them why the lift station should be replaced. They would like specific details of changes needed in the lift station.

Kiesling asked for further public and Council comments; there were none.

Ordinance 95-57 and Resolution 95-44 received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Ordinance 95-49 and Resolution 95-36 be introduced and read by the Clerk by title only. It was moved and seconded that

Ordinance 95-49 and Resolution 95-36 be adopted. The synopsis and committee recommendation of Do-Pass 6-1-1 was given and the amendment received a recommendation of Do-Pass 8-0.

ORDINANCE 95-49  
RESOLUTION 95-36  
(BROWNCIFF)

Jamie Brinegar said they had some changes to the fiscal plan: in section 801 the use of CDBG funds were no longer eligible for sewer hook-ups but the Redevelopment Department is working with the Utilities Department for funds. The wording was changed to say, "Property owners in the annexation area who are income-eligible may apply for the Redevelopment Department's utility service program for low and moderate income families which provides assistance with the cost of installing sewer laterals and associated fees and permits." In section 8.15 under Refuse Collection, they have added that an agreement providing the use of a resident's driveway for a turnaround for sanitation trucks must be reached.

It was moved and seconded to amend the Ordinance by delaying the date of effectiveness to January 1, 1997.

Service said she repeated her previous comments even more strongly.

White said the delay may give the neighborhood more time to adjust to this.

Sherman said he was interested to see if any of the questions raised last week by the residents had been answered.

William Oliver said that the lift station serving Meadowood was the natural one to serve Browncliff. He had been on the Meadowood board and understood that the Meadowood lift station had been overbuilt in order to serve adjacent areas such as Browncliff. Put off this annexation until the questions are answered.

Sybil Eakin, a Headly Road resident, said that Browncliff and Headly/Matlock interests were not the same. There is much confusion about the sewer system - what is optional about the hook-on requirement and the payment of the related fees for such hook-ons. What is different about sewer service to annexed areas and sewer service to non-annexed areas who petition for it? She asked several other questions about the implications of annexation in terms of sewer service.

Chuck Ruckman said with respect to the annexation laws, the City is obligated to provide services to the annexed area equivalent in scope to the services provided to the rest of the city.

Mike Phillips, Utilities, said to answer her question about the ability of the City to estimate final costs to the property owner, that the estimates came within 10% of the final cost. However, the impact of hitting rock is difficult to quantify. Requiring 60% signatures on a sewer petition was the City's way of assuring that residents were positive about this.

Bonnell asked him to explain the hook-on process; Phillips said the Utility runs the main line and the homeowner is still responsible for connecting between the sewer line and the house. There is also a new fee of \$500 connection fee which everyone pays, inside or outside the city.

Mrs. Eakin addressed the tax issue and said for them it would mean an additional \$240 dollars per year, or \$20 per month on their mortgage. Currently they are paying Rumpke \$16 per month for trash pickup. For an additional \$4 per month

they would also get recycling pickup. She looked for an improvement in public safety because of the traffic on Headly/Matlock Road.

Mary Schneider, resident of Headly Road, said they put part of their property in Forest Preserve and were concerned with the placement of the sewer line as they did not want the natural area disturbed. She said they intended to donate this land to the public domain in perpetuity and asked that it be removed from the annexation plan.

Nancy Salmon of Browncliff said that they are distinct from Meadowood and the two have been confused. They have not had time to understand the impacts and asked for more time.

John Eakin from Headly Road said an advantage to annexation was the upgrade and upkeep of a private waterline. He asked them to proceed with the annexation.

David Penske of Maplecrest said "Why wait?" He said waiting wouldn't gain anything.

Jerald Jaquard of Browncliff said time was needed to understand what they are getting into and they would like to work with them.

Robert Shaw said he just spent \$2000 for a septic permit and didn't want to waste the money if sewer was coming. He wanted improvements made to the road and asked about the two inch waterline.

Gloria Westfall was concerned about the pollution of Lake Griffey and cited a one acre lot which held six families.

Sherman asked about the Schneider property and what was the advantage of not annexing it? Discussion followed about the advantage of being next to the Griffey conservancy district.

Sherman said that he did not see that more time would be an advantage in general.

The motion to change the effective date received a roll call vote of Ayes:4, Nays:5 (Sherman, Service, Swain, Cole and Hopkins).

Ordinance 95-49 and Resolution 95-36 received roll call votes of Ayes:9, Nays:0 WAS.)

Discussion followed about the order of the next items on the agenda, as there were people there for three of the annexations.

It was moved, seconded and approved by a voice vote that Ordinances 95-59, 95-65, 95-67, and 95-75 with their attendant resolutions be moved up and be next on the agenda.

It was moved and seconded that Ordinance 95-59 and Resolution 95-46 be introduced and read by the Clerk by title only. Clerk Williams read the legislation by title only.

It was moved and seconded that Ordinance 95-59 and Resolution 95-46 be adopted. The synopsis and committee recommendations of Do-Pass 8-0 was given.

ORDINANCE 95-59  
RESOLUTION 95-46  
(NORTH DUNN ST  
AREA)

Rose Valliant said she was representing three parcels of land on Dunn Street, totaling 18 acres. She said the owners could not see any benefits from the City annexation as they were already receiving sewer and trash pickup.

Kiesling pointed out that the area surrounding them was already annexed.

White said their level of law enforcement service would improve by annexation and the fire protection response time was four minutes.

Ordinance 95-59 and Resolution 95-46 received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Ordinance 95-65 and Resolution 95-52 be introduced and read by the Clerk by title only. Clerk Williams read the legislation by title only.

ORDINANCE 95-65  
RESOLUTION 95-52  
(SUPER 8 and  
AIT)

It was moved and seconded that Ordinance 95-65 and Resolution 96-52 be adopted. The synopsis and committee recommendation of Do-Pass 8-0 was given.

Robert Shaw said he was not necessarily opposed to this, but wanted clarification. He said the AIT was a not-for-profit organization and nothing would be added to the tax base, only the motel portion would do that. The street is a dedicated street and the motel site less than an acre. He requested that if annexed, the City take over the access road and maintain it. He said that a traffic light should be considered in the future for that intersection. He said the police are confused about the jurisdiction. He said there is a lift station there that he is now responsible for and he would like the City Utilities to take it over.

Bonnell said that he believed that the access road runs parallel to the Bypass and is part of this annexation.

Council Attorney Sherman pointed out that the name of the road at this point is Gourley Pike.

Cole asked about the path that children used to walk to Arlington School, previous to the construction of the AIT building. She asked if that pathway had been put back for the children's use. Shaw said he personally repaved it.

Ordinance 95-65 and Resolution 95-52 received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Ordinance 95-67 and Resolution 95-54 be introduced and read by the Clerk by title only. Clerk Williams read the legislation by title only.

ORDINANCE 96-67  
RESOLUTION 95-54  
(3rd STREET  
CORSSING &  
WESTPLEX)

It was moved and seconded that Ordinance 96-67 be adopted. The synopsis and committee recommendation of Do-Pass 9-0 was given.

Mr. Shaw said he wanted to point out for the record that the parcel is serviced by a private sewer with four property owners serviced by private sewer. He would like to see City Utilities take it over and maintain it because at some time it will become a problem and he would like to see it maintained.

Bonnell asked if the fiscal plan included any cost for sewer.

Mike Phillips, Utilities Dept., asked Shaw to come to Utilities to work out a mutually beneficial solution.



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Ordinance 95-67 and Resolution 95-54 received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Ordinance 95-75 be introduced and read by the Clerk by title only. Clerk Williams read the legislation by title only and noted that there were three amendments to this ordinance. Bonnell commented that two amendments received "Do Pass" recommendations. Kiesling ruled that those amendments would be handled individually for purposes of the record. This was approved unanimously.

ORDINANCE 95-75  
ESTABLISHING THE  
HOUSING TRUST

It was moved and seconded that Ordinance 95-75 be adopted. The synopsis and committee recommendation of Do-Pass 8-0-1 was given. Amendment #1 received a recommendation of 7-0-2, Amendment #2 received a recommendation of 4-4-1, and Amendment #4 received a recommendation of 8-0.

Kiesling explained that Amendment 1 on the agenda was passed 7-0-2; it deals with the number of Board appointments, I.U. representation, and the low and moderate income residents. The appointments went from nine to eleven, with the Mayor's appointments from four to five appointments, and the City Council's from three to four. Service said she had no problem with that but she was concerned that the other amendments be presented in the order in their packet. Kiesling said that was Amendment 7, 2, 8, and 6. She asked for a motion on the amendments.

It was moved and seconded that Amendment #1 be considered.

Amendment #1 received a roll call vote of Ayes:9, Nays:0.

Kiesling asked if they wished to consider Amendment 2; Swain said he wished to take the amendments in the order in the packets starting with Amendment 7. Kiesling said Amendment 4 having to do with the Open Door Law and public records received a "Do Pass" recommendation of 8-0.

It was moved and seconded that Amendment #4 be considered.

Kiesling said this provided that the Redevelopment Department or its successor would administer this.

Amendment #4 received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Amendment 7 be considered.

Swain said this amendment specified that all housing units created with this funding mechanism be permanently affordable. A covenant will run with the land stipulating that all units remain affordable in perpetuity. Projects that do not insure permanent affordability are not a priority at this time.

George Gale said this amendment was written with the input of 40+ members of the Coalition of low income and homeless citizens. This is a group that has worked hardest on getting this funding, and if the housing is not made permanently affordable, then people will be pushed out on the streets in 5-20 years. We've seen this happen recently with the Allen Building and Vermilya.

Swain said he sponsored the amendment because it was preferable to err on the side of those who have done the research on this issue and he is convince that their arguments are sound.

Hopkins said he agreed with Swain's remarks and is convinced that this will work. It will have little effect on banks and mortgages.

Pizzo said he recognized that \$500,000 would not build a lot of houses; he thought this was for seed money to investigate the potential of this program. We need to retain some flexibility, and this restricts the Board's options. The Board needs to be able to do what is necessary to get more housing on line and maximize the potential of this money.

Sherman said he agree with Swain and had talked to a lot of people who presented him with facts about this issue.

Chris Spiek, Redevelopment Director, said that the issue of affordability is the most difficult to deal with in the trust fund debate. He said that their position was that mandating permanent affordability would put restrictions on the fund which would limit participation in the fund by entities they would like to see participate. We want long term affordability, but at what cost? The staff advocates more on the production side than on the permanency side. The trust fund board will have the authority to craft the best deal on individual circumstances to meet the needs of the community. This will tie their hands and will chase a lot of people away.

Robert Shaw said that some Council members knew he spent time on affordability issues and he gave some history about previous affordable housing funds and projects. Speaking as a developer and landlord he said he had housing from \$125 per month to \$1200. He had 108 units renting for \$135 a month and of those, 20 were now vacant. He had no vacancies at \$1200 a month. He said maybe it wasn't the rental market that they needed to pursue. He said the housing trust money should promote home ownership and the Board should be given some leeway to work with developers or they won't work with you.

Michael Evans, program coordinator for the Indiana Association for Community Development, said they were a statewide association of affordable housing developers with the primary mission of promoting affordable housing. He wanted to deal with the question of whether or not permanent affordability really affects the involvement of the private sector of for-profit developers. The Association wanted to go on record saying that permanent affordability does not act as a bar to involvement of private sector developers. He spoke to the state housing finance authority who said that since 1987 over 100+ developers were involved with using low income trust funds or tax credits with widely varying restrictions. Another issue was whether this \$500,000 was being leveraged as much as possible if the private sector was not brought in. This amount could be leveraged at least four times, maybe as many as 10 times. So that could possibly be leveraged up to \$9 million. Permanent affordability is not that much of an obstacle. This association is available for other questions.

Michael Randolph, a concerned homeless person, said that for-profit investors were interested in the trust for only one reason, to make money. We need non-profit organizations involved.

Tim Sutherlin said that amendments for 50 years should be permanent. So make it permanent anyway. He passed out a handout on the capacity of non-profits to deal with this based on the applications for the community development block grants for shelter improvement. The total was more than \$407,547, more than half of this one grant. He also read some shelter agency budgets to give an idea how large some agencies are; the total was \$851,674. This does not include

CAP, Area 10, or Habitat.

Adam Kruggel read a statement by Michelle Grasman and Randy Fletcher detailing the problems of one person obtaining housing.

Marcy Wenzler, a Legal Services lawyer, said she was speaking only on her own behalf. Most of her practice has been defending evictions and starting in 1989, the 20 year time limit on some low cost housing started to run out. She said the Feds are now rewriting the 1995 Housing Act and backing away from the pledge of all Americans having a decent, safe, affordable place to live. She detailed other federal legislation due to be eliminated, and said the local situation will be a crisis situation. She urged them to be forward looking at a time the federal government was going backwards.

David Miller testified as to the love of God being involved.

Marc Cornett said permanency means stability both for residents and neighborhoods. He asked what there was to lose in permanent housing.

Cheryl Damron, a member of Housing Network, showed an overhead that Mr. Bonnell prepared to determine the amount of subsidy per unit per month on various projects. She cited some for Miller Drive, South Madison, etc. ranging from \$54 to over \$100. She said Housing Solution's subsidy per month per unit, it was \$12.50, while Middle Way's was \$9.31 etc. We have a lot to gain by making housing permanently affordable. She then gave some history of the affordable housing created in the past. She asked what the goals for this fund were. There were other ways to get the for-profit sector involved in the market.

Service said that 50 years was close to perpetuity and she hesitated to make plans for the town for more than that. There were more options in the affordable housing approach.

Cole said this was an important issue, and as elected officials they must make the decision. If this doesn't work, they will fix it.

Pizzo said he wanted to speak to the concept of affordable housing. He was on the board of Housing Solutions and Habitat, and Housing solutions was an answer to many, and he wanted to know how we made that permanent. First, the land belongs to the City which allowed private contractors to go in and do the work. It is affordable in perpetuity because the City owns the land. He spoke about Habitat and other land trusts. He didn't know how to mandate permanency when someone owns the property.

Amendment #7 received a roll call vote of Ayes:5, Nays:4 (Pizzo, Kiesling, White, Bonnell).

Amendment #2 and #6 was withdrawn.

Melanie Green was concerned about the funding agreement not having enough discussion. Cole said they have had the agreement for two weeks. Green said that in discussions of attracting development they looked at pre-development costs, and the funding agreement would better serve the fund if it included development costs. Second, in the general provision of the funding agreement there should be a statement that 50% is set aside non profit developers. She said that the Redevelopment Office was not part of the allocation process, so why part of the appeals process. She said it should also be clarified that they are not

talking about an individual obtaining a home mortgage, but for people developing housing, if only one. She questioned the allocation of 1% for administration, and asked how that was calculated. This was the same question to banks for servicing the mortgages - many banks will do this for less than the 2% provided in this agreement. The most important thing making this type of fund work is dedicated revenue and she hoped the Council would direct no allocations be made from the fund until such dedicated revenue source is found. This trust fund could disappear in loans for five years.

Hopkins said he thought it would be a mistake to wait till a source is found.

Green said that if this is put off, it is the case in many communities that this would never be found.

Cheryl Damron also said that it would be difficult to find a dedicated source, but those funds that had one worked much better.

Kiesling suggested that this be urged as part of the budget process.

Chris Spiek had a change in the text under number 5, Administrative Provisions, which should say at the end of the first paragraph "foundation shall notify the City of the selection of such entity."

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

It was moved and seconded that Ordinance 95-48 and Resolution 95-35 be introduced and read by the Clerk by title only. Clerk Williams read the legislation by title only.

It was moved and seconded that Ordinance 95-48 and Resolution 95-35 be adopted. The synopsis and committee recommendation of Do-Pass 9-0 was given.

ORDINANCE 95-48  
RESOLUTION 95-35  
(BLOOMFIELD RD  
AREA, ADAMS &  
ALLEN STREET)

There was no pertinent discussion of the legislation.

Ordinance 95-48 and Resolution 95-35 received a roll call vote of Ayes:9, Nays:0

It was moved and seconded that Ordinance 95-51 and Resolution 95-38 be introduced and read by the Clerk by title only. Clerk Williams read the legislation by title only.

It was moved and seconded that Ordinance 95-51 and Resolution 95-38 be adopted. The synopsis and committee recommendation of Do-Pass 9-0 was given.

ORDINANCE 95-51  
RESOLUTION 95-38  
FAIRFIELD INN -  
FRANKLIN BUS.PAR

There was no pertinent discussion of the legislation.

Ordinance 95-51 and Resolution 95-38 received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Ordinance 95-52 and Resolution 95-39 be introduced and read by the Clerk by title only. Clerk Williams read the legislation by title only.

It was moved and seconded that Ordinance 95-52 and Resolution 95-39 be adopted. The synopsis and committee recommendation of Do-Pass 9-0 was given.

ORDINANCE 95-52  
RESOLUTION 95-39  
FOUNTAIN PARK

There was no discussion of the proposed legislation.

Ordinance 95-52 and Resolution 95-39 received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Ordinance 95-53 and Resolution 95-40 be introduced and read by the Clerk by title only. Clerk Williams read the legislation by title only.

It was moved and seconded that Ordinance 95-53 and Resolution 95-40 be adopted. The synopsis and committee recommendation of Do-Pass 9-0 was given.

ORDINANCE 95-53  
RESOLUTION 95-40  
FURROWS, ALDI'S  
PARK 37 RETAIL

Council Attorney Sherman said that they had researched the stoplight issue with the County Highway Department and were told the contract has been let and work is due to begin. Second, the effective date is a 60 day effective date and, third there is no delay such as at Sam's and Walmart.

Ordinance 95-53 and Resolution 95-40 received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Ordinance 95-56 and Resolution 95-43 be introduced and read by the Clerk by title only. Clerk Williams read the legislation by title only.

It was moved and seconded that Ordinance 95-56 and Resolution 95-43 be adopted. The synopsis and committee recommendation of Do-Pass 9-0 was given.

ORDINANCE 95-56  
RESOLUTION 95-43  
HYDE PARK &  
KENSINGTON II

There was no further discussion.

Ordinance 95-56 and Resolution 95-43 received a roll call vote of Ayes:9, Nays;

It was moved and seconded that Ordinance 95-60 and Resolution 95-47 be introduced and read by the Clerk by title only. Clerk Williams read the legislation by title only.

It was moved and seconded that Ordinance 95-60 and Resolution 95-47 be adopted. The synopsis and committee recommendation of Do-Pass 9-0 was given.

ORDINANCE 95-60  
RESOLUTION 95-47  
3900 BLOCK OF  
NORTH KINSER PK.

There was no discussion.

Ordinance 95-60 and Resolution 95-47 received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Ordinance 95-66 and Resolution 95-53 be introduced and read by the Clerk by title only. Clerk Williams read the legislation by title only.

It was moved and seconded that Ordinance 95-66 and Resolution 95-53 be adopted. The synopsis and committee recommendation of Do-Pass 9-0 was given.

ORDINANCE 96-66  
RESOLUTION 95-53  
TAMARRON AND U-  
SCHOOL AREA

Kiesling said there was a typo in the Ordinance and she requested that the synopsis reflect the correct annexation date.

It was moved and seconded that the effective date be corrected.

Bonnell asked about the date and Jamie Brinegar said it had to do with the takeover of the Russell Road water lines on January 1998.

The motion to amend the ordinance received a roll call vote of Ayes:9, Nays:0.

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Sherman said he had some questions about the contiguous areas, such as Rachel's Glen and Devonshire not being included. He asked the Controller to look into that. Discussion followed about the issue.

Ordinance 95-66 and Resolution 95-53 as amended received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Ordinance 95-68 and Resolution 95-55 be introduced and read by the Clerk by title only. Clerk Williams read the legislation by title only.

ORDINANCE 95-68  
RESOLUTION 95-55  
PORTIONS OF  
THOMSON TRUCK  
ROUTE

It was moved and seconded that Ordinance 95-68 and Resolution 95-55 be adopted. The synopsis and committee recommendation of Do-Pass 9-0 was given.

Ordinance 95-68 and Resolution 95-55 received a roll call vote of Ayes:9, Nays:0.

Discussion followed about the Annexation ordinances which had been tabled;

Chuck Ruckman commented that there were parts of the ordinances which had to return to the City Council. He asked for clarity from the Council on which corrections were desired. Discussion followed on the negotiations on these properties and which documentation had been received.

Sherman pointed out that one issue was the creation of a TIF zone for areas suitable for commercial development.

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

LEGISLATION FOR  
FIRST READING

Ordinance 95-71 To Amend the Bloomington Zoning Maps From RS 3.5 to PUD and to Amend the Preliminary Plan re: 1200 Rolling Ridge Way (Rolling Ridge, Inc., Michael Pauly, Petitioner.)

Ordinance 95-74 To Amend the Text of Title 20 of the BMC Entitled, Zoning (Amendments to the Site Plan Review Authority).

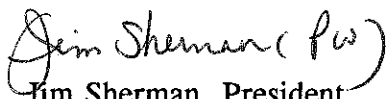
Ordinance 95-76 To Amend Chapter 3.02 of the BMC Entitled, Cable Communication Franchises (Authorizing an Informal Process for the Renewal of Cable Franchises).

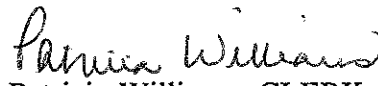
There was no public input.  
The meeting was adjourned at 12:55 pm

PUBLIC INPUT  
ADJOURNMENT

APPROVE;

ATTEST;

  
Jim Sherman, President  
Bloomington Common Council

  
Patricia Williams, CLERK  
City of Bloomington