

In the Council Chambers of the Municipal Building held on Wednesday, January 19, 1994 at 7:30 p.m. with Council President Sherman presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
JANUARY 19, 1994

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

ROLL CALL

Sherman gave the agenda summation.

AGENDA SUMMATION

The minutes of January 3, 1994 were approved by a voice vote.

APPROVAL OF MINUTES

Swain welcomed the IU students back. He congratulated the IU Basketball team for their effort and teamwork. Miller thanked the road crews and the people who helped other motorists during the recent snowstorm. Thanks was also sent to Tom King, the Community Kitchen and Shelter Inc. for their assistance to the homeless at this severe weather time.

MESSAGES FROM
COUNCILMEMBERS

Service thanked all the people who have shoveled their sidewalks and she announced a press conference to be held the following day by the 175th Anniversary of Monroe County/Bloomington Committee announcing the remaining seven events in the celebrations. She also noted programs relating to the 30th anniversary of the Surgeon General's report on tobacco smoking. Cole thanked the utilities and repair people who helped others in distress this past week.

White thanked the road crews for doing their jobs well and staying up all night. He noted that some of his suggestions had been implemented in regard to plowing. He congratulated the IFC and Panhellenic Council on their recent elections.

Kiesling noted the MLK Jr. celebrations. Sherman made some observations concerning students and the weather. He expressed his appreciation to the road crews and to the garbage crews in particular.

Sherman read a Proclamation from the Mayor proclaiming January 19, 1994 to be membership appreciation day for the Chamber of Commerce.

MAYORAL MESSAGE

James Register accepted the Proclamation for the Chamber of Commerce.

Jim Rosenbarger gave a presentation regarding the activities of the Bicycle and Pedestrian Safety Commission. Topics discussed were sidewalks, pedestrian bridges, downtown pedestrian ways, chokers, signalized intersections, school zone crossings and speed limits, and various other pedestrian safety issues. He noted that the placement of sidewalks does not necessarily provide a safe pedestrian walkway. He noted several road features that can make pedestrians less safe.

COMMITTEE REPORTS

The Council thanked him for his presentation.

Sherman presented a check for \$90,000 to the Public Health Nursing Association to help its effort to acquire a new building which it will own. The allocation was presented to Ellie Rogers of PHNA. She thanked the Council for the check and their support.

PHNA PRESENTATION

Dave Harris, representing the Ad Hoc Coalition for Industrial Retention, announced efforts to keep SuperValu Inc. in Bloomington. The primary activity involves a letter writing campaign. Sherman wished them good luck and hoped that the coalition would find ways to prevent similar events in the future.

PUBLIC INPUT

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It was moved and seconded that Appropriation Ordinance 94-1 be introduced and read by the Clerk by title only. APP.ORD.94-1
Clerk Williams read the Ordinance by title only.
It was moved and seconded that Appropriation Ordinance 94-1 be adopted. The synopsis and committee recommendation of 7-0-0 was given.

Chuck Ruckman, City Controller, stated that the ordinance appropriates money already set aside for the Showers Project. He said that bonds should be sold sometime in March or April. He answered a previously asked question and said that the projected amount of County Option Income Tax that Bloomington would receive should be \$4,000,569 which is strictly an estimate.

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

It was moved and seconded that Resolution 94-4 be introduced and read by the Clerk by title only. RES. 94-4
Clerk Williams read the resolution by title only.
It was moved and seconded that Resolution 94-4 be adopted. The synopsis and committee recommendation of 8-0 was given.

Chris Spiek, Redevelopment Director, stated that this is a loan to the Bloomington Developmental Learning Center. He said that the BDLC intended to purchase the building from CFC Inc., but he was not sure about the status of those negotiations. This proposal was unanimously recommended by the Redevelopment Commission.

Vicki Renfrow, BDLC President, said that CFC Inc. was negotiating with the lending institution. She cited the specifics of the offer. She said that by acquiring assistance from the city, BDLC would be able to reduce their monthly loan payments. The total payments would come out to just under \$5,000 a month. The final word from the lending institution is not back yet but she was hopeful that the city and CFC would approve the offer. She hoped authorization from the city on the loan would come before March so BDLC would not have to pay property taxes.

Miller asked if BDLC had figured a way to come up with the \$10,000 mentioned at a previous meeting. Renfrow said that it was possible that the amount of co-payments could be raised to cover that expense. That would allow them to use more of the cash that BDLC holds as a reserve. She said that there was a cushion in their checking account that could serve this cash need. This would allow them to lower the amount of money they would have to borrow. Sherman asked Spiek if the amount of \$69,000 would have to be made a maximum by amendment. Spiek said that the safest route would be to amend the resolution to state that up to \$69,000 could be borrowed.

It was moved and seconded that Resolution 94-4 be amended to read that the loan not exceed \$69,000. Cole commended BDLC for their work in eliminating their original debt.

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

Kiesling stated that the original request was much

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larger and wanted to know why the amount was then reduced.

Spiek said that the original request also included the land which the city was not going to purchase at this time.

Kiesling noted the CFC Inc. effort to provide BDLC a good building and hoped that differences with the company could be worked out and BDLC could take advantage of lower payments.

Swain hoped that when BDLC became more solvent they would provide more scholarships for those in need.

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

It was moved and seconded that Resolution 94-1 be introduced and read by the Clerk by title only. Clerk Williams read the resolution by title only. It was moved and seconded that Resolution 94-1 be adopted. The synopsis and committee recommendation of 8-0 was given.

RES. 94-1

Susan Failey, Asst. City Attorney, said that the Redevelopment Commission had given its approval to the proposed fee of \$100 for application for Economic Development Target Area (EDTA) designation. This fee is designed to help the city recover costs incurred in that designation process.

The resolution received a roll call vote of Ayes:7, Nays:0.

It was moved and seconded that Resolution 94-5 be introduced and read by the Clerk by title only. Clerk Williams read the resolution by title only. It was moved and seconded that Resolution 94-5 be adopted. The synopsis and committee recommendation of 8-0 was given.

RES. 94-5

Spiek said that this is an abatement request for portions of the Showers Project and that this is part of an overall agreement regarding that project. The abatement is for the CFC and IU portions of the structure. He gave a list of possible uses, including light industrial uses and noted that those uses would involve rezoning. That board would likely be the Plan Commission and possibly the Common Council. The Redevelopment Commission feels that this is a good situation for everyone involved and recommends approval.

Service requested the entire list of uses.

Spiek listed them as research park, business and professional offices, retail, restaurant, residential and light manufacturing.

Sherman hoped that IU stays in the project, for without them the project would lose some of its benefits.

Spiek emphasized that IU has no intentions of backing out. IU will only back out if their costs become excessive and with current interest rates as low as they are the project should come in under cost.

Sherman commented on the purposes of tax abatement. White said that the current users do not pay taxes so the city has nothing to lose in this situation and the

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private sector is looking forward to this new development and he felt that this is a good investment for the city.

Sherman noted that several good restaurants and bakeries are already in that area and he looked forward to visiting them.

Service noted that in the short run the passage of this abatement could be critical. Other decisions were made based on the some assumptions and solidifying things is worth doing. She then asked Spiek if the list of uses changed would that affect the abatement.

Spiek said the list of uses consists of general categories and will pretty much fit the building.

Service said she was aware of one suggested use for that building that does not fall in those categories.

Spiek said that if it does not fall in those categories then it would not be a permitted use.

Cole commented said she felt very positive about voting for this legislation and felt that this is precisely what tax abatement is intended to accomplish. She asked if IU had started designing the research park yet.

Spiek said the basic design but not the tenant design was ready.

Service suggested an amendment that would amend the list of uses to include cultural or educational uses. White asked if an educational facility were to rent from CFC would it still be subject to taxes.

Spiek said that it would be.

White asked if CFC rented to a educational facility would the tax abatement still be in place.

Spiek said it would be if the amendment were included.

Kiesling asked where the list of uses was because she could not see it in the resolution.

Spiek said it was not in the resolution itself.

After some discussion it was determined that the application must be amended.

Spiek said the petitioner was present and was not opposed to the amendment. He stated that after the vote, which is required, the petitioner would have to alter their benefit statement.

Ted Ferguson, CFC Inc., asked what precisely Service had in mind and Service said she was not at liberty to make a statement.

Ferguson noted that if IU backs out, CFC has agreed to take over that portion of the building and that a new tenant would have to be found and that is the reason for the general categories.

Kiesling reminded Spiek to be sure to include that listed use in all appropriate places.

Spiek agreed.

Swain asked why we had to amend the resolution.

Dan Sherman, Council Attorney, suggested that in stead of an amendment, the resolution with permission to add cultural and educational uses to the list of permitted uses be voted on.

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

It was moved and seconded that Ordinance 94-1 be introduced and read by the Clerk by title only. Clerk Williams read the ordinance by title only. It was moved and seconded that Ordinance 94-1 be adopted. The synopsis and committee recommendation of 8-0 was given.

ORD.
~~RES.~~ 94-1

Susan Failey, Asst. City Attorney, explained the reasons for designating the Showers facility as an Economic Development Target Area. She showed a deletion that had been made from the version that had been presented to the Council the previous week.

Dan Sherman suggested amending by substitution.

It was moved and seconded to amend Ordinance 94-1 by substitution. The amendment received a roll call vote of Ayes:8, Nays:0.

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

It was moved and seconded that Ordinance 94-2 be introduced and read by the Clerk by title only. Clerk Williams read the ordinance by title only. It was moved and seconded that Ordinance 94-2 be adopted. The synopsis and committee recommendation of 7-0 was given.

ORD. 94-2

It was moved and seconded that Ordinance 94-2 be amended by substitution. The amendment received a roll call vote of Ayes:8, Nays:0.

Susan Failey described the property and the previous Economic Revitalization Area approval and the reasons for further seeking Economic Development Target Area designation.

Ted Ferguson, CFC, noted the assistance of the Planning Department. He discussed owner occupied housing downtown and this particular abatement.

Service thanked him for the revisions he made in the site plan and building design. She discussed a neighborhood association letter written in support of the development and with those revisions, the area should support the development even more. Sherman hoped that CFC would explain to the prospective buyers when the taxes take effect.

Ferguson said that they would be certain the buyers are aware. He said that this process would make the housing more affordable.

Cole said she would vote for this begrudgingly because this was not an economically deprived area but she did acknowledge CFC's work and cooperation on this project. She agrees with the need for affordable housing but was concerned with what is happening to the Allen Building which is truly affordable housing as opposed to this. Total gentrification of the downtown area worries her deeply.

Ferguson noted the deterioration of the structures previously located there and how he thought the need for removal was important for safety purposes. Cole said she remembered the former building being used

as a fraternity annex.

Ferguson thought they were an illegal fraternity. Service stated that it was the city's fault that the buildings were allowed to deteriorate. Had the structures been saved at an earlier stage, it would have been a reasonable location for affordable housing. White noted the research done by CFC regarding marketability of downtown housing and noted many downtown projects and asked if the price of the proposed units was in line with the market. Ferguson stated that some changes to past projects had raised the costs above \$80,000 a unit in similar projects. He noted that a down payment of around \$15,000 was required to pay for such a home. He said that the project was kind of being shoehorned into the site but the high cost of land downtown required such a use.

White said he wished to encourage developers interested in the downtown area to look at the the lower end of the financial spectrum. He realized that land downtown is expensive and this raises the cost of projects substantially, but he felt that renovation of existing structures and a balance with affordable housing was what the Council is looking for and what would benefit the community the most.

Ferguson said that higher density would allow for more units which would lower the cost.

White asked if the density allowed in downtown areas was not high enough.

Ferguson said that the proposed project is at the highest density possible in that zoning which is RM. White asked if RH would be better and Ferguson agreed. White said that this zoning change would make housing more affordable by allowing more units per structure. He felt that higher density is what the Master Plan called for in its definition of compact urban form. Service added that the lines were redrawn so that the higher densities in the downtown did not conflict with the lower densities in the core neighborhoods.

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

It was moved and seconded that Resolution 94-2 be introduced and read by the Clerk by title only. Clerk Williams read the resolution by title only.

RES. 94-2

It was moved and seconded that Resolution 94-2 be adopted. The synopsis and committee recommendation of 6-0-2 was given.

Chris Spiek described the site at 314 N. Washington and noted that the project was similar to the just previously discussed proposal. He noted that this project differed from the previous one for Economic Revitalization Area designation in that this one has already secured all the necessary zoning and planning approvals. He said that the reconfirming resolution would not be delayed and the clerk would publish the legal advertisement immediately.

Cole asked if this ERA was a result of the recent redefinition of the downtown area.

Spiek said that this is in the main downtown area but each proposal must be considered individually.

Kiesling asked what the current taxes were on the property.

Spiek stated that the taxes currently were \$1,524

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annually and after development they were anticipated to be around \$28,000.

Harold Carrithers, Petitioner, was available for questions.

Service said she felt the development was a bit tall but would be next to a similarly tall structure and across from one of the tallest structures in town so she felt it would not be out of character.

The resolution received a roll call vote of Ayes:7, Nays:0.

It was moved and seconded that Resolution 94-3 be introduced and read by the Clerk by title only. Clerk Williams read the resolution by title only. It was moved and seconded that Resolution 94-3 be adopted. The synopsis and committee recommendation of 7-0 was given.

RES. 94-3

Spiek stated that this is different from the last two projects in that the project 1201 and 1212 W. Cottage Grove is intended to be rental. Both are platted lots of record and are currently unoccupied. Issues that important here are that this is a platted lot of record, which has a vested right to build. One lot is a corner lot which will require setback variances to be buildable. The petitioner is working with the Planning Department to make a proposal to the Board of Zoning Appeals. What is being proposed are manufactured homes which are of a high quality. Redevelopment has a program in which the city assists in the construction in exchange for predetermined rent maximums for twenty years. There is a formula which determines this rate every year and determines what is called fair market rents which generally run \$100 to \$150 a month less than general market rents which provides substantial savings to the renter. This is the best way the city has to encourage affordable housing. He also noted that this is not a welfare program or rent subsidy program where the government completely supports the inhabitants. They pay rent monthly like everyone else or face eviction. Section 8 tenants may rent these properties but there is no mandate to do so and there are currently no Section 8 vouchers available. This program is available citywide and Redevelopment would entertain any proposals for other projects of this nature. He noted that this project is not targeted towards any area of the city and could be located downtown, Hyde Park, the westside or any part of the city.

Hopkins did not feel some of the "affordable" rents in Bloomington are truly affordable. He asked Spiek if the half lot is truly buildable, and Spiek said it was. Hopkins said that he did not want to damage neighborhoods in the rush to provide affordable housing.

Spiek said that is something the Planning Department would consider, the owner has the right to build but if the Planning Department feels the size or position of the house is inappropriate then they are not bound to approve it. If the necessary zoning approval requires smaller housing to build then so be it.

Cole asked if Mr. Moncel had any other projects in this are in mind.

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Spiek said that this is the final project he is aware of in this area but to be sure Mr. Moncel would have to be contacted.

Cole asked if any porches or other finishing touches were planned for these houses and Spiek said yes.

Cole asked what area was used to calculate fair market rent.

Spiek said that the statistics are figured for a community using the same formula in every community. The formula takes into account a variety of factors such as unemployment rate, rent, etc.

Cole asked what the average rent is.

Spiek said it runs around \$600 a month for a single family home.

Cole felt that the reason for high rents is that code enforcement regarding the number of occupants is so poor that a landlord can charge \$800 a month and let five occupants occupy a unit when the maximum in the code is three. The cities approach to the problem is poor.

Spiek said there have been problems with that in the past.

Cole said that the problem has by no means gone away.

Spiek said that the city is taking steps to solve such problems.

Swain there noted a discrepancy in the map. He then asked how the lot became a half lot.

Spiek said that in the 1930's and 1940's many lots were divided in this way and recorded. Currently the Records Office will not record substandard lots without Plan Commission approval.

Hopkins asked if a reconfirming resolution would be necessary.

Spiek said that one would be required after the zoning approvals are acquired.

Sherman was pleased that the rent would be set, and he realized he may be out of touch with rental rates but he felt \$450 was still too high. He wasn't sure how to impact the figures to make fair market even lower.

Spiek said some research has been done in the area of rent and that the numbers were correct, particularly for new construction.

Cole was sure that developers could not do new construction for much less.

Sherman inquired about tax abatements and rental units but was concerned about placement and neighborhood destruction. He felt that large developments were wrong and wanted the developments to be spread more evenly throughout the city.

Pizzo lauded the attempt by the developer to provide affordable housing but thinks the city needs to be reasonable in deciding where the housing will be. He said it is unreasonable to expect affordable housing in some place like Hyde Park either for rental or for purchase. He feels some exceptions ought to be made to provide more of this sort of housing.

Cole asked if there was a house on the half lot that was referred to as a shanty and so the shanty was being replaced with a real house.

Spiek said the original structure was in extremely poor condition.

Cole still felt uncomfortable with the half lot.

Swain wanted to know the tax difference between pre-development and post-development.

Spiek said that currently the taxes were \$267 and after completion the tax would be \$3,648.

Roy Campbell, Cottage Grove Housing Inc., Petitioner, thanked Spiek for his presentation. He felt that the addition of the homes improve the housing stock in this area and improve living conditions for possible renters. He said that the project would be available to Section 8, Home Program approved individuals, or individuals who meet income guidelines. He gave examples from the last project completed by his company.

Sherman said he had toured the manufactured homes at the site recently completed and that he felt that these sorts of homes were the way to go. He said that he met the people who would be moving into that home and that they were the sort of people this sort of project was meant for.

Cole wondered how the buildings would be finished. Campbell said that they are not finished but that a deck and appropriate landscaping would be added to these homes.

Cole said that things such as decks could really improve the appearance of the homes and inquired as to the size of the planned decks.

Campbell said they would be around 6'x10' or 8'x10'.

Wayne Young, Neighborhood Resident, said there was a lot of good to the project. He was however concerned about the half lot and the city giving a tax abatement to what he considers substandard. He also wished to correct a misunderstanding in that there has not been a house on the half lot at 1212 W. Cottage Grove for over nine years, and the house is actually at 1201 W. Cottage Grove. His concern was that the lot was so small that there would be no space for a garage, parking, or privacy. He felt that Gene Moncel and Roy Campbell had the right to build and he encouraged them to do so, but the lot is too small for the size of home they are considering for the lot.

Miller reminded Young that it was up to the Planning Department, not the Commission to determine the square footage of the house and the Council was voting on the tax abatement not on the square footage.

Young said he was not talking about the square footage so much as the Council subsidizing it. He said the full size lots are substandard and allowing a half-lot to be subsidized is what he has a problem with.

Kiesling asked what the actual address of the half lot is.

Young thought the addresses were wrong but he wasn't sure.

Spiek stated that the structures would be assigned new addresses when they are completed.

Sherman felt that Young's point concerning the half lot is very well taken. He then asked about the rents on these structures.

Spiek said the rents would be based on the bedroom size.

Sherman said part of the rent should be based on the lot size.

Spiek said that that was not a factor in their

calculation.

Sherman said he understood that but that he has a problem with Housing and Urban Development's formula. Spiek said that was a marketing decision and if people choose to live there that is their choice.

Sherman thought that was wrong.

Spiek said that is not a bad point but that lot will be built on and the decisions do not belong to the Council but to the Planning Staff unless the Council makes it a condition of approval.

Cole said the Council does not want to make decisions that will create the type of blight that the Council is trying to get rid of and asked if the years the lot sat vacant has a bearing on the decision.

Spiek said that it did not because it was a platted lot of record.

Cole said that all the details that have come to light say that this is a different community since that house existed. She wished that the two lots were two separate petitions.

Kiesling also felt that these should be two separate petitions.

Spiek said that different issues do face the two lots. Kiesling asked if there was a house on the full lot on the corner.

Spiek said that there was not currently a home on that lot.

Russell Schuyler, Neighborhood Resident, said he considers this an invasion because of the increased number of people. He was unhappy with how close the neighboring buildings were and he felt that \$450 was too much rent.

Kiesling asked about requirements for family size and bedroom space.

Spiek said that HUD requires that opposite sex children over six not share a bedroom.

Cole restated her feeling that this should be two separate petitions because she felt the corner house was a good proposal and the other was not so good. She felt that four of these homes in this area was a bit much and was hoping for a Neighborhood Plan for this area. She did not feel comfortable voting to build on the half lot.

Sherman said that all the lots are recorded and are entitled to build and in the long run he must consider the families whose lives will be improved by these homes.

The resolution received a roll call vote of Ayes:7, Nays:2(Cole, Hopkins)

It was moved and seconded that Ordinance 94-3 be introduced and read by the Clerk by title only. Clerk Williams read the ordinance by title only.

It was moved and seconded that Ordinance 94-3 be adopted. The synopsis and committee recommendation of 5-0-3 was given.

Lynne Friedmeyer, Senior Zoning Planner, said that since last week meetings have taken place with the neighbors, Dr. Schmalz and the petitioner and people are feeling more comfortable with the plan. Some concerns have been expressed about this development, especially sidewalks, streetlights and the improvements and realignment along Sare Rd. There will be sidewalks along both sides of the streets, streetlights will be installed and in 1994 Sare Rd. will be improved to David St. and then down to E. Rogers Rd. and then 200 feet in each direction. These details have been worked

out and will be addressed to Dr. Schmalz' satisfaction. There was also concern about drainage in the back yards of three or four homes, they have been reviewed by Engineering and what was originally approved is in place and is functioning as it was proposed to do. The back yards do get wet, there is standing water, and the detention area is a drainage easement as it was meant to be. The open space will be maintained by a homeowners association or they can be the home lots all the way out. The brick farm house will remain a platted lot by itself. The barn will become part of the park.

Swain asked about the dedicated acreage of the park. Friedmeyer said it was 6.3 acres dedicated to the park with 128 dwelling sites with one parcel dedicated to the park.

Hopkins asked about bicycle paths and Lynne said there are paths that run through the park connecting the surrounding developments along with sidewalks. Hopkins expressed his frustration with the lack of bike and pedestrian paths in all these subdivisions we are creating and if it is not done at this stage, it becomes almost impossible to do at a later stage. He stated that his votes on developments will be effected by this issue.

Service agreed with Hopkins and noted that shared pedestrian and bike paths do not work as has been suggested. Someone who uses a bicycle on a pedestrian path can be fined so bike paths need to become an issue.

Kiesling noted that developments to the east of the proposal have been required to have pedestrian access to the park but not bicycle paths and the proposal includes neither type of access to the park. She said that without an extra foot or two of pavement on the road bicycles should not be on roads like Sare, it is not safe.

Miller inquired as to the width of the sidewalk path. Friedmeyer stated that it was ten feet wide and noted that sidewalks for residential areas are only required to be four feet wide.

Steve Smith, Representative of Petitioner, was available for questions.

Miller asked for a better representation of the width of the pathway.

Smith described it in detail.

Sherman commented on the history of pathways in this area.

Service was concerned about the Schmalz House and whether or not it needed historic zoning. She hoped that the home was marketed as an historic house.

Cole asked if the Parks and Recreation Department would care for the new park.

Smith said it would be dedicated to the public and that Parks and Recreation would care for the property.

Cole asked how the general public would access the park.

Smith said that would be up to the city but that there was a plan to provide access and showed that plan on the overhead projector.

Kiesling asked more questions regarding details of access and Smith addressed them.

Dr. Bill Schmalz, Executor of the Schmalz Estate, asked for the support of the Council. He discussed the history of proposed developments for the site and felt that the current proposal is definitely the most

benign. He noted that his goal was to preserve a small portion of the farm that had been his family so long and noted that this petition achieved that. He noted that it was the family, not the developer who dedicated the park. He wanted the Council to understand the importance of the park to the Schmalz family in commemorating their farm. He felt that the park was giving something to the community that was given to the Schmalz family. He wants to assure that the park remains a dedication to the Schmalz family. Sherman recognized the efforts of Dr. Schmalz and hoped that the family would remain a part of the process far beyond the dedication.

Service clarified that in the agreement between the Schmalz family and Blackwell the area that will become the park was set aside from this agreement as greenspace in the option, and she asked who specifically was setting the property aside.

Dr. Schmalz said that the property was technically part of the development as greenspace but is intended to be a park dedicated to the city.

Service noted that the exact acreage has been yet to be determined and asked what it was anticipated as.

Schmalz was uncertain.

Service said she was thankful for the dedication.

Cole agreed with Service.

Pizzo noted that he has known the Schmalz family to be great contributors to the community and he personally thanked the Schmalz family for the park.

Eugene Fritz, Southeast Coalition, noted some ambiguities in the plan and expressed concern regarding drainage and storm detention. He stated that erosion control was not working in development procedures. He asked how much of the park will be flooded during storms and felt someone needs to look into that. Sherman stated that the city was working on the soil erosion problem and said that new enforcement measures would be coming soon.

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

It was moved and seconded that the rules be suspended to allow the Council to consider the rest of the agenda.

The motion passed unanimously as is required.

It was moved and seconded that Ordinance 94-4 be introduced and read by the Clerk by title only. Clerk Williams read the ordinance by title only.

ORD. 94-4

It was moved and seconded that Ordinance 94-4 be adopted. The synopsis and committee recommendation of 7-0 was given.

Friedmeyer described the property at 3214 Moores Pike and the surrounding area. She said no work would be done in the floodplain portion of the property. She noted that this is a wooded site and the attached housing plan was an effort to maintain the tree coverage. The site would have sidewalks and a street that would fit city standards.

Jeff Fanyo, representative of petitioner, was present to answer any questions.

Kiesling asked about tree protection and erosion control during construction.

Fanyo stated that they are producing a detailed plan for those issues.

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Sherman noted that the developers worked with the neighborhood on the project.

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

It was moved and seconded that the following ordinances be introduced and read by title only by the Clerk for first reading. Clerk Williams read the legislation for first reading by title only. LEGISLATION FOR FIRST READING

Ordinance 94-05 To Designate an Economic Development Target Area - Re: 314 N. Washington (Carrithers Construction, Inc., Petitioners)

Ordinance 94-06 To Designate an Economic Development Target Area - Re: 1201 and 1212 W. Cottage Grove (Cottage Grove Housing, Inc., Petitioners)

Ordinance 94-07 To Amend the Bloomington Zoning Maps from RL and ML to MG, Grant a PCD Designation, and Approve Outline Plan - Re: 2500 N. Curry Pike (John F. Griner, Petitioner)


Ordinance 94-08 To Amend Title 3 of the Bloomington Municipal Code, Entitled "Cable Communications Systems" (Authorizing the City to Regulate the Basic Service Tier Rates and Related Charges)

There was no public input.

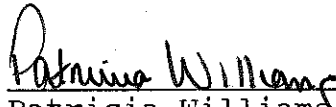
PUBLIC INPUT

The meeting was adjourned at 11:20 P.M.

ADJOURNMENT



Jim Sherman, President
Bloomington Common Council



Patricia Williams, CLERK
City of Bloomington

Approved on 2nd March, 1994