

In the Council Chambers of the Municipal Building held on Wednesday, February 2, 1994 at 7:30 p.m. with Council President Sherman presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
FEBRUARY 2, 1994

Roll Call: Service, Swain, Miller, Pizzo, Sherman, Hopkins, Cole, Kiesling. (White arrived at 7:40 P.M.)

ROLL CALL

Sherman gave the agenda summation.

AGENDA SUMMATION

There were no minutes for approval.

MINUTES FOR
APPROVAL
MESSAGES FROM
COUNCILMEMBERS

Service noted it was Groundhog Day. Swain recognized Black History Month and the associated activities.

Cole announced that the Arts Commission Showers Panel had chosen Brad Golberg to design the fountain for the Showers project. She thanked the panel for good work. Kiesling also noted Black History Month and thanked Wal-Mart for their contributions to United Way.

Sherman rode with Plan Commission members to a variety of Planning projects and noted a substantial amount of non-compliance and blatant violations. Then he went on a ride with Tom Macuda, Environmental Commission Coordinator, and found blatant violations of the Erosion Control Ordinance. He felt that enforcement of Planning projects needs to improve significantly. Sherman read an announcement from Mayor Allison concerning Black History Month.

White reported on activities at the Utilities Department and noted some planned capital projects. Work is to be done on Blucher Pool, two interceptor sewers, Dillman Road, a southwest water storage tank, a new southwest water main which is controversial, and a remodelling north treatment plant which would allow us to continue to have two independent sources of water. Swain stated that the projects were prioritized and that some of the projects were more of a wish list than a planned project.

White said that some in Utilities feel that two sources of water is a safety issue and he felt that if we plan to use Griffy Lake as a source of water we need to protect the watershed of that lake.

Swain agreed and felt that this shows the farsighted thinking of the Utilities staff.

White said the city needs to decide if they want one or two water sources.

Service wondered if there was any discussion regarding a pipeline from the southeast.

White said that there was but those plans were not set.

It was moved and seconded that Ordinance 94-5 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 94-5 be adopted. The synopsis and committee recommendation of 9-0-0 was given.

LEGISLATION FOR
SECOND READING/
VOTE

ORD 94-5

Susan Failey, Assistant City Attorney, described the Economic Development Target Area designation for 314 N. Washington. She noted that this step is required by State law. She said that this was a step towards tax abatement.

Harold Carrithers, Petitioner, was present for questions.

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

It was moved and seconded that Resolution 94-6 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 94-6 be adopted. The synopsis was given.

RES. 94-6

Sherman noted that this is a reconfirmation and once this is passed there is no turning back.

Chris Spiek, Redevelopment Director, was present to answer questions.

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

It was moved and seconded that Ordinance 94-6 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 94-6 be adopted. The synopsis and committee recommendation of 9-0-0 was given.

ORD. 94-6

It was moved and seconded that the ordinance be amended to delete 1212 W. Cottage Grove from the ordinance.

Cole thanked the petitioners for their work with the neighbors.

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

Failey was available to answer any questions regarding the Economic Development Target Area designation for 1201 W. Cottage Grove.

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

It was moved and seconded that Ordinance 94-7 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 94-7 be adopted. The synopsis and committee recommendation of 8-0-1 was given.

ORD. 94-7

Sherman asked if the revising of the buffer would require an amendment. He found that it would not.

Tim Mueller, Planning Director, gave a brief description of the site and explained the reasoning of the rezone. He stated that the petition is in compliance with the Growth Policies Plan. He discussed the issues surrounding the buffer and what the final determination was.

John Griner and Lynne Coyne, representatives of petitioner, were present to answer any questions. Hopkins thanked Griner for his efforts at environmental protection of the site.

Sherman noted that this is not one of the aforementioned non-complying developments. Kiesling asked when the next phase would begin. Griner said they would advance to the next stage in a few months. Clerk Williams expressed the Monroe County Economic Development Commission's appreciation of Griner's efforts.

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

It was moved and seconded that Ordinance 94-8 be introduced and read by the Clerk by title only. Clerk

ORD. 94-8

Williams read the ordinance by title only.
It was moved and seconded that Ordinance 94-8 be adopted. The synopsis and committee recommendation of 9-0-0 was given.

It was moved and seconded that the ordinance be amended by substitution to read "Telecommunication Council" instead of "Telecommunication Commission".

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

Matt Pierce, Telecommunication Council President, listed the adjustments which adjust recommendations to the library, confidentiality requirements, rate change procedures and other details.

Swain noted that he did have a cable bill increase and he wondered what improvements had been made for the increase and that is why he felt that this type of legislation was important.

Hopkins asked if connection fees were included in legislation and what their restrictions were.

Pierce stated that the cable company could charge the actual cost plus 11.25%. Pierce noted some inconsistencies in the cable fee structure.

Hopkins hoped that Pierce would persevere in his fight to stop cable companies from charging to disconnect service.

Kiesling thought that charging for disconnection was already disallowed.

Pierce said the fee had not been disallowed unless all that is required to perform the disconnection is a computer entry in which case is the cable company may charge a maximum of \$2.00.

Kiesling considered reasons for apparent discrepancies in charges.

Pierce said that those discrepancies were most likely connected to new federal legislation.

Kiesling commented on the benchmark rates.

Pierce said that there is speculation that the FCC will be revamping the benchmark rates and further speculation is that those new rates may reduce costs nationwide by 10%.

Kiesling asked if there would be senior citizen rates.

Pierce said that basically depends on the good will of the cable provider.

Kiesling asked if the words "programming" and "service" were interchangeable in the cable agreement.

Pierce said that the differentiation was not clear.

Service commented on speculation in recent editorials about changes in cable services.

Pierce stated that since 1984 cable had increased their fees by 300% and legislation is designed to make increases smaller in the future.

Service asked if the Telecommunications Council was still considering a customer service ordinance.

Pierce said that the Telecommunications Council had already requested it and he listed several specific problems to be covered in the ordinance.

Sherman said that he agreed with letting competition run the market as several people had suggested on a recent radio program but there was no real competition in the city.

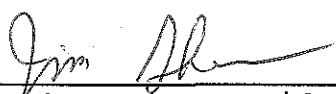
The ordinance received a roll call vote of Ayes:9,
Nays:0.

There was no legislation for first reading.

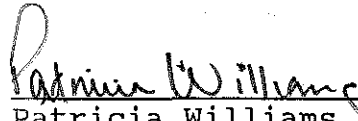
There was no public input.

The meeting was adjourned at 8:37 P.M.

ADJOURNMENT



Jim Sherman, President
Bloomington Common Council



Patricia Williams, CLERK
City of Bloomington

Approved on 2nd March, 1994