

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

COMMON COUNCIL
REGULAR SESSION
MARCH 2, 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 19 and February 2, 1994 were approved by a voice vote. Minutes for February 16, 1994 were tabled pending alteration.

MINUTES FOR
APPROVAL

Service reminded everyone about a time capsule that will be closed on April 17 and encouraged people to bring items to place inside the capsule. She gave examples of items to place in the capsule. Swain commented on an article in the local newspaper concerning candidates running for office. He noted that the article implied that the Council was anti-business and he thought that the Council had helped business in a variety of ways. He said that the Council must also choose which companies it wishes to encourage to locate in Bloomington and he hoped the record would stand for itself.

MESSAGES FROM
COUNCILMEMBERS

Pizzo noted that the Agency for Toxic Substances and Disease Registry had visited the Hospital and had conducted medical rounds. The goal of the rounds was to inform the hospital staff of proper techniques of diagnosis and history taking of disease and toxic disorders. He felt that the EPA and the Health Department were making a good attempt at keeping the hospital up to date.

Hopkins commented on the State Legislature's "Hate Crimes Bill" which provides penalties for crimes of a certain type, but, unfortunately does not include a sexual orientation clause. He feels this gives the wrong message to the State and noted that the Council passed an ordinance in July, 1993 that added sexual orientation protection. He hoped the legislature would add sexual orientation to the legislation and if they do not he encouraged the Governor to veto the legislation altogether.

Sherman added that State Senator Simpson has been trying to get sexual orientation included in that legislation but so far her efforts have been thwarted. White said he too was concerned about the same article Swain referred to regarding an anti-business feeling on the part of the council and noted that another part of the same article mentioned that in order to get elected in the city you had to be a Democrat. (White is the only Republican elected to the council) He noted that Saturday is Founders Day at IU and welcomed visitors to attend the celebrations.

Kiesling noted the development of a flyer to explain proper disposal of household hazardous waste. She reminded people of an upcoming screening for pre-schoolers for proper immunization, learning development, and eye care. She encouraged everyone to help support WTIU, the local Public Broadcasting Station.

Sherman discussed a disturbing set of allegations concerning fraternity "hazing" and said it is a poor method of group bonding. He encouraged IU and the police to act as strongly as possible. He welcomed his son back to the Midwest.

Mayor Allison gave the first annual report for the Community Alliance for Lifelong Learning. She also stated that the Governor would be signing Senate Bill 417 which is the funding of the Indiana Department of

MESSAGES FROM
CITY OFFICES

Environmental Management and she discussed several other pieces of legislation. She recognized awards to be presented to several police officers.

Chief Sharp presented awards for Bravery to officers Joe Ruth, IUPD, Marty Deckard, BPD, Jim Witmer, BPD for disarming a suicidal young man. Tom Ballard, BPD, was presented a Lifesaving award for pulling a man from the Jordan River. Officers Roger Watkins and Joe Sanders, BPD, were recognized for pulling a motorist from a pond. Receiving Merit awards went to Officers Richard Crussan and David Drake. Crussan is being recognized for his ability to educate and recognize gang activities, Drake was recognized for his ability to train other officers. Rich Hunter, John Coleman, Jon Spurr, were also recognized for their efforts. Mayor Allison recognized Jack Davis, Parking Enforcement Director, Mickey Hayes, Fleet Main. Dept. Mechanic, Denise Henderson, Engineering Dept. Secretary, Bob Chestnut, Asst. Street Supervisor, Scott Hutchinson, Human Resources Asst. Director, Jim Graft, School Liaison Police Officer, and the Code Enforcement Department and Human Resources Department for their special efforts at work. She announced that the Pat Patterson award went to Sharon Williams of the Controllers Department. The award goes to a city employee who meets the daily challenge of government work with integrity, character and humor which are the qualities that Pat Patterson exemplified. The impressive work history of Williams was given. She announced that Controller's Office received an award for its Annual Comprehensive Financial Report. Specifically recognized were Brad Underwood, Renee Chambers, Lou Stonecipher, and Jeff McMillian. Sharon Williams discussed the histories and skills of those honored. Sherman thanked those who made the presentations and thought it was good to discuss the positive things that happen in government

Kiesling noted that the Solid Waste District has undertaken a project for businesses that produce small amounts of hazardous waste, the project will provide an opportunity to provide a cost effective service for the disposal of that waste.

Ed Schools, Sycamore Land Trust President, said that he read in a recent newspaper article that a portion of land owned by Winger-Stolberg will be given to the Land Trust. He wanted it noted that the Land Trust has not been approached or even seen the land. White said that the people who stated that they were handing over the land were in the hallway and said he would be happy to introduce them and Schools. PUBLIC INPUT

Mike Baker, COPA, thanked Mayor Allison and the Council for their efforts and for moving the community along and looking ahead instead of behind. He announced a petition to the EPA to request a more in depth investigation of alternatives to incineration, the main portion of the request is a new Remedial Investigation/Feasibility Study (RI/FS). He felt that now that we are at a new crossroad that public involvement is key. One of his major concerns is that there is no clear picture of the danger with the contaminated sites. He stated that two years ago a federal grant was acquired and used for independent consultants to make the situation more understandable to the public. He presented a packet to the Council and read some precise passages from that packet. From the

packet he also pointed out a letter of January 25, 1994 from the Department of Interior, Fish and Wildlife Division, which recommends a complete remedial investigation. He felt that it is important that before the city looks at alternatives that the problem be truly understood. He then asked all parties to petition the EPA for a thorough RI/FS.

John Foster, Citizen, noted what he considers the inaccuracy of the EPA fact sheets. He noted specific discrepancies and made a visual representation showing some of his points. He discussed the flow of water from some facilities to their last traceable points.

Linda Green, Citizen, gave the Council some information on PCB contaminated sites and health concerns.

Evelyn Powers, 175th Anniversary Chairman, thanked the Mayor and said that there has never been a time when a Mayor has made so much effort to attend so many public presentations as Mayor Allison, she noted that the Mayor had attended a vast majority of the Monroe County 175th Anniversary events. She thanked White and Service for their announcements of events during council meetings and announced an upcoming county wide church choir concert. She thanked Susan Swainey, Dr. Carvin Toullettes, and Charles Webb for their efforts involving this event as well as Jackie Sheckler for her article the day of the meeting, an upcoming Sweet Adelines concert, the Tall Tale contest, the Vital Quiz Bowl and her history of victory in that event and a future AIDS charity event.

It was moved and seconded that the following people be appointed to the mentioned Boards and Commissions.

APPOINTMENTS TO
BOARDS AND COMM.:

- | | |
|--------------------|--------------------------|
| Jay McGee | Human Resources Comm. |
| Wendy Perry | |
| Michael Hensing | Telecommunications Coun. |
| Keith Klein | |
| Susan Eastman | |
| Jean Umiker-Sebeok | Board of Zoning Appeals |
| Tom Coleman | Tree Commission |

All appointments were approved unanimously.

It was moved and seconded that Resolution 94-9 be introduced and read by the Clerk by title only. Clerk Williams read the resolution by title only.

LEGISLATION FOR
SECOND
READING

It was moved and seconded that Resolution 94-9 be adopted. The synopsis and committee recommendation of 5-0-4 was given.

Chris Spiek, Redevelopment Director, noted that this is the largest allocation of CDBG funds since the start of the program. He noted that 15% of the funds, the maximum amount allowed, are going to social services. This amount, along with the 15% of program income, totals \$185,000. The total allocation for physical improvements is \$710,500, and \$183,500 for administration and planning activities. He noted the four categories of social services, food, shelter, health care, and self sufficiency. He noted the two categories of physical improvements, which are physical improvements for social services, and physical improvements sponsored by the city. He noted that two projects this year for surveys got special funds.

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

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Sherman and the Council wished Cole a happy birthday.

It was moved and seconded that Ordinance 94-11 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 94-11 be adopted. The synopsis and committee recommendation of 9-0 was given.

Tim Mueller, Planning Director, described the site briefly and informed the council about the limited list of light industrial uses allowed in the zone at the present time. The Public Health Nursing Association plans to rehab and remodel the building formerly occupied by Ace Appliance. Significant improvements would be made regarding parking for the entire site as well as extensive landscaping. He felt that this was a good proposal because PHNA has a list of criteria that are difficult to fill and this building does fill them. Initial concerns about increased traffic flow have been mitigated by the Walnut Street improvements.

Bill Finch, representative of petitioner, was present to answer questions.

Service asked where the nearest bus stop to the site is located and Swain noted two within easy walking distance.

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

It was moved and seconded that Ordinance 94-10 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 94-10 be adopted. The synopsis and committee recommendation of 8-1 was given.

Mueller gave a brief description of the site and its current uses. He noted some landscape innovations for the property. He noted that the development fulfills tree preservation, parking, and floodplain approvals.

Dan Neubecker, representative of petitioner, was present to answer questions.

Sherman asked if details had been worked out with Ed Schools and Neubecker said he was not sure.

Eric Stolberg, said he had just talked to Schools and said that he explained that they were not currently ready to hand over the land and it would have to be properly surveyed first.

Tom Micuda, Environmental Commission Coordinator, gave a chronology of events that led to the current proposal. He stated a complaint was registered regarding the floodplain permit with the Department of Natural Resources. He then talked to Mike Mission regarding the permit. He felt that the best position he could take was to update the Council on the 1990 permit the petitioner received and he did so. He noted that the site was not inspected but it should be in the next few months by the DNR. He noted the point that there is currently no record of any violations on the site.

Service said she must follow her conscience and keep her commitments to the former owners of the site. It was not that many years ago that the city gave a

Historic Designation to the original farm house on site and in order for the current development to take place, that designation was revoked. She will not support any petition for this site.

Sherman recognized the excellent efforts of Tom Micuda in his job before the Plan Commission and the Council. Sherman said all he knows of erosion control and tree preservation he learned from Tom Micuda.

The ordinance received a roll call vote of Ayes:8, Nays:1(Service).

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

Appropriation Ordinance 94-02 To Specially Appropriate from the Parks Non-Reverting Capital Fund Expenditures Not Otherwise Appropriated (Closing of Cascades Golf Course Fund)

Ordinance 94-13 To Amend Title 7 of the Bloomington Municipal Code Entitled, "Animals" (Adjustment in Fees and Fines)

Ordinance 94-16 To Grant an RE/PUD and Outline Plan Approval--Re: 4100 Moores Pike (Dave Chaudion, Petitioner)

After a brief discussion it was agreed that the council would meet on March 23, for a combined Regular Council followed by a Committee of the Whole and not meet the week of Spring Break.

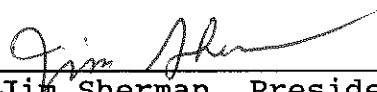
RESCHEDULING

There was no public input.

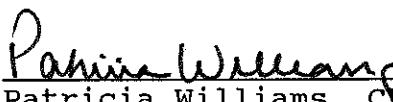
PUBLIC INPUT

The meeting was adjourned at 9:20 P.M.

ADJOURNMENT



Jim Sherman, President
Bloomington Common Council



Patricia Williams, CLERK
City of Bloomington

Approved on 23 March, 1994