

In the Council Chambers of the Municipal Building held on Wednesday, January 20, 1993 at 7:30 P.M. with Council President Hopkins presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
JANUARY 20, 1993

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

ROLL CALL

Council President Hopkins gave the agenda summation.

AGENDA SUMMATION

The minutes of December 16, 1992 and January 4, 1993 were approved. with several corrections by Kiesling, by a voice vote.

APPROVAL OF
MINUTES

Swain announced the GIS Open House at Utilities on Jan 25. It is an opportunity for the public to see the new city/county wide mapping process. Sherman gave orchids and onions for recent sport events, the media sniping of a 12 yr old in the White House is in poor taste and wished the outgoing Washington administration well, and was optimistic about the future. Kiesling announced a public hearing by the Transit Dept on recent disabilities compliance requirements. Service announced the board and commission vacancies, highlighting the new Tree Commission as well as the King Commission. Cole congratulated radio station WFHB at 91.3 on finally reaching air status. Fernandez explained that he would be a bit scarce in February for he is preparing for two state bar exams. He also wished his wife a happy birthday. Hopkins commented on the wonderful Martin Luther King birthday celebration at the 2nd Baptist Church on Monday and the Inauguration party at the Holiday Inn. White said it was a day of national celebration and hope and wished the new administration well. Williams introduced Mike Shay, newly appointed Deputy Clerk.

MESSAGES FROM
COUNCILMEMBERS

It was noted that at last week's committee meeting Mike Davis, Deputy Mayor bestowed upon the Reverend Ernie Butler the title of Honorary Mayor of Bloomington. It was suggested that he was now in charge of all the potholes for the day.

MESSAGE FROM
THE MAYOR

Chief Sharp recognized Bloomington Police Officers as well as citizens for outstanding service to the department and the community. He thanked each of the following: Walter Harris, Rich Hunter, Matt Morris, George Connelly and Ric Helms, Dr Dale Glen for alerting a resident of a fire, Marty Deckard, David Cobb, Police Photographer, Dick Sturgis and Mike Hummel. The council asked Chief Sharp to let them know of any other police award ceremonies and special events in the future.

MESSAGE FROM
CITY OFFICES

It was moved and seconded that Ordinance 93-2 be introduced and read by title only. Clerk Williams read the ordinance by title. It was moved and seconded that Ordinance 93-2 be adopted. The synopsis and committee recommendation of 6-0 was given, as amended.

LEGISLATION FOR
SECOND READING/
VOTE
ORDINANCE 93-2

It was moved and seconded that the ordinance be amended to 1)acknowledge the work of many persons in the past, 2)allow for the NAACP to directly appoint one member, 3) encourage any of the school corporations, not just MCCSC to apply, and 4) allows for the commission to appoint additional volunteers and associates. Kiesling said this amendment has the approval of all aspects of our community.

Susan Montgomery, spoke on behalf of Barbara McKinney, saying that the Human Rights Commission wishes to thank Rev. Butler of all his years of service to the community and in particularly the King Birthday celebration,

and that the Human Rights Commission recently passed a resolution supporting the establishment of the King Birthday Commission.

(Notation: Rev. Butler and Clarence Gilliam of the Monroe County NAACP were present last week at committee to address and support this ordinance)

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

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

It was moved and seconded that Resolution 93-1 be introduced and read by title only. Clerk Williams read the resolution by title.

RESOLUTION 93-1

It was moved and seconded that Resolution 93-1 be adopted. The synopsis and committee recommendation of 6-0 was given.

White thanked Homer Smith and Tom Jordan (present last week) for their informative presentation, commended them for the amazing growth of the IVY Tech programs as well as the projected growth. New facilities are urgently needed as it is determined that these programs are more and more necessary. This resolution shows our support for the diverse educational needs for our entire community, especially in the area of health care areas as well as our future industries that we hope to attract.

Hopkins thanked White for his leadership on this resolution.

Sherman supported the resolution fully, especially at a time when state funding for higher education is at a disaster level.

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

It was moved and seconded that Ordinance 93-1 be introduced and read by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 93-1

It was moved and seconded that Ordinance 93-1 be adopted. The synopsis and committee recommendation of 3-0-3 was given.

It was moved and seconded that the ordinance be amended to increase the special tow charge to \$25, and also that the maximum charge to tow a motorcycle is \$45. Special treatment, including dollying, may not exceed an additional \$25 charge and motorcycles are not included in the above maximum due to their special handling needs and the maximum may not exceed \$45. White said we must include all the various charges that might take place and it was not until a citizen complained about unusual circumstances and charges that it became necessary to amend our code.

Sherman asked why motorcycles are singled out. White said there are various ways that a cycle can be towed.

Kiesling asked about towing charges, when an owner arrived on the scene and does that also exclude motorcycles. She thought it should read, the maximum charge for motorcycles may not exceed...

Swain asked how \$25 was arrived at.

Sharp said dollying is used specifically for new vehicles and rather than lift the front end of the car, it picks up the vehicle under the tires. Motorcycles are difficult to tow, they do not lift readily and a sling or trailer must be used to avoid damage.

Tows other than police originated tows can/do charge more, this is simply the price that they are charging us. In some aspects it is sort of artificial. They have agreed by a basic contract that is what they will charge us. We tow about 300 cars a year. There are 11 tow services and they are on call for 2 days at a time. This is just a charge for the city. They tow a lot of other cars and the ordinance does not apply to those charges, just when they are called

by the Bloomington Police Department.

Kiesling asked that the amendment be separated and clarified pertaining to charges for arriving and not towing as well as motorcycles and special handling needs. White had no problem with a friendly amendment to his amendment

Derrick Mitchell of Mitchell Towing was present and said that the towers agreed with the changes in the proposed ordinance.

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

It was moved and seconded that the following legislation be introduced and read by title only. Clerk Williams read the legislation by title only.
Appropriation Ordinance 93-1 To Specially Appropriate from the General Fund and Park General Fund Expenditures Not Otherwise Appropriate (Grants for the Parks and Recreation And Police Departments).
Ordinance 93-3 To Amend the Bloomington Zoning Maps from RL to BA, Grant PUD and PCD Designation, and Approve Outline Plan re: 123 S. Kingston (Teblock Corporation, Petitioner)
Ordinance 93-5 To Amend the Text of Title 20 of the BMC Entitled "Zoning" re: Designating Certain Industrial Uses as Special Exceptions that will require Approval by the Board os Zoning Appeals.
Ordinance 93-6 To amend the Text of Title 20 of the BMC Entitled "Zoning" re: shifting authority for Approval Conditional Uses from the Plan Commission to the Board of Zoning Appeals.

LEGISLATION FOR
FIRST READING
APP. ORD. 93-1
ORD. 93-3
ORD. 93-5
ORD. 93-6

Larry Haggerty addressed the council regarding the problems of environmental racism in communities that find themselves with toxic facilities and at a frequency disproportionate to other communities. PETITIONS

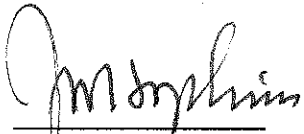
Frederick Robison said that IU is currently considered a proposed land sale that perpetuates this inequity and asked the Bloomington community and council to issue a resolution condemning this action in Noxubee County. Sherman asked about the response from the IU administration and Mr. Robinson said there had been none so far and that more influence from the community is needed. There has been no official response from the administration or IU president. The IU Foundation should be part of the solution to this type of environmental racism rather than be part of the problem. It was noted that the council would make available information regarding this issue.

The meeting was adjourned at 8:50 P.M.

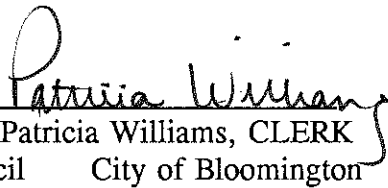
ADJOURNED

APPROVE;

ATTEST



Jack W. Hopkins, Pres.
Bloomington Common Council


Patricia Williams, CLERK
City of Bloomington