

In the Council Chambers of the Municipal Building held on Wednesday, October 7, 1992, at 7:30 P.M. with Council President Service presiding over a Regular Session of the Common Council,

COMMON COUNCIL
REGULAR SESSION
OCTOBER 7, 1992

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

ROLL CALL

There were no minutes for approval.

Service gave the agenda summation.

AGENDA SUMMATION

Sherman offered condolences to the Huff family on the recent death of Fred Huff a high school teacher and coach at BHS-S.

Miller wished all the candidates running for election good luck.

Fernandez welcomed Hopkins back from his trip to Angola, thanked the Voter Registration Office for the long hours related to the close of voter registration and commended the voters who will participate.

Kiesling wished Service a Happy Birthday. This is Peace and Justice Week and it will be celebrated at the College Mall this weekend and she thanked the media for all the good media coverage related to voter registration.

Cole thanked Norm Merrifield and Les Coyne for their willingness to establish the Friend of the Westside for the community center.

White gave a brief IACT meeting report and congratulated the Mayor on her election as 1st VP of IACT. He talked about various policy and issue positions issued by IACT and the recently created university community caucus that started up again this year.

Hopkins said he was glad to be home and noted that Angola was voting in its first election ever.

Service also thanked the media for their voter registration coverage as well as coverage for the recent opening/dedication of the Waldron Arts Center.

MESSAGES FROM
COUNCIL MEMBERS

Kiesling reported on the Solid Waste District and said that a group of citizens from Bloomington is visiting York, Penn to see a Westinghouse incinerator.

The mayor, reporting on the IACT meeting, said that the keynote speaker said that the current financial constraints are not a temporary thing, that this will be our future. She also noted that at one time we had \$7 million a year in Federal Revenue Sharing monies that has been eliminated. She also invited councilmembers to participate in the upcoming visit from our Chinese friend from LuSan on October 25.

It was moved and seconded that Ordinance 92-42 be introduced and read by title only. Clerk Williams read the ordinance by title only.

It was moved and seconded that Ordinance 92-42 be adopted. The synopsis and committee recommendation of Do-Pass 2-4-2.

LEGISLATION FOR
SECOND READING
ORD. 92-42

Tim Mueller gave a description of the tract in an undeveloped wooded area, noting that many ROWs are not currently being used, but that is not enough reason to vacate them unless the proposed vacation is for the good of the city.. He said there are a few alternatives for the council to consider: 1) to consider the ordinance as stated 2) to vacate only a portion of the alley that is actually covered by the garage and 3) go to the Board of Public Works for approval to use the ROW as an encroachment. Mr. Buhls was told of these alternatives and he prefers to vote on the ordinance, as stated, tonight.

Mr. Buhls said he would also be willing to buy the property if that was possible so as to maintain the integrity of the neighborhood. He pointed out that when the tract is split that no one would benefit in an excessive way, that the vacation does not conflict with any existing regulations and that it is a concrete step to maintain neighborhood stability.

Julia Sutherland said that the Buhls care and attention to the area has improved the entire area tremendously.

Fernandez said that even in considering the alleged values of the property as stated by the Board of Public Works, these are merely considerations and the future uses/needs of this tract are very speculative. If this land changes dramatically it will be more than just an alley.

Sherman said it is wise to be careful because we are dealing with public land, but this is just plain common sense to vacate this. The city has abdicated its responsibility in taking care of this tract properly.

Cole was concerned that if we relinquished it then we would no longer have the small common green area we currently have.

Service thought there was no reason why the adjacent property owners could not continue with the current arrangement. She thought it was consistent to follow the stated policies unless there was some public advantage.

White agreed with Service and thought the BPW option (the encroachment) was a pretty good one and then if the city needed it in 50 years, it would be available.

Mr. Buhls said the city did not take care of it, trees have come down and have remained there for months before someone arrived to clear them away.

Swain thought this was a true exception to our usual policy, that the petitioners have maintained it and if vacated, we are no longer responsible for it and finally if the area changed that drastically there are other ways to get it back.

The ordinance received a roll call vote of Ayes:5, Nays:4 (Miller, Service, Cole, White).

It was moved and seconded that Resolution 92-20 be introduced and read by title only. Clerk Williams read the resolution by title only.

RES. 92-20

It was moved and seconded that Resolution 92-20 be adopted. The synopsis and committee recommendation of Do-Pass 8-0.

Chuck Ruckman said that we are looking to match two state grants; one is a Build Indiana grant and funding was freed up despite frozen lottery revenues and the second was \$150,000 from the Department of Commerce and the Lt. Governor's office. It will be repaid out of Tax Increment Revenues or a bond issue and that will be determined at a later time.

Tim Mueller said that Phase I is a new road across newly acquired right of way between Allen St to Bloomfield Rd from the rail road by Thomson, coming out at Bloomfield Rd just west of the rail road. It would be a two lane road with a possible bikepath, with intersection improvements at Bloomfield Rd. Phase 2 could not take place until the "Bermuda Triangle" problem was resolved. The plan would get truck and peak traffic off intercity streets and onto a thoroughfare. This is better than using Allan and Adams Sts. which are slated to be residential.

Hopkins asked about Enterprise Zone funding. The mayor said we don't have the real costs figure because we don't know what the right of way costs will be.

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

It was moved and seconded that Ordinance 92-41 be introduced and read by title only. Clerk Williams read the ordinance by title only.

ORD 92-41

It was moved and seconded that Ordinance 92-41 be adopted. The synopsis and committee recommendation of Do-Pass 8-0 was given.

Doris Sims said that this ordinance brings into conformity the current practices

that paid time off must be granted by an actual ordinance that is in place.

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

It was moved and seconded that Ordinance 92-40 be introduced and read by title only. Clerk Williams read the ordinance by title.

ORD 92-40

It was moved and seconded that Ordinance 92-40 be adopted. The synopsis and committee recommendation of Do-Pass 8-0.

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

It was moved and seconded that Resolution 92-12 be introduced and read by title only. Clerk Williams read the resolution by title only.

RES 92-12

It was moved and seconded that Resolution 92-12 be adopted. The synopsis was given.

Nancy Brinegar was available for questions and John Goode from K&W Products thanked everyone for the tax abatement and support for their growing company.

The resolution 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 for first reading before the Bloomington Common Council by the Clerk. Clerk Williams read the ordinances by title only.

LEGISLATION FOR
FIRST READING

Ordinance 92-43 To Grant RD/PUD Designation and Outline Plan Approval - Re: 3414 S. Rogers St (Rick Deckard, Petitioner)

Ordinance 92-44 An Ordinance Authorizing the City of Bloomington to Issue its "Economic Revenue Bonds, Series 1992 (Stone Belt Center Project)" and Approving Other Related Activities.

Ordinance 92-45 To Amend Ordinance 80-70 to Authorize Use of the Special Non-Reverting Fund (Westside II) in Order to Advance Monies for Capital Projects, Augment an Affordable Housing Revolving Fund, and Provide Monies for Social Services.

There were no petitions or communications.

PETITIONS

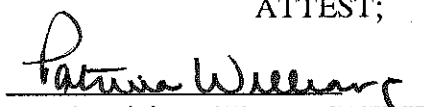
The meeting was adjourned at 9:00 P.M.

ADJOURNMENT

APPROVE;

ATTEST;


Pam Service, President


Patricia Williams, CLERK

Bloomington Common Council City of Bloomington