

In the Council Chambers of the Municipal Building held on Wednesday, April 4, 1990, at 7:30 P.M. with Council President Kiesling presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
APRIL 4, 1990

Roll Call: Regester, Hitchcox, Foley, Olcott, Kiesling, Fernandez, White, Service, Hogan.

ROLL CALL

The minutes of February 21 and 28 as well as March 7 and 21 were approved by a voice vote with corrections by Kiesling.

APPROVAL OF
MINUTES

Kiesling gave the agenda summation.

AGENDA SUMMATION

Regester was pleased to see the progress at Henderson and Winslow Road. The developer of the project at that intersection is finally addressing the streets and turn lanes at that crossing.

MESSAGES FROM
COUNCILMEMBERS

Hitchcox wished Foley a Happy Birthday.

Olcott said that he met this week with Chief Sharp and they are moving along one step at a time regarding the E911 program.

Fernandez recognized the National Week of the Child. The observance of this will take place in Bloomington this Saturday at Fountain Square.

White recognized the new, recently elected IUSA president, Jerry Knight who has already started a strong positive relationship with the community by meeting with the Mayor and other community officials.

Service congratulated all the volunteers of the community and in particular Rosemary Miller who received the Lifetime Achievement Award just this past week. She also commended everyone taking part in the Read A Thon and encouraged everyone to participate.

Kiesling thanked everyone on the Recycling Coalition for their door to door canvass informing our citizens about the new yard waste program. A lot of people have been involved in the basic preparations for the program. For example, Harmony School came in and stapled and bundled the stickers for sale in the stores.

Glenda Morrison read the Mayoral Proclamation for National Community Development Week and again thanked everyone who participated in the process in our community.

MESSAGE FROM THE
MAYOR

It was moved, seconded and approved by a voice vote that Kevin Brennan be reappointed to the Traffic Commission for a two year term.

APPOINTMENT TO
TRAFFIC COMMISSION

It was moved and seconded that Resolution 90-10 be introduced and read by title only. Clerk Williams read the resolution by title.

LEGISLATION FOR
SECOND READING
RES. 90-10

It was moved and seconded that Resolution 90-10 be adopted. The synopsis and committee recommendation of 8-0 was given and Kiesling read the text of the entire resolution.

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

It was moved and seconded that Resolution 90-11 be introduced and read by title only. Clerk Williams read the resolution by title.

RES. 90-11

It was moved and seconded that Resolution 90-11 be

adopted.

The synopsis and committee recommendation of 8-0 was given.

Pat Patterson said this resolution will allow us to proceed with the negotiated settlement on the purchase of the 4th and Lincoln site. It also includes funding for the design and related costs for the station. Odle, McQuire and Shook are the architects selected for the project.

Fernandez asked Ruckman about the Industrial Incentive Loan Program and Ruckman said he had not talked with Glenda Morrison about it. He said that it is his understanding that they are moving to close that loan this year.

Questions addressing the holding corporation were discussed and that resolution will be coming before the Council at a later date.

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

It was moved and seconded that Ordinance 90-13 be introduced and read by title only. Clerk Williams read the ordinance by title. ORD. 90-13

It was moved and seconded that Ordinance 90-13 be adopted. The synopsis and committee recommendation of 8-0 was given.

Bill Riggert, City Engineer said that this ordinance extends the two hour downtown parking area along 7th St. from Washington to Madison Streets, both sides of the street. Riggert said that this ordinance does not affect the one 15 minute spot at Morton and 7th St.

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

It was moved and seconded that Ordinance 90-11 be introduced and read by title only. Clerk Williams read the ordinance by title. ORD. 90-11

It was moved and seconded that Ordinance 90-11 be adopted. The synopsis and committee recommendation of 9-0 was given.

Tim Mueller gave a brief description of the tract involved. The developers would like to add a 21 acre site directly north of Gentry Estates, with the same single family development. The Plan Commission was somewhat concerned about overall density patterns as we go into the comprehensive planning process in view of the poor streets in the area that are carrying increasing loads of traffic so there is some reluctance to rezone from RE to RS without the PUD approval. And so the developer agreed to the same type of zoning that he has on the original Gentry Estates, enabling the limitations imposed by the Plan Department and Commission. The number will be 2.76/acre. The conditions of approval are that a common open space within the development exist, proportional to the first development and will serve as a retention area as well as a recreation area. Bicycle and walking paths rights are also reserved if they become part of the upcoming master plan.

Register asked about sewer capacity in the area. Mueller said there are ongoing talks and this project would use the lift station that serves Century Village. The Utilities Department has approved of this particular request.

Jim Bohrer, representing the petitioner, was available for questions. He clarified several points made earlier. He said there were 58 lots under

consideration and the approval by the Plan Commission was 3/4 acre for the common acre.

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

It was moved and seconded that Ordinance 90-12 be introduced and read by title only. Clerk Williams read the ordinance by title. ORD. 90-12

It was moved and seconded that Ordinance 90-12 be adopted. The synopsis and committee recommendation of 8-0-1 was given.

Tim Mueller said that this too is an expansion of an existing development. This proposal would change about 22 acres from the present RE to RS. There has been an ongoing discussion about parks in this area and it appears that an area along Rogers Rd is a possibility for future development and this is where community common area might be directed. We are looking for a thoroughfare connection down to Rogers Rd. but there are some obstacles like river, grade and privately held small parcels. We are also looking for east-west connections between the developments and the specific discussion of a Sare Rd. intersection is still under review and it continues to be problematic.

Olcott asked about right of way in terms of the road and widening it for a thoroughfare. Each of these developments has dedicated between 40 and 50 ft. of right of way from the center. The only problems have been older houses on existing parcels of land and no agreements have been extracted from them for right of way concessions.

Mr. Dan Rubeck was available for questions.

The ordinance received a roll call vote of Ayes:8, Nays:0, Abstain: 1 (Register).

It was moved and seconded that Ordinance 90-14 be introduced and read by title only. Clerk Williams read the ordinance by title. ORD. 90-14

It was moved and seconded that Ordinance 90-14 be adopted. The synopsis and committee vote of 8-0-1 was given.

This is a legally advertised Public Hearing.

Mueller described the tract noting that the petitioner owns most of the small lots around the tract. The block is occupied at present with houses on Madison, the historic house on Morton Street and a commercial building. The concept is 16 condos in a pair of buildings. It is a very tight development, with all owner occupied units planned. Numerous variances were required as the area is zoned BG and residences are not permitted at all. So a use variance was necessary. To the north the area is very redevelopable, therefore the planning department was very interested in testing the waters for residential development in this area. The petitioner has agreed to several restrictions enabling us to consider the variances e.g. no more than one unit would be owned by any one person after the initial sellout by the developer, a maximum of two unrelated adults per unit. Criteria for vacation has been met. Service said the landscaping plans are attractive and she hoped that a very large tree would be preserved. Mueller said every effort would be made.

Ted Ferguson, the petitioner, was available for questions. He said the 16 units would be sold for whatever it cost to build them to get some housing in the downtown area and to clear up some confusion...the north half of the alley is the only part that we are

asking be vacated and the various addresses have added to the confusion. He said they would check out the tree question for Service.

Olcott asked about the size. Ferguson said 1150 sq. ft., one floor garden design with 4 up and 4 down in each building.

Service asked about the existing houses. Ferguson said that has not developed at this time as to what will be done with the houses.

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

It was moved and seconded that Ordinance 90-15 be introduced and read by the Clerk by title only. Clerk Williams read the ordinance by title.

ORD. 90-15

It was moved and seconded that Ordinance 90-15 be adopted. The synopsis and committee recommendation of 8-1 was given. This is a legally advertised public hearing.

Tim Mueller said that this request meets all criteria. The petitioner has fulfilled all the requirements and wishes to expand his business. The petitioner originally requested two vacations at the site, but because of utility concerns withdrew one request and this one remains.

Jerry Johnson was available for questions. Service asked about the building plans. Johnson said they wanted to attach the garage to a main shop to house a piece of equipment.

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

It was moved and seconded that the following ordinances be introduced and read by title only for first reading by the Clerk before the Bloomington Common Council. Ordinance 90-16 To Amend the Zoning Maps from BA to RL and to Grant Outline Plan Approval and Designate a PUD re: 308 Matlock Road (Carrithers and Shaw, petitioners).

LEGISLATION FOR
FIRST READING
ORD. 90-16
ORD. 90-17
RES. 90-13

Ordinance 90-17 To Designate an Economic Development Target Area.

Resolution 90-13 To Select the Site for a New City Hall.

There were no petitions or communications.

PETITIONS

The meeting was adjourned at 8:35 P.M.

ADJOURNMENT

APPROVE:

ATTEST:

Iris Kiesling, President Patricia Williams, CLERK
Bloomington Common Council City of Bloomington.