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| In the Council Chambers of the Municipal Building held on Tuesday, July 3, 1990, at 7:30 P.M. with Council President Kiesling presiding over a Regular Session of the Common Council.   | COMMON COUNCIL<br>REGULAR SESSION<br>JULY 3, 1990     |
| Roll Call: Regester, Hitchcox, Foley, Olcott, Kiesling, Fernandez, Service, Hogan. Absent: White.   | ROLL CALL   |
| Kiesling gave the agenda summation.   | AGENDA SUMMATION                                      |
| The minutes of June 20, 1990 were approved by a voice vote.   | APPROVAL OF<br>MINUTES                                |
| Regester reminded everyone of the parades celebrating the 4th of July, one at Arden Place at 10:00 A.M. and the community parade at 2:00 P.M.<br>Foley welcomed Hank Robbins and Joe and Karen King to the meeting.<br>Fernandez hoped people would be careful with fireworks and welcomed Nan Nash, former Deputy Clerk, who is visiting from Albuquerque, New Mexico. He noted that the WTIU program on Planning would be rebroadcast Thursday and urged people to see it. He expressed concern about the current situation on the master plan. Camiros Group has not provided the briefing report that was required as part of the contract. It was due the beginning of June and it is now the beginning of July and we still do not have that document. It is important to know if our consultants are hearing what the public is trying to articulate and the document is important because participants in the town meeting can have a better sense of what everyone thinks.<br>Tim Mueller was supposed to contact Camiros and request the document by July 3. We need to turn up the heat and if the contract provisions are not honored we should stop sending the checks.<br>Service noted the art exhibit on the chamber walls.<br>Kiesling announced the upcoming landfill tour on Saturday, July 7 at 9:00 A.M. | MESSAGES FROM<br>COUNCILMEMBERS                       |
| It was moved and seconded that the Council recess after the August 1 meeting and reconvene on September 5, 1990. It was approved by a voice vote.   | MOTION TO RECESS<br>FOR MONTH OF<br>AUGUST            |
| Mayor Allison presented an encomium for Hank Robbins, an American Legion member who has brought us beautiful fireworks for the last 40 years on the Fourth of July.   | MESSAGES FROM<br>MAYOR                                |
| Chuck Ruckman handed out Street Bond Reports from our advisor (sold at 6.4%), the Annual Report and the 1991 proposed budget.   | MESSAGE FROM<br>OTHER CITY<br>OFFICES                 |
| It was moved and seconded that Resolution 90-20 be introduced and read by title only. Clerk Williams read the resolution by title.<br>It was moved and seconded that Resolution 90-20 be adopted. The synopsis and committee recommendation of 7-0 was given.   | LEGISLATION FOR<br>SECOND READING<br>RESOLUTION 90-20 |
| Gene Stokes announced the upcoming car wash from 9-3 P.M. at the 7-11 on Monroe and 11th Street on July 7. He said this in lieu of taxes money is well used by the Housing Authority. They are short funded and money is particularly critical with current federal cutbacks.   |   |
| The resolution received a roll call vote of Ayes:8, Nays:0.   |   |
| It was moved and seconded that Resolution 90-22 be  | RESOLUTION 90-22                                      |

introduced and read by title only. Clerk Williams read the resolution by title. It was moved and seconded that Resolution 90-22 be adopted. The synopsis was given.

Gene Stokes said this is a request for 10 additional housing vouchers. The state will issue allotments for about 400 Section 8 units. The southern part of the district will receive about 135 slots. This is woefully short, but we continue to plug away to get as many units as possible and we apply each time units become available.

The resolution received a roll call vote of Ayes:8, Nays:0.

It was moved and seconded that Resolution 90-4 be introduced and read by title only. Clerk Williams read the resolution by title. It was moved and seconded that Resolution 90-4 be adopted. The synopsis and committee recommendation of 8-0 was given. RESOLUTION 90-4

Patricia Bernens, City Attorney, noted a final provision that has been worked out and that can be found on page 12 of the mortgage allowing for the possibility of the Arts Center being such a success that they may need to move to another facility and in essence prepay their mortgage sometime in the future. The documents have been worded so that the city would be bound to agree to that possibility as long as the facility is located in the city and the city would require an acceptable financial plan that showed the operation would be successful. She said two mayoral appointments have been made to the board of directors, Mike Davis and Vicki Mayes.

Fernandez said he was very pleased that we are voting on this tonight and he thanked all the people who have worked to make this project a reality. He thanked Tricia Bernens and Kathy Saunders for their many long hours to put this all together. Service too said that she was pleased that this is finally happening and that the city is doing what it has done in a number of areas and that is acting as a catalyst to make things happen.

Evelyn Powers thanked all the people who worked to make this dream come true. She lauded Rosemary Miller, Jef Davidson, and Donna Robinson for all their efforts with grants, feasibility studies and sheer determination to see this project through. The committee worked diligently and raised the necessary funds. Powers paid tribute to Rosemary Miller and Donna Robinson and several others to whom the Arts Center should be dedicated; Scott Schurz of the Herald Times, Herman B. Wells, the 32 members of the fund raising committee and 17 members of steering committee who worked to make this a reality. She thanked everyone for their continued support of this project as they looked forward to the Council's vote on their dream.

Mayor Allison, despite initial doubts, felt that this group had to be given the chance, because the need was genuine in our community. Those doubts are resolved and a heartfelt thanks from the community to the people who worked so hard to make this a success.

The resolution received a roll call vote of Ayes:8, Nays:0.

It was moved, seconded and approved by a voice vote the appointment of John Porter to the Arts Square Horizontal Property Regime Board of Directors as the Council appointment. APPOINTMENT TO  
ART SQUARE BOARD

It was moved and seconded that Appropriation Ordinance 90-3 be introduced and read by title only. Clerk Williams read the ordinance by title. APP. ORD. 90-3  
It was moved and seconded that Appropriation Ordinance 90-3 be adopted.  
The synopsis and committee recommendation of 7-0 was given.

This ordinance transfers money to the training fund for the police department.

The ordinance received a roll call vote of Ayes:8, Nays:0.

It was moved and seconded that Ordinance 90-32 be introduced and read by title only. Clerk Williams read the ordinance by title. ORDINANCE 90-32  
It was moved and seconded that Ordinance 90-32 be adopted. The synopsis and committee recommendation of 7-0 was given.

Chuck Ruckman said the transfer was needed to pay for the maintenance contract that serves the data processing telephone lines between the police department and the city for the public safety computer system. It will be included in the data processing budget next year.

The ordinance received a roll call vote of Ayes:8, Nays:0.

It was moved and seconded that Ordinance 90-26 be introduced and read by title only. Clerk Williams read the ordinance by title. ORDINANCE 90-26  
It was moved and seconded that Ordinance 90-26 be adopted. The synopsis and committee recommendation of 8-0 was given.

Susan Montgomery said this ordinance deals with the imposition of fines if a particular business or home has a number of emergency alarms in one calendar year providing that after three false alarms a series of fines will escalate. Accidental triggering of alarms accompanied with a quick call to the police to stop the alarm would not count against them. Post cards will be sent by the police department to the property controllers telling them of the first and second violations and then citations will be prepared.

The motion to retitle Title 14 to read Peace and Safety was presented and seconded. Service suggested the amendment because Peace, Safety and Morals is archaic and there isn't any reference to morals anywhere in the code section.

The amendment received a roll call vote of Ayes:8, Nays:0.

The ordinance, as amended, received a roll call vote of Ayes:8, Nays:0.

It was moved and seconded that Ordinance 90-34 be introduced and read by title only. Clerk Williams read the ordinance by title. ORDINANCE 90-34  
It was moved and seconded that Ordinance 90-34 be adopted. The synopsis and committee recommendation of 7-1 was given.

Tim Mueller described the entire tract with the existing bank on the corner, and a strip shopping center recently completed. This ordinance proposes one lot consisting of one-third of the future development site and to authorize the inclusion in the shopping center of a flower shop in excess of the BL 3,000 sq.ft. limit, a substitution for the home improvement store that was already approved over that limit in the outline plan. "There was an error in communication," Mueller said, "and we proceeded through the Plan Commission on the assumption that they were requesting a substitution. Later on we learned that they had requested the flower store in addition to the home improvement store." Since they received the approval from the plan commission for the substitution, they are going ahead with the outline plan revision in that form. Later on, if they have the potential for the home improvement store they may be back to ask that the store be reinstated on the list. The building will face Winslow Rd with access from an interior drive to the west. It is uncertain if there will be one or two more outlots to this development and it will be decided on the basis of what is proposed and the quality and aesthetics of the project. The proposal is to substitute the flower store in excess of the 3,000 sq.ft for the home improvement store, which is currently in the outline plan and allow the creation of one lot for the flower store.

Fernandez asked about the turning lane and if that was technically offsite. Mueller said that improvements at the entrance are really on site because they are directly related to the impacts the center has on traffic patterns. Fernandez said the lines have not been painted and it presents a traffic problem in the area.

Kiesling asked how big the shop will be. Mueller said it will be about 5500 sq. ft. and it will be landscaped along the Winslow Rd. side. The plan we see tonight is not final and extensive revisions are expected and they will include appropriate landscaping. Kiesling asked again, will this be taking the place of the home improvement store.

The ordinance received a roll call vote of Ayes:8, Nays:0.

It was moved and seconded that Ordinance 90-35 be introduced and read by title only. Clerk Williams read the ordinance by title. ORDINANCE 90-35

It was moved and seconded that Ordinance 90-35 be adopted. The synopsis and committee recommendation of 8-0 was given.

Tim Mueller described the tract. This 2 acre site is part of 20 acre that is currently used as farm land and the Dragoos wish to build a home on the site. The 20 acres is part of a large MQ area. In general MQ is usually used for industrial development, however, the petitioner's property lies right in the intersection of the industrial development tract and single family homes. We have asked the petitioner to dedicate right of way for Duncan and Guy Avenues up to the west line of lot 2 so that either or both streets could be extended into the balance of the 20 acres.

No construction obligations are required of the petitioners. That need would run with the remaining 18 acres if future development occurred. There were no plan commission objections, with approval of this land going residential at the end of the single



family streets. They will have city water with a septic permit.

The ordinance received a roll call vote of Ayes:8, 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. Clerk Williams read the ordinances by title.

LEGISLATION FOR  
 FIRST READING -  
 ORDINANCE 90-23  
 ORDINANCE 90-27  
 ORDINANCE 90-28  
 ORDINANCE 90-29  
 ORDINANCE 90-30  
 ORDINANCE 90-31  
 APP.ORD. 90-1  
 APP.ORD. 90-2

Ordinance 90-23 To Reauthorize the Cumulative Capital Development Fund.

Ordinance 90-27 To Fix the Salaries of All Elected City Officials for the City of Bloomington for 1991.

Ordinance 90-28 The Salary Ordinance for Police and Fire Officers for the City of Bloomington for 1991.

Ordinance 90-29 The Salary Ordinance for Appointed Officers and Employees of the City of Bloomington for 1991.

Ordinance 90-30 The Salary Ordinance for Appointed Utilities Officers and Employees for 1991.

Ordinance 90-31 An Ordinance Reviewing and Modifying the Budget of the Bloomington Public Transportation Corporation for 1991.

Appropriation Ordinance 90-1 An Ordinance Establishing the Civil City Budget for 1991.

Appropriation Ordinance 90-2 An Ordinance Adopting a Budget for the Operation, Maintenance, Debt Service and Capital Improvements for the Water and Wastewater Utility Departments of the City of Bloomington for 1991.

There were no petitions or communications from the public. PETITIONS

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

ADJOURNMENT

APPROVE:

ATTEST:

*Iris Kiesling*

*Patricia Williams*

Iris Kiesling, President  
Bloomington Common Council

Patricia Williams, CLERK  
City of Bloomington