

In the Council Chambers of the Municipal Building held on Wednesday, August 1, 1990, at 7:30 P.M. with Council President Kiesling presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
Aug. 1, 1990

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

ROLL CALL

Kiesling gave the agenda summation.

AGENDA
SUMMATION

The minutes of July 18, 1990 were approved by a voice vote.

APPROVAL OF
MINUTES

Hitchcox welcomed Kirk White back to the Council, fresh from basic training for the Army National Guard.

Foley also welcomed White back.

MESSAGES FROM
COUNCILMEMBERS

Olcott thanked all the department heads and the administration for the smooth budget process and thorough preparation involved in the presentation. He noted that 1991 will be an exciting year.

White said it was a relief to be back home again in Indiana. He thanked Kathy Saunders for her weekly information packets and narratives regarding Council activities and he also thanked Lloyd Olcott for pinch hitting for him. He expressed his condolences to the Patterson family.

Service congratulated the Bloomington Area Arts Council on their most recent acquisition of the new John Waldron Arts Center. She also announced that the Monroe County Civic Theatre group would be presenting A Midsummer's Night Dream at Harmony School.

Hogan welcomed White back as did Kiesling. She also echoed Olcott's remarks about the budget preparation and presentation process.

Mayor Allison presented encomiums for Wendy Perry who is leaving the Human Resources Department, and Fran Feddersen and Dorothy Johnson for their years of dedicated concern and efforts on behalf of child care programs in our community.

MESSAGES FROM
THE MAYOR

The Mayor also congratulated our Babe Ruth Baseball team for their second state championship and she declared the week of August 18-25 Vietnam Veterans Awareness Week. Ron Jolly of VEVA thanked everyone for their support and said that city employees have donated over \$900 so far.

The Mayor announced upcoming Master Plan Public Forums and urged everyone to attend and participate. The dates are August 2, 8, 15, and 20, from 7-10 P.M. in the Council Chambers.

The Mayor thanked three very special employees who have performed above and beyond the regular call of duty. Roses went to John Langley, Ken Friedlander and Jane St. John.

Allison also highlighted several points regarding the 1991 \$21 million budget, noting that while it is \$2 million above the 1990 budget, the 1991 city tax rate may actually be less and that COIT can finance a new city building and fire station without a tax increase. She thanked the Council for all the budget input and cooperation.

It was moved, seconded and approved by a voice vote that Wendy Perry be appointed to the Human Resources Commission to fill the remainder of John Baird's term which ends in 1992.

APPOINTMENTS TO
BOARDS AND
COMMISSIONS

It was moved and seconded that Ordinance 90-36 be introduced and read by title only. Clerk Williams read the ordinance by title.

LEGISLATION FOR
SECOND READING:

It was moved and seconded that Ordinance 90-36 be

ORDINANCE 90-36

adopted. The committee report of Do-Pass 7-0 was given and the synopsis read.

Barbara McKinney was available for questions and recapped the ordinance for the Council.

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

It was moved and seconded that Ordinance 90-37 be introduced and read by title only. Clerk Williams read the ordinance by title.

ORDINANCE 90-37

It was moved and seconded that Ordinance 90-37 be adopted. The committee report of Do-Pass 7-0 was given and the synopsis read.

Sue Montgomery outlined the various Title 15 code changes dealing with a parking lot designation for the municipal lot behind the city hall, and handicapped parking citations from our own meter division personnel.

It was moved and seconded that the intersection of Hillside and High St. be included in the signalized intersection part of the 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 Ordinance 90-38 be introduced and read by title only. Clerk Williams read the ordinance by title.

ORDINANCE 90-38

It was moved and seconded that Ordinance 90-38 be adopted.

The committee report of Do-Pass 7-0 was given and the synopsis read.

Chuck Ruckman updated the Council on the project. The Board of Public Works took the bids under advisement yesterday and it is the general feeling that the bids came in too high. They were more than \$200,000 above our architect's estimated cost for the project so the board and staff are considering a rebid of the project with an effort to get the cost down. We plan to amend the specifications slightly and accomplish that goal. With respect to the fire truck we have correspondence from I.U. indicating their support of the project and their willingness to work with us to identify some funding and assistance on their part. We need to go ahead with the financing to keep the project on track with the possibility of a rebid and this could result in a 6-8 week delay in the final construction of the project.

We still plan to shoot for an early October-November bond closing and still maintain that time frame.

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

It was moved and seconded that Resolution 90-24 be introduced and read by title only. Clerk Williams read the resolution by title.

RESOLUTION 90-24

It was moved and seconded that Resolution 90-24 be adopted.

The committee report of Do-Pass 7-0 was given and the synopsis read.

Chuck Ruckman said this is the companion resolution to the previous ordinance and continues our practice of advances from the Westside Industries Fund for interim financing and construction cost while we complete final bond issue details. This process keeps us on track and allows us to reduce the total time by as much as a year by eliminating construction/finance delays.

Register asked what the \$300,000 expenditures are to date. Ruckman said they are primarily the street bond, annexation research and related expenses. The resolution received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Appropriation Ordinance 90-4 be introduced and read by title only. Clerk Williams read the ordinance by title only. It was moved and seconded that Appropriation Ordinance 90-4 be adopted. The committee report of Do-Pass 7-0 was given and the synopsis read. Chuck Ruckman said that most of these budget requests have been discussed in the budget process. Kiesling asked about the truck route study and Tim Mueller said that it would be a lengthy process and until we interview consultants we won't be sure of the methodology of the project. Kiesling also asked about the 21% shortfall in the Police/Fire Pension Fund. Ruckman said this relates to the number of police/fire officers who actually retire. One just doesn't know how many and who will retire. Kiesling asked about the sanitation increase. Ruckman said the extra people are used on the recycling routes and reflect the salaries needed for that program. All additional appropriations come from general fund balances.

APPROPRIATION
ORDINANCE 90-4

Service asked what kind of consultant will review the truck route, and what will the scope of services be. Mueller said that is up to us to determine. Fernandez asked what kind of balance we like to keep in the general fund. Ruckman said the purpose is to provide working capital and because of the tax draw timetable this fund is used in the early part of the year and a balance of 25-30% would be appropriate to maintain. This year is an interesting example: because of reassessment, our tax draws were delayed, in fact we did not receive our normal 6 month distribution until late last week.

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

It was moved and seconded that Ordinance 90-39 be introduced and read by title only. Clerk Williams read the ordinance by title. It was moved and seconded that Ordinance 90-39 be adopted.

ORDINANCE 90-39

The committee recommendation of Do-Pass 7-0 was given and the synopsis read. Tim Mueller described the tract as in a mixed use area. We have been granting PCD's so that we can monitor the uses that go in along Vernal Pike. This request fits into the approved plan for this area. The outline plan approval allows access from Vernal Pike with no access to Adams Street. Adams St. access will be deferred to the final stages of plan approval. There was some dissention from the neighborhood when the plan was originally submitted but that has been worked out.

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

It was moved and seconded that Ordinance 90-40 be introduced and read by title only. Clerk Williams read the ordinance by title. It was moved and seconded that Ordinance 90-40 be adopted.

ORDINANCE 90-40

The committee recommendation of Do-Pass 7-0 was given and the synopsis read. Tim Mueller described the 6 acre parcel that currently has two different zonings within the tract. Five acres

is zoned RH and about 1 acre is zoned BL and is surrounded by RS and RE and RL and the new school nearing completion nearby.

The petitioner would like to develop the 6 acres as a duplex subdivision with roughly 28 lots which is about half the density permitted in the RH zone at the current time. This is pretty compatible with surrounding properties. Plan Commission approval allows him to develop the RH zone and allows development everywhere except the BL zone at the current time, thus the Council approval at this time. The PUD designation allows both tracts to be developed at the same time. The petitioner will be responsible for Park Square Drive and Belle Avenue that abut the property. Currently Park Sq. Drive stops at the property line and Belle Avenue also stops at the property line. The terms of the approval are we may try to arrange a package to try to get the road all the way through to Whitehall Pike and we would like to be able to substitute certain conditional requirements from/with the petitioner in order to get the whole thing done.

Hogan asked about sidewalks to the school. Mueller said the petitioner is responsible for sidewalks. Fernandez asked for an inventory of existing RH property that is underdeveloped or undeveloped and at the Plan Commission level they need to be reviewed as quickly as possible and where appropriate they need to be downzoned.

Mueller said that will probably fall within the Master Plan. Fernandez understood that but it will take 6 months for master plan approval meanwhile we end up with another Hillside and High [sic: Hillside & Nancy] situation. Mueller said that downzone is best understood and accomplished using the master plan process.

Jeff Fanyo was available for questions.

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

It was moved and seconded that Resolution 90-23 be introduced and read by title only. Clerk Williams read the resolution by title. RESOLUTION 90-23

It was moved and seconded that Resolution 90-23 be adopted. The committee recommendation of Do-Pass 7-0 was given and the synopsis read.

Fernandez was pleased with the Council's endorsement of this resolution. The Incentive Loan program will be modified in conjunction with the Redevelopment staff and Commission so that child care delivery service can be eligible for the loan fund. The money will be available for existing industry to do the capital improvements needed.

Issues identified by the committee are included in the recommendations attached to this ordinance.

Wendy Perry also thanked everyone for their input. The Human Resources department will continue the training program for persons wishing to learn parenting skills or people in the child care field as well as training for day care providers. Between those two classes we reach 25-40 people each year.

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

It was moved and seconded that Resolution 90-25 be introduced and read by title only.. Clerk Williams read the resolution by title. RESOLUTION 90-25

It was moved and seconded that Resolution 90-25 be adopted.

The committee recommendation of Do-Pass 7-0 was given and the synopsis read.

Glenda Morrison said the purpose of the loan is to purchase the land the operation is now on and to purchase a baler. Buildings and land will be the collateral for the loan.

Graydon Murphy said he would order the baler upon approval of the loan and would begin to keep track of tonnage figures with the help of Fell Metal and Iron's scales.

Olcott asked how many people visit the facility and he said between 50 and 75 with Saturday being very busy. If the county goes beyond banning aluminum and glass it can be processed by this facility.

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

It was moved and seconded that Ordinance 90-33 be introduced and read by title only. Clerk Williams read the ordinance by title.

ORDINANCE 90-33

It was moved and seconded that Ordinance 90-33 be adopted.

The committee recommendation of Do-Pass 7-0 was given and the synopsis read.

Chuck Ruckman said that this is the year, every three years, for the Council to reauthorize the cumulative capital development fund.

Fernandez moved that the amendment earmarks one cent out of the proposed 15 cent cum cap tax for the purpose of acquiring land for the purposes of green space and park land.

Ruckmans said that the monies would be set aside as a reservation of fund balances and when the time arose that the Council wanted to use it, it would be available and come back as an additional appropriation. 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 Ordinance 90-27 be introduced and read by title only. Clerk Williams read the ordinance by title. It was moved and seconded that Ordinance 90-27 be adopted. The synopsis was read.

ORDINANCE 90-27

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

It was moved and seconded that Ordinance 90-28 be introduced and read by title only. Clerk Williams read the ordinance by title. It was moved and seconded that Ordinance 90-28 be adopted. The synopsis was read. Doris Sims presented an amendment to correct two typographical errors.

ORDINANCE 90-28

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 Ordinance 90-29 be introduced and read by title only. Clerk Williams read the ordinance by title. It was moved and seconded that Ordinance 90-29 be adopted. The synopsis was read.

ORDINANCE 90-29

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

It was moved and seconded that Ordinance 90-30 be introduced and read by title only. Clerk Williams read the ordinance by title. It was moved and seconded that Ordinance 90-30 be adopted. The synopsis was read. Doris Sims presented various amendments dealing with the Data Processing Manager and inserting new titles of Information Services and other grade/step plan changes. The amendment received a roll call vote of Ayes:9, nays:0.

ORDINANCE 90-30

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

It was moved and seconded that Ordinance 90-31 be introduced and read by title only. Clerk Williams read the ordinance by title. It was moved and seconded that Ordinance 90-31 be adopted. The synopsis was read. Dave Gionet was available for questions.

ORDINANCE 90-31

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

It was moved and seconded that Appropriation Ordinance 90-1 be introduced and read by title only. Clerk Williams read the ordinance by title. It was moved and seconded that Appropriation Ordinance 90-1 be adopted. The synopsis was read.

APPROPRIATION
ORDINANCE 90-1

The Mayor addressed the Council urging greater fiscal home rule so that communities could be more responsive. We have stretched our monies by combining with available federal funds. We will continue to hold the line; we all have to work harder. We can build city hall and help the I.U. research park become a reality and we can do it without a tax increase for our citizens.

Service asked the Mayor about the use of sludge based compost.

Tomi said that we were meeting all the standards of IDEM in regards to our sludge, however she thought Service has made a good point and that once burned twice shy and that we should look at limiting the distribution. In order to do that we need to have a study committee to look at how to continue to get rid of the compost because we do not have storage space and having looked at alternatives to the cost of landfilling the compost it gets into the millions of dollars. It has been suggested that I.U. can use the compost for their landscaping (which is not used for food growing) or for use as a landfill cover. The Mayor suggested the committee, with Council and USB representation and Jane St. John to look for a way to continue operating Blucher and still compost and still meet the Council request of not having to deal with a future unknown. "I give on that one, Pam," the Mayor said. (good job, Tomi...thanks)

Service asked about the requirement of voting on the civil city budget this evening. Saunders said that state law requires the budget/tax rate must be set before the last Monday in August with a little leeway: if it has not been set by the first Monday in September then 1990's year's budget and tax rate prevail into next year.

Fernandez asked about a parking enforcement personnel increase. Langley said it is a reclassification to a full time position and it was not changed on the first page of the personnel list of employees. Fernandez also thanked the administration for the additional budget information and asked about operating

the yard waste program for 48 weeks a year and wondered why. Jane St. John said it was in operation March thru November and in December there is the collection of Christmas trees. Also regarding the master plan ordinance itself, would Camiros do the actual ordinance and how much would it cost. Tim Mueller said that preliminary discussions with Camiros suggested a cost of about \$120,000 plus if they carried the ball all the way through to adoption. If we do all the ordinance review in house who will do it, asked Fernandez. Mueller said the money proposed in the 1991 budget was Camiros drafting the ordinance along with two pre-ordinance documents dealing with, first, policy issues and how they will be addressed in the ordinance and second, what the ordinance will achieve in lay person's language and finally a draft ordinance, a few hearings and then a second draft and staff would then carry it through any additional public hearings. It would cover the first round and probably a couple of revisions. The first report would take the findings of the policy plan and correlate them to the zoning ordinance and what the ordinance would accomplish and the second one would go thru the ordinance section by section without putting it into legal language talking about what would be accomplished and finally the draft ordinance. Sometimes it can take years in some communities before an ordinance is actually adopted.

Fernandez hoped that the Day Care Resources Director could be a full time position especially in light of the heavy burdens that we expect from that person. Also the Environmental Commission request for a part time person is important. A lot of good discussions have come out of the budget process but in reality nothing has changed since we first saw these numbers.

White asked about the 1991 paving schedule and wondered about the increase of asphalt tonnage. Rod Douglas said that this year we will run out of money for paving and we now have our own paver and skilled crews and if we had another \$100,000 we could still be paving. Douglas said he was not aware of why it was underbudgeted. He did say we do contract out jobs and that frees up our own men for other jobs. White asked about crew reductions. Douglas said the actual full time employee list is at 38 and we are using more part time seasonal for the sidewalk program and trying to implement a third crew for that purpose.

Service expressed support for the city keeping and maintaining Riddle Point and hoped that we don't defer our maintenance so much that it creates larger problems. Merrifield said that Riddle Point will continue to be maintained but we are looking at it very seriously in terms of its future. On leasing space for the Human Resources Dept...when? January 1, 1991 is the target date with public hearings to inspect the lease. It is not determined just who would go into that space at this time.

White suggested that the street light committee might need to reconvene as this is an issue that comes up again and again.

Natalie Wrubel expressed concern about charging for trash pickup, noting that many people cannot afford it, and that leaves left in the tree plots for a long time present a real problem for people who try to keep their lawns neat. She asked that we let the public know more accurately just when the trucks will pick up leaves so that gutters are not overflowing when it rains.

Olcott said that a delay in voting on the budget would not be fair and a no vote across the board is foolish. Every councilmember has problems with one part or another but it is not fair to all the people who work for us to veto the entire budget.

Regester agreed with Olcott.

Hitchcox commended the department heads and staff for the presentation and said that budgets are always full of compromise.

Foley agreed with everyone and also thanked everyone.

Hogan commended the Mayor for directing the bouquets to the appropriate people and that it was one of the best presentations ever and he thanked the department heads for a job well done. He thanked everyone for their responsiveness and he said that if he doesn't support this it would be because he does not share the priorities, on a very partisan basis, of politically what the city does, what it does with its money and how that money is divided up. It is a total philosophic approach to why I don't support it. It would be very difficult to attack an individual for presenting a budget that is really the priority of the administration. Hogan said he was uncomfortable saying that this was not a good budget presentation and it is very difficult to vote every night on every page of this budget. It should all be reviewed and we should have a chance to interact with that and legislate that budget. Once the Council agrees that we are going to do this as an initiative, and as a part of this Council it should be done the best it can be done. A year later you don't vote against something after you agreed to a program. Hogan said his vote would represent more his priorities as he sees the city being administered not what is done individually.

Service agreed there were things that not everyone likes, however one problem is one of enforcement and this is something people are concerned about. It is done on a complaint basis for the most part and it really isn't the way to go. We used to have a nuisance officer. We didn't move any money when all the enforcement went to the housing office and there is very little attempt to follow up on ordinance enforcement regarding garbage cans, etc.

Hogan added that if a negative vote from him would defeat the budget, he probably wouldn't do it.
(laughter).

Service said she did appreciate the Mayor's solution to the Blucher Pool problem.

Fernandez asked about parking enforcement fee increases and thought we should look into garage and parking fees and some minor increases could result in some real monies. The Mayor agreed to reviewing the lots, permits and the entire structure including the downtown merchants and business persons and not wait until it becomes too large an increase. He also said we have the duty to our constituents to not simply ask questions and then vote yes, but to ask questions and work toward a compromise. When we raise questions it's because it is our duty as elected officials; it isn't partisan politics. It is the Council's role in better government. It isn't for personal reasons; it is for the right reasons. We should not apologize for taking tough stands and when necessary rubbing people the wrong way because we are doing it for the right

reasons. Only three members of the budget have come forward to talk about the budget. He was surprised that the Sanitation Director was only at a 315 salary level and thought that could be addressed at a later time.

Kiesling was also pleased with the Blucher Pool discussion as well as the comments on enforcement. The master plan needs to be implemented in a timely manner, a maintenance plan for the garages is necessary and the recycling effort needs to be supported city-wide. She also asked for the FICA and benefits included in each budget presented and finally next year a remuneration for the Plan Commission should be considered.

The ordinance received a roll call vote of Ayes:7, Nays:2 (Service, Hogan).

It was moved and seconded that Appropriation Ordinance 90-2 be introduced and read by title only. Clerk Williams read the ordinance by title only. It was moved and seconded that Appropriation Ordinance 90-2 be adopted. The synopsis was read.

APPROPRIATION
ORDINANCE 90-2

Jeff Underwood said there was a 9% increase in revenues and 7% increase in expenses and most of that is due to adding the Information Services Dept. to this budget. Fernandez asked about what we are currently doing with the sludge at Dillman. Underwood said it is landfilled. Kiesling thought we should start looking to alternatives, since the current one has a life expectancy of about 7 years and it takes a long time to site one. Underwood said there is a joint committee with the parks dept. to discuss any land-related questions including Lake Lemon. Mayor Allison said that the conservancy is the only way to protect that lake and surrounding area. We were disagreeing over price of the services, not the ultimate goals for the entire area.

Fernandez wished Julie Creek best of luck as she goes off to Fort Wayne.

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

The next meeting will be September 5, 1990.

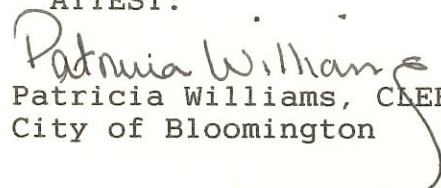
The meeting was adjourned at 10:20 P.M.

ADJOURNMENT

APPROVE:


Iris Kiesling, President
Bloomington Common Council

ATTEST:


Patricia Williams, CLERK
City of Bloomington