

AGENDA
COMMON COUNCIL REGULAR SESSION
7:30 PM, WEDNESDAY, APRIL 20, 1988
COUNCIL CHAMBERS

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. APPROVAL OF MINUTES FOR APRIL 6, 1988
- IV. REPORTS FROM:
 - 1. Councilmembers
 - 2. The Mayor and City Offices
 - 3. Council Committees
- V. APPOINTMENTS TO BOARDS AND COMMISSIONS
- VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS

- 1. Appropriation Ordinance 88-2 To Specially Appropriate From the General (Public Works), Local Road and Street and Police Continuing Education Funds Expenditures not Otherwise Appropriated
- 2. Resolution 88-11 To Designate the Property Located at 1604 West Third Street as an "Economic Revitalization Area" (FPI Supply, Inc. d.b.a. Westplex Park, Inc., Petitioner)

VII. LEGISLATION FOR FIRST READING

- 1. Ordinance 88-13 To Grant Outline Plan Approval and PCD Designation RE: 3030 S. Rockport Road (Woolery Stone Co.)

VIII. PRIVILEGE OF THE FLOOR (This section of the Agenda will be limited to 45 minutes maximum, with each speaker limited to five minutes).

IX. ADJOURNMENT

In the Council Chambers of the Municipal Building held on Wednesday, April 20, 1988, at 7:30 P.M. with Council President Pro-Tem Register presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
APRIL 20, 1988

Roll Call: Hogan, Olcott, Register, Kiesling, White, Fernandez, Young, Gardner, *Service absent*

ROLL CALL

Register gave the agenda summation.

AGENDA SUMMATION

The minutes of April 6, 1988 were approved by a voice vote.

APPROVAL OF
MINUTES

Gardner thanked the people in the community responsible for bringing SPIDERMAN to town, the prosecutor, the H-T, L.S. Ayres, Bobby Knight, the Human Resources Department and all the parents and kids who participated in the event. She said that maybe next year SPIDERMAN can come back to Bloomington and cut the ribbon for a new Child Advocacy Center.

MESSAGES FROM
COUNCILMEMBERS

White said that he, Iris, Dave Parry and John Langley went to Chicago last week and visited the law offices of Joseph Karaganis. They discussed some aspects of case time-line, different proposals and a general update with new information we didn't have before they went to Chicago. White praised Langley's chauffeur skills in the Chicago traffic.

Register announced his abstention from any discussion and vote regarding Resolution 88-1. He stated that he had filed the necessary conflict of interest statements.

Mayor Allison introduced the entire Bloomington High School South Academic Decathlon Team coached by Ruth Granich and Carolyn Richard. She read a proclamation praising them and wishing them well in the National Competition. BHS-S will represent the entire state at the nationals.

MESSAGES FROM THE
MAYOR

Allison also congratulated Bob Neeley a BPD officer on receiving the Red Cross commendation ~~for bravery~~ and commended the Bloomington fire fighters for bringing the Ralph Rogers fire under control so quickly. Many highly combustible items were stored in the warehouse and Stations 1,2, and 5 brought the fire under control in about 20 minutes.

The Mayor also commented on the article in Family Wealth that praised Bloomington as a wonderful place to retire to.

Julie Koegel updated the Council about Tox A Way Day on Saturday, April 30. GSX is the contractor and the committee will have available a list of sites that will be used for disposal.

COMMITTEE REPORT

Gardner asked about people without transportation and Koegel replied that no funds are available for transporting items or persons.

It was moved and seconded that Appropriation Ordinance 88-2 be introduced and read by title only. Clerk Williams read the ordinance.

LEGISLATION FOR
SECOND READING/
VOTE

It was moved and seconded that Appropriation Ordinance 88-2 be adopted.

APP. ORD 88-2

Pat Patterson said that he was pleased to make these recommendations that would advance the projects in the capital improvement plan. This appropriation allows the City to begin contacting people to begin the right-of-way process. If we begin now, we make it possible to use in-house persons and materials for this stage of the projects and contractor bids therefore coming in at a better price. He said the

railroad crossing on west Third has finally been funded by the state. We will pay 10% or about \$8500 toward the project.

Dean Behnke described the 2nd and High Street widening project consisting of left turn lanes with most of the work in the east and north bound turn lanes. There will be nine parcels of land required for the right of way.

Olcott asked when this was scheduled and Patterson said hopefully this year.

Patterson said the Board of Public Works will hold public hearings on Tuesday, April 26, 1988 and urged people to attend and voice their opinions. The board will contact all affected parties, but that has not been done as of this evening..

Lynn Coyne, representing the Dieterles, presented an amendment asked that the right of way acquisition for the 2nd and High Street intersection be deleted from the ordinance.. He said that if the Council approves the appropriation the process will begin. The Dieterles have lived in the same house on the corner of 2nd and High for 34 years and they intend to remain there for the rest of their years. Coyne said this was not necessary at this time. Their steps will be obliterated and traffic will be at their door. The hedge along High Street will be gone as well as the massive trees along 2nd Street. Coyne asked if this was absolutely necessary, that it is a giant waste of dollars to widen the intersections when the street it filters into is so narrow. "why not wait and widen the entire street", he asked. "If you appropriated the funds, the R.O.W. acquisition will begin" He urged the Council to leave the intersection alone for a few years and let the Dieterle's be.

Hogan said he remembered when the sidewalks went in six years ago and asked why the walks on the south edge of the property have to go. Patterson said the City could look at replacing the shrubbery, that a large portion of requested property along High Street is for temporary acquisition, to be used for construction purposes and then returned to as close to the original condition as possible.

Hogan asked if it is possible to deal with the entire problem at the intersection by only taking care of the N,S, and E corridors now and leaving the western leg to another time and Fernandez hoped that there would be a commitment to replace the trees.

Patterson stated that landscaping can be a factor in the price of the tract.

Coyne said that from the Dieterle's point of view the trees and shrubs cannot be replaced.

White asked for a definite house to street dimension and wondered if the intersection was monitored at a peak time. "This intersection causes a tremendous amount of irritation to people," he said "and it's important to help folks get back and forth, that compassion for people is very important and sometime it is very hard to look, decide and determine what will benefit the larger number of people" He wondered about the expense of widening 2nd Street and that if we do it can the Dieterles be adequately compensated.

Hogan said the intersection needs attention urgently. He expressed concern for the Dieterles, noting that contractors will take out trees more readily than leave them in place to work around. He suggested, that since Pam Service was absent, that he act as the ambassador for trees and that there was no reason why we could not be creative and pursue some other alternatives.

Patterson again suggested the public meeting and said that he was willing to look at any plans that might work for the project, "We don't want to declare war on any citizen; we want to make the intersection work"

Kiesling asked if the appropriation was just for this intersection and Patterson said it was for all right of ways needed at this time.

White addressed the North Walnut - 37 Highway project hoping that we can advance the project by doing the preliminary work now.

Steve Heise agreed with Hogan's suggestions about widening 2nd Street and suggested that we need more data concerning traffic flow.

Hogan asked that if the appropriation was approved, was this the Council's last shot at the question. Lynn Coyne said that if the money is appropriated, the condemnation process would begin, it would be appraised and if they (the owners) do not agree to the appraisal price, then the City goes to court. Once appropriated, the only argument Dieterle can make is over the value of the property. Patterson concurred repeating the public hearing opportunity, that he believed that the plan will not be changeable, that yes, we would go forward with the condemnation. The project will not come before the City Council again.

Gardner thought patterson had the cart before the horse, that perhaps the public hearing should be held before the Council votes on the ordinance.

Hogan said it was urgent that the intersection be rebuilt and suggested that the ordinance be amended to delete the funding for the Dieterle project, that engineering and public works come back at the design stage and that they all reach some type of compromise, in essence the Coyne amendment.

The amendment failed by a roll call vote of
Ayes:3 (Hogan, Gardner, Young) , Nays: 5

On to the next item in the ordinance. Steve Sharp said that there was about \$5,000 in the fund and White said that the Detective Division appropriates approximately 75% of training money from that unit. Sharp said that the fund will be used for field training school and use of the PR 24 Baton training program.

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

It was moved and seconded that Resolution 88-11 be introduced and read by title only. Clerk Williams read the resolution.

RESOLUTION 88-11

It was moved and seconded that Resolution 88-11 be adopted.

Register absented himself from the discussion and vote and noted that he had filed the necessary conflict of interest forms with the clerk.

Glenda Morrison said the twelve new businesses in the area would provide about 20-25 new jobs, that the retail part of the project is not part of the abatement request. She presented the Council with different dollar amounts regarding the tax base than originally proposed and apologized for the miniscule difference. Fernandez asked about the different recommendation about the time span for the abatement three and six being the number of years proposed and Gardner asked why three years as well. Morrison said that this was a slightly different project that is outside the current abatement area and the Commission thought it was appropriate to allow some abatement but did not think 10 years was appropriate. Six years was the agreement

Robert Shaw, the petitioner said that 6 years was recommended. He stated that when he acquired the property in December of 1986 only The Refuge was located in that building complex. In one year, 6 businesses have located there and are in the process of expanding. In 12 months they have made a significant impact on the west side and the Bloomington economy. He noted that this land was not suited for any other type of development, that the soil has been stripped, the RR track is directly behind the building...it is definitely a distressed land parcel.

Gardner thanked Shaw for his efforts and contribution to the whole west side.

Hogan inquired if the abatement would help sell the properties and Shaw said absolutely, yes, and Olcott reminded the Council that the abatement stays with the land.

The resolution received a roll call vote of
Ayes:7, Nays:0, Abstain: 1 (Registered)

It was moved and seconded that Ordinance 88-13 be introduced and read by title only by the Clerk for first reading. Clerk Williams read the ordinance. Ordinance 88-13 To Grant Outline Plan Approval and PCD Designation re: 3030 S. Rockport Road (Woolery Stone, Petitioner)

LEGISLATION FOR
FIRST READING

It was suggested that the Council not meet in committee next week and Fernandez expressed concern about public input and process. Kiesling suggested that there were people at the Plan Commission hearing and that there was some controversy about the designation.

It was moved that the Council meet next week.


There were no petitions or communications.

PETITIONS

The meeting was adjourned at 9:20 P.M.

ADJOURNMENT

APPROVE:


Pam Service, President
Bloomington Common Council

ATTEST:


Patricia Williams, CLERK
City of Bloomington