

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

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES OF JULY 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. Resolution 88-22 To Authorize and Approve the Execution of a Collective Bargaining Agreement Between the City of Bloomington and the Bloomington Firefighters Association.

Committee Recommendation: Do Pass 7-0

2. Resolution 88-23 To Approve and Authorize Execution of a Collective Bargaining Agreement Between the City of Bloomington and the Fraternal Order of Police.

Committee Recommendation: Do Pass 7-0

3. Ordinance 88-23 To Amend Chapter 2.21.070 of the Bloomington Municipal Code Entitled "Law Department."

Committee Recommendation: Do Pass 7-0

4. Appropriation Ordinance 88-3 To Specially Appropriate From the General Fund (For Controller, Police, and Safety Board) and the Parking Meter Fund Expenditures Not Otherwise Appropriated.

Committee Recommendation: Do Pass 7-0

5. Ordinance 88-28 To Amend the 1988 Salary Ordinance for Appointed Officers and Employees of the City of Bloomington.

Committee Recommendation: Do Pass 7-0

6. Ordinance 88-29 To Amend Title 9 of the Bloomington Municipal Code Entitled "Water."

Committee Recommendation: Do Pass 5-2

VII. LEGISLATION FOR FIRST READING

1. Ordinance 88-24 To Fix the Salaries of All Elected City Officials.

2. Ordinance 88-25 Salary Ordinance for Appointed Officers and Employees.

3. Ordinance 88-26 An Ordinance Fixing the Salaries of Utilities Employees of the City of Bloomington, Indiana, for the Year 1989.

4. Ordinance 88-27 Salary Ordinance for Police and Fire Officers.

5. Appropriation Ordinance 88-4 To Specially Appropriate From the General Fund (For Engineering, Public Works and Safety Board) and the Federal Revenue Sharing Fund Expenditures Not Otherwise Appropriated.

6. Ordinance 88-30 To Transfer Appropriations Within the Fire Station Construction Fund.

7. Ordinance 88-31 To Amend the Zoning Maps from RH to BA
RE: 1931 N. Dunn St. (Varsity Villas Corp.).

8. Ordinance 88-32 To Amend the Zoning Maps from RE to RS/PUD
and Grant Outline Plan Approval, RE: Northwest Corner of Smith and
Rogers Road (Howard Young).

9. Ordinance 88-33 To Amend the Zoning Maps from RE to MP/PCD
and Grant Outline Plan Approval, RE: Southwest Corner of S.R. 37 and
Vernal Pike (Harrell Mechanical).

10. Ordinance 88-34 To Amend Ordinance 88-20, an Ordinance concerning
Advance Refunding of the Waterworks Bonds of 1951, 1954 and 1966; and to
Authorize Issuance of the Waterworks Refunding Revenue Bonds of 1988.

VIII. PRIVILEGE OF THE FLOOR (This section of the Agenda will be
limited to 45 minutes maximum, with each speaker limited to five (5)
minutes.

IX. ADJOURNMENT

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

COMMON COUNCIL
REGULAR SESSION
JULY 20, 1988

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

ROLL CALL

Service gave the agenda summation. Service announced that Ordinance 88-31, scheduled for first reading had been withdrawn by the Petitioner.

AGENDA SUMMATION

The minutes of July 6, 1988 were approved by a voice vote. Kiesling did not approve the minutes and requested the Clerk submit the minutes to the Councilmembers before the subsequent Council meeting so that the Councilmembers would have time to read the minutes before approving them.

APPROVAL OF
MINUTES

Kiesling announced that the City is going ahead with a more comprehensive recycling program beginning on August 20, 1988. She said a new pamphlet delineating the program is available.

MESSAGES FROM
COUNCILMEMBERS

Gardner said she was disappointed in the outcome of the City v. Monsanto trial and that it was a black day for Bloomington rate payers. She said that the outcome showed that Westinghouse was the most culpable party and that the damages should have been included in the Westinghouse settlement. She said it was time to eliminate the risk of an unproven incinerator with regard to a health monitoring program which we can't afford. She suggested that the City look for a local law firm to represent them and invited local input. She also commended the women striking at ATR Coil and suggested that the Council look at what new industries offer their employees.

Fernandez plugged the Bloomington Area Arts Council. He noted that James Maxwell, visiting artist will give an "informance" on Friday, July 22, at 8:00 P.M. at the Monroe County Library.

Service mentioned that the article in Sunday's paper regarding the trip to be made by various officials to Southeast Asia this fall was mostly accurate but noted that those taking the trip would be footing their own bill.

Gene Stokes, Director of Public Housing, gave a report on public housing. To improve public relations their office decided to put on a series of talks explaining the Housing Authority and its mission in the community. He introduced Peggy Gudal, the Section 8 Administrator and Deborah Cassidy, his administrative assistant.

MESSAGES
FROM
CITY
OFFICES

Public Housing was created by the National Housing Act of 1937. The Indiana Public Housing Act authorizes municipalities to set up Housing Authorities which are municipal corporations governed by a bi-partisan board appointed by

the Mayor. The Board sets overall policy and appoints an executive who runs the day by day operations. Funding comes from HUD. The mission is to provide safe and sanitary housing for low income residents of the community.

Accomplishments during the last year are outlined in a brochure distributed to the Councilmembers and include funding of 29 Sec. 8 certificates and vouchers, obtaining .5 million for a comprehensive improvement assistance grant to upgrade existing facilities [work is already in progress] and the self-sufficiency program, which is a program which assists single parents in becoming self sufficient. The total Housing Authority program budget was 2.8 million for last year.

For next year the Housing Authority has submitted a comprehensive improvement application for 1.2 million dollars over 5 years to fund extensive renovations at Crestmont.

Stokes then explained changes in the program. Congress has decided that in order for the resources to be passed out on a fair basis Congress would have to determine the preferences of the Housing Authority. Both the old and new preferences are detailed in the brochure. The old preferences were that those applicants living in sub standard housing, elderly, vets and disabled receive a preference. The new preferences, as set by Congress, include those applicants paying more than 50% of income for rent and utilities, involuntarily displaced, and living in substandard conditions. This change will cause some confusion to clients because an applicant can now declare their preference at any time as opposed to at the time of application. The Housing Authority will not be able to tell applicants their place on the list to receive assistance due to the new preference rules. Stokes thanked the Council for their patience and suspensions of rules for Housing Authority resolutions.

Olcott asked how long the waiting list was. Stokes said that they had quit taking applications in March because of implementing the new preference rules. There are 200 families on the list now and they will begin taking new applications in September.

Young asked how many units were available in Bloomington. There are 604 units existing units in Bloomington and 300 landlords are participating in the Section 8 program.

Gardner asked how many additional units will be available due to the \$.5 million for upgrading. Stokes said that there will be no extra units but several are left vacant presently to move families back and forth during renovation. Gardner also thanked the Housing Authority for their service on behalf of the battered women and children.

It was moved and seconded that Resolution 88-22 be introduced and read by title only. Deputy Clerk Nash read the resolution.

RESOLUTION 88-22

It was moved and seconded that Resolution 88-22 be adopted.

Young gave the committee report and read the synopsis. Resolution 88-22 received a do pass recommendation of 7-0.

Linda Runkle was available for questions and explained that the agreement is a 4 year contract settling all the terms and conditions of employment between the City and the firefighters. It provides for salary increases on the average of 4.3% per year, longevity step pay increases and a pregnancy policy.

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

It was moved and seconded that Resolution 88-23 be introduced and read by title only. Deputy Clerk Nash read the resolution.

RESOLUTION 88-23

It was moved and seconded that Resolution 88-23 be adopted.

Young gave the committee report and read the synopsis. Resolution 88-23 received a do pass recommendation of 7-0 at the July 13 meeting.

Linda Runkle was available for questions and explained that the agreement is a 4 year contract settling all the terms and conditions of employment between the City and the FOP. It provides for salary increases on the average of 4.3% per year and additional incentives for longevity especially for senior police officers and detective sergeants.

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

It was moved and seconded that Ordinance 88-23 be introduced and read by title only. Deputy Clerk Nash read the ordinance.

ORDINANCE 88-23

It was moved and seconded that Ordinance 88-23 be adopted.

Young gave the committee report and read the synopsis. Ordinance 88-23 received a do pass recommendation of 7-0 at the July 13 meeting.

Sue Montgomery initially drew the Council's attention to a proposed clerical amendment to Ordinance 88-23 which was proposed to ease understanding of the ordinance.

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

Fernandez suggested that proposed ordinances and resolutions be recapped during the Council meetings for those members of the public watching and attending that had not heard the discussion of the committee meeting.

Montgomery then explained that the Human Rights

Commission wants to assist the Legal Department in investigating complaints. At the conclusion of the investigation the Legal Department will put forth its views as to whether or not there was probable cause for the complaint and ultimately the commissioner involved will make the decision with input from the Legal Department. The Commissioners will be involved on a rotating basis.

Register asked what the frequency of the procedure on an annual basis was. Montgomery said that presently there were approximately 8-10 complaints per year but that they were also taking complaints for the EEOC and there have been 11 EEOC complaints this year.

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

It was moved and seconded that Appropriation Ordinance 88-3 be introduced and read by title only. Deputy Clerk Nash read the ordinance.

APPROPRIATION
ORDINANCE 88-3

It was moved and seconded that Appropriation Ordinance 88-3 be adopted.

Young read the committee report and synopsis. Appropriation Ordinance received a do pass recommendation of 7-0 at the July 13 meeting.

Betty Merriman and Pat Patterson were available for questions.

Hogan asked about the hand held computers. Patterson said that the enforcement people will use them on their routes. They will be able to punch in license numbers and will have a built in timing device to determine offenders. They will reduce errors and shorten clerical time as they can be plugged into the central computer at the City and tied into collection efforts. At some time in the future police officers may be equipped with the computers.

Gardner said that she thought \$20,000 could be better spent on something else.

Patterson said that these computers have a proven track record and that they will improve efficiency.

Service asked how these computers will improve the downtown parking problem. Patterson said the first priority of the Downtown Parking Committee is to improve enforcement. These computers will not solve the downtown problem but will improve efficiency and enforcement and will make the job less tedious for the officers and allow them to lengthen their routes.

Young asked Patterson about the revenues from parking tickets. Patterson said that over the past year collection procedures have been upgraded and the serious backlog of tickets has been dealt with. Last year \$164,000 was collected and this past six months collections have surpassed this amount. However he

mentioned that revenue collection is not our main purpose, compliance is. The City issues about 350 tickets per week.

Kiesling said that these computers will improve worker conditions and Olcott said that the downtown merchants are supportive of the City's efforts.

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

It was moved and seconded that Ordinance 88-28 be introduced and read by title only. Deputy Clerk Nash read the ordinance.

ORDINANCE 88-28

It was moved and seconded that Ordinance 88-28 be adopted.

Norm Merrifield said this ordinance will allow the Parks Department to hire a full time year round manager for the Frank Southern Center which is now being renovated for the fall. The funds have been appropriated from last year's budget. He mentioned that there will be a press conference next Tuesday (July 26) at 3:00 P.M. at which Frank Ragan will give a synopsis of where the Center is at. Construction is on target and moving well.

Gardner asked whether there will be reduced fees for low income children. Merrifield said that the Center will make accommodations as the Parks Department has done historically for low income residents.

Fernandez asked how salary incentives will be built in for the manager's salary and how does this fit into the appropriations. Merrifield said that this will come into play after this first year and will need to be approved by both the Parks Board and the Council. However they are looking at concessions and a pro-shop as well as the ability of the manager to bring in other programs when there is no ice. The manager will need to be able to market the facility. A study done last year shows that the facility can be marketed as a year round facility and the renovation will increase its potential. He added that we need to get a professional person to promote and market the facility and we need to be able to pay that person adequately.

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

It was moved and seconded that Ordinance 88-29 be introduced and read by title only. Deputy Clerk Nash read the ordinance.

ORDINANCE 88-29

It was moved and seconded that Ordinance 88-29 be adopted.

Young gave the committee report and read the synopsis. Ordinance 88-29 received a do pass recommendation of 5-2 at the July 13 meeting.

Jeff Underwood, representing Utilities explained that two and on-half years ago a

study identified that we needed to increase our water capacity. The rate increase of approximately 27% (average) is requested to fund those improvements at the Monroe water treatment facility. Capacity will be increased from 18 MGD to 24 MGD. Revenue bonds will be sold to fund these improvements and they hope to go into the market next year. Furthermore they need to increase water rates to pay for the principal and interest associated with those bonds.

Kiesling commented that while it is true that we need to increase capacity but we do not want to encourage waste. She favors those customers who conserve water getting reduced rates. This policy would show that we are environmentally conscious.

Gardner asked how long we can operate at our present capacity of 18 MGD. Underwood said that we now pump at 15 MGD on the average, and the study showed that this rate would take us to the year 2000 without drought conditions. With the drought conditions we are now pumping at above our capacity (about 22 MGD). It will be two years before construction will be completed and once construction is completed we will start using those facilities although not at maximum capacity. If there were extensive drought conditions we would need to implement cutbacks and restrictions. Underwood said that the intention is to phase out Griffy. Griffy has a capacity of 1.5 to 2 MGD. By reactivating our access to Lake Lemon we could get up to 4 MGD out of that facility if necessary. Gardner asked when the last sewer increase was and would the Monsanto loss necessitate another sewer increase. Underwood said that the last sewer increase was in 1982 but that rates will have to be reviewed this year because the sewer rate is currently generating deficits. This review is necessary regardless of the outcome of the trial. The rate currently does not have a component to generate funds for PCB related expenditures and they will need to look at future expenditures. He did not know what sort of increase to expect. He noted that the rates did not generate the money for PCB related expenses but that those monies had come from reserves. Those excess funds came from interest earnings in the late 70's and early 80's. Gardner expressed her displeasure at the rate structure of the Indiana Regulatory Commission. Underwood said that they were constrained by state law but a rate study was done and the costs were allocated to those who incur those costs.

Hogan asked how much money a 27% increase will generate and if there is any money allocated for capital improvements. Underwood replied that a capital improvement part of about \$700,000 is included in the rate. The rate will last for about 5 years. The bonds have a 20 year life and after 5 years we will reassess our costs. We will bond a bit over 8 million dollars next year.

Fernandez asked for a breakdown of the revenues by

class. Underwood said that for residential and commercial it is currently between 1 to 1.5 million dollars and with the increase it will go up slightly over 1.5 million.

Olcott said that the Department of Commerce was looking for cities to locate a new industry that is a major user of water and if that industry became part of our community they would eat up a large part of the increased capacity.

Stephen Heise asked what happens to wastewater. Underwood said that it was put back into the creeks. Heise was concerned about about mixing industrial and personal wastewater and asked whether the industrial water could be treated differently from the personal water.

Rachael Loop echoed Gardner's concerns about the rate structure. She said that Lake Monroe was extremely trashy and thought that we should look at the recreational usage and whether pumping excess water would worsen this condition. Underwood said that the USB had allocated funds for a joint study to look at the water quality of the lake and to protect the watershed.

Kiesling said to watch for meetings on this study.

Joe Loop asked where the reserves that Utilities used to pay attorneys fees come from. Underwood said that the reserves are from earnings of 15 to 21% on bond proceeds before the earnings were restricted by law.

Service asked how much can be taken out of Griffy. Underwood said that if on a 24 hour pumping period it could produce [from the 3 combined sources] up to 6 MGD. Two million gallons per day could be gotten out of Griffy but it would affect the recreation use, however Griffy is first a drinking water source and unfortunately recreation sometimes suffers.

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

Nays: 1 (Gardner).

It was moved and seconded that the following ordinances be introduced and read by title only for first reading by the Clerk. Deputy Clerk Nash read the ordinances.

LEGISLATION
FOR FIRST
READING

Ordinance 88-24 To Fix the Salaries of All Elected City Officials.

Ordinance 88-25 Salary Ordinance for Appointed Officers and Employees.

Ordinance 88-26 An Ordinance Fixing the Salaries of Utilities Employees of the City of Bloomington, Indiana for the Year 1989.

Ordinance 88-27 Salary Ordinance for Police and Fire Officers.

Appropriation Ordinance 88-4 To Specially Appropriate From the General Fund (For Engineering, Public Works and Safety Board) and the Federal Revenue Sharing Fund Expenditures Not Otherwise Appropriated.

Ordinance 88-30 To Transfer Appropriations Within the Fire Station Construction Fund.

Ordinance 88-32 To Amend the Zoning Maps from RE to RS/PUD and Grant Outline Plan Approval, RE: Northwest Corner of Smith and Rogers Road (Howard Young).

Ordinance 88-33 To Amend the Zoning Maps from RE to MP/PCD and Grant Outline Plan Approval, RE: Southwest Corner of S.R. 37 and Vernal Pike (Harrell Mechanical).

Ordinance 88-34 To Amend Ordinance 88-20, an Ordinance concerning Advance Refunding of the Waterworks Bonds of 1951, 1954, and 1966; and to Authorize Issuance of the W the Waterworks Refunding Revenue Bonds of 1988.

Olcott moved and Hogan seconded that the rules be suspended and that Ordinance 88-34 be moved on to second reading. Service noted that the vote to go on to second reading had to be unanimous.

David Rogers said that they had the closing and issuance of the bonds on July 19 and the bonds would go out to the purchasers within the next two weeks. This ordinance enables them to handle their bank accounts in a more efficient way. Ordinance 88-20 was complicated as written and these changes make it less awkward. The other amendment clarifies the status of future revenue bonds. He said that it is in the best interest of the City to pass this ordinance.

Suspending the rules received a roll call vote of Ayes:9, Nays:0.

It was moved and seconded that Ordinance 88-34 be adopted.

Service read a synopsis of the ordinance. Olcott pointed out that the bonds had already been purchased.

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

There were no petitions or communications.

PETITIONS
AND
COMMUNICATIONS

Service reminded the council that budget hearings are next week.

The meeting was adjourned at 9:37 P.M.

ADJOURNMENT

APPROVE:

ATTEST:



Pam Service, President
Bloomington Common Council



Patricia Williams, CLERK
City of Bloomington