

AGENDA
COMMON COUNCIL REGULAR SESSION
7:30 PM, WEDNESDAY, SEPTEMBER 21, 1988
COUNCIL CHAMBERS

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. APPROVAL OF MINUTES OF AUGUST 17 & SEPTEMBER 7, 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 88-28 To Designate the Property Located at 410 and 412 S. Washington St. as an "Economic Revitalization Area" (Bessie Courtney d.b.a. Early Years Childcare Center, Petitioner).

Committee Recommendation: Do Pass 8-0

2. Ordinance 88-40 To Amend Title 16 of the Bloomington Municipal Code Entitled "Housing Inspection."

Committee Recommendation: Forward Without
Recommendation 8-0

3. Ordinance 88-45 To Amend Title 1 of the Bloomington Municipal Code Entitled "General Provisions" and To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic".

Committee Recommendation: Do Pass 7-1

4. Ordinance 88-44 To Vacate a Public Parcel, re: an East/West alley 12' x 132' along the south line of Lot number 10 in Railroad Park Addition. (L.D. Axsom)

Committee Recommendation: Do Pass 8-0

VII. LEGISLATION FOR FIRST READING

1. Ordinance 88-35 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory.

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, September 21, 1988, at 7:30 P.M. with Council President Service presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
SEPTEMBER 21,
1988

ROLL CALL: Service, Diocet, Hogan, Gardner, White, Young, Kesting. Absent: Ferrando, Eggester.

ROLL CALL

Service gave the agenda summation.

AGENDA SUMMATION

The minutes of August 17, 1988 and September 7, 1988 were approved with several corrections to the previous minutes. No additional accesses to St. Rd 97 and that improvements to S.R.07 and Acuff Rd be discussed and included.

APPROVAL OF
MINUTES

Kesting noted the neighborhoods scheduled for re-cycle pick up for the coming week and noted that the entire community was saddened by the death of Susie Whybark. Susie was active in numerous community groups, most recently the recycling committee. Kesting also announced that the Bloomington Area Recycling Cooperative would provide transportation for persons unable to get their recyclables to regional plants.

MESSAGE FROM
COUNCILMEMBERS

Gardner announced that she and State Senator Vi Simpson attended the recent Hoosier Environmental Council rally. The council is made up of communities with similar problems trying to work out their specific problems. She also announced the various programs this week regarding the Date/Acquaintance Rape Awareness Week.

Young welcomed the Mayor and Service home from their travels (Japan and the Soviet Union) and a happy birthday to Kathy Saunders.

White announced that this week begins the university's United Way kick-off.

Service showed off her Moscow T-Shirt (made in Ireland) and said that her trip was in connection with the Friendship 89 program in which 2,000 high school students will visit the Soviet Union next year.

Diocet read an encoumiam for Dr. Thomas Middleton who died this past week.

MESSAGE FROM
COMMISSIONS

Steve Heise, representing the Human Resources Commission also praised Dr. Middleton for his efforts in addressing the medical needs of our community in so many ways. "He left his mark on an astounding number of people because of the generosity of his spirit - his life is an inspiration to everyone in this community", Heise said.

MESSAGES FROM
THE MAYOR

Mayor Allison said that it had been her privilege to serve with Dr. Middleton when they were both on the city council. "He was a caring individual, with fun, wit, energy and an incredible sense of humor. We have suffered a great loss". Allison gave a brief report on her trip to Japan noting that the economic climate has changed drastically, due to competition from other third world countries and the very high value of the yen. They continue to increase

their domestic consumption and want American products. In the past 3 years there have been 50 companies locate

in Indiana (some joint ownerships) and there is a definite interest in the mid-west. Indiana in particular offers excellent transportation, technical know-how, and the availability of land as compared to the east or west coast.

It was moved and seconded that Resolution 88-28 be introduced and read by title only. Clerk Williams read the resolution.

LEGISLATION FOR
SECOND READING
RESOLUTION 88-28

It was moved and seconded that Resolution 88-28 be adopted. Young gave the committee report 8-0.

Glenda Morrison said that the abatement is requested for 6 years for use as a day care facility only. Bessie Courtney, the petitioner, said that the facility would accommodate 78 children from the ages of 6 weeks to 5 years.

The resolution received a roll call vote of Ayes:7, Nays:0.

It was moved and seconded that Ordinance 88-40 be introduced and read by title only. Clerk Williams read the ordinance.

ORDINANCE 88-40

It was moved and seconded that Ordinance 88-40 be adopted. The ordinance was forwarded without recommendation.

Service said the apartment owners association was consulted about this ordinance before it was placed on the agenda for first reading. She clarified the point that any charges for the process would be borne by the City rather than the association. She said she tried to reach Mr. Wells of the association several times, left messages and those messages were not answered. She said the ordinance never reached this stage without input from the association and in the spirit of good will wants to put something together that will benefit everyone and be the most effective. The point of the ordinance is to make tenants aware of their rights as well as their responsibilities. There should be no additional responsibilities for the land lords as this could easily be taken care of at lease signing time.

John Irvine, representing Student Legal Services, said that three questions must be addressed; is there a need, is there a cost, is it legal. People need to understand their rights and responsibilities. Prior to code enforcement, years ago, one could drive around and determine just where the rental properties were. An addendum to the lease is the easiest method of distribution but if that is not possible then the City should mail it to tenants on a regular schedule.

John Burnham, said that the 12 people he has talked to take exception to the action that the city is taking and asked just what constituted the problem in the first place and how many calls or questions arise because tenants don't know their rights.

Hogan thought the ordinance was overkill and that the provisions are not well defined. If the City sees the need to inform tenants, then the City should mail the documents on a periodic, routine basis. (These minutes reflect the amended request by Mr. Hogan to reflect that he asked for the question to be called for and President Service did not call for the question.

Gardner asked how effective this will really be. Tenants can call the city, legal services etc and find

and the answer to questions that arise.

Long said there are other ways for people to find out the law. The apartment association puts out a publication called the Dwelling and I'm also puts out a publication. She was not sure that everyone would need it anyway.

Dwelling suggested a legal notice and Irvine said that really wasn't an effective approach. He said that either legal services break down to the following: 10% of costload is landlord/tenant related and 90% of what CEO litigates is landlord related and 90% of that is the failure to return damage deposits. He said that American Sundelt releases joint inspection in their leases.

John Underhill representing USGA said that it is not just a matter of information. Damage deposits is the issue and the deposit return within 30 days.

It was moved that Ordinance 98-40 be tabled. It received a roll call vote of Ayes: 4, Nays: 0 (Hogan, Gardner, Oicetti).

ORDINANCE 98-40

It was moved and seconded that Ordinance 98-45 be introduced and read by title only. Clerk Williams read the ordinance. It was moved and seconded that Ordinance 98-45 be adopted.

Sueann Montgomery said that this ordinance merely clarifies our EMC, noting that an infraction can occur more than one time a day; dogs can be picked up more than once, the noise ordinance can be violated more than once. Section I deals with routine violations; Section II deals with parking violations that occur more than once a day. A ticket can be issued for each violation and if a vehicle is parked for more than two hours, each two hour parking ticket is considered a separate violation.

Missling expressed concern about parking signage not being in place. Pat Patterson said that appropriate signage is almost ready to be put in place.

Gardner asked why the main focus is on parking now. It seems like overall, when we are trying to get people to come downtown.

The ordinance received a roll call vote of Ayes:6, Nays:0. Abstain:1 (Gardner).

ORDINANCE 98-41

It was moved and seconded that Ordinance 98-44 be introduced and read by title only. Clerk Williams read the ordinance. It was moved and seconded that Ordinance 98-44 be adopted.

There was no major discussion and the ordinance received a roll call of Ayes:7, Nays:0.

It was moved and seconded that the following ordinance be given first reading before the council.

FIRST READING

Ordinance 98-45 An Ordinance Concerning the Annexation of Adjacent and Contiguous Property.

There were no petitions or communications from the

PETITIONS AND

COMMUNICATIONS

public.
It was announced that the Council would not meet next week.

ADJOURNMENT

The meeting was adjourned at 9:10 P.M.

APPROVE:

ATTEST:

Pam Service, President
Bloomington Common Council

Patricia Williams,
Clerk, City of
Bloomington