

AGENDA
COMMON COUNCIL REGULAR SESSION
7:30 P.M. WEDNESDAY,
JULY 1, 1987
COUNCIL CHAMBERS

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. APPROVAL OF MINUTES, JUNE 17, 1987
- 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/VOTE

Ordinance 87-26 To Amend the Outline Plan for the Planned Unit Development, re: Winslow Rd (The Trend Group)

Committee Recommendation: Forwarded Without Recommendation 5-2

Ordinance 87-27 To Amend Chapter 6.12 of the Bloomington Municipal Code Entitled "Smoking in Public Places"

Committee Recommendation: Do-Pass 7-0

VII. LEGISLATION FOR FIRST READING:

- 1. Ordinance 87-28 To Amend Title 17 of the Bloomington Municipal Code Entitled "Construction Regulations"
- 2. Appropriation Ordinance 87-7 To Specially Appropriate from the Local Road and Street Cumulative Capital Development Fund, Parking Meter and General/Personnel Department Funds Expenditures Not Otherwise Appropriated.
- 3. Ordinance 87-30 To Ratify and Approve and Agreement In Lieu of Annexation
- 4. Ordinance 87-31 To Amend Ordinance 79-74 re: The Special Non-Reverting Improvement Fund
- 5. Ordinance 87-32 An Ordinance Authorizing the Issuance and Sale of Floating/Fixed rate of Economic Development Refunding Revenue Bonds for the Kroger Company.

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

IX. ADJOURNEMENT

In the Council Chambers of the Municipal Building held on Wednesday, July 1, 1987, at 7:30 P.M. with Council President Mayer presiding over a Regular Session of the common Council.

COMMON COUNCIL
REGULAR SESSION
JULY 1, 1987

Roll Call: Service, Regester, Mayer, Olcott, Gross, Murphy, Foley, Young. Absent: Porter.

ROLL CALL

The minutes of June 17, 1987 were approved by a voice vote.

APPROVAL OF MINUTES

Service announced the next Recycling Committee meeting and the ground breaking ceremony that was held this morning for the new bus terminal.

MESSAGES FROM
COUNCIL MEMBERS

Regester thanked everyone who participated in the 4th of July Parade honoring our Vietnam Veterans.

Olcott applauded Otis on their expansion and commented on the favorable economic growth in Bloomington.

Mayer extended the sympathies of the entire Council to the family of Judge Nat. U. Hill who passed away this week.

MESSAGES FROM
MAYOR

Mayor Allison also offered her condolences to the Hill family. The Mayor also congratulated Sheila Stephens, the new Miss Indiana, who is from Bloomington - there will be a reception for Stephens on Sunday, July 5, 1987 at Westbury Underground. Allison also referred to a recent press conference comment regarding the police department by mayoral candidate Tim Ellis.

Olcott moved and Foley seconded the motion that Ordinance 87-26 be introduced and read by title only. Clerk Williams read the ordinance.

LEGISLATION FOR
SECOND READING/
VOTE
ORDINANCE 87-26

Olcott moved and Foley seconded the motion that Ordinance 87-26 be adopted. Service gave the committee report.

Toni McClure, Planning Department, offered the following changes to the original request: side walks along the south side of Winslow Road, planeing off the Winslow Road hill, raise the level of access lanes into the subdivision with an increase from 48 to 53 lots and a RS zoning.

Ted Najam represented the petitioner, said the PUD offered the most advantages to the surrounding areas, requiring a 25' set back from the Sherwood Oaks area in fact with utility easements, the set back would be closer to 30'.

Olcott asked how much of the hill comes off and Najam and Fanyo both discussed the angles and line of sight improvements..

Phyllis McCullough noted that this type of development would generate 300-400 car trips per day.

Jim White felt this development was the creation of a 'monster' and asked that it be developed with the least density possible.

Steve Ferguson, representing several Sherwood Oaks residents expressed concern about back yard buffer zones and asked that a tree cutting restriction be included in the neighborhood covenant and also prevent but buildings and storage sheds along the back lot lines.

Wesley Ratliff, was concerned about traffic and the maintenance of the buffer zones.

Professor Altoma also expressed concerns about the traffic.

Najam said that while he understood the concerns about traffic, it is not possible to improve and modernize the various streets and roads without development taking place first.. "Development creates the imperative to apply for matching funds, etc.". He disagreed with Ferguson about the tree line request noting that trees do die and have to be cut down.

Murphy asked about moving the entrance to the subdivision further east and McClure said that would be even more complex because of right-of-way problems.

Regester proposed the following amendment: that each lot be a minimum of 7200 sq. ft., that the vegetative buffer and landscaping be preserved and that a 25' setback variance on the front of each lot be allowed.

Fanyo said that this was not acceptable to the developers at this time and both he and Jeff Fanyo expressed surprise at the amendment and request changes, noting that the PUD and various road and sidewalk proposals are a much better offer for the surrounding areas.

Olcott thought that the promises extracted from the developer were good ones, that the improvements were worth it all and that the negotiation process between developer and neighbors had worked.

Regester thought that decisions like this have to be made on a case by case basis.

John Williams, a citizen, thought the whole area was being over developed. Amahl Altoma expressed concern about traffic and safety.

Olcott said that if the amendment passes he would move to table the ordinance.

The amendment received a roll call vote of Ayes:5, Nays:3 (Young, Gross, Olcott).

The motion to table the ordinance received a roll call vote of Ayes:7, Nays: 1 (Regester)

Olcott moved and Foley seconded that motion that Ordinance 87-27 be introduced and read by title only. Clerk Williams read the ordinance.

ORDINANCE 87-27

Olcott moved and Foley seconded the motion that Ordinance 87-27 be adopted. Service gave the committee report. There was no discussion.

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 by the Clerk for first reading before the Bloomington Common Council.

Ordinance 87-28	LEGISLATION FOR
Ordinance 87-28 To Amend Title 17 of the BMC entitled "Construction Regulations"	FIRST READING:
App. Ord. 87-7 To Specially Appropriate from the Local Road and Street Cumulative Capital Development Fund, Parking Meter and General/Personnel Dept. Funds Expenditures Not Otherwise Appropriated.	ORD. 87-28
Ordinance 87-30 To ratify and Approve and In Lieu of Annexation Agreement.	APP. ORD. 87-7
Ordinance 87-31 To amend Ordinance 79-74 re: the Special Non-Reverting Improvement Fund	ORD. 87-31
Ordinance 87-32 An Ordinance Authorizing EDC Bonds for the Kroger Co.	ORD. 87-32
	ORD. 87-30

There were no petitions or communications.

The meeting was adjourned at 9:25 P.M.

APPROVE:


Timothy, Mayer, President
Bloomington Comm

ATTEST:


Patricia Williams,

PETITIONS
ADJOURNMENT