

AGENDA
COMMON COUNCIL REGULAR SESSSION
7:30 PM, OCTOBER 15, 1986
COUNCIL CHAMBERS

REVISED

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. APPROVAL OF MINUTES FOR OCTOBER 1, 1986
- 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 86-38 To Request the Environmental Commission to Contract for Testing of Run-Off and Drainage Sites at the Fell Iron and Metal Site, and to Request the Utilities Service Board to Investigate Inclusion of the Site in the Bloomington-PCB Consent Decree

Committee Recommendation: None

2. Ordinance 86-51 An Ordinance Amending Certain Provisions of Title 15 of the Bloomington Municipal Code Pertaining to Municipal Parking Lots and Garages and Limited Parking Zones

Committee Recommendation: Do-Pass 9-0

3. Resolution 86-37 To Approve Application and Authorize Loan from the Bloomington Industrial Incentive Loan Fund (Public Investment Corporation)

Committee Recommendation: Do-Pass 9-0

4. Ordinance 86-55 To Amend the Bloomington Zoning Maps from RS to BA/PCD and Grant Outline Approval Re: 2485 West Bloomfield Road (Bill Brown, Petitioner)

Committee Recommendation: Do-Pass 9-0

5. Ordinance 86-56 To Amend the Bloomington Zoning Maps from RM to BL re: S/E Corner of Grimes and Rogers Streets (I.U. Foundation, Petitioner)

Committee Recommendation: Do-Pass 8-1

VII. FIRST READINGS:

1. Ordinance 86-57 To Amend Chapter 2.04 of the Bloomington Municipal Code Entitled "Common Council"

2. Ordinance 86-58 To Vacate a Public Parcel (Re: Alley located in the Block bounded by Third St., Rogers St., Jackson St., and Prospect, Bill Sturbaum, Petitioner)

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, October 15, 1986, at 7:30 P.M. with Council President Regester presiding over a Regular Session of the Common Council.

COMMON COUNCIL
OCTOBER 15, 1986
REGULAR SESSION

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

ROLL CALL

Regester gave the agenda summation.

AGENDA SUMMATION

The minutes of October 1, 1986 were approved by a voice vote.

APPROVAL OF MINUTES

Service reminded people that November 4, 1986 was election day and that voting was particularly important this year because of the parks district referendum.

MESSAGES FROM
COUNCILMEMBERS

Olcott noted that probably for the first time he and Service agreed and he too asked that voters carefully consider the parks referendum. He also thanked the street dept. for the traffic light at Covenantur and College Mall Road.

Foley read the text of a letter he sent to the EPA regarding PCB testing at Fell Iron last summer. (Answers have been made to other appointed and elected officials and the City, despite Foley's letter has not received any response). Letter is attached to and made part of the minutes.

Regester announced that Gross has resigned as the Council's appointment to the Plan Commission. It was moved and seconded that Murphy be appointed to the Plan Commission. It was approved by a voice vote.

APPOINTMENTS TO
BOARDS AND COMMISSIONS

Olcott moved and Foley seconded that motion that Resolution 86-38 be introduced and read by title only. Clerk Williams read the resolution by title only.

LEGISLATION FOR
SECOND READING
RES. 86-38

Olcott moved and Foley seconded the motion that Resolution 86-38 be adopted. Service read the entire resolution.

Foley urged unanimous support for this resolution expressing concern about pedestrian traffic in the area, two churches and an elementary school. The EPA has known about the hazardous metals and compounds found in the tested area and this resolution urging the Environmental Commission to contract for testing and the USB to include this site in the clean up should have wide spread support. Murphy also supported the resolution and said the Fell Iron situation was of legitimate concern. Westinghouse has said they would take care of other sites and then the provision for other sites was

not included in the consent decree, "That's why I voted against the decree", he said. "Jim Cantrell brought all of this to our attention and we all owe him a debt of gratitude".

Mayor Allison supported the Council in this effort and applauded their foresight for setting aside the the monies in the EC budget.

Chris Gardner said he was pleased with the resolution. He was concerned because the 2/11/85 document to the Monroe County Health Dept said the Fell Iron site contained 750,000 ppm and that represents the most contaminated reading in Monroe County. He cited clause 17 in the consent decree saying that if future sites are discovered then Westinghouse must implement an approach to begin a clean-up.

Murphy asked if the EPA didn't remove a cap tested realized the enormity of the problem and capped the area. Murphy continued by saying that between October 18-24, 1985 caps were removed and the contamination level was still at 26ppm when tested.

Jon Canada also supported the resolution and was upset that there was no response until 2 weeks ago. He said he could not understand the logic of allowing a business to continue when it presented such a hazard.

Regester asked Service is 1900 S. Maxwell St has been investigated. Service said the EPA ran tests and did a remedial clean up. The problem is that the City cannot go in and close a business, but the Health Dept. can do so. If the EC tests show run off andperhaps we should barricade the area.

Sara Hurtt urged the Council to resolve this issue humanly and to listen to the people who come back week after week. There has to be a meeting point. Let's say the incinerator is not the best solution. Let's say the incinerator is not a good deal for us.

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

Olcott moved and Foley seconded the motion that ORD. 86-51 Ordinance 86-51 be introduced and read by title only. Clerk Williams read the resolution by title only.

Olcott moved and Foley seconded the motion that Ordinance 86-51 be adopted.

The Mayor said she appreciated the Council's willingness to allow the fee changes for the parking lots to be considered and studied more carefully.

It was moved and seconded that the following amendment be considered: that the block restrictions be adopted according to legend as stated in ordinance

and that the quarterly fee for Class B permits be \$45.00 or \$17.50 per month.

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

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

Olcott moved and Foley seconded the motion that Resolution 86-37 be introduced and read by title only. Clerk Williams read the resolution. RES. 86-37

Olcott moved and Foley seconded the motion that Resolution 86-37 be adopted.

Olcott complimented the administration for putting together a plan to help Public Investment Corp. who has done so much to bring development to Bloomington.

Sara Hurt praised the Council for their support of small businesses and expressed concern about the service oriented society rather than the small business direction so badly needed in our economy. She urged that guidelines be rewritten to include the smaller business.

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

Olcott moved and Foley seconded the motion that Ordinance 86-55 be introduced and read by title only. Clerk Williams read the ordinance. ORD. 86-55

Olcott moved and Foley seconded the motion that Ordinance 86-55 be adopted.

Gross removed herself from the discussion and vote.

Mueller described the 16 acre tract on Bloomfield Road west of the By-Pass as a good site for development with a list of permitted uses broadly defined and as an area for retail or highway oriented development. The state will construct a new Hickory Leaf access. Mueller said that no one spoke against the plan at Plan Commission level and that the plan received a favorable recommendation by staff.

Ernie Howe, 3701 Oakleaf Drive was puzzled that there was a hearing and no one protested. In talking with his neighbors only one person knew anything about the plan. He felt that some areas could remain tranquil without the hodge podge of development everywhere. He asked if the rumors of a medical center were true.

Jean Johns, another area resident, asked what the plans were, opposing a shopping center, concerned that everything "seemed so secretive", and finally

that the Council table the request so that further deliberation could be made.

Mueller maintained that nothing was conducted in secret, the plan commission meetings are certainly open to the public and the newspaper does discuss the various agendas. He said Corporate Medical Services is the name of the development corp. and not what might be built in the area.

Steve Smith was available for comment and said the only change is a request for a BA rezone to Ba/PCD and that the objective is to plan the future traffic patterns at the time plans are made for the actual development of the tract.

Murphy asked if the development would be built only when the state makes the road improvements. Smith said no.

Bill Brown, the petitioner, said that no medical facility is planned on this tract, and in fact, nothing is planned as of this moment.

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

Olcott moved and Foley seconded the motion that Ordinance 86-55 be introduced and read by title only. Clerk Williams read the ordinance.

ORD. 86-55⁶

Olcott moved and Foley seconded the motion that Ordinance 86-55⁶ be adopted.

There was no discussion and the ordinance received a roll call vote of Ayes:7, Nays:1 (Service).

It was moved and seconded that the following ordinances be introduced and read by title only for first reading.
Ordinance 86-57 To Amend Chapter 2.04 of the Bloomington Municipal Code Entitled Common Council Re: Mayoral Veto of Zoning Ordinances.
Ordinance 86-58 To Vacate a Public Parcel
Petitioner: Bill Sturbaum.

L LEGISLATION FOR
FIRST READING
ORD. 86-57
ORD. 86-58

There were no petitions or communications. It was announced that there would not be a committee meeting next week, therefore, the next meeting would be Wednesday, November 5.

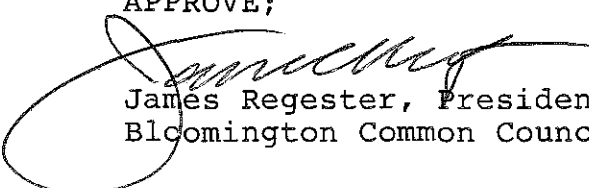
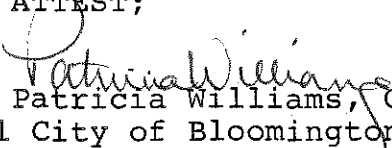
PETITIONS AND
COMMUNICATIONS

The meeting was adjourned at 9:30 P.M.

ADJOURNMENT

APPROVE;

ATTEST;


James Regester, President

Patricia Williams, Clerk
Bloomington Common Council City of Bloomington