

AGENDA
COMMON COUNCIL REGULAR SESSSION
7:30 PM, WEDNESDAY, NOVEMBER 5, 1986
COUNCIL CHAMBERS

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. APPROVAL OF MINUTES FOR OCTOBER 15, 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. Ordinance 86-57 To Amend Chapter 2.04 of the Bloomington Municipal Code Entitled "Common Council"

Committee Recommendation: None
Asked to Attend: Frona Powell, Council Attorney

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)

Committee Recommendation: None
Asked to Attend: Tim Mueller, Plan Director
Bill Sturbaum, Petitioner

VII. FIRST READINGS:

1. Appropriation Ordinance 86-10 To Specially Appropriate from the Local Road and Street Fund Expenditures Not Otherwise Appropriated

2. Appropriation Ordinance 86-11 To Specially Appropriate Fire Station General Obligation Bond Proceeds and Fire Station Construction Fund Expenditures Not Otherwise Appropriated

3. Ordinance 86-59 To Amend the list of uses for the Planned Commercial Development Re: The Southeast Corner of Tenth Street and the 46 Bypass (Jerry Gates, Petitioner)

4. Ordinance 86-60 To Amend the Zoning Maps from RL to ML (1901 S. Rogers, LeeJon Diversified, Petitioner)

5. Ordinance 86-61 To Amend Title 15 of the Bloomington Municipal Code entitled "Vehicles and Traffic" (Re: Misc. traffic amendments)

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

IX. ADJOURNMENT

In the Council Chambers of the Municipal Building held on Wednesday, November 5, 1986, at 7:30 P.M. with Council President Regester presiding over a Regular Session of the Common Council.

COMMON COUNCIL
NOVEMBER 5, 1986
REGULAR SESSION

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

ROLL CALL

President Regester gave the agenda summation.

AGENDA SUMMATION

Service congratulated everyone who participated in yesterday's election. She offered commiserations to the losers and also all the voters who voted against the parks referendum. Now the process of closing facilities and working something more acceptable must begin.

MESSAGES FROM
COUNCILMEMBERS

Olcott also expressed disappointment about the parks referendum. "We've had a wonderful program for years, you pay for what you get, we paid over the years, and now it's over".

Foley compliments Olcott and Vi Simpson for their WTTS election night coverage.

Murphy complimented City Clerk Williams for her bid for state wide office (State Clerk).

Young congratulated the winners in the election and said there were always other elections to look forward to.

Mayor Allison also expressed disappointment about the parks referendum. As stated before we will return to a City Parks Program only, County-wide facilities and programs will stop on January 1, 1987. Also a dual fee system and early closing of Frank Sothern will be implemented. Allison then read the attached proclamation regarding nuclear war.

MESSAGES FROM THE
MAYOR

Service moved and Foley seconded the motion that the Council also support the Mayor's anti-nuclear position. Murphy pointed out that Resolution 82-12 was passed long ago indicating the City has often acted far ahead of it's time.

The Mayors resolution received a voice vote of support by all present.

Iris Kiesling, Chairman of the Telecommunications Council updated the Council on various upcoming changes that will go into effect with the rate increase January 1, 1987. The base rate will be \$13.45 plus tax and additional outlets will be free.

MESSAGES FROM
BOARDS AND
COMMISSIONS

Regester announced that the Council is now

accepting applications for the Traffic Commission.

Olcott moved and Foley seconded the motion that Ordinance 86-57 be introduced and read by title only. Clerk Williams read the ordinance by title only.

LEGISLATION FOR
SECOND READING
ORD. 86-57

Olcott moved and Foley seconded the motion that Ordinance 86-57 be adopted.

Frona Powell, Council Attorney, said that as of September 1, 1986 changes in zoning laws address the question of Mayoral veto and that the Mayor will have veto power over zoning ordinances.

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

Olcott moved and Foley seconded the motion that Ordinance 86-58 be introduced and read by title only. Clerk Williams read the ordinance.

ORD. 86-58

Olcott moved and Foley seconded the motion that Ordinance 86-58 be adopted.

Bill Sturbaum, the petitioner, said that the area is very hilly and when street and alleys were developed, the alley was cut into a hillside. Over the years, with erosion, the retaining walls are crumbling, the uneven grade of the alley presents serious drainage problems and he is requesting the vacation so that he can repair the walls and address the drainage problems.

Tim Mueller said that in the '80s a more liberal stance on vacations was taken and the thinking now is that vacations in the interest of property owners are not going to be granted if we might see the need for future development. Third Street area is subject to change and while the vacation will improve the particular site, there will be no benefit to the community at large. Staff recommended against the vacation on the basis of criteria.

Olcott asked if we do anything to maintain the area. Mueller said no.

Theresa Miller, an area resident, addressed the question of benefit to the community. She thought the maintenance of older historic neighborhoods was of benefit to all.

Pat Burchfield, representing the petitioner, said the Plan Commission's position does not conform to I.C/ 36-3-7-13.

Service said the criteria stated are general and she in the past has always been reluctant to approve vacations unless something definite will be done

Gross complimented Sturbaum on his various projects and said this was a downtown neighborhood. She thought the Council should extend the same courtesy and consideration to this type of "development" request as any of the other vacations we have granted in the downtown. "Bill Sturbaum's stability is a credit to the neighborhood".

Service wondered if development or repairs could be done without the vacation.

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. Clerk Williams read the ordinances by title only for first reading by the Council.
Appropriation Ordinance 86-10 To Specially Appropriate from the Local Road and Street Fund Expenditures Not Otherwise Appropriated.
Appropriation Ordinance 86-11 To Specially Appropriate Fire Station General Obligation Bond Proceeds and Fire Station Construction Fund Expenditures Not Otherwise Appropriated.
Ordinance 86-59 To Amend the List of Uses for the PCD at the SE corner of 10th and the Bypass (Jerry Gates, Petitioner)
Ordinance 86-60 To Amend the Zoning Maps from RL to ML re: 1901 S. Rogers St. LeeJohn, petitioner.
Ordinance 86-61 To Amend Title 15 of the BMC entitled "Vehicles and Traffic" re: misc. traffic changes.

LEGISLATION FOR
FIRST READING

- APP. ORD. 86-10
- APP. ORD. 86-11
- ORD. 86-59
- ORD. 86-60
- ORD. 86-61

It was moved and seconded that Ordinance 86-59 be introduced and read by title only for second reading. (Waiver requires unanimous consent of councilmembers present). Gates was requesting the waiver of second reading in order to speed up the rental/lease process. He said that it has already been a long delay and he would hope to get started on the process.

REQUEST FOR
SECOND READING

The request received a roll call vote of Ayes:7, Nays:1 (Service). The request failed and the ordinance will be discussed at committee next week with a final vote on November 19, 1986.

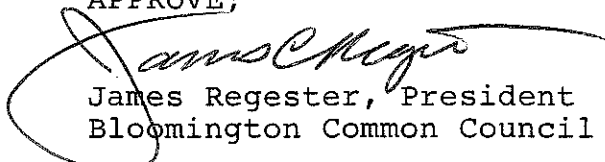
There were no petitions or communications.

PETITIONS AND
COMMUNICATIONS

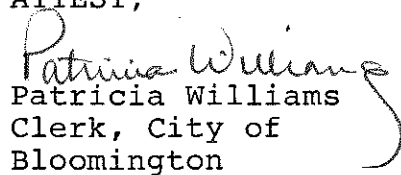
The meeting was adjourned at 8:45 P.M.

ADJOURNMENT

APPROVE;


James Regester, President
Bloomington Common Council

ATTEST;


Patricia Williams
Clerk, City of
Bloomington