

AGENDA

COMMON COUNCIL REGULAR SESSSION

8:00 PM, WEDNESDAY, APRIL 17, 1985

(Immediately Following Public Meeting on South Side of the Square Project)

COUNCIL CHAMBERS

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. APPROVAL OF MINUTES OF APRIL 3, 1985
- IV. REPORTS FROM:
  1. COUNCILMEMBERS
  2. THE MAYOR AND CITY OFFICES (Cable Consultant Report)
  3. COUNCIL COMMITTEES
- V. LEGISLATION FOR SECOND READING AND RESOLUTIONS
  1. Resolution 85-12 Inducement Resolution for Cedargate Apartments of Bloomington ii, Ltd. (Cardinal Industries, General Manager)  
Committee Recommendation: Do-Pass: 9-0
  2. Resolution 85-13 Inducement Resolution for Acadia Court Apartments of Bloomington, Ltd. (Cardinal Industries, General Manager)  
Committee Recommendation: Do-Pass: 9-0
- VI. FIRST READINGS
  1. Ordinance 85-15 To Amend Title 20 of the Bloomington Municipal Code Entitled "Zoning" Re: Number of unrelated adults permitted in dwelling units in RS or RE zones
  2. Ordinance 85-16 To Amend the Bloomington Zoning Maps from RE to PUD (Ruth Kivett-Burns)
  3. Ordinance 85-17 To Amend the Bloomington Zoning Maps from RE to RS/PUD (E.R.W. Corporation)
  4. Ordinance 85-19 To Amend the Bloomington Zoning Maps from RL to ML/PCD (Nate Silverstein)
- VII. PRIVILEGE OF THE FLOOR (This section of the agenda will be limited to 45 minutes maximum, with each speaker limited to five minutes.)
- VIII. ADJOURNMENT

In the Council Chambers of the Municipal Building held on Wednesday, April 17, 1985 at 8:00 P.M. with Council President Gross presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
APRIL 17, 1985

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

ROLL CALL

Gross gave the agenda summation.

AGENDA SUMMATION

The minutes of April 3, 1985 were approved by a voice vote.

APPROVAL OF MINUTES

Murphy expressed concern about the recent United Way Board decision to eliminate the labor liaison with the United Way Board of Directors. Steve Norman, who has served in that position, did a remarkably good job and a severe injustice has occurred in just "casting off" labor in this community-wide effort to raise funds.

MESSAGES FROM  
COUNCILMEMBERS

Foley hoped that something could be worked out about this impasse between labor and the United Way. He said that union members are aware of this and are angry about being "shut out".

Service called attention to the new TREE CITY USA flag flying over Bloomington.

Mayor Allison said that the PCB consent decree passed the Environmental Management Board and now the consent decree goes on to the Federal Courts for approval. She congratulated Marilyn Schultz on her award as the "Big Wheel of the year" awarded by the Journalists Society. Allison complimented Linda Crawford, Donna Robinson and Jerimiah Young for their "Fight Dirty" campaign aimed at cleaning up the community this past weekend. Allison also called attention to Douglas Hofstadter's new book that is dedicated to Bloomington "For all the times we shared".

MESSAGES FROM  
MAYOR

Iris Kiesling introduced Howard Friedman, consultant with Cooper Rutter who is conducting the cable study, discussed the essential aspects of his report. He broke the presentation into three separate categories; technical, financial and legal. Technical aspects were reviewed by an engineer who conducted an onsite inspection. The report states there is a single leakage problem caused by ham operators and the problem of visual quality. Channel 12 is troubled by horizontal lines and Channel 6 has white sparkles. Test measurements exceed the FCC requirements and the leakage is the result of "drops" and not the distribution system itself. The City's options are several: we could add 5 more channels for about \$40,000 although it would certainly be more difficult to add 10 channels. The consultant recommends that the operator dedicate a person to deal with the single leakage problem, that the operator maintain a separate log of radiation problems, that the operator replace defective drops and that the operator replace defective Channels 6 and 12. The system itself is in pretty good shape, according to Friedman. Financial; the cost of service study. Ca. TV should not be compared to a public utility. There are economic development considerations that are necessary to factor the rate of return and the difficulty in cable is that it is not easy to determine just what is an equitable rate of return. TCI's rate of return is reasonable although it was difficult to get the information from the company to make that determination. Legal and the Impact of new Cable Legislation. Under the new regs, and after 1987, there will be even more de-regulation. Cities will not have the power to regulate any rates after 1987 and franchise fees can be as much as 5% after January 1987. The consultant recommends that the City draft a renewal for 10 to 15 years allowing

COMMITTEE REPORT

the operator enough time to effect recommendations and have some understanding about getting information from Denver. That was one of the main problems in evaluating the system.. Friedman said that if the Mayor, the Common Council and the City should go forward and award this franchise then the operator should be more amenable and more responsive. "Have someone from Denver here", Friedman said.

Olcott moved and Foley seconded a motion that Resolution 85-12 be introduced and read by title only. Clerk Williams read the ordinance by title only.

LEGISLATION FOR  
SECOND READING  
RES. 85-12

Olcott moved and Foley seconded a motion that Resolution 85-12 be adopted. Young gave the committee report.

There was no discussion and the resolution received a Do-Pass recommendation of 9-0.

Olcott moved and Foley seconded a motion that Resolution 85-13 be introduced and read by title only. Clerk Williams read the resolution by title only.

RES. 85-13

Olcott moved and Foley seconded a motion that Resolution 85-13 be adopted. Young gave the committee report.

Service asked if the units were handicapped accessible. Cardinals representative said there is one building in Brandon Ct. that has a ramp and outside railings. The management will put up grab bars in bathrooms at tenant's requests. He did not know if Acadia Courts would have the extra facilities.

Regester asked if Cardinal Industries had options on the rest of the 20 ac tract since they are only building on 9.8 ac. The representative did not know.

Young asked about the heating. It is zone heating (gas) with the vents running only along the front of each unit. The back of each unit is adjacent to the other apartment so it is not an exterior wall that has to be heated. The average cost of heating and cooling is about \$40/month.

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

Olcott moved and Foley seconded a motion that the following ordinances be introduced and read by title only. Clerk Williams read the ordinance by title only.

LEGISLATION  
SECOND READING:  
ORD. 85-15  
ORD. 85-16  
ORD. 85-17  
ORD. 85-19

Ordinance 85-15 To Amend Title 20 of the BMC entitled "Zoning" re: number of unrelated adults permitted in dwelling units in RS or RE zones.

Ordinance 85-16 To Amend the Bloomington Zoning Maps from RE to PUD (Ruth Kivett Burns)

Ordinance 85-17 To Amend the Bloomington Zoning Maps from RE to RS/PUD (E.R.W. Corp)

Ordinance 85-19 To Amend the Bloomington Zoning Maps from RL to ML/PCD (Nate Silverstein).

There were no petitions or communications.

PETITIONS AND  
COMMUNICATIONS  
ADJOURNMENT

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

APPROVE:

ATTEST:

Patricia A. Gross  
Patricia Gross, President  
Bloomington Common Council

Patricia Williams  
Patricia Williams,  
City of Bloomington

APPROVE: May 1, 1985