

AGENDA

COMMON COUNCIL REGULAR SESSSION

7:30 PM, WEDNESDAY, JUNE 19, 1985

COUNCIL CHAMBERS

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES OF June 5, 1985

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 85-22 To Designate the Property Located at 120 West Seventh Street (Masonic Temple) as an Economic Revitalization Area

Committee Recommendation: Do Pass 8-0

2. Ordinance 85-25 To Amend Chapter 20.10.08 of the Bloomington Municipal Code (Downtown Density)

Committee Recommendation: Do Pass 8-0

3. Ordinance 85-26 To Amend the Bloomington Zoning Maps from RE to ML/PCD and to Give Outline Approval for the PCD re: NE Corner of State Road 37 and Tapp Road (Ray Moore and Bill Reeves, Petitioners)

Committee Recommendation: Forward without recommendation 7-0

4. Ordinance 85-27 To Amend Title 15 of the Bloomington Municipal Code Entitled "Vehicles and Traffic" (Miscellaneous traffic changes)

Committee Recommendation: Do Pass 7-0

VII. FIRST READINGS

1. Ordinance 85-28 An Ordinance Creating Additional Classes of Annual Parking Permits and Monthly Parking Permits, Designating the Hours of Operation for Parking Meters in Municipal Parking Lots, Establishing Hourly Parking Charge for Some Municipal Parking Lots and Determining Fines for Most Parking Violations

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, June 19, 1985, at 7:30 P.M. in the Council Chambers with Council President Gross presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
of the JUNE 19, 1985

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

ROLL CALL

Gross gave the agenda summation.

AGENDA SUMMATION

Gross welcomed Service, Porter and Clerk Williams back from their world travels.

MESSAGES FROM
COUNCILMEMBERS

The minutes of June 5, 1985 were approved by a voice vote.

APPROVAL OF MINUTES

Service noted with regret the loss of the Princess Theater. (The structure collapsed this past week).

MESSAGES FROM
COUNCILMEMBERS

Murphy commented on a recent article in the Louisville Courier-Journal newspaper regarding the recalling of the U.S. Envoy to South Africa. Murphy quoted Herb Kalb, speaking for the U.S. State Department, that this action is tantamount to a public statement that there are serious problems in South Africa. Again, he defended the actions of the Common Council when they passed a recent resolution urging the University to divest their interests in South Africa.

Gross read a letter from special counsel Geoff Grodner regarding the 30 day period for public comment regarding the consent decree.

Mayor Allison took advantage of a recent contest "win" and went for an airplane ride over Bloomington and viewed the various projects around the city. She also praised local Bloomington artists for their recent awards and achievements. James Underwood will have his musical composition performed by the Indianapolis Symphony in September and the Art Directors Club of Indianapolis presented the Kappitan Award to Ned Shaw and Joseph LaMantia of Bloomington for their outstanding work.

MESSAGES FROM
THE MAYOR

It was moved and seconded that the following persons be appointed to organize the Parking Garage Holding Corporation:

APPOINTMENTS TO
PARKING BOARD

James Wray
Alfred Towell

The appointments were approved by a voice vote of the entire council.

Olcott moved and Foley seconded a motion that Resolution 85-22 be introduced and read by title only. Clerk Williams read the resolution by title only.

RES.85-22

Olcott moved and Foley seconded a motion that Resolution 85-22 be adopted. Olcott gave the committee report.

There was no discussion and the resolution received a roll call vote of Ayes: 9, Nays: 0.

Olcott moved and Foley seconded a motion that Ordinance 85-25 be introduced and read by title only. Clerk Williams read the ordinance by title only.

ORD.85-25

Olcott moved and Foley seconded a motion that Ordinance 85-25 be adopted. Olcott gave the committee report.

Tim Mueller gave a brief summary and noted that there was a small change in the boundary, namely, the eastern boundary will change from Indiana to Dunn Street. (The correct map is attached to the ordinance).

There was no further discussion and the ordinance received a roll call vote of Ayes: 9, Nays: 0.

Olcott moved and Foley seconded a motion that Ordinance 85-26 be introduced and read by title only. Clerk Williams read the ordinance by title only.

ORD.85-26

Olcott moved and Foley seconded a motion that Ordinance 85-26 be adopted. Olcott gave the committee report.

Gross read a letter from the Monroe County Commissioners expressing their

concern about the proposed rezoning. (That letter is attached to the original minutes).

Tim Mueller presented a summary of the tract and suggested different ways this tract was unlike the recent 'north corridor discussions'. This tract has relatively good by-pass access, there is already a sewer and lift station to the south and the reconditioning of an unused railroad spur is an added attraction. "There are some rough spots and water lines would have to be laid", said Mueller.

Murphy asked Mueller to compare the request with the PTS request on North 37 that occurred several years ago. Mueller said it was somewhat different. PTS was asking for a cut onto the by-pass and there wasn't a traffic signal in place as there is at Tapp Rd. and the 37 By-Pass. Mueller went on to say that PTS was eventually denied because we did not want a "Kokomoization" of the by-pass. This plan calls for 60' setbacks that will act as a very dense screen and it will be strictly an industrial park, not other commercial businesses.

Gross asked what the actual process would be. Mueller said it would be a two-stage process; tonight's procedure and then the second stage whereby the development plan is approved by the Plan Commission.

Olcott asked if any other areas were so designated and Mueller said the area at Curry Pike and Vernal Pike as well as Nate Silverstein's Miller Drive and Henderson is zoned industrial.

Mayer asked what would happen if the rezoning was rejected. RE development is very unlikely, said Mueller, probably low density condos or higher density apartments would be constructed.

Olcott asked about Camp Wapahani and Mueller said he had no idea if the site was developable.

Thayr Richie said that he has surveyed the existing industrial areas in our community and very few have the full infrastructure to support an industrial park.

Steve Smith said that the main drive into the park has been reworked to eliminate the hazards of the hills on Tapp Road and Frank Barnhart said this would be an esthetically pleasing business and light manufacturing industrial area.

Richard Petermichael, President of the Neighborhood Association, said the issues are not just setbacks or types of buildings. The planners have failed to present a case that the area is really developable; the property has been purchased with the intent to rezone under the guise that it is beneficial to the community, other sites are available, the safety problems with Tapp Road are very real and the noise and pollution will certainly not improve the marketability of our homes.

Martha Moore, Secretary of the Association, said that many people in this area are first time homeowners and marketability is a very important factor for them.

Ted Frick, representing 21 families on Weimer Road presented a petition from 30 residents asking the Council to consider only RE development. John Rites did not think that the 60' setbacks offered much of a separation. Merce Thornberry, a Tapp Road resident, said that people assumed that the RE zoning would remain when they bought their homes and he was concerned that there was almost a "mindset" about the area and that it is already considered industrial. Charles Brown said the counter on Tapp Rd was only there one day and that is hardly adequate to assess the Tapp Rd traffic. He also raised the issue of Camp Wapahani and the interest that the Boys Club has expressed in the area. Right now there is a problem with trash being dumped in the area and rats that have invaded because of the trash. Camille Rice said the Sheriff said that Tapp Rd and the ByPass were the most dangerous intersection in the County.

Bill Cullen said that high tech and development families are going to want to live near their work area and this will be a big plus for the park and surrounding residential area. Richard Scifers, Charles Russo and June Briscoe also spoke against the rezoning.

Paul Grudis, representing the Boys Club, said he had not had an opportunity

to discuss Camp Wapahani with his Board even though people have discussed the possibility of a Wilderness Camp Site. He did not know why the Boy Scouts left, but it is a beautiful area that has been badly neglected.

Charlotte Zietlow, said that Tapp Road is not in good condition, greater study is needed because a major development will impact the county considerably.

Murphy said that after listening the many discussions of this request he thought that it was very much a "spot rezoning", not sure that the property is developable and not sure that industry will grow at such a rate that more areas need to be rezoned. The growth that is taking place is by companies that are already here.

Olcott said that he could agree with Murphy on several points but that somewhere in Bloomington we have to provide jobs for people and this is one way of doing that.

Service said that is is different than the PTS question. This area is already developed, there is road access, and there would not be an adverse impact on the area.

Gross thanked everyone for their input.

The ordinance received a roll call vote of Ayes: 6, Nays: 3
(Mayer, Foley, Murphy).

Olcott moved and Foley seconded a motion that Ordinance 85-27 be introduced and read by title only. Clerk Williams read the ordinance by title only. Olcott moved and Foley seconded a motion that Ordinance 85-27 be adopted. The committee report was given.

ORD. 85-27

There was no discussion and the ordinance received a roll call vote of Ayes: 9, Nays: 0.

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

FIRST
READINGS:
ORD. 85-28

Ordinance 85-28 An Ordinance Creating Additional Classes of Annual Parking Permits and Monthly Parking Permits, Designating the Hours of Operation for Parking Meters in Municipal Parking Lots, Establishing Hourly Parking Charge for Some Municipal Parking Lots and Determining Fines for Most Parking Violations.

Rick Hays thanked the Council for all of their support over the years and presented the Council, Clerk and Frona with Tee-Shirts as a token of this appreciation. Gross thanked Hayes and his staff for all the many hours of TV coverage Channel 3 has provided for the citizens of Bloomington.

PETITIONS

Gross moved that the committee meeting of June 26, 1985 not take place as there is only one item on the agenda.

The meeting was adjourned at 10:00 P.M.

ADJOURNME

APPROVE:

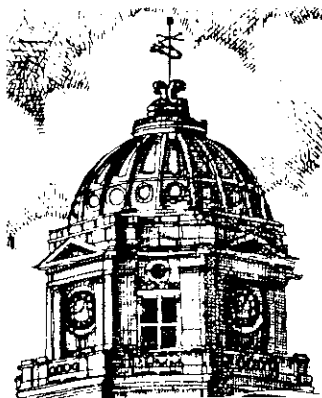
Patricia A. Gross

Patricia Gross, President
Bloomington Common Council

ATTEST:

Patricia Williams
Patricia Williams, Clerk
City of Bloomington

Approved:



OFFICE OF
MONROE COUNTY COMMISSIONERS

Court House, Room 322
BLOOMINGTON, INDIANA 47401

Telephone 333-3550

June 18, 1985

Bloomington City Council
Municipal Building
P.O. Box 100
Bloomington, Indiana 47402
RE: S.R. 37 Bypass/Tapp Road
Industrial Park

Robert Doty
824-9123

Phillip F. Rogers
876-5723

Charlotte Zietlow
339-7188

Dear Council Members:

I would like to take this opportunity to express our concerns pertaining to the above referenced development, discussed with Mr. Raymond Moore, Developer, and Mr. Timothy Mueller, Planning Director, in our office on June 17, 1985.

Let me preface this by confirming our serious concern about economic development in this county, and our recognition of the need for developable land. We are eager to support such development, while still protecting the demands on Highway money, our roads, preventing drainage problems and averting traffic problems

A safe access onto Tapp Road is a necessity. Mr. Mueller stated that a road profile will be submitted for review to assure adequate sight distance. Mr. Moore was informed that if it was determined the verticle alignment of Tapp Road as it exists does not provide the required sight distance, this alignment will have to be corrected at his expense. While Tapp Road looks straight on paper, the rises and falls of the road do present serious problems. Mr. Mueller also stated that an acceleration/deceleration lane and a passing blister will be engineered and submitted for approval. It will be necessary for the developer to submit this design to our engineering staff for review before an access permit is issued.

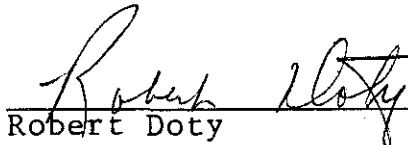
Due to problems with the roadbed when traversed with heavy equipment at this location, a Performance Bond shall be submitted to this office. We have had similar problems in the past with developments along county roads that are of substandard design, such as the Sare/Rogers Roads Developments, that have caused damaged roadbeds, and have left our Highway Department with the burden of funding the reconstruction. Mr. Moore concurred with the request, stating he would work with us.

A final overriding point was raised by this planning decision in the two mile fringe. Decisions made which have impact on public facilities and drainage such as this development, should be shared by both city and county officials so that all the taxpayers of Bloomington and Monroe County are represented and protected in the future, with the additional possibility that costs resulting from such decisions be shared by both jurisdictions, as well.

Sincerely,

MONROE COUNTY COMMISSIONERS


Charlotte Zietlow, President


Robert Doty


Phillip Rogers

CTZ/js

xc: File

ACTING COUNTY HIGHWAY ENGINEER


William E. Williams