

AGENDA  
COMMON COUNCIL REGULAR SESSION  
7:30 PM, WEDNESDAY, DECEMBER 18, 1985  
COUNCIL CHAMBERS

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. APPROVAL OF MINUTES FOR DECEMBER 4, 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 85-45 To Reconfirm Resolution 85-44 Which Designated the Princess Theater Property Located on North Walnut Street as an Economic Revitalization Area  
Committee Recommendation: Do Pass 8-0
  2. Ordinance 85-68 To Amend the 1986 Salary Ordinance for Appointed Officials of the City of Bloomington to Bring the Ordinance into Compliance with Federal Fair Labor Standards Act  
Committee Recommendation: Do Pass 8-0
  3. Ordinance 85-66 To Vacate a Public Parcel Re: South of 13th Street between Fess and Forrest  
Committee Recommendation: Do Pass 7-1
  4. Ordinance 85-63 An Ordinance Authorizing the City of Bloomington to Issue its "Economic Development Revenue Bonds, Series A" (Haskel Prock Project) and Approving Other Actions in Respect Thereto  
No Committee Recommendation (To be Withdrawn at Request of Petitioner)
  5. Ordinance 85-70 Ordinance Authorizing the City of Bloomington to Issue its "Economic Development Revenue Bonds, Series 1985 A and B (Summit Pointe Associates Project)" and Approving Other Actions in Respect Thereto  
Committee Recommendation: Do Pass 7-0-1
  6. Ordinance 85-69 An Ordinance Authorizing Modification of Issuance of Economic Development Revenue Bonds Previously Authorized by the City of Bloomington for Peck, Inc.,  
Committee Recommendation: Do Pass 8-0

7. Ordinance 85-67 To Amend Chapter 2.21 "Department of Law" of Title 2 of the Bloomington Municipal Code (Human Rights Commission)

Committee Recommendation: Do Pass 8-0

8. Resolution 85-43 Resolution Approving and Adopting a Fiscal Plan for the Annexation of Adjacent and Contiguous Territory (West Third Street Area)

Committee Recommendation: Do Pass 6-0-2

9. Ordinance 85-62 Ordinance Concerning the Annexation of Adjacent and Contiguous Property (West Third Street Area)

Committee Recommendation: Do Pass 6-0-2

VII. FIRST READINGS (Second Reading and Vote requires unanimous approval of Councilmembers)

1. Ordinance 85-71 To Transfer Appropriations within the Common Council Budget

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

E N C O M I U M

- WHEREAS: Thomas L. Lemon was Mayor of Bloomington, Indiana from 1948-1952 and again from 1956-1962; and
- WHEREAS: During his years of service to Bloomington, Mayor Lemon was responsible for a number of positive reforms which contributed to the growth that has made Bloomington the belle of southern Indiana; and
- WHEREAS: Under his administration, Bloomington was first awarded the All-America City Award; and
- WHEREAS: Mayor Lemon's most famous achievement is Lake Lemon, which was badly needed to bring water to Bloomington. Lake Lemon, named after the man who worked so tirelessly to bring it into existence, is now a lovely recreational lake; and
- WHEREAS: During Thomas L. Lemon's tenure as Mayor, our City began to grow. With an increased and stable source of water, new industries were attracted to Bloomington; and
- WHEREAS: The Lemon Administration is also known for its improvements to vital services for citizens, and its improved relationship with Indiana University; and
- WHEREAS: Thomas L. Lemon "never met a stranger," and finds himself at home in any situation or environment; and
- WHEREAS: Thomas L. Lemon has continued to honor his home state by creating and presiding over the "Hoosier Society of Florida," which has grown to over 300 members and has received national acclaim through its annual "Hoosier Day" events held each spring in Florida.
- NOW, THEREFORE, I, Tomilea Allison, Mayor of the City of Bloomington, do hereby pay tribute to

THOMAS L. LEMON

one of Bloomington's favorite sons, who led the City into the modern era and left his imprint on our hearts.

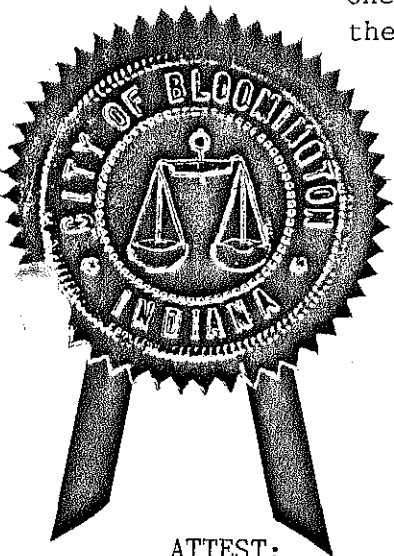
Adopted this 11th day of December, 1985

*Tomilea Allison*

\_\_\_\_\_  
Tomilea Allison  
Mayor  
City of Bloomington

ATTEST:

*Patricia Williams*  
\_\_\_\_\_  
Patricia Williams  
City Clerk



In the Council Chambers of the Municipal Building held on Wednesday, December 18, 1985, with Council President Gross presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
DECEMBER 18, 1985

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

ROLL CALL

Gross gave the agenda summation.

AGENDA SUMMATION

The minutes of December 4, 1985 were approved by a voice vote.

MINUTES APPROVED

Foley thanked Ray Brown and the Bloomington Firefighters for their assistance in helping the Community Kitchen at the Christian Center. This is the third year in a row that the firefighters have collected food and money for the Center.

COUNCIL MESSAGES

Mayer noted that this was the last meeting of 1985 and wished everyone a happy holiday.

Olcott also extended his best wishes and Register commented on the beautiful light display in downtown Bloomington.

Service invited people to stop by the County Museum and see the display of dolls. It will even be possible to see the doll that belonged to Mayor Allison.

Gross also noted that this was the last meeting of 1985. She gave the dates of the January meetings, inviting everyone to the Special Session at Noon on January 6, 1986 for the Election of Officers for 1986.

Mayor Allison thanked the Council, the Council Staff and everyone involved for their assistance and leadership during the past year, especially Pat Gross. "It's been a difficult year and I appreciate the many hours devoted to committee meetings on behalf of the City". Allison then displayed a number of items available for sale by the Senior Citizens at their Craft Shop located in the Older American Center.

MAYORAL MESSAGES

It was moved and seconded that David Walter be appointed to the Redevelopment Commission. It was approved by voice vote. Mr. Walter's term is for one year.

APPOINTMENTS TO  
BOARDS & COMMISSIONS

Olcott moved and Foley seconded the motion that Resolution 85-45 be introduced and read by title only. Clerk Williams read the resolution.

SECOND READINGS  
Res. 85-45

Olcott moved and Foley seconded the motion that Resolution 85-45 be adopted. Register 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 the motion that Ordinance 85-68 be introduced and read by title only. Clerk Williams read the ordinance by title only.

Ord. 85-68

Olcott moved and Foley seconded the motion that Ordinance 85-68 be adopted. Register gave the committee report.

Murphy moved that the following amendment be considered regarding Section II Redevelopment Specialist instead of Rehabilitation Specialist. The motion received a roll call vote of Ayes:9, Nays:0.

Harriet Lipkin said that the City has reviewed every job and every employee's position regarding FLSA practices.

Gross asked that the Resolution of the Board of Public Safety be attached to the minutes of this meeting and entered into the record.

The resolution received a unanimous voice vote of approval.

The ordinance, as amended, received a roll call vote of Ayes:9, Nays:0.

Olcott moved and Foley seconded the motion that Ordinance 85-66 be introduced and read by title only. Clerk Williams read the ordinance by title only.

Ord. 85-66

Olcott moved and Foley seconded the motion that Ordinance 85-66 be adopted. Register gave the committee report.

Service said that she would vote against this vacation request. "If a private citizen came to us with this kind of request, we would turn it down. We would expect specific plans for the site", Service said.

The ordinance received a roll call vote of Ayes:8, Nays: 1 (Service).

Olcott moved and Foley seconded the motion that Ordinance 85-63 be withdrawn at the request of the petitioner. (Ordinance 85-70 is replacing Ordinance 85-63). The ordinance was tabled indefinitely by a unanimous voice vote. Ord. 85-63

Olcott moved and Foley seconded the motion that Ordinance 85-70 be introduced and read by title only. Clerk Williams read the ordinance. Ord. 85-70

Olcott moved and Foley seconded the motion that Ordinance 85-70 be adopted.

There was no discussion and the ordinance received a roll call vote of Ayes:8, Nays:0, Abstentions:1 (Regester)

Olcott moved and Foley seconded the motion that Ordinance 85-69 be introduced and read by title only. Clerk Williams read the ordinance by title only. Ord. 85-69

Olcott moved and Foley seconded the motion that Ordinance 85-69 be adopted. Regester gave the committee report.

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

Olcott moved and Foley seconded the motion that Ordinance 85-67 be introduced and read by title only. Clerk Williams read the ordinance by title only. Ord. 85-67

Olcott moved and Foley seconded the motion that Ordinance 85-67 be adopted. Regester gave the committee report.

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

Olcott moved and Foley seconded the motion that Resolution 85-43 be introduced and read by title only. Clerk Williams read the resolution by title,. Res. 85-43

Olcott moved and Foley seconded the motion that Resolution 85-43 be adopted. Regester gave the committee report.

Gross asked that this resolution and the accompanying ordinance be discussed as a whole and then voted on as separate pieces of legislation.

Murphy said that he would vote in favor of the annexation even though he abstained at committee. Foley noted that it was imperative that service to citizens be the first consideration. Olcott said that if Bloomington is to grow, we have to annex. He commended Joanne DeVoe, Tim Mueller and Jesse Zurschmeide on the excellent documentation they have put together for this annexation proposal and fiscal plan. He noted that he has received two calls in favor of the annexation and none against the plan.

Jeff Kaden, representing the Utilities Department, said that sewers were installed in part of the area under consideration in 1969 and there is no documentation that any rebate agreement with the developer was ever signed. Nine homes were hooked on originally and the hook ons were done at the expense of the developer and no payments were required by the homeowners. In reference to a remark by Mr. Birch last week in which he stated that the sewer project could cost each homeowner as much as \$17,000, Kaden replied that that amount may have been stated in some discussion or other, but that \$60,000 from the Westside industrial fund would also be used for the installation.

Earl Birch thought the City should have sent a certified letter to homeowners in the area. He asked Kaden what the cost would be to the remaining 11 homes that will be hooked on after annexation. Mayor Allison said that Mr. Birch should consider appealing to the USB regarding rebates on sewer lines that they have already paid for.

Murphy asked Kaden if Mr. Birch was eligible for a rebate. Kayden said that the proposal is usually made before the project begins.

Connie Sowell asked why the proposed Bob Evans restaurant was not "in" the annexation plan. Tim Mueller explained the problem of annexing vacant land. Because of the tax freeze, the levy would be fixed at a vacant land rate, so to speak, and the levy would not then cover the cost of services the City would be required to provide. Developed land carries a higher tax levy and this annexation will make it possible to annex future tracts.

Richard Sarchet was in favor of the annexation. He tried to hook on to the existing sewer and the estimated cost was about \$13-15,000. He said that he would save \$96/year in trash collection fees, \$16/year in insurance and street lights will enable him to shut off the gas security light that he pays for. "Property owners in that area have had the City benefits without paying taxes", he said.

Mayer asked if street lighting was included. Allison said that 15 lights will go in.

Tom Schultz said that he has just spent \$1000 on a new septic system and he wished he had known this was going to happen.

Arthur Wenrich had a question about his taxes and JoAnne Devoe said that she would look into the discrepancy in tax amounts for Mr. Wenrich. This tax will be assessed in 1986 and be on the tax rolls in 1987.

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

Olcott moved and Foley seconded a motion that Ordinance 85-62 be introduced and read by title only. Clerk Williams read the ordinance.

Ord. 85-62

Olcott moved and Foley seconded the motion that Ordinance 85-62 be adopted. Register gave the committee report.

Gross thanked the neighborhood groups that participated in the annexation issue.

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

It was moved and seconded that Ordinance 85-71 be introduced and read by title only for first reading by the Clerk  
Ordinance 85-71 To Transfer Appropriations  
Within the Common Council Budget.

FIRST READING  
Ord. 85-71

Olcott moved and Foley seconded the motion that Ordinance 85-71 be given second reading this evening. Roll Call vote waiving the rules was Ayes:9, Nays:0.

SECOND READING OF  
Ord. 85-71

The transfer from travel and contractual services is to accomodate end of the year encumbrances for the Common Council office. There was no further discussion and the ordinance received a roll call vote of Ayes:9, Nays:0.

Mick Harrison addressed the Council regarding the lack of warning signs in areas contaminated by PCBs. He asked the Council to take the initiative in finding out why this is not being done. He offered the assistance of INPirg to work with the City in developing a protocol and a procedure to evaluate other site test results. He spoke for about 20 minutes. Mayor Allison said that she appreciated his offer of constructive assistance. Harrison said that the "offer of assistance should be considered within the next week or so". Allison said that the USB will pass a resolution to contract with Dr. Highland and he will begin meeting with groups concerned about other sites. She said the community concensus building must go on.

FLOOR PRIVILEGE



Service thought that the question of signage might be hooked into ENVIRON's mission.

Harrison again stressed the need to sit down in the next week or two and decide if we can work this out together.

The meeting was adjourned at 9:40 P.M.

ADJOURNMENT

APPROVE:

*Patricia A. Gross*  
Patricia Gross, President  
Bloomington Common Council

ATTEST:

*Patricia Williams*  
Patricia Williams, Clerk  
City of Bloomington

RESOLUTION OF THE BLOOMINGTON  
BOARD OF PUBLIC SAFETY

WHEREAS, the Board of Public Safety is authorized to adopt rules for  
the government of the police department; and

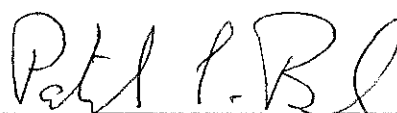
WHEREAS, the Bloomington Common Council has established the annual  
salary for telecommunications; and

WHEREAS, the Board of Public Safety now wishes to adopt rules regarding  
the payment for eligible overtime hours to telecommunications.

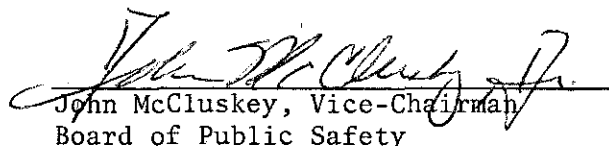
NOW, THEREFORE, BE IT RESOLVED BY THE BLOOMINGTON BOARD OF PUBLIC  
SAFETY THAT:

1. The overtime rate for telecommunications shall be \$10.34 per hour.
2. Telecommunicators shall be eligible for overtime pay in addition  
to regular salary when:
  - a. They work any hours in excess of their regularly scheduled  
work week; and
  - b. They work any hours on a designated city holiday.

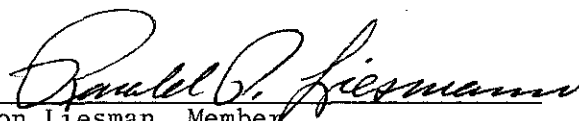
PASSED AND ADOPTED THIS 16 DAY OF DECEMBER 1985.



Patrick L. Baude, Chairman  
Board of Public Safety



John McCluskey, Jr., Vice-Chairman  
Board of Public Safety



Ron Liesman, Member  
Board of Public Safety