

AGENDA  
COMMON COUNCIL  
WEDNESDAY, MARCH 7, 1984, 7:30 P.M.  
COUNCIL CHAMBERS

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. MESSAGES FROM COUNCILMEMBERS
- IV. MESSAGES FROM THE MAYOR
- V. APPOINTMENTS TO BOARDS AND COMMISSIONS
- VI. PETITIONS AND COMMUNICATIONS
- VII. LEGISLATION FOR SECOND READING \* DISCUSSION AND VOTE
  - 1. Resolution 84-5 Recommendations of Mayor for Distribution of Community Development Funds.  
Committee Recommendation: Do-Pass 9-0
  - 2. Resolution 84-3 To Designate the Property Located at the Southwest Corner of 14th and Dunn Streets as an Economic Revitalization Area.  
Committee Recommendation: Do-Pass 3-6
  - 3. Appropriation Ordinance 84-5 To Specially Appropriate from the Cumulative Capital Improvement and Parks and Recreation Funds Expenditures Not Otherwise Appropriated by the City of Bloomington.  
Committee Recommendation: Do-Pass 9-0
  - 4. Appropriation Ordinance 84-6 To Specially Appropriate from the Parks and Recreation Fund Expenditures Not Otherwise Appropriated by the City of Bloomington.  
Committee Recommendation: Do-Pass 9-0
  - 5. Ordinance 84-9 To Approve the Rate Increase for Horizon/TCI Cable Television.  
Committee Recommendation: Do-Pass 9-0
- VIII. LEGISLATION FOR FIRST READING
  - 1. Ordinance 84-10 To Amend Section 17.08.080 of the Bloomington Municipal Code Entitled, "Special Plumbing Regulations"
- IX. MINUTES FOR APPROVAL: February 15, 1984
- X. ADJOURNMENT

In the Council Chambers of the Municipal Building held on Wednesday, March 7, 1984, at 7:30 P.M. with Council President Gross presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
MARCH 7, 1984

Councilmembers present: Service, Porter, Register, Olcott, Gross, Mayer, Foley, Murphy, Young.

ROLL CALL

President Gross gave the agenda summation.

AGENDA SUMMATION

Service reminded students that the streets would be cleaned during spring break and cars were to be parked in the designated storage areas in the campus and student union areas. Service also called attention to the water colors in the council chambers. They are the work of Teri Jonas.

MESSAGES FROM  
COUNCILMEMBERS

Register congratulated the I.U. track team and coach Sam Bell for the team's recent success. Olcott extended the remarks to include Doc Councilman's swim team.

Gross commended Pam Goodman, the Transit Driver of the Month.

Mayor Allison presented the State of the City Address, a copy of which is attached to the minutes of this meeting.

MESSAGES FROM MAYOR  
"STATE OF CITY ADDRESS"

Register moved and Murphy seconded a motion that the following persons be appointed to the designated boards and commissions:

APPOINTMENTS TO BOARD  
AND COMMISSIONS:

Redevelopment Commission: Nelda Anderson  
(2 years) Sonja Johnson

REDEVELOPMENT  
COMMISSION ON WOMEN

Commission on the Status Jackie Prose  
of Women: Jackie Morris  
(2 years)

The appointments were approved by a voice vote.

There were no petitions or communications.

PETITIONS AND COMMUNICATIONS

Olcott moved and Murphy seconded a motion that Resolution 84-5 be introduced and read by title only. Clerk Williams read the resolution by title only.

LEGISLATION FOR SECOND  
READING:  
RES. 84-5 CDBG GRANTS

Olcott moved and Murphy seconded a motion that Resolution 84-5 be adopted. Service gave the synopsis and committee report.

Gross announced because the city had received less than expected, several changes have been made in the monies appropriated. Murphy read the amended changes.

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

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

Olcott moved and Murphy seconded a motion that Resolution 84-3 be introduced and read by title only. Clerk Williams read the resolution by title only.

RES. 84-3  
ERA DESIGNATION FOR  
14th AND DUNN ST.

Olcott moved and Murphy seconded a motion that resolution 84-3 be adopted. Service gave the synopsis and committee report.

Lynn Coyne gave a background presentation regarding the particular tract of land. The property was originally owned by the Illinois R.R. and in August, 1983 the R.R. indicated some willingness to sell the property. The tract was rezoned and the Economic Development Commission reviewed the tax abatement request and approved the request for the abatement.

Coyne then presented a graphic presentation of tax abatement for the council.

David Weber, of the Indiana Mortgage Corporation, detailed how a mortgage company reviews each application for funding. He said that apartment buildings by independent developers are the most difficult to finance because they don't realize a profit in the early years. HUD subsidies and FHA programs are some of the financing methods used by some developers.

Olcott asked if the project gets the tax abatement will it go thru with the proposed quality in design and building standards. Coyne said the council could expect it to go through as planned. Coyne said that if reductions in the plan became necessary, the project might have to go back to planning and that delay means time and money to the developer. The Terra Trace apartments, adjacent to the proposed apartments, has a land value assessment of \$ 77,700 and the improvements are assessed at \$516,150. Coyne also said that he met with the downtown blue ribbon committee and there is a varied opinion on just what the definition of "downtown" really is--to deny this project is to give up development outside the downtown area. He also stressed the impact of H.B.1217 as it might relate to this project. The increase of assessed valuation throughout the state has been 2% this year. H.B.1217 will allow an increase up to 5% for operating funds if it is passed.

Young said the developer would still get a break without the tax abatement as the property does not go on the tax rolls for one or two years (actually 1986). The developer will have deposits and first month rents to use as working capital before the operation even begins.

Service said that the financing of any project is the developer's problem, not the Councils'. There is nothing special about this project that sets it apart from any other development in Bloomington. The area is developable, is in a desirable location, the petitioner has not indicated any long range employment possibilities and only the petitioner has mentioned that it really is part of the downtown, it is not psychologically in the downtown. The only relation to downtown is the possible competition to apartments that might be better suited to the downtown area. The council is not "anti-development", continued Service, a number of concessions have already been made with zoning changes, and the putting aside of master throughfare and park plans. She suggested the petitioner was trying to scare off the council by eliminating some of the landscaping plans if the abatement did not go through--it's a good project in general, but not one for tax abatement.

Murphy remarked that the tract was in his district and he was particularly concerned that somehow the request went through the Redevelopment Commission very smoothly and the impression was given that there would be smooth sailing through the Council. Not all tax abatement has been given only in the downtown area--that is not the major criticism of the project--the criteria has not been met.

Coyne said it does meet the statutory criteria and that Empire Corp. did perceive approval was a strong possibility. The City did put forth the representation that this might happen and it was a factor in purchasing the property.

Foley remarked that if that is the message we are sending to developers, then some "method to the madness" must be determined--there must be some economic strategy rather than a pick and choose approach and the Council must be discreet in applying this strategy. One additional aspect is that councilmembers must also justify the abatement to the taxpayers and this is a very loose framework we are operating with.

Coyne replied that if the Council votes "no" on this, they are drawing the eligibility line at the R.R.

Mayer said that he has read the statute over and over again and does not feel that the project meets the criteria stated for tax abatement.

Olcott said that the Council did not have the proper guidelines to turn the project down and that he would rather see a local developer build the units.

Register agreed with Olcott, but felt that the Council should really try and determine what the developer has in mind. Register questioned the interpretation Coyne gave to the criteria; There are other apartments nearby, there is a Village Pantry convenience store within walking distance, the R.R. did not actually market the property until 1983 and so it was not developable before that time, and the lack of development just does not apply.

Service did not think the Council could be held responsible for how other people think they should vote. If the Council is going to automatically pass these things why bother to bring it before the Council at all. The developer has not shown us anything special about the project at all.

Porter said he would vote for the abatement. He was willing to accept the recommendation of the redevelopment commission--if only the Council was willing to support the administration on this issue.

Coyne reminded the Council that they could pass the resolution tonight and they would still get another pass at it.

(These resolutions must be confirmed by another passage of a resolution, after newspaper publication).

Richard Baldwin, the developer, spoke, reminding the Council that the employment and development was good for Bloomington.

The question was called for and Gross asked each Councilmember to state reasons for an aye or nay vote:

Register voted No.

Olcott voted Yes. Stated the Council was not setting proper policy.

Gross voted No. The history of the land indicates not developable while the R.R. was holding it.

Mayer voted No. Not convinced that it met the statutory requirements.

Foley agreed with Olcott and with the lack of specific direction in the statute. Foley voted yes.

Murphy voted No. Criteria does not apply.

Young abstained. A conflict of interest was stated as the reason for the abstention.

Service voted No. Fails to meet basic criteria.

Porter voted Yes.

The resolution received a roll call vote of Ayes: 3, (Porter, Foley, Olcott) Nays: 5 (Service, Register, Gross, Mayer, Murphy) Abstains: 1 (Young).

Olcott moved and Murphy seconded a motion that Appropriation Ordinance 84-5 be introduced by title only. Clerk Williams read the ordinance by title only.

APP. ORD 84-5  
BRYAN PARK POOL

Olcott moved and Murphy seconded a motion that Appropriation Ordinance 84-5 be adopted. Service gave the committee report.

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

Olcott moved and Murphy seconded a motion that Appropriation Ordinance 84-6 be introduced and read by title only. Clerk Williams read the ordinance by title only.

APP. ORD 84-6  
CONCESSIONS AT  
CASCADES

Olcott moved and Murphy seconded a motion that Appropriation Ordinance 84-6 be adopted. Service gave the committee report.

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

Olcott moved and Murphy seconded a motion that Ordinance 84-9 be introduced and read by title only. Clerk Williams read the ordinance by title only.

ORD. 84-9  
TO APPROVE INCREASE  
FOR TCI/HORIZON  
(CABLE TV)

Olcott moved and Murphy seconded a motion that Ordinance 84-9 be adopted. Service gave the committee report.

Murphy moved and Foley seconded a motion that the following amendment be voted on:

Section I. Upon expansion of Channels and performance of all conditions as set out in Exhibit A, attached hereto and made a part hereof, an increase in basic service rates from \$7.47 to \$9.95 per month. This rate shall include the provision to each subscriber of one converter appropriate to the service purchased. In addition, a comparable increase in the rates charged to hotels, motels, and rooming houses of 33 1/3%

2. Additional Converter Rental--Basic converter (necessary to receive all basic services and HBO) of \$3.00 per month.

3. Additional Converter Rental--Addressable Converter (Necessary to receive Showtime, Cinemax and/or Disney Channel) of \$5.00 per month.

4. Remote Control Option--a remote control device shall be available with the addressable converter at a monthly rental charge of \$3.00.

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

Service said she was still concerned about the company's disconnect policy. If Horizon used the doorhanger procedure perhaps only one trip would be necessary to remind people that their bill is due. Service suggested that the 24 hour reminder might improve the company's public relations.

Irving Rumpel reiterated his earlier concern regarding the company encouraging apartment owners or managers to come in under a certain rate. Gross asked that the council attorney relay those concerns to the Telecommunications Council.

Linda Szostek noted that if some apartment complexes have been given special rates, it's like a separate contract between TCI and the apartment owner/manager.

Jerry Birge said they would be looking into the special rate situation; the 33 1/3% hotel/motel increase may be increased and most newer apartment complexes have individual accounts.

Young asked about protection for the people TCI already have agreements with. Birge said they will save apartment owners a 'lot of dollars' each month and we will not put additional burdens on those owners.

The ordinance received a roll call vote of Ayes:7, Nays:2 (Mayer, Young).

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

FIRST READING:  
ORD. 84-10

Ordinance 84-10 To Amend Section 17.08.080 of the Bloomington Municipal Code Entitled, "Special Plumbing Regulations"

The minutes of February 15, 1984 were approved by a voice vote.

MINUTES FOR APPROVAL

The meeting was adjourned at 8:50 P.M.

ADJOURNMENT

APPROVE:

Patricia A. Gross  
Patricia Gross, President  
Bloomington Common Council

ATTEST:

Patricia Williams  
Patricia Williams  
City Clerk