

AGENDA

COMMON COUNCIL REGULAR SESSION

WEDNESDAY, OCTOBER 3, 1984

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 84-17 To Confirm Resolution 84-16, Which Designated the Property Located at 310 W. 6th Street as an Economic Revitalization Area

(No Committee Recommendation)
 2. Resolution 84-19 To Approve Interlocal Cooperation Agreements for Animal Shelter Operation for the years 1984 and 1985.

Committee Recommendation: Do-Pass 8-0
 3. Ordinance 84-56 An Ordinance Authorizing the City of Bloomington to Issue its Economic Development Revenue Bonds Series 1984 and Approving Other Actions in Respect Thereto (10th and ByPass Project)

Committee Recommendation: Do-Pass 7-1
 4. Ordinance 84-51 To Amend the 1985 Salary Ordinance to Create the Positions of Programmer I and Programmer II and to Correct Data Processing Manager's Salary

Committee Recommendation: Do-Pass 8-0
 5. Ordinance 84-46 To Amend the Bloomington Zoning Maps from RS to RL re: Property Located in the 700 Block of Winslow Road (Bill Brown and Richard Bartlett)

Committee Recommendation: Do-Pass 8-0
 6. Ordinance 84-48 To Amend the Bloomington Zoning Maps to Rescind a PUD Designation re: Property near Dunstan Drive (Southwest Building Company)

Committee Recommendation: Do-Pass 8-0
 7. Ordinance 84-52 To Amend the Bloomington Zoning Maps from BG to RM re: 311 W. 17th Street (Jim Burks)

Committee Recommendation: Do-Pass 8-0
 8. Ordinance 84-53 To Amend the Bloomington Zoning Maps from RH to RH/PUD and to Grant Outline Approval for a PUD re: Block bounded by Henderson, Dunn, Atwater, and Smith (Dr. Richard Shelly)

Committee Recommendation: Do-Pass 8-0

9. Ordinance 84-54 To Amend the Bloomington Zoning Maps to Add an Historic Designation re: 503 E. Smith Street (Dr. Richard Shelly)

Committee Recommendation: Do-Pass 8-0

10. Ordinance 84-55 To Vacate a Public Parcel re: Lot bounded by Smith, Dunn, Atwater and Henderson (Dr. Richard Shelly)

Committee Recommendation: Do-Pass 8-0

VIII. LEGISLATION FOR FIRST READING

1. Ordinance 84-58 To Amend the 1984 Salary Ordinance for Appointed Officers and Employees to Establish the Position of Planning Technician.
2. Appropriation Ordinance 84-12 To Specially Appropriate from the General Fund Expenditures Not Otherwise Appropriated by the City of Bloomington (Parking Study)

IX. MINUTES FOR APPROVAL SEPTEMBER 19, 1984

X. ADJOURNMENT

In the Council Chambers of the Municipal Building held on Wednesday, October 3, 1984, at 7:30 P.M. with Council President Gross presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
OCTOBER 3, 1984

Roll Call: Service, Porter, Register, Olcott, Gross, Foley, Murphy, Young. Absent: Mayer (out of town on business).

ROLL CALL

Gross gave the agenda summation.

AGENDA SUMMATION

Young said he was happy to see so many people interested in city government.

MESSAGES FROM
COUNCILMEMBERS

Murphy, recently returned from Florida, said it was great to be back in Bloomington. Foley agreed with him.

Register complimented everyone involved with Octubafest. The event was held on Saturday, October 6.

Gross thanked the Board of Public Works for the improved sound system in the Council Chambers.

The Mayor deferred to Scott Fore for her message portion of the meeting.

MESSAGES FROM MAYOR

Scott Fore explained that due to serious family illness Joe Karaganis was unable to attend this evening's meeting. Fore said that an agreement has been reached between the City and Westinghouse. The Federal government, the EPA and the Justice department have not resolved all the outstanding issues. At this moment there is no written document. Fore said the city hopes that the federal government can resolve the disputes in two or three days and come up with a finished consent decree. He also said that all major technical issues have been settled and that in the several discussions with the federal government, the city has made it plain that they want the government to move expeditiously; until then, we cannot release details of the agreement.

Murphy asked what the Council could do to communicate the community concerns to the EPA and what could be done to expedite the process. Fore said he shared that concern but that we don't have control over that process. He thought it might be helpful if the Council indicated to the Federal government as soon as possible their concerns.

Olcott asked why we were not included in the Lemon Lane Superfund. Fore said the City of Bloomington has not been named because we had initiated our own suit.

Gross thanked Fore and expressed hope that the Federal government and Westinghouse can come to a quick agreement. Fore then moved to the Mayor's Office for the meeting with the local press.

Young moved that Herb Terry be appointed to the Telecommunications Council. It was approved by a voice vote.

TELECOMMUNICATION
COUNCIL APPOINTMENT
(EXP. JANUARY 1986)

Gross noted that the Petitions and Communications from the public would be limited to five minutes per person and asked people not to present information that has already been presented.

PETITIONS AND
COMMUNICATIONS

Helene Pizzini asked the Council for a voice vote of support for the CDBG process that will be coming up in the near future. The Council declined to vote, and Murphy suggested that the Council appoint a liaison to the Workable Program committee.

Bill D'Amico said that he could not understand why "we, as a community, can talk to the Federal government and our congressmen to go for the nuclear freeze, but we cannot talk to our Mayor about our PCB problem." The entire process is unfair. He said he was disappointed in the council and the way they voted at the last meeting.

Porter defended the Council's actions and reminded D'Amico that when Mrs. Gross attempted to speak she was interrupted in a very rude manner. Porter suggested that the public participating in the meetings also exercise a little courtesy.

David Schalk was disappointed that Karaganis was not present at the meeting. He then presented a list of questions that he wanted to ask of Karaganis.

Murphy asked for information on Detox Industries and Gross said that the county has a phone number and information about that group.

Mike Andrews was disturbed about the press having a press conference in the Mayor's office and asked whose idea it was that the information be handled this way. He urged the Council to be more sensitive to the press and the public's right to know.

Young said that this was supposed to be a petitions and communication time for the public and council, not a question and answer time for the public. He said that he would like to proceed with the business of the meeting and consider petitions and communications at the end of the meeting. The Council was not inclined to change the agenda.

Andrews thanked the Council for their openness and was angry that the Mayor was avoiding the cameras and unwilling to take the heat for this whole situation.

JoAnn Fisk said the Mayor has been embarrassed, embarrassed by Joe Karaganis who was hired for half a million dollars and still hasn't produced anything after 3½ years. Scott Fore has taken over \$ 85,000 with nothing to show for it.

Rick Randolph said that Karaganis 'soft-soaps' the crowd and will say anything to please that crowd.

Emily Jackson expressed concern about dioxins and di-benzofurans especially during the burning process.

Eric Holm suggested a performance bond that assures the combuster will really work, as claimed. A back up solution should also be part of the bond.

John Fond was disappointed that the Council did not support the rehiring of David Schalk. He said that he has lost faith in the Council.

Bruce Bundy said he did not appreciate being lumped together with other activists and would like to see that reflected in the Council's attitude to his remarks.

Mic Harrison expressed concern about Karaganis' brother and was sorry for the serious nature of the illness. He said the citizens were acting out of a sincere concern for their community and then presented a wreath to the Council commemorating all of the persons and children^{vet} to be born affected and by PCBs.

There was a five minute recess.

Marc Haggerty challenged the Mayor, the Council, Scott Fore and Joe Karaganis to come forward and respond to citizen questions.

Haggerty said, as a group, citizens have not taken control of their own interests. He asked that the drivers of Westinghouse trucks come forward and tell where the capacitors are dumped.

Naomi Fatouras was distressed that the Mayor, Fore and the press were having a private press conference. She did not feel that the press represented the people - they are a private business.

John Canada said the consent decree will be announced in Washington, D.C. and wondered if anyone had considered the fact that the decree will be used by Washington and Westinghouse as a political issue before the upcoming elections

Jim Cartmell was concerned about the public's health.

David McCrea said he represented the people who have been saturated with PCBs. He urged the Council to talk with these people, find out their concerns and fears. Some are too sick to attend these meetings. He suggested that councilmembers visit Lemon Lane and Neal's landfill. Time must be spent, talking to people most affected by PCBs

Jim Mannion said that he was working on a video tape and asked that he be allowed to show it next council meeting.

Olcott moved and Foley seconded a motion that Resolution 84-17 be introduced and read by title only, Clerk Williams read the resolution by title only.

LEGISLATION FOR
SECOND READINGS:
RESOLUTION 84-17

Olcott moved and Foley seconded a motion that Resolution 84-17 be adopted. There was no committee report.

The resolution received a roll call vote of Ayes:8, Nays: 0.

Olcott moved and Foley seconded a motion that Resolution 84-19 be introduced and read by title only. Clerk Williams read the resolution by title only.

RESOLUTION 84-19

Olcott moved and Foley seconded a motion that Resolution 84-19 be adopted. There was no committee report.

The resolution received a roll call vote of Ayes; 8, Nays: 0.

Olcott moved and Foley seconded a motion to introduce and read Ordinance 84-56 by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 84-56

Olcott moved and Foley seconded a motion to adopt Ordinance 84-56. The committee report was given.

Service, who voted against the project at committee, said that she did not like the development, the plan or the traffic patterns.

Register moved and Olcott seconded an amendment requested by the petitioner to add Mortgage to the list of bond documents approved by the City. This additional document is required under the terms of the commitment letter of Fountain Federal Savings and Loan Association.

The amendment received a roll call vote of Ayes: 8, Nays: 0.

The EDC vote was 4-0.

The ordinance, as amended, received a roll call vote of Ayes: 7, Nays: 1 (Service).

Olcott moved and Foley seconded a motion to introduce and read Ordinance 84-51 by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 84-51

Olcott moved and Foley seconded a motion to adopt Ordinance 84-51. The committee report was given.

There was no discussion and the ordinance received a roll call vote of Ayes: 8, Nays:0.

Olcott moved and Foley seconded a motion to introduce and read Ordinance 84-46 by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 84-46

Olcott moved and Foley seconded a motion to adopt Ordinance 84-46. The committee report was given.

Frank Barnhart, attorney for the petitioner, said that all parties to the project agreed that no structure would be placed in the area 75' east of the 150' tract. The plan was approved by the Plan Commission as well as the Sherwood Oaks Neighborhood Association and was to be held in escrow by the City of Bloomington.

Young asked if this was a common practice and Barnhart said no, it wasn't, but that it was a legal contract entered into by parties that have a right to enter into an agreement.

The ordinance received a roll call vote of Ayes:8, Nays:0

Olcott moved and Foley seconded a motion to introduce and read Ordinance 84-48. Clerk Williams read the ordinance by title only.

ORDINANCE 84-48

Olcott moved and Foley seconded a motion to adopt Ordinance 84-48. The committee report was given.

There was no discussion and the ordinance received a roll call vote of Ayes:8, Nays:0.

Olcott moved and Foley seconded a motion to introduce and read Ordinance 84-52 by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 84-52

Olcott moved and Foley seconded a motion to adopt Ordinance 84-52. The committee report was given.

There was no discussion and the ordinance received a roll call vote of Ayes: 8, Nays:0

Olcott moved and Foley seconded a motion to introduce and read Ordinance 84-53 by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 84-53

Olcott moved and Foley seconded a motion to adopt Ordinance 84-53. The committee report was given.

There was no discussion and the ordinance received a roll call vote of Ayes:8, Nays:0.

Olcott moved and Foley seconded a motion to introduce and read Ordinance 84-54 by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 84-54

Olcott moved and Foley seconded a motion to adopt Ordinance 84-54. The committee report was given.

There was no discussion and the ordinance received a roll call vote of Ayes:8, Nays:0.

Olcott moved and Foley seconded a motion to introduce and read Ordinance 84-55 by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 84-55

Olcott moved and Foley seconded a motion to adopt Ordinance 84-55. The committee report was given.

There was no discussion and the ordinance received a roll call vote of Ayes:8, Nays:0.

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

LEGISLATION FOR
FIRST READING

ORD. 84-58
APP. ORD. 84-12

Ordinance 84-58 To Amend the 1984 Salary Ordinance for Appointed Employees and Officers to Establish the Position of Planning Technician.

Appropriation Ordinance 84-12 To Specially Appropriate from the General Fund Expenditures Not Otherwise Appropriated by the City of Bloomington (Parking Study).

The minutes of September 19, 1984 were approved by a voice vote.

APPROVAL OF MINUTES

Young asked that the council consider petitions and communications at the end of the council meetings rather than before legislation for second reading. People are forced to sit through several hours of discussion before their ordinance or resolution is discussed.

Gross said that often the petitions and communications relate to the legislation for second reading and time limits are not unreasonable ways to conduct the meetings.

The meeting was adjourned at 10:15 P.M.

ADJOURNMENT

APPROVE:

ATTEST:

Patricia A. Gross
Patricia Gross, President
Bloomington Common Council

Patricia Williams
Patricia Williams, Clerk
City of Bloomington