

AGENDA

COMMON COUNCIL REGULAR SESSION

7:30 PM, WEDNESDAY, DECEMBER 19, 1984, 7:30 PM

COUNCIL CHAMBERS

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. MESSAGES FROM COUNCILMEMBERS
- IV. MESSAGES FROM THE MAYOR
- V. PETITIONS AND COMMUNICATIONS
- VI. LEGISLATION FOR SECOND READING--DISCUSSION AND VOTE
 1. Ordinance 84-65 To Vacate a Public Parcel Re: Street Located between College and Walnut (Don Baugh)

Committee Recommendation: Do Pass 8-0-1
 2. Ordinance 84-66 To Transfer Appropriations Within the General and Motor Vehicle Funds

Committee Recommendation: Do Pass 9-0
 3. Resolution 84-34 An Inducement Resolution for Issuance of Economic Development Bonds for Cincomp, Inc., d/b/a Tomm Taylor Foods

Committee Recommendation: Do Pass 9-0
- VII. LEGISLATION FOR INTRODUCTION AND FIRST READING (Second Reading and vote requires unanimous approval of Councilmembers)
 1. Ordinance 84-67 To Amend the 1984 Salary Ordinance Maximum Rate of Pay for this Position Working Shop Foreman

Asked to Attend: Jim Williams, Personnel Director
- VIII. MINUTES FOR APPROVAL: December 5, 1984
- IX. ADJOURNMENT

In the Council Chambers of the Municipal Building held on Wednesday, December 19, 1984 at 7:30 P.M. with Council President Gross presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
DECEMBER 19, 1984

Roll Call: Service, Porter, Register, Gross, Mayer, Foley, Murphy (arr 7:45 P.M.) Young. Absent: Olcott

ROLL CALL

Council President Gross gave the Agenda Summation.

AGENDA SUMMATION

Young wished everyone a happy holiday and thanked the police department for the extra patrols they provide for us.

MESSAGES FROM
COUNCILMEMBERS

Foley seconded Young's remarks.

Mayer thanked his family for their support over the last year as well as the rest of the Council, the Mayor and the Council Staff. He urged everyone to become familiar with the proposed Consent Decree.

Register thanked everyone for making 1984 an interesting and exciting year.

Porter wished everyone seasons greetings.

Gross thanked everyone for their help and cooperation especially the other Councilmembers.

Mayor Allison wished everyone a Merry Christmas and a Happy New Year.

MESSAGES FROM THE MAYOR

Dee Blair, a teacher at BHS North and a concerned citizen, acknowledged all of the hard work and many hours of careful listening on the part of the Council. She said that she has lived in Bloomington for 23 years and that she too is concerned about Bloomington. She praised the Council for producing the tentative agreement and said that she felt that the time has now come for the public to really become informed. Blair said that she appreciated the fact that there would be many public meetings. She expressed concern about a rumor that the decree would be signed, 30 days from the 10th of December. Gross assured her that no time limit has been set for the hearing procedures and that we all hope that the process does not go on for too long. "Hopefully, there are moderate people who will come forward and voice their concerns".

PETITIONS AND
COMMUNICATIONS

Mike Andrews asked if the agenda has been modified. He was under the impression (according to remarks made by Professor Caldwell) that the Oversight Committee would be naming additional members from the community. Gross stated that the Oversight Committee would be meeting on Friday, December 21 and they would discuss it at that time. Andrews argued that Caldwell said the Council would be doing this at their next meeting and Gross said NO, they would not.

Murphy arrived.

Andrews then commented on Caldwell's letter in the H-T. He said the consent decree is of such major importance that it is unacceptable that the public is only invited to come and talk and talk and talk. He said that people want to participate and be truly part of the process. He suggested putting it to a referendum, putting it to the public to decide.

Foley said the Council does want to encourage citizen participation but in functional and orderly manner. He reminded Andrews that everyone is concerned, not just Mr. Andrews.

Andrews continued to protest that no one from the "active" public is involved with the oversight committee and even Dr. Caldwell was surprised at that fact. Before the 1983 elections candidates were queried by a group of westsiders regarding participatory involvement. Andrews said the public feels helpless since the Council controls the agenda.

Pete Tescione was also disappointed in the way the Council has handled the oversight committee appointments. Gross then said that whatever mistakes had been made had been hers. She called the first meeting of this group on December 5 and at that time it was an advisory board. It was not an official board until it was voted on, by resolution, by the Council.

Greg Moore thought a down-home approach was the best way to do things.

Marc Haggerty thought it was time to talk about what is not in the decree. He asked that contaminated areas have the appropriate signage and that proper consideration be given to the people, "We are the people with the knowledge and we are the people living with this problem".

Jim Simmons questioned the executive session that will be preparing a questionnaire to be sent to all utility users, and asked if citizens would have input regarding that questionnaire. Gross said that the USB was undertaking that project, it was not taking place in executive session and suggested Mr. Simmons contact the USB.

Mic Harrison said that INPirg feels that the decree is inadequate. He felt that the Council could not proceed without doing the proper research. He suggested time for calm extended dialogue and asked if J. Karaganis would join with INPirg to produce all of the documents used in the negotiations. He felt that this was the only way the public could truly be informed. He also suggested an independent body, such as INPirg, to monitor the situation and begin to solve the credibility problem.

Porter said that if it was to be independent, objective and impartial then we cannot have a representative of INPirg on that commission.

Joseph McKenna, a paralegal with David McCrea, discussed his concerns at length, especially the lack of health risk concerns in the consent decree. He said the past track record of the EPA is not one to inspire confidence. He said that he would be more than willing to work together to come to some consensus, given the public image of governmental bodies involved, it is now time to stand together on this issue.

Murphy reminded the public that this is not the final form for the consent decree and that it is not yet finished. There is much to be done before the Council actually signs the decree.

Pete Tescione asked Murphy to elaborate on his statement regarding the consent decree not being finished. Murphy said there are a number of things he was concerned about; for example, new sites being included in the decree for consideration. Porter also said that it was his understanding that the decree could be altered.

Mary Rheinhold was glad that this was clarified - that the consent decree could be modified. She lives in the County and expressed concern about just who is representing her interests. She said the City is preparing to build this incinerator two miles from where she lives and all the residents in that area can't even vote for the people who are proposing this plan.

Brian Haggerty asked if the County Health Department was a party to the agreement. He also said he understood that the decree was a "take it or leave it" document.

Register moved and Foley seconded a motion that Ordinance 84-65 be introduced and read by title only
Clerk Williams read the ordinance by title only.

LEGISLATION FOR SECOND
READING:
ORD. 84-65

Regester moved and Foley seconded a motion that Ordinance 84-65 be adopted. Regester gave the committee report.

ORD. 84-65

Public input was requested, and there being none, the ordinance was adopted by a roll call vote of Ayes: 8, Nays: 0.

Regester moved and Foley seconded a motion that Ordinance 84-66 be introduced and read by title only. Clerk Williams read the ordinance by title only.

ORD. 84-66

Regester moved and Foley seconded a motion that Ordinance 84-66 be adopted. Regester gave the committee report.

John Langley said that this was a simple year-end transfer.

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

Regester moved and Foley seconded a motion that Resolution 84-34 be introduced and read by title only. Clerk Williams read the resolution by title only.

RES. 84-34

Regester moved and Foley seconded a motion that Resolution 84-34 be adopted.

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

Gross noted that Ordinance 84-63 (Wicks Building - Fred Prall) was given first reading on December 5 and tabled on December 12. Mr. Szakaly has asked that we postpone the final reading and vote on this ordinance.

ORD. 84-63
(TABLED)

Regester moved and Foley seconded a motion that Ordinance 84-67 be introduced and read by title only for first reading. Clerk Williams read the ordinance by title only.

LEGISLATION FOR FIRST
READING:
ORD. 84-67

Gross requested that the Rules be suspended, that the Ordinance 84-67 be given second reading this evening.

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

Regester moved and Foley seconded a motion that Ordinance 84-67 be introduced and read by title only. Clerk Williams read the ordinance by title only.

SECOND READING FOR
ORD. 84-67

Regester moved and Foley seconded a motion that Ordinance 84-67 be adopted.

Jim Williams, Director of Personnel, said that this ordinance was correcting a mistake in the salary ordinance. The position was created in 1983 and the salary ordinance was not corrected after union negotiations. The individual was paid the correct amount and this ordinance simply brings the ordinance into conformity with the actual payroll.

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

The minutes of December 5, 1984 were approved by a voice vote.

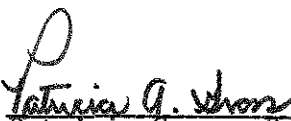
APPROVAL OF MINUTES

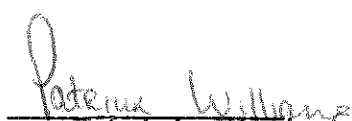
The meeting was adjourned at 8:55 P.M.

ADJOURNMENT

APPROVE:

ATTEST:


Patricia A. Gross, President
Bloomington Common Council


Patricia Williams, Clerk
City of Bloomington