

AGENDA
COMMON COUNCIL
DECEMBER 7, 1983, 7:30 P.M.
COUNCIL CHAMBERS
REGULAR SESSION

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. MESSAGES FROM COUNCILMEMBERS
- IV. MESSAGES FROM THE MAYOR
- V. PETITIONS AND COMMUNICATIONS
- VI. LEGISLATION FOR SECOND READING-VOTE
 1. Ordinance 83-58 To Authorize the City of Bloomington to Issue its "City of Bloomington Economic Development Revenue Bonds, Series 1983 (Kenneth L. Nunn and Leah Kay Nunn Project).
Committee Recommendation: Do Pass 7-0
 2. Ordinance 83-59 To Authorize the City of Bloomington to Issue its "Economic Development First Mortgage Revenue Bonds, Series 1983 (Larry Ratts Project).
Committee Recommendation: Do Pass 6-0-1
 3. Ordinance 83-60 To Amend Chapter 2.20 Entitled "Board of Parks and Recreation" of the Bloomington Municipal Code.
Committee Recommendation: Do Pass 7-0
 4. Ordinance 83-61 To Amend Chapter 15.32 of the Bloomington Municipal Code, Entitled "Parking Controls" and to Add a New Section Entitled "Parking Prohibited Facing Traffic"
Committee Recommendation: Do Pass as Amended 7-0
 5. Resolution 83-41 To Designate the Property at 211 E. 6th Street and 210 N. Washington Street as an Economic Revitalization Area.
Committee Recommendation: Do Pass 6-0-1
 6. Resolution 83-38 To Confirm Resolution 83-37 Which Designated the Property Located at 532 North Walnut as an "Economic Revitalization Area". (Morgan House)
No Committee Reading.
- VII. LEGISLATION FOR FIRST READING.
 1. Ordinance 83-62 To Amend Various Sections of Title 15.
 2. Ordinance 83-63 To Transfer Appropriations Within the General Fund and the Fleet Maintenance Fund.
 3. Ordinance 83-64 An Ordinance Authorizing the Issuance and Sale of \$4,000,000 of Economic Development Revenue Bonds...Refunding Prior Bonds... (for Bloomington Square Associates)...
- VIII. MINUTES FOR APPROVAL: November 16, and November 23, 1983
- IX. ADJOURNMENT

In the Council Chambers of the Municipal Building held on Wednesday, December 7, 1983, at 7:30 P.M. with Council President Dilcher presiding over a Regular Session of the Common Council.

Councilmembers present: Towell, Porter, Service, Dilcher, Murphy, Olcott, Gross. Absent: Morrison, Hogan.

Council President Dilcher gave the agenda summation.

Olcott was very pleased that that "Lake Hillside" problem has finally been solved. He commended Dean Behnke, the City Engineer for a job well done and said that citizens that travel that route could finally "go in peace".

Service reminded people that the paper recycling project still goes on and to put their papers at the curbside.

Dilcher announced the regular committee meeting for December 14, 1983 and the regularly scheduled Council meeting would take place on Tuesday, December 20, 1983 instead of Wednesday, December 21, 1983. Basketball reigns supreme!

Mayor Allison presented two encomiums commending retired Police Chief Phil Riley and Street Commissioner J.C. Floyd. Both men are leaving the City after many years of dedicated service and the Mayor on behalf of the entire City wished them well.

Dilcher requested a change in agenda order so that the Council might discuss the Parks and Recreation ordinance as the last item of business. The Council agreed by a voice vote to do so.

There were no Petitions or Communications.

Olcott moved and Towell seconded a motion to introduce and read Ordinance 83-58 by title only. Clerk Williams read the ordinance by title only.

Olcott moved and Towell seconded a motion to adopt Ordinance 83-58. Olcott gave the committee report.

There was no discussion and the ordinance received a roll call vote of Ayes: 7, Nays: 0.

Olcott moved and Towell seconded a motion to introduce and read Ordinance 83-59 by title only. Clerk Williams read the ordinance by title only.

Olcott moved and Towell seconded a motion to adopt Ordinance 83-59. Olcott gave the committee report.

Dilcher read an amendment to the ordinance presented by the petitioner that reflects a change in maturity date and payment schedule for the bonds so that the maturity date shall read December 1, 2003.

Murphy moved and Towell seconded a motion that the amendment be adopted.

The amendment received a roll call vote of Ayes:7, Nays:0.

Service said that she had some previous reservations about this request and the problem of the 'creeping medical zone', but that this did not seem to be one.

The ordinance, as amended, received a roll call vote of Ayes: 7, Nays: 0.

Olcott moved and Towell seconded a motion to introduce and read Ordinance 83-61 by title only. Clerk Williams read the ordinance by title only.

COMMON COUNCIL
REGULAR SESSION
DECEMBER 7, 1983

ROLL CALL

AGENDA SUMMATION

MESSAGES FROM
COUNCILMEMBERS

MESSAGES FROM MAYOR
ENCOMIUM FOR
CHIEF RILEY AND
J.C.FLOYD

PETITIONS & COMM.

SECOND READINGS:
ECON.DEVELOP. BONDS
(KEN NUMN)

ECON. DEV. REVENUE
BONDS (LARRY RATTIS)

TO AMEND TITLE 15

Olcott moved and Towell seconded a motion to adopt Ordinance 83-61. Olcott gave the committee report.

Dilcher read an amendment to the ordinance clarifying the Code by deleting one entry on Schedule M and adding another that would encompass the entire Third Street area in question.

Murphy moved and Towell seconded a motion to adopt the amendment.

The amendment received a roll call vote of Ayes:7, Nays:0.

The ordinance, as amended, received a roll call vote of Ayes: 7, Nays: 0.

Olcott moved and Towell seconded a motion to introduce and read Resolution 83-41 by title only. Clerk Williams read the resolution by title only.

TO DESIGNATE
211 E.6th ST.
AS AN ERA

Olcott moved and Towell seconded a motion to adopt Resolution 83-41. Olcott gave the committee report.

There was no discussion of the resolution and it received a roll call vote of Ayes: 6, Nays: 0, Abstain: 1 (Gross). Mrs. Gross is employed by a subsidiary of CFC, Inc.

Olcott moved and Towell seconded a motion to introduce and read Resolution 83-38 by title only. Clerk Williams read the resolution by title only.

TO CONFIRM RES.
83-37 (532 N.
WALNUT) AS AN
ERA

Olcott moved and Towell seconded a motion to adopt Resolution 83-38. There was no committee report on this resolution.

Dilcher asked for public input on this resolution. There was none.

PUBLIC INPUT

The resolution received a roll call vote of Ayes: 7, Nays:0.

Olcott moved and Towell seconded a motion to introduce and read Ordinance 83-60 by title only. Clerk Williams read the ordinance by title only.

TO AMEND CHAPTER
2.02 PARKS AND
RECREATION

Olcott moved and Towell seconded a motion to adopt Ordinance 83-60. Olcott gave the committee report.

Dilcher requested that only new or different information be presented. Long discussions of this issues have already taken place; everyone is welcome to speak to the issue but please be aware of the request.

Charlotte Zietlow, President of the County Commissioners, said that she was coming from the County in a spirit of cooperation, but very concerned about this piece of legislation. While the City can act upon this ordinance, as County officials, we can neither affirm or vote it down. Zietlow asked that elected officials, i.e. the Common Council, the County Council, the Mayor, the Commissioners, and the Parks Department, get together to discuss a interlocal agreement that everyone can vote to affirm or turn down - a fair and equitable agreement for City residents as well as County residents. Zietlow suggested convening on Saturday morning.

Norm Anderson, President of the Monroe County Council, also asked the Council to postpone the vote in order to work out a solution. He said that the County Council is in favor of the concept, in principle, but not the way this particular law is designed. The County, in October, asked Frank Ragan to look into some way of solving the year to year hassle regarding this problem.

Jim Simmons, a concerned citizen, hoped that both councils would agree to a referendum as a way of deciding which way to go.

Towell asked about the legalities of a referendum.

Frona Powell, Council Attorney, cited I.C. 36-10-4.5 noting the board's power to adopt a resolution to extend it's boundaries, adoption of a resolution that is filed with the county Auditor and Treasurer, publication requirements, and the procedure for remonstrance filed by the affected voters within 90 days after the last publication.

A referendum shall be held if five percent (5%) or more of the registered voters of the county file remonstrances with the County Clerk, with the County Clerk protesting the extension of the district. If sufficient signatures have been filed, than the Auditor shall publish a notice of election once a week for two (2) consecutive weeks in two (2) newspapers published in the County, the first publication to be at least thirty(30) days before the date of the election. The election is governed by the general election statutes whenever applicable and not in conflict with this chapter.

Olcott asked if all the elected officials could request an official referendum without a remonstrance. The answer was No.

Murphy asked about the problem of closed primaries in Indiana.

Ann Vaughan, Legal Department, said that it was an Attorney General's opinion that a special election may be held on the same day as a general election. Paper ballots could be used or the machines could be fixed in such a way as to allow Independents to vote on just the referendum.

Peter Cunningham, Executive Director of of State Parks and Recreation told the Council that this process has taken place in other cities in Indiana and that the passage of this ordinance is not a fixed step, that any number of revisions can be made at a later date.

Service asked about the time schedule and if the vote were to be delayed would it complicate this schedule. Vaughan said that is was possible to delay for one week.

Jim Trulock, County Attorney, said that once this ordinance is passed any future considerations are out of the hands of the Council (county) and into the hands of the Park Board.

Olcott said that the ordinance could be killed tonight, but that he respects Zietlow and Anderson's point of view. He chastised the media, in particular the H-T, for its editorializing and suggestions that it is a City-County battle. Bloomington and Monroe County have tried to do a good job and if what was promised in 1970 had actually happened everyone would be in good shape. Olcott continued by saying that the City has proved that it can work with the County and that the citizens and taxpayers will commend elected officials for finally putting things together. These are not political manuverings, this is a board working for the good of parks. He agreed to pass on the ordinance today and talk on Saturday.

Service also agreed to convene on Saturday. If this doesn't pass there will be no way for the County to have a share of park programs and she agreed that this is a strange piece of legislation but that there is little hope of near future change in the law. Dual fees will really pit city and county residents against each other.

Towell moved that the ordinance (Ord. 83-60) be tabled until Wednesday, December 14, 1983 when it would be voted on at a Special Session of the Common Council immediately before the regularly scheduled committee meeting.

The motion received a roll call vote of Ayes: 6, Nays: 1(Service).

It was agreed that a meeting would take place on Saturday, December 10, 1983 at 8:30 A.M. in the Council Chambers of the Municipal Building between both Councils, the Mayor, the Commissioners, the Park Boards, and elected officials.

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

FIRST READINGS:
ORD. 83-62
ORD. 83-63
ORD. 83-64

Ordinance 83-62 To Amend Various Sections of Title 15.

Ordinance 83-63 To Transfer Appropriations Within The General Fund and the Fleet Maintenance Fund.

Ordinance 83-64 An Ordinance Authorizing the Issuance and Sale of \$4,000,000 of Economic Development Revenue Bonds...Refunding Prior Bonds for Bloomington Square Associates. (The entire title as presented by the petitioner was read).

The minutes of November 16 and November 23, 1983 were approved by a voice vote.

APPROVAL OF
MINUTES

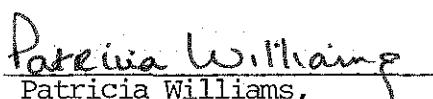
The meeting was adjourned at 8:25 P.M.

ADJOURNMENT

APPROVE:

ATTEST:


Katherine Dilcher, President
Bloomington Common Council


Patricia Williams,
City Clerk