

AGENDA
COMMON COUNCIL
REGULAR SESSION
FEBRUARY 10, 1982, 7:30 P.M.
COUNCIL CHAMBERS

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. MESSAGES FROM COUNCIL MEMBERS
- IV. MESSAGES FROM THE MAYOR: State of the City Address
- V. PETITIONS AND COMMUNICATIONS
- VI. LEGISLATION FOR DISCUSSION/VOTE - SECOND READINGS
 1. Ordinance 82-6 To Repeal and Re-Enact Title 17 of the Bloomington Municipal Code, Entitled "Construction Regulations"
Committee Report: Do Pass as Amended 7-1
 2. Ordinance 82-7 To Adopt Chapter 17.16 of the Bloomington Municipal Code, Entitled "Unsafe Building Law"
Committee Report: Do Pass 8-0
- VII. INTRODUCTION OF ORDINANCES FOR FIRST READING
 1. Ordinance 82-11 To Amend the Bloomington Zoning Maps re: Designation of structure at 820 N. College as historic.
 2. Ordinance 82-9 To Amend the Bloomington Zoning Maps re: 309 W. Howe from BL to BG (Commercial Investment Co.)
 3. Ordinance 82-10 To Vacate a Portion of Public Alley Located at Grant St. to Dunn St. between Third and Fourth Sts.
- VIII. MINUTES FOR APPROVAL: January 6, 1982 and January 20, 1982
- IX. ADJOURNMENT

COUNCIL COMMITTEE OF THE WHOLE

1. Ordinance 82-11 To Amend the Bloomington Zoning Maps re: Designation of Structure at 820 N. College as Historic
Asked To Attend: Planning Director Tim Mueller
Petitioner Tammy McGee
2. Ordinance 82-9 To Amend the Bloomington Zoning Maps re: 309 W. Howe from BL to BG (Commercial Investment Co.)
Asked to Attend: Planning Director Tim Mueller
Petitioner's Representative Sherm Bynum
3. Ordinance 82-10 To Vacate a Portion of Public Alley Located at Grant St. to Dunn St. Between Third and Fourth St.
Asked to Attend: Planning Director Tim Mueller
Petitioner Ira Zinman

PUBLIC HEARING

- Ordinance 82-8 To Amend Chapter 10.08 of the Bloomington Municipal Code Entitled "Wastewater Rates and Charges", to Adopt Charges for New Users and Users Changing Activity.
Asked to Attend: Utilities Director Stu McClure
Utilities Attorney Dave Rogers

In the Common Council Chambers of the Municipal Building held on February 10, 1982, with Council President Murphy presiding over a regular session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
FEBRUARY 10, 1982

Councilmembers present: Service, Olcott, Dilcher, Murphy, Allison, Porter, Towell and Morrison. Hogan arrived at 7:45.

Council President Murphy summarized the agenda.

AGENDA SUMMATION

Service congratulated Al Towell on his election to the Board of Directors of Bloomington Restorations, Inc. She also commented upon an article in the Herald-Telephone in which a school board member took exception to some councilmembers' comments on school board issues. Service stated that she had not intended to speak for the whole council, but as citizens councilmembers had a right to speak, and as elected representatives they possibly had a responsibility to do so in a matter with such community-wide impact. She expressed concern and disappointment with the School Board's decision to close schools.

COUNCIL MESSAGES

Olcott commended John Freeman and the Public Works Department for their snow removal work. He added a hope that the School Board would not start commenting on Council matters.

Dilcher said she hoped that the School Board would respond with input when the Council was dealing with matters affecting the school system.

Allison said this would be the third inner city school to be closed, which is destructive of established neighborhoods.

Morrison complimented Tim Mueller, Planning Director, and Jeff Fanyo, City Engineer, on their work at a meeting on the Westside regarding water runoff.

Steve Hogan entered at this point, 7:45 p.m. He stated that he was not pleased about the school closings either, and expressed support for neighborhood schools.

Murphy said he would make it five councilmembers in disfavor of school closings.

Mayor McCloskey gave his State of the City address, a copy of which is attached.

MESSAGES FROM THE MAYOR
"State of the City"

Laramie Wilson, representing the "Wildgrove Community Gardens", spoke regarding their garden site on N. Rogers St., near 11th, which has been proposed as a site for the Work-Release Center. She said the group has approximately 50 members, most from the westside. She asked the Council and the Mayor to direct the state agency away from the Rogers St. site and, if necessary, to help the garden group to find another site.

PETITIONS & COMMUNICATIONS

Olcott said that the Work-Release site selection committee has designated the Rogers St. site as third choice out of a possible three sites. Mayor McCloskey said that the 7th and Morton site is currently top choice. Both Olcott and McCloskey felt that the city could help find an alternate garden plot if it became necessary.

Olcott moved and Morrison seconded a motion to read Ordinance 82-6 by title only. Clerk Williams read 82-6 by title only. Olcott moved and Morrison seconded that Ordinance 82-6 be adopted. Porter gave the committee report, a Do-Pass as amended, 7-1.

SECOND READINGS
ORDINANCE 82-6

To repeal and re-enact Title 17 of the BMC entitled "Construction Regulations"

Murphy noted that he had heard that there was some sentiment for postponing this for one week.

Jeff Fanyo said they would like to give interested parties a chance to have input on this ordinance, especially on the contractor registration section. However, he and Bill Finch, City Attorney, pointed out that until this was passed, there

were no construction regulations for the Engineering Department to work under.

Murphy asked if a one week postponement would be sufficient.

Towell asked what special circumstances made a postponement necessary, as the regular readings and legal notification procedures had been followed.

Allen Dick, President of the Home Builders Association of Monroe County, said they were not entirely opposed to this regulation, but wanted to have input, as they were the most affected by it, and they had information resources on the state and national level.

Towell said he approved of the delay for this purpose. Olcott moved and Towell seconded that the vote on this ordinance be postponed until the next Council meeting on February 17. The vote to postpone was unanimous, 9-0.

Olcott moved and Morrison seconded that Ordinance 82-7 be read by title only. Clerk Williams read Ordinance 82-7 by title only. Porter gave the committee report and a Do-Pass of 8-0.

ORDINANCE 82-7
To adopt Ch. 17.16
of the BMC, entitled
"Unsafe Building Law"

Murphy said it was his understanding that this was basically a housekeeping procedure, to bring the Code into compliance with new State regulations.

Morrison asked under whose jurisdiction fell the determination of an unsafe building. Fanyo said it was his jurisdiction. Morrison asked about the procedure to be followed if another engineer disagreed with Fanyo's decision. Fanyo replied that if it was not an emergency, there was a hearing procedure. If it was an emergency, he was authorized to bring the building down to a 'safe level' only, to structural soundness. Some discussion followed regarding emergency situations and the need for second professional opinions. Fanyo pointed out that the new ordinance had more specific provisions for this issue than the one he currently works under. Morrison expressed concern regarding the potential pressure on a political appointee.

Porter asked Finch if Section 17.16.060, 'Hearing and Review' provides a procedure for appeal of condemnation rulings by the City Engineer. Finch affirmed this and also explained about emergency situations and about the appeal procedure.

Ordinance 82-7 was then adopted by a roll call vote of Ayes 9, Nays 0.

Olcott moved and Morrison seconded that the following ordinances be introduced and read by title only for first reading. Clerk Williams read each by title only and Dilcher read the synopses.

FIRST READINGS
ORDINANCE 82-11
ORDINANCE 82-9
ORDINANCE 82-10

Ordinance 82-11 To Amend the Bloomington Zoning Maps
re: Designation of Structure at 820 N. College as Historic

Ordinance 82-9 To Amend the Bloomington Zoning Maps
re: 309 W. Howe from BL to BG (Commercial Investment Co.)

Ordinance 82-10 To Vacate a Portion of Public Alley Located
at Grant St. to Dunn St., between Third and Fourth Streets.

Olcott moved and Morrison seconded that the minutes of January 6 and January 20, be approved as submitted. The voice vote in favor was unanimous.

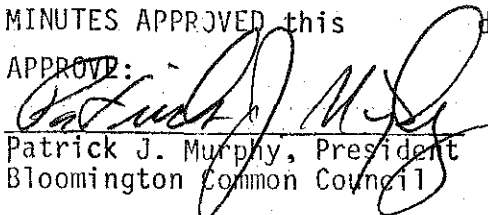
MINUTES FOR APPROVAL
January 6 & 20, 1982

The meeting adjourned at 8:30 p.m.


ADJOURNMENT

MINUTES APPROVED this day of February, 1982

APPROVE:


Patrick J. Murphy, President
Bloomington Common Council

ATTEST:


Patricia Williams, City Clerk