

AGENDA
COMMON COUNCIL
REGULAR SESSION
MARCH 3, 1982, 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 DISCUSSION/VOTE - SECOND READINGS

1. Ordinance 82-13 To Amend Chapter 20.14 of the Bloomington Municipal Code Entitled, "Minimum Off-Street Parking Requirements"
Committee Report: Do Pass 7-1-1
2. Resolution 82-4 To Impose a Ninety Day Moratorium on Collection of Fees for On-Street Parking Meters
Committee Report: No Vote
3. Ordinance 82-14 To Amend Chapter 15.68 of the Bloomington Municipal Code Entitled, "Parking Lots"
Committee Report: Do Pass 9-0
4. Ordinance 82-15 To Amend Chapters 15.63 and 15.72 of the Bloomington Municipal Code to Set New Charges for Parking Violations
Committee Report: Do Pass 6-2-1
5. Ordinance 82-16 To Amend Chapter 15.72 of the Bloomington Municipal Code to Eliminate Parking Meter Enforcement on Saturdays
Committee Report: Do Pass As Amended 9-0
6. Ordinance 82-17 An Ordinance Transferring Appropriations Within the Transit Operating Fund
Committee Report: Do Pass 9-0
7. Appropriation Ordinance 82-2 An Ordinance Specially Appropriating From the Transit Operating Expenditures Not Otherwise Appropriated of the City of Bloomington
Committee Report: Do Pass 9-0
8. Resolution 82-3 To Authorize a Temporary Loan From the Local Road and Street Fund to the Parks and Recreation Fund and the Police Pension Fund
Committee Report: Do Pass 9-0
9. 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
Committee Report: Do Pass 1-5-3
10. Ordinance 82-6 To Repeal and Re-Enact Title 17 of the Bloomington Municipal Code Entitled "Construction Regulations"
Committee Report: Do Pass As Amended 9-0

VII. INTRODUCTION OF ORDINANCES FOR FIRST READING

1. Ordinance 82-18 An Ordinance Transferring an Appropriation Within the Transit Operating Fund
2. Appropriation Ordinance 82-3 To Specially Appropriate From the Federal Revenue Sharing Trust Fund Expenditures Not Otherwise Appropriated of the City of Bloomington
3. Appropriation Ordinance 82-4 To Specially Appropriate From the General Fund Expenditures Not Otherwise Appropriated of the City of Bloomington
4. Ordinance 82-12 To Amend the Bloomington Zoning Maps re: Corner of Blue Ridge Dr. and S.R. 37 as PUD (Elmore)

VIII. MINUTES FOR APPROVAL: February 17, 1982

IX. ADJOURNMENT

In the Common Council Chamber of the Municipal Building held on March 3, 1982, with Council President Pat Murphy presiding over a regular session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
MARCH 3, 1982.

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

ROLL CALL

Council President Murphy read the agenda summation.

AGENDA SUMMATION

Allison reported that she was pleased with the Herald-Telephone editorial encouraging citizens and the city to look toward beautification. The first meeting of the Operation City Beautiful Committee, this year, will be held on March 11. Alpha Phi Omega, a service organization on campus, will be sponsoring a campus-wide cleanup on Saturday, March 13. This type of student activity is to be highly commended.

MESSAGES FROM
COUNCILMEMBERS

Dilcher extended a welcome and congratulations to Betty Merriman, recently appointed City Controller.

John Goss announced the ground breaking ceremony for the Third Street Underpass to be held on Thursday, March 4 at 10:30 A.M. All were invited to attend this event.

MESSAGES FROM THE
MAYOR

Mike Andrews, former member of the EQCC and concerned gardener and citizen, addressed the Work Release location site. He carefully pointed out that the views he was about to express were his own and in no way did they necessarily represent the views of the local gardeners. The main question, Why work release per se and was it wanted in Bloomington? And even though the Dept. of Corrections is promoting work release centers, the prison system is also expanding. He went on to say that the U.S. has the highest ratio of incarcerated populace; he encouraged the Dept. of Corrections to reassess the site in question. A handout was presented.

PETITIONS AND
COMMUNICATIONS

Towell stated that Indiana has perhaps the most restrictive sentencing structure in the U.S. and so of course the prison population is increasing. One advantage of a local work release center will be the space available (25 spaces) for use by the local judiciary. Towell went on to say that for a garden group to be campaigning against a work release center seems the worse kind of travesty. Towell further stated that work release is not an alternative to parole or probation but a way of getting people out of an environment where they are educated to be future criminals; work release is the only way out of the dilemma the state has created.

Bill Jones, a west side resident, expressed concern about the N. Rogers St. location because of Fairview School. The Bloomington Athletic Club Complex was unsuitable because of BHS and Mr. Jones felt the same criteria applied to Fairview. He continued by saying that a petition with over one hundred signatures was being circulated and being readied for presentation to the appropriate body.

Towell said that in the eleven years he had been a member of the Common Council enormous redevelopment monies had been appropriated for the west side.

Olcott said that Mr. Jones' petition was well taken and should be forwarded to the Dept. of Corrections. He also reminded the group that the Eighth and Morton St. site was the committee's first choice and the Tenth and Morton St. site was the second choice.

Service stated that the arguments were no different than the other arguments against the other sites.

Andrews asked when it might be possible to address these concerns.

Murphy stated that he would personally contact and discuss the matter with each councilmember.

Porter stated that he was amazed that with all the publicity surrounding the site that now, at this time, concerns are being expressed when so much time has elapsed.

Bob Behrman, another west side resident, said that opposition is not just from the gardeners, but also the local residents.

Murphy again reiterated his concern and promised to do all that he could to contact councilmembers and the Mayor.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 82-13 by title only. Clerk Williams read the ordinance by title only.

SECOND READINGS:
ORDINANCE 82-13
TO AMEND CHAPTER
20.14 OF BMC.

Service stated that she felt that parking restrictions should be left intact and that people will do things not always in the best public interest (future property owners).

Olcott moved and Morrison seconded a motion to adopt Ordinance 82-13. Olcott read the legislative synopsis.

Ordinance 82-13 was then adopted by a roll call vote of Ayes: 8, Nays: 1 (Service).

Olcott moved and Morrison seconded a motion to introduce and read Resolution 82-4 by title only. Clerk Williams read the resolution by title only.

RESOLUTION 82-4
90 DAY MORATORIUM ON
PARKING METER FEES

Olcott moved and Morrison seconded a motion to adopt Resolution 82-4. Olcott read the legislative synopsis.

John Goss explained the three month experiment to increase downtown activity and to see if parking will turn over without the meters. Tickets will still be written for two hour violations. He also said the resolution could go into effect tomorrow if desired. He complimented the county employees for their cooperation in purchasing parking stickers.

Resolution 82-4 was then adopted by a roll call vote of Ayes: 9, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 82-14 by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 82-14
TO AMEND CHAPTER
15.68 ENTITLED
PARKING LOTS

Towell stated that this ordinance brings all lots into conformity.

Olcott moved and Morrison seconded a motion to adopt Ordinance 82-14. Olcott read the legislative synopsis.

Ordinance 82-14 was then adopted by a roll call vote of Ayes: 9, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 82-15 by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 82-15
NEW CHARGES FOR
PARKING VIOLATIONS

Olcott moved and Morrison seconded a motion to adopt Ordinance 82-15.

Allison moved and Towell seconded a motion to amend the ordinance by adding a new section III which was inadvertently omitted. Subsection 15.68.210(b), entitled "Notice of Violation-Fee Payment", shall be amended to read as follows: "The fine for each violation shall be three dollars if paid within three calendar days, five dollars if paid within thirty calendar days, and ten dollars if paid after thirty calendar days."

Sgt. Watkins of the Bloomington Police Dept. stated that the simplest form would be the easiest to enforce and account for.

Porter wondered how often a meter person would pass a specific car? Watkins responded, "Perhaps every two hours or so".

Hogan stated that this was an experiment and the council should wait the ninety days and see how successful the proposal is.

Olcott made an amendment to the amendment. In place of the three dollar fine, amend it to two dollars if the fine is paid within three calendar days, five dollars if the fine is paid within 30 calendar days, and ten dollars if the fine is paid after thirty days. Morrison seconded.

The amendment to the amendment received a roll call vote of Ayes: 4, Nays: 5. The motion was defeated.

The amendment as originally proposed by Allison received a roll call vote of Ayes: 7, Nays:2 (Hogan, Morrison). The amendment was adopted.

Ordinance 82-15 was then adopted by a roll call vote of Ayes: 7, Nays:2 (Hogan, Morrison).

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 82-16 by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 82-16
ELIMINATE PARKING
METER ENFORCEMENT
ON SATURDAYS

Olcott moved and Dilcher seconded a motion to adopt Ordinance 82-16. Olcott read the legislative synopsis.

Towell proposed the following amendment:"The provisions of this chapter including hourly charges shall apply to vehicles parked or standing upon the streets of the city in the congested areas herein before described between the hours of nine a.m. and five p.m. of any day except Saturdays, Sundays and public holidays." Dilcher seconded.

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

Ordinance 82-16 was then adopted by a roll call vote of Ayes:9, Nays:0. The ordinance was adopted.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 82-17 by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 82-17
ORDINANCE TRANSFERRING
APPROPRIATIONS WITHIN
TRANSIT OPERATING FUND

Olcott moved and Dilcher seconded a motion to adopt Ordinance 82-17. Olcott read the legislative synopsis.

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

Olcott moved and Morrison seconded a motion to introduce and read Appropriation Ordinance 82-2 by title only. Clerk Williams read the ordinance by title only.

APPROPRIATION ORD.
82-2. APPROPRIATION
FROM THE TRANSIT
OPERATING FUND

Olcott moved and Towell seconded a motion to adopt Appropriation Ordinance 82-2. Olcott read the legislative synopsis.

The Appropriation Ordinance received a roll call vote of Ayes: 9, Nays:0. The ordinance was adopted.

Olcott moved and Morrison seconded a motion to introduce and read Resolution 82-3 by title only. Clerk Williams read the resolution by title only.

RESOLUTION 82-3
TEMPORARY LOAN FROM
FROM LOCAL STREET AND
ROAD FUND

Olcott moved and Towell seconded a motion to adopt Resolution 82-3. Olcott read the legislative synopsis.

The ordinance was adopted by a roll call vote of Ayes:9, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 82-8 by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 82-8
WASTEWATER RATES
AND USER CHARGES

Olcott moved and Dilcher seconded a motion to adopt Ordinance 82-8. Olcott read the legislative synopsis.

John Goss said the rate increase would provide a fund for the future and indicated good fiscal planning. He asked the council for approval.

Murphy expressed surprise that no one from the Utilities Department was present.

Larry Baker, a builder, said that new home sales have hit a new low, in fact the lowest in 34 years.

Ordinance 82-8 was defeated by a roll call vote of Ayes: 1 (Service), Nays: 8.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 82-6 by title only. Clerk Williams read the ordinance by title only.

ORDINANCE 82-6
CONSTRUCTION REG-
ULATIONS

Olcott moved and Morrison seconded a motion to adopt Ordinance 82-6. Olcott read the legislative synopsis.

Allison proposed the following amendment and Service seconded.
Delete (e) (f) (j) 17.04.050 Definition of contractors.

Street Cuts. SUBSECTION (1) of 170.8.080 SHOULD BE AMENDED AS FOLLOWS:

Complete STREET CUT SECTION with the following insert:
All brick pavement street cut repairs shall consist of a minimum 6 inch 4000 PSI concrete base with the original or similar paving bricks placed on and bonded to the concrete with an all-weather adhesive material. The joints between the paving bricks shall be filled by brushing dry portland cement into the joints and wetted.

The amendment was adopted by a roll call vote of Ayes:9, Nays:0. Service moved and Dilcher seconded a motion to adopt Ordinance 82-6 as amended.

Ordinance 82-6 was adopted by a roll call vote of Ayes:9, Nays:0.

The following ordinances were then introduced and read for first reading by title only after motions made by Olcott and seconded by Morrison. Clerk Williams read each by title only and Olcott read the legislative synopsis.

FIRST READINGS:
ORDINANCE 82-18
APP. ORD. 82-3
APP. ORD. 82-4
ORDINANCE 82-12

Ordinance 82-18 An Ordinance Transferring an Appropriation Within the Transit Operating Fund.

App. Ord. 82-3 To Specially Appropriate From the Federal Revenue Sharing Trust Fund Expenditures Not Otherwise Appropriated of the city of Bloomington. Public input requested.

Appropriation Ordinance 82-4 To Specially Appropriate From the General Fund Expenditures Not Otherwise Appropriated of the City of Bloomington.

Ordinance 82-12 To Amend the Bloomington Zoning Maps re: Corner of Blue Ridge Drive and S.R. 37 as PUD (Elmore)

Olcott moved and Morrison seconded a motion to approve the minutes of February 17, 1982, as submitted. Motion carried by a unanimous voice vote.

MINUTES FOR APPROVAL
FEBRUARY 17, 1982.

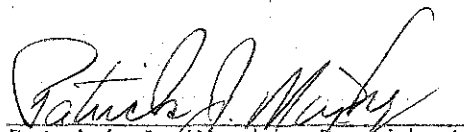
The meeting was then adjourned at 9:40 P.M.

ADJOURNMENT

MINUTES approved this 17th day of March, 1982.

APPROVE:

ATTEST:


Patrick J. Murphy, President
Bloomington Common Council


Patricia Williams
City Clerk