

AGENDA  
COMMON COUNCIL  
REGULAR SESSION  
SEPTEMBER 15, 1982, 7:30 P.M.

- 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

Resolution 82-17 Inducement Resolution for Economic Development Revenue Bonds for IPCO Corporation.  
Committee Recommendation: Do Pass 9-0.

2. Ordinance 82-57 An Ordinance Concerning the Annexation of Adjacent and Contiguous Territory (Edgemont Park).  
Committee Recommendation: Do Pass 9-0.

3. Resolution 82-14 A Resolution Adopting a Written Fiscal Plan and Establishing a Policy for the Provision of Services to an Annexed Area.  
Committee Recommendation: Do Pass 9-0.

4. Ordinance 82-55 To Reduce Appropriations Within the Transit Operating Fund and to Transfer to the Transit Operation Fund of the Bloomington Public Transportation Corporation.  
Committee Recommendation: Do Pass 7-2 (Hogan, Morrison).

5. Ordinance 82-56 To Authorize the City to Issue Its "Economic Development Revenue Bonds, Series 1982" and Approving Other Actions in Respect Thereto, (St. Regis Paper Co.)  
Committee Recommendation: Do Pass 9-0

6. Ordinance 82-54 To Transfer Appropriations Within the Parks and Recreation Fund.  
Committee Recommendation: Do Pass 8-0-1 (Towell).

7. Ordinance 82-58 To Amend the Bloomington Zoning Maps.  
Re: Canada Property, Winslow Road as a PUD  
Committee Recommendation: Do Pass 7-0-2 (Hogan, Olcott).

8. Ordinance 82-59 To Amend the Bloomington Zoning Maps.  
Re: 3633 Old Walnut St. Pike as a PUD (Southern Monroe Dev, Corp.)  
Committee Recommendations: Do Pass 7-0-2 (Towell, Murphy)

9. Ordinance 82-60 To Amend the Bloomington Zoning Maps.  
Re: 315 E. 7th St. as Historic Designation (Carole Carroll)  
Committee Recommendation: Do Pass 8-1 (Hogan).

10. Ordinance 82-39 An Ordinance Fixing the Salaries of Utilities Employees of the City of Bloomington for the Year 1983.  
Committee Recommendation: Postponed for Executive Session.

11. Appropriation Ordinance 82-14 An Ordinance Adopting the Budget for the Operation, Maintenance, Debt Service and Capital Improvements for the Water and Wastewater Utility Departments of the City of Bloomington.  
Committee Recommendation: Do Pass 5-0-4 (Allison, Service, Murphy, Towell).

- VII. LEGISLATION FOR FIRST READINGS - INTRODUCTION OF ORDINANCES

1. Ordinance 82-61 To Amend the Bloomington Zoning Maps.  
Re: Zoning Changes from SI to RS, 300 Blocks of N. Jefferson & N. Bryan.

2. Ordinance 82-62 To Vacate a Public Right-of-Way.  
Re: North-South Alley located between 14th and 15th Streets between Madison and Woodburn Avenues.

3. Ordinance 82-63 To Amend the Bloomington Zoning Maps. Re: Zoning changes from BA to ML at 5228 N. St. Rd 37.

4. Ordinance 82-64 To Ratify the Lease of Nineteen Motor Vehicles, Their Contents, Parts of Lots 78,79,80,81,82 and 83 in the Barclay Gardens Addition to the City of Bloomington to the Bloomington Public Transportation Corp.

5. Ordinance 82-65 To Amend Chapter 14.36 of the Bloomington Municipal Code to Add Section 14.36.020 Entitled "Automatic Telephone Devices Prohibited".

- VIII. MINUTES FOR APPROVAL SEPTEMBER 1, 1982.

- IX. ADJOURNMENT

In the Common Council Chambers of the Municipal Building held on September 15, 1982, with Council President Pat Murphy presiding over a Regular Session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
SEPTEMBER 15, 1982

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

ROLL CALL

Council President Murphy read the agenda summation.

AGENDA SUMMATION

There was no Mayoral message.

MAYORAL MESSAGE

Service referred to the League of Women Voters panel on hazardous waste and said that it is a subject that Bloomington has to educate itself about. The upcoming production of School for Scandal was announced.

MESSAGES FROM  
COUNCILMEMBERS

It was moved and seconded that Clarence Gilliam be appointed to the Human Resources Commission to replace Lisa Lipman who recently resigned. The motion carried by an unanimous voice vote.

HUMAN RESOURCES  
BOARD APPOINTMENT

There were no petitions or communications from the public.

PETITIONS AND COMM.

Council President Murphy read a letter from Mr. Bungler, attorney for D.G. Elmore, withdrawing the Blue Ridge PUD request, specifically Ordinance 82-12.

WITHDRAWAL OF 82-12  
BLUE RIDGE

Porter moved and Towell seconded a motion to withdraw Ordinance 82-12. The motion carried by an unanimous voice vote.

SECOND READINGS:  
RES. 82-17 INDUCEMENT  
FOR ECONOMIC BONDS  
FOR THE IPCO CORP.

Olcott moved and Morrison seconded a motion to introduce and read Resolution 82-17 by title only.

Clerk Williams read the resolution by title only.

Olcott moved and Towell seconded a motion to adopt Resolution 82-17. Service read the legislative synopsis.

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

Olcott moved and Towell seconded a motion to introduce and read Ordinance 82-57 by title only.

ORD. 82-57  
EDGEMONT ANNEXATION

Clerk Williams read the ordinance by title only.

Olcott moved and Towell seconded a motion to adopt Ordinance 82-57. Service read the legislative synopsis.

Olcott said that the annexation procedure was a good one and of benefit to the residents of the area. He complimented all the departments involved on a job well done.

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

Olcott moved and Towell seconded a motion to introduce and read Resolution 82-14 by title only.

RES. 82-14 FISCAL  
PLAN FOR EDGEMONT  
AREA.

Clerk Williams read the resolution by title only.

Olcott moved and Towell seconded a motion to adopt Resolution 82-14. Service read the legislative synopsis.

Olcott thanked Mr. Doman, Edgemont resident who worked closely with the redevelopment department on this project.

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

Olcott moved and Towell seconded a motion to introduce and read Ordinance 82-55 by title only.

ORD. 82-55. TRANSFER OF FUNDS TO THE PUBLIC TRANSPORTATION CORPORATION.

Clerk Williams read the ordinance by title only.

Olcott moved and Towell seconded a motion to adopt Ordinance 82-57 Service read the legislative synopsis.

Hogan said that although he realizes the need for additional funding for the PTC, he still objects to the formation of the Public Transit Corporation.

The motion received a roll call vote of Ayes: 7, Nays:1 (Hogan).

Olcott moved and Towell seconded a motion to introduce and read Ordinance 82-56 by title only.

ORD. 82-56. AUTHORIZE THE CITY TO ISSUE ECONOMIC DEVELOPMENT BONDS FOR THE ST. REGIS PAPER CO.

Clerk Williams read the ordinance by title only.

Olcott moved and Towell seconded a motion to adopt Ordinance 82-56. Service read the legislative synopsis.

Bill Finch said that there was a slight change in the finance documents that he wanted the council to be aware of. In the event that the bonds were to become taxable the bonds would then have to be immediately redeemed. This is very unlikely that legislation would be passed that would be retroactive, but he wanted the council to be informed of that possibility.

Towell remarked that the inducement resolution was already passed by the Council and that the company has gone ahead with production.

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

Olcott moved and Towell seconded a motion to introduce and read Ordinance 82-54 by title only.

ORD. 82-54. TO TRANSFER APPROP. WITHIN THE PARKS AND RECREATION DEPARTMENT

Clerk Williams read the ordinance by title only.

Olcott moved and Towell seconded a motion to adopt Ordinance 82-54. Service read the legislative synopsis.

Frank Ragan said that the insurance rates can fluctuate dramatically. In the last year there have been fewer claims filed and therefore a surplus in the line item.

Towell asked about the rate for the entire city. Ragan said that the share the parks and recreation department pays is pro rated but that the original amount designated was based on previous years claims. This year was just a low claim year.

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

Olcott moved and Towell seconded a motion to introduce and read Ordinance 82-58 by title only.

ORD. 82-58. TO AMEND THE BLOOM. ZONING MAPS RE: PUD (CANADA PRO TY)

Clerk Williams read the ordinance by title only.

Olcott moved and Towell seconded a motion to adopt Ordinance 82-58. Service read the legislative synopsis.

Towell asked for clarification about sidewalks and bike paths thru the floodplain area.

Tim Mueller said that the developer is obligated to deed 100' of right-of-way from the center of the road across the entire

tract. He is also obligated to construct sidewalks along Winslow Road as well as a bike path from the Sherwood Oaks Park to Winslow Road.

Dilcher commented on the unsafe walkway.

Hogan said that if the floodplain area is undeveloped and there are no definite plans for that piece of land, the sidewalk to High Street will never be built unless the developer does it. He also asked why the floodplain was not included in the PUD designation.

Tom Canada, owner of the property said that several things were possible with the floodplain area if the land was useable. One possibility is a planned vegetable garden area for the residents of the condominiums. Another use might be a small park. Right now the area is planted. He explained that there are actually two deeds for the property with one deed divided into two parcels.

Hogan asked how this project would affect utilities, the lift stations, and traffic in the area.

Mueller said that this was a rapidly developing area; that in the future College Mall Road might join with Winslow Road; that we will have to upgrade the streets in the entire area; that we should expand our growth where we already have a secure infrastructure; that there are periods when the lift station is overloaded and that the problem is not due to new developments but to an infiltration problem; and that at this time Federal funding is uncertain for the Jackson Creek plan.

Towell addressed the sidewalk and bike path issue again and wondered about subdividing deeds and making plats smaller and thereby exempting the developer from constructing the full sidewalk. He reminded the council and the developer that it has been the council's policy to obtain sidewalks wherever and whenever possible.

Tom Canada said that he would be glad to cooperate in any way possible. He realized that the Sherwood Oaks Neighborhood Association was concerned about the safety of children walking to Childs School as was he. He suggested that they might like to take a little more aggressive an approach to sidewalks in their own area as well. Mr. Canada did agree to construct a sidewalk along the entire northern boundary of this property and requested that the material used be limestone rather than concrete.

Pat Barron, president of the Sherwood Oaks Neighborhood Assoc. said that the association was concerned with sidewalks in the area, or rather the lack of them and complimented Mr. Canada on his generous proposal.

Olcott said that despite the surveys and the sight line compliance with Winslow Road, he was still very concerned with the amount of traffic that will be created by this development and wanted measures taken to improve the existing conditions.

Mueller said that acceleration, deceleration and passing blisters are usually decided at the developmental planning stage. He said that the existing conditions meet the safety standards. Olcott said that Winslow Rd. is a major artery that has to be more carefully considered than perhaps other areas.

The following amendment was proposed by Olcott and seconded by Towell to include the following:

To build a sidewalk to city specifications or of limestone to standards to be established by the city engineer across Winslow Rd. boundary from the NW corner of the site to the east line of High St. and to include acceleration and deceleration lanes and a passing blister in the development plans.

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

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

Olcott moved and Towell seconded a motion to introduce and read Ordinance 82-59 by title only.

ORD. 82-59 TO  
AMEND THE ZONING  
MAPS. RE: PUD  
3633 OLD WALNUT ST. PK

Clerk Williams read the ordinance by title only.

Olcott moved and Towell seconded a motion to adopt Ordinance 82-59. Service read the legislative synopsis.

Towell expressed concern that the circle off the main street be included as a public street because of future requests from homeowners in the area to take over the streets at some later date.

Steve Smith said that the street is only 24' wide and is already dedicated.

Tim Mueller said that the Board of Public Works requires that streets be private in condominium area; that most of the present PUDs have followed that format; and that private streets do not create any maintenance costs for the city.

Olcott suggested that we ask that these streets be constructed according to city standards, but not necessarily the width of these streets.

Towell moved and Olcott seconded the following amendment to the ordinance:

To make the circle drive in the designated area a public dedicated street.

The motion received a roll call vote of Ayes: 4, Nays: 4 (Allison, Dilcher, Service, Hogan).

Mueller said that streets which serve unitary ownerships should be private drives and that buyers will know what their obligations are when they purchase units in those developments.

Towell said that he was not suggesting that every street be a public street but just this particular one.

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

Olcott moved and Towell seconded a motion to introduce and read Ordinance 82-60 by title only.

ORD. 82-60 TO AMEND  
THE BL. ZONING MAPS  
RE: 315 E. 7th St.  
(CAROLE CARROLL)

Clerk Williams read the ordinance by title only.

Olcott moved and Towell seconded a motion to adopt Ordinance 82-60. Service read the legislative synopsis.

Hogan was concerned with zoning and parking problems in the area and wondered why it was necessary to build yet another apartment in the area.

Towell said that the real cause of problems in the area is the university's parking policies.

Tim Mueller did not feel that one unit was going to have an impact on the entire area.

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

Olcott moved and Towell seconded a motion to introduce and read Ordinance 82-39 by title only.

ORD. 82-39 UTILITIES  
SALARY ORDINANCE FOR  
1983

Clerk Williams read the ordinance by title only.

Olcott moved and Towell seconded a motion to adopt Ordinance 82-39. Service read the legislative synopsis.

Allison asked how the salaries were established.

Stu McClure said the guidelines for the rest of the civil city budget were used; 8% and .48 per hour.

Allison said that everyone is concerned with salaries and keeping costs down. We've gotten into the habit of having automatic increases.

McClure said he feels strongly that there should be merit raises. Turnover is a problem and it is costly because you have to retrain people to do the same job over and over again.

Hogan said that the council was putting Mr. McClure in an unfair position. He is offering the same raises as the rest of the city and it is also unfair to put the question of merit to him.

Service said that all of the raises were irresponsible.

Murphy said that it was unfair to single out any one individual and that next year would vote for perhaps a 3% raise for some and not for others.

Olcott said that all of the councilmembers probably agree with that basic philosophy but how can the council decide or judge better than a department head; the problem of merit raises then goes back to the department head.

The ordinance received a roll call vote of Ayes: 6, Nays: 2  
(Service, Hogan).

Olcott moved and Towell seconded a motion to introduce and read Appropriation Ordinance 82-14 by title only.

APPROP. ORD 82-14  
ADOPTING THE BUDGET  
FOR UTILITIES DEPT.

Clerk Williams read the appropriation ordinance by title only.  
Service read the legislative synopsis.

Towell asked that the vehicle purchases be clarified.

McClure said that 16 vehicles were due to be replaced in 1983, consisting of passenger, pick-ups and specialized vehicles.

Olcott asked why the Dillman Rd. plant is so expensive to operate. McClure said that the phosphate and nitrates and chemical requirements have increased. It is also a very sophisticated plant that requires highly trained personnel to operate.

Service said that it would have been helpful to have some of this information earlier. She also said that as long as rebates are given by this department she would not vote for any budget submitted by them.

Olcott asked if a rate increase was pending for 1984. McClure said yes.

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

The following ordinances were then introduced and read for first read by title only after motions made by Olcott and seconded by Towell.

FIRST READINGS:

Clerk Williams read the ordinances by title only and Dilcher read the legislative synopsis.

Ordinance 82-61 To Amend the Bloomington Zoning Maps. Re: Zoning Changes from SI to RS. The 300 Blocks of N. Jefferson and N. Bryan  
Ordinance 82-62 To Vacate a Public Right-of Way. Re: North-South alley located between 14th and 15th Streets between Madison and Woodburn Avenues.

Ordinance 82-63 To Amend the Bloomington Zoning Maps. Re: Zoning changes from BA to ML at 5228 N. St. Rd 37.

Ordinance 82-64 To Ratify the Lease of Nineteen Motor Vehicles, Their Contents, Parts of Lots 78, 79, 80, 81, 82 and 83 in the Barclay Gardens Addition to the City of Bloomington to the Bloomington Public Transportation Corporation.

Ordinance 82-65 To Amend Chapter 14.36 of the Bloomington Municipal Code to Add Section 14.36.020 Entitled "Automatic Telephone Devices Prohibited".

ORD. 82-61  
AMEND THE BL.ZONING  
SI TO RS  
ORD. 82-62. TO  
VACATE A PUBLIC  
RIGHT-OF-WAY  
ORD. 82-63. TO  
AMEND THE BL.ZON  
CODE FROM BA TO I  
ORD. 82-64 TO  
RATIFY LEASE FOR THE  
P.T.C.

It was moved and seconded to approve the minutes of the September 1 meeting, as submitted. Motion carried by an unanimous voice vote.


MINUTES FOR APPROVAL  
SEPTEMBER 1, 1982.

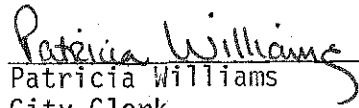
The meeting adjourned at 10:15 P.M.

ADJOURNMENT

APPROVE:

ATTEST:

  
Patrick J. Murphy, President  
Bloomington Common Council

  
Patricia Williams  
City Clerk