

AGENDA
COMMON COUNCIL
REGULAR SESSION
JULY 15, 1981, 7:30 P.M.
COUNCIL CHAMBERS

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. MESSAGES FROM COUNCILMEMBERS
- IV. MESSAGES FROM THE MAYOR
- V. VOTE ON AUGUST MEETING SCHEDULE
- VI. APPOINTMENTS TO BOARDS AND COMMISSIONS
- VII. LEGISLATION FOR DISCUSSION/VOTE - SECOND READINGS
 - *1. Resolution 81-21 To Express Support for Locating a State Department of Corrections Work Release Center in Bloomington
Committee Report: None - committee meeting cancelled
 2. Ordinance 81-69 To Amend the 1981 Salary Ordinance for Appointed Officers and Employees to Create the Position of Child Care Records Supervisor
 3. Ordinance 81-70 To Amend the 1981 Salary Ordinance for Appointed Officers and Employees to Create a New Position (Clerk Typist II) in the Personnel Department
 4. Resolution 81-20 Inducement Resolution for Economic Development Revenue Bonds for Owens, Bryan and Reed Realtors
 5. Ordinance 81-67 To Authorize the Issuance of \$270,000 in Economic Development Revenue Bonds (RMG Development Project) and to Approve Other Actions in Respect Thereto
 6. Ordinance 81-64 To Authorize the Issuance of \$4,000,000 in Economic Development Revenue Bonds Series A (Bloomington Square Associates Project) and to Approve Other Actions in Relation Thereto
 7. Ordinance 81-65 To Amend the Bloomington Zoning Maps re: 225 North Smith Road from RS to RE (Posson - Kenlawn Garden Center)
 8. Ordinance 81-66 To Amend the Bloomington Zoning Maps re: north end of Northwoods Lane from RE to RS (Hartung)
 9. Ordinance 81-68 To Amend the Bloomington Zoning Maps re: 1100 W. 11th Street from BL to BG (Horton)
- VIII. INTRODUCTION OF ORDINANCES FOR FIRST READING
 1. Ordinance 81-75 1982 Civil City Salary Ordinance for Appointed Officers and Employees
 2. Ordinance 81-73 Amend Zoning Maps re: 913 W. Second Street from RS to SM (Poolitsan)
 3. Ordinance 81-74 Amend Zoning Maps re: 314/318 W. 16th Street and 321/315 Kenwood Avenue from BG to RL (Sater, Roberts & Clark)
 4. Ordinance 81-71 Budget Transfers (Controller's Office and MVH Fund)
 5. Appropriation Ordinance 81-7 To Appropriate Funds from Federal Revenue Sharing to Transit, from the General Fund to Personnel, and from the Parks and Recreation Fund
- IX. MINUTES FOR APPROVAL: July 1, 1981
- X. ADJOURNMENT

In the Common Council Chambers of the Municipal Building, held on July 15, 1981, with Councilpresident Towell presiding over a regular session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
JULY 15, 1981

Towell gave the agenda summation, noting that the agenda would be amended to add Resolution 81-21, To Express Support for Locating a State Department of Corrections Work Release Center in Bloomington; to postpone action on Ordinance 81-66, To Amend Zoning Maps re: north end of Northwoods Lane from RE to RS (Hartung), since the petitioner was to meet several conditions imposed by the Plan Commission before approval is granted; and to delete Ordinance 81-75, Civil City Salary Ordinance for Appointed Officers and Employees under First Readings. Due to a break-down in negotiations, preparation of the Salary Ordinance has been delayed, and it will not be distributed at this time.

AGENDA SUMMATION

Service reported that the City's Historic Building Ordinance has been certified at the federal level, and Bloomington's ordinance is the first in the state to receive this designation. Certification will provide tax incentives for historic preservation projects, and she said Bloomington should be proud to be a leader in the field. Second, she urged residents to be more conscientious about reporting the loss of dangerous pets to the proper authorities.

MESSAGES FROM
COUNCILMEMBERS

Allison commended County Councilmember Morris Binkley for his stand against imposing a landfill user fee on the City. Binkley believes that this constitutes double taxation on City residents and she agrees with this opinion, adding that City residents should not have to pay for county residents' trash pickup.

Murphy noted a recent article in the Herald-Telephone concerning economic growth in Bloomington, and stated that the article failed to mention the important impact the Economic Development Commission and City Council have had in this area.

Mayor McCloskey commended Allison on her statements on the landfill user fee. He agreed that it would mean double-taxation for City residents, adding that this problem also occurs in the areas of County police protection, parks, etc. Second, he said the City has reached a tentative agreement with the City union, stating that "it is more than the City wanted to pay, but not as much as they would have liked us to." He praised Bill Finch, John Goss, and Pat Gross on their work with the negotiations, adding that the matter is now in the union's hands. Concerning the letter to Hotline asking about the poor condition of the curve at Winslow Road and High Street, he said that it is not a City road, but the City would be willing to work on the curve if Jim Sergeant of the Monroe County Highway Department would go along with it. Finally, he thanked Towell for his leadership in bringing the Work Release Center issue before the community. Bloomington's previous experience with the program has been good, and although he understands the concerns of area neighbors, he believes that the W. Howe Street site is appropriate. He regretted the lack of communication between the State and area residents, but said that it would be unfortunate if Bloomington were to turn its back on the people in the program.

MAYOR'S MESSAGE

Towell explained that the budget hearings will have to be combined into three nights of July 20-22. This type of schedule will not allow the Council to go through each budget line by line, but if the Council is going to have any input hearings will have to be held next week. Murphy added that discussion could continue into Thursday if needed.

VOTE ON AUGUST
MEETING SCHEDULE

Olcott moved and Allison seconded a motion to approve the budget meeting schedule as presented. Motion carried by unanimous voice vote.

Allison moved and Dilcher seconded a motion to approve the August meeting schedule. Motion carried by unanimous voice vote.

Service moved and Porter seconded a motion to appoint the following people to City Boards and Commissions:

Telecommunications Council: Don Agostino - term ends 7/83.

Historic District & Building Study Committee: Janet Hansen - term ends 7/83.

Commission on the Status of Women: Mary Carroll - term ends 3/82, and Diane Gaede - term ends 2/82.

Environmental Commission: reappoint Barry Solomon - new term ends 7/83.

Housing Quality Appeals Board: Robert Schwarzwald - term ends 1/83.

Animal Control Commission: reappoint Fran Moore - term ends 7/83; and reappoint Susan Wintch (PALS) - term ends 7/83.

The above people were then appointed by unanimous voice vote.

Olcott moved and Murphy seconded a motion to amend the agenda to add Resolution 81-21 as the first item under second readings. Motion carried by unanimous voice vote.

Olcott moved and Morrison seconded a motion to introduce and read Resolution 81-21 in its entirety.

Clerk Connors read Resolution 81-21 in its entirety.

Olcott moved and Morrison seconded a motion to adopt Resolution 81-21.

Towell noted that there was no committee hearing on any of the second readings, and then gave the rules of discussion on the resolution.

Murphy began by reminding people that no matter what the Council recommends, the State can choose to locate at whatever site they please. However, he is glad to see that the State is trying to get the support of the community, although the lines of communication could have been better. He continued that the Work Release Center's previous location at Eighth and Lincoln posed no problems with the neighbors, and added that the fears of the neighbors have been raised by distortions concerning the type of inmate that would be housed at the Center. He concluded that these inmates need an opportunity to work their way back into society, support their families, and make restitution.

Morrison said the State should not be able to impose their programs on neighborhoods that are opposed to having them. He said that the people of the westside have worked hard to improve their neighborhoods, with many being life-long residents of the area. All of their work could go down the drain if this program begins on the westside.

Service said she doubts a site exists that would not be controversial. She explained that she used to live one block away from the old Center, and it was never any problem. She added that these people are trying to make efforts to integrate themselves back into the community, and they may be better neighbors than people no one knows anything about.

Hogan said he supports the concept of a Work Release Center, but he is not convinced that the proposed location is an ideal one. The neighborhood is now a stable one, and they have a right to be apprehensive, stating that even though only misdemeanants may be in the program this year, it may be felons convicted of manslaughter next year. He said he is concerned about the way the whole thing has been handled, and concluded that the Council's responsibility is to the citizens, not felons.

AMEND AGENDA
ADD RES. 81-21
To Express Support for Locating a State Department of Corrections Work Release Center in Bloomington

Al Bennett, Director of Community and Youth Programs for the Indiana Department of Corrections, expressed his pleasure over the wide support for the Work Release Center in Bloomington. Thirty to forty properties have been examined over the last two years, and he stressed the difficulty of locating a central site that can be renovated to suit their needs. He explained that Work Release Centers serve an important function by providing a program where inmates can gradually work their way into the community rather than being released straight from prison into the community with no adjustment period before they are paroled. He stressed that program participants are thoroughly screened, adding that all six work release centers in the state are well accepted by each community and their presence has not affected property values. In fact, extensive remodeling is usually involved, and the neighborhoods have been enhanced by these renovations. The admission rate from Monroe County was 176 people, and most of these inmates are from Monroe County. In conclusion, he pledged to make this center one of the best in the state.

Olcott asked if the State will locate the center on West Howe Street despite the Council's action, and Mr. Bennett replied that no decision has been made, but the opinion of local elected officials will weigh heavily on their decision. In answer to another question from Olcott concerning the feasibility of remodeling the CAP building, Bennett said that 14,000 square feet is adequate and many of their centers are smaller while accommodating more inmates. Engineers and architects have approved the remodeling, and the design will allow parole officers to be transferred from Columbus to Bloomington.

Karen Mobley, W. Howe Street resident, said that some of the neighbors are not able psychologically to accept the center in their neighborhood, and she said the negative attitude of the neighbors will not be conducive to the inmates' adjustment to society if they are not accepted into the area. Mr. Bennett replied that it is not unusual for the neighbors to be skeptical in the beginning, but he said that the inmates in the program have committed crimes against property, not people, and the return rate to prison from Work Release Centers is only 5% as opposed to 70% for those who do not participate in the program.

There was an extended discussion concerning the participants, parking and recreation areas, the cost of the remodeling, inmates' length of stay, evening activities, other sites, etc.

Mr. Bennett said that a considerable amount of tax funds are saved by Work Release Centers - it costs \$6,000 to keep an inmate in a Center for a year as opposed to at least \$15,000 for a state institution.

Peggy Gudal asked about future funding for the Center, and Mr. Bennett replied that with more offenders than ever before, the state is anxious to continue this program.

One resident asked about the possibility of just putting these people under house arrest, and Judge Ken Todd replied that funds have not been appropriated by the county for this purpose, and they do not have the personnel to supervise such a program. Also, security and discipline would be better in a Center.

In answer to a question from an area resident, Mr. Bennett said that there are enough jobs in Bloomington to place the inmates - many will probably be paid minimum wage. All 85 residents will not be brought in at once, rather they will be sent to Bloomington as jobs become available. Employers get a tax break for employing these inmates.

Tom O'Daniel said that he employs people from Work Release, and they have always been hard-working, dedicated employees.

There was a discussion concerning the number of inmates who would be from Monroe County, and Bennett said that these will be people who would probably stay for an average of four months, but most are from the community. State Representative Marilyn Schultz said that these are not people who wouldn't be returning here anyway, but this is a more reasonable progression into society. She continued that a great deal of money will be spent by the state on new prisons, and to avoid this expensive trend, it is important to support the concept of these centers. She said that education is suffering in the state because so much money has to be spent on corrections. She concluded that the choice is to either spend less money on an less-expensive system, or pour millions into new prisons.

Dave Kilroy, a former worker in the Work Release Center on North Lincoln Street, said that no one was ever harmed in the neighborhood, and they accepted more than misdemeanants. The prospect of returning to prison if an inmate breaks the rules is a good incentive to keep in line.

Local attorney Lee Pettay said that he has heard that not all of the residents will be from this area, and that this location is not appropriate since drugs could be available so close to doctor offices and hospitals. Mr. Bennett replied that Centers have been close to these types of facilities before and there has never been any problem. They have no plans to bring people from outside of the area.

Judge Todd spoke on behalf of all four Monroe County Judges, stating that they support the concept of a Work Release Center but they do not think it is appropriate to endorse a particular site. Without a Center, inmates would be released from maximum security prisons with their clothes and \$100 and told to stay out of trouble, adding that these people would be a much greater risk under these circumstances. Monroe County does not have the \$150,000 to have their own Center, and these state funds should be put to their full use. As a personal opinion, he said that there should have been more advance planning, noting that the discussion this evening has given him some serious reservations about the site. The residents see this as a power-play on the part of the State, and this sort of attitude will only add to the animosity. He continued that there are two alternative sites being considered that probably would not create this kind of resistance, and these could be investigated within a month. He said the Council could table the resolution until these sites are investigated.

Hogan moved and Olcott seconded a motion to table Resolution 81-21. Motion failed by a roll call vote of Ayes: 4, Nays: 5 (Allison, Towell, Murphy, Dilcher and Service).

Olcott said he sees the need for a Center in Bloomington, but it is part of the Council's job to investigate other possibilities.

Realtor Alan Mayfield distributed a copy of other possible sites to the Council, asking them to not make them public.

Murphy moved and Morrison seconded a motion to divide the question to delete all references to 309 W. Howe from the resolution. Motion carried by a roll call vote of Ayes: 9, Nays: 0.

Porter moved and Allison seconded a motion to adopt Resolution 81-21 as amended to delete references to location.

Allison said the Council has a responsibility to all of the citizens, including these inmates. The Center has been successful in the past, and the state has been looking for three years

for a site that is the appropriate size, is in a central location, on a bus line, etc. Anything that can be done to help make these people law-abiding citizens should be encouraged.

Chet Foster said that the neighbors are only having a normal, human reaction. Of course the Center should be in a residential area for the sake of the inmates, but the Center would not necessarily be in the best interest of the neighborhood.

County Commissioner Charlotte Zietlow said that the Monroe County jail is severely overcrowded, and this will allow these people to be productive members of society.

Alan Sogstead, St. Thomas Lutheran Church, said that the four clergymen he spoke with today all supported the Center.

County Councilmember Maggie Lynch encouraged area residents to talk with people living close to the former Center or to other Centers to help dispel their fears.

A representative of the State disputed Judge Todd's statement that another site could be approved in a month. He said with all of the procedures involved, it would take at least four to six months.

Motion to approve as amended was then adopted by a roll call vote of Ayes: 9, Nays: 0.

Porter moved and Morrison seconded a motion to table the second part of the resolution with the location of 309 W. Howe Street. Motion carried by a vote of Ayes: 6, Nays: 3 (Allison, Towell and Service).

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 81-69 by title only.

Clerk Connors read Ordinance 81-69 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 81-69. Dilcher read the legislative synopsis.

Ordinance 81-69 was then adopted by a roll call vote of Ayes: 8, Nays: 0 (Hogan out of the room).

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 81-70 by title only.

Clerk Connors read Ordinance 81-70 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 81-70. Dilcher read the legislative synopsis.

Ordinance 81-70 was then adopted by a roll call vote of Ayes: 9, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Resolution 81-20 by title only.

Clerk Connors read Resolution 81-20 by title only.

Olcott moved and Morrison seconded a motion to adopt Resolution 81-20. Dilcher read the legislative synopsis.

Bill Finch explained that the Economic Development Commission approved this request which would create 18-22 new jobs over several years. Funds will be used to expand an existing real estate business.

Resolution 81-20 was then adopted by a roll call vote of Ayes: 9, Nays: 0.

ORDINANCE 81-69
Amend 1981 Salary
Ord. to Create
the Position of
Child Care Records
Supervisor

ORDINANCE 81-70
Amend 1981 Salary
Ord. to Create a
Clerk Typist II
Position in Personnel

RESOLUTION 81-20
Inducement Resolution
for EDC Bonds for
Owens, Bryan & Reed
Realtors

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 81-67 by title only.

ORDINANCE 81-67
EDC Bonds for
RMG Development
Project

Clerk Connors read Ordinance 81-67 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 81-67. Dilcher read the legislative synopsis.

Dilcher moved and Allison seconded a motion to make two minor amendments to the ordinance: (1) on page three, 15th line from top, add the following after "Lessee's Statement": "a Guaranty from W. George Pinnell and James E. Owens"; (2) on page six, 3rd line from the top, add the following after "Lessee's Statement": "Guaranty". Motion carried by unanimous voice vote.

Geoff Grodner noted that he will not be a lessee.

Ordinance 81-67 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 81-64 by title only.

ORDINANCE 81-64
EDC Bonds for
Bloomington
Square Assoc.

Clerk Connors read Ordinance 81-64 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 81-64. Dilcher read the legislative synopsis.

Bill Finch reported that the EDC had approved the ordinance, and the petitioners will hire 200 people.

Service said she is convinced that the more EDC ordinances the Council passes, the more she believes that they are not the way to go.

Ordinance 81-64 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 Ordinance 81-65 by title only.

ORDINANCE 81-65
Amend Zoning re:
225 N. Smith Rd.
from RS to RE
(Posson)

Clerk Connors read Ordinance 81-65 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 81-65. Dilcher read the legislative synopsis.

Planning Director Tim Mueller said that the current Kenlawn Center is a non-conforming use in an RS zone. The requested RE zone would allow the nurseries.

Ordinance 81-65 was then adopted by a roll call vote of Ayes: 9, Nays: 0.

Olcott moved and Murphy seconded a motion to postpone action on Ordinance 81-66 since the petitioner needs to meet several conditions imposed by the Plan Commission before the case can be considered by the Council. Motion carried by unanimous voice vote.

ORDINANCE 81-66
Amend Zoning re:
Northwoods Lane
RE to RS (Hartung)

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 81-68 by title only.

ORDINANCE 81-68
Amend Zoning re:
1100 W. 11th St.
from BL to BG
(Horton)

Clerk Connors read Ordinance 81-68 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 81-68. Dilcher read the legislative synopsis.

Ordinance 81-68 was then 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 Connors read each by title only and Dilcher read the legislative synopses.

FIRST READINGS
Ordinance 81-73
Ordinance 81-74
Ordinance 81-71
App. Ord. 81-7

Ordinance 81-73 Amend Zoning Maps re: 913 W. Second Street from RS to SM (Poolitsan)

Ordinance 81-74 Amend Zoning Maps re: 314/318 W. 16th Street and 321/315 Kenwood Avenue from BG to RL (Sater)

Ordinance 81-71 Budget Transfers

Appropriation Ordinance 81-7 To Appropriate Funds from FRS to Transit, from the GF to Personnel, and from the Parks and Recreation Fund. Towell asked for public comments concerning the FRS funds, but there were none.

Dick Martin, resident of N. Hinkle Road, expressed his concern over the growing problem of hundreds of cars parked along Hinkle Road next to Lake Griffey. It is very dangerous since cars park on both sides and it would be impossible at times for emergency vehicles to get through. He continued that the trash problem is also getting worse, but the Parks Board agreed yesterday to put out more cans. He concluded that funds are needed to do something about the parking situation as soon as possible.

PETITIONS &
COMMUNICATIONS

Olcott moved and Morrison seconded a motion to approve the minutes of July 1, 1981, as submitted. Motion carried by unanimous voice vote.

MINUTES FOR
APPROVAL: 7/1/81

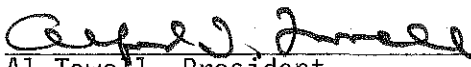
The meeting was then adjourned at 10:45 p.m.


ADJOURNMENT

MINUTES approved this 5th day of August, 1981.

APPROVE:

ATTEST:


Al Towell, President
Bloomington Common Council


Nora Connors
City Clerk