

AGENDA  
COMMON COUCNIL  
REGULAR SESSION  
WEDNESDAY, OCTOBER 21, 7:30  
COUNCIL CHAMBERS

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. MESSAGES FROM COUNCILMEMBERS
- IV. MESSAGES FROM THE MAYOR
- V. APPOINTMENTS TO BOARDS AND COMMISSIONS
- VI. PETITIONS AND COMMUNICATIONS
- VII. LEGISLATION FOR DISCUSSION & VOTE/SECOND READINGS
  1. Ordinance 81-92 To Vacate Public Right-of-Way of West Ninth Street Located at 501 N. Rogers Street  
Committee Report: None - tabled at 10/7 Council meeting
  2. Ordinance 81-94 To Amend the 1980 and 1981 Salary Ordinances for Utilities Employees to Add the Positions of Plant Service Mechanic and Chief Operator  
Committee Report: Do Pass 7-0
  3. Ordinance 81-78 To Amend the Bloomington Municipal Code re: Pedestrian Crossings, Two-Hour Parking Zones, and No Parking Zones  
Committee Report: Do Pass 7-0
  4. Ordinance 81-96 Budget Transfers  
re: Fire Department, Police Department, Engineering, Transit, Human Resources and Parks and Recreation Department  
Committee Report: Do Pass 7-0
  5. Resolution 81-15 To Adopt a Fiscal Plan for Annexation of 137 Acres Bordered Approximately by S. Walnut, Illinois Central Gulf RR, Hillside Drive and Country Club Drive  
Committee Report: Do Pass 6-0-1
  6. Ordinance 81-95 Annexation of 137 Acres Bordered Approximately by S. Walnut Street, Illinois Central Gulf RR, Hillside Drive and Country Club Drive  
Committee Report: Do Pass 6-0-1
  7. Ordinance 81-93 To Amend Chapter 15.26 of the Bloomington Municipal Code, Entitled "Emergency Removal and Impoundment of Vehicles"  
Committee Report: Do Pass 7-0
  8. Ordinance 81-86 To Amend Chapter 15.60 of the Bloomington Municipal Code, Entitled "Abandoned Vehicles"  
Committee Report: Do Pass 7-0
- VIII. INTRODUCTION OF ORDINANCES FOR FIRST READING
  1. Ordinance 81-97 To Amend Section 16.12.040 of the Bloomington Municipal Code Concerning Inventory and Damage Lists for Rental Units
  2. Ordinance 81-98 To Amend Section 6.08 of the Bloomington Municipal Code to Increase Cemetery Fees at Rosehill and United Presbyterian Cemeteries
- IX. MINUTES FOR APPROVAL: October 7, 1981
- X. ADJOURNMENT

In the Common Council Chambers of the Municipal Building held on October 21, 1981, with Councilpresident Towell presiding over a regular session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
OCTOBER 21, 1981

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

ROLL CALL

Towell read the agenda summation, noting that Ordinance 81-92, Vacation of Public Right-of-Way at 501 N. Rogers, has been added to this agenda after being tabled October 7. He noted that Councilmember Porter is in the hospital, and the Council wishes him well.

AGENDA SUMMATION

Hogan apologized for the small flashing sign in front of his carwash, adding that they were not aware they were illegal.

MESSAGES FROM  
COUNCILMEMBERS

Service said she was impressed by the new Dental Clinic, stating that it is a badly needed service for low income people. However, she encouraged those who would pay full price to patronize the clinic to offset costs incurred by those who cannot afford to pay.

There was no message from the Mayor.

MAYOR'S MESSAGE

There were no Petitions or Communications.

PETITIONS & COMM.

Service moved and Murphy seconded a motion to appoint Esther Richert and Donald Sattler to two-year terms on the Housing Quality Appeals Board. Motion carried by a roll call vote of 8-0.

APPOINTMENTS TO  
BOARDS & COMM.  
HOUSING QUALITY  
APPEALS BD.

Service moved and Murphy seconded a motion to reappoint Jim Opiat to the Human Resources Commission. Motion carried by a roll call vote of 8-0 for a two-year term.

HUMAN RESOURCES  
COMMISSION  
TRAFFIC COMMISSION  
WOMEN'S COMMISSION

Service moved and Murphy seconded a motion to appoint Raymond Murray to the Traffic Commission from the Fourth District for a two-year term. Motion carried by a roll call vote of 8-0.

Service moved and Murphy seconded a motion to appoint Fern Boruff to a term expiring April, 1983, and Pat Bookwalter to a two year term on the Commission on the Status of Women. Motion carried by a roll call vote of 8-0.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 81-92 by title only.

ORDINANCE 81-92  
To Vacate Public  
Right-of-Way of W.  
Ninth St. at 501  
N. Rogers

Clerk Connors read Ordinance 81-91 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 81-92.

Murphy read the legislative synopsis and gave the committee report, noting that this ordinance was tabled at the last Council meeting.

Morrison urged the Council to defeat the ordinance, stating that although Pat Patterson said he could not find anything in the NDP application, he and others remember telling HUD that reconstruction of 6th, 7th, 8th and 9th Street were top priorities. If they had known that the City owned right-of-way at that time, it could have been condemned for the continuation of Ninth Street, but they assumed that TMX owned it. In any case, if the City gives up r.o.w. now, there would be no possibility of extending Ninth Street in the future. Ronnie Bland agreed, stating that Mr. Fulton and Mr. Patterson were at HUD meetings where this was discussed.

Tom Bunger, attorney for the petitioner, Beasley Produce, said that they have agreed to grant easements for storm water retention, as they know drainage is a concern of some people in the area. There was no commitment to the feds that Ninth would go through, and he concluded that this development would greatly improve the area.

Morrison said both Fell's and TMX obstruct the natural waterway in the area, and many people on the westside would like to see Fell's moved for this reason as well as being an eyesore and a source of litter in the area.

Mike Andrews said a commitment was made to the public in the 1800's to dedicate this land as public r.o.w. He said it would be a viable bike or pedestrian route, or as a road without too much difficulty. He contended that if Beasley's doesn't acquire this site, there are other places they can locate that would be more appropriate.

There was a discussion about the storm sewer, with Bunger stating that it runs through the property, but underground, and nothing will be built to obstruct it.

Council Attorney Frances Komoroske added that one of the Plan Commission's conditions for approval of this petition was that easements be granted from PSI and others, and this was done on October 7.

Service said the City should not give away public property for the sole use of one business--the Council should be considering the long-term public use of the land.

Olcott said Ninth Street is very narrow and doesn't really go anywhere. Even if it were extended, it would end at Rogers. He concluded that it is not a major inconvenience for pedestrians to walk an extra half block, and he concluded that the current building is in poor condition, the proposed use would be a better use of the land, and if an existing local business needs this to expand, then the Council should go along.

Ordinance 81-92 was then adopted by a roll call vote of Ayes: 5, Nays: 3 (Morrison, Murphy and Service).

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 81-94 by title only.

Clerk Connors read Ordinance 81-94 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 81-94.

Murphy read the legislative synopsis and gave the committee report with a Do Pass recommendation of 7-0.

Ordinance 81-94 was then adopted by a roll call vote of Ayes: 8, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 81-78 by title only.

Clerk Connors read Ordinance 81-78 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 81-78.

Murphy read the legislative synopsis and gave the committee report with a Do Pass recommendation of 7-0.

Morrison moved and Murphy seconded a motion to amend the ordinance in Section IV to read 1000, 1100 and 1200 blocks of W. Kirkwood as a No Parking Zone. Motion carried by a roll call vote of Ayes: 8, Nays: 0.

Dilcher moved and Morrison seconded a motion to amend the Ordinance to delete Section II pending further action by the Traffic Commission on loading zones in the area. Motion carried by a vote of Ayes: 7, Nays: 1 (Olcott--who thought this could be added later).

ORDINANCE 81-94  
To Amend the  
1980 and 1981  
Utilities Salary  
Ords. to Add Two  
Positions

ORDINANCE 81-78  
Amend BMC re:  
Pedestrian Cros-  
sings, 2-Hour  
Parking and  
No Parking Zones

Olcott moved and Morrison seconded a motion to adopt Ordinance 81-78 as amended. Motion carried by a roll call vote of Ayes: 8, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 81-96 by title only.

ORDINANCE 81-96  
Budget Transfers

Clerk Connors read Ordinance 81-96 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 81-96.

Murphy read the legislative synopsis and gave the committee report with a Do Pass recommendation of 7-0, with the condition that guard rails not be installed at Miller-Showers Park as part of the transfer within the Parks and Recreation Fund.

There was a discussion concerning whether the Council should just relay their feelings or actually delete funds for the guardrail from the ordinance. Service made a motion to delete \$2,000, but there was no second to the motion.

Towell said he would rather see the funds used for equipment in the McCalla School lot, but Parks Administrator Franklin Ragan said he still has some negotiating to do with I.U. I.U. Foundation owns the land, and right now they are only willing to go for a four-year lease. This is not enough time to warrant the installation of permanent equipment. He recommended temporary equipment be put there until a better arrangement can be worked out.

Ordinance 81-96 was then adopted by a roll call vote of Ayes: 8, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Resolution 81-15 by title only.

RESOLUTION 81-15  
To Adopt a Fiscal  
Plan for 137 Acres  
Bordered Approx-  
imately by S. Walnut,  
Illinois Central  
Gulf RR, Hillside  
Drive and Country  
Club Drive

Clerk Connors read Resolution 81-15 by title only.

Olcott moved and Morrison seconded a motion to adopt Resolution 81-15.

Murphy read the legislative synopsis and gave the committee report with a Do Pass recommendation of 6-0-1.

Dilcher moved and Service seconded a motion to amend the resolution from 141 to 137 acres and to incorporate a new hiring plan, which Dilcher read. Motion carried by a roll call vote of Ayes: 7, Nays: 1 (Morrison).

Olcott moved and Morrison seconded a motion to adopt Resolution 81-15 as amended. Motion carried by a roll call vote of Ayes: 7, Nays: 1 (Morrison).

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 81-95 by title only.

ORDINANCE 81-95  
Annexation of  
137 Acres Bordered  
Approximately by  
S. Walnut, Illinois  
Central Gulf RR,  
Hillside Drive &  
Country Club Drive

Clerk Connors read Ordinance 81-95 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 81-95.

Murphy read the legislative synopsis and gave the committee report with a Do Pass recommendation of 6-0-1.

Dilcher moved and Murphy seconded a motion to amend the ordinance to change the acreage involved from 141 to 137. Motion carried by a roll call vote of Ayes: 7, Nays: 1 (Morrison).

Olcott moved and Murphy seconded a motion to adopt Ordinance 81-95 as amended.

Morrison said he realizes that the City must grow; however, he cannot support further annexations until the City can take better care of the property they already have.

Ordinance 81-95 was then adopted by a roll call vote of Ayes: 7, Nays: 1 (Morrison).

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 81-93 by title only.

Clerk Connors read Ordinance 81-93 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 81-93.

Murphy read the legislative synopsis and gave the committee report with a Do Pass recommendation of 7-0.

Service said she still has problems with the section providing that the police can impound a car they suspect to be stolen when they could make a mistake and impound a car that someone had permission to borrow.

Council Attorney Frances Komoroske explained that the police would have the power anyway; it is just convenient for the police department to have the entire state statute in one place. Chief Riley added that it is necessary for the department to bring city ordinances into line with state statutes.

Service moved and Murphy seconded a motion to delete the section. Motion failed by a roll call vote of Ayes: 1 (Service), Nays: 7.

Ordinance 81-93 was then adopted by a roll call vote of Ayes: 8, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 81-86 by title only.

Clerk Connors read Ordinance 81-86 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 81-86.

Murphy read the legislative synopsis and gave the committee report with a Do Pass recommendation of 7-0.

Ordinance 81-86 was then adopted by a roll call vote of Ayes: 8, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read the following by title only. Clerk Connors read each by title only and Towell read the synopses.

Ordinance 81-97 Amend BMC re: Inventory and Damage Lists for Rental Units.

Ordinance 81-98 Amend BMC to Increase Cemetery Fees.

Olcott moved and Morrison seconded a motion to approve the minutes of October 7, 1981 as submitted. Motion carried by unanimous voice vote.


The meeting was then adjourned at 8:55 p.m.

MINUTES APPROVED this 4th day of November, 1981.

APPROVE:

  
Alfred I. Towell, President  
Bloomington Common Council

ATTEST:

  
Nora M. Connors, City Clerk

ORDINANCE 81-93  
Amend BMC re:  
Emergency Removal  
& Impoundment of  
Vehicles

ORDINANCE 81-86  
Amend BMC re:  
Abandoned Vehicles

FIRST READINGS  
Ordinance 81-97  
Ordinance 81-98

MINUTES FOR  
APPROVAL: 10/7/81

ADJOURNMENT