

AGENDA  
COMMON COUNCIL  
REGULAR SESSION  
MAY 1, 1980, 7:30 P.M.  
COUNCIL CHAMBERS

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. MESSAGES FROM COUNCILMEMBERS
- IV. MESSAGES FROM THE MAYOR
- V. APPOINTMENTS TO BOARDS AND COMMISSIONS: Human Rights Commission
- VI. PETITIONS AND COMMUNICATIONS
- VII. LEGISLATION FOR DISCUSSION/VOTE - SECOND READINGS
  1. Ordinance 80-35 To Amend Ordinance 79-56, "Salary Ordinance for Police and Fire Officers and Employees", to Establish the Base Salary for Police and Fire Pension Computations  
Committee Report: Do Pass 7-0
  2. Ordinance 80-36 Budget Transfer  
re: Mayor's Office  
Committee Report: Do Pass 7-0
  3. Appropriation Ordinance 80-4 To Appropriate Funds from the General Fund to the Police Department, from Parking Meter Fund to Police Department and from Rosehill Cemetery Fund for Repair Parts  
Committee Report: Do Pass 7-0
  4. Ordinance 80-37 To Authorize the Issuance of Economic Development Commission Bonds  
re: Woodbridge Apartment Project (Glick)  
Committee Report: Do Pass 7-0 as amended
  5. Resolution 80-12 Inducement Resolution for the Issuance of Economic Development Commission Bonds for B.F. Goodrich  
Committee Report: None
  6. Ordinance 80-29 To Amend Zoning re:  
1307 W. 11th Street from RS to ML (Ogle)  
Committee Report: Do Pass 4-1-2
  7. Ordinance 80-33 To Amend Zoning re:  
SE corner of Henderson Street and Winslow Road from BL to RH (Ruebeck)  
Committee Report: Do Pass 7-0
  8. Ordinance 80-40 To Amend Zoning re:  
Approval of amended outline plan for Meadwood Retirement Community west side of N. Dunn Street  
Committee Report: Do Pass 7-0
- VIII. INTRODUCTION OF ORDINANCES FOR FIRST READING
  1. Ordinance 80-19 To Repeal Section 2.04.290 and Amend Subsection 2.04.380(a) of the Bloomington Municipal Code, Regarding Fiscal Impact Statements
  2. Ordinance 80-39 To Amend Zoning re:  
514 W. Second Street from SM to BL (Stolberg, Owens et al)
  3. Ordinance 80-41 To Amend Zoning re:  
Intersection of W. 17th Street and SR 37 Bypass from MQ to ML (Stonebelt)
  4. Ordinance 80-43 To Amend Section 15.76.010, Entitled "Stop Intersections", and Section 15.64.410, Entitled "No Parking Zones", of the Bloomington Municipal Code
- IX. MINUTES FOR APPROVAL: April 17, 1980
- X. ADJOURNMENT

In the Common Council Chambers of the Municipal Building held on May 1, 1980, with Councilpresident Tomilea Allison presiding over a regular session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
MAY 1, 1980

Councilmembers present: Murphy, Morrison, Porter, Towell, Allison, Service, Hogan, Dilcher and Olcott.  
Councilmembers absent: None.

ROLL CALL

Councilpresident Allison read the agenda summation.

AGENDA SUMMATION

Olcott welcomed Peck, Inc. to Bloomington. He said that they had their groundbreaking ceremony yesterday and announced that there will be four acres of buildings and 150 new jobs will be created.

MESSAGES FROM  
COUNCILMEMBERS

Service reminded people that the first full week of the month Stonebelt will pick up newspapers for recycling if the papers are left on the curb. She urged citizens to participate in this program since it helps Stonebelt and the environment. She said she was sorry to hear that there are some problems with people picking up the paper before Stonebelt gets to it, stating that she hopes people will report the license numbers of those that do this.

Allison announced that May 5-16 is Spring Cleanup. Also, Operation City Beautiful will meet May 6 to discuss new projects. She also welcomed Peck, Incorporated, stating that she was very impressed with their staff and products.

There was no Message from the Mayor.

MESSAGE FROM MAYOR

Allison said that the Council needs to fill two vacancies on the Human Rights Commission. She said the interviewing committee has recommended the appointment of Robert Cole and Quincy Erickson.

APPOINTMENTS TO  
HUMAN RIGHTS COMMISS-  
SION

Service moved and Towell seconded a motion to approve the appointment of Robert Cole and Quincy Erickson to the Human Rights Commission until March 1, 1981. They fill the unexpired terms of David Jimenez and Mary Bernadett. Motion carried by a vote of Ayes: 8, Nays: 1 (Olcott).

There were no petitions or communications.

PETITIONS & COMM.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-35 by title only.

SECOND READINGS  
ORDINANCE 80-35  
To Amend 79-56,  
Salary Ord. for Police  
and Fire Personnel,  
re: Pension Computa-  
tions

Clerk Connors read Ordinance 80-35 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-35.

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

Ordinance 80-35 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 80-36 by title only.

ORDINANCE 80-36  
Budget Transfer -  
Mayor's Office

Clerk Connors read Ordinance 80-36 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-36.

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

Service asked if this meant that the Mayor's Office would employ fewer work-study students and the answer was yes.

Ordinance 80-36 was then adopted by a roll call vote of Ayes: 9, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Appropriation Ordinance 80-4 by title only.

Clerk Connors read Appropriation Ordinance 80-4 by title only.

Olcott moved and Morrison seconded a motion to adopt Appropriation Ordinance 80-4.

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

Appropriation Ordinance 80-4 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 80-37 by title only.

Clerk Connors read Ordinance 80-37 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-37.

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

Murphy then moved to amend the amount of the bond to \$5.9 million, and to change the date from May to November, 1982 on page four, section three. Morrison seconded the motion.

Olcott asked if the project was still "go", and Bob Mann, attorney for the petitioner, answered yes.

Ordinance 80-37 was then amended by a vote of Ayes: 9, Nays: 0.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-37 as amended. Motion carried by a vote of Ayes: 9, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Resolution 80-12 by title only.

Clerk Connors read Resolution 80-12 by title only.

Olcott moved and Morrison seconded a motion to adopt Resolution 80-12.

Murphy read the synopsis and gave the committee report with a Do Pass recommendation by the Economic Development Commission by a vote of 3-0. This was not considered in Council committee.

Murphy said that there were some concerns raised about the possibility of asbestos effluent from the plant into the air or water. He said he had been assured by representatives of B.F. Goodrich that there will be no discharges.

Russell Geuther, McDonald and Company of Cleveland, Ohio, spoke on behalf of B.F. Goodrich. His company specializes in working with companies that are trying to secure bonds. He said the facility will add a great deal to the tax base and will add hundreds of jobs. He said the company has a very good reputation for participating in the community and for environmental controls.

APPROPRIATION  
ORDINANCE 80-4  
Funds from GF to PD,  
from PMF to PD, and  
from Rosehill for  
Repair Parts

ORDINANCE 80-37  
To Authorize the  
Issuance of EDC Bonds  
for Woodbridge Apt.  
Complex (Glick)

RESOLUTION 80-12  
Inducement Resolution  
for EDC Bonds for  
B.F. Goodrich

Porter asked what exactly off-road brakes were and Mr. Geuther answered that he really didn't know.

Service asked when their environmental plans will be ready and Mr. Geuther answered by September when they hope to have the bonds approved.

Towell asked about an estimate of the interest rate the bonds will be selling at, and Mr. Geuther answered that they didn't know yet, but they hope they will go up.

Olcott asked when the plant will go on line and the answer was in fifteen to twenty-four months.

Porter asked when the Council will be informed of production details, and Mr. Geuther answered probably when the bond ordinance comes before them for review.

Bill Finch, City Attorney, noted that the Council would also be approving an agreement to enter bonds, which is rather unusual. However, their Ohio bond counsel is very cautious and is trying to cover all their bases.

Dilcher requested that the Environmental Quality and Conservation Commission review the plans for the plant to determine if there will be any adverse environmental effects, and that they report back to the Council before the bonds receive final approval.

Rudolph Raff, 909 S. Highland, said that he is still concerned about asbestos effluent since it is used in the manufacture of brakes. He urged the Council to investigate this possibility very thoroughly before approving the bonds.

Allison said she would like to have a public hearing if there is asbestos involved.

Resolution 80-12 was then adopted by a roll call vote of Ayes: 9, Nays: 0.

Olcott noted that Tim Mitchell, Economic Development Coordinator, is resigning his position. He praised Mitchell for the hard work he has done to bring industries to Bloomington. He then introduced Bruce Carroll, who will replace Mitchell.

Towell said he has a conflict of interest on Ordinance 80-29 since he represents one of the neighbors in an unrelated law suit, and will therefore withdraw from the discussion.

Olcott moved and Morrison seconded a motion to approve Harry Day as Towell's replacement on this vote. Motion carried by unanimous voice vote.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-29 by title only.

Clerk Connors read Ordinance 80-29 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-29.

Murphy read the synopsis and gave the committee report with a Do Pass recommendation of 4-1-2.

Tim Mueller, Planning Director, addressed the Council. He said that the property in question is mid-block on W. 11th Street on the south side on the street. The area is zoned residential except for some manufacturing uses on Vernal Pike. There has been much discussion by the

ORDINANCE 80-29  
To Amend Zoning re:  
1307 W. 11th from  
RS to ML (Ogle)

Plan Commission over the future of the neighborhood. The proposal is to expand the current garage building business, which is not a high-traffic generator. The staff felt that the mid-block location also had implications for further development on the rest of the block. The Plan Commission finally voted unanimously to approve the rezoning.

Dilcher, Council representative to the Plan Commission, added that this is not a pre-existing use; it was built after 1973 amendments to the zoning maps. The petitioner had agreed that a business would not be put in there, but it was used for business after all.

Service asked about other possible uses in an ML zone and Mueller replied that it is mainly storage, warehousing, trade shops and other businesses of a non-offensive nature.

Olcott noted that the neighborhood had signed petitions in favor of the rezoning. There were no remonstrances.

Allison said this is an important policy decision for the Council. The Plan Commission has considered other similar rezonings in this area and has denied them. It appears that this neighborhood won't be residential or manufacturing - it will be a mix and she said that she wasn't sure it was good for the neighborhood.

Morrison said Mr. Ogle has greatly upgraded this property. The Department of Housing and Urban Development and the City Redevelopment Department have spent a lot of money in this neighborhood to improve dilapidated structures and Mr. Ogle proposes to further upgrade his property. He urged the Council to approve the rezoning.

Hogan added that although the area has been zoned residential for twenty years, little or no residential development has occurred in the area outside of public housing developments. He said it doesn't seem to likely that further development will take place in the future.

Dilcher said she drove through the neighborhood and the houses were not as run down as she had previously thought. She said the Council should not approve such spot-zoning.

Service contended that perhaps the neighbors that signed the petition didn't realize that the neighborhood could turn into a manufacturing zone.

Frank Barnhart, attorney for the petitioner, said that eleven neighbors showed up at the Plan Commission to support the rezoning. The garages will be built on his customers home sites, not on W. 11th Street. Ogle's land will be used for display and supply storage only. He reminded the Council that the area is really not predominantly residential. In answer to a point from Allison, he said that the Plan Commission has approved other rezonings in the area, including two within two blocks. As far as spot zoning goes, he said his client cannot afford to purchase more expensive industrially zoned land.

Allison remarked that the property across the street on W. 11th could use the attention of the County's Redevelopment staff to see if they are eligible for CDBG funds.

Ordinance 80-29 was then adopted by a roll call vote of Ayes: 6, Nays: 3 (Dilcher, Allison and Service).

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-33 by title only.

Clerk Connors read Ordinance 80-33 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-33.

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

Allison noted that she is on the City's Sidewalk Committee, and she is very anxious to have the Rubecks put sidewalks in on Winslow Road.

Ordinance 80-33 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 80-40 by title only.

Clerk Connors read Ordinance 80-40 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-40.

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

Ordinance 80-40 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 80-19 by title only.

Clerk Connors read Ordinance 80-19 by title only and Allison read the legislative synopsis.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-39 by title only.

Clerk Connors read Ordinance 80-37 by title only and Allison read the legislative synopsis.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-41 by title only.

Clerk Connors read Ordinance 80-41 by title only and Allison read the legislative synopsis.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-43 by title only.

Clerk Connors read Ordinance 80-43 by title only and Allison read the legislative synopsis.

Olcott moved and Morrison seconded a motion to approve the minutes of April 17, 1980 as submitted. Motion carried by unanimous voice vote.

Towell moved and Porter seconded a motion to approve Dilcher's appointment as an "intermittent" representative to the Human Rights Commission. Motion carried by a vote of 8-1 (Olcott).

The meeting was then adjourned at 8:45 p.m.

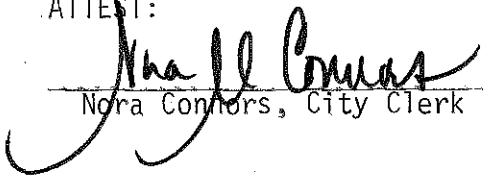
APPROVE:

  
Tomilea Allison, President

Bloomington Common Council

APPROVED this 15th day of May, 1980.

ATTEST:

  
Nora Connors, City Clerk

ORDINANCE 80-33  
To Amend Zoning re:  
SE corner of Hender-  
son and Winslow Rd.  
from BL to RH  
(Rubbeck)

ORDINANCE 80-40  
To Amend Zoning re:  
Amended Outline Plan  
for I.U. Retirement  
Community

FIRST READINGS  
ORDINANCE 80-19  
To Amend BMC to  
Repeal F.I.S. Require-  
ments

ORDINANCE 80-39  
Amend Zoning re: 514  
W. 2nd from SM to  
BL (Stolberg)

ORDINANCE 80-41  
To Amend Zoning re:  
W. 17th & SR 37 By-  
pass from MQ to ML  
(Stonebelt)

ORDINANCE 80-43  
Amend BMC re: Stop  
Int. and No Parking  
Zones

MINUTES: 4/17/80

LIAISON TO HRC

ADJOURNMENT