

6:30 p.m. COUNCIL'S PUBLIC SAFETY AND UTILITIES COMMITTEE/Conference
Room re: Utilities matters

AGENDA
COMMON COUNCIL
OCTOBER 23, 1980, 7:30 P.M.
REGULAR SESSION
COUNCIL CHAMBERS

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. MESSAGES FROM COUNCILMEMBERS
- IV. MESSAGES FROM THE MAYOR
- V. BOARD OF FINANCE
- VI. LEGISLATION FOR DISCUSSION/VOTE - SECOND READINGS
 1. Resolution 80-24 Inducement Resolution for Economic Development
Commission Revenue Bonds for West Second Partnership
Committee Report: Do Pass 7-0-1
 2. Ordinance 80-83 To Amend the 1980 Salary Ordinance for Appointed
Officers and Employees to Create Two New Positions in the Human
Resources Department (Project NEW)
Committee Report: Do Pass 8-0
 3. Ordinance 80-84 To Amend the 1981 Salary Ordinance for Appointed
Officers and Employees to Authorize Continued Payment for Two
Human Resources Department Employees (Project NEW)
Committee Report: Do Pass 8-0
 4. Ordinance 80-87 To Amend the 1981 Salary Ordinance for Utilities
Employees to Add Position of Senior Asst. Utilities Engineer
Committee Report: Do Pass 8-0
 5. Ordinance 80-50 To Amend Zoning re: SE corner of SR 46 Bypass
and E. 10th Street from RH to BL and RH/PCD (Gates)
Committee Report: Do Pass 2-3-2
- VII. INTRODUCTION OF ORDINANCES FOR FIRST READING
 1. Ordinance 80-91 Budget Transfers
re: Controller's Office, Engineering, Legal, FRS-Sanitation,
FRS-Transit, MVH Fund and Rosehill Fund
 2. Appropriation Ordinance 80-12 To Appropriate Funds from the
Motor Vehicle Highway Fund
 3. Ordinance 80-88 To Create a Bloomington Community Arts Commission
 4. Ordinance 80-85 To Adopt Amendments to the Zoning Ordinance
 - *5. Ordinance 80-93 To Supplement Ordinance 80-78 Which Authorized
Issuance of EDC Bonds for the I.U. Retirement Community
- VIII. MINUTES FOR APPROVAL: September 18 and October 2, 1980
- IX. ADJOURNMENT

In the Common Council Chambers of the Municipal Building held on October 23, 1980 with Councilpresident Allison presiding over a regular session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
OCTOBER 23, 1980

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

ROLL CALL

Councilpresident Allison read the agenda summation, noting that the first meeting of the Tree Committee will be October 31 at 2:00 p.m.

AGENDA SUMMATION

Service said the PTS rezoning decision was a very difficult one for her, stating she had hoped PTS would avoid moving elsewhere since they are a very desirable industry. However, balanced against the long-range zoning policy, it just didn't seem worth it. She said in the future she hopes they will choose a more appropriate site.

MESSAGES FROM
COUNCILMEMBERS

Olcott responded that in working with the Bloomington Advancement Corporation, they have found that the negative approach of the Council on rezoning will affect future economic development. PTS is the kind of industry we have been begging for and to see it go out of town when we need jobs will hurt Bloomington. Industrial zoned land is scarce in the area and it is prohibitively expensive to put in the necessary utilities in most areas.

There was no Message from the Mayor.

MAYOR'S MESSAGE

There were no Petitions or Communications.

PETITIONS & COMM.

Allison noted that the Council has been provided with supplemental information concerning the Board of Finance, and the Council needs to decide where the City's funds will be invested with various savings and loan institutions.

BOARD OF FINANCE

Olcott moved and Morrison seconded a motion to approve investments as submitted. Motion carried by a vote of Ayes: 8, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Resolution 80-24 by title only.

SECOND READINGS
RESOLUTION 80-24
Inducement for EDC
Bonds for W. 2nd
Partnership

Deputy Clerk Lamb read Resolution 80-24 by title only.

Olcott moved and Morrison seconded a motion to adopt Resolution 80-24.

Towell read the legislative synopsis and gave the committee report with a Do Pass recommendation of 7-0-1.

Service stated that she still wants to see some criteria set for approval of EDC bonds.

Resolution 80-24 was then adopted by a vote of Ayes: 8, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-83 by title only.

ORDINANCE 80-83
To Amend 1980
Salary Ord. to
Create Two Positions in HRD

Deputy Clerk Lamb read Ordinance 80-83 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-83.

Towell read the legislative synopsis and gave the committee report with a Do Pass recommendation of 8-0.

Ordinance 80-83 was then adopted by a vote of Ayes: 8, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-84 by title only.

ORDINANCE 80-84
Amend '81 Salary
Ord. to Author-
ize HRD Posi-
tions

Deputy Clerk Lamb read Ordinance 80-84 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-84.

Towell read the legislative synopsis and gave the committee report with a Do Pass recommendation of 8-0.

Ordinance 80-84 was then adopted by a vote of Ayes: 8, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-87 by title only.

ORDINANCE 80-87
Amend '81 Salary
Ord. to Add Sr.
Asst. Utilities
Engineer

Deputy Clerk Lamb read Ordinance 80-87 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-87.

Towell read the legislative synopsis and gave the committee report with a Do Pass recommendation of 8-0.

Ordinance 80-87 was then adopted by a vote of Ayes: 8, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-50 by title only.

ORDINANCE 80-50
Amend Zoning re:
SE corner of SR
46 Bypass and E.
10th St. from RH
to BL and RH/PCD
(Gates)

Deputy Clerk Lamb read Ordinance 80-50 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-50.

Towell read the legislative synopsis and gave the committee report with a Do Pass recommendation of 2-3-2. He noted that this has been discussed at great length and since Mr. Gates submitted his original plan he has scaled it down considerably. However, concerns over the safety of school children and increased traffic were raised by area neighborhoods. He then moved and Olcott seconded a motion to amend the ordinance in Section I from "the West 60% of the SE corner" to "the West 75% of the Southeast corner" of SR 46 Bypass and E. 10th Street and a new legal description as stated in the amendment form be substituted. Motion carried by a vote of Ayes: 8, Nays: 0. Geoff Grodner, attorney for the petitioner, asked that the ordinance be postponed until the next Council meeting since Councilmember Porter is not present and it is in his Council district.

Towell moved and Olcott seconded a motion to postpone Ordinance 80-50 until the next meeting.

Service said it is unfair to hold an ordinance until all of the right votes are present. Towell said it is entirely appropriate to postpone it so that one side doesn't have an unfair advantage, particularly with such a close vote.

Motion to postpone was then defeated by a vote of Ayes: 4, Nays: 4 (Murphy, Allison, Dilcher and Service).

Tim Mueller then gave a brief review of the ordinance, stating that the development has been scaled down from 8-9 acres to 3.4 acres with a reduced list of permitted uses to prevent "attractive nuisances" from drawing school children across the street.

Geoff Grodner said that this is not going to be a high-intensity shopping center but mainly an office complex with some low-density commercial uses. This use will spread the traffic flow

throughout the day rather than during peak hours, which apartments would encourage. Concerning the safety question, he said that there will be new lanes on Tenth Street as well as a possible pedestrian overpass at the intersection. This development will improve the site and add to the City's tax rolls. Concerning the neighbors' remonstrance, he said that this will have less or equal impact as apartments, and he feels that the neighbors mainly oppose any development. Finally, he said that the information distributed by U-School PTO is not accurate in stating that this is a shopping center - it is mainly an office complex. This land is bound to be developed in the future and this is an excellent plan for the land, which is more desirable than many apartments, a point agreed to by the Plan Commission.

There was a short discussion concerning the use of the land further east, with Grodner saying that they would not plan to develop it and Mueller stating that it will remain residential - the Planning staff has consistently taken issue with retail uses in the area. In response to a point by Grodner, he said that the City has strict regulations and the apartments would be good quality. Improvements in the areas of sidewalks and drainage will occur whether it is residential or commercial, as well as accel/decel lanes. Finally, the staff does not endorse the contention of less or equal traffic generation with this development; it depends entirely on which uses are selected.

Grodner said the Plan Commission gave the rezoning a 6-3 vote of approval and he said they should be able to rely on this recommendation.

Tim Meyer of Green Acres said that they are concerned about the effects this development would have on an already bad traffic situation, the safety of pedestrians, as well as the long term effects of commercial zoning in this part of town and the possible domino effect it may have.

Freda Hengeveld, President of the Family Service Council, supported Mr. Meyer's statements and presented a petition signed by families in married student housing. She said she was concerned that people may use the turn-around at university school as a short-cut. She continued that they are especially concerned about the safety of their children who attend university school. Service agreed that many people cut through university school and this is an area where traffic should not be increased.

Steve Hogan urged area neighborhoods to petition the state for improved bypass conditions. The state held a hearing on this subject and few people attended. Hopefully, an overpass for pedestrians will be approved by the state before too long.

Murphy said he has mixed feelings about the rezoning, stating that he intends to vote against the request, particularly because of his concern about the safety of the school children.

There was a discussion concerning the planning staff's recommendations v. the Plan Commission's, etc.

Jessie Newcombe of Park Ridge East said there is probably no way to solve the traffic problem on the east side of town and this development will not make it any worse than an apartment complex. He said we need planned growth, commercial development and more jobs.

The President of the Green Acres Association said they met last month and they expressed wide-spread opposition to this project, mainly for reasons of pedestrian safety.

4.

Dr. Myron Wexler of I.U.'s School of Education said that he is confused about what will be allowed in the complex. Depending on what kind of people move into the apartment complex there may or may not be increased traffic. He said the businesses look fairly innocuous and urged the Council to look beyond traffic concerns and consider other possibilities.

Olcott said he has known Jerry Gates for fifteen years and he is sure it would be developed tastefully. It would be nice if it could remain open space but this isn't the case. He is worried about the intersection, but he thinks the neighbors will oppose any development on the corner.

Morrison said that this was zoned business prior to 1973 and this will create less traffic problems than apartments. This is a sound proposal that will enhance the area.

Service said the city can't count on the state to solve all of the problems on the bypass and it is not likely that they will get any improvements at all.

Towell said that the traffic problem is not quite the problem that it appears and disagreed that this development would mean commercial development is inevitable down Tenth Street. The owner has some rights for development and he cannot agree that the project presents potential dangers.

Allison said it is unfair to say that people are opposed to any development on the corner. She thinks there is the possibility of a domino effect with business development on both ends of the site. It is still not scaled down enough to satisfy her concern about attractive nuisances. Mr. Meyer of the PTO agreed that it is not scaled down enough and that the project is too open-ended.

Grodner repeated that this is a very low-scale development and will not have a significant impact on the area. He said it is very unfortunate that the Council voted to discuss this tonight since Mr. Porter is not present and he does not have the opportunity to have significant input.

Ordinance 80-50 was then defeated by a roll call vote of Ayes: 3, Nays: 5 (Towell, Murphy, Dilcher, Service and Allison).

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-91 by title only.

FIRST READINGS
ORDINANCE 80-91
Budget Transfers

Deputy Clerk Lamb read Ordinance 80-91 by title only and Allison read the legislative synopsis.

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

APP. ORD. 80-12
From MVH Fund

Deputy Clerk Lamb read Appropriation Ordinance 80-12 by title only and Allison read the legislative synopsis.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-88 by title only.

ORDINANCE 80-88
To Create Arts
Commission

Deputy Clerk Lamb read Ordinance 80-88 by title only and Allison read the legislative synopsis.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-85 by title only.

ORDINANCE 80-85
Zoning Ordinance
Amendments

Deputy Clerk Lamb read Ordinance 80-85 by title only and Allison read the legislative synopsis.

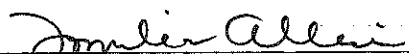
Olcott moved and Morrison seconded a motion to approve the minutes of 9/18 and 10/2/80 as submitted. Motion carried by unanimous voice vote. Adjourned 9:20

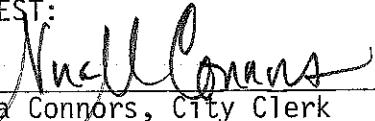
MINUTES: 9/18&10/2

ADJOURNMENT

APPROVE:

ATTEST:


Tomilea Allison, Council Pres.
APPROVED this day of November, 1980.


Nora Connors, City Clerk