

AGENDA
COMMON COUNCIL
REGULAR SESSION
DECEMBER 4, 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 (USB)
- VI. PETITIONS AND COMMUNICATIONS
- VII. LEGISLATION FOR DISCUSSION/VOTE - SECOND READINGS
 1. Ordinance 80-97 Budget Transfers
re: FRS-Controller, FRS-Parks and Recreation, Board of Public Works, Environmental Commission, Personnel, Planning, Police, Parks and Recreation Fund and Rosehill Cemetery Funds
Committee Report: Do Pass 7-0
 2. Appropriation Ordinance 80-13 To Appropriate Funds from FRS-Transit
re: Refurbishing Mercedes buses
Committee Report: Do Pass 7-0
 3. Ordinance 80-98 To Approve EDC Bonds for B.F. Goodrich Company
Committee Report: Do Pass 7-0
 4. Ordinance 80-90 Annexation of Adjacent and Contiguous Territory
re: Arlington Valley Mobile Home Court
Committee Report: Do Pass 7-0
 5. Ordinance 80-103 To Amend BMC re: No Parking and Two-hour Parking Zones on S. Union Street
Committee Report: Do Pass 7-0
 6. Ordinance 80-96 To Amend Zoning Maps re: First and Walker Streets (one block) from RS to SM (Plan Commission)
Committee Report: Do Pass 6-1
 7. Ordinance 80-89 To Amend Zoning Maps re: 315 W. Gordon Pike from RS to RL/PUD (Patton)
Committee Report: Do Pass 7-0
 8. Ordinance 80-101 To Designate Property Located at 508, 514 and 522 N. Washington as Historic
Committee Report: Do Pass 7-0
 9. Ordinance 80-100 To Amend Zoning re: 200-203 E. Third Street from SI to BG (Curry)
Committee Report: Do Pass 7-0
 10. Appropriation Ordinance 80-10 To Appropriate Funds for the 1981 Utilities Water and Wastewater Budgets
Committee Report: Do Pass 5-1-1
 11. Ordinance 80-71 1981 Utilities Department Salary Ordinance
Committee Report: Do Pass as Amended 4-3
 12. Ordinance 80-99 To Amend BMC to Raise the Salary of USB Members
Committee Report: No Recommendation
- VIII. INTRODUCTION OF ORDINANCES FOR FIRST READING
 1. Ordinance 80-102 To Approve EDC Bonds for Kittle Furniture
- IX. ADJOURNMENT

In the Common Council Chambers of the Municipal Building held on December 4, 1980 at 7:30 p.m. with Council-president Allison presiding over a regular session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
DECEMBER 4, 1980

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

ROLL CALL

Councilmember Olcott said that former Councilmember Richardson reminds everyone that the I.U. Soccer Team will be playing in the NCAA Semi-finals against Penn State. He wished them well.

MESSAGES FROM
COUNCILMEMBERS

Murphy said the new year is a good time to think about the principles instilled by his parents of social justice and economic opportunity for those who are less fortunate.

Towell said he was disappointed at the committee meeting that the Council seemed to feel obligated to give a committee recommendation on the EDC Bonds for B.F. Goodrich even though several blanks were not filled in. He urged the Council to consider the committee meetings as informal discussions and not vote on items that are still unfinished. Also, he said that the problem with board members such as the USB that are paid very minimal salaries is that those that cannot afford to serve with more adequate compensation are excluded.

Morrison said he is very pleased with the improvements near the westside K-Mart. He is glad the Council chose not to grant a variance from the extra-turn lane.

Allison said the Committee meeting December 10 and the Council meeting December 18 have been cancelled. Also, there will be an executive session of the USB December 15 to discuss PCB's and the Council is invited to attend.

There was no Message from the Mayor.

MESSAGE FROM MAYOR

Towell moved and Morrison seconded a motion to reappoint Jim Trulock to a full four-year term on the Utilities Service Board. Trulock was praised by several Councilmembers for doing a good job on the Board. The appointment was then approved by a vote of Ayes: 9, Nays: 0.

APPOINTMENT TO
USB - TRULOCK

There were no petitions or communications.

PETITIONS & COMM.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-97 by title only.

ORDINANCE 80-97
Budget Transfers

Clerk Connors read Ordinance 80-97 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-97.

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

Ordinance 80-97 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 80-13 by title only.

APPROPRIATION
ORDINANCE 80-13
Funds from FRS-
Transit

Clerk Connors read Appropriation Ordinance 80-13 by title.

Olcott moved and Morrison seconded a motion to adopt Appropriation Ordinance 80-13.

Assistant Transit Manager Loren Reuter said that these funds will allow nine of the thirteen Mercedes busses to be refurbished.

Appropriation Ordinance 80-13 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 80-98 by title only.

ORDINANCE 80-98
To Approve EDC
Bonds for B.F.
Goodrich Co.

Clerk Connors read Ordinance 80-98 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-98.

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

Murphy read a list of amendments concerning the name of the trustee, interest rate and repayment schedule. The amendments do not affect the City's liability.

There was then a lengthy discussion over why Councilmembers had to fill out forms for bond counsel stating that they had never been bankrupt or convicted of a felony. It was explained that since they will be selling seven bond issues across the country they have to be able to follow the strict bankruptcy laws in New York. The reason there were several blanks is mainly because when the ordinance came before Council Committee the petitioners did not know what the interest rate would be. City Attorney Bill Finch said the intent of the disclosure forms is to let the buyers know who backs their bonds, but it really doesn't make much sense in this instance since the City is not liable for the bonds.

Olcott said he doesn't see why they need to go to all fifty states to sell only one million dollars in bonds.

Murphy moved and Towell seconded a motion to adopt the amendments as stated on the amendment form. Motion carried by a vote of Ayes: 9, Nays: 0.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-98 as amended. Motion carried by a vote of Ayes: 9, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-90 by title only.

ORDINANCE 80-90
Annexation of
Arlington Valley
Mobile Home Ct.

Clerk Connors read Ordinance 80-90 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-90.

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

Morrison said the City has everything to gain and nothing to lose by adopting this ordinance since the petitioner has already taken care of water and sewer lines.

Ordinance 80-90 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 80-103 by title only.

ORDINANCE 80-103
To Amend BMC re:
2-hr. and No Park-
ing Zones on S.
Union Street

Clerk Connors read Ordinance 80-103 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-103.

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

There was a short discussion about who will be responsible for issuing tickets on S. Union, with Olcott stating that most enforcement will probably come through complaints from neighbors.

Drahos said they realized this when they approved the amendments at the Traffic Commission meeting.

Towell said I.U. should be a good citizen and have campus police assist in the issuance of tickets. It only seems fair since the neighborhood is greatly affected by all the cars parking to go to I.U.

Ordinance 80-103 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 80-96 by title only.

Clerk Connors read Ordinance 80-96 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-96.

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

Service said she voted no because she objects to the "ghettoization" of medical services in the area. She prefers to see spot zoning so that doctors' offices are in neighborhoods where people can walk to them.

Towell said it is very important that the City make sure the drainage situation is adequate since the Council has had to adopt emergency appropriations for this reason in the past. He said studies should be done so that this can be avoided in the future.

Andy Mallor, attorney for the petitioner in the middle of the block, said that Steve Smith did a drainage study of the area for the developer and added that Second Street was left out of the plan intentionally until they can come up with accurate plans for the area. In answer to a question from Allison he said that the ordinance before them is what the Plan Commission approved but the maps were done before the amendments were proposed. Remonstrances over the rezoning were meager, probably since the area lost its residential flavor years ago. Originally it was his client that wanted to rezone part of the block but the City chose not to approve these requests one by one.

Dilcher said the pipes are big enough to accommodate any future expansion and in response to Service's concerns she said that if the City had approved rezonings on this block in a piecemeal fashion they would not have a complete drainage system. Also, multi-family zones will be allowed in the SM zone.

Olcott said Bloomington is the medical center for several counties and doctors like to be close to the hospital. He said he didn't like spot zoning and thought this was an excellent package.

Ordinance 80-96 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 80-89 by title only.

Clerk Connors read Ordinance 80-89 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-89.

Murphy read the legislative synopsis and gave the committee report with a Do Pass recommendation of 7-0. He then moved and Olcott seconded a motion to amend the ordinance to add a section which was inadvertently left out concerning designation of the outline plan. The PUD section would then be renumbered.

ORDINANCE 80-96
Amend Zoning re:
1st & Walker
from RS to SM
(Plan Commission)

ORDINANCE 80-89
Amend Zoning re:
315 W. Gordon Pike
from RS to RL/PUD
(Patton)

Motion to amend carried by a vote of Ayes: 9, Nays: 0.

Kevin Burke, son-in-law of the petitioner, Bob Patton, said they have one minor discrepancy to work out with the Plan Department during outline plan stage but they anticipate no problems with it.

Ordinance 80-89 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 80-101 by title only.

Clerk Connors read Ordinance 80-101 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-101.

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

Towell said that some day he hopes to see this entire area designated as a historic district and Murphy added that he is very proud of this improvement to the Second District.

Ordinance 80-101 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 80-100 by title only.

Clerk Connors read Ordinance 80-100 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-100.

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

Ordinance 80-100 was then adopted by a roll call vote of Ayes: 9, Nays: 0. It was noted that this merely corrects an error in the zoning maps.

Olcott moved and Morrison seconded a motion to introduce and read Appropriation Ordinance 80-10 by title only.

Clerk Connors read Appropriation Ordinance 80-10 by title.

Olcott moved and Morrison seconded a motion to adopt Appropriation Ordinance 80-10.

Murphy read the synopsis and gave the committee report with a Do Pass recommendation of 5-1-1.

Service explained her no vote stating that she will not vote for this budget as long as it includes funds for rebates. The City cannot afford rebates particularly when so much work needs to be done on replacing lines, infiltration, etc.

Murphy asked about the fence at Griffy Dam and said that he objected to the barbed wire across the top particularly when there is an ordinance banning barbed wire in the City. Utilities Director Stu McClure said that they were trying to avoid accidents and stop the serious erosion problem on the dam created by people wearing paths on it.

Allison said infiltration is an extremely serious problem and suggested that a determination be made as to whether it would be more feasible to spend the money now to try to take care of it rather than have it cost more later on. McClure said they have a problem with increased depreciation rates so that

ORDINANCE 80-101
To Designate
508, 514 & 522
N. Washington as
Historic

ORDINANCE 80-100
To Amend Zoning
re: 200-203 E.
Third from SI
to BG (Curry)

APPROPRIATION
ORDINANCE 80-10
1981 Utilities
Water & Waste-
water Budgets

they now must keep more money in accounts that cannot be touched. USB President Bill Milne added that they agree with Allison but simply don't have much money.

Murphy asked why the USB can't hold their meetings in the evening so that working people can attend and Milne said it is convenient for them to have their staff in the building during meetings, but he will check with the Board.

Towell said he agreed with Allison and that they should determine how much it will cost to put off pipe replacement. This is a system-wide problem which can not be wholly attributed to residential areas. McClure said 3/4 of all pipes are in front of residential areas and also account for more infiltration. They were hoping the EPA would help to pay for improvements but it doesn't look like they will be able to, at least not now. They will continue to make smoke tests to find problem areas.

Appropriation Ordinance 80-10 was then adopted by a roll call vote of Ayes: 6, Nays: 3 (Service, Murphy and Towell).

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-71 by title only.

ORDINANCE 80-71
1981 Utilities Dept.
Salary Ordinance

Clerk Connors read Ordinance 80-71 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-71.

Murphy read the synopsis and gave the committee report with a Do Pass recommendation as amended by a vote of 4-3.

He then moved, and Morrison seconded motions to adopt each amendment individually.

Murphy introduced the first amendment: delete USB President at \$2,800. This amendment received a 6-1 vote in committee. Motion carried by a vote of Ayes: 8, Nays: 1 (Hogan).

The second amendment was to amend the salary rate of USB members from \$2,290 to \$2,140. This received a 5-2 vote in committee.

Towell argued that holding them at the same salary will actually mean they will be falling behind and Morrison and Hogan agreed that they deserve a 7% increase and that people should not have to lose money by serving on the Board.

Olcott said there are many hard-working boards and commissions that are not paid. The USB also has a well-paid staff.

Murphy said there are no low-income people on the Board that this amendment would have significant effect on and Towell countered that people that cannot afford to work on a board for free will be discouraged from applying. Service said the amount is not that significant, so why spend it?

Milne suggested that it be called an "honorarium" instead of a "salary" so that they don't have to worry about the salary ordinance.

Dilcher said the salary should not remain the same forever and suggested that it be adjusted every four years. Allison agreed.

McClure outlined the background of each USB member and argued that they are all extremely qualified and deserve the 7% increase.

Porter said the salary should be set at the same time the Council's salary is set.

The second amendment was then adopted by a vote of Ayes: 6, Nays: 3 (Morrison, Towell and Hogan).

The third amendment was to decrease the Business Manager's salary (the person was newly hired) from \$20,500 to \$19,800. Motion carried by unanimous voice vote.

The fourth and fifth amendments were voted on together and they were to amend the salary of the Chief Chemist from \$21,600 to \$22,000 and to decrease the salary of the Distribution Superintendent from \$20,200 to \$19,830. Motion carried by a vote of Ayes: 8, Nays: 1 (Service, who said she was against giving a merit raise).

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-71 as amended. Motion carried by a roll call vote of Ayes: 7, Nays: 2 (Service and Murphy).

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-99 by title only.

ORDINANCE 80-99
To Amend BMC to
Raise Salary of
USB Members

Clerk Connors read Ordinance 80-99 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 80-99.

Murphy read the legislative synopsis and said that the committee made no recommendation with the understanding that this matter was taken care of under the Salary Ordinance.

Olcott moved and Towell seconded a motion to postpone Ordinance 80-99 indefinitely. Motion carried by a roll call vote of Ayes: 9, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 80-102 by title only.

FIRST READING
ORDINANCE 80-102
To Approve EDC
Bonds for Kittle
Furniture

Clerk Connors read Ordinance 80-102 by title only and Allison read the legislative synopsis.

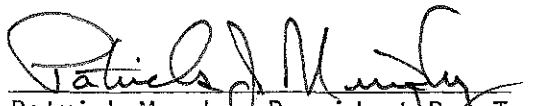
The meeting was then adjourned at 9:50 p.m.

ADJOURNMENT

MINUTES APPROVED this 7th day of January, 1981.

APPROVE:

ATTEST:


Patrick Murphy, President Pro-Tem
Bloomington Common Council


Nora M. Connors, City Clerk