

AGENDA  
COMMON COUNCIL  
FEBRUARY 7, 1979  
COUNCIL CHAMBERS

7:00 p.m. EXECUTIVE SESSION RE: LEGAL MATTERS

7:30 p.m. REGULAR SESSION

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. MESSAGES FROM COUNCILMEMBERS
- IV. MESSAGES FROM THE MAYOR
- V. CONTROLLER'S FINANCIAL REPORT
- VI. PETITIONS AND COMMUNICATIONS
- VII. APPOINTMENTS TO BOARDS AND COMMISSION: Human Resources Commission
- VIII. LEGISLATION FOR DISCUSSION/VOTE - SECOND READINGS
  1. Resolution 79-4 To Amend the Contract Compliance Regulations of the Bloomington Human Rights Commission
  2. Appropriation Ordinance 79-1 To Appropriate Funds from Federal Revenue Sharing to Human Resources and from Motor Vehicle Highway Fund to the Street Department
  3. Ordinance 79-7 To Amend Title 15.64.410 of the BMC, Entitled, "No Parking Zones"
  4. Ordinance 79-3 To Amend Zoning Maps re: 1820 Vernal Pike from RS to ML
  5. Ordinance 79-4 To Amend Zoning Maps re: NE corner of Pete Ellis and Longview Drives RH to BL
  6. Ordinance 79-1 To Amend Title 6 of the BMC, Entitled, "Health and Sanitation"
  7. Ordinance 79-6 To Repeal and Re-enact Chapter 4.24 of the BMC, Entitled, "Taxicabs"
- IX. INTRODUCTION OF ORDINANCES FOR FIRST READING
  1. Ordinance 79-16 To Amend 1979 Salary Ordinance re: CETA positions
  2. Ordinance 79-10 To Amend Zoning Maps re: Century Village, 3rd and Knightridge from RH to BL/PCD
  3. Ordinance 79-8 To Fix the Salaries of All Elected City Officials
  4. Appropriation Ordinance 79-4 To Appropriate Funds from the General Fund for the Addition of Another Deputy City Clerk for the Year 1979 (alternative to Appropriation Ordinance 79-3)
  5. Ordinance 79-11 1979 Salary Ordinance for Deputy City Clerk
  6. Appropriation Ordinance 79-3 To Appropriate Funds from the General Fund for Work Study Assistance for the City Clerk (alternative to Appropriation Ordinance 79-4)
  7. Appropriation Ordinance 79-2 To Appropriate Funds from the General Fund for Legal Research Assistant in Council Office
  8. Ordinance 79-9 1979 Salary Ordinance for Legal Research Assistant in Council Office
- X. MINUTES FOR APPROVAL: January 3 and January 17, 1979
- XI. ADJOURNMENT

In the Common Council Chambers of the Municipal Building on February 7 with Councilpresident Allison presiding over a regular session of the Common Council.

COMMON COUNCIL  
REGULAR SESSION  
FEBRUARY 7, 1979

THESE MINUTES ARE A SUMMARY. TAPES AVAILABLE IN CLERK'S OFFICE.

Councilmembers present: Allison, Blume, Kinzer, Middleton, Morrison, Olcott, Richardson, Towell and Young. Councilmembers absent: none.

ROLL CALL

Towell commented on salary increases for elected officials, stating that he felt that the Council's increase should be tied to the Mayor's increase on the basis of the general average of time spent by Councilmembers on City business as opposed to time spent by the Mayor. This could then be figured on a percentage basis.

MESSAGES FROM  
COUNCILMEMBERS

Kinzer then endorsed Deputy Clerk Connors in her bid for the office of City Clerk.

Richardson said he could go along with Towell's method for raising salaries. He took issue with those that have said that the salary for Councilmembers should have no bearing on whether a person runs, stating that for some people the salary could be a deciding factor.

Olcott said that he has been doing a lot of travelling and has noticed that Bloomington's roads are cleared of snow and ice much sooner than other communities. Second, he noted that Noble Bush passed away recently and said that he has requested that the Parks and Recreation Board consider naming one of the ball parks in Winslow Park after Mr. Bush.

Blume said that the Plan Commission will soon be forwarding their recommendations for revisions to the Zoning Ordinance. The Council will have to spend a considerable amount of time on this, and it would probably be advisable to consider a few items at a time. He said he agrees that \$3,500 is not much for the salary of a Councilmember, but said he does not want to approve raises over Carter's 7% guidelines.

Allison announced that Marie Harlan recently resigned from the Traffic Commission. She thanked Ms. Harlan for her many years of service to the City on that Commission and wished her well in her new position.

Pat Gross, City Controller, gave her financial report. She gave a summary of the twelve line statement, and said that City departments underspent their budgets by \$264,000 in 1978, while revenue projections were very accurate. Other funds have been doing well, and the investment program continues to accrue hundreds of thousands of dollars in interest for the city. Olcott said he would like information on how much money each department returned from their budget so that the Council could see how some departments saved money.

CONTROLLER'S  
FINANCIAL REPORT

Kinzer moved and Middleton seconded a motion to amend the agenda to move Ordinance 79-6 up to first on the agenda since several people are present for this, and she has received additional information on the ordinance. Motion carried by unanimous voice vote.

AMEND AGENDA TO  
CHANGE ORDER OF  
SECOND READING

Allison announced the appointment of Councilmember Towell to the Area 10 Agency on Aging as the Council's representative. She added that a Personnel Committee has been formed to interview applicants for the Human Rights Commission and Women's Commission. The Committee will consist of Councilmembers Young, Richardson, Blume, and Allison.

APPOINTMENT TO  
AREA 10 AGENCY  
ON AGING

Kinzer moved and Morrison seconded a motion to introduce and read Ordinance 79-16 by title only. Deputy Clerk Connors read Ordinance 79-16 by title only and Towell read the synopsis and committee report.

ORDINANCE 79-16  
Amend BMC re:  
Taxicabs

Kinzer explained that she had received some additional information on the ordinance, and said she would like to have another Taxicab Committee meeting to go over some things with the cab companies. She then moved and Towell seconded a motion to postpone second reading of the Ordinance until the next Council meeting. Motion carried by a roll call vote of Ayes: 9, Nays: 0.

Richardson moved and Morrison seconded a motion to introduce and read Resolution 79-4 in its entirety.

RESOLUTION 79-4  
Amend Contract  
Compliance Regu-  
lations of the  
HRC

Connors read Resolution 79-4 in entirety.

Richardson moved and Morrison seconded a motion to adopt Resolution 79-4. Towell read the legislative synopsis and gave the committee report, noting a Do Pass recommendation.

Blume asked for an amendment that would state that contracts under \$10,000 would not require an affirmative action plan, and Ann Vaughn, EEO Officer, responded that this is already in the existing regulations - only those contracts in excess of \$10,000 require a plan.

Middleton questioned the amendments, stating that businesses already have enough red tape to deal with in federal guidelines.

Ann Vaughn responded that these amendments are the result of several years of study and work with the current regulations. The amendments should actually make things easier for businesses. Morrison added that the City must have contract compliance regulations and affirmative action plans in order to receive federal funds.

Blume asked what would happen if a contractor refused to supply the City with their plan, and Ann Vaughn answered that there is an exemption for those that are "overriding in importance", such as the telephone company and other essential services.

Olcott added that the City is eliminating some businesses that would like to deal with the City through requiring affirmative action plans. Auto dealers hesitate to do business with the City because there are so many forms to fill out, adding that these people need to be supplied with an easy explanation of how to write a plan.

Resolution 79-4 was then adopted by a roll call vote of Ayes: 7, Nays: 2 (Olcott and Middleton).

Richardson moved and Morrison seconded a motion to introduce and read Appropriation Ordinance 79-1 by title only.

APPROPRIATION  
ORDINANCE 79-1  
Funds from FRS  
to HRD and from  
MVH to Street  
Department

Connors read Appropriation Ordinance 79-1 by title only.

Richardson moved and Morrison seconded a motion to adopt Appropriation Ordinance 79-1. Towell read the legislative synopsis and the committee report, noting a Do Pass recommendation.

Appropriation Ordinance 79-1 was then adopted by a roll call vote of Ayes: 9, Nays: 0.

Richardson moved and Morrison seconded a motion to introduce and read Ordinance 79-7 by title only.

ORDINANCE 79-7  
Amend BMC re:  
No Parking Zone

Connors read Ordinance 79-7 by title only.

Richardson moved and Morrison seconded a motion to adopt Ordinance 79-7. Towell read the legislative synopsis and gave the committee report, noting a Do Pass recommendation.

There was a short discussion concerning the location of the no parking zone, then Ordinance 79-7 was adopted by a roll call vote of Ayes: 9, Nays: 0.

Richardson moved and Morrison seconded a motion to introduce and read Ordinance 79-3 by title only.

ORDINANCE 79-3  
Amend Zoning re  
1820 Vernal Pik.  
RS to ML

Connors read Ordinance 79-3 by title only.

Richardson moved and Morrison seconded a motion to adopt Ordinance 79-3. Towell read the legislative synopsis and gave the committee report with a Do Pass recommendation.

Morrison urged adoption of the ordinance, and Middleton added that he had looked at the property and is convinced that this use would not interfere with the neighborhood as there is quite a variety of uses in the area.

Ordinance 79-3 was then adopted by a roll call vote of Ayes: 9, Nays: 0.

Richardson moved and Morrison seconded a motion to introduce and read Ordinance 79-4 by title only.

ORDINANCE 79-4  
Amend Zoning re:  
NE corner of Pete  
Ellis Dr. and  
Longview RH to BL

Connors read Ordinance 79-4 by title only.

Richardson moved and Morrison seconded a motion to adopt Ordinance 79-4. Towell read the synopsis and gave the committee report, with a Do Pass recommendation.

Richardson said that the Park Ridge Neighborhood Association was very concerned with this rezoning, but added that Mr. Deckard's plans for the land seemed feasible.

Allison said one of their concerns was increased traffic and the safety of area children. They are worried about strip zoning and possible future uses of the land. She noted that the Plan Department staff recommended against the rezoning at one point, and asked why a BL zone was needed when it is practically surrounded by BA? She said she saw valid points on both sides.

Lee Klotz of the Plan Department answered that the staff's recommendation was based on the master plan, with Longview serving as the break point between business and residential. He said the traffic situation should be a very limited problem, and that uses allowed in a BL zone are fairly limited. He continued that Longview is lined with apartments on the north, and business developments have been limited to the south side of the street.

Ordinance 79-4 was then adopted by a roll call vote of Ayes: 9, Nays: 0. The Council then took a ten minute break.

Richardson moved and Morrison seconded a motion to introduce and read Ordinance 79-1 by title only.

ORDINANCE 79-1  
Amend BMC re:  
Health & Sanitat

Connors read Ordinance 79-1 by title only.

Richardson moved and Morrison seconded a motion to adopt Ordinance 79-1. Towell read the legislative synopsis and gave the committee report, noting a recommendation of Do Pass by a vote of 3-2-2.

Blume moved and Middleton seconded a motion to delete the words "from private residences" from Section 6.04.020 of the ordinance, stating that the City should pick up garbage from anyone if it is in garbage cans (as opposed to dumpsters).

Towell noted that the City does this now and added that they do not have the equipment to pick up dumpsters.

Blume moved and Morrison seconded a motion to replace the old Section 6.04.020 with new wording to read as follows: "6.04.020 Collection Supervised by the Board of Public Works and Department of Public Works. All refuse accumulated in the city that meets the requirements of this chapter shall be collected, conveyed, and disposed of by the city under the supervision of the Board of Public Works and the Department of Public Works. The Board shall have the authority to make regulations concerning the days of collection, type and location of waste containers, and such other matters pertaining to the collection, conveyance, and disposal as it shall find necessary, and to change and modify the same provided that such regulations are not contrary to the provisions hereof." Motion carried by a vote of Ayes: 9, Nays: 0.

Middleton moved and Olcott seconded a motion to amend the ordinance to remove screening requirements from Section 6.05.010.

Allison, sponsor of the ordinance, explained that this section was mainly for the benefit of the central business district. She said that aesthetics is good business, and that many businesses already try to do this. Kinzer agreed.

Young contended that screening requirements would put an unnecessary burden and expense on many people. He said it is much better to leave dumpsters open so that they can be thoroughly cleaned. He said that screens would get battered by the garbage trucks, and they also entail more work for garbagemen as they have to drag them out of their enclosure to get to them.

Middleton agreed and added that the screens would only complicate matters and could be a health problem with trash accumulating around it, etc. Blume agreed.

Middleton's amendment was then adopted by a roll call vote of Ayes: 6, Nays: 3 (Kinzer, Richardson and Allison).

Discussion ensued concerning the penalty clause (Section 6.06.100). Blume said it should be deleted since it is possible that someone could be fined \$100 per day. Jim Wray replied that he would like to see the penalty provision remain as it is needed on occasion - against the ICC railroad for example.

Kinzer said people are usually given a warning before they are fined, and City Attorney Bill Finch reiterated this point, stating that his office sends out a letter, waits two weeks for a reply, the City then files a suit, and the person is given two weeks to comply. He noted that \$100 per day is the maximum fine.

Middleton moved and Kinzer seconded a motion to approve Ordinance 79-1 as amended. Motion carried by a vote of Ayes: 7, Nays: 2 (Young and Blume).

Blume then endorsed Connors for City Clerk.

Connors explained that she had been "directed" by Clerk Dolnick to read a letter from Dolnick to the Council which was left on the table.

Middleton moved and Kinzer seconded a motion not to read the letter out loud since Ms. Dolnick had already given copies to the Council that evening. Motion carried by unanimous voice vote.

Richardson moved and Morrison seconded a motion to introduce and read Ordinance 79-16 by title only.

FIRST READINGS  
ORDINANCE 79-16  
Amend '79 Salary  
Ord. re: CETA

Connors read Ordinance 79-16 by title only and Allison read the legislative synopsis.

Richardson moved and Morrison seconded a motion to introduce and read Ordinance 79-10 by title only.

ORDINANCE 79-10  
Amend Zoning re:  
Century Village  
RH to BL/PCD

Connors read Ordinance 79-10 by title only and Allison read the legislative synopsis.

Richardson moved and Morrison seconded a motion to introduce and read Ordinance 79-8 by title only.

ORDINANCE 79-8  
Salaries of  
Elected Officials

Connors read Ordinance 79-8 by title only and Allison read the legislative synopsis.

Richardson moved and Morrison seconded a motion to introduce Appropriation Ordinance 79-4 by title only.

APPROPRIATION  
ORDINANCE 79-4  
From General Fund  
for Deputy Clerk

Connors read Appropriation Ordinance 79-4 by title only and Allison read the legislative synopsis.

Richardson moved and Morrison seconded a motion to introduce and read Ordinance 79-11 by title only.

ORDINANCE 79-11  
Salary Ordinance  
for Deputy Clerk

Connors read Ordinance 79-11 by title only and Allison read the legislative synopsis.

Richardson moved and Morrison seconded a motion to introduce and read Appropriation Ordinance 79-3 by title only.

APPROPRIATION  
ORDINANCE 79-3  
From General Fund  
for Clerk's Work  
Study

Connors read Appropriation Ordinance 79-3 by title only and Allison read the legislative synopsis.

Richardson moved and Morrison seconded a motion to introduce and read Appropriation Ordinance 79-2 by title only.

APPROPRIATION  
ORDINANCE 79-2  
From General Fund  
for Council's  
Research Assist.

Connors read Appropriation Ordinance 79-2 by title only and Allison read the legislative synopsis.

Richardson moved and Morrison seconded a motion to introduce and read Ordinance 79-9 by title only.

ORDINANCE 79-9  
Salary Ord. for  
Council's Research  
Assistant

Connors read Ordinance 79-9 by title only and Allison read the legislative synopsis.

Richardson moved and Morrison seconded a motion to approve the minutes of January 3 and January 17, 1979 as submitted. Motion carried by unanimous voice vote.

MINUTES FOR  
APPROVAL: 1/3 &  
1/17/79

The meeting was then adjourned at 10:00 p.m.

ADJOURNMENT

APPROVE:

ATTEST:

Tomilea Allison  
Tomilea Allison, President  
Bloomington Common Council

Karel Dolnick  
Karel Dolnick, City Clerk

MINUTES approved this 3 day of May, 1979.