

AGENDA
COMMON COUNCIL
MAY 3, 1979, 7:30 p.m.
REGULAR SESSION
COUNCIL CHAMBERS

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. MESSAGES FROM COUNCILMEMBERS
- IV. MESSAGES FROM THE MAYOR
- V. PETITIONS AND COMMUNICATIONS: Jan Wagner re: Human Resources project
- VI. LEGISLATION FOR DISCUSSION/VOTE - SECOND READINGS
 1. Resolution 79-13 Inducement Resolution for Issuance of Revenue Bonds For the Financing of Economic Development Bonds for the Indiana University Retirement Community
Committee Report: none
 2. Ordinance 79-29 To Amend BMC re: Parallel Parking
re: Eleventh and Woodlawn
Committee Report: Ayes: 6, Nays: 0, for Do Pass Recommendation
 3. Ordinance 79-32 Budget Transfer
re: Board of Public Works
Committee Report: Ayes: 6, Nays: 0, for a Do Pass Recommendation
 4. Ordinance 79-25 To Amend Zoning Maps
re: 1201 W. Allen from MG and RS to BL; and from MG and RS to RL
Committee Report: Ayes: 6, Abstentions: 2 (Olcott and Morrison); to uphold the Plan Commission decision to leave the MG, deny the BL, and change RS to RL
 5. Ordinance 79-26 To Amend Zoning Maps
re: 1208 W. Second Street from MG to ML
Committee Report: Ayes: 8, Nays: 0, for a Do Pass Recommendation
 6. Ordinance 79-27 To Amend Zoning Maps
re: 2801 S. Rogers (intersection of Country Club Road) from RS to BL
Committee Report: None - Plan Commission tabled until May 7; withdrawal requested
 7. Ordinance 79-34 To Amend Zoning Maps
re: 805 S. Madison from ML to BL
Committee Report: None - withdrawal requested by petitioner
 8. Ordinance 79-35 To Amend Zoning Maps
re: NE corner of W. Allen and Adams Streets from RS to ML
Committee Report: None - Plan Commission denied and petitioner undecided as to whether they will appeal to the Council
 9. Appropriation Ordinance 79-7 To Appropriate Funds from the General Fund to the Common Council
re: legal fees for Tom Berry and court costs for suit brought by the City Clerk against the Council
Committee Report: Ayes: 7, Nays: 1 (Olcott) for a Do Pass Recommendation
 10. Resolution 79-12 To Approve the Rules, Regulations and Standards of Service for the Bloomington Water Utility
Committee Report: Ayes: 8, Nays: 0, for a Do Pass Recommendation
 11. Ordinance 79-31 To Repeal and Re-enact Title 9 of the BMC, Entitled "Water"
Committee Report: Ayes: 8, Nays: 0, for a Do Pass Recommendation
- VII. INTRODUCTION OF ORDINANCES FOR FIRST READING
 1. Ordinance 79-36 To Amend Section 15.76.010 of the Bloomington Municipal Code
re: Reinstatement of stop signs on Henderson at Maxwell
 - ** 2. Ordinance 79-39 To Amend Zoning Maps re: South side of Vernal Pike approximately 700' west of Logan Street from RL to MG
re: Mayhill homes pre-fabricated housing construction facility
- VIII. MINUTES FOR APPROVAL: February 7, February 21, and April 5, 1979
- IX. ADJOURNMENT

The Common Council of the City of Bloomington met in regular session on May 3, 1979, in the Common Council Chambers in the Municipal Building and conducted the following business:

These minutes are a summary - a taped recording is on file in the City Clerk's office.

ROLL CALL

PRESENT: Morrison, Towell, Kinzer, Richardson, Olcott, Blume,
Allison
ABSENT: None (Young and Middleton arrived late)

There being seven (7) members present and two (2) members absent and seven members representing a quorum the session was officially opened by Councilpresident Allison.

AGENDA SUMMATION

Councilpresident Allison read the Agenda.

MESSAGES FROM COUNCILMEMBERS

Councilmember Blume said he attended a neighborhood meeting and they were concerned about the lack of sidewalks at High Street and Second Street. Blume said he did not think this could wait until the budget meeting to be acted on by Council.

Councilmember Olcott said he would like to see the city upgrade Miller Drive. He added that he hoped everyone would vote Tuesday May 8th.

Councilmember Richardson said he was also concerned about the lack of sidewalks on High Street and hoped the Council would look into it.

Richardson said he thought the city needed some kind of overpass or underpass but that he was not convinced the proposed E.W. corridor on Third Street was the answer. He added that it would have an unfavorable impact in the neighborhood.

Richardson then congratulated Joe Norman for being selected by the Seattle Sea Hawks and then reminded everyone 16 yrs. or older to sign up for Adult Soccer.

Councilmember Towell said that the area around Griffy Reservoir has been badly damaged and neglected for a couple of years. Towell said he hoped Councilmembers would drive out and look at the situation.

Councilmember Morrison mentioned the new face lift on the West Side because of the re-building of North Monroe Street and also the storm sewer project for Jackson Street and Maple Street.

Councilpresident Allison said there were 3 particular areas that are potentially dangerous to children because of lack of sidewalks. She said these areas are on Hillside Street, High Street, and the Bypass at Tenth Street. Allison said these dangerous areas must have some solution.

Councilmember Towell said about eight years ago a sidewalk task force did a study and mapped out high priority areas. He said High Street was top priority in the study and some sidewalks were put in.

Councilpresident Allison said maybe the study could be re-activated.

Councilmember Blume said he felt an E.W. corridor on the South Side of town around Tapp Road to Winslow was needed. But he said we still need an E.W. corridor on Third Street to keep the traffic on the thoroughfares,

MESSAGES FROM THE MAYOR

There were no messages from the Mayor.

PETITIONS AND COMMUNICATIONS

There were no petitions and communications.

LEGISLATION FOR DISCUSSION/VOTE - SECOND READINGS

RESOLUTION 79-13 INDUCEMENT RESOLUTION FOR ISSUANCE OF REVENUE BONDS FOR THE FINANCING OF ECONOMIC DEVELOPMENT BONDS FOR THE INDIANA UNIVERSITY RETIREMENT COMMUNITY

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce RESOLUTION 79-13 and read in its entirety. Voice vote. So ordered.

Deputy City Clerk Lacewell read RESOLUTION 79-13 in its entirety and Councilpresident Allison read the legislative synopsis.

Councilmember Richardson moved and Councilmember Kinzer seconded the motion to adopt RESOLUTION 79-13.

Councilmember Towell said this was one of the most significant projects in recent years for Bloomington.

Mr. Charles Hagan, a member of the Board of Directors for the Retirement Community, mentioned that this retirement community is directed primarily at the faculty, staff and alumni of Indiana University or their spouse. He said in addition to 102 employees for the community it brings into the community retired persons who bring a good deal of wealth to the community to be expended within the community.

ROLL CALL ON RESOLUTION 79-13

AYES: Morrison, Towell, Kinzer, Richardson, Olcott, Blume, Allison
NAYS: None

There being seven (7) ayes and no (0) nays RESOLUTION 79-13 is adopted.

ORDINANCE 79-29 TO AMEND BMC RE: PARALLEL PARKING

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-29 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-29 by title only.

Councilmember Richardson moved and Councilmember Morrison seconded the motion to adopt ORDINANCE 79-29.

Committee Chairman Towell read the legislative synopsis and gave the committee report of a Do Pass recommendation. Towell said there was no real loss of parking spaces.

ROLL CALL ON ORDINANCE 79-29

AYES: Morrison, Towell, Kinzer, Richardson, Olcott, Blume, Allison
NAYS: None

There being seven (7) ayes and no (0) nays ORDINANCE 79-29 is adopted.

ORDINANCE 79-32 BUDGET TRANSFER RE: BOARD OF PUBLIC WORKS

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-32 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-32 by title only.

Councilmember Richardson moved and Councilmember Morrison seconded the motion to adopt ORDINANCE 79-32.

Committee Chairman Towell read the legislative synopsis and gave the committee report of a Do Pass recommendation.

Councilmember Richardson said during the committee meeting he voted against money being used for the roof of the fire station because there was no pitch on the roof.

Councilmember Olcott said they inherited the flat roof and it is a major undertaking to put a pitch on it and they are doing the best they can to preserve the building.

Councilmember Richardson said it is a temporary solution and he would like to see a permanent one.

(Councilmember Middleton entered)

Councilmember Kinzer said she would prefer to see a permanent solution.

Councilpresident Allison said putting a pitch on the building would be a major reconstruction.

Councilmember Blume said he did not think anyone should vote against the ordinance because the roof is already flat.

ROLL CALL ON ORDINANCE 79-32

AYES: Morrison, Towell, Kinzer, Olcott, Blume, Middleton, Allison
NAYS: Richardson

There being seven (7) ayes and one (1) nay ORDINANCE 79-32 is adopted.

ORDINANCE 79-25 TO AMEND ZONING MAPS

RE: 1201 W. Allen from MG and RS to BL; and from MG and RS to RL

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-25 and read by title only.
Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-25 by title only.

Councilmember Richardson moved and Councilmember Morrison seconded the motion to adopt ORDINANCE 79-25.

Committee Chairman Towell read the legislative synopsis and gave the committee report. He said the committee voted to go along with the Planning Commission's recommendation to amend the legal description of the Ordinance. Councilmember Towell moved to amend the Ordinance and Councilmember Richardson seconded the motion. (A copy of the amendment is attached.)

ROLL CALL ON AMENDMENT

AYES: Morrison, Towell, Kinzer, Richardson, Olcott, Blume, Middleton,
Allison
NAYS: None

There being eight (8) ayes and no (0) nays the motion passes.

Councilmember Kinzer moved and Councilmember Towell seconded the motion to adopt ORDINANCE 79-25 as amended.

ROLL CALL ON ORDINANCE 79-25 as amended

AYES: Morrison, Towell, Kinzer, Richardson, Olcott, Blume, Middleton,
Allison
NAYS: None

There being eight (8) ayes and no (0) nays ORDINANCE 79-25 as amended is adopted.

ORDINANCE 79-26 TO AMEND ZONING MAPS
RE: 1208 W. Second Street from MG to ML

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-26 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-26 by title only.

Councilmember Richardson moved and Councilmember Morrison seconded the motion to adopt ORDINANCE 79-26.

Committee Chairman Towell read the legislative synopsis and gave the committee report of a Do Pass recommendation.

ROLL CALL ON ORDINANCE 79-26

AYES: Morrison, Towell, Kinzer, Richardson, Olcott, Blume, Middleton, Allison

NAYS: None

There being eight (8) ayes and no (0) nays ORDINANCE 79-26 is adopted.

ORDINANCE 79-27 TO AMEND ZONING MAPS
RE: 2801 S. Rogers (intersection of Country Club Road) from RS to BL

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-27 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-27 by title only.

Councilmember Richardson moved and Councilmember Morrison seconded the motion to adopt ORDINANCE 79-27.

Councilmember Kinzer moved and Councilmember Morrison seconded the motion to postpone ORDINANCE 79-7 until May 17, 1979 as requested by the Planning Commission. Voice vote. So ordered.

ORDINANCE 79-34 TO AMEND ZONING MAPS
RE: 805 S. Madison from ML to BL

Councilmember Richardson moved and Councilmember Kinzer seconded the motion to introduce ORDINANCE 79-34 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-34 by title only.

Councilmember Richardson moved and Councilmember Morrison seconded the motion to adopt ORDINANCE 79-34.

Councilmember Kinzer moved and Councilmember Morrison seconded the motion that ORDINANCE 79-34 be tabled indefinitely on the basis that withdrawal has been requested by the petitioner. Voice vote. So ordered.

ORDINANCE 79-35 TO AMEND ZONING MAPS
RE: NE Corner of W. Allen and Adams Streets from RS to ML

Councilmember Richardson moved and Councilmember Morrison seconded the motion that ORDINANCE 79-35 be introduced and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-35 by title only.

Councilmember Richardson moved and Councilmember Morrison seconded the motion to adopt ORDINANCE 79-35.

Councilmember Kinzer moved and Councilmember Morrison seconded the motion to postpone ORDINANCE 79-35 until the petitioner requests it to be placed on the agenda. Voice vote. So ordered.

APPROPRIATION ORDINANCE 79-7 TO APPROPRIATE FUNDS FROM THE GENERAL FUND TO THE COMMON COUNCIL RE: Suit brought by City Clerk against Council

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce APPROPRIATION ORDINANCE 79-7 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read APPROPRIATION ORDINANCE 79-7 by title only.

Councilmember Richardson moved and Councilmember Morrison seconded the motion to adopt APPROPRIATION ORDINANCE 79-7.

Committee Chairman Towell read the legislative synopsis and gave the committee report of a Do Pass recommendation.

Towell said that personally he felt they got their money's worth and were completely vindicated in trial.

Councilmember Olcott said he was against this from the start and thought the Council should pay their share rather than have the taxpayers pay for it.

ROLL CALL ON APPROPRIATION ORDINANCE 79-7

AYES: Morrison, Towell, Kinzer, Richardson, Blume, Middleton, Allison
NAYS: Olcott

There being seven (7) ayes and one (1) nay APPROPRIATION ORDINANCE 79-7 is adopted.

RESOLUTION 79-12 TO APPROVE RULES, REGULATIONS AND STANDARDS OF SERVICE FOR THE BLOOMINGTON WATER UTILITY

(Councilmember Young entered)

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce RESOLUTION 79-12 and read in its entirety. Voice vote. So ordered.

Deputy City Clerk Lacewell read the Resolution 79-12 in its entirety.

Councilmember Richardson moved and Councilmember Morrison seconded the motion that RESOLUTION 79-12 be adopted.

Committee Chairman Towell read the legislative synopsis and gave the committee report of a Do Pass recommendation. Towell said the committee had a lengthy discussion and although everyone agreed it was a compromise he said he thought it was a successful compromise because the committee voted 8-0.

Councilmember Richardson said the votes were simply not there to strike the deposit requirements.

Councilmember Richardson moved and Councilmember Towell seconded the motion to strike Rule 10 A and B and subsections on pages 12 and 13 of the rules and regulations.

Richardson said this motion does not strike all deposits because those people who have proven themselves irresponsible can still be required to pay a deposit.

Councilmember Kinzer said the requirement for deposits cuts down substantially delinquent payments. She said the rules give people time to pay their deposits and is a fair requirement. Kinzer added that the statistics show that deposits are needed.

Councilmember Towell said in the past the Utilities Department did not have the means to send notices to remind people of payments past due so he would question the statistics.

Councilmember Blume complimented the Utilities Service Board, Stu McClure and everyone who had worked on the utilities document. He then asked the Council not to support Councilmember Richardson's motion.

ROLL CALL ON AMENDMENT

AYES: Richardson, Allison

NAYS: Morrison, Towell, Young, Kinzer, Olcott, Blume, Middleton,

There being two (2) ayes and seven (7) nays the motion fails.

ROLL CALL ON RESOLUTION 79-12

AYES: Morrison, Towell, Young, Kinzer, Richardson, Olcott, Blume, Middleton, Allison

NAYS: None

There being nine (9) ayes and no (0) nays RESOLUTION 79-12 is adopted.

ORDINANCE 79-31 TO REPEAL AND RE-ENACT TITLE 9 OF THE BMC, ENTITLED "WATER"

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-31 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-31 by title only.

Councilmember Richardson moved and Councilmember Morrison seconded the motion to adopt ORDINANCE 79-31.

Committee Chairman Towell read the legislative synopsis and gave the committee report of a Do Pass recommendation.

Councilmember Richardson said he hoped the Council would give the rebate question further discussion at the budget hearings this summer.

ROLL CALL ON ORDINANCE 79-31

AYES: Morrison, Towell, Young, Kinzer, Richardson, Olcott, Blume, Middleton, Allison

NAYS: None

There being nine (9) ayes and no (0) nays ORDINANCE 79-31 is adopted.

INTRODUCTION OF ORDINANCES FOR FIRST READING

ORDINANCE 79-36 TO AMEND SECTION 15.76.010 OF THE BLOOMINGTON MUNICIPAL CODE RE: Reinstatement of stop signs on Henderson at Maxwell

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-36 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-36 by title only and Councilpresident Allison read the legislative synopsis.

ORDINANCE 79-39 TO AMEND ZONING MAPS RE: South Side of Vernal Pike approximately 700' West of Logan Street from RL to MG

Councilmember Kinzer moved and Councilmember Olcott seconded the motion to waive the rules to amend the agenda to include ORDINANCE 79-39.

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-39 and read by title only.

Deputy City Clerk Lacewell read ORDINANCE 79-39 by title only and Councilpresident Allison read the legislative synopsis.

Councilmember Richardson moved to waive the rules to give ORDINANCE 79-36 second reading. Councilmember Olcott seconded the motion.

Councilmember Richardson said that because the issue has been discussed so thoroughly in previous meetings the Council would be prepared to vote on the Ordinance.

Councilmember Middleton said he would oppose the Ordinance because the problem is not really at Maxwell but south of there at E. Dodds. Middleton said he would move that this be committed to the Traffic Commission to come up with some very specific recommendations.

ROLL CALL ON MOTION TO WAIVE RULES

AYES: Morrison, Young, Richardson, Olcott, Blume, Allison
NAYS: Towell, Kinzer, Middleton

There being six (6) ayes and three (3) nays the motion fails without unanimous consent.

MINUTES FOR APPROVAL

Councilmember Richardson moved and Councilmember Kinzer seconded the motion to adopt the minutes of February 21, February 7, and April 5, 1979.

Councilmember Richardson moved and Councilmember Morrison seconded the motion to amend the minutes of February 21, 1979 to include the Executive Session of Council held at 7:00 before the regular Council meeting and to correct the adopted salary of Councilmembers from \$4,100.00 to \$4,150.00.


Councilmember Kinzer requested that more discussion be included in future Minutes of Meetings and Councilmember Blume asked that Minutes to be voted on be presented to the Council on a more current basis.

The minutes were approved as amended by a unanimous voice vote.

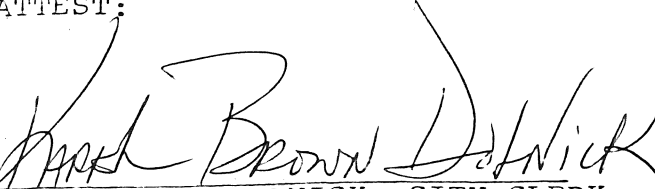
ADJOURNMENT

The meeting was then adjourned at 9:00 p.m.

APPROVE:


TOMILEA ALLISON, PRESIDENT
BLOOMINGTON COMMON COUNCIL

ATTEST:


KAREL BROWN DOLNICK, CITY CLERK

MINUTES APPROVED THIS 7 DAY OF June, 1979.