

AGENDA
COMMON COUNCIL
WEDNESDAY, MAY 23, 1979, 7:30 p.m.
REGULAR SESSION
COUNCIL CHAMBERS

** AMEND TO INCLUDE 4/15
MEETING RESCHEDULED
FROM MAY 17, PLEASE
BRING OLD PACKET TO MTG.

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. MESSAGES FROM COUNCILMEMBERS
- IV. MESSAGES FROM THE MAYOR
- V. PETITIONS AND COMMUNICATIONS: Pat Gross & John Dewitt re: computer report
- VI. LEGISLATION FOR DISCUSSION/VOTE - SECOND READINGS
 1. Ordinance 79-27 To Amend Zoning Maps
re: 2801 S. Rogers (corner of Country Club Rd.) from RS to BL
Committee Report: none. Plan Comm. approved 9-1, amended to BG
 2. Ordinance 79-39 To Amend Zoning Maps
re: South side of Vernal Pike approximately 700' west of Logan Street
from RL to MG (Mayhill homes facility)
Committee Report: none. Plan Commission approved 10-0
 - ** 3. Resolution 79-14 Inducement Resolution for Issuance of Revenue Bonds
for the Financing of Economic Development Bonds for Mayhill Homes
Corporation
Committee Report: none.
 4. Ordinance 79-36 To Amend Section 15.76.010 of the BMC re: Stop
Intersections at Henderson and Maxwell Lane
Committee Report: none. Sponsor: Councilmember Richardson
- VII. INTRODUCTION OF ORDINANCES FOR FIRST READING
 1. Ordinance 79-33 To Amend Chapter 2.36 of the BMC, Entitled "Board of
Parks and Recreation" and Create a Special Non-reverting Operating
Fund
* SUSPENSION OF RULES REQUESTED BY PARKS & REC. TO GIVE 2nd READING
 2. Ordinance 79-37 To Amend Zoning Maps
re: 2320 and 2330 N. Walnut Street from RS to BA
 3. Ordinance 79-38 To Amend Zoning Maps
re: East side of N. Walnut north of Cottage Grove from RS. to BG
- VIII. MINUTES FOR APPROVAL: none
- IX. ADJOURNMENT

The Common Council of the City of Bloomington met in regular session on May 23, 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: Young, Kinzer, Olcott, Blume, Allison
ABSENT: Morrison, Richardson, Middleton (Towell arrived late)

There being five (5) members present and four (4) members absent and five members representing a quorum the session was officially opened by Councilpresident Allison.

AGENDA SUMMATION

Councilpresident Allison read the Agenda. (Councilmember Towell entered.)

MESSAGES FROM COUNCILMEMBERS

Councilmember Olcott mentioned the dedication of the Winslow Sports Complex scheduled for Saturday, June 2, 1979. He said it is a gorgeous facility that will reach many young people of the community and surrounding communities.

Councilmember Blume said the Board of Public Works is instigating the sidewalk committee study and added that he hoped the Council would press this issue or appoint a committee from the Council to study this situation.

Councilpresident Allison said the Mayor is going to work with the schools and the P.T.A.'s on particular problem areas children have getting to and from school.

Allison said this is the time of year when people are going on vacation and that it is difficult to have a quorum. She asked that when Councilmembers know they will be out of town to please let the rest of Council have as much advance warning as possible.

Allison mentioned the Hoosier Hills Festival coming up from June 1 to June 10. She said Bloomington now has a horticulturist and a CETA crew that have already made a noticeable difference in trimming and planting around the City.

Allison then added that this week is Preservation Week and thanked the restoration group in Bloomington for their work. Allison said Bloomington is losing their architect-in-residence, Sheila Snider.

MESSAGE FROM THE MAYOR

There was no message from the Mayor.

PETITIONS AND COMMUNICATIONS

Pat Gross, Controller and John DeWitz, the City's Computer Use Analyst, were present to outline the plans for city offices to use computers. Gross said the city had planned to buy their own computer but then the Utilities Department decided to buy a computer and asked the city to help finance and share the computer. She said they are interested and have asked the Utilities Department to buy a larger computer with a broad range of uses. Gross said the Utilities Department was asking only for the city to pay the difference between the smaller computer the Utilities Department was originally going to purchase and the larger computer proposed if the city offices are included in the one computer use. Gross said that expense to the city was approximately \$30,000.00 as opposed to the \$150,000.00 originally appropriated for the purchase of the city's own computer. Gross said they

will be presenting this as part of the budget this summer but wanted the Council to know where they were headed and to see if there were any objections so they could put the brakes on now.

John DeWitz told Council that the first areas of city government that would start transferring files to the computer would be accounting and the Police Department. He said the computer system will be implemented in stages.

Councilmember Olcott asked how long it would take to put the police information on the computer.

DeWitz said that once they get started it would take approximately six months. He added that they would be doing several programs at the same time.

Pat Gross said the rates from the present system they are renting now for computer services from Wrubel are being raised by 500%.

LEGISLATION FOR DISCUSSION/VOTE - SECOND READINGS

ORDINANCE 79-27 TO AMEND ZONING MAPS

RE: 2801 S. ROGERS (CORNER OF COUNTRY CLUB ROAD) FROM RS TO BL

Councilmember Kinzer moved and Councilmember Blume 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 and Councilpresident Allison read the legislative synopsis.

Councilmember Kinzer moved and Councilmember Olcott seconded the motion to adopt ORDINANCE 79-27.

Councilpresident Allison said the Planning Commission asked that they amend ORDINANCE 79-27 to BG rather than BL.

Councilmember Blume said he was reluctant to zone anything business that does not have sewers, particularly because they do not know what type of business would be moving in.

Tim Mueller, the Director of the Planning Department, explained that the owners are interested in selling the property with the possibility of it being a quick food store. Mueller said after the commission made their recommendation for the property to be rezoned BL as restrictive business zoning, the idea for a single gas pump in addition to the quick food store came up, which is not allowed in a BL zoning but is allowed in a BG zoning.

Mueller said the Commission took a look at a potential code amendment to allow a single gas pump with a food store in a BL zone. He said the Planning Commission did not feel that was the way to go so the petitioner changed the petition to BG.

Mueller said he thought the property offered a good range of commercial uses without the need of sewers. He said there is room on the site for an absorption bed and if the owner wanted to use that area for intensive commercial development they would have to go to the County Health Department for a permit. Mueller said it was on that basis that the Planning Commission did not see the lack of sewers as a deterrent for rezoning.

Councilmember Kinzer said that a BG zoning left room open for uses that were quite extensive and asked why couldn't they just waive the restriction for gas pumps from the BL zoning requirements.

Mueller said that would require a change in the ordinance and they have a negative vote from the Planning Commission on that question. He said the Planning Department did propose a Code change, drafted it up, and presented it to the Planning Commission. He said it identified gasoline sales as an accessory use under carefully controlled conditions. Mueller said the Planning Commission felt they

had considered this in 1973 and made a very deliberate decision to exclude gasoline sales from the BL zone.

Councilmember Blume moved and Councilmember Olcott seconded the motion that ORDINANCE 79-27 be amended to change from RS to BL to RS to BG.

ROLL CALL ON AMENDMENT

AYES: Towell, Young, Olcott, Blume, Allison
NAYS: Kinzer

There being five (5) ayes and one (1) nay the motion passes.

Councilmember Kinzer moved and Councilmember Olcott seconded the motion to adopt ORDINANCE 79-27 as amended.

ROLL CALL ON ORDINANCE 79-27 AS AMENDED

AYES: Towell, Young, Kinzer, Olcott, Blume, Allison
NAYS: None

There being six (6) ayes and no (0) nays ORDINANCE 79-27 as amended is adopted.

ORDINANCE 79-33 TO AMEND CHAPTER 2.36 OF THE BMC, ENTITLED "BOARD OF PARKS AND RECREATION" AND CREATE A SPECIAL NON-REVERTING OPERATING FUND

Councilmember Kinzer moved and Councilmember Olcott seconded the motion to amend the agenda to consider ORDINANCE 79-33 for FIRST READING. Voice vote. So ordered.

Councilmember Kinzer moved and Councilmember Olcott seconded the motion to introduce ORDINANCE 79-33 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-33 by title only and Councilpresident Allison read the legislative synopsis.

Councilmember Kinzer moved to suspend the rules to consider ORDINANCE 79-33 for SECOND READING. Councilmember Towell seconded the motion.

(Councilmember Middleton entered)

Councilmember Kinzer moved and Councilmember Olcott seconded the motion to adopt ORDINANCE 79-33.

Councilmember Towell said that ordinarily he would be very much against suspending the rules but the public had been notified and the Council was prepared ahead of time that a suspension of rules would be requested.

Bill Wilson, Director of Parks and Recreation, explained that ORDINANCE 79-33 was to enable them to operate the concessions in the Winslow Sports Complex. Wilson said he thought it would provide a good profit for the city which can go for budgetary purposes. He added that throughout the city they will eventually have nine concession areas.

ROLL CALL ON ORDINANCE 79-33

AYES: Towell, Young, Kinzer, Olcott, Blume, Middleton, Allison
NAYS: None

There being seven (7) ayes and no (0) nays ORDINANCE 79-33 is adopted.

(Councilmember Kinzer leaves)

ORDINANCE 79-39 TO AMEND ZONING MAPS
RE: SOUTH SIDE OF VERNAL PIKE APPROXIMATELY 700' WEST OF LOGAN STREET

Councilmember Olcott moved and Councilmember Blume seconded the motion to introduce ORDINANCE 79-39 and read by title only. Voice vote. So ordered.

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

Councilmember Olcott moved and Councilmember Blume seconded the motion to adopt ORDINANCE 79-39.

Tim Mueller, Director of the Planning Department, gave a video presentation of the proposed manufacturing site and area to be rezoned. He pointed out that thirty acres of the proposed forty acre manufacturing site was zoned MG in 1973. The requested zoning is for a ten-acre site presently zoned RL.

Mueller said sewers will be brought to the manufacturing site but the route for them has not been established.

Councilmember Young asked if the size of sewer pipes to be put in could accomodate Logan Street residents.

Mueller said they have not received specific proposals as to the size of pipes to say whether or not they can accomodate Logan Street. He added that it was a broad policy question because of money considerations.

Remonstrator, Robert Zapfe, a Logan Street resident read to the Council a statement signed by Logan Street residents. Zapfe said the proposed parcel of land for the manufacturing site is bounded on three sides by property zoned residential. He said the residents of Logan Street feel that the proposed manufacturing site will severely decrease the value of their homes.

Gary Clendening, Attorney for the Mayhill Homes Corporation, said the evidence has not indicated that the presence of a manufacturing plant necessarily devalues the surrounding homes. He gave the Sarkes Tarzian plant as an example. Clendening said the Mayhill manufacturing plant could be defined as a clean industry that would not create any pollution problems for the community.

Mr. Zapfe asked Tim Mueller if the Planning Department recognized the residential zoning on three sides of the proposed manufacturing site when they received the request for zoning.

Tim Mueller said the Planning Department did recognize the deficient pattern of zoning. He said it is a result of a comprehensive zoning plan decision in 1973. Mueller said the zoning map is the law and the question is should the thirty acre parcel zoned manufacturing be allowed to expand to forty acres.

Councilmember Towell asked Tim Mueller what the traffic impact would be on Vernal Pike.

Mueller said there will be impact on the road because of increased truck and car traffic. He said the situation is if the land is zoned the community simply has to accept that impact and build to meet the needs of the additional traffic.

Mr. Clendening pointed out the large side yard setback to separate manufacturing from residential.

Mr. Zapfe pointed out that if the city should pass this rezoning petition the responsibility for road maintenance would then be the county's responsibility.

Fred Hoffman, a Logan Street resident, asked the Council if they would want the noise of a manufacturing plant in their back yard.

Jerry Coleman, a Logan Street resident, said if the Mayhill Com-

pany was going to use 20 acres as planned his concern was what would be built on the other 20 acres.

ROLL CALL ON ORDINANCE 79-39

AYES: Towell, Young, Olcott, Blume, Middleton, Allison
NAYS: None

There being six (6) ayes and no (0) nays ORDINANCE 79-39 is adopted.

RESOLUTION 79-14 INDUCEMENT RESOLUTION FOR ISSUANCE OF REVENUE BONDS FOR THE FINANCING OF ECONOMIC DEVELOPMENT BONDS FOR MAYHILL HOMES CORPORATION

Councilmember Olcott moved and Councilmember Blume seconded the motion to introduce RESOLUTION 79-14 and read in its entirety.

Deputy City Clerk Lacewell read RESOLUTION 79-14 in its entirety and Councilpresident Allison read the legislative synopsis.

Councilmember Olcott moved and Councilmember Blume seconded the motion to adopt RESOLUTION 79-14.

Councilmember Young said he would urge the Council to act favorably because it would provide many benefits for the city.

Councilmember Towell said it would substantially aid employment in the area.

Councilmember Olcott said he would like to see an industrial park created to encourage businesses to move to Bloomington.

ROLL CALL ON RESOLUTION 79-14

AYES: Towell, Young, Olcott, Blume, Middleton, Allison
NAYS: None

There being six (6) ayes and no (0) nays RESOLUTION 79-14 is adopted.

ORDINANCE 79-36 TO AMEND SECTION 15.76.010 of the BMC
RE: STOP INTERSECTIONS AT HENDERSON AND MAXWELL LANE

Councilmember Olcott moved and Councilmember Towell 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.

Councilmember Olcott moved and Councilmember Towell seconded the motion to adopt ORDINANCE 79-36.

Councilmember Middleton moved that ORDINANCE 79-36 be referred back to the Traffic Commission for further analysis. Councilmember Blume seconded the motion.

Councilmember Olcott said people are used to the stop sign and need it because of the amount of traffic on Henderson Street. He added that there is a lot of pedestrian traffic and bicycle traffic.

Councilmember Middleton said he thinks the important thing is speed control.

Councilmember Blume said he agreed that the Traffic Commission should consider the speed zone in that area but that they should not delay putting up the stop sign while waiting to study the speed zone.

Bill Lumbley, of 600 Maxwell Lane said about seven or eight years ago the neighbors did a five month study of the corner to warrant having a stop sign put in at the corner of Henderson and Maxwell.

Lumbley said he watches the pedestrian traffic at that intersection and feels that for the safety of children a stop sign is needed.

Councilmember Middleton said he would prefer to see the sign at Dodds Street instead of Maxwell Lane. Middleton said that he would withdraw his motion because of lack of interest from the Council.

Ronald Drahos, Chairman of the Bloomington Traffic Commission, said stop signs are disfunctional for traffic safety purposes. He said studies show that drivers speed up between stop signs.

City Engineer Steve Smith said sometimes stop signs will lower the number of accidents but the corner of Henderson Street and Maxwell Lane does not have enough accidents to warrant placement of a stop sign.

Flo Davis, of 431 E. Wylie, said her children have had trouble crossing the street at the corner of Henderson Street and Maxwell Lane since the removal of the stop sign. She said she knows near-misses do not show up in the statistics but they are happening all the time.

Corry Alcorn said he was almost hit by a car and has trouble crossing the street without the stop sign.

Ronald Drahos said he was tired of city officials handing out stop signs as placebos for the insecurities and fears of the neighborhood people.

ROLL CALL ON ORDINANCE 79-36

AYES: Towell, Young, Olcott, Blume, Middleton, Allison
NAYS: None

There being six (6) ayes and no (0) nays ORDINANCE 79-36 is adopted.

INTRODUCTION OF ORDINANCES FOR FIRST READING

ORDINANCE 79-37 TO AMEND ZONING MAPS
RE: 2320 and 2330 N. WALNUT STREET FROM RS TO BA

Councilmember Olcott moved and Councilmember Blume seconded the motion to introduce ORDINANCE 79-37 and read by title only.

Deputy City Clerk Lacewell read ORDINANCE 79-37 by title only and Councilpresident Allison read the legislative synopsis.

ORDINANCE 79-38 TO AMEND ZONING MAPS
RE: EAST SIDE OF N. WALNUT NORTH OF COTTAGE GROVE FROM RS TO BL and PCD

Councilmember Olcott moved and Councilmember Blume seconded the motion to introduce ORDINANCE 79-38 and read by title only.

Deputy City Clerk Lacewell read ORDINANCE 79-38 by title only and Councilpresident Allison read the legislative synopsis.

MINUTES FOR APPROVAL

There were no minutes for approval.

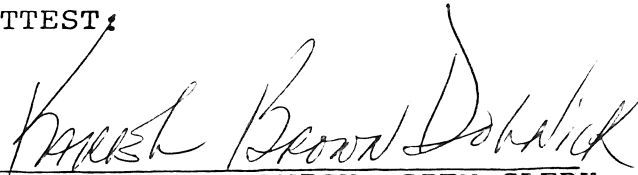
ADJOURNMENT

The meeting was then adjourned at 10:30 p.m.

APPROVE:


TOMILEA ALLISON, PRESIDENT
BLOOMINGTON COMMON COUNCIL

ATTEST:


KAREL BROWN DOLNICK, CITY CLERK

MINUTES APPROVED THIS 27 DAY OF June, 1979.