

The Common Council of the City of Bloomington met in regular session on July 19, 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: Kinzer, Olcott, Blume, Middleton, Allison
ABSENT: Towell, (Morrison, Young and Richardson arrived late)

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

AGENDA SUMMATION

Councilpresident Allison read the Agenda.

MESSAGES FROM COUNCILMEMBERS

Councilmember Blume introduced his brother in the audience, Norbert Blume, the ex-speaker of the House of the Commonwealth of Kentucky.

Councilpresident Allison announced that petitions for the downtown garage can be picked up at the Chamber of Commerce or in the Council office.

Councilmember Blume said that they have as much time as they want to get all the names they need in favor of the petition. He added that all that is needed is to have one more name on the petition than the opposition.

(Councilmembers Morrison and Young arrived)

Councilpresident Allison thanked the Engineering Department for including the drainage problem at First Street and Henderson Street on their list of things to do.

Councilmember Morrison introduced Slim Pickens from the audience, a West Side Association worker.

MESSAGES FROM THE MAYOR

There were no messages from the Mayor.

PETITIONS AND COMMUNICATIONS

Tim Mueller, Director of the Planning Department, said he wanted to clarify a confusing article that appeared in the Herald-Telephone last week. He said the article was in reference to a rezoning at the N.E. corner of Moores Pike and College Mall Road for the Noble Roman Corporate Headquarters and an office park. Mueller said the implication in the article was that because of disagreements with the Planning staff the rezoning was denied and in a holding pattern. Mueller said there were very few rezonings that did not have disagreements but the rezoning was approved as a PCD. He added that any holding that was taking place was for their (Noble Romans') own private considerations.

Barry Wilson, Vice-President of Horizon Communications, spoke before the Council to explain the confusion over some of their marketing techniques for Cable T.V. Wilson explained that a new device is being put in for Cable T.V. viewers that allows all T.V. viewers the chance to view Cable T.V. for 2-3 days. He said they asked that those who did not want their service, to respond or else be billed. Wilson said because of the confusion this caused they would not use that type of marketing technique again.

(Councilmember Richardson arrived)

LEGISLATION FOR DISCUSSION/VOTE - SECOND READINGS

RESOLUTION 79-18 TO APPROVE THE HENDERSON COURT HOUSING PROJECT

Councilmember Kinzer moved and Councilmember Richardson seconded the motion to introduce RESOLUTION 79-18 and read in its entirety. Voice vote. So ordered.

Deputy City Clerk Lacewell read RESOLUTION 79-18 in its entirety.

Councilpresident Allison read the legislative synopsis.

Councilmember Kinzer moved and Councilmember Richardson seconded the motion to postpone RESOLUTION 79-18 indefinitely due to a request by the petitioner. Voice vote. So ordered.

ORDINANCE 79-42 TO AMEND TITLE 15 OF THE BMC RE: PARALLEL PARKING, NO PARKING ZONES, STOP INTERSECTIONS, AND YIELD INTERSECTIONS

Councilmember Richardson moved and Councilmember Olcott seconded the motion to introduce ORDINANCE 79-42 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-42 by title only.

Councilmember Richardson moved and Councilmember Olcott seconded the motion to adopt ORDINANCE 79-42.

Councilpresident Allison read the legislative synopsis.

Councilmember Olcott gave the committee report of a Do Pass recommendation.

ROLL CALL ON ORDINANCE 79-42

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

There being eight (8) ayes and no (0) nays ORDINANCE 79-42 is adopted.

ORDINANCE 79-54 CONCERNING THE VOLUNTARY ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORY

Councilmember Kinzer moved and Councilmember Middleton seconded the motion to introduce ORDINANCE 79-54 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-54 by title only.

Councilmember Richardson moved and Councilmember Morrison seconded the motion to adopt ORDINANCE 79-54.

Councilpresident Allison read the legislative synopsis.

Councilmember Olcott gave the committee report of a Do Pass recommendation.

ROLL CALL ON ORDINANCE 79-54

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

There being eight (8) ayes and no (0) nays ORDINANCE 79-54 is adopted.

ORDINANCE 79-43 TO AMEND ZONING MAPS
RE: SE CORNER OF RANSOM AND BLOOMFIELD ROADS FROM RS TO BA

Councilmember Richardson moved and Councilmember Kinzer seconded the motion to introduce ORDINANCE 79-43 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-43 by title only.

Councilmember Richardson moved and Councilmember Kinzer seconded the motion to adopt ORDINANCE 79-43.

Councilpresident Allison read the legislative synopsis.

Tim Mueller gave a video presentation to the Council showing plans for a full passing bubble.

Councilmember Blume said that if the property is used for anything different than what is planned now the septic tank could not handle it.

Mueller said it is a situation that will handle itself because for a change of property use the petitioners must go through the Health Department.

Councilmember Morrison asked the petitioner what his plans were for the landfill on the property.

Raymond Moore, the petitioner, said he was moving the landfill south to make room for his building.

Councilmember Blume asked if he had any intentions to annex.

Moore said yes he did but he was not quite sure what he would do with the rest of the property.

Councilmember Blume said if the property is annexed it will be in need of sewers.

Mueller said sewers were not feasible at this time and if it were annexed the petitioners would have to waive the requirement that the city provide sewers within three years.

ROLL CALL ON ORDINANCE 79-43

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

There being eight (8) ayes and no (0) nays ORDINANCE 79-43 is adopted.

ORDINANCE 79-51 TO REPEAL AND RE-ENACT CHAPTER 4.24. OF THE BMC ENTITLED "TAXICABS"

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-51 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-51 by title only.

Councilmember Olcott moved and Councilmember Blume seconded the motion to adopt ORDINANCE 79-51.

Councilpresident Allison read the legislative synopsis.

Councilmember Olcott gave the committee report of 5 ayes and 2 nays.

Councilmember Kinzer moved and Councilmember Morrison seconded the motion to amend Section 4.24.150 to change the requirement for four inch letters on taxicab signs to a 3 1/2 inch letter size.

ROLL CALL ON AMENDMENT

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

There being seven (7) ayes and one (1) nay the amendment passes.

Councilmember Kinzer, sponsor of the ordinance, explained that this ordinance updates the old one and makes the cab system more efficient.

Councilmember Richardson said this type of ordinance makes it difficult for the private sector to begin a cab company. He added that he did not think the city should legislate that cab companies must provide a 24 hour service.

Councilmember Young said the cab company provides a good service for the community but the new ordinance is not needed and was a waste of time.

Councilmember Morrison said the ordinance protects a local business to keep a large cab company from moving in and taking over at high volume times. He said he thinks it is a good ordinance.

Councilmember Richardson said that the cab business should compete like any other business in the community.

Councilmember Richardson moved and Councilmember Middleton seconded the motion to divide the question to separate the first two sentences of the ordinance to have it read 'Section I. Chapter 4.24 of the Bloomington Municipal Code entitled "Taxicabs", shall be repealed'.

(Councilmember Young left the Council Chambers)

ROLL CALL ON MOTION

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

There being two (2) ayes and five (5) nays the motion fails.

Councilmember Kinzer moved and Councilmember Morrison seconded the motion to adopt ORDINANCE 79-51 as amended.

ROLL CALL ON ORDINANCE 79-51 AS AMENDED

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

There being three (3) ayes and four (4) nays ORDINANCE 79-51 as amended fails.

INTRODUCTION OF ORDINANCES FOR FIRST READING

ORDINANCE 79-53 TO AMEND ZONING MAPS
RE: 5228 AND 4230 N. HWY. 37 FROM RE TO BA

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-53 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-53 by title only.

Councilpresident Allison read the legislative synopsis.

Councilmember Richardson moved and Councilmember Middleton seconded the motion to amend the agenda to give ORDINANCE 79-53 Second Reading.

Councilmember Richardson explained that this property is under the jurisdiction of the Department of Natural Resources.

Councilmember Kinzer said they would be setting a precedent and she did not want to support amending the agenda.

Councilpresident Allison said she was in favor of voting on this ordinance now because it was one way to encourage business in the community.

(Councilmember Young entered)

ROLL CALL

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

There being seven (7) ayes and one (1) nay the motion fails for lack of unanimous vote.

ORDINANCE 79-52 TO AMEND ZONING MAPS
RE: 2537 VERNAL PIKE FROM RE TO ML

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-52 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-52 by title only and Councilpresident Allison read the legislative synopsis.

ORDINANCE 79-55 1980 SALARY ORDINANCE FOR APPOINTED OFFICERS AND EMPLOYEES

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-55 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-55 by title only and Councilpresident Allison read the legislative synopsis.

ORDINANCE 79-56 1980 SALARY ORDINANCE FOR POLICE AND FIRE EMPLOYEES

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-56 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-56 by title only and Councilpresident Allison read the legislative synopsis.

ORDINANCE 79-57 TO AMEND 1979 SALARY ORDINANCE RE: FLEET MAINTENANCE

Councilmember Richardson moved and Councilmember Blume seconded the motion to introduce ORDINANCE 79-57 and read by title only. Voice vote. So ordered.

Deputy City Clerk Lacewell read ORDINANCE 79-57 by title only and Councilpresident Allison read the legislative synopsis.

Councilmember Morrison moved and Councilmember Blume seconded the motion to reschedule the next Common Council meeting from August 2, 1979 to July 31, 1979 to vote on the 1980 Salary Ordinance before the deadline. Voice vote. So ordered.

ADJOURNMENT

The meeting was then adjourned at 9:30 p.m.

APPROVE:

ATTEST:

Tomilea Allison
TOMILEA ALLISON, President
Bloomington Common Council

Nora Connors
NORA CONNORS, City Clerk

MINUTES APPROVED THIS 20th DAY OF September, 1979.