

In the Common Council Chambers of the Municipal Building, held on November 17, 1977, at 7:30 p.m., with Councilpresident Middleton presiding over a regular session of the Council. This is a summary; tapes are available in the Council Office. Councilmembers present: Morrison, Towell, Young, Kinzer, Middleton, Allison, Olcott, Richardson. Absent: Blume.

COMMON COUNCIL
REGULAR SESSION
November 17, 1977

ROLL CALL

Others present: 10.

Councilpresident Middleton gave the agenda summation. For Second Reading: Ordinance 77-77, Concerning Refrigerators, Ice Chests, Freezers, etc.; Ordinance 77-91, Budget Transfers, re: Legal Department. For First Reading, Ordinance 77-94, Voluntary Annexation of Adjacent and Contiguous Territory re: 1.136 acres of land in Section 11 of Perry Township, located on the Westside of Sare Road, and owned by Rob & Wendy Snoddy; Ordinance 77-95, Voluntary of Adjacent and Contiguous Territory, re: 23.98 acres of land in Section 10 of Perry Township, platted as Mayfair subdivision; Ordinance 77-96, Voluntary Annexation of Adjacent and Contiguous Territory, re: 13 acres of land in Section 9 of Perry Township, located at the NE corner of Winslow Road and Henderson Street; Ordinance 77-99, To Amend Chapter 17.12 of the BMC, Entitled, "Electrical Code"; Ordinance 77-100, Budget Transfers re: Animal Control, Board of Works, EQCC, Human Resources, Mayor's Office, Transit, FRS Transit, Parking Meter--Police, Parks and Recreation Fund, and Public Works Title II Fund--Transit; Appropriation Ordinance 77-22, From CC Fund for Purchase of Thrasher Building. Minutes for approval: October 20, 1977.

AGENDA SUMMATION

Councilmember Towell expressed his satisfaction with the installation of several street lights on East Cottage Grove, but noted with dismay that the lights had been a recognized need for at least four years, with no response until now from the City.

MESSAGES FROM
COUNCILMEMBERS

Councilmember Richardson spoke of the same street lights on East Cottage Grove, noting that he had found Jean Strdin, of the Board of Works, very responsive in dealing with the situation. He also announced that the Youth Shelter Care Facility, located in the Developmental Training Center, would have its grand opening on Sunday, November 20, and extended an invitation to all present to attend. He spoke highly of City Attorney Steve Richardson, who would soon be resigning, and wished him the best of luck in the future.

Councilpresident Middleton spoke of upcoming meetings to study the problem with the Housing Inspections Program, noting that Councilmembers Towell, Richardson, Allison, and Young would participating in them as members of a special Committee. He echoed Councilmember Richardson's comments on the upcoming departure of Steve Richardson.

Mayor McCloskey urged the Council to support the appointment of Frona Powell to the Housing Quality Appeals Board, and to issue some sort of ratification statement regarding the sale of the Old Library to The Old Library Inc. (TOLI).

MESSAGES FROM THE
MAYOR

Councilmember Allison moved that the Council support the sale of the Old Library to The Old Library Inc (TOLI). Councilmember Morrison seconded the motion.

SALE OF OLD LIBRARY
TO T.O.L.I.

The motion to approve the sale of the Old Library to TOLI was passed by a Unanimous VOICE VOTE.

Councilmember Richardson moved and Councilmember Allison seconded a motion to appoint Frona Powell to the Housing Quality Appeals Board.

APPOINTMENT TO HQAB:
Frona Powell

The motion was passed by a unanimous VOICE VOTE.

Tim Mueller, Director of the Plan Department, came forward to answer questions from the Council in relation to his department's 1976 Annual Report. In response to an invitation from Councilmember Kinzer to add any comments on developments since

1976 ANNUAL REPORT:
Plan Department

the report was submitted, he mentioned several. He noted that several studies included in the report are ongoing studies, among them, the Miller Drive area study, the neighborhood on the West Side of Adams study, and the CBD East Central Neighborhood study. He pointed out that the Land Use/Transportation Study is now in its formative stages as an on-going project. The possibility exists for a new policy in this area, which might result in a simplification of the process to arrive at a shorter range thoroughfare plan. He mentioned the possibility of a designation for the City of Bloomington as an "urbanized area" with the new census, which could result in rather rigorous standards of land use/transportation requirements. These requirements would have to be met in order to maintain eligibility for numerous federal street funding programs.

Councilmember Richardson moved and Councilmember Olcott seconded a motion to accept the 1976 Annual Report of the Plan Department as submitted. Council praised Tim for the fine work he has done.

The motion was passed by a unanimous VOICE VOTE.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-77 by title only. ORDINANCE 77-77
Concerning Refrigerators, Ice Chests, Freezers, etc.

Deputy City Clerk Connors read Ordinance 77-77 by title only.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to adopt Ordinance 77-77.

Councilmember Olcott read the legislative synopsis and gave the Committee Report, noting a Do Pass as Amended recommendation.

Councilmember Olcott moved and Councilmember Kinzer seconded a motion to amend Ordinance 77-77, as listed on the committee report, as follows:

14.36.060 No icebox, refrigerator, ice chest, ice-maker, vertical or chest freezer or any other airtight devices used for the preservation of foods shall be discarded, abandoned, kept for salvage or stored in a public place or in plain view and accessible to the public unless all locks, catches, and magnetic closing devices are removed or the door removed or secured by lock and chain in such a manner to prevent opening. THE LAST PART OF THE SENTENCE, "except that appliance dealers may store such devices in their warehouses or other indoor storage areas" HAS BEEN DELETED.

Councilmember Morrison felt that there should be a provision in the Ordinance to allow appliance store owners to let refrigerators remain outside of their businesses in order to defrost since such refrigerators lead to untidiness if kept inside.

Mr. McGlaun came forward and spoke to the question. He pointed out that it is possible for a child to be killed inside a closed refrigerator in ten minutes. For this reason, there should be no exceptions to the Ordinance, which he feels is very badly needed.

Councilmember Morrison noted that a federal law was passed in 1963 which requires refrigerators to open with the application of three pounds of pressure from within. He didn't feel that appliance dealers should be penalized.

After general discussion, Councilpresident Middleton pointed out that the Ordinance, as proposed, is chiefly aimed at those citizens who would leave appliances in places to which children would have access.

After general discussion, Councilmember Olcott moved and Councilmember Richardson seconded a motion to table Ordinance 77-77.

The motion to table Ordinance 77-77 was passed by a unanimous VOICE VOTE. The Ordinance will be tabled until Morrison can draft an amendment regarding appliance dealers.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-91 by title only.

ORDINANCE 77-91
Budget Transfer:
re: Legal Dept.

Deputy City Clerk Connors read Ordinance 77-91 by title only.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to adopt Ordinance 77-91.

Councilmember Olcott read the legislative synopsis and gave the Committee Report, noting a DO PASS recommendation of Ayes: 5, Nays: 0.

Ordinance 77-91 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmember Olcott moved and Councilmember Morrison seconded a motion/introduce and read Ordinance 77-94 by title only.

FIRST READINGS
Ordinance 77-94
Voluntary Annexation
of Adjacent and Con-
tiguous Territory

to
Deputy City Clerk Connors read Ordinance 77-94 by title only.

Councilpresident Middleton read the legislative synopsis.

City Attorney Steve Richardson came forward and stated that the property owner involved had requested that this annexation ordinance be passed in one session so that hookup to City water and sewer lines could be completed before the advent of severe weather. The adjacent property owners are not affected by this annexation. It is a private concern.

Councilmember Richardson moved and Councilmember Olcott seconded a motion to suspend the rules to give Ordinance 77-94 second reading. Motion carried by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-94 by title only.

Councilpresident Middleton read the legislative synopsis.

Clerk Connors read Ordinance 77-94 by title only.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to adopt Ordinance 77-94.

Steve Richardson explained that the residents want to hook on to existing water and sewer lines at City resident cost.

Ordinance 77-94 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-95 by title only.

ORDINANCE 77-95
Annexation -
Mayfair Subdiv.

Deputy Clerk Connors read Ordinance 77-95 by title only, and Councilpresident Middleton read the legislative synopsis.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-96 by title only.

ORDINANCE 77-96
Annexation - NE
corner Winslow &
Henderson

Deputy Clerk Connors read Ordinance 77-96 by title only and Councilpresident Middleton read the legislative synopsis.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-99 by title only.

ORDINANCE 77-99
Amend Electrical
Code

Deputy Clerk Connors read Ordinance 77-99 by title only and Councilpresident Middleton read the legislative synopsis.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-100 by title only.

ORDINANCE 77-100
Budget Transfers

Deputy Clerk Connors read Ordinance 77-100 by title only and Councilpresident Middleton read the legislative synopsis.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Appropriation Ordinance 77-22

APPROPRIATION
ORDINANCE 77-22

by title only.

Deputy Clerk Connors read Appropriation Ordinance 77-22 by title only and Council president Middleton read the legislative synopsis.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to approve the minutes of October 20, 1977 as submitted.

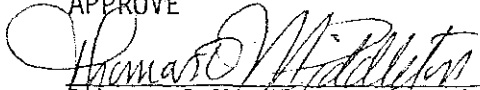
MINUTES
10/20/77

Motion carried by a unanimous voice vote.

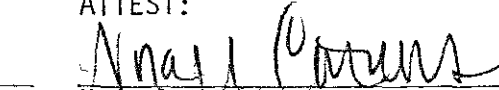
The meeting was then adjourned at 8:25 p.m.

ADJOURNMENT

APPROVE


Thomas O. Middleton, President
Bloomington Common Council

ATTEST:


Nora M. Connors
Deputy City Clerk/Council

Minutes approved this 15 day of December, 1977.