

In the Common Council Chambers of the Municipal Building held on December 15, 1977, with Councilpresident Middleton presiding over a regular session. These minutes are a summary. Tapes are available in the Council Office.

REGULAR SESSION
COMMON COUNCIL
DECEMBER 15, 1977

Present: Young, Morrison, Blume, Olcott, Richardson, Middleton and Allison. Kinzer entered during discussion of Ordinance 77-70. Absent: Towell, who was ill.

ROLL CALL

Middleton gave the agenda summation. For second reading, Resolution 77-34, To Approve the Retaining of Leroy Baker by the USB as Land Purchase Attorney for the Dillman Road Treatment Plant; Resolution 77-33, Budget Transfers for Plan Department and Council Office; Ordinance 77-103, To Amend Chapter 2.72 of the BMC, Which Establishes a Telecommunications Council; Ordinance 77-84, Traffic Amendments; and Ordinance 77-70, To Amend Zoning Maps re: Episcopal Housing, RE to RS/PUD. Also on the agenda, the appointment of Donna Robinson to the Telecommunications Council and the minutes of November 17, 1977.

AGENDA SUMMATION

Richardson expressed his regrets in hearing of Art Knollman's resignation. He regretted that the issue had become a political one. He stressed the importance of defining the relationship between the USB and Civil City. He said there are numerous problems in the system itself, and he asked the Council to consider putting the Utilities Department under the Department of Public Works. He said that Knollman was very competent and was an asset to the Department. Ironically, he reminded the Council that at a previous meeting it was explained to Art that they did not want to sound pessimistic, but they could not be sure that Art would be around next year. He said it was unfortunate that all of the Council's questions had to be directed to Art since he was new, but there was no alternative since someone must be responsible and accountable. He continued that he hoped the next Department Head would understand the Council's stand on this issue.

MESSAGES FROM
COUNCILMEMBERS

Olcott agreed, but noted that many of the department's problems can be attributed to the fact that they have had six directors over the past two years. He said the administration should receive the brunt of the blame for Knollman's resignation.

Blume explained that these types of problems are inevitable when the structure of the Council's relationship to the Utility is examined. The Director in effect has three bosses, the USB, the Council and the Mayor. He said it is impossible for the job not to be political in this type of situation. This problem should be addressed in such a way that the roles of these three are defined; otherwise the same thing will happen over and over. He also noted that the bids were received today for the Dillman Road Treatment Plant, and they appear to be approximately 20% lower than anticipated.

Allison said she agreed with Blume on the impossibility of the Director operating effectively with three bosses. She said she was sorry to see the Director resign at such an inopportune time with the rate increase, treatment plant, etc. all underway. She then passed on Pat Kinzer's message that she will be late since she must attend a PTA conference. Kinzer expressed her feeling that she was sorry to see Knollman go.

Young wished the Council and City Merry Christmas and praised Middleton on the fine job he has done this year as Council-president.

Morrison said the voters made a mistake in electing to have a USB that is not made up of elected officials. This is the only way they will be accountable. This would also help to take them out of the "political arena". He also wished the Council Merry Christmas and Happy New Year.

Richardson also praised Middleton for the hard work he has done this year as Councilpresident.

Middleton remarked that ^{he} is greatly regrets losing Art Knollman as Utilities Director. The high turnover has made the USB's job all the more difficult. He said the problem is in the system itself, and the Council will do what they can to support the USB at this difficult time. He said they would go along with a temporary appointment if the USB felt it would be appropriate. He thanked the Council for their kind remarks on his year as Council president and wished them all Merry Christmas.

There was no message from the Mayor.

There were no Petitions and Communications.

Olcott moved and Morrison seconded a motion to introduce and read Resolution 77-34 in entirety.

Clerk Connors read Resolution 77-34 in entirety.

Olcott moved and Morrison seconded a motion to adopt Resolution 77-34.

Blume read the legislative synopsis and gave the committee report, noting a Do Pass recommendation by a vote of Ayes: 3, Nays: 2 (Olcott and Richardson).

Richardson explained his nay vote by saying that he will vote no on all Utility matters until the Council's relationship with the USB is better defined. Otherwise, he feels very awkward voting on these issues.

Olcott explained his nay vote. He said there are enough attorneys in the City as it is. The Utility does not have the money to go outside the City to hire special attorneys. He noted that his vote is no reflection on Mr. Baker. It was explained that David Rogers, Utility Department attorney, could not handle the case due to conflict of interest.

Blume noted that it is not a simple matter. There will have to be hard negotiations for easements and for the purchase. It is a complicated problem and a qualified attorney is needed.

Young agreed with Blume, noting that he has seen that land purchase attorneys are necessary; especially with such a large project as this.

Blume reminded Richardson that the Council is operating under a resolution that requires the Council to approve the attorneys that the USB hires.

Jack Martin added that a City Attorney was not available. A separate attorney is the best way of handling the situation.

Resolution 77-34 was then adopted by a roll call vote of Ayes: 6, Nays: 1 (Richardson).

Olcott moved and Morrison seconded a motion to introduce and read Resolution 77-33 in entirety.

Clerk Connors read Resolution 77-33 in entirety.

Olcott moved and Morrison seconded a motion to adopt Resolution 77-33.

Blume read the legislative synopsis and gave the committee report. The committee recommended do pass by a vote of Ayes: 5, Nays: 0.

Resolution 77-33 was then adopted by a roll call vote of Ayes: 7, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 77-103 by title only.

MAYOR'S MESSAG

PET. & COMM.

RESOLUTION 77-34

To Approve Appt. of L. Baker by USB as Land Purchase Attny. for Dillman Road Treatment Plant

RESOLUTION 77-33

Budget Transfers Plan Dept. and Council Office

ORDINANCE 77-103

Amend Telecommunications Code Chapter of BMC

Clerk Connors read Ordinance 77-103 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 77-103.

Blume read the synopsis and gave the committee report. The committee recommended do pass by a vote of Ayes: 5, Nays: 0.

With no discussion, Ordinance 77-103 was adopted by a roll call vote of Ayes: 7, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 77-84 by title only.

ORDINANCE 77-84
Traffic Amendment

Clerk Connors read Ordinance 77-84 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 77-84.

Blume read the synopsis and gave the committee report, noting a do pass recommendation by a vote of Ayes: 5, Nays: 0.

Olcott, in answer to a question from Morrison, explained the reason for the 30-minute parking zone on S. Lincoln. He said that there are new businesses in the area whose parking spaces are now used all day by postal workers. The Montessorri school used to be located in the area, and they had 30-minute parking. In regards to the University and Hawthorne stop sign, Olcott said he thinks the Traffic Commission did the right thing by putting in a two-way stop sign, noting that he didn't think a four-way stop was necessary, as suggested by a constituent.

Ordinance 77-84 was then adopted by a roll call vote of Ayes: 7, Nays: 0.

Olcott moved and Morrison seconded a motion to introduce and read Ordinance 77-70 by title only.

ORDINANCE 77-70
To Amend Zoning Ma
re: Episcopal
Housing RE to RS/
PUD

Clerk Connors read Ordinance 77-70 by title only.

Olcott moved and Morrison seconded a motion to adopt Ordinance 77-70.

Blume read the synopsis and gave the committee report, noting a do pass recommendation by a vote of Ayes: 5, Nays: 0.

Kinzer entered at this point, and asked who would own and operate the lift station.

Frank Barnhart, Attorney for the Petitioner, answered that the developer will pay all the costs for construction and maintenance. He said the station would have quite a large capacity for hook-ons. The City will have to approve the project when it comes through the site plan stage.

Young noted that area residents have been inconvenienced by the major construction on Smith Road. He asked if the road will have to be torn up again to install their water lines.

Barnhart answered that they will obtain an easement up the side of the road, and will not go down the middle.

Kinzer remarked that she was very pleased to see this type of development come to Bloomington.

A representative from Episcopal Housing explained that this type of project is new in Bloomington, and should bring new life to the community.

Ordinance 77-70 was then adopted by a roll call vote of
Ayes: 8, Nays: 0.

Allison moved and Kinzer seconded a motion to appoint Donna
Robinson to the Telecommunications Council.

APPOINTMENT TO
TELECOMMUNICATION
COUNCIL

Motion carried by a unanimous voice vote.

Morrison moved and Kinzer seconded a motion to approve the
minutes of November 17, 1977 as submitted.

MINUTES 11/17/77

Motion carried by a unanimous voice vote.

The meeting was then adjourned at 8:40 p.m.

APPROVE:

ATTEST:

Thomas O Middleton M.D.

Mora M. Connors

Thomas O Middleton, President
Bloomington Common Council

Mora M. Connors, Deputy City Clerk

MINUTES APPROVED THIS 4 DAY OF JANUARY, 1978.

nmc