

At a Regular Session of the Common Council held on October 7, 1976 at 7:30 p.m. in the Common Council Chamber of the Municipal Building with Councilpresident Blume presiding.

REGULAR SESSION
COMMON COUNCIL
Oct. 7, 1976

Present: Councilmembers Blume, Kinzer, Middleton, Morrison, Olcott, Richardson, Towell and Young.
Absent: Councilmember De St. Croix, due to illness.

ROLL CALL

Present: Pat Gross, City Controller; Michael Corbett, Council Administrator; Karel Dolnick, City Clerk; James Wray, Director of Transit; Mayor Frank McCloskey; Tom Crossman, Director of Planning; Pat Patterson, Director of Redevelopment; Marie Harlan, Traffic Commission; Alice Kraft, Deputy City Attorney; Ellen Thomas and Warren Henegar, County Councilmembers, and John Irvine, County Commissioner.

CITY OFFICIALS
PRESENT

Councilpresident Blume then gave the agenda summation. First the Annual Report from the Redevelopment Department. Then at second reading, Resolution 76-37, Encomium for Wilbert Miller; Ordinance 76-54, to Amend Zoning re: SE corner of 37 Bypass & SR 48 SC & BA to SC & ML; Appropriation Ordinance 76-19, To Appropriate Funds from Local Road and Street Fund to Project #7; Ordinance 76-66, Budget Transfer for the Common Council Office; Ordinance 76-56, To Repeal and Re-enact Chapter 15.52 of the Bloomington Municipal Code, entitled "Bicycles"; Ordinance 76-61, Historic Designation re: Change in text of the Zoning Ordinance; Resolution 76-35, To Recognize the Monroe County Housing Authority; and Ordinance 76-60, Historic Designation for the Elias Abel House. At first reading, Appropriation Ordinance 76-20, To Appropriate Funds from Cumulative Capital to Board of Public Works and Federal Revenue Sharing to the Fire Department; Ordinance 76-67, Budget Transfer for the Redevelopment Department; Ordinance 76-68, Traffic Amendments; and Ordinance 76-70, To Amend Zoning re: RR#4, Box 22A, RE to ML. Then the Annual Report from the Transportation Department; and the minutes of September 2 and September 16, 1976.

AGENDA SUMMATION

There being no message from the Mayor, Councilpresident Blume then called for Messages from Councilmembers.

Councilmember Towell commented that the city employee's will now be picking up a very large increase in insurance rates which will more than eat up any raises they may have gotten for 1977. He noted that during negotiations, the union had not known about the increase, though the administration did. He said the city needs higher standards in their dealings with city employees.

MESSAGES FROM
COUNCILMEMBERS

Councilmember Young then thanked the Board of Works and Street Department for fixing the holes in the parking lot on the west side of the Municipal Building.

Councilpresident Blume then explained that Councilmember De St. Croix is absent tonight due to illness. He added that the Herald-Telephone had printed that the Council had cut the budget for insurance, but noted that it was actually the Mayor who made the cut.

Pat Patterson explained that October 15 will be the date when NDP will be closed out. In the rehabilitation program, 24 houses are under contract. He said there will be considerable work done on West Sixth Street. He then asked for questions from Councilmembers.

ANNUAL REPORT
Redevelopment
Department

Councilmember Richardson asked Pat Patterson to explain what will happen to the NDP funds or contingency fund that were not used in the Community Development Block Grant.

Pat Patterson answered that some will be reprogrammed, using the selling of the Lindley House as an example.

He said they do have \$77,000 in Contingencies.

In answer to a question from Councilmember Richardson regarding the feasibility of combining Planning, Engineering and Redevelopment, he said it should receive serious consideration, noting that the Redevelopment Commission would cooperate fully with any type of reorganization plan. He said there has been more cooperation in the condemnation process recently, and noted more inter-departmental meetings could take place on specific agendas. He continued that the Redevelopment Department's strongest area is rehabilitation, and that they have learned a great deal about real estate acquisition. He said they will have to explore new areas of funding, noting that the area north of the tracks and Miller Drive price tag is over three million dollars.

Councilmember Middleton noted that as Miller Drive homes are improved, will it price out people living in the area and those who cannot afford more expensive housing. He added this happened at Crestmont.

Pat Patterson answered that it is a possibility that low income people will not be able to live in new housing as it is developed. He commented that Miller Drive will change anyway, but added that the programs they are now carrying out should not have that effect. He said new street lights, sewers, and streets should spark some new growth in the area. Presently, the demand for housing far exceeds its supply. He said the City does have limited resources and limited time.

Councilmember Towell noted that the funds are not distributed fairly, adding that people with incomes under \$5,000 are not even eligible. He said people were excluded on the basis of the windshied study if they were not within a couple of areas.

Councilmember Kinzer moved and Councilmember Middleton seconded a motion to approve the Redevelopment Department annual report as submitted. Approved by a vote of Ayes; 7, Nays; 1 - Towell.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to introduce and read Resolution 76-37 in entirety.

RESOLUTION 76-37
Encomium - Wilbert Miller

Clerk Dolnick then read Resolution 76-37 in entirety.

Councilpresident Blume then read the legislative synopsis for Resolution 76-37.

Resolution 76-37 was then adopted by a ROLL CALL VOTE of Ayes; 8, Nays; 0.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to introduce and read Ordinance 76-54 by title only.

ORDINANCE 76-54
Amend Zoning SE corner of 37 & SR 48 SC & BA to SC & ML

Clerk Dolnick then read Ordinance 76-54 by title only.

Councilmember Morrison moved and Councilmember Middleton seconded a motion to adopt Ordinance 76-54.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-54.

Councilmember Morrison then gave the committee report from Planning/Community Development, noting a Do Pass recommendation.

Ordinance 76-54 was then adopted by a ROLL CALL VOTE of Ayes; 8, Nays; 0.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to introduce and read Appropriation Ordinance in entirety.

APPROPRIATION
ORDINANCE 76-19
From Local Road & Street Fund to Project #7

Clerk Dolnick then read Appropriation Ordinance 76-19 in entirety.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to adopt Appropriation Ordinance 76-19.

Councilpresident Blume then read the legislative synopsis for Appropriation Ordinance 76-19.

Councilmember Kinzer then gave the committee report from Utilities/Public Facilities, noting a Do Pass recommendation.

Appropriation Ordinance 76-19 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmember Morrison moved and Councilmember Middleton seconded a motion to introduce and read Ordinance 76-66 by title only.

ORDINANCE 76-66
Budget Transfer for
Council Office

Clerk Dolnick then read Ordinance 76-66 by title only.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to adopt Ordinance 76-66.

Councilpresident Blume then read Ordinance 76-66's legislative synopsis.

Councilmember Morrison then gave the committee report from Planning/Community Development, noting a Do Pass recommendation.

Ordinance 76-66 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to introduce and read Ordinance 76-56 by title only.

ORDINANCE 76-56
To Repeal & Re-enact
"Bicycles" in the
Bloomington Municipal
Code

Clerk Dolnick then read Ordinance 76-56 by title only.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to adopt Ordinance 76-56.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-56.

Marie Harlan of the Bicycle Committee requested that Ordinance 76-56 be tabled, noting that the costs will be able to be cut along with administration problems if the ordinance is tabled until next year when the new semester begins.

Councilmember Olcott moved and Councilmember Middleton seconded a motion to table Ordinance 76-56 until February 1977.

Councilmember Middleton moved and Councilmember Morrison seconded a motion to return the ordinance to committee for consideration at a later time.

There was then general discussion regarding the enforceability of the ordinance, which Alice Kraft and Charlie Brown of the Police Department spoke to.

In answer to a question from Councilpresident Blume regarding the reason for having a local ordinance that states the same thing as the state statutes, Marie Harlan noted that if a person violates state statute, they must go to county court, while if they violate local ordinance, they can go to city court and the revenues received would go to the city.

Ordinance 76-56 was then sent back to committee by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to introduce and read Resolution 76-35 in entirety.

RESOLUTION 76-35
To Recognize the Monroe
County Housing Authority

Clerk Dolnick then read Resolution 76-35 in entirety.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to adopt Resolution 76-35.

Councilpresident Blume then read the legislative synopsis for Resolution 76-35.

Councilmember Morrison then gave the committee report from Planning/Community Development. He noted that the committee made an amendment: in Section I amend "for the purposes of receiving and dispursing Title I funds pursuant to the 1974 Housing and Community Development Act P.L. 93-383, Section 312, HUD low interest loan programs and sections 502 and 504, former home administration funding." Section 8, third line from the bottom, leased housing assistance, has been deleted. The amendment would be the next Section I. Councilmember Middleton seconded the motion.

Alice Kraft explained she asked HUD what the effect would be of including Section 8, and they did not know. So the City Legal Department decided to leave it out since it may adversely affect the program they have already started.

There was then a short discussion regarding the advantages and disadvantages of having the Monroe County Housing Authority take over the five mile fringe, with Wilbert Miller noting that it would be better to leave them separate.

Councilmember Morrison noted that it may be a good idea to have a joint city/county housing authority, though he noted it would be a few years in the making. He said this resolution works towards that.

John Irvine, County Commissioner, commented that he is not real happy with the amendment, but that the importance of getting the Housing Authority started is a higher priority.

Councilmember Towell noted that the question about Section 8 is you do not know if you can have a housing authority with jurisdiction in an area without having a housing authority without having a jurisdiction in the area. He said they don't know what will happen if you split it up into parts. He added that they have a Housing Cooperation Act, an adjunct to the Housing Authority Act, which says municipal corporations can do many things to help Housing Authorities, and asked if the County can do the same things to help the Housing Authority with the housing program.

John Irvine gave a tentative yes to Councilmember Towell's question, and added that they would like to work out these sort of questions.

Warren Henegar, President of the County Council, commented that one thing they cannot tolerate is postponment of the action.

The amendment to delete Section 8 leased housing assistance from Resolution 76-35 was passed by a ROLL CALL VOTE of Ayes: 7, Nays: 1. Nay: Richardson.

Councilmember Morrison then proposed another amendment, with a new Section II to read as follows: "It is the sense of this Council that the City of Bloomington Housing Authority and the Monroe County Housing Authority seek ways of cooperation and joint activity to enhance the functions of either body." Then renumber Section II to be Section III. Councilmember Middleton seconded the motion.

The amendment was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to adopt Resolution 76-35 as amended.

Resolution 76-35 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmembers then took a ten minute break.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to introduce and read Ordinance 76-61 by title only.

ORDINANCE 76-61
Historic Designation Change in Zoning Ordinance

Clerk Dolnick then read Ordinance 76-61 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-61.

Councilmember Towell remarked that a compromise was worked out in the Plan Commission, noting that it is now acceptable to those that were protesting at an earlier hearing.

Councilmember Kinzer moved and Councilmember Middleton seconded a motion to adopt Ordinance 76-61.

Councilmember Morrison then gave the committee report from Planning/Community Development, noting a Do Pass recommendation.

Ordinance 76-61 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to introduce and read Ordinance 76-60 by title only.

ORDINANCE 76-60
Historic Designation, Elias Abel House

Clerk Dolnick then read Ordinance 76-60 by title only.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to adopt Ordinance 76-60.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-60.

Councilmember Morrison then gave the committee report from Planning/Community Development, noting a Do Pass recommendation.

Ordinance 76-60 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to introduce and read Appropriation Ordinance 76-20 by title only.

First Readings
APPROPRIATION
ORDINANCE 76-20
From Cum. Cap. to Bd. of Works, FRS to Fire Department

Clerk Dolnick then read Appropriation Ordinance 76-20 by title only.

Councilpresident Blume then read the legislative synopsis for Appropriation Ordinance 76-20.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to introduce and read Ordinance 76-67 by title only.

ORDINANCE 76-67
Budget Transfer
Redevelopment Dept.

Clerk Dolnick then read Ordinance 76-67 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-67.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to introduce and read Ordinance 76-68 by title only.

ORDINANCE 76-68
Traffic Amendments

Clerk Dolnick then read Ordinance 76-68 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-68.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to introduce and read Ordinance 76-70 by title only.

ORDINANCE 76-70
Amend Zoning re: RR #4, Box 22A RE to ML

Clerk Dolnick then read Ordinance 76-70 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-70.

Councilpresident Blume then called for the Annual Report from the Transportation Department.

ANNUAL REPORT
Transportation Department

Jim Wray noted that the Council has the annual report, and gave an outline of the year, noting they still consist of three departments: Fleet Maintenance, Street Department and Transit Department. He then asked for questions from the Council after a brief summary of the year's activities.

Councilmember Richardson asked what the Transit's position was with working with the I.U. Transit Department.

Jim Wray answered that things have improved in the last few weeks in this area and summarized the accomplishments in the past year with sharing of costs on projects, etc. He said he hoped to see more progress next year with parking facilities, etc.

Councilmember Young asked if the Street Department is ready for the winter.

Jim Wray answered yes, noting that they have bought some new equipment, although they have taken over fifteen miles of state highway and no one knows how that will affect the department.

Councilmember Morrison asked if a bus stop could be incorporated for Brakefield's Grocery on Rogers Street for the convenience of elderly people.

Jim Wray said he would look into it.

Councilmember Towell asked if there is any way that city residents could ride I.U. busses.

Jim Wray answered he thought they had a system where a resident could pay a quarter and ride the I.U. busses.

Councilmember Richardson moved and Councilmember Middleton seconded a motion to accept the Transportation Department's Annual Report as submitted.

Councilmember Morrison moved and Councilmember Middleton seconded a motion to approve the minutes of September 2 and September 16, 1976. Consent of the Council.

MINUTES
September 2
September 16, 1976

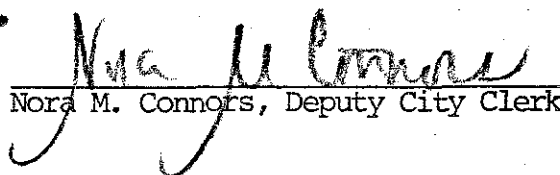
The meeting was then adjourned.

APPROVE:

ATTEST:



Clem J. Blume, President
Bloomington Common Council



Nora M. Connors, Deputy City Clerk