

In the Council Chambers of the Municipal Building, at 7:00 p.m., E.S.T., Thursday October 19, 1972, with Council President Charlotte Zietlow, Presiding.

REGULAR MEETING
COMMON COUNCIL
CITY OF BLOOMINGTON,
INDIANA

Present: Jack Morrison, Sherwin Mizell, Hubert Davis, James Ackerman, Richard Behen, Wayne Fix, Charlotte Zietlow. Brian De St. Croix arrived while the meeting was in progress.

ROLL CALL

Absent: Alfred Towell

Mayor Francis X. McCloskey; Ted Najam, Assistant to the Mayor; Martha Sims, Controller; James Regeister, Corporate Counsel; Carl Chambers, Chief of Police; Richard Gose, Fire Chief; Rasoul Istrabadi, City Engineer; Marvard Clark, Assistant City Engineer; Tom Crossman, Planning Director; Danny Fulton, Director of Redevelopment; Tom Pugsley, Cost Estimator; Tim Hodenfield, Aide to the Board of Public Works.

CITY OFFICIALS PRESENT

About 25 people including members of THE PRESS.

OTHERS PRESENT

Councilman Morrison moved that the MINUTES OF THE MEETINGS OF OCTOBER 5 AND OCTOBER 10, 1972 BE APPROVED AS SUBMITTED. Councilman Ackerman seconded the motion. The motion was carried by a unanimous voice vote.

MINUTES

Councilman Mizell asked what the claim for the Parks and Recreation Department for real estate appraisal was for. Martha Sims explained that this was for the appraisal of the Older Americans Center.

EXAMINATION OF CLAIMS

Councilman Mizell asked what the claims from the Police and Fire Department for L. Derrell Weaver were for. Martha Sims explained that Mr. Weaver is on a monthly contract with police and fire to fix all their electrical, radio equipment.

Councilman Mizell said he questioned the sizable sums going to real estate firms and developers for sewage works improvement. Martha Sims explained that these are rebates on sewage lines under the old rebate policy; she said this policy is currently under study by the Board of Public Works.

Mayor McCloskey said that he thought there would be a report for the Council on the sewer rebate policy very soon. He said a preliminary report has been received from Black and Veatch and the report does mention the rebate policy.

In response to a question from Councilman Ackerman, Mayor McCloskey said that the rebate policy has not been cancelled while it has been under study.

Mayor McCloskey addressed the Council:

MESSAGE FROM THE MAYOR

"The Common Council has before it Resolution No. 72-62 approving the

Central Business District First Year Action Plan. As you know, the HUD area office has given us an extension from October 1st to November 15th to prepare a plan for the downtown area. It is important that the Plan be approved as presented tonight if we are to meet the deadline and to proceed with the financing process.

"I have asked the major department heads involved - Mr. Crossman and Mr. Fulton - to be here tonight to answer questions in detail later.

"The Neighborhood Development Program for Bloomington is a balanced program involving three distinct areas: Miller Drive, the Westside, and the Central Business District. Each area has a different combination of needs. Each area is important in its own way to our entire community.

"The Miller Drive area of course remains our first priority. I sincerely hope that a new and broadly representative PAC group will be formed and that substantial federal funds will continue to be allocated to Miller Drive in the near future.

"In the meantime we must show progress in order to keep the entire program alive and to maintain the highest possible level of funding for all three neighborhoods. The Central Business District was chosen because the downtown First Year Action Plan is essentially land acquisition which can be accomplished within our time limitations. We are also proceeding on the Westside with a site office, person-to-person contact, and comprehensive planning.

"The Plan presented has been chosen after considering the location of the sites, the amount of money available for first year acquisition, and relocation costs. I may note that HUD has indicated preliminary tentative approval for the plans that will be presented tonight. The Central Business District Project Area Committee has agreed to this Plan with the understanding that the Library will be razed and the spot be dedicated to interim parking. That is, as has been mentioned several times, no more than two years as an exclusive parking facility.

"I support that proposal because purchase of the Library with MDP funds represents the most economic means to acquire the site and to retain it in public ownership.

"There has been some discussion about preservation of the Library for other uses. I would share that concern were the building unique in architecture or of some genuine historical importance. But there are other buildings and sites in Bloomington which more fully represent our heritage and merit our attention. I would also note in passing that very soon I have four appointments to the Environmental Commission and Dr. Patton, the President of the Commission, has been in contact with me and he suggests that I should use this appointive power at this time to name people especially concerned with historic preservation. I am very hopeful for a more active coordinating program in this area.

"This site is particularly well suited for construction of a public facility at a later date. As is known, my personal hope is for a city-county governmental complex.

"There would be substantial rehabilitation costs before the Library building could be put to any useful purpose. Preliminary professional estimates place the rehabilitation costs at at least \$50,000. That figure includes only those repairs essential to meet minimum building standards and does not include additional expenses necessary to prepare the building for any specific use.

"I am committed to development of the downtown area. This First Year Action Plan is an important step in that direction. I trust that the Common Council will follow the recommendation of the Redevelopment Commission, and the Plan Commission."

Mayor McCloskey then addressed the Council on revenue sharing: "This week I went to Indianapolis and conferred with staff officials including the Executive Director of the Indiana Association of Cities and Towns and also other mayors. I would like to note that I have been advised by officers of the Indiana Association of Cities and Towns and by the State Board of Tax Commissioners that it is too early to determine with any accuracy the manner in which revenue sharing funds will be administered.

"Although we have received copies of the legislation itself, no regulations have been issued. These regulations will be essential to the wise use of the funds.

"Ivan Brinegar, Executive Director of the IACT, has told me both personally and in writing that the actual level of fund distributions is uncertain and is subject to fluctuation.

"Quoting a letter to me, recently received, Mr. Brinegar has written: 'Dear Mayor: Regarding the expenditure of Revenue Sharing funds, it is our considered opinion that Mayors, Councilmen and Town Board members should delay any decision on how to spend the funds until the preliminary guidelines arrive.'

"As the Memorandum on Revenue Sharing stated, the guidelines and the amount of distribution in the future is still at a very inconclusive stage. Due to the fact that there is this doubt on how the funds can be spent, we feel it would be best to have the guidelines before making any decisions."

"As you know the City administration is conducting a detailed fiscal survey in order to establish definite priorities for the use of these funds. There has been some discussion about using part of revenue sharing for property tax relief. Much more information is needed before we can determine viability of such an alternative. Since revenue sharing is a five year program, it is important that we consider the effect over that period of any decision we make in the first year.

"Last spring an informal survey of city streets showed 123 blocks that badly needed resurfacing. And, given our inherently poor fiscal situation the property tax levy for a mass transit service was eliminated from next year's budget. There are many areas where the revenue sharing monies can be used for the provision of services which we would not otherwise have.

"The general thrust of the revenue sharing concept has been in that direction--in the provision of services--and I share that view. So do other Mayors that I have talked to around the State.

"In short, the bi-partisan Indiana Association of Cities and Towns has suggested that we wait until we know the rules of the revenue sharing game before we attempt to allocate these important resources.

"I would also note in passing, that it is quite uncertain as to what will be the size or the balance as to the first two checks. We really don't know, according to both the Indiana Association of Cities and Towns and the State Board of Tax Commissioners; this is subject to fluctuation. Martha Sims talked to the Tax Commissioners yesterday and today. We have to work on general priorities and I do not see any need for a definite commitment at this time. Thank you."

None.

PETITIONS AND
COMMUNICATIONS

None.

REPORTS FROM CITY
OFFICIALS AND DEPARTMENT
HEADS

Tim Hodenfield, Aide to the Board of Public Works addressed the Council:

REPORTS FROM OFFICIAL
BOARDS AND COMMISSIONS

"At the Tuesday meeting, the Board spent most of its time on the Cable Television question; the Board approved the rates and will forward a report to the Council in time for the next meeting, at which time the Council would take action on the rates. The Board received a model set of rules and regulations for municipal garbage collection from Indianapolis. Jim Wray, Director of Transportation reported to the Board that the ordinance for the City of Bloomington, for the collection program, should be ready in early November. The Board would also forward that ordinance to the Council for Council action. The Board is receiving preliminary information from Black and Veatch, the consultant for utilities, on the financial status of the water and sanitation departments; a list of priorities and policy recommendations will be forthcoming in the next few weeks. We will have more to report on this at a later date when we get more information. Councilman Mizell asked at the last meeting about the \$13,000 paid to Howard E. Young; it took care of the forced mains (one on Smith Road and one on East 10th street) and the lift station - the city now owns these mains and the lift station. The Board has also sent off a letter to the American Horticultural Society asking for some ordinances that

Miami and Atlanta, Georgia have passed protecting City trees; they are evidently more wide-ranging and much stronger pieces of legislation than what we currently have in Bloomington."

In response to a question from Council president Zietlow, Mr. Hodenfield said that the Board has asked the Environmental Commission for recommendations concerning the municipal trash collection program and said he was making a general appeal for suggestions at this time.

Council president Zietlow reported that there will be a preliminary meeting of the landlord-tenant ordinance drafting committee with apartment association representatives next Monday night. She expected the Council would be hearing more on the ordinance after this meeting.

None.

Councilman Ackerman said that the Parks and Recreation Department, the Center for Older Americans is sponsoring a "Cars that Care" program aimed at helping James Ackerman elderly people in the community who do not have access to transportation - the City bus might not run by their front door; aiding them in securing transportation on a weekly basis to do necessary kinds of shopping. Anyone interested in volunteering should call the Center for Older Americans; Wanda McKee will see that they are matched with one person needing transportation. Councilman Ackerman said he thought this is a wonderful program that is fulfilling a real need in the community.

Councilman Morrison moved that resolution No. 72-60 be introduced and read by the clerk. Councilman Mizell seconded the motion. The motion was carried by a unanimous voice vote.

In the absence of the Clerk, Amy Mann read Resolution No. 72-60.

Councilman Ackerman asked what the "necessary audio visual equipment" was. Tom Crossman, Planning Director, said that the Planning Department has acquired an overhead projector and is planning to acquire a 35 mm camera, so the department can utilize a 35 mm projector which the department already has. This would be for presentations to the planning commission, other public bodies and to the general public. This would improve the general presentation format.

The question was called.

REPORTS FROM STANDING COMMITTEES

Landlord-tenant ordinance drafting committee

REPORTS FROM SPECIAL COMMITTEES

MESSAGES FROM COUNCILMEN

RESOLUTIONS

No. 72-60

Transfer of Funds

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RESOLUTION No. 72-60 WAS ADOPTED
BY A ROLL-CALL VOTE OF Ayes 7, Nays 0

Councilman Morrison moved that resolution No. 72-61 be introduced and read by the Clerk. The motion was seconded by Councilman Behen and carried by a unanimous voice vote.

Resolution No. 72-61
Revenue Sharing Monies

In the absense of the Clerk, Amy Mann read Resolution No. 72-61.

Councilman Morrison moved that Resolution No. 72-61 be adopted. Councilman Behen seconded the motion.

Council Behen spoke in favor of the resolution: "I feel strongly on this particular subject in so far as the tax increase that was perpetrated by we people here on Council is larger than in anyone's memory in this room of any preceding tax increase that we've had. I would like to point out to Council that, contrary to what the Mayor's remarks were to this subject, we were not elected by the Indiana Association of Cities and Towns but by the people of this community. The remarks that have been made pertinent to, and led people to believe that if we take such action that further federal revenues will not be as substantial as they would be if we did not take it are not factual.

There are many factors involved in this particular revenue sharing program; it is based on population, per capita income, the state's efforts to collect tax, on the city's efforts to collect tax. We have firmly shown that effort with the passage of the past budget which we have passed. I think that we elected officials have the greatest consideration of all to give to most of the people and that consideration is of guarding their money that is placed in our trust. I don't think that I am asking Council for too terribly much. If I were saying that I think that half of this money should go to cut the taxes that people seem to be complaining about more than anything now-adays, then I think the Council would have cause for concern. But this application of this first check to be received from the federal government is less than one fourth and I think we have to ask ourselves as elected people, do we want to take this action. Now, procrastination can not be the rule of thumb because if we procrastinate on this matter as the Mayor has asked us to do then it is lost forever because the action will be taken and the tax base will be established and we can't later do anything about it."

Councilman Morrison spoke in favor of the resolution. "I concur with Councilman Behen. I made a few telephone calls today; these are the factors involved in the distribution formula: local taxing effort 17%; state income tax collections 17%; relative per capita income 22%. They say there have been no brochures on this revenue sharing plan; it is funny that when just a plain ordinary councilman can make a call to the state house and come up with this."

Council president Zietlow asked Councilman Morrison who he talked to. Councilman Morrison said: "That remains to be seen who I talked to. In checking this I think you will find it is very accurate."

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Councilman Morrison added that, "I think that, in checking, these percentages are exceptionally close."

Councilman Davis spoke against the resolution: "My argument against this resolution is not that it would reduce any forthcoming funds. My concern is simply that it would not make any significant difference to the people that we are concerned about. Frankly, if we could apply all of the funds that we would receive against reducing the property tax, I would give it much more serious consideration. But the average taxpayer of Bloomington, if we pass this resolution, that would make a difference in their taxes next year of between 3 and 10 dollars, and that is not significant enough to warrant using that money and simply absorbing it in a way that it will never be seen. I would much rather see the money used in some way that will benefit this community visibly and therefore I am against this resolution."

Councilman Morrison said, "I don't know how big a taxpayer Councilman Davis is but I will repeat that I am a substantial taxpayer. It would reduce 26¢ on the tax rate by my figures. Also I don't think you could name anything that you could invest \$170,000 in that would meet the massive, overall of people as the reduction of property tax, from the extremely very poor to the extremely very rich. If you can name me one program that will benefit the complete 100% population of the City of Bloomington I would love to hear what it is."

Councilman Mizell said that he thought it might help to enunciate some of the programs that could be undertaken with the revenue sharing funds, against the tax savings.

Council President Eietlow said that she did not think the Indiana Association of Cities and Towns was saving it was elected any more than the newspapers or any other major group were elected. She said she thought the point of the IACT memorandum was that the regulations are not hard and fast, that the state board of tax commissioners had not, as of yesterday, received a copy of the final law that was passed by Congress; that we do not know what the regulations are, we do not know what the limitations of the bill are. According to the conference report which the IACT memorandum says undoubtedly will not apply to the first check in their entirety, there are a number of areas in which we can apply these funds - in capital or operating expenses: public safety, including law enforcement; environmental protection, including sewage disposal, sanitation, pollution abatement; public transportation, including transit systems and streets and roads; health; recreation; library; social services for the poor or aged; and financial administration and ordinary and necessary capital expenditures authorized by law.

Council Behen addressed himself to Councilman Davis remarks: "I think we people who were elected to this Council would be negligent if we did not direct our thoughts and our efforts toward tax relief when next year's budget is also set up. This just doesn't hold water. I am in no way, shape or form, opposed to any of the programs that the administration that I was elected with has in mind. I simply realize that the City is going to receive

a windfall, if we may call it that, close to \$800,000. I am going to use a rough figure here because I am going to include the \$115,000 we are going to receive during 1973 for the Kirkwood and Dunn property. We all know that the figures are very vague but we also know that we are going to receive approximately \$170,000 on the first check that we receive from the federal government. Before the close of the year we are going to receive another \$170,000 and through the calendar year of 1973 we are going to receive equal amounts and this comes, from the federal government to \$680,000, plus the Kirkwood and Dunn sale will bring it up to well over three quarters of a million dollars. Now I seriously feel that we can launch programs of progress during this administration and still offer tax relief to the taxpayers, by taking a bit off for tax relief and still have more than a half a million dollars to launch some of these programs."

Councilman Ackerman asked if Mrs. Sims could answer the question of just how much of tax decrease would \$170,000 applied to the tax rate bring. He said he thought it would be very important to know just what kind of saving this represents for a typical property owner. Mrs. Sims said she would calculate the figures requested.

Council President Zietlow said she a number of questions on the resolution: "In part two, we have no indication that there are two equal distributions of revenue sharing - that is not at all definite, could you tell me where you got that information? According to the information from the IACT, the data on which the first distribution will be based is from 1967 census material but the second distribution will be based on 1972 census data. I have another question about section three: When did the State Board of Tax Commissioners indicate it will revenue sharing monies received in the first installment to the reduction of property taxes? This is another thing we are voting on in the resolution."

Councilman Ackerman said that he thought these were important questions to have answered, "it does seem to me that the question of two equal distributions could be taken care of by an amendment to say that 50% of the monies received would be applied to tax relief. I therefore see these questions as being positively oriented in trying to get to some facts that will make this resolution a stronger resolution."

Council President Zietlow said that "if we're going to apparently concur with the State Board of Tax Commissioners, it is very important to know if indeed they have stated such a policy because I think this is a very important resolution and it determines to a great extent what we are going to do with the money in this City over the next four years. I think the implications are far reaching and I would hope to know definitely if this is in fact a policy of the State Board of Tax Commissioners."

Mrs. Sims said that she checked with the State Board of Tax Commissioners yesterday, and they assured me that they still had no knowledge as to exactly how the money could be used because they had not even gotten a copy of the final bill. They had no way of knowing."

Council president Zietlow said, "This worries me that we are going to be resolving something

prematurely based on information that is not accurate. I think that this is such an important resolution that we must have a very accurate basis for it and I would personally recommend continuing a vote on this resolution; putting it off until we have better information."

Mrs. Sims reported that \$170,000 would be 21¢ off the tax rate. Councilman Davis said that on a \$12,000 house that would be just over \$8.00; \$14.00 on a \$21,000 house. Councilman Davis said it would help the big property owner a lot more than it will help the small property owner.

Councilman Davis said "Councilman Behen has implied that we have forced upon this community a very high and unreasonable budget. I do feel that this council has been extremely irresponsible in trying to come up with a city budget for 1973. We have cut things to the quick, literally, to hold things down. I do think we've done a very responsible job with the 1973 budget. I don't see that an \$8 or \$14 tax relief is significant enough to lose that power to do something productive in our community."

Councilman Fix said "Our 1973 budget was such that we couldn't even maintain our two buses. As Jack Morrison has told us time and time again, our street lighting program is lagging behind; we may not have enough money in our 1973 budget to do what we had planned to do or even need to do. And I keep remembering back to all the meetings we had when a child was killed or seriously injured about getting sidewalks. It seems like everytime we find out how to pay for sidewalks that's when we stop planning for sidewalks. And I think that one of the great concerns from Washington about revenue sharing money is an environmental concern. And we do have extra costs this year in an environmental concern with the trash pick up program; I would be in favor of using some of that money may be to offset the tax budgets for 1973 for the start-up costs on the garbage pick up."

Councilman Mizell reiterated his statement that it might be helpful to the Council to have some of these programs enunciated. Council president Zietlow said that "we need to work out a capital improvements program or some sort of priorities to determine what the use of these funds should be. I think that once again that has not been fully done and so I would consider a vote on this use of the funds premature at best."

Councilman Behen asked when the tax base for the City would be set - on what date. Mr. Regester, Corporate Counsel, said that the law is very clear that the tax is to be set by January 1 but, "not within my memory has that ever been done."

Mr. Regester said that sometimes it is not set until February, March or even April. He said he thought that this past year some people made partial payments on their taxes before the rate had been set.

Mrs. Sims said that the State Board of Tax Commissioners will hear the Bloomington City Budget on Friday, October 26, at 8:30 a.m.

Councilman Ackerman said that "It seems to me that the two substantial objections to the resolution are that we don't know exactly what the percentages are and that the City might be punished by a reduction of federal money if taxes are lowered. It doesn't seem to me from what Jack Morrison read that it would mean too significant a change. The other objection is whether the State Board of Tax Commissioners is going to be empowered by the law to apply the money to property tax. We may vote in a resolution that could not be carried out but at least we will have tried. I think I would like eventually to amend the resolution to make sure that it would be 50% of the monies that are due in the fiscal year. I agree with Councilman Davis that we really did pare the 1973 budget right down to the bone and I was very disturbed that we were forcing a substantial tax increase by factors which were totally beyond our control - sometimes it was debts from earlier fiscal years, other times it was a raise of certain pension funds which we

were totally locked into. I felt very frustrated that we were unable to bring about programs which many of the people here on Council had campaigned upon and I had resolved myself to waiting for one more fiscal year before this could be done. I am delighted we do have these funds. On the other hand it seems to me that, as Councilman Behen has pointed out, we are going to have quite a substantial influx of funds and it seems to me that we should move gradually into this, using half of the funds the first year and gradually increase the services rather than try to do it so quickly. Having managed a budget, I think that if you gradually raise the overall program that you are trying to develop you are forced to decide on priorities which have the highest ranking importance such as sidewalks, which I would vote on and other things. I think this will make us more cautious and more wise in our use of the tax funds if we gradually do it over a two year basis. I think that we should increase the services; I would definitely not want to vote to putting all of this money into a reduction of property taxes. I think many of us were elected for the failure of the city to provide these services. I think I am opposed to the wholesale using of all the monies that will come in this first year for the reduction of property taxes."

Mrs. Sims said that she understands that the City will probably not get the second check during the 1972 fiscal year.

Councilman Behen said that the resolution could be worded so that it would be designated for the fiscal year of 1972 sharing.

Councilman Fix asked "if there is concern here over the procrastination or losing out our option or doing this at a later date when we get further instructions, is there some other way we can communicate our desires to look at this when the State Board of Tax Commissioners have something definite to offer us; will we still have our options open at that time? Actually that's all a resolution is doing - stating our desire to do this."

Council President Zietlow said she thought the resolution was based on faulty information. Councilman Fix said he thought the City's use of the revenue sharing was too; he said, "we have not had much input to find out what we are going to do with the revenue sharing; we are not quite ready to say yes or no."

Council President Zietlow said "I think it is premature to do anything; I think it is too early to make a policy decision on what we might possibly be using it for in contrast with whether or not we would use it for property tax relief. I don't know if it makes any difference but it is interesting to note that the Mayor of Indianapolis, at the IACT meeting, did say that he felt that revenue sharing was a very important thing for the cities to do things that they otherwise would not be able to afford; that he felt that the reason it had been passed was that the city would have something to show for themselves which otherwise might not have been done. And if cities don't have something to show for themselves at the end of the revenue sharing bill it is surely not going to be renewed. I think personally there are other ways of dealing with property tax relief or tax reform but this is one way where cities can be doing something which they otherwise couldn't. The Mayor of Fort Wayne said he would be using it for a capital improvements program; the Mayor of Richmond has a five-year program that he is working on with the revenue sharing fund; the mayors of Gary, South Bend and Evansville were determined to use it for capital improvements and not for property tax relief."

Councilman Behen said "I have no intentions for this resolution to thwart efforts in sidewalks, crucial needs that we have; it is almost tokenism what I am asking to be done. I wonder how many senators and congressmen voted on this thinking that it might have been relieving some property tax problems in many areas of our country."

Councilman Mizell said that "in listening to the comments this evening I get the impression that we are pretty much faced with a Mexican stand-off; we don't have any concrete evidence as to how this money can be used to reduce taxes or if it can or cannot, nor have I seen any hard, fast figures on how the money could be used

on definite programs in dollar figures. I think the suggestions that Councilman Fix made are excellent suggestions but I don't know whether or not we will have enough money in these distributions or if we will have an excess of money in the distributions. I personally would like to see some hard figures as to what the programs are that we are going to use the money for and what the dollar figures are for those programs."

Councilpresident Zietlow said "I don't think there have been a definite series of priorities or programs but the mass transit program would cost, as I understand, approximately \$150,000 to start a six bus program."

Councilman Mizell said "I would like to get these programs going but if there is a possibility of implementing the programs and also offering some tax relief I would be in favor of that also."

Councilman Fix said "I think this is my point; we don't have a big item in next year's budget for the start up costs on the trash pick up and I could readily see how we could take some of that revenue sharing and offset that start up cost which is over and above what it will be over the period of several years. This would be a definite pinpointing using of the revenue sharing. I have to agree with Councilman Ackerman a little bit that maybe if we don't use it all on these programs the first year we will learn how a little better in managing the budget. I don't want to preclude the use of some of the funds for lowering the tax rate for 1973."

Councilpresident Zietlow said "in figuring the amount, if we would use half of this, and if it would be approximately 21¢, we would, as Councilman Davis has said, be relieving somebody with a \$12,000 home of approximately \$8.00 in property taxes over the year. With that we could be building a transportation system for the community. An extensive transportation system would save that person much more than \$8.00 a year in personal taxi fares. The little old ladies who are going to lose their houses are the people who have asked for and are using the buses and are spending \$2.50 to go shopping once or twice a week in cab fares."

Councilman Behen said that we would need to determine just who the transit system would be benefiting.

In response to a question from Councilman Ackerman, Councilpresident Zietlow said that the \$150,000 is an approximate figure she got from the Transportation Department. Councilman Davis said he thought this figure was about right but that he was not sure that six was a useful number.

Councilman Morrison addressed Councilpresident Zietlow's comments about the Mayors of South Bend, Richmond, and Evansville: "As you well know, these three areas have extensive NDP programs. With the flexibility of the programs they've had in these cities, I couldn't see how the mayor of a city could get up and say, unless it was something that I wouldn't know about, that you couldn't do under the NDP - which is extremely flexible - that they could use this revenue sharing money for various objects, because in the beginning revenue sharing started out to the cities to help the programs that normally were not tax-based. And that is the same way your NDP works - exactly the same. So therefore, I will say those three mayors of those three cities evidently didn't know their NDP programs very well. They either did not get all of their program completely carried out or else I don't hardly see how they knew what they were talking about. In the beginning of revenue sharing, it was not based on any type of tax relief, as they started amending the bill on down the line. Revenue sharing parallels NDP in providing funds for cities to set up programs they could not otherwise afford."

Mayoral aide Ted Najam addressed the Council: "I share Councilman Behen's confusion; after reading the conference committee report and the final bill which was passed by the House and Senate. A lot of this confusion centers on the application of the central formula which includes three multipliers - population, tax effort, and relative income. This formula is applied in several different ways, first on the state level, then on the county level, then on the level of cities and towns. After toying with the formula, with the multiplier effect that the formula shows, it seems to

me it is impossible to tell what the effect would be in ensuing years for what we do with our revenue sharing money in the first year. Until we have that formula fully understood, and we have some figures plugged in on our tax base, on the basis of our current tax effort as figured into the formula, it seem to me we will be unable to determine whether we are making a wise use of the revenue sharing funds."

Mr. Najam added that he could not really tell what the effect of applying the first check to property tax relief would be on future disbursements.

Councilman Behen said: "My own opinion of the revenue sharing program is that it is creating a vicious, hungry animal that will prompt elected people around the nation to always keep the taxing efforts as great as they possibly can so that their federal share will be greater. All I was attempting to do with this resolution is to take some of the tax burden off of the tax payers. It will still give the Council plenty of leeway with plenty of funds to launch all of the programs that have been mentioned."

Councilman Davis said: "I would not like my opposition to the resolution to be read as a lack of concern for the common taxpayer; I don't think that is accurate. As I have said I would be more inclined to use these monies for tax relief if in fact we could do more than simply make a token move. That is basically why I am against it, it would not make a significant difference to the common tax payer and that is the only reason that I am against it. I would be more inclined to look at this favorably if we could in fact use all of the funds for property tax relief and make it significant."

Councilman Mizell: "it all depends on how you look at it; if you look at it from the point of view of the tax increase this year, you're talking about a 30% reduction of the increase which I think is considerable. If you're talking about 21¢ against the amount of money which the school corporation raises in taxes it is very small."

Councilman Behen said, "if in future years when we elected people are endeavoring to make up budgets and we don't take these monies into consideration then I think we would be shirking our duties to some degree too. It could be a relief for future years, at least for the five years that this program is set up."

Councilman Davis: "It may at least be possible for us to hold the line. I do think we've cut our budgets to the quick for 1973. If we had not done that I would be in favor of this resolution but I do think that we cut our budgets in every way possible for 1973."

Councilpresident Zietlow: "I think we all feel that one of our responsibilities is guarding the money put in our trust and I think we all feel that we do not want to raise taxes and hurt littlepeople. I don't think there is anyone on this council that would want to do that in any way. But I do think our major consideration is in fact figuring out how best to use the monies available to us for the maximum services for the maximum number of people in the community. I just feel that what we would gain by using this amount as property tax relief would not offset the benefits that we could have from keeping it in."

There was no discussion from the floor on Resolution No. 72-61.

Councilman De St. Croix said: "The problem with the resolution as I see it is that it is a token gesture. I think the intention is a sound one. The problem of facing the responsibility of property tax relief is a joint responsibility - as elected officials on the local level we have the responsibility to prepare budgets that are neither extravagant nor superfluous in meeting community needs. But I think that the revenue sharing program that has been passed by the federal government is the first step in perhaps seeing some significant restructuring of the taxing system of the state. Regretably the City Council does not have the power to change that system. The changes in that system are going to have to come out of the state legislature. I think that part of this council's responsibility is to act as a lobbying group on behalf of the citizens of Bloomington with the state legislature to see that tax

restructuring in general becomes a reality in this state and not just political rhetoric. This revenue sharing program is going to be going on for five years; any attempt this Council makes to apply this money to property tax relief are going to be nothing but tokenism until we restructure the formulas for taxing people in the community. I think that is one very important thing we have to keep in mind."

Councilman Ackerman: "I agree with everything Councilman De St. Croix said except that it seems to me that the only recourse that we at the City level have when we feel that the property taxes are quite high and need not be quite as high as they are. We can simultaneously work for the changing of these laws but I don't think that means that we should sit back and wait."

Councilman De St. Croix: "I'm not saying that the Council should sit back and wait or that we can't do anything. My personal feeling as regards this resolution is to turn the first installment of the revenue sharing monies as a property tax reduction would not have the significant impact on the City's property tax rate. I think that using these funds directly in support of ancillary support programs for programs that are already in existence or new programs that we did not budget money for would be a better utilization of the funds that now exist. I do think we do have a responsibility to deal with the problems of taxation in the state of Indiana, particularly as it affects people in the City of Bloomington. It is my personal feeling that taking the first installment and applying that to property tax reduction does not provide the general benefit to the community that applying the total revenue sharing funds to programs for the City would in fact produce."

There being no further discussion from either the Council or the floor, the question was called.

RESOLUTION No. 72-61 WAS ADOPTED BY A ROLL CALL VOTE OF Ayes 5, Nays 3 (Nays: Davis, De St. Croix, Zietlow).

Councilman Morrison moved that resolution No. 72-61 be introduced and read by the Clerk. The motion was seconded by Councilman De St. Croix and carried by a unanimous voice vote.

Resolution No. 72-62
NDP - Central Business
District

In the absence of the City Clerk,
Amy Mann read Resolution No. 72-62.

Councilman Morrison moved that Resolution No. 72-62 be adopted. Councilman De St. Croix seconded the motion.

Danny Fulton, Director of Redevelopment, addressed the Council: "We are in a position of having a First Year Action Program adopted by November 15, and we need action by the CBD PAC group, the Redevelopment Commission, the Planning Commission, the Common Council and a public hearing. The Council is being asked to approve what the planning commission, the redevelopment commission and the CBD group have already approved."

Mr. Fulton passed out to the Councilmembers copies of the CBD plan.

Mr. Will Linder, Vogt, Sage and Pflum, addressed the Council: "When the public hearing was held originally on the neighborhood development program for the CBD, the PAC committee indicated that the primary concern of the PAC at this point in time was in terms of the need for additional parking. This particular plan emphasizes that particular desire on the part of the PAC; it does show a slight difference primarily due to the availability of a site which was not available before. It was based on the Voorhees parking study, on the desires and discussions with the planning commission regarding a balanced parking program for the downtown area. The key in the original application was that parking be made available. The original concept was to provide a half block of parking directly behind the

Fireside hotel; however, the park and shop group has presently provided a quarter of a block parking already in that area. There were five sites provided in the Voorhees study; the first one was the one at Dunn which is already under City ownership, the second site of highest priority was the library site which was determined to be second highest priority by the Voorhees study, the third site was behind the existing Penney's store but the cost of land and so forth makes that prohibitive to provide in this first year; the fourth and fifth sites were in terms of the ones provided behind the fireside hotel. This particular program I think does provide the particular balance that we are concerned about; it does provide easiest access by providing parking the quickest. There are only three minor relocation problems - it does not provide nearly the problems with relocation that we had with some of the other alternatives, nor the one that we had with the original application. It does stay within the original dollar figure of the CBD allocation of funds. I might mention that the only two items that will actually be undertaken in the first year are the acquisition of property - the two sites that are proposed, and the overall planning with the planning commission concurrently of the downtown area to develop a long-range program of activities for the CBD for a four or five year period."

In response to a question from Councilman Morrison, Mr. Linder said that if the property is purchased with the federal funds, the Redevelopment Commission will hold title to the property until it sells it to a private group or the city for parking. It would be a written-down price if it was sold; we do not propose sale of those sites at this point. Mr. Linder also said that it is stated in the plan that the use of the library site for parking would be an interim use only and that this has been cleared by the Indianapolis office of HUD.

In response to a question from Councilman Morrison, Mr. Linder said that the lot at the intersection of 5th and Morton, behind Penney's, is expensive and involves more relocation costs than the alternative selected for the first year.

In response to a question from Councilman De St. Croix concerning the advisability of setting up additional parking lots in the City, Mr. Fulton said that some of the City's parking lots are full quite a bit of the time and are working out well.

Tom Crossman, Planning Director, addressed the Council. He said that, in general, the plan commission was concerned with the devotion of time and energies to planning for the downtown area during the first year. The real key as far as the planning commission and the planning staff are concerned is that they will be devoting first year energies toward the development of a long range plan for the downtown area. Such a plan does not now exist and the planning staff feels it is necessary for the success of the downtown NDP program over the next few years.

Councilman Mizell said that the consensus of the planning commission vote on this question was in favor of saving the library site as a piece of land that should be kept in the public domain. He said he did not think that anyone on the plan commission was happy with the proposed use of the land - they were concerned with the acquisition of that property. He said that he, personally, was unhappy with the fact that the Council has just now received the information to study which is pertinent to making a decision. He said he thought the Council needed time to study the information before making the decision.

Councilman Fix suggested that the first step be limited to the acquisition of the properties and not include demolition of the library. Danny Fulton said that as far as the Redevelopment Commission was concerned, it was just the acquisition of the land that was being dealt with. He noted that the CBD PAC has indicated that they want balanced parking downtown and this plan would provide that.

In response to a question from Councilman Fix, Mr. Fulton said that the razing of the building would lower the cost of the property to the City when the City eventually buys it.

Mr. Fulton said that the option the City presently has is for \$140,000, including the building; when NDP buys the land and razes

the building, the property will be appraised and sold as improved, vacant land which would be less the building cost and less the demolition cost. In effect, the city could be saving from 30 to 40 thousand dollars. Mr. Linder said that the appraisal of the library is based on the library as a prime development site so that taking the building off or leaving it there is not going to change the land value.

Mr. Linder said that HUD is rather negative on leaving deteriorating vacant buildings sitting around because of the safety hazard. They say, either fix it up or tear it down if you are going to buy it with NDP funds.

In response to a question from Council president Zietlow, Mr. Fulton presented information on what it will cost to rehabilitate the building. He read the following memo on rehabilitating the building to bring it up to code, without considering the expenses required for rehabilitating for a specific use:

TO: Danny J. Fulton
FROM: Tom Pugsley, Cost Estimator
SUBJECT: Update of 10-17-72 Memo regarding rehab cost of old library

One member of the staff had a meeting with Mr. Trinkle, Director of the Library, and was given the following information:

It was disclosed that the water pipes had burst due to freezing, and that after examining the boiler, the State Inspector informed Mr. Trinkle it would have to be completely reworked before it could be used again.

Mr. Ralph Martzolf, City Electrical Inspector, has done an on-site inspection and reported the building does not meet code. The building would require installation of a new grounded 120 v/240 volt, 3-wire service entrance and panel (minimum 200 amps and possible 400 amps) and be completely rewired to bring it up to code.

Mr. Wayne Goble, City Fire Inspector, also did an on-site inspection. He found the electrical system is not up to code. The boiler room must have a one-hour fire rating ceiling; it also needs a door that will swing outward from the building. The code violations were taken from a Group "C" rating.

A local contractor accompanied our Cost Estimator to the site in an effort to verify our cost findings. He felt the interior of the building has been greatly damaged due to not having been heated in two years. Due to the severity of the damage it would not be feasible to try to restore the plaster by patching.

In a rough estimate without fully knowing the intended use for the building the contractor felt it would cost a minimum of \$10.00 per square foot merely to bring the structure up to code.

Based on a preliminary examination, the following items must be done:

1. Furrow out walls.
2. Drywall walls and ceiling.
3. Paint walls and ceiling.
4. Plumbing (two bathrooms to be put in upstairs and bath to be revamped downstairs).
5. Heating system (Estimate of \$7,000.00-\$12,000.00).
6. Electrical system.
7. Boiler room to be fire rated.

It was the contractor's professional opinion that the cost could run from \$10.00 per square foot (\$46,650.00) and up to \$15.00 per square foot (\$69,975.00) depending on the methods used for the work.

The above is by no means an all inclusive list, but rather cites the most outstanding basic needs.

Mr. Fulton showed the Council photographs of the interior of the building, as it is now after having stood vacant for two years.

Mr. Linder said that a lot of deterioration takes place in a building, no matter how good the foundation is, if it stands vacant for two years without heat in a climate such as Bloomington has.

In response to a question from Councilman De St. Croix, Tom Pugsley said that he thought the costs would be about the same if the City did the work with City personnel.

In response to a question from Councilpresident Zietlow, Mr. Linder said that according to HUD guidelines, City personnel would have to be paid a minimum wage, not necessarily union wages. Danny Fulton said that the local union wage and the minimum federal wage were very close.

In response to a question from Councilman De St. Croix, Mr. Fulton said that it is probably true that the City could do the work for the estimated cost less the private contractor's profit margin. He noted that the estimate of \$10.00 per square foot is extremely low and one contractor even estimated that it would probably be closer to \$20.00 per square foot. He said that the redevelopment department, in the housing rehabilitation program, has found rehabilitation is very expensive because the contractors want to protect themselves against what they may find once they actually start to do the work.

Councilman Ackerman asked if the Council was being asked to vote only on the acquisition of the land and not on the acquisition of the property and demolition of the library. Mr. Fulton said that the Council is being asked to approve what the plan commission has approved as far as acquiring the land is concerned; this would allow the redevelopment department to go ahead and acquire the land.

Councilman Ackerman asked if once the land is acquired there would be opportunity for the Council to discuss what would happen to the land. Mr. Fulton said that once the land is acquired the question of disposing of the land he thought the redevelopment commission would be quite disposed to follow the wishes of the City administration, especially in terms of the library site which they have already indicated they would like to have in terms of a public facility.

In response to a question from Councilman Fix, Mr. Fulton said that the demolition of the library would not be an issue for the Council to act on, it would be done by the redevelopment commission.

In response to a question from Councilman De St. Croix, Mr. Linder said that the term "physical obsolescence" on the structural conditions form refers to the compatability of making that building into another type of use.

In response to a question from Councilman Davis, Mr. Fulton said that the November 15 deadline came about as a result of an extension granted by HUD after the Miller Drive vote was taken. Mr. Fulton explained that the Council must act in adequate time to allow time for legal advertisements and a public hearing before the plan is finally submitted on November 15.

Mr. Fulton distributed the following memo on acquisition to the Council:

ACQUISITION

1. RHM 7208.1 Chap. 2, Sect. 1, Page 1
"General Requirement" "Two satisfactory, independent appraisals are required for each parcel to be acquired"
2. RHM 7208, Chap. 2, Sect. 1, p. 3 - Form HUD 639 must be used.
Said form HUD 639 states in part:
 - "3. The report shall, among other things, contain...
 - a. The appraiser's opinion of the fair market value of each parcel including improvements, structures, appurtenances...together with the Appraiser's opinion of the property's highest and best use and an allocation of the value..."

3. RHM 7208.1, Chap. 4, Sect. 1, p. 8

"The fair market value of publicly owned property to be sold or donated to the project shall be the value of the property for private uses for which the property is suitable or adaptable."

DISPOSITION

1. RHA 7214.1, Chap. 1, Sect. 1, p. 3

"(4) Parking Facilities or Office Buildings. The fair value for these uses shall be determined only on the basis of the most suitable alternative private use. (See 7214.1, Land Marketing and Redevelopment, Chapter 4, Section 3.)

2. RHA 7214.1, Chap. 4, Sect. 3, p. 1

"Negotiated Disposal Methods for Special Redevelopers"

"Set forth below are the policies and requirements for sale or lease when disposal by negotiation involves:

(4) Disposal for public or nonprofit institutional use."

"The situations in which a special redeveloper is selected are generally those in which the intended uses of the land limit the market to a single redeveloper or type of redeveloper."

"Consequently, the appropriate method for selecting one of these redevelopers is by negotiation without competition, in accordance with the procedures set forth herein."

3. 7214.1, Chap. 4, Sect. 3, p. 8

"(4) Disposal for Public and Non Profit Institutional Uses"

"Disposal for a public use includes retention by the LPA and disposal to the Federal Government, a State, a local government,...."

4. 7214.1, Chap. 1, Sect. 1, #4, p. 1

"Disposal Price"

"a. Fair Value Requirement - Each disposal of land,.... shall be at a price that is not less than the fair value of the land for uses in accordance with the Urban Renewal Plan.

The value shall reflect both the advantages created by the project and the requirements and limitations on land uses to be imposed on the redeveloper by the Urban Renewal Plan.

Summary:

In short, the above shows that the land is purchased (based on two appraisals) at its highest and best use. In the case of the Old Library the value of the land alone based on local real estate estimates is approximately \$110,000.

The reuse value is based on fair market value and the Plan Controls.

Land Only - Highest Use approx. \$110,000
(maybe lower given constraints of Plan and Special Developer)

Estimated cost to the City if purchased independently:

\$144,000	Current Offer (Includes land and Structure)
12,000	Demolition
2,000	Site Preparation

\$158,000 Cost to City

Estimated Cost to City if land purchased through N.D.P.:

\$110,000 = Savings of approx. \$48,000.

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Mr. Fulton noted that copies of a memo he wrote to the Mayor on the historical aspects of the library site had been sent out to members of the Council.

In response to a question from council president Zietlow, Mr. Fulton said that if the library site is acquired, the library would probably be razed and the site used for parking. He said he was very doubtful that HUD would even consider putting into the building the amount of money that would be required to bring it up to code.

He said that the CBD PAC's decision that their most important need is parking was developed all through the NDP application preparation phase and when the final application was submitted.

John Temple, a downtown merchant, addressed the Council. He said he has not been involved in the downtown planning for very long but he has been involved in the downtown for a number of years. He said it has always been a problem that there is not enough parking. He said if there is not place for people to park downtown, there is no way for them to go to the stores downtown and no way for other programs to be used - such as traffic patterns and revitalizing the buildings, if there is no place for people to park once they get downtown.

Councilman Fix asked how long it has been since the City last sold a parking lot. Councilman Mizell said he thought it was two years ago when the City sold the lot to the Ford dealership.

Mr. Crossman said time zones were worked out in the Vorhees study but that study is not current. Councilman Fix expressed concern that there be a study with respect to the proximity of eight hour and four and two hour lots to downtown.

Mr. Linder said that one of the activities scheduled for the downtown area is to update the Vorhees study and to go into parking zones, traffic patterns, etc., in depth.

Councilman De St. Croix said that he thought it was after-the-fact to study the parking needs after a building is razed to create a parking lot, given the fact that it has been repeatedly demonstrated before the Council that the Vorhees report is not current and not correct.

Mr. Linder said that he thought the two lots selected for the initial action are good locations for parking and noted that the library site is presently only intended for temporary parking should another use be determined for that property in the future.

Councilman Ackerman asked Mr. Fulton if anyone had expressed concern over saving the old library to him. Mr. Fulton said that Mr. Dorr, Chairman of the East Central Neighborhood Association, attended the CBD meeting, and while Mr. Dorr was not in favor of taking the library down or disposing of the library or acquiring the library for any purpose other than it is, there was no mention of any historical value to it. Mr. Fulton said that to have a building or a site declared as a historical site it must be on the national register or go through area-wide planning and various local groups or local public bodies, after public hearings, can declare a site to be of historical value. Mr. Fulton noted that there are about 300 Carnegie libraries in the state. Mr. Fulton said that he and Mr. Trinkle did not feel that it could be of any great value historically or architecturally, or be able to be put on the national register.

Mr. Fulton said that he thought some of the trees on the property could be saved, without severely limiting the number of parking spaces that could be provided. Councilman Fix said the trees could probably be saved for five years at the most because some grading would have to be done.

Mr. Linder said that several Carnegie libraries have been submitted to the national register in the last four or five years and the register has declined to list them as historical sites unless they have some value other than simply being Carnegie libraries.

Councilman Fix said that the fact that it is the Bloomington Carnegie library makes it unique.

Mr. Fulton said that Mary Alice Gray who is a member of the library board said that if the City doesn't buy the old library site they are going to sell it anyway. They have to sell it to meet their obligations on the new building. This would put it on the market and in all probability it would be razed anyway. Mr. Fulton said that if the City was going to buy the building and put it to some income producing use, it would have to be brought up to code in order for it to be rented.

Councilman Fix said " There are many people in this City who have told me that some sort of use for the library would be a greater asset to the downtown area than a parking lot and I feel that the entire city - every person in the City - has a stake in the downtown. I feel that if we approve the purchase of this, the redevelopment commission should give these groups some period of time to come up with a use for the building before it is razed.

Mr. Fulton said that he did not think that HUD would set a 30 or 60 day deadline for having the building razed. Mr. Linder pointed out that it would have to be under contract for demolition 30 to 60 days before the end of the Action year because it would have to be razed by then (June 30, 1973).

Mr. Fulton said that while he thought the redevelopment commission would certainly entertain the submission of alternative uses for the library by various groups, it would still have to go back through the CBD PAC to be approved before it could be brought to the redevelopment commission.

Councilman De St. Croix said he would be interested in hearing from residents of the neighborhood as to their feeling of what impact a parking lot would have on the residential area adjacent to the property in question.

Danna D'Esopo addressed the Council. She said that she was the sole member of the plan commission who voted against this proposal. She said the document which the plan commission voted on said that the properties had been selected for acquisition and clearance, and that both are proposed for development of municipal parking lots. She said that she had hoped that the first year plans for downtown would retain some of the suggestions for mall development of the alleyways, that was recommended in the J.J. and R. report. She said that she feels the downtown area has a number of problems and parking is just one of them. She said she thought it would be better to address more than just one problem in each year's plan. She said there should be two kinds of action in every year to have a balanced result. She said that another aspect of "balanced" parking in downtown is that if the downtown is surrounded by parking lots, it will be isolated.

She said that she thought that the first year should attack the most critical problems and that the block on Morton street is probably the most blighted block in the inner city. She also said that parking is a very low land use and not revenue producing.

She said that she did not think that preservationists feel that a building has to be eligible for the national register to be worth saving. She said that while people probably do not agree on the architectural interest of the old library, most people would agree that it would be desirable for the City to maintain as high a variety of architecture and building materials as it can. If the interest is variety, this building may have a case to make for itself.

Miss D'Esopo said that the building could be used for a court room or office space. She questioned how the City expected people to believe that space was needed when buildings are being razed. She said that the program was not very well planned for the first year and that what it adds up to is a clearance program. She said that she is not convinced that a clearance program is a rehabilitation program.

Victoria David, a history student at Indiana University, and a life-long resident of Bloomington, addressed the Council. She said she agrees with Miss D'Esopo and is concerned about the apparent lack of interest in the older Bloomington buildings. She said she would support finding some use for the building if at all possible. She said that if the rehabilitation of the old library does prove to be economically unfeasible, she

would support the use of the site for a city county building if this would preclude the use of the Courthouse square for such a building. She said that she feels that the preservation of the courthouse is essential to future historic preservation efforts. I am afraid, however, that use of the library site as a parking lot will not necessarily lead to the construction of the city-county building where the library is now, and I wonder whether we could have any guarantee that the City County building will be placed on this site. She said she also wondered whether alternative sites for the parking lot have been considered after the construction of the city county building. She said that the CBD MBP seems to be acting contrary to its stated aims which were establishment of an attractive, stimulating, human urban environment and an overall park-like setting; she said she questioned whether making the library into a parking lot is contributing to these goals. She also noted that the plan states that it is anticipated that no structures will be acquired which have architectural or historic value; she said it seemed to her that the library has both. She said that downtown Bloomington has real possibilities for development with an early 20th century flavor and this might be made profitable. She said she thought the charm of older structures or the construction of new buildings with an old time flavor should not be overlooked. Warren Roberts, professor in the folklore institutes at Indiana University, addressed the Council. He said he could see the necessity for haste in this particular instance but he decried the waste that he saw coming about in tearing down a building for a parking lot and then coming back in two years to build another building. He said he thought it would be much wiser if the building could be preserved and used in some sensible way. He said he was very happy to hear Councilman Fix propose that time be allowed for proposals for alternative uses for this building. Mr. Roberts said it has occurred to him that the county courthouse annex be razed and made into a parking lot and the offices presently there be moved into the library. He said that while it would not be the cheapest thing to do, but one would end up with a remarkably fine building. He said it has been a tradition in the U.S. for people to be willing to spend money to have public buildings that are distinctive and impressive structures. He said he thought it would be a shame if the present generation were to reverse this trend, and feel that the least outlay of money is the major concern.

Mr. Roberts said that he has worked with the architecture of southern Indiana for 10 or 12 years or more and he would not want to make any definitive statements about the library building but he is impressed by the fact that architectural significance means many things to many people and that some of the speakers at this meeting have intimated that the building has no architectural significance. He said he thinks that is a mistake, that the building certainly does have architectural significance; it may not qualify for the national register but there are very few buildings in the state of Indiana that are on the national register. Mr. Roberts said that there are probably thousands of buildings in Indiana that are architecturally interesting and significant that probably will never get on the national register. The national register is a very selective list. Mr. Roberts said that architectural significance has to be considered in context. Mr. Roberts said that downtown Bloomington being what it is, he would say that the library is a pretty impressive structure. He said that he would be unhappy to see the building torn down or the trees on the site destroyed. He noted that when he levelled his own lot the trees did die after five years, though the damage was not immediately apparent.

David Docauer, Crisis Biology, addressed the Council. He said he was concerned about how things would be done in the future as far as the MBP program is concerned. He said that because of the problems of the deadlines he hoped that there would be flexibility within the downtown PAC to allow for a study period of 4 to 6 months for what will be done with this project and to say that they will come before the city council again with what will happen with all the facts. He said he was disturbed by the haste with which this project has been handled and the fact that no figures have been presented on

what it will cost to put up the parking lot; what the property could bring in rents. He said he appreciated that fact that efforts would be made to try to save the trees but he thought there should be more specific information made available than these generalities. Mr. Docauer said that he would like a more specific statement than that "environmental inadequacies" would be taken care of. He said he did not think there had been significant public input into the use of the library site and he would like to see Council review of the use. He said that the fact that the public hearing would be one or two nights before the plan has to be in puts a lot of pressure on the public hearing with no time for restudy. Mr. Docauer noted that the proposed parking lot is right next to a city parking lot. He also said that the trees in question are maple trees which are very sensitive to compaction around the roots and to cutting off their water supply; this requires not paying an entire lot but possible having areas which are covered with crushed rock, as an example of the kind of planning that should be done. He noted that the parking lot adjacent to the one proposed required paving over the root area of some silver maples which are now dying because their water supply has been cut off.

Mr. Linder noted that there will be a public hearing around the 14th of November which will be another opportunity for public input.

Council president Zietlow asked if it would be possible for the Council to amend the resolution. Mr. Linder said that this resolution was recommended by the HUD area office in Indianapolis. Mr. Regester, Corporate Counsel, said that he thought the resolution should be adopted in its integral form or it would be defeated.

Mr. Regester said that the Council was being asked to approve a plan which has been approved by the redevelopment commission and the plan commission. He said he did not think the resolution or plan could be amended and still pass HUD.

Councilman Mizell said that his understanding of the role of the Plan commission is that the commission is an advisory body to the Council; the Council is the authority which either approves or disapproves the plan. The normal procedure if the Council wants the wording of a resolution or an ordinance changed would be for the Council to send it back to the Plan Commission with instructions for the change. He said that he thought the feeling of the Commission was that, if the Council desired, they could call a special meeting of the Commission.

Mr. Regester said that he thought that this procedure would generally be true if the department of redevelopment was not also in the picture.

Councilman Mizell said that the President of the Plan Commission stated that, in his opinion, the commission voted on the acquisition of the land - a plan was not presented to the plan commission, therefore, the plan did not represent approval of a plan as such, but only acquisition of the land.

Council president Zietlow asked what the binding value of an additional resolution requesting that time be allowed for citizen input on alternative uses for the library site would be. Mr. Regester said that he thought it would have persuasive value since the department of redevelopment has already indicated their desire to keep their programs consistent with the wishes of this administration.

Councilman De St. Croix said that he did not think that the Council had been given sufficient time to study the CBD proposal. He said that he thought the Council was being asked to involve itself in an NDP program situation which led to the problems we had in Miller Drive. He said he thought the Council was being asked to function as a rubber stamp and he set that, as one council member, he did not respond positively to that kind of set up. He said he did not think that this plan leaves options for the community or represents what he would consider to be a creative or an innovative approach to the problems of the downtown area. He said he wanted to object to the manner in which the program is being presented, the force which is being exerted on the Council and the availability of information and the number of options open to the Council. He said he would like to entertain a motion to table the resolution to the next regularly scheduled meeting of the Council. He said that if that doesn't meet the deadlines then his opinion is that it is not the fault of the Council.

Councilman Davis said that he would second a motion to table. He said he does not like the program for the first year action program as it is presented to the Council. He said that as he reviewed the options before the Council with respect to the library site, he said he thought they had been pretty well assured that the library is going to be sold one way or the other. He said that it will require at least \$200,000 to acquire the property and bring it up to code. He noted that the alternative is for the redevelopment commission to acquire the land. He said his only positive feelings about the program are that it would acquire the land and keep it available to the City or the city and the county for future use.

Ted Najam addressed the Council. He said he shared Councilman De St. Croix's apprehension about the haste and said that he hoped this doesn't happen in the future. He noted that it is the result of the aftermath of the Miller Drive situation, in which the City had to put together a first year program very quickly. He said that one point he thought had been overlooked is that the decision on what property to acquire rests with the PAC. The CBD PAC chose this site contingent upon its being used on an interim basis for parking; he said the mayor's office was very happy that they had a happy combination of circumstances here where the PAC was willing to help the City in a financial arrangement in the acquisition of the library and the city is able to help them for a limited period for parking. He said that he thought that if the library site was not to be used for parking it is quite likely that the PAC would pick a different site for acquisition that could be used for a parking lot.

COUNCILMAN DE ST. CROIX MOVED TO TABLE RESOLUTION No. 72-62 TO THE NEXT REGULARLY SCHEDULED MEETING OF THE COUNCIL. Councilman Davis seconded the motion.

In response to a question from Councilman Ackerman Danny Fulton said that they could not advertise for a public hearing until the Council has given its approval of the resolution.

In response to a question from Councilman Davis, Mr. Register said that the Council absolutely cannot authorize the redevelopment department to advertise for the public hearing even though the Council has not taken action on the resolution because HUD regulations will not permit it.

In response to a question from Councilman Behen, Mr. Fulton said that he had no way of knowing if another deadline could be set by HUD if the Council did not take action at this meeting. He said HUD recognized the need for a 45 day extension because of the Miller Drive situation but he did not know if they would be willing to go along with another extension. He noted that if an extension were granted it would put the City that much further behind in spending the money that was allocated to the city of Bloomington.

Councilman De St. Croix said that he would rather not see the money spent than to have the city proceed on a program that appears to be meeting problems but that the Council has not had time to study. He said he did not feel the council would be adequately serving the city by not giving the program full attention, and making sure that the action they take is right. He said it would be a disservice to the community for the council to go ahead and approve the program because of the deadline.

Councilman Mizell said that he did not feel that the Council can give the time needed to study this program having just received the information at this meeting.

Council president Zietlow said she wanted to point out that a great deal of effort was made in the Miller Drive Area to assure that neighborhood input have a total impact on the program itself. She said she thought the Council had to give consideration to the fact that the downtown PAC presented this program. She said it leaves the Council in a dilemma in trying to assurance neighborhood input and not functioning as a rubber stamp.

Councilman Ackerman said that really the area in question belongs to all of the people of Bloomington and is of concern to the entire city. He said he would like to request, if possible, that there be a meeting of the Council with the downtown PAC to explore the possibilities together with them on this.

Miss D'Esopo said that she did not think it was a choice between having the library and having a city county building one day. She said there is more than one possible site for a city county building. She said that with the CBD, the public hearing is where the PAC vote should be taken, since the CBD does belong to the entire city.

Mr. Fulton said that all through the HUD application, three PACs were being talked of and he does not remember anyone before saying that the entire city should be involved in any of the PACs. He said that there may be some merit to this idea but the City is now in the position where it recognized the wishes of one PAC group in Miller Drive and it would now raise a question of the City's commitment to citizen participation if another tack were taken.

Councilman De St. Croix said that he thought there were significant enough differences between the decisions confronting the City with the CBD PAC and those involved in Miller Drive or the Westside: two are residential areas that people live in; the CBD serves the entire community and the library site is a site that is a community landmark. He said that he did not think the Council was being inconsistent in saying that they want to study further what the implications are of razing the library and putting in a parking lot.

Mr. Fulton said that while the members of the CBD PAC may not live downtown they do have a great deal of money invested downtown and they are trying to make it pay off and one of the ways that they feel this can be done is to provide parking and planning for the downtown.

Councilman Fix said he thought what the Council was trying to do is to give complete community support to the downtown effort and to let them know what this is that is happening. He said he thought that HUD would welcome this.

Councilman De St. Croix said that maybe the merchants of the downtown would believe that razing the old library would be a positive move. He said that he thought the downtown merchants would also be interested in creating as much community good will as possible, and having the support of the community. He said that if the community as a whole was opposed to razing the library and did not think that another parking lot would further the interests of the community as a whole, he thought the downtown businessmen would suffer the flashback from community disapproval.

Mr. Fulton said that the program was started three and a half to four weeks ago and the acquisition of the library has been in the newspapers; it's been in the newspapers as far as what the administration wants to do with a city county building and as far as alternatives that have been presented for the use of the building. He said there are a lot of people saying it should be saved but nobody has \$144,000 that they are willing to invest to save a building that they are going to have to put \$60,000 back into. He said that it seemed to him that if there was this much interest after three weeks of newspaper coverage that somebody would come up with an alternative if they really wanted to save the building.

Councilman Fix said that the problem seems to be that HUD would be willing to buy the site for a parking lot and not for any other use. He said he thought this was wrong and that HUD would be willing to buy the property for another use if it was a bonafide effort to use the property for a community use.

Mr. Fulton said he thought HUD would follow the wishes of the PAC group.

Councilman Fix said he thought there was a lot of difference between presenting an alternative and coming up with \$150,000.

David Docauer addressed the Council. He said that if the PAC would not listen to a recommendation from the Council, he did not see how anything could be accomplished in a public hearing.

Council president Zietlow said that the Council could pass another resolution in addition to the one before it.

Councilman Morrison said that at any time the PAC group could stop federal funds from coming into the City of Bloomington.

The question was called, on the motion to table.

A ROLL CALL VOTE WAS TAKEN: Ayes 4, Nays 4. Councilman Fix said that he voted against the motion to table since the resolution is concerned with the acquisition of the property and not the demolition of the library. Councilman Mizell said that the Neighborhood program states. "Purchase and Clearance." Councilman Fix said that he did not see that when he looked through the plan. Councilman Fix the changed his vote from a vote in against the tabling motion to a vote in favor of it. THE MOTION TO TABLE RESOLUTION No. 72-62 WAS CARRIED BY A ROLL CALL VOTE OF Ayes 5, Nays 3 (Nays: Morrison, Behen, Zietlow)

Councilman Davis urged Mr. Fulton to try to get an extension of the deadline to enable the Council to act with deliberation. He said the Council would support him in any action the Council needed to do that.

Councilman Morrison moved that 72-63 - Investment of Funds resolution No. 72-63 be introduced and read by the Clerk. The motion was seconded by councilman Mizell and carried by a unanimous voice vote.

In the absence of the Clerk, Amy Mann read Resolution No. 72-63.

Councilman Morrison moved that resolution No. 72-63 be adopted. The motion was seconded by Councilman Ackerman.

The question was called, there being no discussion.

RESOLUTION No. 72-63 WAS ADOPTED BY A ROLL CALL VOTE OF Ayes 7, Nays 0 (Councilman De St. Croix was not present for this vote.)

Councilman Mizell moved that Ordinance No. 72-69 be advanced to second reading and read by the Clerk by title only. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote.

ORDINANCES - SECOND READING

Amy Mann read Ordinance No. 72-69 by title only.

Councilman Morrison moved that ordinance No. 72-69 be adopted. Councilman De St. Croix seconded the motion.

Councilman Davis said that these signs have all been approved by the Traffic Commission. The sign on eight street will enable traffic to go from 10th to 7th without stopping. Councilman Ackerman asked if the signs would be removed on

if the signs would be removed on 8th street even though the ordinance did not specifically state that they would come out to correct the situation at that corner. Councilman Davis said he would check on that.

The question was called.

ORDINANCE No. 72-69 WAS ADOPTED BY A ROLL CALL VOTE OF Ayes 8, Nays 0.

Councilman Mizell moved that Ordinance 72-70 - Animal No. 72-70 be advanced to second reading Licensing Fees and read by the Clerk by title only. The motion was seconded by Councilman De St. Croix and carried by a unanimous voice vote.

In the absence of the City Clerk, Amy Mann read ordinance no. 72-70 by title only.

Councilman Mizell moved that ordinance no. 72-70 be adopted. Councilman Morrison seconded the motion.

Amy Mann, Council Secretary, reported that this ordinance would enable the Animal Control Commission or its agent to sell dog licenses, rather than just the controller's office.

The question was called.

ORDINANCE No. 72-70 WAS ADOPTED BY A ROLL CALL VOTE OF Ayes 8, Nays 0.

Councilman Mizell moved that 72-71 - Drug Commission Ordinance no. 72-71 be advanced to second reading and read by the clerk by title only. The motion was seconded by Councilman De St. Croix and carried by a unanimous voice vote.

Amy Mann read Ordinance No. 72-71 by title only.

Councilman Mizell moved that Ordinance no. 72-71 be adopted. Councilman Morrison seconded the motion.

Clarine Nardi Riddle, Drug Commission Coordinator, addressed the Council. She said that in the old ordinance there was a drug commission and an advisory committee; the present ordinance puts the power and responsibilities in the commission which is the way the commission has been operating since March. They found that the old ordinance was not workable to get implementation, direction and consistency in people participation. The new ordinance is talking about legal and illegal abuse, is talking about not just illegal abuse; terms are defined more completely; alcohol is included, along with other "legal" drugs. There will be citizen-community participation through committees appointed by the commission for specific tasks. Each member of the commission will be responsible for a specific task.

On the recommendation of Mrs. Riddle, Councilman Davis moved that Ordinance No. 72-71 be amended to insert the words "of those present" between "vote" and "is" in Section 4. Council De St. Croix seconded the motion.

THE MOTION TO AMEND ORDINANCE No. 72-71 WAS CARRIED BY A ROLL CALL VOTE OF Ayes 8, Nays 0.

The question was called.
ORDINANCE No. 72-71 AS AMENDED WAS ADOPTED BY A ROLL CALL VOTE OF Ayes 8, Nays 0.

Councilman De St. Croix moved that Ordinance No. 72-72 be advanced to second reading and read by the Clerk by title only. Councilman Mizell seconded the motion. The motion was carried by a unanimous voice vote. 72-72 - Salary Ordinance

In the absence of the Clerk, Amy Mann read ordinance No. 72-72 by title only.

Councilman Mizell moved that Ordinance No. 72-72 be adopted. Councilman De St. Croix seconded the motion.

The question was called.

ORDINANCE NO. 72-72 WAS ADOPTED BY A ROLL CALL VOTE OF Ayes 8, Nays 0.

Councilman De St. Croix moved that Appropriations Ordinance No. 72-7 be advanced to second reading and read by the clerk by title only. The motion was seconded by Councilman Mizell and carried by a unanimous voice vote.

Appropriations
Ordinance No. 72-7

Amy Mann read Appropriations Ordinance No. 72-7 by title only.

Councilman De St. Croix moved that Appropriations Ordinance No. 72-7 be adopted. Councilman Mizell seconded the motion.

APPROPRIATIONS ORDINANCE No. 72-7 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 8, Nays 0.

Councilman De St. Croix moved that ordinance No. 72-73 be introduced and read by the Clerk.

INTRODUCTION OF
GENERAL AND SPECIAL
ORDINANCES

The motion was seconded by Councilman Morrison and carried by a unanimous voice vote. - 72-73 - Human Rights

Amy Mann read ordinance No. 72-73.

Councilman De St. Croix moved that Ordinance No. 72-74 be introduced and read by the Clerk. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote. No. 72-74 - Salary Ordinance

Amy Mann read Ordinance No. 72-74.

Councilman De St. Croix moved that Ordinance No. 72-75 be introduced and read by the Clerk. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote. No. 72-75 - Bicycle Regulations

Amy Mann read Ordinance No. 72-75.

None.

REMONSTRANCES
UNFINISHED BUSINESS
E.S.T.

None.

The meeting was adjourned at 11:05 p.m.,

ATTEST:

Amy G. Mann
Amy G. Mann, Secretary

Charlotte T. Zetlow
Charlotte T. Zetlow, President

RESOLUTION No. 72-60

October 19, 1972

BUDGET TRANSFERS

"BE IT HEREBY RESOLVED by the Common Council of the City of Bloomington, Indiana, that the City Controller of said City may adjust the appropriations of the following budgets, to-wit:

FIRE DEPARTMENT

FROM # 32 Garage and Motor \$1,100.00

TO #214 Telephone and Telegraph \$1,100.00

PLANNING DEPARTMENT

FROM # 26 Contractual Services \$ 950.00

TO # 36 Office Supplies \$ 450.00

37 Other Supplies 350.00

72 Equipment 150.00

ANIMAL CONTROL

FROM # 22 Heat, Light, Power,
Sewage and Water \$ 20.00

TO # 37 Other Supplies \$ 20.00

Charlotte T. Zietlow
Charlotte T. Zietlow, President
Common Council, City of Bloomington

APPROVED: October 19, 1972

Francis X. McCloskey
Francis X. McCloskey, Mayor
City of Bloomington, Indiana

ADOPTED: October 19, 1972
Date

A Resolution to Designate Monies Received in the First Revenue Sharing Installment of 1972 Under the Federal Revenue Sharing Act be Designated to Apply to Reducing 1973 Property Taxes in the City of Bloomington:

(1) WHEREAS, The City of Bloomington, because of circumstances beyond its control, will have a property tax rate approximately 80 cents per \$100 assessed valuation higher than last year;

(2) WHEREAS, The U.S. Treasury Department has set up two equal distributions of revenue sharing monies during 1972, one around November 1 and the second around December 31;

(3) WHEREAS, the State Board of Tax Commissioners has indicated it will apply revenue sharing monies received in the first installment to the reduction of property taxes if a governmental unit makes such a request;

(4) WHEREAS, the City administration has indicated a desire to use some of the revenue sharing monies for property tax relief; and

(5) WHEREAS, the State Board of Tax Commissioners has indicated only the first installment in 1972 can be used to reduce property taxes,

NOW, THEREFORE, upon motion duly made and seconded, be it

RESOLVED, that the Common Council of the City of Bloomington resolves that it desires monies received from the federal government for the first installment of revenue sharing for 1972 be used entirely to reduce property taxes and so instructs the State Board of Tax Commissioners.

Passed and adopted by the Common Council of the City of Bloomington, Indiana, this 19 day of October, 1972.

Charlotte T. Zietlow

Charlotte T. Zietlow, President
Common Council

ATTEST:

Grace E. Johnson
Grace E. Johnson, City Clerk

Verified Oct. 30, 1972
Francis X. McCloskey, Mayor (sgm)

RESOLUTION NO. 72-63

INVESTMENT OF FUNDS

BE IT HEREBY RESOLVED by the Common Council of the City of Bloomington, Indiana, that the Controller of said City is hereby empowered to make the following investments into Government Securities yielding the highest rate of interest obtainable, consistent with safety, to-wit:

SANITATION OPERATING AND MAINTENANCE \$500,000.00
to mature about December 31, 1972.

Charlotte T. Zietlow
Charlotte T. Zietlow, President
Common Council, City of Bloomington

Approved:

Francis X. McCloskey
Francis X. McCloskey, Mayor
City of Bloomington, Indiana

Adopted: October 19, 1972