

AGENDA
COMMON COUNCIL
FEBRUARY 21, 1979
COUNCIL CHAMBERS

7:00 p.m. EXECUTIVE SESSION re: PERSONNEL MATTERS

7:30 p.m. REGULAR SESSION

- I. ROLL CALL
- II. AGENDA SUMMATION
- III. MESSAGES FROM COUNCILMEMBERS
- IV. MESSAGES FROM THE MAYOR
- V. PETITIONS AND COMMUNICATIONS
- VI. MEETING OF THE BOARD OF FINANCE
- VII. LEGISLATION FOR DISCUSSION/VOTE - SECOND READINGS
 1. Ordinance 79-6 To Repeal and Re-enact Chapter 4.24 of the Bloomington Municipal Code, Entitled, "Taxicabs"
 2. Ordinance 79-16 To Amend 1979 Salary Ordinance re: Creation of CETA position of "Laborer's Aide"
 3. Resolution 79-5 To Approve the Mayor's Recommendation for Distribution of CDBG Funds
 4. Ordinance 79-10 To Amend Zoning Maps re: Century Village, 3rd & Knightridge, from RH to BL/PCD
 5. Ordinance 79-8 To Fix the Salaries of All Elected City Officials
 6. Appropriation Ordinance 79-2 To Appropriate Funds from the General Fund for Legal Research Assistant in Council Office
 7. Appropriation Ordinance 79-4 To Appropriate Funds from the General Fund for Deputy City Clerk
 8. Appropriation Ordinance 79-3 To Appropriate Funds from the General Fund for Work Study Assistance for City Clerk
 9. Ordinance 79-5 To Amend Title 15.76.010 of the Bloomington Municipal Code, re: Stop Intersections

INTRODUCTION OF ORDINANCES FOR FIRST READING

1. Ordinance 79-17 To Repeal and Re-Enact Title 17 of the Bloomington Municipal Code, Entitled, "Construction Regulations", and to Enact Title 16, Entitled, "Housing Inspection"
2. Ordinance 79-12 To Amend Zoning Maps re: To Extend College Mall as a PCD
3. Ordinance 79-13 To Amend Zoning Maps re: Arlington Valley Mobile Home Park as PUD

MINUTES FOR APPROVAL: none

ADJOURNMENT

The Common Council of the City of Bloomington met in regular session on February 21, 1979, in the Common Council Chambers in the Municipal Building and conducted the following business.

COMMON COUNCIL EXECUTIVE SESSION WAS HELD THIS DATE PRIOR TO THE MEETING AT 7:00 RE: PERSONNEL MATTERS

These minutes are a summary; cassette tapes are in the City Clerk's office.

ROLL CALL

PRESENT: Morrison, Towell, Kinzer, Richardson, Olcott, Blume
Allison

ABSENT: None (Young and Middleton arrived late)

There being seven (7) members present and two (2) members absent, and seven members representing a quorum, the session was officially opened by Councilpresident Allison.

AGENDA SUMMATION

Councilpresident Allison read the Agenda.

MESSAGES FROM COUNCILMEMBERS

Councilpresident Allison, in reference to the snow and ice covering the city, reminded us of the ordinance that requires everyone to be responsible for clearing their sidewalks.

Councilmember Richardson informed us of three bills before the House of Representatives that are up for a vote within two weeks. He said these bills (H.B. 1241, 1242, and 1243) were a common sense approach to solving landlord-tenant problems in the State of Indiana and added that they would save the taxpayers money by diminishing the difficulties in litigation that now exists under the present laws. Richardson urged that we support this type of legislation by calling our representatives.

MESSAGE FROM THE MAYOR

The Mayor commended the efforts of the Community Development Program. He said that Pat Patterson and his staff had put together a very good package with great benefits for the West Side of the community. Mayor McCloskey also commended the street crews for their efforts removing the snow and said they were remarkable because they were operating from approximately the same budget as in 1972 and with a reduced staff.

PETITIONS AND COMMUNICATIONS

None

BOARD OF FINANCE MEETING

The Board of Finance held their Bi-Annual meeting. Pat Gross, Controller for the City of Bloomington, explained that the Mayor and Council, acting as the Board of Finance, and the Controller, as secretary, simply meet once every two years to designate the depositories for the city's money. The banks designated that meet the geographical requirements are the following four local banks: People's State Bank, Bloomington National Bank, First National Bank, and Monroe County State Bank.

Councilmember Olcott moved and Councilmember Richardson seconded the motion to accept the banks designated as depositories.

ROLL CALL

AYES: Morrison, Towell, Kinzer, Richardson, Olcott, Blume, Allison
NAYS: None

There being seven (7) ayes and no (0) nays the motion carried.

LEGISLATION FOR DISCUSSION/VOTE - SECOND READINGS

ORDINANCE 79-6 TO REPEAL AND RE-ENACT CHAPTER 4.24 OF THE BLOOM-
INGTON MUNICIPAL CODE, ENTITLED "TAXICABS"

Councilmember Kinzer moved and Councilmember Towell seconded the motion that ORDINANCE 79-6 be introduced and read by title only.

City Clerk Dolnick read ORDINANCE 79-6 by title only and Council-president Allison read the legislative synopsis.

Councilmember Kinzer, sponsor of ORDINANCE 79-6, gave the committee report and recommended that the ordinance be postponed for two council meetings.

Councilmember Kinzer moved and Councilmember Towell seconded the motion that ORDINANCE 79-6 be postponed.

ROLL CALL ON ORDINANCE 79-6

AYES: Morrison, Towell, Kinzer, Richardson, Olcott, Blume, Allison
NAYS: None

There being seven (7) ayes and no (0) nays the motion carried.

Councilmember Richardson moved and Councilmember Kinzer seconded the motion to amend the agenda and move RESOLUTION 79-5 up to be the next order of business.

The motion carried with a voice vote.

RESOLUTION 79-5 TO APPROVE THE MAYOR'S RECOMMENDATION FOR DISTRIBUTION OF CDBG FUNDS

Councilmember Richardson moved and Councilmember Towell seconded the motion that RESOLUTION 79-5 be read in its entirety by the clerk.

City Clerk Dolnick read RESOLUTION 79-5 in its entirety.

Councilmember Towell gave the committee report and recommended that RESOLUTION 79-5 be amended to add \$9,227.00 to the Shelter Care Program, \$5,000.00 to the Big Brothers/Big Sisters Program, and to subtract \$14,227.00 from the Contingency Fund.

(cassette tape broke at this point - a new tape and record of discussion resumes later)

Councilmember Richardson moved and Councilmember Towell seconded the motion to divide RESOLUTION 79-5 and vote on it in three parts. The divisions are as follows: (a) \$9,227.00 from the Contingency Fund to the Shelter Care Program; (b) \$5,000.00 from the Community Development Program IV Rollover Funds to the Big Brothers/Big Sisters Program; (c) \$3,060.00 from the Contingency Fund to the Middleway House.

ROLL CALL ON PART (a)

AYES: Morrison, Towell, Kinzer, Richardson, Olcott, Blume, Allison
NAYS: None

There being seven (7) ayes and no (0) nays part (a) of the motion carried.

ROLL CALL ON PART (b)

AYES: Morrison, Kinzer, Towell, Richardson, Olcott, Blume, Allison
NAYS: None

There being seven (7) ayes and no (0) nays Part (b) of the motion carried.

ROLL CALL ON PART (c)

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

There being five (5) ayes and two (2) nays Part (c) of the motion carried.

Councilmember Richardson moved and Councilmember Morrison seconded the motion to adopt RESOLUTION 79-5 as amended.

ROLL CALL ON RESOLUTION 79-5 as amended

AYES: Morrison, Kinzer, Towell, Richardson, Olcott, Blume, Allison
NAYS: None

There being seven (7) ayes and no (0) nays RESOLUTION 79-5 as amended is adopted.

ORDINANCE 79-16 TO AMEND 1979 SALARY ORDINANCE
RE: CREATION OF CETA POSITION OF "LABORER'S AIDE"

Councilmember Towell moved and Councilmember Kinzer seconded the motion to amend the proposed salary and change it from \$6,640.00 to \$7,304.00.

ROLL CALL

AYES: Morrison, Towell, Kinzer, Richardson, Olcott, Blume, Allison
NAYS: None

There being seven (7) ayes and no (0) nays the motion carried.

Councilmember Towell moved and Councilmember Richardson seconded the motion to adopt ORDINANCE 79-16 as amended.

ROLL CALL ON ORDINANCE 79-16 as amended

AYES: Morrison, Towell, Kinzer, Richardson, Olcott, Blume, Allison
NAYS: None

There being seven (7) ayes and no (0) nays ORDINANCE 79-16 as amended is adopted.

(Councilmember Middleton arrived)

ORDINANCE 79-10 TO AMEND ZONING MAPS
RE: CENTURY VILLAGE, 3RD & KNIGHTRIDGE, FROM RH to BL/PCD

Councilmember Richardson moved and Councilmember Kinzer seconded the motion to introduce ORDINANCE 79-10 and read by title only.

City Clerk Dolnick read the ordinance by title only.

Councilmember Richardson moved and Councilmember Kinzer seconded the motion to adopt ORDINANCE 79-10.

ROLL CALL ON ORDINANCE 79-10

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

There being eight (8) ayes and no (0) nays ORDINANCE 79-10 is adopted.

ORDINANCE 79-8 TO FIX THE SALARIES OF ALL ELECTED CITY OFFICIALS

(Councilmember Young arrives)

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-8 and read by title only.

City Clerk Dolnick read ORDINANCE 79-8 by title only.

Councilmember Richardson moved to set a base salary for the Mayor's position with a 7% yearly increase. The motion was not seconded.

Councilmember Towell moved and Councilmember Richardson seconded the motion to set the Mayor's salary at a flat base rate of \$31,500.00 for the next four years.

ROLL CALL

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

There being five (5) ayes and four (4) nays the motion carried.

Councilmember Towell moved and Councilmember Richardson seconded the motion to set the salary for the Councilmembers at a flat base rate of \$4,725.00 for the next four years.

ROLL CALL

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

There being two (2) ayes and seven (7) nays the motion failed.

Councilmember Towell moved and Councilmember Richardson seconded the motion to set the salary of the Councilmembers at a flat base rate of \$4,500.00 for the next four years.

ROLL CALL

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

There being two (2) ayes and seven (7) nays the motion failed.

Councilmember Middleton moved and Councilmember Kinzer seconded the motion to set the salary of the Councilmembers at a flat base rate of \$4,150.00 for the next four years.

ROLL CALL

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

There being seven (7) ayes and two (2) nays the motion is adopted.

Councilmember Richardson moved and Councilmember Middleton seconded the motion to set the salary of the City Clerk at a flat base rate of \$13,000.00 for the next four years

ROLL CALL

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

There being seven (7) ayes and two (2) nays the motion carried.

Councilmember Richardson moved and Councilmember Kinzer seconded the motion that ORDINANCE 79-8 be adopted as amended.

ROLL CALL

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

There being seven (7) ayes and two (2) nays ORDINANCE 79-8 as amended is adopted.

APPROPRIATION ORDINANCE 79-2 (Cassette tape resumes here)

Councilmember Richardson moved and Councilmember Olcott seconded the motion that APPROPRIATION ORDINANCE 79-2 be introduced and read by title only.

City Clerk Dolnick read the ordinance by title only.

Councilmember Middleton moved and Councilmember Olcott seconded the motion to table ORDINANCE 79-2 pending complete legal action.

ROLL CALL

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

There being three (3) ayes and six (6) nays the motion failed.

Councilmember Blume moved and Councilmember Morrison seconded the motion to delete line item two (2) from APPROPRIATION ORDINANCE 79-2 which stated that the salary for legal research assistant would be transferred from the City Clerk's budget.

ROLL CALL

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

There being seven (7) ayes and two (2) nays the motion carried.

Councilmember Kinzer moved and Councilmember Blume seconded the motion to adopt APPROPRIATION ORDINANCE 79-2 as amended.

ROLL CALL

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

There being six (6) ayes and three (3) nays APPROPRIATION ORDINANCE 79-2 as amended is adopted.

APPROPRIATION ORDINANCE 79-4 TO APPROPRIATE FUNDS FROM THE GENERAL FUND FOR DEPUTY CITY CLERK

Councilmember Richardson moved and Councilmember Morrison seconded the motion that APPROPRIATION ORDINANCE 79-4 be introduced and read by the clerk by title only.

City Clerk Dolnick read the ordinance by title only.

Councilmember Richardson moved and Councilmember Morrison seconded the motion that APPROPRIATION ORDINANCE 79-4 be adopted.

Councilmember Towell presented the committee report.

Councilmember Richardson said that he was convinced extra help was needed for City Court Work but that a full-time deputy was not needed for Council work because the work load was limited. He also added that Council left \$10,846.00 in the City Clerk's budget for the City Clerk to use as she wants.

City Clerk Dolnick replied that her staff had been reduced, while at the same time the work load in her office had increased and that she needed the deputy positions re-instated.

Councilmember Towell moved and Councilmember Kinzer seconded the motion to end the discussion.

ROLL CALL TO END DISCUSSION

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

There being six (6) ayes and three (3) nays the motion carried.

ROLL CALL ON APPROPRIATION ORDINANCE 79-4

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

There being one (1) aye and eight (8) nays APPROPRIATION ORDINANCE 79-4 fails.

APPROPRIATION ORDINANCE 79-3 TO APPROPRIATE FUNDS FROM THE GENERAL WORK STUDY ASSISTANCE FOR CITY CLERK

Councilmember Richardson moved and Councilmember Young seconded the motion to introduce APPROPRIATION ORDINANCE 79-3 and read by title only.

City Clerk Dolnick read the ordinance by title only.

Councilmember Richardson moved and Councilmember Morrison seconded the motion to vote on APPROPRIATION ORDINANCE 79-3.

ROLL CALL ON APPROPRIATION ORDINANCE 79-3

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

There being two (2) ayes and seven (7) nays APPROPRIATION ORDINANCE 79-3 fails.

Councilmember Richardson moved and Councilmember Towell seconded the motion to hire Nora Connors as legal research assistant for the council and because of the immediate need of her services, that normal personnel rules and procedures be suspended, including advertising, interviewing, serving a probationary period and serving a six-month waiting period on vacations.

Councilmember Olcott said he didn't think the Council should waive normal procedures.

Councilmember Middleton said he had been pleased with Nora Connors' work but that even in an emergency he did not think normal procedures should be suspended.

Councilmember Kinzer said they needed to re-define council staff, keep the business of city-government going, and relieve the problem of a staff person terminated without notice.

Councilmember Blume said he agreed with Councilmember Olcott.

Councilmember Richardson said Ms. Connors was an asset to the Council office, that they should accomodate her, and that he doubted anyone would apply for the job of legal research assistant.

The Mayor asked to be recognized and said that no one would apply for the job of legal research assistant knowing that the Council intended to hire Nora Connors, and that he thought in this instance personnel rules were not appropriate.

ROLL CALL

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

There being six (6) ayes and three (3) nays the motion carried.

(Part 9 on the agenda is not included here - because of the 10:30 deadline for discussion at Council meetings it will be included at the next meeting.)

INTRODUCTION OF ORDINANCES FOR FIRST READING

ORDINANCE 79-17 TO REPEAL AND RE-ENACT TITLE 17 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED, "CONSTRUCTION REGULATIONS", AND TO ENACT TITLE 16, ENTITLED, "HOUSING INSPECTION"

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-17 and read by title only.

City Clerk Dolnick read the ordinance by title only and Council-president Allison read the legislative synopsis.

ORDINANCE 79-12 TO AMEND ZONING MAPS
RE: TO EXTEND COLLEGE MALL AS A PCD

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-12 and read by title only.

City Clerk Dolnick read the ordinance by title only and Council-president Allison read the legislative synopsis.

ORDINANCE 79-13 TO AMEND ZONING MAPS
RE: ARLINGTON VALLEY MOBILE HOME PARK AS PUD

Councilmember Richardson moved and Councilmember Morrison seconded the motion to introduce ORDINANCE 79-13 and read by title only.

City Clerk Dolnick read the ordinance by title only and Council-president Allison read the legislative synopsis.

MINUTES FOR APPROVAL

None

ADJOURNMENT

The meeting adjourned at 11:00.

APPROVE:

Tomilea Allison

TOMILEA ALLISON, PRESIDENT
BLOOMINGTON COMMON COUNCIL

ATTEST:

Karel Brown Dolnick

KAREL BROWN DOLNICK, CITY CLERK

MINUTES APPROVED THIS 3 DAY OF May, 1979