

In the Common Council Chambers of the Municipal Building, held on May 5, 1977, 7:30 p.m. with Councilpresident Middleton presiding over a regular session of the Common Council.

REGULAR SESSION  
COMMON COUNCIL  
May 5, 1977

Present: Councilmembers Richardson, Kinzer, De St. Croix, Morrison, Young, Blume, Olcott, Middleton. Absent: Towell, who was on vacation.

ROLL CALL

Present: Sandy Friedman, Human Resources Department; Ed Howell, Director, Human Resources Department; Debbie Mantell, Mayoral Aide; Steve Richardson, City Attorney; Tim Mueller, Planning Director; Jean Strohm, Executive Director, Board of Works; Jim Wray, Transit Director; Fran Koski, Human Resources Dept, Project Coordinator; Bud Duncan, Director, Rosehill Cemetary.

CITY OFFICIALS  
PRESENT

Councilmember De St. Croix moved and Councilmember Kinzer seconded a motion to amend the agenda so that Resolution 77-15 would be heard first, in the place of Resolution 77-17, which would be moved to the third position. Motion carried by unanimous voice vote.

AGENDA AMENDMENT

Councilpresident Middleton gave the agenda summation. For second reading, Resolution 77-15, To Recommend the Addition of Two Members to the Monroe County Solid Waste Disposal District Board of Trustees; Resolution 77-16, To Support the County Commissioners of Monroe County to Initiate Appropriate Actions to Facilitate the Replacement of Bridge #10 Over the White River Between the Towns of Gosport and Stinesville; Resolution 77-17, To Oppose the Addition of the Old Monroe County Library to the National Registry of Historic Places; Appropriation Ordinance 77-8, To Appropriate Funds from the General Fund and Parks and Recreation Department re: Board of Public Safety, City Clerk, Parks and Recreation, and Human Resources Department; Ordinance 77-42, To Authorize the City of Bloomington to Issue "7% Economic Development First Mortgage Revenue Bonds, Series 1977, (Sentinel Printing, Inc. Project) and Approving and Authorizing Other Actions in Respect to their Suit"; Ordinance 77-37, To Amend Zoning Maps (Z0-11-77) re: SE corner of intersection of R46 East and SR 446

AGENDA SUMMATION

Knightridge Rd. RE to BL, for unspecified use; Ordinance 77-40, to Amend Zoning Maps (Z0-15-77) re: 601 E. 7th St. RM to RH, for expansion of fraternity house; Ordinance 77-41, to Amend Title 15 of the Bloomington Municipal Code, Entitled, "No Parking Zones" re: In front of A&W Drive-In, 1724 S. Walnut Street, For First Reading, Appripiation Ordinance 77-9, To Appropriate Funds from Local Road and Street Fund, Cumulative Capital and Fed. Rev. Sharing; Ordinance 77-43, To Prohibit Soliciting in Roadways; Ordinance 77-44, To Amend the City Residency Ordinance. For approval, minutes of April 7 and April 21, 1977.

Councilmember Richardson announced that the Democratic members of the Common Council had chosen Tomelia ("Tomi") Allison to replace councilmember De St. Croix upon his resignation. He noted that Ms. Allison will be able to meet with the Republican members of the Council and the Mayor in weeks to come, and that he looked forward to her being chosen as the replacement for Councilmember De St. Croix at the June 2 Council Meeting.

MESSAGES FROM  
COUNCILMEMBERS

Councilpresident Middleton reminded the citizens that this was their opportunity to comment regarding the appointment, urging them to direct their comments to either their district representative or the Council Office.

Councilmember Young congratulated the Democrats on their choice of a replacement, adding that Councilmember De St. Croix would be difficult to replace. He expressed the opinion that to eliminate people who had run and lost in a previous election was probably a mistake, since

several of his choices fell into this category.

Councilmember Kinzer directed a comment to Councilmember Young's statement, saying that absolutely no one was eliminated from consideration as a replacement Councilmember on the basis of having lost in a previous election.

Councilmember De St. Croix reminded those present that he was still around, that he would be for the next few meetings, and that he intended to be heard from.

Councilmember Blume echoed Councilmember Kinzer's comment that loss in an election did not figure in the choice of Councilmember De St. Croix's replacement. Rather, it is to a candidate's credit to have survived the rigors of the campaign-election process. He commented on the Downtown Parking Garage, noting that the project had his approval. He expressed caution towards the garage because of a deficit which was seen in the Central Parking System Study, a deficit which would be a burden to the City. He noted that there were ways to avoid such a deficit, such as fees and subsidies from those who would benefit from usage of the garage. He felt that the taxpayers should not "foot" the deficit, and that if the garage would not be self-supporting it should not be built.

He also addressed himself to the recent request by the Utilities Service Board for the resignation of Mr. Paul Coulter. He cited Mr. Coulter's excellent qualifications for the position, Director of the Utilities Department, calling the Board's request "irresponsible". Their efforts should have been directed to finding somebody better qualified to fill the job, he added. He noted that many people have held the position in question, and that perhaps the problem lies in the way the department is set up rather than with a certain official.

Councilmember Olcott commented on certain statements made by his colleague Councilmember Richardson in the press relating to Indiana University. He felt that Richardson was speaking for his area in these comments, but added that all districts are affected by the growth of the University. He hoped that nothing would transpire that would be to the detriment of City/University relations. He indicated that he did not share Councilmember Richardson's desire to take the University to court over certain issues.

Councilmember Richardson addressed himself to the issue of whether applicants for Councilmember De St. Croix's position were eliminated because of an election loss. He noted that the issue had arisen again since no such candidate received sufficient support from the Democratic Councilmembers and it seemed fruitless to pursue their candidacy any further. Many such candidates still applied. Ultimately, he saw the issue as a question of probable support rather than one of the candidate's record in past elections. In relation to Councilmember Olcott's previous comment, he spoke of the University's recent Planning/Transportation sessions which have resulted in the proposal of certain parking lots on the periphery of the campus. He insisted that communication must be more open between the University and the City, giving the City a chance to take part in decisions. Regarding the Downtown Parking Garage, he mentioned the possibility of eliminating existing surface lots if the planned facility were indeed built, thus making it possible to build businesses or homes in their place. His comments on the Old Library are recorded here, verbatim. "Lastly, on the Old Library (This is coming up again tonight, perhaps I should reserve the bulk of my comments 'til then, but...), there's been a situation where the City Council

once again has somehow been put in a position where we have to make a decision about the status of the Old Library, and tonight we're all supposed to be experts on whether a building is historic or not. I personally think that's absurd. I don't think anybody on this Council, and they can speak if they wish, is an expert on whether or not a building is historic. We have a sub-committee of the Plan Commission to make those decisions and I feel very uncomfortable in making that decision. I have supported in the past the building first going to Kathy Canada, which was rejected. I've supported having a park built there until we get our drainage situation settled in the area, and apparently that is not in the game plan either because there is a need for additional parking. I'm just troubled by the fact that it's back here again. I do think that the Mayor is the person that has to make the decision, and I'll support him in any decision that he makes at this point because I think the issue needs to be resolved. I think it is a mistake to bring this issue back to the Council tonight.

Council president Middleton remarked that Councilmember Towell made an excellent presentation at the downtown committee meeting with cost factors involved and the different methods to be considered for a parking garage. He noted that the Old Library issue was again before the Council as the result of a letter asking for a comment from the Council on whether they would grant or deny the designation of the Old Library as historical. He concurred with Councilmember Richardson's earlier comment that the Council was being asked to make a decision which it was not qualified to make.

There was no Mayor's message.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to accept Rosehill Cemetary's Annual Report as presented. Accepted unanimously by a voice vote.

ANNUAL REPORT  
Rosehill Cemetary

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Resolution 77-15 in its entirety.

RESOLUTION 77-15  
To Recommend the Addition of Two Members to the Monroe County Solid Waste Disposal District Board of Trustees

Deputy City Clerk Connors read Res. 77-15 in its entirety.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Resolution 77-15.

Council president Middleton read the legislative synopsis. He noted that the Resolution is in accordance with the statute which specifies certain governmental bodies that can make appointments to the board.

Councilmember Olcott gave the Committee Report, noting a vote of 3-0 for a Do-Pass recommendation.

Resolution 77-15 was then accepted by a unanimous ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion that Resolution 77-16 be introduced and read by the clerk in its entirety.

RESOLUTION 77-16  
To Support the County Commissioners of Monroe County to Initiate Appropriate Actions to Facilitate the Replacement of Bridge #10 over the White River Between the towns of Gosport and Stinesville

Deputy City Clerk Connors then read Resolution 77-16 in its entirety.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Resolution 77-15.

Councilmember Blume read the legislative synopsis.

Councilmember Olcott gave the Committee Report, noting a vote of 3-0 for a Do-Pass recommendation.

Councilmember Blume indicated that his support was with the Resolution, but expressed the hope that the Council was not indicating willingness to supply funds for the construction of the bridge by indicating its support.

Councilmember Young further expressed his support for the Resolution, adding that he grew up in the town of Gosport.

Resolution 77-16 was accepted by a unanimous ROLL CALL VOTE of Ayes, 8; Nays, 0.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Resolution 77-17 in its entirety.

In the absence of Deputy City Clerk Connors, Council-president Middleton read Resolution 77-17 in its entirety.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Resolution 77-17.

Councilmember Olcott noted that there was no Committee Report, and read the legislative synopsis.

Council-president Middleton stated that it was his intention to briefly outline the history of the Old Monroe County Library, after which Dr. Carmony would be asked to come forward and tell the factors that are involved in designating a building historic. Afterwards, the floor would be open for debate over whether it is proper to designate the building historic.

Councilmember De St. Croix spoke along the lines of Councilmember Richardson's earlier statement in relation to the Council's qualifications for determining whether or not a building is historic, noting that the Council's decision would have no impact on the ultimate decision by the National Registry of Historic Places. He expressed his dismay that the Old Library question was again before the Council.

Councilmember De St. Croix then moved and Councilmember Olcott seconded a motion that Resolution 77-17 be tabled indefinitely.

Deputy City Clerk Connors began taking a ROLL CALL VOTE. Councilmember Morrison indicated that he would vote to table the resolution. He expressed his dismay that the Old Library question was still being "kicked around" after nine years of debate. Resolution 77-17 was tabled by a ROLL CALL VOTE of Ayes: 7, Nays: 1. Nay: Olcott.

Council-president Middleton called Dr. Carmony forward to speak in relation to two points. One, that the rules had been changed so that now the owner of a building must concur before an historic designation is made, and, two, that the request for a historic designation of the Old Library came from Mr. Bruce Tone, Secretary of the East Central Neighborhood Association, on behalf of the Monroe County Historical Society. Council-president Middleton shared Councilmember Morrison's dismay that Council was again having to concern itself with this recurrent problem issue.

RESOLUTION 77-17

To Oppose the Addition of the Old Monroe County Library to the National Registry of Historic Places

Dr. Carmony, a member of the State Board of Historical Registry Designation, then spoke, making it clear that he had been invited to speak at this Council meeting, and that the things he said should not be taken as either for or against the recommendation. He mentioned a letter which he had written to the Mayor relating to the question of ownership of the building. He noted that the Committee is not under obligation to any public opinion, but stressed the fact that they do make every effort to be in general accord with public opinion.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Appropriation Ordinance 77-8 by title only.

APPROPRIATION ORDINANCE 77-8  
To Appropriate Funds from the General Fund and Parks and Recreation Department

Deputy City Clerk Connors read Appropriation Ordinance 77-8 by title only.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion that Appropriation Ordinance 77-8 be adopted.

Councilmember Olcott read the legislative synopsis and gave the Committee Report, noting a vote by the Community Development Committee of 2-0 Do Pass. He added, upon the request of Councilpresident Middleton, that there was no significant financial impact foreseeable from this appropriation ordinance.

Councilmember Blume suggested that Fiscal Impact Statements be typed to enhance their legibility.

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

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-42 by title only.

ORDINANCE 77-42  
To Authorize the City of Bloomington to Issue "7% Economic Development First Mortgage Revenue Bonds, Series 1977, (Sentinel Printing, Inc. Project) and Approving and Authorizing Other Actions in Respect to their Suit"

Deputy City Clerk Connors read Ordinance 77-42 by title only.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion that Ordinance 77-42 be adopted.

Councilmember Olcott read the legislative synopsis and gave the Committee Report, noting a 3-0 Do-Pass recommendation.

Councilmember Kinzer asked if the City would be responsible for the lease of the building,

Steve Richardson answered in a sense they would be technical owners until the bonds are paid off. He added that the Company will be responsible for paying taxes, repairs, etc. He noted that state statutes point out that the City is not legally bound in any way through the bonds.

Councilmember Blume said that the advantage of municipal bonds is that the purchasers do not have to pay taxes on them, making them tax free.

Councilmember De St. Croix said that the bonds were created to provide economic stimulus and security for business developments in the community, thereby providing more jobs and businesses.

In answer to a question from Councilmember Blume regarding what would happen if the Company were to go broke, Steve Richardson answered that the creditors would be responsible (the people that purchase the bonds). There is no way it can come back on the City. Councilmember Blume noted that several of his constituents do not feel that the City should float bonds for private businesses, especially since they will

only be hiring eight people.

Steve Richardson responded that this is only a start for Sentinel Printing. There is a clear possibility that they will expand down here and hire more people. There are other benefits to the community in terms of the added investment in Bloomington, lower tax rates for the rest of the City, it is being constructed by local contractors, etc.

Councilmember Blume said he would vote for the ordinance, but he hoped that the Economic Development Commission would try to draw businesses that would hire more people.

Mr. Robert Burnett, President of Sentinel Printing, then spoke to the ordinance. He said that the reason they want to come here are: it is a progressive community, they wanted a satellite operation, he is an alumni of I.U. and has a houseboat on Lake Monroe, the climate is good for business, etc. He added that they have contingency plans to add to the present facility in Indianapolis through the Bloomington operation which would provide additional jobs. He said the company has plenty of money to service the debt on the bonds if it becomes necessary.

Gary Crumb, Vice President of Building Trades Association, asked about the bonds and said he would like to see a prevailing wage rate set on the job since he claimed the land is owned by the City. He asked that the job go out for competitive bidding. He added that it is an affront to union trades people that Mitchell construction will build the factory, noting that they are non-union. A woman from the audience added that she felt the EDC should not float bonds for such a small company. Councilmember Morrison added he felt there should be competitive bidding also.

Steve Richardson said Mr. Burnett has every right to have any construction company he wishes build the factory. The City does not have the authority to require wage rates.

There was then general discussion regarding whether the City can set wage rates, bonding powers, cost of the building, etc.

Councilmember Young stated that whether the job is union or not is none of the City's business. The unions will get a portion of the funds through wages earned on manufacturing equipment, etc.

Councilmember Kinzer asked if Sentinel Printing Company had an affirmative action plan. Mr. Burnett answered that they are an equal opportunity employer.

Ordinance 77-42 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0. Councilmember Richardson remarked before his vote that Mr. Crumb should have come to the committee meeting with his concerns. It is difficult for the Council to consider these things on such short notice.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-37 by title only.

Deputy Clerk Connors read Ordinance 77-37 by title only.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Ordinance 77-37.

Councilmember Olcott read the legislative synopsis and gave the committee report, noting a Do Pass recommendation as amended by the Plan Commission by a vote of Ayes: 2, Nays: 0. He then moved and Councilmember De St. Croix seconded a motion to adopt Ordinance 77-37 as amended by Plan Commission. Motion carried by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

ORDINANCE 77-37  
Amend Zoning re  
SE corner of in  
section of 446 &  
3rd St. RE to BL

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Ordinance 77-37 as amended.

Motion carried by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

The Council then took a ten minute recess. Councilmember De St. Croix departed during the break to take care of some family matters.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-40 by title only.

ORDINANCE 77-40  
Amend Zoning re:  
601 E. 7th RM to RH

Deputy Clerk Connors read Ordinance 77-40 by title only.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to adopt Ordinance 77-40.

Councilmember Richardson read the legislative synopsis and gave the committee report, noting a Do Pass recommendation by a vote of Ayes: 2, Nays: 0.

Ordinance 77-40 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-41 by title only.

ORDINANCE 77-41  
No Parking Zones  
1724 S. Walnut St.

Deputy Clerk Connors read Ordinance 77-41 by title only.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to adopt Ordinance 77-41.

Councilmember Richardson read the legislative synopsis.

Councilmember Olcott gave the committee report from Community Development, noting a Do Pass recommendation by a vote of Ayes: 2, Nays: 0. This would take away 2½ parking spaces.

Ordinance 77-41 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Pamela Service of the Monroe County Historical Society then gave a presentation on the Old Library. She noted that the Historical Society has submitted five proposals for the use of the Library over the years. She said the Historical Society would be able to raise the necessary funds if given the opportunity. She said over three fourths of Indiana communities have historical museums run by the local Historical Society. She requested that the use of the building be granted to the Society for a trial period of two or three years so that they could start obtaining grants for rehabilitation. If progress was not made by the end of the period, the City could have it back. She then distributed the proposal to the Council. She said they are working on bylaws and forming an organization to look at the use of the building. A feasibility study for the restoration will be done.

PRESENTATION ON THE  
OLD MO. CO. LIBRARY

Councilpresident Middleton interjected that the Council last year sent a letter to the Mayor asking that he give the Historical Society until June 1 to raise the necessary funds. He suggested that she ask the Council to extend this time period. He asked that it be brought before Council Committee.

Pamela Service replied that the Mayor's rejection of that proposal was interpreted by them to mean that they did not have until June 1 to raise funds.





Deputy City Clerk Connors read Ordinance 77-44 by title only.

Councilpresident Middleton noted that Ordinance 77-44 had been assigned to Committee, where it would be read. He noted that a suggestion had been made that the Committee resume be on May 9, in a Public Facilities Meeting. Councilmember Blume indicated that this was satisfactory with him.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to approve the minutes of April 7 and April 21, 1977 as printed. Accepted by unanimous voice vote.

MINUTES FOR APPROVAL  
April 7, April 21, 1977

The meeting was then adjourned at 9:30 p.m.

ADJOURNMENT

APPROVE:

*Thomas O. Middleton M.D.*  
Thomas O Middleton, President  
Bloomington Common Council

*Nora M. Connors*  
Nora M. Connors, Dep. City Clerk

Approved upon this *(9)* day of *May* 1977.

ebk/nmc