

In the Council Chambers of the Municipal Building, held on June 2, 1977, 9:00 p.m., with Council president Middleton presiding over a regular session of the Common Council.

REGULAR SESSION
COMMON COUNCIL
June 2, 1977

Present: Morrison, Towell, Young, Kinzer, Allison, Blume, Olcott, Richardson, Middleton.

ROLL CALL

Councilmember Allison recognized the members of her family in the audience, and thanked those people who had sent her flowers on the occasion of her election to the Council.

Councilmember Towell read a farewell statement for Brian De St. Croix. He noted the importance of the Manpower Task Force which Mr. De St. Croix helped establish. He said Bloomington would miss Councilmember De St. Croix and added that the lack of good job opportunities had ultimately forced Councilmember De St. Croix to leave Bloomington.

Councilmember Olcott also commented on Mr. De St. Croix's departure, wishing him well and acknowledging his valuable contribution to the Council.

Jean Strohm, of the Board of Works, came forward to answer questions from the Council regarding the Board's annual report, which the Council had been given in advance. In answer to a question from Councilmember Richardson regarding public notice of agendas for Board of Works meetings, Ms. Strohm noted that the agenda is published as late as possible prior to each meeting so that notification is as current as possible. Councilmember Richardson expressed his gratitude for the job Ms. Strohm was doing, and thanked her for her cooperation in having streetlights installed in his district.

ANNUAL REPORT:
BOARD OF PUBLIC WORKS

Councilmember Olcott moved and Councilmember Morrison seconded a motion to accept the Annual Report of the Board of Public Works. Unanimous approval.

Councilmember Young welcomed Ms. Allison to the Council.

MESSAGES FROM
COUNCILMEMBERS

Councilmember Kinzer stated that she would miss Mr. De St. Croix, as would the City, and she welcomed Ms. Allison to the Council.

Councilmember Blume echoed the welcome to the new Councilmember, and went on to speak of billing problems with the Utilities. He noted that every effort is being made to correct the problem. He suggested that some kind of notice might be included with bills so that recipients might be spared anxiety. He further suggested that the worn and ragged flag in front of the Municipal Building either be replaced or removed.

Councilmember Richardson bid departing Councilmember De St. Croix a fond farewell and extended a warm welcome to Councilmember Allison. He elaborated on the Utilities billing problem, noting that problems have arisen from the changeover to computerized billing, and pointed out that the public's grace period has been extended to 40 days. He acknowledged the presence of Emily Wade, President of the Juvenile Justice Task Force, and urged that, with the approach of a Criminal Justice Planning Meeting, letters be sent in support of the Youth Shelter Care Facility. Lastly, he noted that signs have been posted on People's Park to end its use as an outdoor market for various used items, emphasizing the fact that this action was taken, not to irritate young people, but rather, to restore the Park to its intended use. He suggested the possibility of establishing set times during which sale of used items would be permitted in the park.

Mayor McCloskey welcomed Councilmember Allison. He commented on the problem with merchandizing in People's Park, and mentioned proposed plans for development of the park to enhance its use as a spontaneous meeting place. He noted optimism about the City's operations, expressing his satisfaction with the Budgets being submitted by various Department Heads. He expressed optimism over the progress of Union negotiations. He indicated that good news arose from the Environmental Commission meeting, where it was reported that Lake Monroe is in excellent condition with a projected lifespan of 100 years. He urged careful land use around the lake basin. He acknowledged that guidelines had been submitted to Indiana University for development. Regarding acquisition of the NW corner of the Square, he noted that a substantial increase in parking for the downtown would result. He urged that the Council give their endorsement to the project. On the subject of City-County relations as regards ambulance service, he commended Councilpresident Middleton for his efforts in taking the discussion to County government. He mentioned that a tentative agreement had been arrived at between the Mayor's office and the Human Resources Department on the Youth Shelter Facility which would be distributed to the Council, noting that if both Councils (City and County) endorsed the proposal the program could be finalized. He acknowledged receipt of information from HUD that substantial monies are available for the increase of public housing. He noted that he had enjoyed working with the present Council, terming it an excellent, representative one.

MAYOR'S MESSAGE

Councilmember Richardson lauded Mr. Mueller for his work with the University, and thanked Mr. Howell and Sandy Friedman for their work with the Youth Shelter Care Facility.

MESSAGES FROM COUNCIL-
MEMBERS CONTINUED

Councilpresident Middleton shared Mayor McCloskey's concern about the reported problems with City/County relations. He spoke of the amount taken from each City individual's property tax and given for ambulance service, and noted that the County's share come from sources other than property taxes. He cited the small amount which would go to ambulance service from County property owners if the proposed agreement were adopted, and urged action on the plan so that morale of those providing the service might improve, as well as the quality of the service itself. He spoke of a letter he received relating to the Monroe Co. Solid Waste Disposal District. The appointment of Lloyd Olcott to the Parks Board was confirmed. It was noted that a franchise committee was established with members appointed by Mayor McCloskey, Jack Martin, President of the Utilities Board, and Councilpresident Middleton whose purpose would be to study the franchise agreement of last year and analyze its problems. He also announced that newly appointed Councilmember Allison would also be serving on the County Community Action Board, the Residency Review Board, and the Public Facilities Committee of the Council.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Resolution 77-4 in its entirety.

RESOLUTION 77-4
To Support Proposed
Property Acquisition:
NW corner of square

Clerk Dolnick read Resolution 77-4 in its entirety.

Councilmember Morrison moved and Councilmember Blume seconded a motion to adopt Resolution 77-4.

Councilmember Olcott read the legislative synopsis and gave the Committee Report, noting a vote of Ayes: 3, Abstentions, 1 (Towell) for a DO PASS recommendation.

Councilmember Towell moved that two amendments to Resolution 77-4 be adopted seperately. The first amendment would state, within the fourth "Whereas" clause, "or any other use that the Mayor, with the approval of the City Council, might deem appropriate", with necessary grammatical changes. This amendment was adopted by a ROLL CALL VOTE of Ayes: 9, Nays: 0.

Councilmember Towell explained the second of his proposed amendments to Resolution 77-4. Herein, three basis points would be added: 1) That the Council supports the use of funds other than Parking Revenue Bonds for acquisition of the Property; 2) If Parking Revenue Bonds are used, it is understood that under IC 18-6-13-4, these bonds may be used only for specific purposes detailed in State law; 3) If Parking Meter Revenue Bonds, the Council makes the condition that the Parking Meter Fund be paid back the amount not used for public parking. He then moved that the above amendments be adopted, seconded by Councilmember Kinzer.

Mr. Register, upon the request of Councilmember Olcott, spoke, saying that these amendments would in no way hamper negotiations.

The seconder of the second and third amendments, Councilmember Kinzer, approved a suggestion to make the definition of public parking contained therein parenthetical.

Councilmember Blume questioned the need for the amendments, especially since state law already detailed much of their content.

Councilmember Kinzer stated that the amendments were necessary to clarify the use of Parking Meter Revenue Bonds.

Denton Moir came forward and noted that he approved of the amendments suggested by Councilmember Towell.

The further amendments to Resolution 77-4 were adopted by a ROLL CALL VOTE of Ayes: 9, Nays: 0.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to adopt Resolution 77-4 as amended.

Councilmember Young reiterated his position that the Monroe County Tobacco Company should not be forced to leave the property by the City.

City Attorney Steve Richardson, upon the request of Councilmember Towell, detailed those people concerned with the parcels of land concerned. Among these, the American United Life Co., owner of the Graham Hotel; Mr. William Ringenburg, owner of the Thrasher Building; the Redevelopment Commission, owners of parcel #3; Monroe Tobacco, parcel #4, with whom the attorney's office would discuss "rights of first refusal" so that the situation Councilmember Young discussed above would not arise; and Bloomington Park and Shop, remaining parcels.

Councilmember Kinzer expressed concern over the possibility of the sale of the property to a commercial concern. She questioned whether or not Council approval is necessary before the property can be sold.

City Attorney Richardson answered that certain agencies of the City may sell certain properties. He noted that this property under discussion would be under the jurisdiction of the Council. The owners of Bloomington Park and Shop were listed.

Councilmember Richardson questioned the urgency of the purchase. He noted that Debbie Mantell, mayoral aide, had explained that the property owned at present by the Redevelopment Commission must be purchased by the City before it can be paved and outfitted with parking meters, since the Redevelopment Commission was not authorized to do so. It was noted in general discussion that an option could be taken on the property without purchasing it by which revenues could be received. Also, the property could be leased. Regarding appraisals which might become necessary, City Attorney Richardson noted that local appraisers would be involved.

Mr. Register interjected that the purchase of Monroe County Tobacco would be the last item on his committee's agenda, and added that no action could be taken unless the Council gave its approval.

Councilmember Towell raised the question of finances, noting that if there is so much difficulty in securing monies with which to purchase the property, how much more so will it be as the project progresses.

City Attorney Richardson noted that there are numerous options for securing funds such as the Building Authority, the Economic Development Commission, and other possibilities meriting investigation.

After a short recess, Councilmember Towell mentioned development possibilities for the property. The City can, with the County's approval, establish its own Building Authority; through the Economic Development Commission, a broad range of projects might be undertaken; and revenues, involving rent.

Resolution 77-4 was adopted as amended by a ROLL CALL VOTE of Ayes: 9, Nays: 0.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Appropriation Ordinance 77-10 by title only.

APPROPRIATION ORDINANCE 77-10
To appropriate Funds from
From Cumulative
Capital Funds

Clerk Dolnick read Appropriation Ordinance 77-10 by title only.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to adopt Appropriation Ordinance 77-10.

Councilmember Olcott read the legislative synopsis and gave the Committee Report, noting a 4-0 DO PASS recommendation.

Jean Strohm, of the Board of Public Works, spoke to the question, noting that the project discussed here was Phase I of a larger project, still under discussion. She stated that the larger project will not be finalized until this early phase has been completed and can be studied.

Councilmember Young noted that future portions of the job could be given to the City's Engineering Department rather than using an outside firm.

Appropriation Ordinance 77-10 was adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0 (Councilmember Kinzo abstained during the above discussion, having indicated her support for the legislation).

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-6 by title only.

ORDINANCE 77-6
To Amend Zoning Maps (ZO-59-76) re: 800 W. St RS to BL

Councilmember Richardson noted that he had been informed

that the petitioners would no longer attend meetings because they are distraught with all of the "red tape" involved in obtaining the requested change in zoning. It was indicated that they did not go to the Westside Association because they felt that it would be a waste of time.

Councilmember Morrison indicated that he was opposed to the introduction of the Ordinance. All other Councilmembers voted Aye for introduction.

Therefore, Clerk Dolnick proceeded to read Ordinance 77-6 by title only.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to adopt Ordinance 77-6.

Councilmember Olcott read the Committee Report, noting that 7 affirmative votes are necessary in order to obtain the requested change in zoning. He yielded to Councilmember Morrison since petitioners had not responded to a request to be present, as had those who objected to the rezoning.

Councilmember Morrison noted that the petitioners and their attorney had repeatedly been invited to meetings of the Westside Association. A special meeting had even been called to come to an agreement with the City's planner, Tim Mueller, in attendance. There was no response from the petitioners or their counsel. Because of disrespect to the Westside Association implicit in the conduct of the petitioners, he requested that the Council deny the request for a rezoning.

Councilmember Towell, Council representative on the Plan Commission, spoke of the Plan Commission's reasons for passing the request on to the Council, that they felt the best way to improve the building was to grant a change to a limited zoning for a furniture store in BL, not BA. He asked to hear the reactions of the Westside to this proposal.

Zola White, President of the Westside Association, spoke to the question. She reported consistent opposition to the rezoning from the residents of the Westside with whom she had spoken. Their desire was for the building to remain a residential area. Their reasons included a lack of parking facilities, rezoning a part of a residential neighborhood with spot zoning, & the building's physical condition. Traffic problems and the safety of school children crossing the street were also considered. The members of the Westside Association became concerned with the future of their neighborhood when Mr. Mueller informed them that if the rezoning were secured the use of the property would be completely up to the owner. She expressed gratitude to the Redevelopment in their help in improving the physical condition of the Westside, and was especially grateful to Councilmember Morrison, her representative, for his efforts to improve the Westside.

Ordinance 77-6 was then defeated by a ROLL CALL VOTE of Ayes: 0, Nays: 8.

Councilmember Blume expressed concern that now that the building is not to be rezoned, that it will simply sit and decay.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-30 by title only. Clerk Dolnick read 77-30 by title only.

Councilmember Olcott moved and Councilmember Morrison

ORDINANCE 77-30
Amend Zoning
re: SW corner of
Smith & Tenth
RE to BL

seconded a motion to adopt Ordinance 77-30.

Councilmember Olcott read the synopsis and gave the committee report from Community Development. He noted a Committee recommendation of Do Pass: 3, Abstentions: 1 (Blume), who had questions regarding drainage and pump station capacity.

Councilmember Blume said his questions had been answered.

Councilmember Young said he would favor development of the lot, as it presently is an eyesore. He said his questions regarding the capacity of the lift station had been answered by Ray Long, who believed the station could handle this hookup. He continued that the water pressure issue was never resolved, and noted that he assumes that people in Eastern Heights would have adequate pressure.

Ordinance 77-30 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-45 by title only.

ORDINANCE 77-45
Amend Zoning re:
1815 S. Walnut RH
to BA

Clerk Dolnick read Ordinance 77-45 by title only.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to adopt Ordinance 77-45.

Councilmember Olcott read the legislative synopsis and gave the committee report from Community Development. He stated that the Committee gave a recommendation of Do Pass, by a vote of Ayes: 4, Nays: 0.

Ordinance 77-45 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-46 by title only.

ORDINANCE 77-46
Amend Zoning re:
Service Center
RS to SI

Clerk Dolnick read Ordinance 77-46 by title only.

Councilmember Olcott moved and Councilmember Morrison seconded a motion to adopt Ordinance 77-46.

Councilmember Olcott gave the committee report, noting a Do Pass recommendation of Ayes: 4, Nays: 0.

Ordinance 77-46 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmember Blume moved and Councilmember Morrison seconded a motion to introduce and read Appropriation Ordinance 77-11 by title only.

APPROPRIATION ORDINANCE 77-11
To
Appropriate Funds
from GF to Animal
Control

Clerk Dolnick read Appropriation Ordinance 77-11 by title only. Councilpresident Middleton read the synopsis.

Councilmember Blume moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-47 by title only.

Ordinance 77-47
Budget Transfers: re
Controller's Office,
EQCC, Sanitation

Clerk Dolnick read Ordinance 77-47 by title only.

Councilpresident Middleton read the legislative synopsis.

Councilmember Blume moved and Councilmember Morrison seconded a motion to introduce and read Appropriation

APPROPRIATION
ORDINANCE 77-12

Ordinance 77-12 by title only.

To Appropriate
Funds for Winslow
Park Settlement

Clerk Dolnick read Appropriation Ordinance 77-12 by title only.

Councilpresident Middleton read the legislative synopsis.

Councilmember Blume moved and Councilmember Morrison seconded a motion to introduce and read Appropriation Ordinance 77-13 by title only.

APPROPRIATION ORDINANCE 77-13 To Appropriate Funds from GF for an additional Deputy City Clerk

Clerk Dolnick read Appropriation Ordinance 77-13 by title only.

Councilpresident Middleton read the legislative synopsis.

Councilmember Towell moved and Councilmember Blume seconded a motion to accept the minutes for May 19, 1977 as presented. Approved by unanimous VOICE VOTE.

MINUTES FOR APPROVAL May 19, 1977


After general discussion, it was decided that Council would meet on June 16, 1977.

The meeting was then adjourned at 10:10 p.m.

ADJOURNMENT

APPROVE:


Thomas O. Middleton, President
Bloomington Common Council


Nora M. Connors, Dep. City Clerk

Approved upon this 16 day of June 1977.

ebk/nmc