

In the Council Chambers of the Municipal Building, held on August 18, 1977, at 7:30 p.m., with Council President Middleton presiding over a regular session of the Common Council.

REGULAR SESSION  
COMMON COUNCIL  
August 18, 1977

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

ROLL CALL

Council President Middleton gave the agenda summation. For Second Reading, Appropriation Ordinance 77-15, from CC and FRS re: Winslow Sports Complex, and incinerator for Animal Shelter; Ordinance 77-59, to Ratify Terms and Conditions of Acquisition of Property off the NW Corner of the Square; Ordinance 77-60, To Authorize Acquisition of Property by the City of Bloomington, Indiana; Ordinance 77-62, To Create a Department of Public Works; Resolution 77-18, To Approve Short-Range Bus Transportation Technical Study for City of Bloomington, and Accepting said Study as Plan to Guide the Transportation System; Resolution 77-19, To Approve Short-Range Bus Transportation Technical Study for City of Bloomington, and Accepting said Study as Plan, and Stating Intent to Provide Financial Support Therefor. For First Readings: Ordinance 77-67, Budget Transfer; Ordinance 77-36, To Amend Chapters 2.90, 2.60, 2.77, 2.81 and Repealing Chapter 2.68 and Section 2.36.090 of the BMC; Ordinance 77-65, Concerning Emergency Vehicle Lanes; Ordinance 77-66, To Repeal Section 2.20 of the BMC, Entitled, "Fire Safety Commission"; Ordinance 77-63, To Amend Title 15 of the BMC Regarding "Stop Intersections"; Ordinance 77-64, To Amend Title 15 of the BMC, Regarding "Stop Intersections" and "No Parking Zones". Minutes for approval: July 21, August 1, and August 4, 1977.

AGENDA SUMMATION

Council President Middleton introduced Frances Komoroske, newly appointed Council Administrator.

Mayor McCloskey spoke first of the Resolutions relating to the potential property acquisition on the NW Corner of the Square. He was pleased that progress is being made to ultimately meet governmental space needs in the community. He noted that the County is also moving ahead in their plans to acquire property for a County building, and he advised them to proceed carefully. He mentioned an upcoming hearing on City/County Building Authority, and urged the citizens to attend and express their feelings. He endorsed the proposed Public Works Ordinance, commenting that he felt it would enhance effective operation of the City's administration.

MAYOR'S MESSAGE

Councilmember Towell spoke of the problems of on-going construction on Tenth street. He was curious as to the reasons for Tenth Street receiving so much attention. He urged that efforts be increased to bring about co-operation between the City, Bell Telephone, and Indiana University so that long-term projects such as this might be more rapidly completed. He also urged that provisions be made for increased public input. The need for parks in his district, regardless of its proximity to the University, was reiterated.

MESSAGES FROM  
COUNCILMEMBERS

Councilmember Young welcomed students back to Bloomington. He urged patience on the part of the citizens as newcomers struggle with the many one-way streets in the City. He spoke of the extreme housing problem, urging that all efforts be made to make available quality housing for students and citizens.

Councilmember Richardson acknowledged the efforts of Ed Howell, Sandy Friedman, and Eve Berry-Brigl in helping secure a Criminal Justice Grant for \$26,000 for a Temporary Youth Shelter. With cooperation between the City and County, the Youth Shelter should open in the Fall. He thanked Bill Wilson, director of the Parks and Recreation Department, and others for their efforts to deal with the problems with flying golf balls at the Cascades Golf Course. He spoke to the problem of Housing, mentioned previously by Councilmember Young, calling the situation a "buyer's market."

He stressed the importance of enforcement of the Housing Code to prevent abuses which victimize tenants. He suggested that more inspectors be hired, and perhaps strengthen the Ordinance.

Jim Wray, Director of Transportation, commented on the problem with Tenth Street. He noted that there were efforts made to coordinate projects between various agencies concerned with the street, and that these efforts were successful. In regards to present construction, he explained that it is the responsibility of the contractor to provide adequate signage for routing of traffic.

Councilmember Blume spoke on the issue of availability of low-cost housing. He questioned the wisdom of tightening regulations set out in the Housing Code, as suggested by Councilmember Richardson, and echoed Councilmember Young's position. He urged that greater leniency be allowed in zoning regulations so that such housing could more readily be erected.

Councilmember Richardson suggested that both can be realized together.

Councilmember Towell noted the problem of discrepancies between units in the City in terms of quality, which is not reflected in costs of the units, the costs being essentially the same throughout the City. He urged strict enforcement of the Housing Inspection Code. He noted the lack of building in the past years, and pointed out the very low vacancy rate in the City, qualifying for labeling as monopoly conditions.

Councilmember Allison moved and Councilmember Blume seconded a motion to recommend Sheri Sheridan to serve on the Animal Control Commission.

APPOINTMENT:  
ANIMAL COMMISSION

The motion was passed by unanimous VOICE VOTE.

Paul Watts, attorney, came forward representing the newly-formed Bloomington Firefighter's Association to discuss the salary increase for the Police and Firemen. He noted that there are three points on which the firemen agree: 1) That something needed to be done (including hiring an attorney to form above-mentioned association); 2) Something needs to be done now; 3) The only steps taken will be those that are strictly within the law. He stressed the fact that the firemen favor the Community too much to consider a work slowdown. He stressed the fact that the Council has final authority in determining whether or not the firemen will receive a larger raise. He spoke of a meeting with the Mayor, at which it was indicated that the Mayor would recognize the firemen's organization if a majority was represented and certain conditions were met. He anticipated no problems in meeting these conditions. The essential problem with the proposed \$300 raise was that it represents an actual cut of \$150 due to an increase of \$450 for their insurance premiums. A uniform allowance has proven inadequate due to rapidly increasing costs of uniforms, which each fireman must pay. It was noted that last year nothing was said regarding pay because the firemen were promised more this year. He urged the Council to review the appropriation, noting that it is not too late to amend the ordinance. An increase in their pay was strongly solicited so that, if nothing else, the firemen would not be forced to take a loss. He recommended that some sort of committee be formed to review salary increases, make recommendations to the Council, and possibly formulate an ordinance reflecting an increase.

DISCUSSION OF POLICE  
& FIRE SALARY  
ORDINANCE

City Attorney Steve Richardson stated, after general discussion, that the Mayor has the authority to set appropriations, while the Council is only able to reduce such appropriations. It was also noted that the Mayor has veto power over Council action.

Mayor McCloskey spoke to the issue at hand, noting his gratitude for the orderly fashion in which the Policemen and Firemen have presented their salary concerns. The present situation was called "essentially tragic", since governmental budgets cannot keep up with inflation currently. The budget cannot be increased at the present time. He explained that 65% of the budget as proposed is for salaries, and that if increases were granted to the Policemen and Firemen, some other departments would have to face cuts. To cut down significantly in supplies, another portion of the budget, would be difficult to do. He cited the method used by various cities in the state of laying off 10% in all departments, and did not feel that this method would work in Bloomington. He stressed the fact that he is very willing to meet with any group that comes to meet with him. The problem was that the Policemen and Firemen simply came too late in light of published deadlines. He felt that it would be inadvisable to give significantly higher raises to some groups because of last-minute negotiations.

Discussion followed regarding insurance rates and uniform fees.

It was agreed that the Council would discuss <sup>the</sup> issue of Police and Firemen's Salaries at the joint Committee meeting on August 24.

Bill Wilson, Director of the Parks and Recreation Department, came forward and spoke of progress being made to correct the problems with flying golf balls at Cascades Golf Course. Using drawings showing locations of angle fences and other devices, he showed how the situation might be remedied and estimated the cost of the project at \$20,000 to \$21,000. In keeping with the advice of a consulting golf course architect, he mentioned that the long-term solution to this problem would be to relocate four holes and three tees, at the cost of approximately \$75,000 to \$100,000. Another possibility would be to contract the services of a land-use firm to explore the option of selling the land involved and purchasing new property for relocation.

CASCADES  
GOLF COURSE

Councilmember Richardson made two recommendations. First, to authorize the Parks Board to send their appropriation request for the changes in the course to the Mayor. Secondly, to investigate the long-term possibilities of relocating the course.

Councilmember Blume asked of the possibility of erecting a fence all along Kinser Pike.

Mr. Wilson commented that such a fence would prove too expensive to be practical, making the proposed angle fence more practical.

Councilmember Morrison then agreed with the earlier recommendations of Councilmember Richardson.

Pat Patterson, Executive Director of the Redevelopment Department, came forward to answer any questions Councilmembers had regarding his department's Annual Report, which they had received earlier in the week. He gratefully acknowledged cards and flowers sent during his absence.

Councilmember Morrison asked of the status of W. 6th St. at the present time.

Mr. Patterson noted that bids had been opened, and that it is hoped that the contract will be awarded at the first meeting of the Redevelopment Commission in September. Regarding a completion date, all efforts are going to be made to do so before winter.

Councilmember Blume moved and Councilmember Morrison seconded a motion to accept the Annual Report of the Redevelopment Department as submitted. The motion was passed by a unanimous VOICE VOTE.

Councilmember Blume moved and Councilmember Morrison seconded a motion to introduce and read Appropriation Ordinance 77-15 by title only.

APPROPRIATION ORDINANCE 77-15  
Funds from CC & FRS

City Clerk Dolnick read Appropriation Ordinance 77-15 by title only.

Councilmember Blume moved and Councilmember Morrison seconded a motion to adopt Appropriation Ordinance 77-15.

Councilmember Blume read the synopsis and gave the Committee Report, noting a DO PASS recommendation of Ayes: 7, Nays: 0.

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

Councilmember Blume moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-59 by title only.

ORDINANCE 77-59  
To Ratify Terms and Conditions of Acquisition of Property Off the NW Corner of the Square

Clerk Dolnick read Ordinance 77-59 by title only.

Councilmember Blume moved and Councilmember Morrison seconded a motion to adopt Ordinance 77-59.

Councilmember Blume read the synopsis and gave the Committee report, noting a DO PASS recommendation of Ayes: 7, Nays: 0, and a request that a Fiscal Impact Statement be submitted before the next Council meeting.

Councilmember Kinzer related relevant information from the Fiscal Impact Statement.

Councilmember Towell wondered at the ultimate use of the properties being discussed, and asked if any County action has been taken that would influence the City's future action.

City Attorney Richardson responded that permanent parking would eventually result, and that the option would be secured for ultimate utilization of the property.

Councilmember Richardson moved that Ordinance 77-59 be tabled. In light of County efforts to purchase the Masonic Lodge, he felt it would be difficult to resolve the question of land use in the near future, if this purchase is approved. He favored development of Redevelopment lots in question into parking facilities, but wondered at the possibility of private developers acquiring other properties.

City Attorney Richardson pointed out that the County will be in need of parking facilities if indeed they do acquire a building off the NW corner of the square.

Mayor McCloskey commented that the situation here was not in the emergency state. The need for some action on the City's part becomes more vital as time passes, and the uniqueness of the property becomes more obvious and desirable.

After general discussion regarding the need for a quick decision on the issue, Councilmember Richardson moved that Ordinance 77-59 be tabled until additional information could be obtained.

In response to a question from Councilmember Kinzer, Jim Wray, director of the Transportation Department, stated that the City has 60 days of a 90 day period left in which to make a decision on the purchase of the property.

Councilmember Young gave his support to the purchase of the property, and was in favor of having surface parking rather than a parking garage, since a garage would have to be torn down if another use was decided upon for the property.

Councilmember Blume brought out the point that Park & Shop now operates at a loss, a fact that contradicts claims that there is a desperate demand for public parking in the downtown area.

Councilmember Towell responded that tokens used at the Park & Shop facility disappeared, at the City's expense, and noted that the facility generally has a few vacant spaces, but is reasonably well-used.

Councilmember Morrison spoke of the Johnson & Johnson report on parking of approximately 9 years ago in which a parking garage behind J.C. Penney's was recommended, and urged the Council to consult other studies done in the past. He answered a question from Councilmember Blume regarding the availability of this property behind Penney's by stating that it was available at the time of the previous study.

Councilmember Blume spoke in favor of the City having control over the property off the NW corner of the Square.

Councilmember Richardson moved and Councilmember Kinzer seconded a motion to table Ordinance 77-59 for 30 days.

The motion was defeated in a ROLL CALL VOTE of Ayes: 3(Richardson, Allison, Kinzer); Nays: 5(Morrison, Blume, Towell, Young, Middleton).

Councilmember Towell expressed his dismay over the fact that the City still had not declared a direction in which it would move. His feeling was that the City should purchase this important property as a step to eliminating the problem with downtown parking. He was concerned that a decision was further being put off, and pointed out that several detrimental things had happened downtown because of such procrastination, including stores moving out of the area.

Councilpresident Middleton concurred with Councilmember Towell's comments.

Councilmember Blume reiterated the fact that this ordinance had received a DO PASS recommendation of 7 Ayes to 0 Nays. He noted that the only change in the status of the project was the appearance of the possibility that the County might make a certain purchase. He urged the Council to wait no longer to act.

Councilmember Morrison moved and Councilmember Blume seconded a motion to adopt Ordinance 77-59.

Ordinance 77-59 was adopted by a ROLL CALL VOTE of Ayes: 7 (Towell, Morrison, Young, Kinzer, Allison, Blume, Middleton); Nays: 1 (Richardson).

Councilmember Allison hoped that by passing Ordinance 77-59 the City would not be implying that its intention is to build a City or City/County Building.

Councilmember Blume moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-60 by title only.

Clerk Dolnick read Ordinance 77-60 by title only.

Councilmember Morrison moved and Councilmember Blume seconded a motion to adopt Ordinance 77-60.

Councilmember Blume read the synopsis and gave the Committee Report, noting a DO PASS recommendation of Ayes: 7, Nays: 0.

Councilmember Richardson concurred with an earlier statement by Councilmember Allison.

Councilmember Allison spoke of the complexity of the problem of parking in both City and County governments. She noted that the League of Women Voters had distributed a letter to the Council requesting that a task force of citizens be established

**ORDINANCE 77-60**  
To Authorize the Acquisition of Property by the City of Bloomington, Indiana

She encouraged the League of Women Voters to continue their efforts if the Council did not establish such a task force.

Councilmember Young <sup>said</sup> this purchase is a "super" opportunity for the City.

Ordinance 77-60 was adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmember Blume moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 77-62 by title only. **ORDINANCE 77-62**  
To Create a Department of Public Works

Clerk Dolnick read Ordinance 77-62 by title only.

Councilmember Blume moved and Councilmember Morrison seconded a motion to adopt Ordinance 77-62.

Councilmember Blume read the legislative synopsis and gave the Committee Report, noting a DO PASS recommendation of Ayes: 7, Nays: 0. A minor amendment was also acknowledged.

Councilmember Towell wondered if reorganization such as that being proposed in Ordinance 77-62 would be necessary if the City had different personnel in the positions involved. He objected to ratification of the Ordinance since he felt that certain of the departments involved were not tied together, and questioned the need for change in some of the departments involved.

Councilmember Morrison was concerned that the ordinance would isolate the department heads from the Mayor, a situation he feels is wrong. Since the Mayor appoints the department heads, he should not be isolated from them. He mentioned the Engineering department especially. He urged the Mayor not to "build a wall" around his office, since doing so would eventually contribute to a loss of respect from the people and a lessening of accessibility.

Councilmember Blume felt that it is possible for the Mayor to spread himself so thin in his duties that it is impossible for him to stay in touch with all the departments which are under him. He supported the proposed consolidation of departments since it would result in fewer people reporting to the Mayor, leading to greater efficiency.

Councilmember Young felt that if the Mayor would be more effective in his duties with Mr. Wray in the proposed new position, he would support the Ordinance.

Councilmember Richardson concurred with both Councilmember Blume and Councilmember Towell on their earlier statements. He hoped that the power of the Engineering Department to execute its various important duties would not be limited as a result of the Ordinance.

Councilmember Richardson moved and Councilmember Kinzer seconded a motion to strike the Engineering Department from the Ordinance.

Mayor McCloskey came forward and spoke to the question. He was surprised at the lack of support indicated in discussion by some Councilmembers. He noted that it is humanly impossible for one man to supervise 20 to 30 men, especially in light of the various relationships which a Mayor must have on his schedule. He insisted that there is no intent of isolating himself through this Ordinance. He suggested that the Ordinance be removed if it would be passed here and then be altered significantly, thus making it ineffective. It was pointed out that in the future this plan could be adopted to accommodate changes in administration.

General discussion took place regarding the Mayor's reaction to opposition to an ordinance which has been planned for

Councilmember Kinzer questioned the inclusion of the City Engineer in the reorganization brought about by the Ordinance. She expressed her approval for the overall concept of the Ordinance.

Councilmember Morrison suggested that the title for the new position proposed in this Ordinance be changed from "Director" of Public Works to "Coordinator" of Public Works.

The earlier motion to delete the Engineering Department from the Ordinance was defeated by a ROLL CALL VOTE of Ayes: 3 (Towell, Kinzer, Richardson); Nays: 5 (Morrison, Middleton, Blume, Allison, Young).

Councilmember Morrison moved and Councilmember Towell seconded a motion to amend the title of the Ordinance to read "Coordinator" of Public Works.

The motion was passed by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmember Kinzer moved and Morrison seconded a motion to approve Ordinance 77-62 as amended. Motion passed by a ROLL CALL VOTE of Ayes: 7 (Morrison, Young, Middleton, Kinzer, Richardson, Blume, Allison), Nays: 1 (Towell).

Councilmember Allison moved and Councilmember Morrison seconded a motion to table Resolutions 18 & 19.

RESOLUTIONS 18 & 19  
Re: Transportation Study  
ORDINANCE 77-67  
Budget Transfer  
re: MVH

Councilmember Morrison moved and Councilmember Towell seconded a motion to introduce and read Ordinance 77-67 by title only.

Clerk Dolnick read Ordinance 77-67 by title only.

Councilpresident Middleton read the legislative synopsis.

Councilmember Morrison moved and Councilmember Kinzer seconded a motion to introduce and read Ordinance 77-36 by title only.

ORDINANCE 77-36  
To Amend Chapters 2.90, 2.60, 2.77, 2.81 and Repealing Chapter 2.68 and Sec. 2.36.090 of the BMC

Clerk Dolnick read Ordinance 77-36 by title only.

Councilpresident Middleton read the legislative synopsis.

Councilmember Morrison moved and Councilmember Towell seconded a motion to introduce and read Ordinance 77-65 by title only.

ORDINANCE 77-65  
re: Emergency Vehicle Lanes

Clerk Dolnick read Ordinance 77-65 by title only.

Councilpresident Middleton gave the legislative synopsis.

Councilmember Morrison moved and Councilmember Towell seconded a motion to introduce and read Ordinance 77-66 by title only.

ORDINANCE 77-66  
To Repeal Section 2.20 of the BMC, "Fire Safety Commission"

Clerk Dolnick read Ordinance 77-66 by title only.

Councilpresident Middleton read the legislative synopsis.

Councilmember Morrison moved and Councilmember Blume seconded a motion to introduce and read Ordinance 77-63 by title only.

ORDINANCE 77-63  
To Amend Title 15 of the BMC Regarding "Stop Intersections"

Clerk Dolnick read Ordinance 77-63 by title only.

Councilpresident Middleton gave the legislative synopsis.

Councilmember Morrison moved and Councilmember Blume seconded a motion to introduce and read Ordinance 77-64 by title only.

ORDINANCE 77-64  
To Amend Title 15 of the BMC, re: "Stop Intersections" and "No Parking Zones"

Clerk Dolnick read Ordinance 77-64 by title only.

Councilpresident Middleton gave the legislative synopsis.

The minutes for July 21, August 1, and August 4 were approved with the following correction: in the minutes for August 4 "Kinzer" Pike should be spelled with an s, "Kinser".

MINUTES FOR APPROVAL  
July 21, August 1,  
August 4, 1977

The meeting was adjourned at 11:00 p.m.

ADJOURNMENT

APPROVE:

  
Thomas O. Middleton, President  
Bloomington Common Council

  
Nora W. Connors, Dep. City Clerk

Approved upon this 18 day of August 1977.

abk