

In the Common Council Chambers of the Municipal Building held on 6 May, 1976 at 7:30 p.m., with Councilpresident Blume presiding.

COMMON COUNCIL
REGULAR SESSION

City Officials Present: Leo Burke, Director, Human Resources Department; Bill Wilson, Director, Parks and Recreation Department; Karel Dolnick, City Clerk; Mayor Frank McCloskey; Bill Finch, Personnel Director; Eve Berry-Brigl, Human Resources Department; Debbie B. Mantell, Mayoral Aide; Pat Gross, City Controller; Steve Richardson, City Attorney; Tom Crossman, Director, Plan Department. There were approximately thirty others present, including members of the press.

CITY OFFICIALS
PRESENT

Roll Call: Present: Councilmembers Blume, Kinzer, Middleton, Morrison, Olcott, Richardson, De St. Croix, Towell, Young.

ROLL CALL

Agenda Summation: At Second Reading, Appropriation Ordinance 76-9, To Appropriate Funds from Federal Revenue Sharing Trust Fund to the Department of Human Resources and Parks and Recreation Department; Ordinance 76-26, Salary Ordinance for Department of Human Resources Nutrition Project Director and Site Managers; Ordinance 76-21 To Amend Zoning Maps re: SW corner of SR 45 & Hickory Leaf Drive RS to BL; Ordinance 76-23, To Amend Zoning Maps re: 2430 Vernal Pike MQ to RE; Ordinance 76-22, To Amend Animal Control Ordinance; Ordinance 76-25, To Amend Animal Control Ordinance. At First Reading, Appropriation Ordinance 76-10, To Appropriate Funds from Cumulative Capital Improvement Fund to Board of Public Works for Old Library renovation; Ordinance 76-30, To Create a Carnegie Library Use Authority; Ordinance 76-28, To Amend Chapter 15 of the Bloomington Municipal Code regarding Downtown Parking Amendments; Ordinance 76-29 To Amend Zoning Maps regarding the west edge of SR 37 and east of Cascade Park from RS/SC to BA. Also, the annual report of the Parks and Recreation Department (later rescheduled for 4 June, 1976).

AGENDA SUMMATION

Mayor Frank McCloskey: I'm sure there will be extensive discussion later, but I'd just like to endorse and seek your support for the Area 10 Nutrition Project that has been worked out by the Human Resources Department and numerous concerned citizens. I think it is a good and landmark project. I would also like to appoint Barney Lewis to the Housing Quality Appeals Board to complete the Board. He is very qualified, he has extensive experience in apartment rentals, particularly renting to students. Changing from my Mayoral role to my role as citizen, I would like to say that I have a beautiful Siberian Husky and two small cats. Every night I take the Siberian Husky out at about eleven o'clock, and I would hope that I wouldn't have to start taking the cats out.

MESSAGE FROM THE
MAYOR

Councilmember Towell: The Utilities Service Board resolution negotiations continued through another stage at the Utilities Service Board meeting yesterday. I think that we arrived at a kind of consensus that perhaps we can all support, we may have to modify it later. It will come up next week while I'm on vacation in the committee meeting on Thursday. Yesterday, the USB indicated that there was a consensus of support with the final, third draft of the resolution.

MESSAGES FROM
COUNCILMEMBERS

Councilmember Young: I don't have a message, but I would like the city to repair the hole by the steps, there is a large puddle of water about four or five inches deep that I came across. I think probably the grounds around the building should

look a little better. Occasionally I go by here and see paper and trash in the front steps and in the landscaping. The janitors do an excellent job on the inside of the building, but I think that at times they are a little lax on the outside.

Councilmember Middleton: It has come to my attention that some of the city boards and departments are involving us in programs. I feel it would be a good idea if they could at least inform the Council if they have grants which they wish to submit or pending prior to putting those into the hopper, so that it doesn't come up at the last minute as a completed product where we can have no input into it at all.

Councilmember Olcott: I think all of the Councilmembers received from the Board of Works their summation of their minutes. On item two, the discussion is about lighting on Highway 37, just north of the Bypass. It also includes, Mr. Morrison, the west Fifth and West Second Street lighting. I was told at the time that there are no funds available. I would very much like to push that funds be made available in both of these areas. Public Service Indiana will have an estimate to the Board of Works and then to the Council within the next thirty to sixty days. I would like to have you on the alert that we should push for these.

Councilmember Morrison: You say we are out of funds in streetlighting?

Councilmember Olcott: The President of the Board of Public Works, whom I talk to quite often, tells me that as of this point, there are not sufficient funds to do all three.

Councilmember Morrison: That is the reason that I have stipulated in the last two years that the Traffic Commission should come back to the Common Council. Only the Council can keep control of this. Any time you let an engineer from Public Service, I'm not saying anything about the electric company, but any time you let another firm design everything for you and present it to you, and you have no knowledge of what it is they are presenting, that is the same predicament we got into last year.

Councilmember Olcott: I think they can give us the exact cost and can tell us what it will run and what it will take to do it right.

Councilmember Morrison: If we are only three months into the year and we are already out of streetlighting funds, I would like to know where all of those funds were expended and where the lights were installed in the first ninety days of this fiscal year.

Councilmember Richardson: I would like to move that Nora Connors be accepted as a member of the Affirmative Action Advisory Board as the Council's appointment to replace Louise Siffin. Councilmember Morrison seconded the motion.

Nora Connors was then appointed to the Affirmative Action Advisory Board by acclamation.

Councilmember De St. Croix moved that the Council offer its consent to the Mayor's appointment of Barney Lewis to the Housing and Quality Appeals Board. Councilmember Morrison seconded the motion.

Barney Lewis was then appointed to the Housing Quality Appeals Board by a vote of Ayes: 8, Nays: 1. Nay:

Councilmember Olcott.

Councilpresident Blume: Regarding the change in the agenda, we had agreed previously to put the introduction of ordinances for first reading at the beginning of the program when everyone was fresh so that they could find out what was coming in the future, and due to the length of the agenda this evening, I thought it wise to put it at the end of Second Readings because of our new ordinance which states that no new legislation can be introduced after 10:30 p.m. for action. I wanted to get everything that we do need to take action on at the beginning of the meeting. Another reason for this is that I have had requests from the press and from the public that we get into the meat of the agenda to begin with because a lot of people were here waiting to discuss it and they did not want to hear all of the garbage that went on before that. You will also notice that the scheduling of the agenda is in accordance with the sequence of last week's committee meetings. If this doesn't work, then we can change it once more.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Appropriation Ordinance 76- 9 by title only.

APPROPRIATION ORDINANCE 76-9

To Appropriate Funds from Fed. Rev. Sharing to Human Resources and Parks and Recreation Departments

Clerk Dolnick then read Appropriation Ordinance 76-9 by title only.

Councilpresident Blume then read the legislative synopsis for Appropriation Ordinance 76-9.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Appropriation Ordinance 76-9.

Councilmember Middleton then gave the committee report for Appropriation Ordinance 76-9, with a Do Pass recommendation. He moved to amend the Parks and Recreation Section, Other Contractual Services, appropriation from \$7,000 to \$5,205, as Parks and Recreation had received a lower bid. Councilmember De St. Croix seconded the motion.

Councilmember Olcott moved that Appropriation Ordinance 76-9 be voted on under divided question. Councilmember De St. Croix seconded the motion.

The motion to decrease the amount from \$7,000 to \$5,205 under Parks and Recreation was adopted by a unanimous voice vote.

The motion to consider Appropriation Ordinance 76-9 was then adopted by a unanimous voice vote.

Councilmember Middleton moved and Councilmember Towell seconded a motion to adopt the Parks and Recreation section of Appropriation Ordinance 76-9.

Councilmember Kinzer asked what the continuing cost of the lighting bills would be on a monthly basis.

Bill Wilson answered that the court approximately equal to the school courts is Bryan Park. Five courts were lighted there last year at a cost of \$400 a month.

Councilmember Kinzer asked who would pay the monthly bills.

Bill Wilson answered that the contract has not yet been drawn up, but that the city will probably pay it. He added that the largest part of the bill would

be the city's, as they would be using it in the summer months, and the schools let out before the tennis season is under way. He continued that the school is furnishing all of the materials.

Councilmember Kinzer remarked that she hoped the responsibility for the monthly bills will be worked out so that the cost is shared by the city and the schools.

The Parks and Recreation section of Appropriation Ordinance 76-9 was then adopted by a ROLL CALL VOTE of Ayes: 9, Nays: 0.

Councilmember De St. Croix moved and Councilmember Towell seconded a motion to adopt the Human Resources section of Appropriation Ordinance 76-9.

Councilmember Middleton then gave the committee report on the Human Resources section, with a Do Pass recommendation. He noted that the Community Service Council had spent considerable time on the project. The production of the book was reviewed, and he added that the Human Resources Department made a wise decision in the way it was produced. He continued that the only additional remark he had on the book was that he didn't believe enough copies were being printed. He continued that the book amounts to about 400 pages, and will be put out at a cost of \$5 to subscribers, who would then receive any additional supplements to the book. He noted that the work and time that has already gone into the book is well worth the dollar total of the book. He added that it is a very vital and needed piece of information in the community.

Councilpresident Blume added that much of the initial cost will be regained through subscriptions, adding that the book seems to be very much in demand by area agencies.

Councilmember Olcott commented that there are many volunteer agencies in the city doing work, compiling information such as this. He said he didn't see why the city had to go into the printing business and selling publications.

Councilmember Kinzer asked why the binders are costing \$4.50 a piece.

Councilmember Middleton answered that the binders are very large, with three rings. In this way, any changes forthcoming in the book can be easily accommodated. They are made of non-breakable, sturdy plastic so that they can last for many years. He added that the information in the book is not available in any one place in any other organization in the city. It provides a broad outline of the services available, with many indexes for easy referral.

Councilmember De St. Croix noted that the back-up materials for the ordinance contains letters from Perry Township Trustee, Monroe County Association of Social Workers, Mental Health Center, School Corporation, Center for United Ministries, Public Welfare Department, League of Women Voters, Community Service Council, etc., all expressing support for the book, and attesting to the importance of the project. He added that many agencies have had their budgets cut back, and could not compile such a book. He continued that one of the goals of Human Resources was to see if the city can work in partnership with agencies to help them do their job better, and that by letting agencies know what the others are doing, the city may save money in the long run by cutting down on requests.

Councilmember Young remarked that he couldn't see spending that much money on the book, adding that you can call the telephone operator and find out where most of the offices are.

Councilmember Middleton answered that the book is much more than telephone numbers, containing the background of the agency, how it is funded, what it does in the way of services, the hours of operation, with considerable cross-indexing.

Councilmember Olcott remarked that the Human Resources Department acts as a referral agency, continuing that they all know where Leo Burke's department is, his telephone number, etc., and if they need the information, they can call him.

Councilmember Richardson noted that he would like to have the information contained in the book available at budget time, as the Council frequently discusses what costs are worthwhile and which aren't, it would help if the Council had a book in front of them where they could question people when they ask for money, such as "why are you asking for money for this when this organization is doing the same thing?". He continued that the book would help considerably in cutting through some of the bureaucratic red tape that is now inevitable, noting that many people do not know where to go, and they end up putting themselves and the agency through a long process in trying to find out how to solve their problem. He added that nobody knows what is available in the city and the county, as not all of it is on paper. He continued that groups often prepare for a long time, and make excellent presentations, without knowing about other existing programs that cover the same area. He said in the long run, it will cut down on the amount of money the city and county spends. Lastly, he mentioned that a situation exists where city/county cooperation, city/university cooperation, etc., and noted that if the city is truly interested in coordination, then they should know what everyone else is doing.

Leo Burke noted that the main purpose of the Human Resources Department getting involved was not only to help the agencies involved or the Human Resources Department, but also the people whom the agencies are designed to assist. Hopefully, he added, this sort of book will eliminate many of the hassles they have to go through.

The Human Resources section of Appropriation Ordinance 76-9 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 2. Nays: Councilmembers Olcott, Young.

Councilmember De St. Croix moved and Councilmember Middleton seconded a motion to adopt Appropriation Ordinance 76-9 as amended.

Appropriation Ordinance 76-9 was then adopted by a ROLL CALL VOTE of Ayes: 9, Nays: 0.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-26 by title only.

Clerk Dolnick then read Ordinance 76-26 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-26.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Ordinance 76-26.

ORDINANCE 76-26
Salary Ordinance for
Human Resources Dept.
Nutrition Project
Dir. & Site Managers

Councilmember Middleton then gave the committee report from Community Resources. He stated that many people attended the meeting, many as representatives of the agencies involved in preparation of the grant request upon which the ordinance was based. The committee gave the ordinance a Do Pass recommendation. He continued that many people do need the nutrition program, and Meals on Wheels is available for fifty-six persons, two meals a day. Meals on Wheels is for persons that cannot leave their homes. The Area 10 Nutrition Project is funded through federal grants, operated by the Agency on Aging. A contract was drawn up between the Community Service Council, the Mayor and the Human Resources Department which gave the responsibility for administering the project to the Human Resources Department. He stated that there were several agencies in the community that felt that they did not have the resources or time to administer the project. He continued that the involvement of local people in the project, such as Meals on Wheels was not accomplished until recently. He said the project lacks imagination and does not meet the nutritional needs of the people, partly because of the way the grant is written up. One of the goals is to provide an atmosphere where aged citizens could socialize, as well as receive a nutritious meal. He noted that he realized what the nutrition program can mean to many people in Area 10, but that the city is not in it's proper place to be operating this type of a program. Secondly, the program is not adequate in having people bussed to sites, or in making accommodations in case of rain, snow, etc. He said the job could be done more efficiently if the people and the resources available in the community are adequately utilized. He claimed that this was not done, and that people involved and trained in nutrition were not involved. He said a program is needed to offer daily feeding on an adequate nutritional basis to people in the community who need it, not for those who can get out of the house and pay \$1.50 for a meal.

Councilmember Richardson responded that the issue is "is this kind of program the kind of program that helps some people in some ways?" He noted that model programs could be discussed, but what needs to be decided is, if the Council does not provide this type of program, what will they provide? He continued that many programs that come before the Council could be better, but it is not realistic as that is not how government and business works. He added that the project is the best project that is available at this time. He suggested that only the specific program be discussed, how it will help, and what the consequences of the Council's not passing it would be.

Councilpresident Blume stated that he agrees that the program is not perfect, but that the funding source is a grant, and not tax-based funds. He added that all the Council has to do is approve funds for positions that are specifically required in the grant. He continued that the program is needed, and that it is the best one available, adding that the other available programs, such as Meals on Wheels, can act as a supplementary program to the Area 10 Nutrition Project. He said there is everything to gain and nothing to lose by passing the ordinance.

Councilmember Towell commented that the general notion of what city government does needs to be changed. In the past, it has been directed towards property-orientated services, yet there is a large group in the city

that has property that receives very little service in relation to their income. The services they need are oriented towards a particular group of people rather than serving property, in spite of the fact that their taxes are based on their property. With that type of background, he stated that he did not see how anyone could say that the city ought not to be in this type of program.

Councilmember Olcott asked if the Council did not approve the positions, if the grant would go through?

Leo Burke answered no, not under Human Resources. It would revert back to the being the responsibility of the Area Agency on Aging to secure another grantee for the area.

Aase Loescher, Executive Director of Community Service Council, stated that the CSC felt they could not handle the grant because they have never gotten into the area of providing direct services beyond providing volunteer services to clients in the community. She continued that the staff consists only of one part-time director, and there was also not enough space to even do the preliminary work that Human Resources has done in working up the proposal. The Indiana State Commission on Aging and Aged had made an arrangement that all of the grantees throughout the state of Title III funds were to serve as grantees for Title VII, and it just landed on their doorstep. The Area Council on Aging then recommended, after the CSC asked, that other agencies be asked if they would take the grant, which no one did.

Jo Terkhorn, of the Area Agency on Aging, explained that other agencies did not take the grants because a federal program is difficult to manage, and requires more staff and space than most agencies have. She continued that Parks and Recreation was considered for the grant also. She added that a Technical Review Committee went to Indianapolis today to receive a "progress report" on the grant.

Robert White of United Ministries commented that the discussion going on was on the powers of the Council vs. the powers of the departments, along with what the role of Human Resources is. More important is the needs of people. He explained that the Christian Center operates a nutrition program for 34 persons under Title III. He noted that CAP has provided a program at Willow Manor, to provide for the needs of a residential community. He said those programs were established to "test the market". He said indications are that there is a great need for a nutrition program. He noted that the Human Resources program would be a complimentary program, along with Meals on Wheels and Community Action through the schools. He said when you look at the programs individually, they are inadequate, but when viewed together, they are more imaginative, and meet a wide range. He said his program runs out June 15, as do other programs. He said people cry out for action in this area.

T. Horning, Director of CAP, remarked that they could run the program, adding that they have the staff and the space. The reason they did not accept the grant is due to a philosophical position, as well as a legal and constructural responsibility, also CAP is about to enter into more arrangements with the school system in this area.

Robert White said United Ministries would be glad to pick up the grant after this contract year, as they feel they have an obligation in this area.

Councilmember Olcott noted that if the Council were to vote no, perhaps Human Resources would immediately begin the search for the grantee to take over the program.

Mrs. Ream answered that it would be forcing them in less than a month's time, and the elderly have to have the program immediately.

Ordinance 76-26 was then adopted by a ROLL CALL VOTE of Ayes: 9, Nays: 0.

Remarks made during vote: Middleton: I think that I'll have to put my confidence in people like Robert White. We have made the points that need to be made, and I believe that the program can go through. Olcott: For my friend Mrs Ream, and not for Human Resources, I'll vote yes.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-21 by title only.

ORDINANCE 76-21
To Amend Zoning
SW corner of SR
45 & Hickory Lea

Clerk Dolnick then read Ordinance 76-21 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-21.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Ordinance 76-21.

Councilmember Morrison then gave the committee report from Planning/Community Development. He said the Ordinance received a Do Pass recommendation, noting that there was no opposition.

Ordinance 76-21 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0, Absent: Councilmember Richardson.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-23 by title only.

ORDINANCE 76-23
To Amend Zoning
2430 Vernal Pike

Clerk Dolnick then read Ordinance 76-23 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-23.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Ordinance 76-23.

Councilmember Morrison then gave the committee report for Ordinance 76-23, stating that it received a Do Pass recommendation, with no opposition.

Ordinance 76-23 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0, Absent: Councilmember Richardson.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-22 by title only.

ORDINANCE 76-22
Amend Animal Con-
trol Ord. - Cont.

Clerk Dolnick then read Ordinance 76-22 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-22.

Councilmember De St. Croix moved and Councilmember

Morrison seconded a motion to adopt Ordinance 76-22.

Councilmember Olcott then gave the committee report for Public Safety/Policy & Legislative Oversight. He stated that it received a Do Pass recommendation.

Ordinance 76-22 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0. Absent: Councilmember Richardson.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-25 by title only.

ORDINANCE 76-25
To Amend Animal
Control Ordinance

Clerk Dolnick then read Ordinance 76-25 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-25.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Ordinance 76-25.

Councilmember Olcott then gave the committee report from Public Safety/Policy & Legislative Oversight. He read from the committee report, giving the recommendations by section.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to consider Ordinance 76-25 under divided question, to take it section by section.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Section I.

Councilmember Towell remarked that fifteen feet is reasonable, adding that people have a burden with the leash law as it is.

Councilmember De St. Croix said it would be impossible to play ball with your dog, or run with it, with the proposed amendment, adding that it is not realistic.

Councilmember Kinzer said the five feet refers to the dog not being on a leash, noting that at fifteen feet, there is a question as to whether the dog is under control or not.

Steve Richardson said that the five feet amendment would make it a leash law, noting that an arm's length is five feet.

Carlos Ortigoza remarked that he supported the amendment, noting that at times, people let their dogs run behind them when they are riding their bicycles, which is very dangerous, also people often walk down the street with their dogs one block behind. There is also a danger with having dogs running out into street with the fifteen foot limit.

Section I was then defeated by a ROLL CALL VOTE of Ayes: 3, Nays: 5. Nays: Councilmembers Morrison, Towell, Young, De St. Croix, Blume. Absent: Richardson.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Section II.

Councilmember De St. Croix remarked that seeing eye dogs act as extensions of a person, serving as their eyes. He continued that the Council would be adding a bureaucratic hassle for blind people.

Section II was then defeated by a ROLL CALL VOTE of Ayes: 0, Nays: 8.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Section III.

Councilmember De St. Croix moved to amend Section III, to delete "provided no license fee shall be charged for seeing eye dogs from the last sentence, since they are not required to be licensed.

Councilmember Kinzer seconded the motion.

Section III was then adopted as amended by a ROLL CALL VOTE of Ayes: 7, Nays: 1. Nay: Councilmember Young. Absent: Councilmember Richardson.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Section IV.

Carlos Ortigoza said he supported the amendment, adding that at large cats are likely to get pregnant. Steve Richardson said these animals can be covered by "nuisance". Section IV was then defeated by a ROLL CALL VOTE of Ayes: 3, Nays: 5. Nays: Councilmembers Morrison, Towell, Young, Olcott, Blume. Absent: Councilmember Richardson.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Section V.

Section V was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0. Absent: Councilmember Richardson.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Section VI.

Section VI was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0. Absent: Councilmember Richardson.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Section VII.

Councilmember Towell asked if the wild animal section could be enforceable with the definition, noting that the city lost a lawsuit against Stuart's due to faulty drafting.

Steve Richardson answered that it could under certain circumstances, but it will be difficult.

Section VII was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0. Absent: Councilmember Richardson.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Section VIII.

Section VIII was then adopted by a ROLL CALL VOTE of Ayes: 5, Nays: 3. Nays: Councilmembers Towell, Young, Blume. Absent: Councilmember Richardson.

Councilmember De St. Croix moved that Ordinance 76-25 be amended to include a new Section IX to read "no owner shall allow any dog, cat, cattle, donkey, horse, pig, sheep to discharge excrement on property not its owners unless the owner immediately cleans up that excrement. Owners whose animals violate this section shall be subject to a fine of up to \$5.00 for each offense". He noted that this amendment was proposed at the PS/PLO meeting. Councilmember Kinzer seconded the motion.

Councilmember De St. Croix suggested that "any other animal or pet" be added after the last sentence, noting that there are many exotic animals around that may not be covered.

Section IX then received a tie ROLL CALL VOTE of Ayes: 4, Nays: 4. Nays: Councilmembers Towell, Morrison, Young, Middleton.

Councilmember Towell moved and Councilmember De St. Croix moved that Section IX be deleted in entirety.

The amendment was then adopted by a ROLL CALL VOTE of Ayes: 5, Nays: 3. Nays: Councilmembers Kinzer, De St. Croix, Olcott. Absent: Councilmember Richardson.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Ordinance 76-25 as amended.

Ordinance 76-25 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0. Absent: Councilmember Richardson.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Appropriation Ordinance 76-10 by title only.

First Readings
APPROPRIATION
ORDINANCE 76-10

Clerk Dolnick then read Appropriation Ordinance 76-10 by title only.

Councilpresident Blume then read the legislative synopsis for Appropriation Ordinance 76-10.

The Council then postponed the Parks and Recreation Annual Report until a later date.

Postponment of
Parks and Recreation
Annual Report
ORDINANCE 76-30

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-30 by title only.

Clerk Dolnick then read Ordinance 76-30 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-30.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-28 by title only.

ORDINANCE 76-28

Clerk Dolnick then read Ordinance 76-28 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-28.

Councilmember Morrison moved and Councilmember Middleton seconded a motion to remand Ordinance 76-29 back to the Plan Commission.

ORDINANCE 76-29

Steve Richardson explained that since the ordinance was submitted by the legal department, it is allowable to have the Council remand the ordinance back to the Plan Commission.

Councilmember Towell said he was against the ordinance, or remanding it to the Plan Commission. He

said Blue Ridge citizens felt that they had the support of the administration last year in not changing the zoning.

Steve Richardson answered that his idea in submitting the ordinance was to settle a law suit that would be both time-consuming and costly. If the city wishes to buy the land, that would settle the law suit. He said he had supported that earlier, but the Council did not support it. He said he feels that when the trial court finishes their deliberations, a remedy will be asked for, and that remedy will be either damages or changing the zone.


Ordinance 76-29 was then remanded to the Plan Commission by a ROLL CALL VOTE of Ayes: 7, Nays: 1. Nay: Councilmember Towell. Absent: Councilmember Richardson.

Councilmember De St. Croix moved and Councilmember Towell seconded a motion to approve the minutes of April 22, 1976.

The minutes were then approved by a unanimous voice vote.

The meeting was then adjourned at 11:25 p.m.

APPROVE:


Clem J. Blume, President
Bloomington Common Council

ATTEST:


Nora M. Connors, Deputy City Clerk