

In the Common Council Chambers of the Municipal Building, held on June 3, 1976 at 7:30 p.m., with Councilpresident Blume presiding.

REGULAR SESSION
COMMON COUNCIL

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

ROLL CALL

Councilpresident Blume then gave the agenda summation: At Second Reading; Ordinance 76-31, To Amend Zoning Maps re: 1401 W. Kirkwood RL to BA; Resolution 76-31, Budget Transfer: re: Fire Department, Mayor's Office and Federal Revenue Sharing - Transit; Ordinance 76-33, To Repeal Section 4.04.-100, Licensing Fortune Telling; Resolution 76-19, For the City's Joining the Public Employees Retirement Fund. At First Reading: Appropriation Ordinance 76-11 To Appropriate Funds from the General Fund to the Board of Public Works; Ordinance 76-36, To Specify Condemnation Powers in the Board of Public Works; Ordinance 76-27, Common Council/Mayoral Appointments to Boards and Commissions; Ordinance 76-35 for Appointment of Half of the Members of the Human Rights Commission by the Common Council; Ordinance 76-37, To Repeal "Intoxicating Beverages-Consumption in Public Places"; Ordinance 76-34, To Amend "Sewers". Under Reports from City Boards and Commissions, the Annual Report from the Plan Department, and approval of the minutes of May 20, 1976.

AGENDA SUMMATION

Councilmember Towell: I would just like to say that I've been on vacation in New York City and Washington, D.C. It is very enjoyable to get away and get some perspective on what goes on in Bloomington. I noticed that New Yorkers had just had a PCB problem and G.E. had put PCB's in the Hudson, and this had been straightened out with the company participating in a financial way in cleaning up the matter. In Washington, there was a chemical company in Virginia that had destroyed some of the fishing in Chesapeake Bay, and certain public officials were indicted along with employees of the company because they knew about this and let it go on when it was against the law. I am not sure that we have comparable situations, I'm just saying that sometimes we think we are the only ones in the world that have problems like this and have to work them out. Both matters were taken very seriously by those states. Aside from that I did a lot of things that you cannot do in a town like Bloomington, where I have chosen to live most of my adult life, ate good food, went to museums, saw shows. I enjoyed being in Washington in the bicentennial year, and everyone was very conscious of that. The platform committee for the Democratic Party was meeting, and I heard some testimony. It is interesting to see what some of our national leaders are thinking about in terms of what the country should be in the next fifty years or so. I have gotten more compliments on being away this last meeting.

MESSAGES FROM
COUNCILMEMBERS

Councilmember Kinzer: I would like to entertain a motion that this Council reaffirm the appointment of Charlotte Zietlow to the Mental Health Foundation, with the full support of this Council to fulfill her present term. Councilmember Middleton seconded the motion.

Charlotte Zietlow's appointment to the Mental Health Foundation was then reaffirmed by a unanimous voice vote.

Councilmember De St. Croix: Like Councilman Towell, I missed the last meeting, but I wasn't in New York doing things that you can't do in Bloomington, but I was in the hospital. I hope that I can make some contribution to the meeting process by being back.

Councilmember Middleton: I would like to say that we do have some pretty good places to eat, I don't notice anyone around here that's getting skinny from it, look at Al (Towell). Most of us have attended some festivities of some new restaurants opening in town.

Councilmember Olcott: I would like to announce something about our park at Eleventh and Monroe Streets. We signed the final papers with the Bloomington National Bank, the Mayor and the Park Board approved it. I would like to be on record, and I have asked the Mayor if he would also send the Board of the Bloomington National Bank a thank you letter for allowing the City to use this piece of property. It is giving us a playground, ballfield area on the West Eleventh and Monroe area. I would like to thank them for their civic pride and participation.

Councilmember Middleton: I think we should publicly go on record for commending the Bicentennial Commission and the people who brought the awe inspiring statue of Washington and the boat crossing the Delaware, which was on view in the city last week. I have no idea how many people, but as it pulled out I noticed four or five hundred people in the vicinity. I was quite impressed, and it would take its place very proudly among anything I've seen in Washington or New York. I'm very proud that our area is able to produce this kind of craftsmanship and to make it available to the world.

Councilmember Richardson: I want to thank Leo Burke and the Herald-Telephone for announcing and then running on the front page of last Sunday's paper the Youth Job Referral Program. I think this is really essential, to get as many young people jobs this summer. We are trying to get young people any kind of work, whether it be ten hours a week, weekends, late in the afternoons. Ideally, they need full-time jobs, but I think this is one of the problems we have in our community with a young people during the summer. They don't have a lot to do, they get in a lot of trouble. Again, I'm not talking about the majority of young people, but they need help, they need some pocket money, they need to be occupied, and again, I think it is essential that people be made aware of this. I know Leo Burke is meeting this week in the Ad Hoc Committee on the Youth Forum and are beginning to finalize their proposals and recommendations as to what the community and the county can do in this area. This is a good first step.

Councilpresident Blume: I will be going on vacation, and will miss the next two Council meetings. President Pro-Tem, Pat Kinzer will run the meeting in a fine fashion, I'm sure. I've been informed that there will be a meeting conducted by the Citizens Concerned About PCB's. This meeting will be at the Library on Tuesday night. Everyone concerned about this is not only invited but asked to listen to what they've got to say. I, too, would like to thank the Bicentennial Commission for some of the work they have done, particularly the parade that we had. In spite of the rain, it was a tremendous success. I enjoyed it and I know the kids enjoyed it more than I did. The Bicentennial Commission is to be commended

for their work in this area. I would like to get some report from the Telecommunications Council on what and when and whatever happened to our modulator/demodulator? If anybody is listening, I would like to hear an answer.

Councilmember Kinzer: The parade that you referred to was sponsored by the Monroe County School Corporation, in close cooperation with the Bicentennial Commission. I think the school system should be commended for doing a tremendous job of organizing, and to the teachers and children involved for the imagination, creativity and effort that went into it. I understand from Jon Walters, who is Chairman of the Telecommunications Council, that there are some engineering problems involved with the modulator/demodulator, and that they are working on it. I was concerned about the delay, and brought it up at the meeting yesterday. I hope that we can move on this and that whatever the problems are can be identified and ironed out very quickly.

Councilmember De St. Croix: We have been discussing this for some three or four years.

Councilmember Kinzer: The money was appropriated for it several months ago, and at that time we thought it was just a problem of having the money available, but it seems that the plan that was in existence at that time is not as feasible now as it seemed to be then.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-31 by title only.

ORDINANCE 76-31
To Amend Zoning
re: 1401 W. Kirk-
wood RL to BA

Clerk Dolnick then read Ordinance 76-31 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-31.

Councilmember De St. Croix moved and Councilmember Towell seconded a motion to adopt Ordinance 76-31.

Councilmember Morrison then gave the committee report from Planning/Community Development. The committee gave the Ordinance a Do Pass recommendation. He said it is suited for the warehouse that Dave Kleindorfer would like to build where the hardware store is now.

Councilmember Towell remarked that the Plan Commission supported the ordinance, noting that with the change of zoning there would have to be landscaping and parking arrangements.

Ordinance 76-31 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0. Absent: Young.

Councilmember De St. Croix moved and Councilmember Towell seconded a motion to introduce and read Resolution 76-21 in entirety.

RESOLUTION 76-21
Budget Transfer

Clerk Dolnick then read Resolution 76-21 in entirety.

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

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

Councilmember Richardson then gave the committee report for Public Safety/Policy & Legislative Oversight.

He said the committee gave the Resolution a unanimous Do Pass recommendation to the sections they covered, Mayor's Office and Fire Department, for the reasons stated in the synopsis.

Pat Kinzer then gave the committee report from Utilities/Public Facilities for the Federal Revenue Sharing-Transit section of the resolution. She noted that the committee made no recommendation since no additional information was provided at the meeting.

Pat Gross then explained that the city's portion of the health insurance needed to be increased as the policy does not cover women employees for their maternity expenses. Most of the departments could afford the money, and in this case Transit only needed a budget transfer.

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

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-33 by title only.

ORDINANCE 76-33
To Repeal Licen-
sing Fortune
Telling From the
Municipal Code

Clerk Dolnick then read Ordinance 76-33 by title only.

Councilmember De St. Croix moved and Councilmember Towell seconded a motion to adopt Ordinance 76-33.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-33.

Councilmember Richardson then gave the committee report for Public Safety/Policy & Legislative Oversight. The committee gave the Ordinance a unanimous Do Pass recommendation.

Ordinance 76-33 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0. Absent: Young.

Councilmember De St. Croix moved and Councilmember seconded a motion to introduce and read Resolution 76-19 in entirety.

RESOLUTION 76-19
For the City's
Joining PERF

Clerk Dolnick then read Resolution 76-19 in entirety.

Councilpresident Blume then read the legislative synopsis for Resolution 76-19.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Resolution 76-19.

Councilmember Kinzer then gave the committee report from Utilities/Public Facilities. The committee gave no recommendation on the Resolution; it was tabled at the last meeting so that more information could be gathered. The committee decided that they needed more information from the state regarding how many and what types of people could be covered by PERF. She noted that the union representatives have decided to not present any formalized opposition to the Resolution as written, a letter explaining such was given to Councilmembers that evening.

Councilmember De St. Croix moved and Councilmember Olcott seconded a motion to amend Resolution 76-19 in Section 3 to insert a period after "seasonal employees", and deletion of the rest of the sentence. He explained that it is an administrative determination, and that if in the future the union negotiates

time-sharing agreements, or four-day work week, they may be excluded.

Councilmember Kinzer remarked that there may be some trouble with trying to define part-time, seasonal employees if that section is deleted.

Councilmember De St. Croix answered that that should be an administrative determination that could be dealt with within the administrative structure, and if it is not, the Council can amend the resolution. He added that the PERF guidelines take care of the definitions.

Steve Richardson explained there would be no problem in deleting the last sentence, as PERF establishes the lower limit, and definitions go along with job descriptions as offered by the Personnel Department.

Councilmember Towell commented that when the contract is made with the union, it is thought to be extended to all city workers of a similar job or rank.

The amendment to delete the latter part of the last sentence in Section 3 of Resolution 76-19 passed by a ROLL CALL VOTE of Ayes; 8, Nays: 0. Absent: Young.

Councilmember Olcott moved and Councilmember Richardson seconded a motion to amend Section 3 of Resolution 76-19 to change the word "include" to "exclude" regarding full-time elected officials. Councilmember Olcott explained that elected officials are in the higher pay bracket, are usually only employed for four years.

Councilmember Towell remarked that there have been three term Mayors before, and if you wait until you need a special appropriation, money appropriated in that way would come under fire.

Councilmember Middleton remarked that they can set up their own retirement plans and reap the same benefits, minus the matching funds.

Councilmember Towell answered that legislators were included in a recent bill amending PERF. At the state level, elected officials are included.

Councilmember Kinzer noted that there are a number of department heads in the high-pay bracket, and continued that she didn't see where you could draw the line just because an employee is elected.

Karel Dolnick remarked that as an elected official she would like to have PERF, noting that she came to work for the city from a place where she began accruing retirement, and would like to have it carried over. She continued that she is not a high-paid official.

Councilmember De St. Croix noted that if an employee goes into some other level of government after their present position, the benefits can be carried over under the PERF program.

The amendment to exclude elected officials was defeated by a ROLL CALL VOTE of Ayes: 1, Nays: 7. Nays: Morrison, Towell, Kinzer, De St. Croix, Middleton, Richardson, Blume. Absent: Young.

Councilmember Kinzer moved and Councilmember De St. Croix seconded a motion to adopt Resolution 76-19 as amended.

Resolution 76-19 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0. Absent: Young.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Appropriation Ordinance 76-11 by title only.

Clerk Dolnick then read Appropriation Ordinance 76-11 by title only.

Councilpresident Blume then read the legislative synopsis for Appropriation Ordinance 76-11.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-36 by title only.

Clerk Dolnick then read Ordinance 76-36 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-36.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-27 by title only.

Clerk Dolnick then read Ordinance 76-27 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-27.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-35 by title only.

Clerk Dolnick then read Ordinance 76-35 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-35.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-37 by title only.

Clerk Dolnick then read Ordinance 76-37 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-37.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-34 by title only.

Clerk Dolnick then read Ordinance 76-34 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-34.

Tom Crossman then gave the annual report for the Plan Department. He noted that the Council has received an addendum to the annual report, which updates the report, covering the last six months.

First Readings
APPROPRIATION
ORDINANCE 76-11
\$1.764.15 from
General Fund to
Bd. of Works re:
Repairs to Struc-
tures & Buildings

ORDINANCE 76-36
To Specify Con-
demnation Powers
in Bd. of Works

ORDINANCE 76-27
Council/Mayoral
Appts. to Boards
& Commissions
re: Synopsis
Requirement

ORDINANCE 76-35
Appointment of
Half of Human
Rights Commission
by Common Council

ORDINANCE 76-37
To Repeal "Intox-
icating Beverages
Consumption in
Public"

ORDINANCE 76-34
To Amend "Sewers"

ANNUAL REPORT
Plan Department

He also supplied the Council Office with copies of preliminary drafts of reports mentioned in the addendum.

Councilmember Richardson inquired about the possibility of consolidating the Engineering, Redevelopment and Planning Departments, as had been discussed last year. He asked what progress has been made since Pat Patterson and Norman Perry have been with the city, and whether there is still a necessity for the merger to take place.

Tom Crossman answered that communications between the departments has been improving, noting that there is a close functional relationship between Planning and Engineering, but those areas are in permits and zoning enforcement. He continued that there are many areas in both departments that are not related to other departments.

Councilmember Richardson then asked in the booklet that had been discussed by Planning, Redevelopment and Planning that would help people through the permit process has been completed.

Tom Crossman answered that the addendum notes that the booklet is available in draft form at the Plan Department. The booklet reports only on how things are at the present time, and that they are also concerned about changes in administrative procedures and regulatory measures to streamline the operation.

Councilmember Olcott asked if there could be one office that a person could go to to receive information about permits, without going back and forth between Planning and Engineering.

Tom Crossman replied that the way the offices are now set up, it would make such a suggestion difficult to carry through on, but he added that the permit process could be centralized.

Councilmember Towell commented that the Plan Commission was very pleased with the draft of the booklet on directions for people going through the Planning and Engineering Department. He said a street guide is also needed for the city, and that he would like to see planning done for that so that the option is available at budget time so that they could have a more rational basis for decision making.

Councilpresident Blume suggested that the thoroughfare study be carried through with.

Tom Crossman answered that a document is filed in the Council Office that is a summary of thoroughfare information. Relatively complete data on traffic flows is available.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to accept the Plan Department's Annual Report as submitted.

The Plan Department's Annual Report was then accepted by a unanimous voice vote.

Councilmember De St. Croix moved and Councilmember Middleton seconded a motion to accept the minutes of 20 May 1976 as amended.

The minutes of 20 May 1976 were then approved by a unanimous voice vote.


Councilmember Towell then stated that he plans to sponsor whatever legislation is needed to prune the list of committees and commissions. We would like to hear from them very soon to find out if they are meeting, what they have done, how many people have attended, whether they have had a quorum, etc. He stated that if the information is not provided and the particular commission or board has a budget, he would vote against the budget.

Councilmember De St. Croix suggested that the reports be submitted to the Council by June 30. If the Council does not hear from them, they will have to assume that they do not exist.

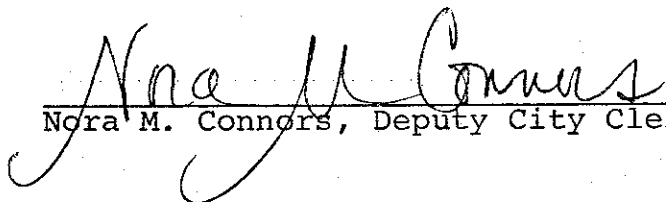
Councilmember Richardson moved and Councilmember De St. Croix seconded a motion to adjourn. The meeting was then adjourned at 8:55 p.m.

ADJOURNMENT

APPROVE:


Patricia M. Kinzer, President Pro-tem,
Bloomington Common Council

ATTEST:


Nora M. Connors, Deputy City Clerk