

In the Common Council Chambers held on August 5, 1976, in the Municipal Building at 7:30 p.m., with Councilpresident Blume presiding.

REGULAR SESSION  
COMMON COUNCIL

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

ROLL CALL

City Officials Present: Steve Richardson, City Attorney; Norman Perry, City Engineer; Pat Gross, City Controller; Noble Baugh, Head, Sanitation; Bill Wilson, Director, Parks and Recreation; Pat Patterson, Director, Redevelopment; Leo Burke, Director, Human Resources Department; Jim Wray, Director, Transit; Bob Schmuhl, President, Utilities Service Board; Jean Strohm, Executive Secretary, Board of Public Works; Eve Berry-Brigl, Program Coordinator; Michael Corbett, Mayoral Aide; John Komoroske, Council Administrator/Attny.; Karel Dolnick, City Clerk; Mayor Frank McCloskey.

CITY OFFICIALS  
PRESENT

Councilpresident Blume then gave the agenda summation: for Section Reading, Resolution 76-28, Temporary Loan of \$100,000 from Local Road and Street Fund to Parks and Recreation Department; Resolution 76-29, To Support a Request from the Stonebelt Center for \$54,500 in Revenue Sharing Funds; Ordinance 76-49, To Transfer the Balance of Parking Meter Fund and Parking Meter 'A' Sinking Fund to the General Fund; Appropriation Ordinance 76-15, To Appropriate Funds from General Fund to Board of Public Works, and Federal Revenue Sharing to Parks and Recreation Department; Appropriation Ordinance 76-14, To Appropriate Funds from General Fund to Human Resources Department; Federal Revenue Sharing to Controller's Office, and Federal Revenue Sharing to Transit Department; Resolution 76-31, Budget Transfer for Sanitation Department; Ordinance 76-50, Salary Ordinance for Assistant Director of Utilities; Resolution 76-30, Budget Transfer for Engineering Department; Resolution 76-32, Regarding the Reprogramming of Funds in the Community Development Program Budget and Community Development Budget; Ordinance 76-48, To Repeal and Re-enact Chapter 18.04 of the Bloomington Municipal Code, entitled, "Fire Prevention Code" (tabled until August 19 meeting). For First Reading, Appropriation Ordinance 76-16, To Appropriate Funds from Federal Revenue Sharing to Human Resources Department; Ordinance 76-45, Residency Requirements for City Employees; Ordinance 76-53, Budget Transfer for City Court and Controller's Office. Also the Annual Report for the Common Council and minutes of July 1, 1976.

AGENDA SUMMATION

Mayor McCloskey noted that the proposed franchise agreement between the civil city and utilities has been received. He said it would increase the amount that the city receives from the utilities, to \$300,000, adding that Mr. Coulter has endorsed the franchise. He continued that there should be an increase in the amount of hook-ons for the next two years, and that he should be receiving confirmation from the state on the matter on August 6. He added that he does favor the Stonebelt Proposal, noting that it would help the city to have a program that would infuse a \$400,000 grant into Bloomington, and increase employment.

MESSAGE FROM THE  
MAYOR

Councilmember Middleton said the recent efforts of the coaches in the Olympic games should be acknowledged, since they contributed so much to the success of the United States Olympics. He moved that the Council go on record as giving thanks to the efforts of the unsung heroes of the Olympics. Councilmember Blume seconded the motion. Council approved the motion by acclamation. Secondly, said that he is upset by the suit to require funds for the ambulance service, adding that anything as vital as this service should be provided without going through endless political hassles. He noted that the city's

ambulance service is one of the best in the state, and that criticism and litigation drives this service into a difficult situation.

Councilmember Olcott noted that Councilmember Richardson has been quite ill, and added that the Council wishes him a speedy recovery.

Councilmember De St. Croix responded to Councilmember Middleton's statement by saying that the ambulance service was an agreed upon contract between the city and the county. He said city residents are getting ripped off by the county, since they have reneged on their committment to the ambulance service, animal control, and parks and recreation. He added that those are facts, not political issues.

Councilpresident Blume noted that John Komoroske will be leaving the Council staff, and that the Council will be searching for a replacement for John this month.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Resolution 76-28.

RESOLUTION 76-28  
Temporary Loan to  
Parks and Recreation  
from Local Road and  
Street Fund

Clerk Dolnick then read Resolution 76-28.

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

Councilmember De St. Croix then gave the committee report from Community Resources, noting a unanimous Do Pass recommendation. He said this is a normal procedure, and that the funds will be repayed by December, 1976, when they will make their next tax draw. He moved Resolution 76-28 be adopted.

Councilmember Morrison seconded the motion.

Councilmember Kinzer noted that she had been assured that this loan will not interfere with any present or future projects in the Street Department.

There was then general discussion between Councilmembers and Pat Gross, City Controller, concerning the terms of the loan and the \$100,000 error in the Parks and Recreation budget.

Councilmember Towell asked for a rundown of the various special appropriations to Parks and Recreation during the last year.

Bill Wilson, Director of Parks and Recreation answered that the only appropriations made were in the early part of the year. One was made that was appropriated in 1975, but the funds were not available and did not take place because funds were not available. It was reappropriated this spring under the capital improvements program for Park Ridge East and West and Sherwood Oaks for \$26,000. There was \$2,000 for University Park. There was a revenue sharing appropriation for the updating of the Master Plan. There have been no requests for general operations, only capital improvements and the Master Plan.

Resolution 76-28 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Resolution 76-29.

RESOLUTION 76-29  
Stonebelt Request  
for Revenue Sharing  
Funds

Clerk Dolnick then read Resolution 76-29 in entirety.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Resolution 76-29.

Councilpresident Blume then read the legislative synopsis for Resolution 76-29.

Councilmember De St. Croix then gave the committee report from Community Resources, noting three recommendations. One, unanimously recommended that the word "federal" be inserted before "revenue sharing" wherever it is used;

secondly, that the reference to federal revenue sharing be listed as the Federal Revenue Sharing Act to Extend and Amend the State and Local Fiscal Assistance Act of 1972. Finally, by a vote of Ayes: 4, Nays: 1 (Kinzer), the committee voted to attach a rider that states that Stonebelt will repay 40% of the \$54,500 by the end of the calendar year 1978. The 40% figure is an estimate by the assistant director as the percentage of county residents using the facility. The committee then voted to the Resolution 76-29 a Do Pass as amended recommendation by a unanimous vote.

Councilmember Middleton moved and Councilmember De St. Croix seconded a motion to insert "federal" before the word "revenue sharing" wherever it is used in the resolution. Council adopted the motion by acclamation.

Councilmember Middleton noted that the county has contributed \$115,000 to the original Stonebelt building and has contributed an average of \$34,500 per year over the last six years to meet operating expenses. He said despite the double taxation on city residents, if the center is going to be supported, it should be without any significant strings attached. He said the city needs to co-sign a loan for Stonebelt. He noted that if the city doesn't take action soon, they may lose the grant.

Councilmember Kinzer said this is another example of why the city should be moving towards a city-county type of government, since the city is continually subject to double taxation.

There was then general discussion regarding the feasibility of Stonebelt repaying 40% of the \$54,500. It was noted that Stonebelt is restricted from additional fund-raising by United Fund solicitation bans.

Councilmember De St. Croix noted that it has been said that this will be a tremendous employment benefit to the community, but added that he is not aware of any contractual agreements between Stonebelt and its laborers that its workers must come from the city. He said he is proposing that the city give the funds to Stonebelt outright, and that 40% be repaid over a two year period.

Mrs. Burton and Leo Burke explained that Stonebelt is in danger of losing the grant if funds are not forthcoming soon, and secondly, the construction costs are spiraling and the amount of square footage lost since the original grant was given has been reduced by one third due to these raising costs. Leo Burke noted that it did take Stonebelt several years to raise the \$58,000, and they are not only hindered by the United Way restrictions but also by the tight economy.

Councilmember Towell expressed his agreement with Councilmember De St. Croix, stating that the double taxation is not fair, and the 40% repayment is not unreasonable. He noted that the problem is that the county cannot finance the things that it should be doing, such as parks, ambulances and animal control, the reason being the tax freeze by the state.

Councilmember De St. Croix moved that a new section four be added to read: Council in rewarding these funds expects and anticipates the repayment of 40% of these funds (\$21,800) by the Stonebelt Center to the City of Bloomington within the next two calendar years, said period ending on December 31, 1978. Councilmember Towell seconded the motion.

Mayor McCloskey remarked that Stonebelt is one of the more worthwhile things in Bloomington, which operates on federal, state and county funds. He said he would endorse a no strings attached version of the ordinance.

Councilmember Middleton asked if the state will count the match as \$54,500 or \$21,800.

## **CLERK'S NOTE 2-24-15**

On page 4 of the minutes for the Regular Session of the Common Council held on August 5, 1976, there are two typographical errors.

The fourth and fifth paragraphs have the wrong legislation type listed, and should read as follows:

“Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt **Resolution** 76-29 as amended.

**Resolution** 76-29 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0.”

Mrs. Burton answered that the only way to find out would be to ask them, adding that she would guess they would consider the \$21,800 borrowed money, and that they would question how Stonebelt would pay it back.

Councilmember De St. Croix noted that the ordinance does not say Stonebelt is required to pay back the funds, it says expects and anticipates. He said the days of the City of Bloomington paying for projects that also involve the county are over, adding that the city can no longer afford it.

The amendment to attach a rider requesting repayment of \$21,800 to the City of Bloomington from Stonebelt was adopted by a ROLL CALL VOTE of Ayes: 6, Nays: 2. Nays: Councilmembers Kinzer and Middleton.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Ordinance 76-29 as amended.

Ordinance 76-29 was then adopted by a ROLL CALL VOTE of Ayes: 8, Nays: 0.

There were comments during the vote to the effect that the Council would like to reconsider the ordinance if Stonebelt finds out that they cannot use the \$21,800 as matching funds.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-49 by title only.

ORDINANCE 76-49  
Transfer Balance of  
Parking Meter Fund/  
Parking Meter 'A'  
Sinking Fund to General  
Fund

Clerk Dolnick then read Ordinance 76-49 by title only.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Ordinance 76-49.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-49.

Councilmember De St. Croix then gave the committee report from Community Resources, noting a Do Pass recommendation by a vote of Ayes: 4, Abstentions: 1 (Kinzer).

Pat Gross explained that the earlier transfer of funds in Resolution 76-28 had nothing to do with Ordinance 76-49, noting that it is merely a coincidence that they are being discussed at the same Council meeting. She said if the next item on the agenda is passed, Appropriation Ordinance 76-15, there would be a special Parks and Recreation General Fund Budget set up under the General Fund to be spent out.

Councilmember Towell asked why Parking Meter 'A' Sinking Fund is now defunct.

Pat Gross answered because the bonds have been paid off in entirety. She said the money in the fund comes from parking meters in parking lots.

Councilmember Kinzer said there was a question asked at the committee meeting regarding whether the original ordinance specifically spells out that the monies in the fund are to be used to pay off bonds and then to channel the remaining monies into parking facilities.

Steve Richardson answered that if an additional lot was wanted, the funds would have to be transferred into the General Fund, and a new parking meter establishment ordinance would have to be written because the state legislature has replaced the procedures.

There was general discussion regarding the transfer of funds and the relationship between Ordinance 76-49 and Resolution 76-28 and Appropriation Ordinance 76-15.

The Council then took a ten minute break.

Councilpresident Blume explained that a letter is being passed for signature by the Council to the Indiana Alcoholic Beverage Commission for a supplemental Sunday sales retain permit for Sully's Oaken Bucket. He then asked for Petitions and Communications from the audience.

Carolyn Wampler, an employee of Indiana University, then spoke to the proposed ordinance to remove parking from Seventh Street between Indiana and Woodlawn Streets. She noted that the parking situation is very bad as it is, let alone if you took parking off Seventh Street.

Councilmember De St. Croix asked Ms. Wampler to come before the Council at the committee meeting of Planning/Community Development where the ordinance will be discussed. He added that there is a continued unwillingness by the university to meet its obligations to its employees in providing parking, noting that it has been a problem for a long time. He said the city does not have the power to tell the university what to do in terms of its own facilities.

Pat Gross then continued discussion on Ordinance 76-49. She noted that Mr. Tjardes and Mr. Toma had said they'd been told at Downtown Merchant's Association meetings that the city could not fund new parking lots because the city was barely able to pay off the bonds on the lots they had. She said the answer is that until 1975, there were two bonds being paid off at the rate of \$70,000 per year. Last year one was paid off, and \$35,000 was then built up. Until 1975, there was no extra money, which is why they were told there were no funds.

Councilmember Towell commented that he is very reluctant to take money out of parking meter funds when the funds are needed there for new lots. He said that since the bonds are paid off, there should be \$70,000 per year in the future available for parking facilities.

Steve Richardson said the Mayor has instructed the Legal Department to begin preparation of bond issue parking, in the sum of approximately \$400,000, and should be before the Council in the fall.

Ordinance 76-49 was then adopted by a ROLL CALL VOTE of Ayes: 5, Nays: 2 (Morrison and Towell). Councilmember Kinzer left the meeting due to illness.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Appropriation Ordinance 76-15 by title only.

APPROPRIATION ORD. 76-15  
From General Fund to  
Bd. of Works, FRS to  
Parks and Recreation

Clerk Dolnick then read Appropriation Ordinance 76-15 by title only.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Appropriation Ordinance 76-15.

Councilpresident Blume then read the legislative synopsis for Appropriation Ordinance 76-15.

Councilmember De St. Croix then gave the committee report from Community Resources, noting a unanimous Do Pass recommendation, contingent upon the Council's passage of Ordinance 76-49 (which was passed by a vote of Ayes: 5, Nays: 2).

Councilmember Towell remarked that he is for making up the \$100,000 deficit in the Parks and Recreation budget, though he is against the way it was made up. He said District 2 is not being given an equal share in the parks programs, noting there is no park property for use in District 2. He added that the improvements that were promised for University Park did not take place. He said he has voted generously for parks programs in the past, but that there will have to be more equity for citizens in the second district or he will have to discontinue doing so. He said there is nothing in the budget for neighborhood parks.

Councilmember De St. Croix commented that he agrees that the Council has not successfully addressed their responsibility to neighborhood parks. He said he will also have to reconsider voting for a supportive position in regards to Parks and Recreation if there are not changes made in the area.

Councilmember Middleton asked if Bill Wilson is exploring the possibility of utilizing some of the condemned properties in the "east side inner-city".

Bill Wilson said it was being addressed in the Master Plan. He said there are two areas lacking, one is the area Councilmember Middleton mentioned, and the other is Miller Drive. He said there is a problem in acquiring land, noting that there is very little open space for parks.

Appropriation Ordinance 76-15 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Appropriation Ordinance 76-14 by title only.

APPROPRIATION ORD. 76-14  
From General Fund to  
Human Resources, FRS to  
Controller's Office and  
Transit Department

Clerk Dolnick then read Appropriation Ordinance 76-14 by title only.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Appropriation Ordinance 76-14.

Councilpresident Blume then read the legislative synopsis for Appropriation Ordinance 76-14.

Councilmember De St. Croix then gave the committee report from Community Resources, noting a unanimous Do Pass recommendation on all sections.

Appropriation Ordinance 76-14 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Resolution 76-31 in entirety.

RESOLUTION 76-31  
Budget Transfer for  
Sanitation Department

Clerk Dolnick then read Resolution 76-31 in entirety.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Resolution 76-31.

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

Councilmember De St. Croix then gave the committee report from Community Resources, noting that the committee made no recommendation, but asked that the Board of Works write out the specific uses of the pickup truck to be prepared in time for packet distribution. The request was for a policy statement by the Board of Works regarding use of the vehicle. (He then read the statement from Jean Strohm, which made reference to "the city policy on vehicles). He then asked for a definition of what the city's policy on vehicles is before the Council approves the transfer. He continued that the city has been offering some employees the "freebee" benefit of a vehicle which is theoretically used for transportation from work to home and home to work. He noted that the vehicles are often used to go to the store or to the laundry, and have even been seen in other counties. He moved that the Council table Resolution 76-31 until they receive a specific statement by the Mayor of the policy on city-owned vehicles. Councilmember Middleton seconded the motion.

Councilmember Towell moved that Resolution 76-31 be tabled by acclamation. Councilmembers De St. Croix and Middleton concurred with the recommendation.

Councilmember Young asked if the Board of Works has looked into receiving bids on trash collection as opposed to the city's collection.

Jean Strohm answered that the Council should soon be receiving the information. She explained that the Sanitation Department's truck is a 1969 truck with 80,000 miles on it. She said it is not worth repairing, adding that the Council would be jeopardizing the service by not making the transfer. She continued that the truck is to be used in connection with the garbage service and not as a personal vehicle.

Councilmember Olcott asked if Noble Baugh can get his truck repaired at the Service Center.

Noble Baugh answered that it often takes too long for them to get out to a garbage truck, and that the service center only dispenses gas twenty-four hours a day, not service. He said that it costs twelve dollars to get a flat tire changed at the service center, while they can do it themselves for free. He noted that the Sanitation Department has saved a lot of money by making their own repairs. He said the clutch on his truck is slipping, noting that the truck could break down tomorrow. He said it was purchased used three years ago.

Councilmember De St. Croix then withdrew his motion to table. Councilmember Middleton withdrew his second.

Resolution 76-31 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-50 by title only.

ORDINANCE 76-50  
Salary Ordinance for  
Assistant Util. Dir.

Clerk Dolnick then read Ordinance 76-50 by title only.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Ordinance 76-50.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-50.



Councilmember De St. Croix then gave the committee report from Community Resources, noting a unanimous Do Pass recommendation.

Ordinance 76-50 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Resolution 76-30 in entirety.

RESOLUTION 76-30  
Budget Transfer for  
Engineering Department

Clerk Dolnick then read Resolution 76-30 in entirety.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Resolution 76-30.

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

Resolution 76-30 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Resolution 76-32 in entirety.

RESOLUTION 76-32  
Reprogramming of Funds  
in Community Development  
Program Budget and CD  
Budget

Clerk Dolnick then read Resolution 76-32 in entirety.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to adopt Resolution 76-32.

Councilpresident Blume then read the legislative synopsis for Resolution 76-32.

Councilmember De St. Croix then spoke as a Miller Drive resident asking Council to support the Redevelopment Commission's actions in this area, even though they are not required by state or federal guidelines to receive approval by the Council. He said his neighbors are very pleased that sewer lines are now actually be installed in Miller Drive, as they have been fighting to get them for several years.

Councilmember Morrison then gave the committee report from Planning/Community Development, noting a Do Pass recommendation. He said this resolution would bring the sewer line to the property line.

Pat Patterson noted that Redevelopment has programmed \$100,000 in CD funds for Miller Drive sewers. 81.9% of the project is now complete, which is \$127,073.29. The \$32,000 above and beyond that is for the lateral installation. He added that Utilites put in \$50,000 in engineering and planning funds.

Resolution 76-32 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to table Ordinance 76-48 since no representative of the Fire Department was present.

ORDINANCE 76-48  
To Repeal and Re-enact the  
Fire Prevention Code

Steve Richardson said they had brought all of the inspectors to the committee meeting to answer questions. He said he is at the meeting to discuss the ordinance.

Councilmember De St. Croix noted that the Council has often requested that if a department or commission has an ordinance or resolution before the Council for action, that the department should have a representative present.

Ordinance 76-48 was then tabled by a ROLL CALL VOTE of Ayes: 6, Nays: 1. Nay: Blume.

Councilmember Olcott moved and Councilmember Middleton seconded a motion to adjourn, noting that it was past 10:30 p.m.

The motion failed by a ROLL CALL VOTE of Ayes: 3, Nays: 4. Nays: Councilmembers Towell, De St. Croix, Young and Blume.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Appropriation Ordinance 76-16 by title only.

APPROPRIATION  
ORDINANCE 76-16  
FRS to Human Res.

Clerk Dolnick then read Appropriation Ordinance 76-16 by title only.

Councilpresident Blume then read the legislative synopsis for Appropriation Ordinance 76-16.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-45 by title only.

ORDINANCE 76-45  
City Employee  
Residency Requirements

Clerk Dolnick then read Ordinance 76-45 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-45.

Councilmember De St. Croix noted that the committee meeting where the Ordinance will be discussed will be held next Monday at 7:30 p.m. in the Common Council Chambers.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to introduce and read Ordinance 76-53 by title only.

ORDINANCE 76-53  
Budget Transfer for  
City Court & Controller

Clerk Dolnick then read Ordinance 76-53 by title only.

Councilpresident Blume then read the legislative synopsis for Ordinance 76-53.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to accept the Annual Report from the Common Council.

ANNUAL REPORT: Common  
Council

The annual report for the Common Council was then accepted by acclamation.

Councilmember De St. Croix moved and Councilmember Morrison seconded a motion to accept the minutes of July 1, 1976.

MINUTES: July 1, 1976

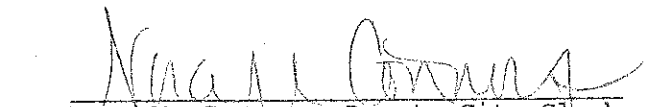
Minutes of July 1, 1976 were then accepted as submitted. The meeting was then adjourned.

ADJOURNMENT

APPROVE:

ATTEST:

  
Clem J. Blume, President  
Bloomington Common Council

  
Nora M. Connors, Deputy City Clerk