

In the Common Council Chambers of the Municipal City Building, held on Thursday, June 19, 1975, with Councilpresident De St. Croix, presiding, at 7:35 p.m.

COMMON COUNCIL  
REGULAR SESSION

Present: James Ackerman, Richard Behen, Flo Davis, Wayne Fix, Brian C. De St. Croix, Jack Morrison, Al Towell, & Charlotte Zietlow.

ROLL CALL

Absent: Sherwin Mizell.

City Officials Present: Michael Corbett, Assistant to the Mayor; Tom Crossman, Planning Director; Larry Owens, City Attorney; Leo Hickman, President Board of Public Works; Marvard Clark, Engineering Department; Carl Chambers, Chief of Police; David Kramer, Parkridge Association; James Wray, Director of Transportation; Walter Leach, Social Security Department.

Others present totalled 25, including members of the press.

Councilpresident De St. Croix began the meeting with an agenda summation of the evenings business.

AGENDA SUMMATION

Councilman Ackerman: Just one announcement. The Animal Control Commission two weeks ago, and the Community Resources subcommittee of the Council, has met to try to fill the absence of Dr. Ted Torrey, who has resigned as Chairman of the Animal Control Commission, and asks for a replacement. The Community Resources Committee of the Council would like to recommend Dr. Pat Riggins, who is a veterinarian, and whose expertise I think would add greatly to the services of the Animal Control Commission. So, I would like to move that he be appointed.

MESSAGES FROM COUNCIL  
MEMBERS

Councilpresident De St. Croix: Do we have any information on that?

Councilman Ackerman: No, there is none. I could give you background. He is a licensed veterinarian in the state of Indiana. He runs a veterinary clinic in the College Mall.

Councilpresident De St. Croix: How does he feel about strong enforcement of the Ordinance?

Councilman Ackerman: I think he supports it.

Councilpresident De St. Croix: Could we have some more information before we make that appointment? That is a request from me as a member of the Council.

Councilman Towell: I'm personally acquainted with him. He's Wag's vet. I would highly recommend him for this; I'll just say that.

Councilpresident De St. Croix: It seems to me, again as a member of the Council, that this has been a problem that has haunted not only this administration, but others. We are not having a fourth attempt at considering a piece of legislation that might solve the problem. I personally feel that appointments to the Animal Control Commission at this point probably are as important an appointment as the Council will be asked to make in some time, and that is why I made this request.

Councilman Behen: Are you going to touch base with him as far as some of the things that you ...

Councilman Ackerman: I'll be glad to, if some people would let me know what your questions are. I don't think it has been customary in the past to ask appointments where their position is on certain items, but if members of the Council would like to raise specific questions to people we would like to recommend, please get the questions in, and we will try to prepare something.

Councilman Behen: This has been something going through the back of my mind ever since I knew it was a concrete Ordinance, as far as the way it was going to be presented, as what a veterinarian might think of the \$20 license fee for non-neutered animals, because he would be in a good position to know the pros and cons of what his patient's owners felt.

Councilman Ackemran: Well, let me just ask that any questions that you may like Dr. Riggins to respond to, you should get them in to the Council Office by Monday.

Councilpresident De St. Croix: I would support the nomination of the Council, if we would have a clear picture of the nominee's viewpoints. I believe that Dr. Riggins would support strong enforcement; I would at this point be willing to take your word for it.

Councilman Ackerman: We have received recommendations from many groups that the next appointment to the Animal Control Commission be a veterinarian. This has been one point of view of expertise that

has been lacking on the Commission in the last three years, and this is why we took steps to move in that direction.

Councilpresident De St. Croix: Do we have a motion for this?

Councilman Ackerman: It was moved but...

Councilwoman Davis: I'll second it.

Councilpresident De St. Croix: Does the Council wish to vote on it at this time?

Councilman Towell: Well, I happen to know the man and I think he is quite outstanding. One of the things that has struck me about my relationship with him, is that when he thinks that something is not especially in his competence, he recognizes that very quickly and sends you somewhere else where he knows you can get good service. I think he has a very good public spirited attitude towards his profession.

Councilwoman Zietlow: Councilman Ackerman, I believe Dr. Riggins, or what ever, was at the Public Hearing?

Councilman Ackerman: Yes, he did. He attended it.

Councilwoman Zietlow: Did you get some indication there of his sentiments?

Councilman Ackerman: He didn't speak too much. He was there more as an observer to..I was just going to support Councilman Towell's remark. I do use his services for my cat, and I do know that at least from my conversations with him, that he does support the spaying program, and I would recommend his appointment.

Councilpresident De St. Croix: Further discussion on the motion? Clerk Dolnick please call the roll. The motion again is to approve the Community Resources recommendation of Dr. Pat Riggins as, is that correct?

Councilman Ackerman: Excuse me. I should not have made that as a Community Resources Committee recommendation. I raised his name, I hope I called Councilman Fix. I'm a little vague on this, on whether this appointment was cleared. I think I did as a member of the Commission, cleared it with the appropriate Committee of the Council.

The appointment of Dr. Pat Riggins to the Animal Control Commission was passed by a ROLL CALL VOTE of AYES: 8, NAYS: 0.

Councilpresident De St. Croix: The appointment of Dr. Pat Riggins as the Council's appointee to the Animal Control Commission is adopted unanimously. Further messages from Council members?

Councilwoman Zietlow: We have been attending meetings of the Planning Committee for the International Woman's Commission Year which is being dealt with by a number of organizations in the City including the Woman's Commission and groups from the University, and a number of organizations in town. The International Woman's Year is being planned now, as a four week project starting in September. There will be four focal points for the celebration. The first week is going to be the woman as a historical force, the second as an economic force, the third week, woman as a creative force, and the fourth week, woman as a political force. Each week is being worked on by a Committee. People who are interested in working on these committees are urgently asked to notify the Council office or members of the Women's Commission to indicate their preference as to which week they would be working on. This will hopefully be an educational experience for the people who are working on it, as for the Community themselves as well. Also, the Economic Development Commission is working with my Committee of the Council to determine the direction of the job description of an Economic Development Coordinator, as we discussed in the Workable Program. If you have suggestions, let me know.

Councilpresident De St. Croix: If people do have suggestions regarding that position, please contact the Council office or Councilwoman Zietlow. As you may remember, we did create the Economic Development Coordinator position. I would like to read a letter the Council has received here from the Monroe County School Corporation extended services. It's to Mr. Carl Chambers, Chief of Police, Bloomington Police Department, Bloomington, Indiana. At this time I would like to congratulate your department for expressing my appreciation for the efficiency your department demonstrated during the recent tornado emergency. An individual acknowledgement for personal efficiency and performance should be given to officers Raymond Martin, Lois Ann Bruce, Dispatcher Jane Fernandes, Sergeant John Krentler.

Our Community appreciates the work and professionalism contributed during such a time of emergency. Sincerely, Robert M. Young, Director of Extended Services. I thought this was a pretty positive commendation to the Bloomington Police Department. Since we are frequently more inclined to make condemnations rather than commendations to the police, I thought I would indicate that they have provided a meaningful service there. Next item on the agenda is Ordinance 75-20.

Councilman Ackerman: I'd like to move to add to the agenda, Appropriation Ordinance 75-4, part of which was tabled last time, the section on the transfer of funds to the Older Americans Center, and I'd like to move that this be added after Ordinance 75-20.

Councilpresident De St. Croix: Mr. Ackerman, considering the lateness of the request, and the attempt to order the Second Reading in some sort of progression, and people having come to the Council Meeting with the consideration of when those things are at, could we perhaps put that down as item number nine?

Councilman Ackerman: Fine.

Councilwoman Davis: Second.

Councilpresident De St. Croix: The agenda is expanded. The first item of the agenda is Ordinance 75-20, Limited Business Zone. Do we have a motion?

Councilman Morrison: I move that Ordinance 75-20 be introduced and read by the Clerk by title only. Councilman Towell seconded the motion. It was passed by a unanimous voice vote of the Council.

Clerk Dolnick read Ordinance 75-20 by title only.

Councilman Morrison: I move that Ordinance 75-20 be adopted. Councilman Towell seconded the motion.

Councilpresident De St. Croix: Is there a presentation from the Council Committee on Planning and Community Development?

Councilman Towell: We have almost too much coming from our Committee. There is a four-page single spaced report for you. Anyone who doesn't have it? I will try to give the highlights of this as a presentation. For one reason or another I was the only member of the

committee who was able to participate in the consideration of this Ordinance. We felt an urgency in going on with the Ordinance because of the Council's expressed wish to expedite the matter. An evening meeting was held to make it possible for the public to attend and express support or criticism. This was held June 11, in the Planning Conference Room. I am very grateful for the support from Charlotte Zietlow, who attended the meeting. She can add her thoughts and observations to mine. This I think, is a very important Ordinance. It is the first major revision of the Ordinance for quite a while. It shows many patterns of thinking, on the part of the staff of the Planning Commission. It should be noted it will immerse the Council once again in all those considerations of zoning that we went through for so many meetings in 1973. This Ordinance proposes replacing two zones in the present Ordinance with a single B.L. zone. The old zones were known as B.L. and B.I. light business, and institutional business. Substitution of this zone for the two says that the old B.I. was unworkable. There have been no applications for it. I could be wrong, but at least there has not been applications for it. It's also support for the general idea of B.I. that has wider application with modification. The old B.L. was intended to provide convenience goods and services in close proximity to residential areas. Somewhat redundantly it specified design regulations, intended to make the business establishments compatible with the adjacent residences. The regulation specified area or floorspace, height and placement of the structure. It required new developments to contain a logical grouping of facilities to prevent a residential area from being dotted with single stores. It was an attempt to specify how parking could be nestled next to residential areas while the rights of residents were fully respected. After all, the conditions were laid down, no one wanted to build shopping in this kind of zone. The B.I. zone took as it's purpose, the provision of shopping facilities, personal services, and professional services normally required on a regular basis for populations associated with major institutions, of which on, the University was mentioned as the sole member of the class. Concern with the adjacent zones was not a major consideration because the primary factor was that it could be next to the large population and expanse of an institution

well able to take care of itself. It was anticipated that a large part of the users of goods and services would be people who walked in, thus the parking requirement did not need to be strict. The areas for B.I. were usually major thoroughfares, and therefore in areas suitable for arterial business if that had been needed. B.I. zones were not used for buffering residential uses. If I'm wrong about anything, I can be corrected. The new B.L. takes its approach from permitted uses, from the B.I. zone. One of its purposes is providing retail goods and services which are required for the daily or regular convenience of the citizens of the citizens of Bloomington. That sounds almost like the B.I. but applied to the whole city. There is only one use in the B.I. zone which is not permitted in the new one, eating and drinking, but not drive-in. This was permitted in both B.L. and B.I., but is not permitted in the new B.L. Newly permitted uses as compared with the old B.L. number nine, duplexes, and all the residential, duplexes, and all the residential, duplexes, have a limitation, townhouses, bakeries, florist shops, giftshops, jewelry shops, business and professional offices, and doctors and dentists offices. In addition, there were two new restrictions that applied to uses that were permitted in the old B.L. branch banks in the old B.L. and were not restricted to arterial streets as they are in the new one. Grocery and meat stores were not restricted, are not restricted to 3,000 square feet, which would be about the size of the IGA on Second Street. The B.I. zone, which is now being phased out, includes all of the above uses except business and professional offices and doctors and dentists Offices. Notice that they are really new uses in the zone. It also shares the restriction on the size of the grocery stores which is now being removed. The new B.L. would not allow the following which were allowed in the old institutional business, auto parking, sale of books and newspaper, liquor stores, sporting goods store, and bars and taverns. You can see how they might be more permissible around a University, than they are next to a residential section, perhaps, that's the idea. The following uses are limited when compared to the old B.I. duplexes, townhouses, fourplexes, and branch banks which now are limited to arterial streets. The other main purpose besides allowing retail goods and services which are required for the daily or regular convenience of the citizens of Bloomington, which are now the following two to provide a transition between residential sections of the community and the more intense

industrial or commercial land uses. Secondly to provide a transition between residential and commercial facilities within the same building, within a single building or development project. These actually are the same idea. The transition between residential and commercial zones is made by allowing the intrusion of residential uses into a primarily commercial zone, and by applying some of the standards of the adjacent residential zone to residential units which border on them. When the residential, adjacent residential zones are in the R.S. single family, the bulk and density problem are those of R.M., which is our transitional zone. It is where perhaps, houses are beginning to be broken up into separate units and that kind of thing, when the old single family classification is breaking down. When they are adjacent, when these residential lots are adjacent to central business zoning, the central business standards for residential units apply. Otherwise, the buildings containing residential units which might be partly commercial, should have access to the Business Arterial or collector streets and high density standards apply. These are the major provisions that condition residential zones uses in the new zones. They are what I referred to as limitations on them earlier. Also the parking requirements are to be the same as the business and the residential use requirements. I think that makes sense, if you have both in a building, then you should add the two requirements. Well, the Committee received a long communication from various people within the Community, Marie Harlan of Contact, Lana Jenkinson, for the Parkridge Association. In addition, David Kramer, President of the Parkridge Association, attended our meeting. Some of the major points of discussion were the following. One major reason for having the new zones, was the conclusion of a business and office use. This use is more compatible with nearby residential areas than many others. It is not noisy and is not a big traffic generator. The inclusion of grocery and meat use without any restriction as to size and location, was the major objection brought up by the people who attended our meetings. The Planners approved it because 3,000 square feet limitation meant that no stores were built. The objectors said that a major market was out of scale with other uses in the new zone and would lead to objections to the zone on the worst use. That is, if someone came in and wanted that classification. they would say, well they might put in a grocery, a large grocery. I think that this means that this use should be taken out of the Ordinance. This is my



personal opinion. Are we suffering from a lack of groceries? I think that is rhetorical, we are not. Third, an objection was made to communications use. That is, people might build transmission towers in this zone and the rhetoric was, that nothing could be done to keep them out. They are already an exceptional use in all zones, and besides the Utilities have their way. The solution seems to be that it was desirable to have them out of the Ordinance, but they would be an exceptional use, and a hearing would have to be held before they would be built. If I am not making the point correctly, people who are here can correct me. Branch banks and doctors and dentists offices are large traffic generators. Nowadays doctors have a lot of people in and out of their offices. The questions arise, should they be in this zone rather than in B.A. or Arterial Business? I'll just leave that question there, although I have some comments. The communications we received also went into parking requirements for the zone. They said that parking requirements should be relative to floor size. The planners insisted that the parking requirements were often too strict and led to the paving of more ground than was desirable. Perhaps a maximum provision is needed as well as a minimum provision. In the modification from B.I. to B.L. nonoffensive uses, at least what I think of as nonoffensive uses, were eliminated. Perhaps some of them should be restored. Why restrict books and newspapers from any zone? The new zone makes the transition from residential to commercial abruptly, often with one lot as a buffer. You heard that I think, if you were next to a zone you had to go by those regulations. But as a residential zone in general, it has the character of high density or apartment residential. I think that this may work well. It is novel to think of a residential intrusion into special requirements but don't living areas require special consideration, and aren't they a more intensive use in this sense? I hope I've covered most of the main points. It's a very complicated Ordinance and I'm sorry that more Councilmen could not participate in the preliminary hearings.

Council President De St. Croix: I would like to thank Councilman Towell for producing probably one of the most in-depth Committee reports we have received on a very complicated area. I also thank his Committee for the exhaustive amount of work they have had to do in the past few meetings because of the number of items that have been assigned to their committee. I'm sure that everybody appreciates it a great deal.

Councilman Behen: Councilman Towell, you used the I.G.A as as comparison to a 4,000 square-foot grocery store. Isn't it? Do you have facts to back that up? I think it would almost be double. In fact that store is almost double that size of square footage.

Councilman Towell: I'll refer to the planner. I remember at our initial deliberation on the Zoning Ordinance, that was our example when we adopted the requirement, which by the way, is being gotten away from in the Ordinance itself for drugstores, and a couple of other..hardware stores.

Mr. Crossman: To be honest, Councilman Behen, I was talking at the Committee meeting by recollection of discussions that had occurred regarding areas to specific goings on two years ago when the Ordinance was originally adopted. We had checked the square footage of both the IGA on Second, and the Crosstown IGA, and as I recall the Crosstown IGA was something in the neighborhood of 6,000 squarefeet. It was my recollection that Alt's was somewhat less than that, but I could be wrong.

Councilman Behen:What we are then doing if we pass this particular thing, is that we are restricting grocery stores to no size at all.

Councilman Towell: Then I am bringing up an irrelevant question. But the restriction is applied to hardware stores and drugstores, so..

Councilman Behen: We ought to have our squarefootage a little better, because the IGA on Second Street, Mr. Crossman, is almost double the squarefootage of the IGA in the Crosstown Shopping Center.

Mr. Crossman: Well, maybe the figures are exactly reversed, but I was relatively certain that the Crosstown total area, and it may have involved storage area and everything else, was about 6,000 square feet.

Councilman Behen: Well, apparently one of our memories is bad.

Mr. Crossman: The rationale in requesting the elimination of the

the 3,000 foot limitation, is that the only thing that would fit into that sort of a limitation is the quick pickup type stores, the Nightowl, Seven-eleven, which you don't have here. But that type of facility are about the only thing that would be built today with this highly limited 3,000 foot restriction, and we felt if we are going to permit grocery stores at all, the restriction should be eliminated.

Councilwoman Davis: Am I understanding, in the middle of ... next to a residential section, we could have a large supermarket?

Councilman Towell: If we pass that, I'm going to recommend that we eliminate that use, in fact I would like to so move.

Councilpresident De St. Croix: There is a motion. Do we have a second?

Councilman Ackerman : What is your motion please?

Councilman Towell: To eliminate groceries and meats from the new B.L. ...

Councilpresident De St. Croix: That is number nineteen under section 20.07.05.00 a, Commercial Retail.

Councilman Behen: That they would not be restricted to...

Councilman Towell: That they would not be available in this zone. They'd have to apply for a B.A. or some more intensive Zone.

Councilman Mizell: Second.

Councilpresident De St. Croix: It's been moved and seconded, that Ordinance 75-20 be amended under section 20.07.05.00 a Commercial Retail, number nineteen, grocery and meats, permitted use be deleted.

Councilman Ackerman: I'd like to speak against the motion. I share Councilman Towell's concern but it seems to me, a much more proper way to get a square footage limitation on all of these uses, it seems to me that groceries and meats are somethings that are appropriate in a neighborhood residential area, quick access to that. It's the same

as in baked goods. It's the kind of thing that would be nice to just walk out and get. I would prefer to avoid a huge supermarket by putting a space limitation rather than excluding it from the zone.

Councilwoman Zietlow: Councilman Towell, is your major reason that fact that no grocery and meat stores have been constructed in this zone?

Councilman Towell: When we had the 3,000 limitation, no one built a grocery. It has been available since the rezoning Ordinance, and I think that if someone came in and put one in, it would probably be bigger.

Councilwoman Zietlow: This zone has been used very little in any case. We haven't had a bakery built, or dairy products built, or a store built, or a hardware store, or jewelry store, or nothing. I don't see that that's an argument to eliminate the grocery and meats in general, and to leave the zone.

Councilman Towell: Well, most of the existing stores in the zone and other categories are already smaller than 3,000 but groceries in general are not.

Councilman Fix: I would submit that 3,000 feet is much too large for the type of business that Councilman Ackerman was talking about. I mean, 1,500 would be better than 3,000.

Floor: There won't be no grocery store.

Councilman Fix: We'll walk into this grocery store. You're not going to need a room twice the size of this one to...

Councilwoman Zietlow: What is the size of the Nightowl building?

Mr. Crossman: I don't really think we have checked the exact size. The Nightowl on North Dunn is probably in the range of 1,500 to 2,000 square feet.

Councilpresident De St. Croix: What size is this room, Mr. Crossman?

Councilman Fix: I would say it's closer to a thousand.

Councilman Behen: I'd like to lend some light to this discussion. The smallest shoe store in Bloomington is 1000 square feet, and I could put three of them in the neighborhood Nightowl at Third and Jordan.

Councilpresident De St. Croix: And you've got those catacombs in the back for storage.

Councilman Behen: All included, I'm including the whole schmere.

Mr. Crossman: The one at Third and Jordan, I think is a good deal smaller. The entire complex there, including all of the buildings and offices are very little more than 5,000 square feet.

Councilman Morrison: I think when you visualize 3,000 square feet, I envision a building 100 feet long, and 30 feet wide. That's not a very big building. If you cut the size down anymore, you don't even need this zone because no business person in the right frame of mind would build a building under that size because you'd have no room to operate in.

Councilman Behen: Unless you want to carry just potato chips.

Councilman Fix: I agree with that. I don't know it has any place in this zone.

Councilman Morrison: I don't know. I would say there could be a possibility that there might be some adventurous person with a lot of extra money, that wanted to lose and build a drugstore or grocery store, thirty by one hundred feet.

Councilwoman Davis: Maybe I'm prejudiced, but one of the things, the best thing about my neighborhood is the fact that we have a grocery store. It's a meeting place. It's a convenient place. It serves a variety of functions, plus making sure my family sometimes has dinner at a quarter of six. But I think my neighborhood grocery stores do lend alot to areas and to neighborhoods, and I would like to really not see them eliminated.

Councilman Towell: Well, what I'm proposing to do is eliminate big ones from being in B.L. zones. I suspect that any grocery store that gets proposed for B.L. zone, if we do not modify the proposed Ordinance, will be a big one. It will be out of place in the B.L. zone. If we are going to have a grocery store, it should be big enough to make money, and it should be in a place that is convenient to people and not terrible to its neighbors. So I think it should be in a more intensive zone, a B.A. zone or perhaps B.G. or something like that. So I would like to not get away from neighborhood stores, but I'd like to see them of a size that would be reasonable.

Councilman Fix: I stopped in at the Nightowl, and it seems to have everything I need on the spur of the moment. It does fit into this type of zone very well, and I'm willing to say that I'm willing to support that square footage.

Councilwoman Zietlow: I'll come back.

Councilman Morrison: I didn't hear what Councilman Fix said.

Councilman Fix: I think the Nightowl on Dunn and Seventeenth is a worthwhile addition to this type of zone.

Councilman Morrison: That I heard.

Councilman Fix: And I think it's large enough to satisfy all my urgent needs and neighborhood needs. I think I would agree that that size could be put into this Ordinance and nothing more.

Councilwoman Zietlow: I think that I expect as a consumer, if I have to go to a convenient store such as the Nightowl, that I may be having to spend a little bit more for some of the items there. But it's probably necessary to do that for a smaller store to maintain itself financially. But the convenience at it is worth it to me on occasion. The question I have about requiring a BA zone for a grocery store, is that if you have a BA zone, that opens up other uses to that land and it seems to me, that simply means eliminating groceries in a lot of places that it might be desirable to have them.

Councilman Behen: Having lived through the period where the independent grocer has not survived into our society, I would hate to add the further peril by passing an Ordinance that would have any effect... is there a grandfather type clause in this thing, where if ownership changed, if a building is empty for two weeks, and the City, can they say then, that no longer can a grocery store be on the premises? Let's use Aults's IGA as an example.

Councilman Towell: Six months. That is the proper zoning.

Councilman Behen: I know that is does. But if it is vacant for six months, then a grocery store could not be applied for in that area.

Councilman Towell: In general, if it's a non-conforming use that's discontinued for six months, it cannot be rezoned.

Councilpresident De St. Croix: Mr. Crossman, will there be many such instances with the institution of this Ordinance, non-conforming use by groceries and/or meat vendors?

Mr. Crossman: Well, the staff of the Planning Commission of course is re-evaluating the entire non-conforming use section in conjunction with the total Ordinance review. This specific Ordinance is not addressed to itself to the non-conforming use problem and Councilman Towell's presentation of the situation is exactly correct. The present regulations specify discontinuation after six months. If within six months, the use is reinstated, there are no problems.

Councilwoman Davis: Question.

Councilpresident De St. Croix: The motion before the Council is deletion of item number nineteen under Section 20.07.05.00A Commercial Retail, of Ordinance 75-20. It deals with groceries and meats. I'd like to point out to Council members that the square footage of this room is roughly 2,100 feet, I've counted the number of blocks and they are about eighteen inches.

Councilman Morrison: Those blocks are about eight by sixteen.

Councilpresident De St. Croix: I was two inches off in my amateur estimate.

Councilman Morrison: Two inches off and fifty miles on inches.

Councilpresident De St. Croix: People ready to vote? The motion fails by a vote of six to two, or two to six.

The motion failed by a ROLL CALL VOTE of AYES: 2, NAYS: 6. NAYS: Morrison, Behen, Zietlow, Davis, Ackerman, and De St. Croix.

Councilman Towell: Well, then I'd like to at least restore the situation in the present B.L. and B.I. zones, and make this refer to nine which would be the restriction to 3,000 square feet.

Councilman Ackerman seconded the motion.

Councilpresident De St. Croix; It's been moved and seconded that under Ordinance 75-20, Section 20.75, item number 19, grocery and meats would read "note nine" instead of X permitted use. Is that correct?

Councilwoman Davis: Yes.

Councilpresident De St. Croix: And the "note nine" refers to the table which

would have a 3,000 square foot limitation. Is that also correct?

Councilman Ackerman: I don't know if this is inappropriate to make a substitution to the motion, but I would like to see some space limitation applied to all uses in the B.L. recommended, and is it proper Mr. Parliamentarian to move a substitute motion to expand the grocery to all uses in the B.L. zone?

Councilpresident De St. Croix: Are you certain that want it to all uses including residential?

Councilman Ackerman: Yes.

Councilman Towell: I'd like to read a few of the uses.

Councilpresident De St. Croix: I suggest that you consider the motion use by use while we deal with this one, O.K.?

Councilwoman Zietlow: Including business and professional offices?

Councilpresident De St. Croix: Sorry, but your motion would have also applied those limited to fourplexes.

Councilman Ackerman: Everything but residential.

Councilman Towell: And pubs, and shopping centers. We have applied it to shopping centers.

Councilman Ackerman: It would apply to commercial and retail uses?

Councilman Towell: That is what I am saying.

Councilman Behen: PUD would be effected.

Councilman Ackerman: I think provision was made for PUD apart from this chart.

Councilpresident De St. Croix: Can we deal with this motion on the floor? The motion is "footnote nine" under nineteen.

Councilman Morrison: I'll second it now

Councilpresident De St. Croix: The motion is to substitute "footnote nine" for "X" permitted use. Note nine denotes reference to the table at 3,000 square feet limitation for grocery and meat vendors.

The motion passed by a ROLL CALL VOTE of AYES: 8, NAYS: 0.

Councilwoman Zietlow: I have a question as to shopping center in general, defined use on the table.



Mr. Crossman: With reference to shopping centers, on the table, it simply has a note which refers to the plan development section of the the Ordinance, so that the specifics of what is or is not permitted in the design or spelled out in the Plan Development section of the Ordinance rather than the use table. I think however, a blanket restriction as to size or space for a given use, while desirable from one point of view may create some problems from a different point of view. For example, if a developer has a significant sized lot, and he is limited to 3,000 square feet for a use on that lot, what we are forcing him into doing is cutting it up into smaller lots with more access points so that he can really get more uses on that. And I'm really not sure that that's what we are trying to achieve either.

Councilman Ackerman: That's his point. If a developer has a Planned Unit Development, than that is considered one use for that development; is that not so?

Mr. Crossman: I think we have to divorce the normal zone from the Planned Unit Development situation. The Planned Unit Development is designed and intended to be entirely flexible. If somebody is going in and designing a shopping center, or designing a Planned Unit Development in the B.L. zone, the restrictions and design criteria that are expressed in the Plan development are also applicable. (At this point the tape was changed.) ...is that we end up with somebody putting in a wide variety of structures rather than a single structure even with multiple uses in a single structure. But chopping lots up with alot of access points and lots of different uses rather than using them for a single somewhat larger purpose?

Councilpresident De St. Croix: Would they be required to receive Site Plan approval?

Mr. Crossman: Yes, of course anything would require Site Plan approval.

Councilpresident De St. Croix: Would that process allow you to deal with that?

Councilman Fix: What is the disadvantage of that in this type of area?

Mr. Crossman: I'm not sure that is has a total advantage. What I'm saying is, if you've got a parcel of land ranging an acre to two acres, and the amendment which restricts each use to three thousand square feet is drawn up, you're saying that somebody may not put an office building on there that is bigger than 3,000 square feet. As a consequence, what he can do instead of putting a 20,000 square

foot office building on there, he may cut the lot into seven parts and put seven three-thousand square foot offices there. We end up in the same boat and I'm not sure...

Councilman Fix: I don't think we do. I think that seven buildings would fit into this zone much better than one.

Councilpresident De St. Croix: Mr. Crossman, do you have any specific uses under this table that you think might be imperiled under Commercial Retail, Commercial Trade, Institutional, by the 3,000 limitation presuming the motion is only on that, that was being discussed?

Mr. Crossman: I would really think that the major problems would be probably in developing in the possibility of developing office complexes. If we are talking about developing individual retail establishments, probably not, because the option is still there of going to a PUD or going to a shopping center, which is something that we do desire.

Councilpresident De St. Croix: Now, all these items, note three, note nine, note eight, note twelve, etc., refer to the parking requirements, the use requirements, what?

Councilman Towell: Right, underneath there are footnotes at the bottom.

Mr. Crossman: Well, each note three, for example, specifies the conditions under which residential uses may be permitted. That has been so greatly expanded over the present permitted uses. Residential uses for example in the B.L. zone are only permitted on second stories of commercial buildings. This expands potential into quite a variety of things. Note nine is the size limitation of size for uses, a limitation of 3,000 square feet. Note twelve references, the Planned Unit Development section, or the Planned Commercial Development for specifically in this case, shopping centers.

Councilman Morrison: Could you clarify something for me? Maybe I'm not hearing good tonight or something. I didn't quite get the point when you were concerned about 3,000 square feet and somebody cutting up the lots and putting up business offices. Now what do you mean? You mean, have one building, 30 x 100 and cut it up into business offices, or what was your intention?

Mr. Crossman: What I'm saying is, if we have a lot big enough, we are effectively precluding somebody from the possibility of developing, say a 21,000 square foot office building. He could not do it. He could only develop a 3,000 square foot

office building. Now if the lot is big enough, what we would be requiring him to do is to make seven lots out of it to get the same amount of space, and if the lot is big enough he could very well do that.

Councilman Morrison: Well, I know of no lots in the city as big as you are speaking of right now. I thought the standard city lot was 166 by 132 and most of them go from 66 by 50, 52 by 40.

Mr. Crossman: Well, if we are talking about portions, the already developed portions of the city, yes you are exactly right. Sixty-six by one hundred thirty two is pretty standard. But if we get into some of the fringe areas and some of the suburban areas, we still have acreage we can be dealing with.

Councilman Morrison: Well, an acre is not a lot Tom (Crossman). An acre is an acre. A lot...this is where you foul me up.

Councilpresident De St. Croix: Further questions form the Council?

Councilman Ackerman: Is there a motion on the floor?

Councilpresident De St. Croix: Yes, your motion.

Councilwoman Zietlow: I think he made a withdrawal.

Councilman Ackerman: Could I make it?

Councilpresident De St. Croix: Please.

Councilman Ackerman: I'd like to propose a restriction of 3,000 feet on all B.L. uses excluding residential and shopping centers number 26.

Councilwoman Davis: I'll second it.

Councilpresident De St. Croix: It's been moved and seconded. With permission of the mover and seconder, I would like to restate my motion as a motion to amend Ordinance 75-20 Section 20.07.05 A. Commercial Retail, to include Note Nine behind all items listed there except for shopping centers. You are also including Commercial Trade, Institutional uses also under those items under 20.07.05B, and 20.07.07.00 Insittutional. Is that a correct statement of your motion sir?

Councilman Ackerman: I think so, all B.L. uses.

Councilpresident De St. Croix: I believe that all motions are made in the affirmative, not the negative.

Councilman Ackerman: Did you include the Institutional Public and Utilities where they are?

Councilpresident De St. Croix: Yes, that's under the Section of Institutional, but the motion then specifies what is effected as opposed to what is not.

Councilwoman Zietlow: Offhand, it seems to me that the most useful space limitation would be under Commercial Retail. Under Commercial Trade for example, with the professional offices, I wonder if it would really be productive to limit that to 3,000 square feet, for example on branch banks as well.

Councilman Ackerman: I think it does. First you mention a medical complex. I don't want to see this become a large medical clinic which would draw from all over the City, but I don't see anything wrong with having one or two obstetricians or whatever in this, that people could go to, or a general practitioner. The other, I'm going to move later, that banks be excluded from this, branch banks.

Councilwoman Zietlow: Oh you are! How about business and professional offices?

Councilpresident De St. Croix: Mr. Crossman, may I ask you a question please? Presuming that this motion is adopted, and note nine limits the use, is that not the correct terminology to 3,000 feet?

Mr. Crossman: The space.

Councilpresident De St. Croix: Now what is defined by space?

Mr. Crossman: The area within the outer walls of the building.

Councilpresident De St. Croix: So in other words some sort of...

Councilman Fix: Does this include hallways in that sort of thing?

Mr. Crossman: We have now defined...

Councilpresident De St. Croix: Excuse me, I'd like to finish my question.

Mr. Crossman: We have now defined space in a gross term rather than in any usable space terms.

Councilpresident De St. Croix: I was not finished.

Councilman Towell: Can I read note nine for you Brian? I think that might help you.

Councilpresident De St. Croix: I have a specific question I've been trying get out, but

I have been interrupted three times. Does that mean then a facility that was built on an open courtyard, we'll say surrounded by the outer wall to the building with open walkways into it, with professional offices surrounding that exceeded 3,000 feet along the total encompassed area with the outer walls, the use would be described as being in excess of 3,000 square feet?

Mr. Crossman: No Councilman De St. Croix. The courtyard or the open area would not be counted.

Councilman Towell: I think we still have a problem with that.

Councilman Behen: Yes, because you are talking about the floor space as the main criteria. If you're talking about the main floor, then what about the second floor above it? Now is that then used as floor space in a building?

Mr. Crossman: Yes, sir.

Councilman Behen: Then what you said is not factual.

Mr. Crossman: A two-story building with 1,500 feet on each floor would be 3,000 square feet. If it is surrounded by a courtyard, we would not be measuring the courtyard. We would be measuring the floor area of the building.

Councilman Behen: I wanted to make the point if you are going above one floor, you are talking about substantial more footage than just one level of a building.

Mr. Crossman: Yes, sir. We are not talking about lot coverage, we are talking about floor space.

Councilpresident De St. Croix: Thank you.

Councilman Towell: Well, I'd like to read note nine, limited to 3,000 square feet retail floor space, that is what it says. I don't think you can get at that by talking about the exterior walls. Is it retail floor space part of it, as storages? I propose that the way to have a nice warehouse on one of these plots, was to put a little store in the front, just like the package stores, to get in the regulations.

Mr. Crossman: The way note nine reads, I guess that was either probably interpreting Councilman Ackerman's motion to include businesses and offices and there we were getting away from retail floorspace. Now it's got to be done.

Councilman Towell: Then note nine is not worded to apply to everything, that is what I am getting at.

Councilwoman Zietlow: That's right.

Councilpresident De St. Croix: Then I have misstated the motion, and it's my fault.

Councilman Towell: No, no it isn't your fault, because I think there has been a misunderstanding all along on this.

Councilpresident De St. Croix: My apologies to the mover and seconded if I have.

Councilman Morrison: In just thinking about what Tom Crossman just said about the fringe areas, this Ordinance would work fine within the corporate limits, where the lots are laid out according to these specifications. But I question an Ordinance like this in a fringe area where they would have a lot that would be something like one acre, and be designated as a lot. I would think that a building no bigger than 30 by 100...I think a lot restriction should go with it even to encompass the parking. A standard City lot 66 by 132 would give a person all the parking space that they would need in a floorspace of that size. Let us take a one acre lot, this man would automatically be penalized or break this land up into lots to comply with this Ordinance.

Councilpresident De St. Croix: Excuse me. We have now been discussing this Ordinance for slightly over an hour. No perhaps just an hour since we had some messages at the first. Council has a great number more amendments, or intends more discussion. Perhaps a specific Public Hearing shceduled for consideration of this item or recommittment to Committee is more appropriate, since we have a number of items to consider yet.

Councilwoman Zietlow: I attended a Public Hearing on this Ordinance, and nobody came. I think we might as well finish it if we can.

Councilpresident De St. Croix: I'm beginning to wonder about that number one, number two in my opening remarks. I thanked Councilman Towell for his efforts to get cooperation from Councilmembers and to consider this issue prior to introduction tonight. Well, I'm beginning to wonder.

Councilman Ackerman: This is in response to Mr. Morrison's statement. I'm not sure I understood the question you asked Brian correctly, or Tom Crossman's answer. But I don't want my amendment to be so understood that it would prevent a person from taking a lot and putting a courtyard and having four buildings around that would be separate, and four separate kinds of small shops.

Councilpresident De St. Croix: That's why I question it, because I hope we are not going to define new architectural standards for this use.

Councilman Ackerman: So, in other words, if you have a one acre lot Jack (Morrison), it

would enable a person to make small shops in some kind of attractive way, rather than one large shop. What I think we are trying to get away from is the large supermarket idea, that will not be harmonious with the surroundings.

Councilman Morrison: Well, this is what I was concerned about. I hate to penalize just a few that doesn't have a chance to decide anything on their own, because they are in the two mile fringe.

Councilpresident De St. Croix: Councilman Ackerman, could you please restate your motion then? I want to make sure that the motion is as you wished it.

Councilman Ackerman: I don't know footnote nine. Councilman Towell would want to explain that to me.

Councilman Towell: Well, for the retail uses, footnote nine we use, I think, however there is a loophole, as I pointed out, somebody could have a warehouse. Anyway I think that we are not here to write an Ordinance tonight in the meeting. For the rest of what you want to say, is simply to limit it to 3,000 feet.

Councilman Ackerman: Fine, I'll accept that.

Councilwoman Davis: Second.

Councilpresident De St. Croix: The mover and seconder have accepted the restatement of the motion. Would you restate it again Councilman Towell, just so everybody understands it when I ask for the vote?

Councilman Towell: Well, let's make the 1st one, as 21 or something like that, let's make a 23, let's make a 24 limited to 3,000 square feet interior floor space, and then apply taht to the non-retail.

Councilpresident De St. Croix: Do we have the Section of the Code that contains this? I believe that will have to be inserted.

Councilman Towell: Well, its the use tables. I'll have it in just a minute.

Councilpresident De St. Croix: Could I ask for a motion from the Councilmembers to temporarily set this aside so we could move on, while perhaps Council staff can write out a motion of the specific Section of the Code and everything, what not, for the back up on the use tables, or do we have it?

Councilman Ackerman: Is it possible for the discussion and the vote to get the intent of the Council, and then this be drafted according to the intent of what gets passed?

Councilpresident De St. Croix: As one member of the Council, I believe that when I vote, it

is on one specific piece of legislation,  
not on an intention.

Councilman Towell: I'm sympathetic to trying to get this through, however, I think we are probably as prepared as we are going to be.

Councilman Ackerman: I agree.

Mr. Crossman: If I may make a suggestion, note nine simply says, limited to 3,000 square feet of retail floor space. If you want to simply follow through with the motion was stated, you could probably amend the motion to amend note nine to limit your 3,000 square feet of interior space or a floor area, rather than refer to retail space, and that should cover the waterfront.

Councilpresident De St. Croix: Do you have the number of the Section of the Ordinance? The Plan Table is for amending a portion of the Ordinance. Is it not a numbered Section?

Mr. Crossman: 20.07.05.

Councilpresident De St. Croix: 20.07.05 point anything?

Mr. Crossman: It's a listing of tables, so...

Councilpresident De St. Croix: It's not a pointed Section, so it's the same as Commercial Retail and what not.

Mr. Crossman: Well, the notes apply to the entire Section.

Councilman Ackerman: They are continuous throughout.

Councilpresident De St. Croix: Well, that is the motion then.

Councilman Towell: I then question, should it be a little higher if we are now going to include the storage space? Should it be 4,000 square feet? What is a reasonable amount of retail storage?

Mr. Crossman: I don't know since this has really not been discussed or researched, and right off the top of my head, in general I would think that if you are talking about 30 to 50% in the retail space being needed for storage, perhaps Councilman Behen could answer that much better than I could.

Councilman Behen: In view of the fact that we are being so totally confused about the question that Mr. Crossman just posed to me, the number of feet devoted to retail sales vs. storage, the levels of construction that are going to be allowed that will accomplish total square footages whether it be professional buildings, or grocery buildings with storage above. I



would move that this be tabled so that we have before us a more concrete thing that we can really digest, or debate at some future time. This is getting in my opinion, out of hand.

Councilpresident De St. Croix: Is there a second to the motion to table?

Councilman Fix: I second.

Councilpresident De St. Croix: It has been moved and seconded Ordinance 75-20 be tabled.

Councilman Fix: I think particularly when you get into changing the notes, it has a far reaching effect.

Councilpresident De St. Croix: I think what we are trying to do is rewrite the Ordinance on the floor of the Council, and in an hour plus of discussion, and I'm not sure that is the most appropriate manner. I must also admit, that were I Councilman Towell, who attempted to get significant Councilman in put on this over a period of time, I'd feel more frustrated. I believe Councilman Towell has tried to work with the Council on this.

Councilman Towell: Not only that particular point, but this was at the specific request of Council that we get this ready for this meeting and I attempted to get support from the Council for that meeting. If you didn't want it, if you are not concerned with this we could have waited until Mr. Mizell was back. We could have scheduled a better kind of meeting, and I might point out, that I tried this, through the spring to schedule this. I think it was a failure on the part of the Council which I could not correct even though I complained about it, that prevented it from happening.

Councilpresident De St. Croix: I believe that John Komoroske will try to see that it doesn't happen in the future.

The motion to table Ordinance 75-20 failed by a ROLL CALL VOTE of AYES: 4, NAYS: 4. Nays: Morrison, Davis, Zietlow, and Ackerman.

Councilpresident De St. Croix: Well, could somebody who voted against tabling tighten up their act and get this thing done?

Councilman Morrison: I don't see anything complicated about it. If you leave it stand as is, on a 3,000 square foot floorspace, which I have expressed as a building 30 by 100, and I might use Dick's (Behen) scheme, my building is 30 feet wide, and 120 feet long. I use a total of 70 feet for appliances, and bound for services. I'm sure in this Ordinance, a business of my type could not go into this type of zoning, so I see nothing complicated about it. A building with 3,000 square feet of floor space with storage and everything is very adequate for this type of zoning.

Councilman Ackerman: To try to reformulate this, I would like to go back to my original suggestion, and yet I think it is very clear what I said to begin with,

until it began to be reformulated into footnotes, that I'd just like to propose a 3,000 square foot maximum, and exclude from that the residential uses, and the shopping centers. I think that is a fairly clear action, like Councilman Morrison says.

Councilman Morrison: Yes, I think that would be adequate.

Councilpresident De St. Croix: Then would you restate your motion specifically?

Councilman Ackerman: I just did.

Councilman Morrison: I will second Councilman Ackerman's motion.

Councilman Ackerman: I move that a 3,000 square foot limitation to applied to all B.L. uses, with the exception of the residential uses, and shopping centers, item number 26, under Commercial Retail.

Councilpresident De St. Croix: That's the motion, do we have a second?

Councilman Morrison: I second.

The motion was adopted by a ROLL CALL VOTE OF AYES: 5, NAYS: 3. Nays: Towell, Behen, and De St. Croix.

Councilman Towell: I think that the Ordinance is unworkable if we do not accept the offices, and I think the same thing is probably true of some of the other things like the cultural facilities. Was that included in the motion or not?

Councilpresident De St. Croix: Yes, I believe so.

Councilman Towell: I don't know exactly what that means, but personal services might in a general way enough to include such things, and be included as that. As far as the strictly retail things, I think that's as good as our present limitation except that I think there is a kind of knowledge in the community about 3,000 square feet that is going to have to be shrunken down to some indeterminate number for retail space. I think that we can do that. But I think some of these others will not be workable and I wonder about the banks, branch banks. I know you are planning to eliminate that. I would hope you would include doctor's offices.

Councilman Ackerman: That was also....

Councilpresident De St. Croix: Is there a motion then?

Councilman Towell: I'm not sure what I can do because we had a motion that covered some of these things that I have been talking about.

Councilpresident De St. Croix: That is valid. I believe another motion to further refine earlier action is appropriate.

Councilman Towell: I would like to reverse the previous motion on business and professional offices, cultural facilities, personal services and branch banks.

Councilpresident De St. Croix: So, that would be, if you delete the 3,000 square foot limitation on number seven

under Commercial Trade Business and Professional, number seventeen under Commercial Trade Personal Service, under Institutional A. Public Quasicultural facilities, also to be removed. Is there a second to the motion?

Councilwoman Zietlow: I'll second it.

Councilpresident De St. Croix: It's been moved and seconded. Is there discussion?

Councilwoman Zietlow: I would like to include branch banks.

Councilman Towell: Can we eliminate them later? We must at least have the limitation on first, I mean or off first.

Councilwoman Zietlow: No, you are not moving to eliminate them from the ordinance?

Councilman Towell: No, but we can anticipate that.

Councilwoman Zietlow: But I would like to include them in the removal of the limitation of space.

Councilpresident De St. Croix: Does the mover approve that?

Councilman Towell: I accept.

Councilpresident De St. Croix: It's accepted. All right.

Councilman Morrison: I'm sorry. I really understand Councilman Towell's motion. You mean what distinctly, Al (Towell)?

Councilman Towell: Well, to take off the 3,000 square foot limitation from business and professional offices, cultural facilities, personal services, and branch banks.

Councilman Morrison: O.K. I just wanted to know.

Councilpresident De St. Croix: Does everybody understand that? Is there a question? Everybody knows the motion.

Councilman Behen: I don't have any questions on this, but before I vote, I want a definition from Councilman Ackerman on a Shopping Center.

Councilpresident De St. Croix: Would you give us your definition of shopping center, Mr. Ackerman?

Councilman Ackerman: That which is defined by the footnote that could be developed as a PUD. That is the way the footnote defines it.

Councilman Behen: No limitation on numbers of stores or anything. Two stores or three stores, there is no limitation.

Councilman Towell: There is a limitation. It is twenty acres; is the minimum?

Mr. Crossman: We discussed in the committee session the twenty acre limitation. This is incorrect. It applies only to residential development. There is a five-acre limitation on Commercial Development.

Councilman Towell: So it has to be at least five acres.

Councilman Ackerman: I would just like to speak against this. As much as I like cultural services, I don't think it is appropriate in the zone that I envision in my head, to see a huge building of any sort, whether it is a pro-

essional kind of building of businesses, whether it is a hairdresser shop, any kind of thing like that seems to me out of keeping with the kind of zone that we see. Anything large.

Councilpresident De St. Croix: Sir, I see it quite conceivably having something large in it if it is planned in an aesthetic manner. I presume you are applying a very limited architectural view on what largeness means.

Councilman Fix: Yes, what does largeness mean?

Councilman Behen: Churches for instance.

Councilwoman Zietlow: They are a conditional use in any case.

Councilman Fix: Why do you need a large structure?

Councilpresident De St. Croix: Well, we could spend another hour discussing lots of this.

Councilman Fix: Basically, the reason you need largeness is to attract more attention.

Councilpresident De St. Croix: Or perhaps to offer an uncramped environment that could have aesthetic qualities that smallness and concrete construction does not provide.

Councilman Towell: I don't want to repeat the things that I said earlier, if I don't have to but...

Councilman Fix: That is theoretical.

Councilpresident De St. Croix: So is the conception he is discussing as to why the value judgement.

Councilman Towell: I don't want to repeat things I said earlier, if I don't have to but remember we are getting rid of B.I. and B.L. and we are left with General Business and Arterial Business. This is the transition zone rather than the buffering departments, or something like that. This is it, the only size we have other than the two main business zones. It's like Third Street, between Smith Road and the big motel, the Fire-side, ...that is one of the zones we are talking about. We are talking about Whitehall Pike, just beyond Curry Pike, although perhaps that should be zoned something else. Where are some of the other?

Councilpresident De St. Croix: The strip on Atwater, around Jordan.

Councilman Towell: That is Institutional Business, which I presume will now shift to Limited Business. That's not said here, but I think that is true. Those are the kinds of areas we are talking about. I wonder if that fits in? That doesn't fit the concept of neighborhood business, and perhaps you have that. That is my question.

Councilpresident De St. Croix: We have five minutes before Petitions and Communication.

Councilman Ackerman: Just in response to Councilman Towell. If I were living in the Park Ridge area, just to discuss that one area, I would for one, welcome

that kind of zone of building in the neighborhood in which I live. If there are these space restrictions for each individual place of business, I would oppose very much, and I wish an area like this could be zoned in the Sycamore Knolls area for one. I would oppose very strongly that zone if it did not contain space restrictions.

Councilman Towell: One of the major goals of this zone, (I said this but it was in a lot of other talk) is the office part, and that is in this motion. I don't think that it is practical to have offices within 3,000 square feet. It's to put an artificial limitation that would simply make them more expensive and probably eliminate the very idea of the zone. So, perhaps I would concede some of the others, but we might as well repeal the Ordinance if we don't...

Councilman Fix: Yes, I can't let the statement pass that just because people are not doing things that we should allow something else in. That isn't what we are trying to do for this so-called mixed zone here... some business, some residential. And if it's impractical economically to stay within a 3,000 limitation, then that means that those business people will go where we want them, into an intensive business zone.

Councilman Towell: You will recall that this particular Ordinance is involved in a certain piece of litigation. That is an example of an office use perhaps.

Councilman Behen: Question.

Councilpresident De St. Croix: The motion is to delete (is that not the motion on the floor right now?) the item that Councilman Towell requested. There are four of them: branch banks, business professional offices, personal service under Commercial Trade, and under Institutional, cultural facilities.

The motion is adopted by a ROLL CALL VOTE of AYES: 5, NAYS: 3. Nays: *Fix Davis, Behen*

Councilman Ackerman: I would like to move to delete branch banks or any kind of banks from the B.L. zone.

Councilwoman Davis: I'll second it.

Councilpresident De St. Croix: The motion is to delete (and it has been seconded) under Commercial Trade number four, branch banks. Is there discussion?

Councilman Towell: Well, I'd like to ask whether there might be more controversy over that so I thought to separate them, but I'll put them all together.

Councilman Towell: I asked the Planning Department to perhaps come up with a more inclusive category there.

Councilpresident De St. Croix: Does the seconder approve?

Councilwoman Davis: I do.

Councilpresident De St. Croix: The motion now is to delete under Commercial Trade four, branch banks, and under Medical Facilities, doctor and dentist offices. Discussion from the Council?

Councilwoman Zietlow: I assume that the branch banks request has to do with the traffic? But I wonder about

the doctors and dentists offices, especially if they would be limited to 3,000 square feet. We didn't except them.

Councilpresident De St. Croix: Does note 23 cover their size? Mr. Crossman, as I understand the series of motions you deleted the business and professional offices, but if doctors and dentists offices are listed as a separate category, you may not have deleted them.

Councilwoman Zietlow: That is correct. They are listed as a separate category.

Councilpresident De St. Croix: Mr. Crossman, my question is, does note 23 specify space?

Councilwoman Zietlow: It is permitted when principle access to use is from an arterial street, is that right?

Mr. Crossman: That is correct. I might also note that doctors and dentists offices are permitted under the same basic conditions in a residential R.M. zone.

Councilman Ackerman: May I, with the consent of everyone, go back to my original motion, because I think Councilwoman Zietlow knew there was some reason that I put our doctors and dentists...It seems to me, with the space restrictions, that traffic generation is going to be significantly cut down, that you cannot insure the same cutting down of the traffic with a space limitation on a branch bank. So I would like to just have this as a branch bank exclusion.

Councilpresident De St. Croix: Well, where are we now?

Councilman Ackerman: We are at the bank.

Councilpresident De St. Croix: Do the mover and seconder know what they are doing now?

Councilwoman Davis: Yes.

Councilwoman Zietlow: Note 23 does require only the branch banks to be allowed only on an arterial street. That means that the neighborhood kind of business that you are thinking of would not allow a branch bank in any case.

Councilpresident De St. Croix: Thank you for doing some research Councilwoman Zietlow. Further discussion on the motion to delete.

Councilman Towell: Well, I have to answer that most of these are on Arterial Streets.

Councilman Behen: They are but...

Councilwoman Zietlow: Yes, but the potential, the possibility is something we have to think about too.

Councilpresident De St. Croix: The supposition of the bank on Rock Creek Drive.

Councilman Towell: Well, then I'd like to point out more structural reasons in the zone because you can't have the residential unless there is access to a Collector or Arterial Street.

Councilwoman Davis: Question.

Councilpresident De St. Croix: The question is the deletion of the branch banks. Is that the final motion?

The motion was passed by a ROLL CALL VOTE of AYES: 5, NAYS: 3. Nays: Morrison, Behen, and De St. Croix.

Comments made during the vote were as follows:

Councilman Towell: Yes, I think they should be in a large shopping center or arterial areas.

Councilman Behen: With the attitude I have about not writing Ordinances on the floor, I vote no.

Councilman Ackerman: I'd like to move the addition into the B.L. zone of liquor stores, bars, taverns, and restaurants not drive-ins.

Councilpresident De St. Croix: How many more motions do you have, Councilman Ackerman?

Councilman Ackerman: That's it.

Councilwoman Davis: Second.

Councilpresident De St. Croix: It has been moved and seconded that we include under B.L., would you repeat them please?

Councilman Ackerman: Liquor stores, bars, taverns, restaurants, and then I'd like to reintroduce the category that has been excluded in the new proposed Ordinance, "restaurants", not drive-ins.

Councilwoman Zietlow: Could you add note M., not carry-out to that please?

Councilman Ackerman: That is the other category.

Councilwoman Zietlow: No, we've had trouble with imagining that that might be allowed, even that it wasn't...

Councilpresident De St. Croix: We have only a couple of minutes left of this tape. I would really appreciate it if we could accomplish one thing in the first half of the meeting. Do we know what the restaurant provisions are, Mr. Ackerman?

Councilman Ackerman: Yes, that I am proposing for B.L., not the McDonald's kinds of restaurants, but the other kind of restaurant that is not a drive-in.

Councilpresident De St. Croix: What about a pizzeria? Since that seems to be a problem on an arterial area, and it would be covered by a B.I. zone, and I believe that as a member of the Council, you were concerned about that particular issue in terms of traffic generated by pickup pizzas.

Councilwoman Zietlow: May I elaborate on that? On the table right now the next item is eating, drinking, drive-in and carry-out. That means it would allow it, and that the first one accepted did not allow drive-ins. The second specifically allowed carry-out. Unfortunately, because number ten did not say no carry-outs the carry-out was allowed and so on.

Councilman Ackerman: O.K. then, let's add that in then.

Councilpresident De St. Croix: You want drive-in, not carry-out?

Councilman Ackerman: Fine.

Councilpresident De St. Croix: The motion is to include under Commercial Retail, B.L. zone, liquor stores, bars, taverns, restaurants, (not drive-in, not carry-out).

Councilman Ackerman: Right.

Mr. David Kramer: My name is David Kramer, and I am President of Park Ridge Association, and I would like to speak against the motion that is on the floor if I may. My reason is being not necessarily that I am against those uses in this, but they were not included in the original Ordinance as it was discussed by our association.

Councilpresident De St. Croix: e are rewriting it.

Mr. Kramer: It was not discussed at any of the hearings that we attended, and I think that it is a very significant issue for residents of our neighborhood, and I'm sure that they would like to have an opportunity to have input into this kind of issue. If you do it on a percentage basis, every restaurant in town allows carry-outs, including the fine restaurants, because you can go in and order a dinner, and then carry it out, therefore that is a carry-out. It finally was decided to eliminate the whole thing for that reason. The other two items that were put in, I think you have to take into consideration, that in this new zone you are allowed to have residences on top of these buildings. You have to consider the fact that there are human beings, not only adults, but children. These two, I don't think are conducive to the type of traffic they produce, or the type, if things ...that they are having people living up above them. Because of the traffic it generates, and people's personal habits, I guess is the best way to say it. On these matters, people who go to taverns, as the City can probably tell you, on drunk driving charges, are dangerous. I'm sorry. Thank you.

Councilpresident De St. Croix: We will now take a break; we are out of tape.

Ms. Jean Maye: I talked with Gary Kent some time ago, and he said that they had \$30,000; it was originally proposed \$55,000. But they have \$30,000, and over the next two years, they will contribute \$75,000. Of course we know we have \$100,000 coming from Community Development, but my God, how much longer are we going to have to wait?

Councilman Towell: The money hasn't come...

Ms. Maye: And our water has run into our neighbor's yard.

Councilman Towell: The money hasn't come from the federal government for that program. We would have to find



however, many thousands that is somewhere else, and that is, I don't know.

Councilpresident De St. Croix: We'll get you an answer. Mr. Komoroske, will you find out if there is an intention for a request for an appropriation? I'd like to petition the Council myself to accept my apology if I've indulged in my ire too much. I'm very much concerned that we are not going to get anywhere through this agenda. We have spent an hour and a half and not concluded the first item of business. That is my concern. My apologies if I have offended the sensibilities of my fellow members. Further discussion of Ordinance 75-20.

Councilman Towell: I found out, I think, another material fact about the motion we are considering for additional uses and that is, the planner tells me that originally the Ordinance started out with the most of the B.I. uses. I don't know exactly or how much, but in other words, these uses were in there originally and were taken out by the Planning Commission. So I think that is important that we know that the Planning Commission has a position on this.

Councilwoman Zietlow: It would seem especially important in that it would require seven votes in the affirmative, wouldn't it?

Councilman Towell: We amended here, and that is now a procedure. It would go back and they could override us, and then we would have a seven vote veto of them.

Councilpresident De St. Croix: That means that we would then have a whole other chance to consider this entire Ordinance?

Councilman Towell: If they accepted our amendment, that would be the end of the process.

Councilman Ackerman: Because of that, and because of the valid point made by the representative of Park Ridge that these are being sprung on them, that these excisions were made by the Planning Commission before the Public Hearing held by Councilman Towell, also because a Planned Unit Development these uses would be allowed in a B.L. zone, I would like to withdraw this proposal.

Councilpresident De St. Croix: Do we have further motions for amendment?

Councilwoman Zietlow: I move that Ordinance 75-20 be adopted as amended.

Councilman Towell: I beg your pardon. I did have one other.

Councilpresident De St. Croix: Will you withdraw your motion?

Councilwoman Zietlow: Yes.

Councilman Towell: The point about the communications transmissions towers... I would move that we should delete that from the list of uses for this zone.

Councilman Ackerman: Second.

Councilpresident De St. Croix: There is a motion and a second. The motion is to delete from Section 20.07.07.00 Institutional category B Utilities, Communications Transmission.

Councilman Towell: That will not disallow it in this zone, as I pointed out. That is very hard to do. However, it would make it an exceptional use which it is in every zone in the Ordinance and therefore, there would have to be a Hearing before the Board of Zoning Appeals, before a tower (transmission) is allowed.

Councilpresident De St. Croix: In other words, this will not require a review by the Planning Commission of this deletion?

Councilman Towell: Do exceptional uses go before the Planning Commission first?

Mr. Crossman: Special exceptions go to the Board of Zoning Appeals.

Councilman Towell: Strictly to the Board of Zoning Appeals.

Councilpresident De St. Croix: So by the Council taking this action and deleting it, does this send it back to the Planning Commission for their approval?

Councilman Towell: Yes, they would have to accept our amendment.

Councilpresident De St. Croix: So, there is a possibility that if they do not accept it, it would require a seven to two vote.

Ms. Maye: This is only to correct Mr. Towell. It's not an exceptional use, which means that it is back to the Planning Commission for a Public Hearing before approval.

Councilpresident De St. Croix: Is that correct Mr. Crossman?

Mr. Crossman: We have two classifications. One is a conditional use, one is a special exception. If Councilman Towell's amendment were to make it a special exception it would go before the Board of Zoning Appeals. I believe that is the way it was stated, otherwise it would come before the Planning Commission.

Councilman Towell: I just wanted to delete it from this zone and leave whatever it is.

Councilpresident De St. Croix: O.K., the motion is to delete.

Councilman Towell: The basic purpose would be served, in that a Public Hearing would be set on this. Point of further amendment. I am not writing this Ordinance on the spot, taht was in my presentation. So were the other motions I made, and they were discussed. They could have been discussed with any of you.

Councilpresident De St. Croix: This is not directed at you at all, Mr. Towell. This is a summation essentially of what I have concluded at this point about the entire Ordinance. I in no way intend to impune your intent, or the work you have put in on this. My apologies if that is the way you construe it.

Councilwoman Zietlow: I move that Ordinance 75-20 be adopted as amended.

Councilman Morrison: Second.

Councilpresident De St. Croix: It has been moved and seconded that Ordinance 75-20 be adopted as amended. Is there discussion of the motion?

The motion to adopt Ordinance 75-20 as amended was passed by a ROLL CALL VOTE of AYES: 7, NAYS: 1.  
Nays: De St. Croix.

Councilman Morrison: I move that Ordinance 75-17 be introduced and read by the Clerk by title only.

Councilwoman Zietlow: I second the motion.

Clerk Dolnick read Ordinance 75-17 by title only.

Councilman Morrison: I move that Ordinance 75-17 be adopted.

Councilwoman Zietlow: Second.

Councilpresident De St. Croix: It has been moved and seconded that Ordinance 75-17 be adopted. Discussion?

Councilman Towell: This was discussed at a Hearing at which I was the only Councilmember present. We did discuss the Site Plan Ordinance in general, and sort of how it succeeded, and where it failed, and what the principles are that go into such an Ordinance, the performance standards. We did discuss the three Ordinances together, that we have been amending the Site Plan lately, two of them tonight. Basically, what this Ordinance does is establish an overlay zone. That is, it adds certain restrictions or uses whatever, to zones that are present in a area of the City that is defined by the highways into town, and other areas that are declared by the Planning Commission, and then they have certain...am I talking about the wrong one? The trees regulations talk about trees being forty feet apart, and these are between the sidewalk and the street. It also talks about shade trees and accent trees, and screen trees. These are on the property itself. Screen trees are sort of a variable formula for what would be a screen arrived at by an expert that the Planning Department employed. I can't remember his name right now, but if the tree has wide coverage, then there can be fewer trees. The thickness of the screen provided by a tree will indicate how many trees are needed. The general purpose is, I think, to provide less noise, less stink, and a kind of buffer. I remember some discussion of the importance of trees to a city, and people talking about looking into the importance of trees to a city. There was some discussion about whether this would be improved in some twenty years, and I'm very skeptical of that. We'd like to get back on the track by requiring these regulations. The kind of objection was made, aren't we getting too specific? Can't people come up with proposals that would be just as good? I think after discussing these proposals, we found nothing to alter. We felt that they were reasonable, practical, minimum kind of proposals. So our discussion with various members of the press and staff of the City indicated for passage.

Councilpresident De St. Croix: Thank you. Is there discussion from members of the Council?

Councilman Akcerman: Just very briefly, it is an excellent Ordinance. I just found myself wishing I had read it, and it had been in force fifteen years ago in Bloomington, when we went into a major phase of construction. I would like to see that my Committee contact the neighborhood associations, there are 26 neighborhood associations, to let them know of this Ordinance, and to ask them what could be done (in a voluntary way) in the various neighborhoods to try to bring the neighborhoods up to the standards that we are asking for the new parts of the City.

Councilpresident De St. Croix: Jan (Worley), would you have Mr. Komoroske make certain Mr. Ackerman's request is fulfilled.

Councilman Behen: I'll be as brief as possible, but on the screening Ordinance noise, who is going to determine, to measure the decible of noise, seeing as we have no device, to my knowledge, in the Community to measure noise. That is why our Noise Ordinance has not been enforced. Who is going to decide? You have the ratio of noise that could be tolerated, but how is ti going to be measured?

Councilman Towell: If that is addressed to me, I'll ask Chief Chambers to comment on whether we have equipment for measuring decibles. Do we?

Chief Chambers: Yes we do.

Councilwoman Zietlow: My understanding of that is, that that machine doesn't work under 32 degrees.

Councilman Towell: There is one thing that perhaps isn't understood perhaps from the discussion. That is, the Site Planning Ordinance does not apply to single family residential areas.

Councilpresident De St. Croix: Is that understood?

Councilman Fix: I wonder about the size of the street tree as opposed to the shade trees or accent trees, 2.5 caliber and one inch.

Mr. Crossman: I'm not sure I underatood the question.

Councilman Fix: Street trees have a minimum of 2.5 inches, one inch for shade or accent trees.

Councilpresident De St. Croix: Is that because of the growth rates?

Mr. Crossman: No, I think it is primarily because of the location and the function. The street trees are essentially required for more immediate effect. The accent trees by and large are smaller trees. They are ornamental rather than just shade type trees, so there is a justifiable difference in the caliber measurment. Unfortunately, the staff member who did the research on the Ordinance is no longer with us, so I can't give you a much more definite answer than that.

Councilman Fix: I would suggest that in five years, one of these trees would be bigger than the street trees.

Mr. Crossman: Very possible.

Councilpresident De St. Croix: Is it also related to the mortality rate of smaller trees along streets from exhaust fumes?

Mr. Crossman: Well, we have a publication that is referred to in the Ordinance, that is the tree booklet. It specifies what varieties of trees are acceptable as street trees. These were arrived at by determining those capable of taking the conditions that exist along streets, exhaust, and things of that nature. The class of trees is another matter.

Councilpresident De St. Croix: Clerk Dolnick, please call the roll.

The motion to adopt Ordinance 75-17 was passed by a ROLL CALL VOTE of AYES 8, NAYS: 0.

Councilwoman Zietlow: I move that Ordinance 75-18 be introduced and read by the Clerk by title only.

Ordinance 75-18

Councilman Ackerman seconded the motion.

The motion was passed by a unanimous voice vote of the Council.

Clerk Dolnick read Ordinance 75-18 by title only.

Councilwoman Zietlow: I move that Ordinance 75-18 be adopted.

Councilman Morrison: I second the motion.

Councilpresident De St. Croix: It has been moved and seconded that Ordinance 75-18 be adopted. Is there further discussion?

Councilman Towell: I've already said what I have to say for the most part, and that is that this is an overlay zone defined either by state roads, no that's houses....

Councilwoman Zietlow: No, this is the next one.

Councilpresident De St. Croix: This is Site Planning.

Councilman Towell: This is to get us out of the problem that we got into down on Third Street, where our Site Plan Ordinance was judged not to apply in a very important case. I feel very bad that in the same neighborhood we have had two areas of sort of failure with that Ordinance. So, this is to fix up that hole, and make it so that it will apply at the right time to buildings like that Amusement Arcade that is being set up there.

The motion to adopt Ordinance 75-18 was passed by a ROLL CALL VOTE of AYES: 8, NAYS: 0.

Councilman Morrison: I move that Ordinance 75-33 be adopted.

Councilwoman Davis: Second.

Councilpresident De St. Croix: It has been moved and seconded Ordinance 75-33 be adopted. Discussion?

Councilman Towell: I submitted to you a report from the Attorney's office. Perhaps you have that? All my questions were answered in it, and he is here to speak for himself, so perhaps that would be the best thing to do.

Councilpresident De St. Croix: Mr. Owens, would you be willing to speak to this?

Larry Owens, City Attorney: This is an Ordinance, I think I explained where it was at last time. I did make a sort of overlay for our map showing the City boundaries, but I notice that it is not up. I know not where, but we do have a city map of sorts, and the red overlay in the South High Street/Sare Road area in question is the area. This is a tract of land that is not one owner. It is made up of several. The greatest part of it is not one owner, has been platted as Fleetwood second and third additions. This is not in the sense a Voluntary Annexation, in that we have a petition currently before you, but at the time the entire subdivision was approved by the Plan Commission, there was an understanding between the City and the Developer that as succeeding additions were platted, they would be added to the City. Also included in this entire area is Monroe County Community school property, where a childrens school is located.. At the very Southwest corner is a private property which the owner petitioned for annexation in order to be inside the City and be defrayed from paying the sewer hook-on fees. I think generally the questions that were asked last time about sewers apply. The sewer waterlines are already located in this area. The only possible question might be with the property say, in private ownership, but there is a sewer line there. The property has been hooked on to the sewer. The only question involved is whether or not the person would be considered a City resident or a non-resident and would be therefore required to pay an additional hook on charge.

Councilpresident De St. Croix: Questions from the Council.

Councilman Towell: The hook on charge is \$300.00.

Councilman Ackerman: Question.

The motion to adopt Ordinance 75-33 was passed by a ROLL CALL VOTE of AYES: 8, NAYS: 0.

Councilman Morrison: I move that Ordinance 75-35 be introduced and read by the Clerk by title only.

Ordinance 75-35

Councilwoman Davis : Second.

Councilpresident De St. Croix: It has been moved and seconded Ordinance 75-35 be adopted. Is there discussion?

Councilman Morrison: What was the reason behind restricting the parking on the North Side of Fourth Street between Rogers and the first alley?

Councilpresident De St. Croix: I believe we have a committee report on this.

Councilman Towell: Again we have a single man committee reporting. The main purpose was to provide some control of all day parkers, to give the businesses and offices in the area a chance to have people come and go from their offices with convenient parking. I believe some City workers are involved in the all day parkers. I do have a request submitted to me by the Council Office, for a delay on this, but there is at least one gentleman in the audience who has been waiting to perhaps have his say, or whatever he wants to do. Since April 28, the police order for a fifteen minute zone has been in effect. This will not expire until the 27 of July. We do have some time. The fifteen minute time was requested by at least one of the businesses in the area. It seems to me insufficient for some of the patrons of other offices and businesses in the area. So there is now, I think, need for some negotiation among the people down there to come up with one proposal. We certainly would be rewriting the Ordinance tonight if we speculated on what that time limit would be. So I would request the chair, if the gentleman has any objections, or wishes to say something in general about the situation, to the fifteen minutes, that would be fine, and then perhaps we should table it.

Councilpresident De St. Croix: Sir, would you care to make any comment?

Mr. Walter Leach: My name is Walter Leach, I am a field representative. I was asked to attend this meeting by Ed Tobey, who is the Social Security District Manager. Our office is located at the corner of Fourth and Rogers. We are one of five offices in the building we occupy. About seventy people visit our office each day, sometimes as few as 30, sometimes as many as 150. Seventy would be a good average. Of those 70 people, about half of them spend their time not less than one half hour in our office, and the other half of them are in our office up to two hours. They come by car, and we want to serve them well, so we have to recognize the limitations of the group we are dealing with. They are aged people or many of them disabled. They are frequently not able to walk long distances from their cars to our office. For example, during the winter months, ice and snow are a serious hazard. Some of them have breathing problems. Cold air is a problem for them. Recently, the parking spaces near our office have been set for 15 minutes, and this has effected us seriously this way. We provide 25 parking spaces in the parking lot adjacent to our office. There are an additional ten spaces in the Church parking lot nearby. There are approximately 26 parking spaces on Fourth Street, within one short block of the Office, and there are about three parking spaces on Rogers, which are marked for two hours. Of this space, we are required to use at least some of it on street parking for the overflow at our office, and when from five to six parking spaces are taken out of use for fifteen minutes parking, we anticipate serious problems. We are not opposed to some limitations. We recognize that we have learned something through the use of this fifteen minute space limitation. The space used to be occupied by employees and residents. Now the space is normally empty. It would be available for use by office visitors if the time limit permitted them to accomplish anything. We oppose the fifteen minute time, but we accept as a good idea to have a time limit, which would allow people to accomplish a good deal of work.

Councilpresident De St. Croix: Thank you, Mr. Leach. The request for delay that Mr. Towell indicated was transmitted from Council Office as a result from a phone call from Mr. Tobey, the District Manager, because he indicated he could not be here. He then persuaded you to attend in his place. The Committee is then recommending tabling for further consideration.

Councilman Towell: Well, I think there is a disagreement among the people in the area. They should get together and work it out.

Councilpresident De St. Croix: Do we have a motion then?

Councilman Ackerman: Just a question. If we do vote this as a Restricted Parking Zone, does that leave the time between fifteen minutes and two hours as something that is negotiable with the Traffic Commission or the Police Department or something?

Councilman Towell: No, we have to put it in a paragraph that specifies the time.

Councilman Ackerman: Restricted means fifteen minutes?

Councilman Towell: No.

Councilpresident De St. Croix: Under this section.

Councilman Towell: You put it under some section which indicates the time. So you do vote on the actual time limit.

Councilpresident De St. Croix: That section of Restricted Parking Zones is Fifteen minutes.

Councilwoman Davis: I move that we table Ordinance 75-35.

Councilman Morrison: Second.

Councilpresident De St. Croix: It has been moved and seconded that Ordinance 75-35 be tabled. Discussion?

The motion to table Ordinance 75-35 was passed by a ROLL CALL VOTE of AYES 8, NAYS: 0.

Councilman Morrison: I move that Ordinance 75-19 be introduced and read by the Clerk by title only.

Ordinance 75-19

Councilman Towell: Second.

The motion was passed by a unanimous voice vote of the Council.

Clerk Dolnick read Ordinance 75-19 by title only.

Councilman Morrison: I move that Ordinance 75-19 be adopted.

Councilwoman Davis: Second.

Councilpresident De St. Croix: It has been moved and seconded that Ordinance 75-19 be adopted. Is there discussion?

Councilman Towell: I started this one twice. This will be an overlay zone for corridor areas that have



either been defined to be so because of the State Road, or because the Planning Commission has so designated them, then they come under additional restrictions and additional regulation in the Site Plan. I would be happy if the planner would describe these additional things. They are basically the screening of various businesses that are in the corridors. I would like to mention though that before this came to our committee, there had been considerable discussion in the Planning Commission, reaction by the public specifically by the Chamber of Commerce and some committee of it; that this is a compromise worked out approval by both bodies, and then it came to our committee, and we basically have left as it is.

Mr. Crossman: I'd like to even compliment Councilman Towell's comments. There were comments received by not only interested citizens, by-parties...the Police Department has some comment on the original draft which perhaps required so much screening that visibility to parking lots and structures was somewhat restricted. I think that the present draft of the Ordinance achieves the intent that we were attempting to achieve, namely an improved quality design for structures and for landscaping of buildings along the entrance corridors to the City without being unduly restrictive. Parking requirements include the safe and convenient access, is a continuing requirement. No parking should be permitted in the front yard of any structure. On any individual lot, no such parking landscape of trees, shrubs, and grass islands. Originally we had recommended totally eliminating front yard parking, however, the provision of landscaping and permissible parking was one of the compromises that was worked out. Storage areas should be fully screened. We spell out to a more detailed level, the type of landscaping design, landscaping requirements that should be maintained to achieve what we are hoping to achieve here.

Mr. Crossman: Are there any specific questions? I'll try to answer them.

Councilman Morrison: One very simple question Tom (Crossman), under landscaping and design number two, I was wondering about the siting of a building. I realize part of it, type and configuration of materials used, and that is getting in a little bit personal and (inaudible) isn't it in a sentence like that in an Ordinance? How do you know what maintenance they require?

Mr. Crossman: I think that is what we are asking somebody to tell us.

Councilman Morrison: Well I am asking you to tell me. You wrote the Ordinance.

Mr. Crossman: In addition, adequate landscaping must be provided, which are appropriate for commercial location, siting of a building, type and configuration of materials used. What we are essentially saying is the landscaping should be primarily compatible with the building and that we should have some advice when somebody is submitting a plan, as to the sort of maintenance that landscaping is going to require, so that we can eventually have some assurance that... I'd like to cite an example from another community that I worked in where a developer went out in

the woods and pulled up a series of twenty or thirty pine trees by the roots and stuck them in along the site of his project. They lasted a few months. That is really what we are getting at, some sort of a maintenance provision is necessary in order to insure that we are going to achieve what we are after. Now this really presents no problem, because in most cases if you have got competent nurserymen or landscape people, then their work is guaranteed.

Councilman Morrison: Well, I understand it to be the building and construction and configuration of materials used. We know a tree is a tree. I know a bush is a bush, but I don't know that the other guy is going to build a building. So the way I interpret it, is you are going to tell him what materials to use, and what the maintenance is going to be.

Councilwoman Zietlow: No, this is landscaping.

Councilman Morrison: I don't interpret this as landscaping. I interpret this as landscaping and telling the person what they are going to build the building out of...

Councilwoman Zietlow: The sentence is a little awkward but the end, it's adequate landscaping areas that we are talking about. They just have to be appropriate to the kind of building that there is there. The type and configuration and materials are only important to the type of landscaping that is going to be provided. Isn't that right? I think it is just a matter of what is constructed.

Mr. Crossman: That is exactly right. We are talking about landscape materials here, Councilman Morrison, not structural requirements for the building.

Councilman Ackerman: Could we just call it a housekeeping clerical thing, to put the word "to" in front of and to the maintenance they require. In addition, adequate landscaping areas must be provided which are appropriate to the commercial location, siting of buildings, type and configuration, and to the maintenance they require?

Councilwoman Zietlow: Well, the they is vague there. You don't know whether the they refers to....

Councilpresident De St. Croix: Mr. Hickman, do you wish to speak to this?

Mr. Leo Hickman, Board of Public Works: I'll try and help you out a little bit. The Chamber Committee that worked with the Planning Commission on this particular issue, and I would say that it was a good cooperative effort, and the businessmen who were involved were well satisfied with the effort that the Planning Commission and the staff put in on it. That particular question was raised that night, and I believe you did answer it that night, and others from your staff. It was related to the landscaping and it satisfied the committee. The wording may be difficult, but it stops us at the time. We were satisfied with the explanation that it did relate, and that it was no more restrictive than some of the Site Plan regulations.

Councilpresident De St. Croix: Could we make certain then that the minutes of the Council meeting indicate Council's understanding of they in this use.

Councilwoman Zietlow: Just as a matter of linguistic clarification to the maintenance, they require reference to the landscaping materials. Is that right?

Mr. Hickam: That is right.

Councilwoman Zietlow: I think it might be clear if we just said in the maintenance, the landscaping materials require.

Councilman Towell: I'm for putting the "to" in and straightening it out.

Councilman Ackerman: So move.

Councilwoman Zietlow: That could be a housekeeping amendment, can't it?

Councilpresident De St. Croix: The insertion of a "to" for clarification, if it doesn't change the intent, I believe is considered housekeeping. I've been asked by Mr. Charles Stroh, the Executive Vice-President of the Chamber of Commerce to please have their April 25 letter to the Council included as part of the record of the meeting. Rather than read the entire letter, the major statement of the letter is, the Board of Directors of the Chamber at its regular meeting on April 21 reviewed the proposed Ordinance and unanimously endorsed its passage. The Chamber also goes further on to discuss their commitment to the process that evolved this legislation and have committed themselves to work in the spirit of recognition of cooperation with reasonable people that this Ordinance has shown. Clerk, see that it is a part of the record.

Councilman Ackerman: Question.

Councilpresident De St. Croix: Clerk Dolnick, please call the role.

Ordinance 75-19 was adopted by a ROLL CALL VOTE of AYES: 8, NAYS: 0.

Councilman Morrison: I move that Resolution 75-17 be introduced and read by the Clerk.

Councilman Behen: Second.

Councilpresident De St. Croix: It is moved and seconded Resolution 75-17 be introduced and read by the Clerk.

Clerk Dolnick read Resolution 75-17 in its entirety.

Councilman Morrison: I move that Resolution 75-17 be adopted.

Councilman Behen: Second.

Councilpresident De St. Croix: It has been moved and seconded Resolution 75-17 be adopted. Discussion.

Councilman Behen: Appropriations Committee met briefly and with short staff on that, and they felt that these requests were both prudent. We offer deep appreciation to the departments for their explanation of their requests and voted in favor of it being passed.

Councilman Ackerman: Could someone give a brief explanation of what item #63, current obligations is? You'd

think if there were current obligations, that would be something that we are already obliged to pay.

Councilpresident De St. Croix: As you will notice in the attendance memorandum, it says line item #63 was placed in the '75 budget for the purpose of paying for the state gross income tax on sales, but under the new statute we are no longer assessed this tax.

Councilman Ackerman: Thank you.

Councilman Towell: Question.

Resolution 75-17 is adopted by a ROLL CALL VOTE OF AYES:8, NAYS: 0.

Councilman Morrison: I move that Resolution 75-18 be introduced and read by the Clerk.

Resolution 75-18

Councilman Behen: Second.

Clerk Dolnick read Resolution 75-18 in its entirety.

Councilman Morrison: I move that Resolution 75-18 be adopted.

Councilpresident De St. Croix: It has been moved and seconded Resolution 75-18 be adopted. Is there discussion from the Council? Could we have a report from the Council Committee that considered this report?

Councilman Towell: I don't have any formal report, but I understand that the railroad indicated a list of actions that it wanted the City to take as part of the procedure for securing the lease. This is one of them. It seems to me like a formal kind of requirement. I think we're all aware of the desire of the City to have a sidewalk bike path in the area. We can go into that if anybody doesn't remember that., but that is all I have to say.

Councilpresident De St. Croix: Further discussion. I believe the Council is familiar with the issue. This is merely a request. Do you support that?

Councilwoman Zietlow: When this is passed, are we nearly at the point when the sidewalk is going to be constructed?

Councilpresident De St. Croix: Mr. Hickman, would you care to respond please?

Mr. Hickman: The contract for construction has been let. The funds were simply incumbered last year. We were delayed some with some details. We still have one more easement to obtain out in the Park Ridge area near the park. It's a very minor thing and we have been talking with Mr. Smith and he apparently has agreed for some consideration. We are going to put some shrubbery in there to satisfy his needs, and we did have to do some additional surveying out the (inaudible) and bounds. As far as we know, it's going to be ready by the time school opens in August.

Councilman Fix: I got interrupted when I was leading the lease, but ten years was the maximum (inaudible)...

Mr. Hickman: Yes, it has options for renewal. The contract, if you approve it, is for ten years.

Councilman Fix: Are there any restrictions on the options?

Mr. Hickman: The legal department went all over this. I went up to help negotiate it and then the legal department changed a few things.

Councilman Fix: This is the problem that the railroad had in entering into a lease for more than ten years?

Mr. Hickman: Their Real Estate Department was unwilling to buy it apparently for less than that.

Councilman Fix: I just know that the last ten went awfully fast.

Mr. Hickman: And the next ten will go faster.

Councilwoman Zietlow: I'd just like to commend the Board of Works and the Legal Department for bringing us to this point, procuring the lease. I know it was not an easy job. It is really a valuable addition to that.

There was a tape change at this point.

Resolution 75-18 was adopted by a ROLL CALL VOTE of AYES: 8, NAYS: 0.

Councilwoman Zietlow: I move that Appropriation Ordinance 75-4 be introduced and read by the Clerk by title only.

Appropriation  
Ordinance 75-4

Councilman Towell: Second.

Councilpresident De St. Croix: I believe we are removing from the table, the Ordinance.

Councilman Ackerman: The Older American Center and Board of Works.

Councilpresident De St. Croix: I'm sorry, I should have stated that.

Councilman Towell: It must be removed from the table.

Councilpresident De St. Croix: Is that the correct motion?

Councilman Towell: Just move that it be removed from the table.

Councilwoman Zietlow: I move that Appropriation Ordinance 75-4 be removed from the table.

Councilman Towell: Second.

Councilpresident De St. Croix: It has been moved and seconded that Appropriation Ordinance 75-4 be removed from the table. The portion that has been tabled is that portion of the budget that deals with the Older American Center.

Councilman Behen: I would rather have hoped that that would be up for a vote rather than just...I would still say nay, but I thought there would be some discussion.

Councilpresident De St. Croix: Clerk Dolnick, please call the role. The role is on removing 75-4 from the table. It is nondiscussible.

Councilman Behen: I just feel that because we are in the midst of the budgets, the confusion that this might place upon all departments involved, that we would be best off in my opinion to leave it until the next calendar year, and deal with it at the next budget hearings rather than try and usurp everything for the remainder of this year. That is why I have to vote no.

The motion to remove Ordinance 75-4 from the table is passed by a unanimous voice vote.

Councilpresident De St. Croix: Appropriation Ordinance 75-4 is removed from the table. Now we need a motion for adoption of that portion of the Ordinance so that we may be able to discuss it.

Councilman Towell: So move.

Councilwoman Davis: Second.

Councilpresident De St. Croix: It has been moved and seconded that Appropriation Ordinance 75-4 Older American Center that was tabled, be moved for adoption, and there is discussion. O.K. that is where we are at. Discussion.

Councilman Ackerman: Just reading the Committee report, we recommended that the budget from the Older American Center be transferred from the Board of Works to the Parks and Recreation Department. The reason for this recommendation is that it will simplify and unify the procedure for requesting and spending funds in the Older American Center. We would like to stress that our recommendation is making no judgement concerning a final decision as to which departments should be responsible for supervising the Older American Center program. We believe that further discussion between the Mayor and Council should be held on this matter. With the discussion of the 1976 budget upon us, with the Human Resources Department Director not hired, we feel that now is not the best time to carry on these discussions. One specific recommendation regarding the budget transfer, the \$500 office supplies was not specifically allocated for the Older American Center, and we feel that unless Mr. Wilson can demonstrate an overwhelming need, it should be left in the Human Resources Department for use by the Director when he or she is hired, and for use by other related offices such as the Human Rights Office.

Councilpresident De St. Croix: Which members of the Committee signed that report?

Councilman Ackerman: All three of those.

Councilpresident De St. Croix: Thank you. Is there further discussion from Council members?

Councilwoman Davis: I would like to offer an amendment that under item 7, 72, equipment, \$500 remain in the Board of Works and be deleted from transference to Parks and Recreation.

Councilman Ackerman: Second.

Councilpresident De St. Croix: Would you repeat that motion? I'm sorry.

Councilwoman Davis: I would like to move that item 72, properties equipment, \$500 remain in the Board of Works and be deleted from the transfer to Parks and Recreation Older American Center.

Councilpresident De St. Croix: It has been moved and seconded. Is there discussion of the motion?

Councilman Morrison: Mr. Wilson, I see under equipment \$500. What was the reason for the \$500 for equipment? I'm sure it is justifiable.

Mr. Wilson: I don't have the budget with me, Jack (Morrison), on this. If I remember it, it included some center equipment, some tables, chairs, as well as some equipment for program. I'm speaking off the top of my head, but I'm sure it was, and by the way, this \$500 was appropriated in the original O.A.C. Budget. When the transfer went back from Parks and Recreation, it was divided up into several categories and put back into two different budgets, one was Human Resources. Now the mix-up came probably when Board of Works was asked to absorb it rather than increase their budget \$500. If you go back to the original appropriation of the budget that was approved, I think it was some \$27,000 or something, and the total amount was approved. That total amount was taken out of our budget and put into Human Resources and Board of Wroks. Now the reason part of it was put into Board of Works, is because no other agency in the City, it is my understanding, that the Board of Works holds a category for all other agencies that operate out of the Board of Works. Human Resources does not have an equipment category. This was what we were told at the time it was transferred, but it was transferred out of the original budget.

Councilwoman Davis: One of the reasons for my motion is if I understand that, approximately the total amount left to the Board of Works budget for properties and equipment. I think it might serve more areas of the City better if it were left there rather than one particular area. Do you really need tables and chairs that desperately at this time?

Mr. Wilson: I think we definitely need the equipment. I'd have to look at the budget, Ms. Davis, to make sure of the breakdown of exactly what it was. I'd be happy to submit that, however, I'm not going to argue the point of leaving it there or not. I would like to have the option that if it is an emergency, to use it, we have the opportunity of coming before the Board of Works and asking them if they can find the money to purchase it for us. Further questions from Council members?

Councilpresident De St. Croix: I've heard this Council frequently refer to the importance of its budget-making capability as one of the few opportunities it has to shape policy through the priorities assessed through funding, through the manner in which it allocates funds for personnel for programs, for equipment, and the like. This Council is now in the process of preparing the 1976 budget for the City of Bloomington. It is in the process of considering the budgets of the Boards of Works, the Human Resources Department, Parks and Recreation Department, and the Older American Center, all of which are involved here. Those will be shaping policy actions by this Council for the next year. If this Council chooses tonight to return the Older American Center

Budget to Parks and Recreation on June 19, 1975, when by August 1, 1975, this Council will have made its policy decisions. I ask this Council whether or not it can come to the Parks and Recreation Department, the Human Resources Department, to the Board of Works, or to the Older American Center and say anything but, we must reaffirm our action at the June 19, 1975 meeting, because we decided at that point that the policy for the institution of programs by our actions on the budget, that that is where it belonged. I don't believe the Council has addressed the issue yet in terms of what sorts of policy decisions it's going to make in the long run. I'm not certain, but I'm not sure that if we look at it from a policy making standpoint, we have enough data, having not considered all of those budgets as yet, to take such action at this time. As one member of the Council, I would like to maintain the opportunity to consider all options for the 1976 budget, because we all know that the requests and the need for funds exceed our abilities to provide them. We are going to have to make some tough choices. That is essentially my position.

Councilwoman Zietlow: One of the reasons that this has gone to the Board of Works is that there is no Human Resources Department.

Councilpresident De St. Croix: I'm speaking to the whole issue there.

Councilman Ackerman: Aren't we supposed to be discussing the amendment?

Councilwoman Zietlow: I'm saying that, sorry, I guess that is out of order, since it is not really addressing the amendment.

Councilpresident De St. Croix: I was addressing the amendment as it relates to the entire thing.

Councilwoman Zietlow: Then if I may continue ..it seems to me that what we are doing here is going to be changed by the fact that we are going to have a Human Resources Department. I assume we are going to have one. We have passed by Ordinance but it has just not been formed yet, and that will be a major difference in the future from what we have got now. Right now the Older American Center budget being in the Board of Works doesn't make any budgetary sense.

Councilpresident De St. Croix: As I understand, the testimony before the Council when this first came up, there is a minor administrative inconvenience in terms of making certain the claims are processed properly. Mr. Wilson has stated publicly, before this Council. It has not resulted in any serious impairment of program effort, of service effort, or essentially anything on the part of the Older American Center, except Mr. Wilson has to make sure that the proper traps are run with Ms. Sims regarding claims pulled from different budgets. Now I'm sorry if perhaps it is uncertain. I just am not comfortable with making a major policy decision prior to making major policy decisions for the whole year, when they are definitely related. That is all I am trying to say.

Councilman Morrison: Bill (Wilson), I would like to ask you a question about this budget transfer, or appropriation. Do we have to have this appropriation to pay any outstanding bills at the present time?

Mr. Wilson: In fact, we have several, probably twelve or fifteen claims that we have been holding during the process of this transfer. They cannot be transferred unless we change the figures



which goes back to a republication.

Councilman Morrison: I see, but do we owe the claims, right?

Mr. Wilson: Well, not for his total amount. This is the amount to operate the remainder of the year.

Council Morrison: This operates the remainder part of the year. So, the budget that we are formulating will run into 1976, not 1975. This is the 1974 budget. That is all I wanted to know.

Councilman Fix: Yes, that really confuses me.

Councilman Behen: You made the implication Bill, that nothing could be paid unless this were passed, and I know you didn't mean to make that implication.

Councilman Morrison: He said twelve to fifteen claims, Dick (Behen).

Mr. Wilson: I said we are holding the claims now that are being processed, until these figures are finalized in one area or the other, regardless of where it ends up. Those claims will then be processed. We only hold these claims, well we have been holding them since these were first introduced, on the basis of the Ordinance. It is based on what it takes to operate the remainder of the year.

Councilman Behen: All right then, if someone perhaps you answer me if they will, if this should not succeed in being passed. Then these claims will be paid as they have in the past. The creditors will be satisfied.

Mr. Wilson: What we do is process them wherever the money lies at this time. In other words, it's either in the Board of Works or it's in Human Resources.

Councilman Behen: Thank you.

Mr. Wilson: I do not have the authority to sign the purchase order on that because the money is not in my budget.

Councilman Fix: In retrospect, Bill (Wilson) wouldn't it have been easier to go ahead and pay them, pay the claims especially the way money is now?

Mr. Wilson: Say that again?

Councilman Fix: Well, in retrospect, would it have been easier to go ahead and pay the claims, rather than hold it waiting, hold everything until we decide an appropriation?

Mr. Wilson: You mean the claims we are holding now?

Councilman Fix: Yes.

Mr. Wilson: You see the reason we are holding the claims now is because the published figures, Martha had to put in the paper for legal publication for an Ordinance, is what we are holding until such time it is released so that we know what category or what department to take it out of in order to pay it.

Councilman Fix: Then why bring the Ordinance in? Why don't

you just go ahead and pay them and forget about an Ordinance?

Mr. Wilson: We can but where do we process it from?

Councilman Fix: That is what I would like to know.

Mr. Wilson: Well, that is fine. We will, but then these figures change before you pass it, and then we would have to readvertise and bring it back to you again.

Councilpresident De St. Croix: Mr. Fix's question is not in terms of the twelve claims you are holding. Is it?

Councilman Fix: No, not necessarily. It could be anything. Why the Ordinance, period?

Mr. Wilson: Well, I think to put money back in where the supervision is.

Councilpresident De St. Croix: In other words, Mr. Wilson will be able to sign all those claims on the Older American Center as Director of Parks and Recreation, as apposed to pulling from the Board of Public Works Budget, or the Human Resources Department where this is currently located.

Mr. Wilson: It is split in two different budgets.

Councilman Fix: Put the money back where the people are.

Mr. Wilson: Right.

Councilman Fix: And the people didn't materilaize on the other side.

Mr. Wilson: Well, we are not responsible for that program.

Councilman Fix: No one is responsible for the program as it stands right now.

Mr. Wilson: Well, I don't have the authority yet. I have been operating it, and they have asked me to do it. In other words, I don't have the authority on expenditures of funds because I don't sign either the claim or the purchase order, that goes through Human Resources, or Board of Works.

Councilman Fix: Nor does anyone else at this particular time, right?

Mr. Wilson: The Human Resources and the Board of Works does, but right now we are holding everything because we don't have processing of anything until some decision is made on these figures.

Councilman Towell: I think this is the old put the burr back under the saddle technique. Bring up the old issues again, steam up the boiler shop again. I'm going to vote against this. I've changed my mind on the basis of this.

Councilpresident De St. Croix: Further discussion from the Council? The question is whether or not to transfer back to Parks and Recreation the items we have discussed. The motion has been on the adoption of this portion of the Ordinance.

Councilman Ackerman: It is on the amendment, is it not?

Councilman Fix: Yes, it is on the amendment.

Councilpresident De St. Croix: My apology. The first motion is on the amendment. The amendment was to take number seven properties line-item equipment, and delete it from this section, Parks and Recreation Department. Can we take the tabled portion, Mr. Parliamentarian, and insert that into a portion that has already been enacted?

Councilman Towell: In my opinion, I was going to bring that up later, before we finish it, it should be numbered as a separate Ordinance.

Councilpresident De St. Croix: In order for that to occur, that would require a separate Ordinance. In other words, we cannot amend a finalized action by the Council already.

Councilman Towell: I think when we separated this question from the rest, we should have a numbering for another Ordinance.

Councilpresident De St. Croix: And we don't have one.

Councilman Ackerman: If there is an amendment?

Councilman Towell: I think that is a bookkeeping thing. I think it is just the next number whatever that is.

Councilpresident De St. Croix: This whole consideration would be a separate Appropriation Ordinance number?

Councilman Towell: I think it has to be now.

Councilpresident De St. Croix: Does that raise any legal issue in terms of advertising requirements?

Councilwoman Zietlow: That was the whole point of the tabling.

Councilwoman Davis: I thought we discussed this the last time.

Councilpresident De St. Croix: The motion before the Council then is to delete equipment from the Parks and Recreation Department. Can it be transferred into a budget that has already been adopted and voted on?

Councilman Towell: I don't think there is any problem about going ahead with the action, but I think it should be numbered as a separate Ordinance.

Councilpresident De St. Croix: Thank you. So that would be a separate section.

Councilman Towell: Our lawyers are sitting here, I hope that no news is good news. They haven't reacted.

Councilpresident De St. Croix: Nobody, no comment?

Mr. Larry Owens, City Attorney: I think that if you fail to transfer it, the money has to remain somewhere. The money doesn't disappear obviously, and it would remain wherever it is... which is in the Board of Works, which is I think if I understood the intent, that is the...

Councilwoman Davis: Yes..

Councilpresident De St. Croix: Thank you. I just wanted to make sure we are procedurally correct. This is on the amendment; call the role.

The amendment to Appropriation Ordinance 75-4 to transfer funds from Board of Works to Parks and Recreation failed by a ROLL CALL VOTE of AYES: 3, NAYS: 5. Nays: Morrison, Towell, Behen, Zietlow, and De St. Croix.

Councilman Ackerman: Question.

Councilpresident De St. Croix: The question before the Council now is on the transfer. Please call the role, this is on the whole Parks and Recreation part Older American Center.

The transfer of funds failed by a ROLL CALL VOTE of AYES:3, NAYS: 5. Nays: Towell, Behen, Zietlow, Davis and De St. Croix.

Comments made during the vote process were as follows:

Councilman Towell: The whole thing is unnecessary. No.

Councilman Fix: I have alot of misgivings about this, I think a yes vote here would be a tampering with the administrative process. It seems like the administrative process has broken down a little in the past few months, but I think basically I would just as soon see the Older American Center stay in the Parks and Recreation Department, so I'll vote yes.

Councilwoman Zietlow: My feeling is that until the Human Resources Department is really cooperative, that the Older American Center is in a limbo in any case, however with the discussion that has just proceeded, I am inclined to vote no, and I will do so. No.

Councilwoman Davis: I don't very often change my mind, but in this case I have. I will vote no.

Councilman Behen: I just have one question to the Department heads in the various categories. One that has not been created, one that is an existing department is going to be confronted with...How on earth are they going to be able the prepare their budgets? I mean this constitutes a real confrontation to their mind if we are diverse in our opinion of where it is supposed to be. Are both Departments supposed to prepare budgets as far as teh Older American Center is concerned? Are we going to go for the one that can operate it most frugally, or thriftily, if they are going to have to prepare equipment? We don't even have a Department head for Human Resources. So, who is going to prepare the budget for the Older AMERICAN Center at this point now?

Councilpresident De St. Croix: I imagine the Council will address that issue in its budget hearings. I am not certain we have adequate information of all Departments and the Mayor's Office present to speak to that.

Councilman Behen: I brought it up to the surface at this time so that they would be prepared for it.

Councilman Towell: I expect they will. I would just like to congratulate Mr. Wilson.

Councilpresident De St. Croix: Next item on the agenda, reports from City Departments, Boards and Commissions. Transportation Report, featuring Mr. Wray.

Mr. James Wray: It'll be a little brief tonight, so we can get to your questions and what may be interesting. Since the Annual Report is almost six months old now, maybe a little bit about what is going on this year. I think 1974, probably the most significant thing that happened in B.P. was the fact that it

was brought under the director managerial control of the Board of Public Works, which has turned out to be beneficial for all concerned. It certainly has given the Department a little bit more input, a good bit of good ideas of how to run it a little bit more efficiently. I think in 1974, the fact that we did transport almost 422,000 people indicates that the system has become viable. In fact, it surpassed what most people anticipated would occur. I know we still hear a lot about empty buses, and one thing or another. One of the criticisms or suggestions which was made last year, was to see how we could increase ridership. Enclosed is a packet of information I gave you, with an on-bus survey that was done as to what people we are currently attracting to the system. We are now undergoing a small series of experiments to see what we can do to lure more people into empty time periods, where our buses don't run at peak, and we can better round out the system. In other words, shift peak period riders, or shift riders to other times of the day through price incentives or something, what kind of promotional activity we can go through to attract new riders. I think that the first thing we have to do is get more information on what kind of people are currently riding B.T. I think one thing that we are under criticism about repeatedly, and there is nothing like spelling it out, I suppose is just what it costs to run B.T. This obviously is done unilaterally by us. I don't know how many of the other Departments show their operating losses that have income, as openly as we do. As far as the Annual Report, we show total costs of \$422,240.35 and total income of \$73,480.20, which means we had an operating loss of \$148,000 or a subsidy of 35.3 cents for everybody that used the Bloomington Transit system during 1974. Unfortunately, facts and figures like that really don't tell the social savings, or the social costs, or the fact that 80% of our riders don't seem to have any alternative means of transportation. The fact that before B.T. many of them couldn't get medical help as often as they needed it, that they could not visit friends that were in some of our nursing homes... They were locked into shopping and neighborhood areas, and they had to pay a premium for groceries that this doesn't show. So I hope that again, every month we seem to come up with this subsidy figure. I hope that the people who are saying that it ought to be making money, are realizing that there are a lot of things that don't. We feel we are providing a good social service. Those costs need to be looked into even though they can't be quantified very simply, if at all. Behind those figures, and I would ask the Council's indulgence sometime in the near future, before you stop by the office, but behind operating, we time to time have had some criticism that we don't include everything. For management purposes, to a degree, that is true, because some of our expenses are constant. I'm more interested on a monthly basis, and the worksheet I look at the variable expenses to see if they get out of line and what we can do about them. Such things as wages are set by negotiation, and by salary Ordinance. There is not too much we can do about it. Do we have to make a decision on which holidays we are going to run or are not going to run. On repair bills, it becomes very evident sometimes when you have things like that tear up, that shouldn't, such as tires. We have had an occasion where we put tires on in the morning, and had blow-outs in the afternoon, from running curbs and one thing or another. It is in those kind of maintenance figures, that I've been interested in. But again, with your indulgence, we will be more than happy to show you the details of costing we keep on each bus, so that we can tell you how much per mile it costs to operate that bus each month, thus indicating the maintenance done on it. We keep notes on large expenditures. We have

done a little bit of promotional work. In the last year, we have designed a schedule that we think it quite readable. We have made an effort to distribute that throughout the community, at the activities fair where the students come back in the fall, at the hospital, at the library, several of the hotels and motels in town that are on bus routes. In addition to that, we have had several employees talk with other service agencies. We are finding that people that do need transportation, and in some cases even live on the bus route (inaudible). We hope that through this activity we are selecting people that would be eligible to ride, and we hope would use. In addition, the phone company was nice enough to give us a full page ad in the Yellow Pages where our route map was published, so essentially, everybody has it in their home. Do you want to take questions on each part of this as we go along, rather than to move on to streets?

Councilpresident De St. Croix: Could the Council Committee that had the questions, indicate the preference?

Councilwoman Davis: Why don't we do the buses first? Some of these you have answered over and over again, but people keep asking the same questions. What are the disadvantages of diesel over gas, and so forth and so on?

Mr. James Wray: We did a careful analysis of that. You know you can only carry something so far I think, but diesel fuel costs about .43 cents a gallon. This is what it costs the system. Regular gasoline costs about .57 cents a gallon. The gasoline engines we have had in service, with stop-and-go driving in vans, get slightly more than five miles per gallon; the diesel engines we have, get over eleven miles per gallon. So the savings on about fifty thousand miles per bus, per year, is pretty significant. That is one advantage. The other advantage is we feel we have equipment that is going to last, and in fact has lasted longer than a van type vehicle. If the equipment lasts, we might as well get an engine that lasts. Gasoline engines are usually pretty well gone by the time they get to 100,000 miles, sometimes less. Diesel engines we won't have to overhaul until they reach 150 to 200,000 miles. In fact, last year we had the misfortune of having the crank shaft in an engine break with about 50,000 miles on it. It was replaced by a Mercedes Benz Three. It did not cost anything to the system, and I don't think you can argue there is no gas engine going that can have that kind of guarantee.

Councilwoman Davis: Also is diesel not quite as pollutant as gasoline. Even though the odor is there, isn't diesel considered a non-toxic pollutant as opposed to gasoline?

Mr. James Wray: When the first equipment was acquired, was the only piece we could have bought that met the air pollution regulations that come into effect this year. They are less polluting than gasoline combustion engines. In all honesty, I haven't checked to see what the new emission control devices are to the ratings of our diesels, vis a vis the new emission control devices on gas.

Councilwoman Davis: Do the new buses have automatic transmissions?

Mr. James Wray: Yes they do.

Councilwoman Davis: How long does it take to get parts for the buses?

Mr. Wray: In most cases now, no longer than a week.

Councilwoman Davis: I think once you gave us a comparison of that to the harvester parts to the garbage trucks which were something like...

Mr. Wray: I hate to go into brand names, but in some cases it has taken six weeks. It is not uncommon for in the last twelve to eighteen months, for us to have a fairly severe part shortage, whether it is on some of our sweepers or something as common as a mass-produced truck body. You know I'm not talking about special equipment, such as packer bodies, I am talking about the truck that carries them. Six weeks or two months has not been uncommon for such things as power steering units.

Councilwoman Davis: So we are getting better service on parts that are not produced in the United States than we are on parts that are produced in the United States?

Mr. Wray: In most cases, yes.

Councilwoman Davis: Has the cost of the parts gone up? How much with comparison to parts manufactured in the United States?

Mr. Wray: Our experience has been that they have both gone up the same amount, 20 to 25% over the last year. In the last several months we have had pretty rapid inflation. Here again, depending upon what method of moving them is involved, freight can be a significant factor. That is true whether it is several components in American-made vehicles or actually produced in Canada or elsewhere. So you have significant freight there, whereas a lot of the parts from overseas come in on a ship which is less expensive. In fact, we have a diesel in Chicago, so it's been a very comparable increase. We did note a change in the supply pattern. When we switched our supply from New Jersey to Chicago, the company went through a change in location of their depot, that we could be serviced from. By the same token, when we start talking about increases, the fleet maintenance department has recently become a licensed mechanic for Mercedes, and we now get the maximum 25% discount, where we used to get ten. We can do our own warrantee work now, charge it back, and we have received a fifteen per cent increase.

Councilwoman Davis: That follows the next question. How does our maintenance record of buses compare to those of similar size in other cities?

Mr. Wray: Well, we have tried to do some work on this, and we have been given some figures. It costs us about 11.6 cents a mile to operate. We have received reports of Morgantown, West Virginia for instance, that says it costs 9.5 cents, 8 cents, and we put a pencil to it, and it is difficult to believe. They say they don't have brake problems that we have encountered. We don't have them any longer either, but we have air conditioning problems, spring problems, and one thing or another that is going the other way. Even eliminating those, those figures don't sound realistic. That is another community that uses Mercedes Benz equipment. Other communities that use small buses, it can be anything from twelve, fifteen,

twenty to twenty-five cents per mile. We have received reports from Lafayette, Evensville, Terra Haute. Again, going one step further, cities using large coaches that are designed for transit use, and are built for it, are experiencing about 6.5 cent per mile cost of operating. In other words, larger buses are in effect cheaper to operate. They are built for it. You just don't have the breakdowns.

Councilwoman Davis: Morgantown doesn't have curbs to hit, and there, you know, you just go to the top of the hill and go down.

Mr. Wray: As I said, we have made some significant changes. We have changed tires; we've put on heavier tires now. Tire life has increased 300%. Our brakes have increased about 3 or 400%. So we are doing our part to keep our whole costs down.

Councilwoman Davis: When we are talking about that, I understand that there have been two or three meetings with Council representatives and University representatives in the Mayor's Office. I think the last one I attended was several months ago. Mainly, I haven't been aware of them until after they have occurred. I did talk with I.U.'s Director of Transportation. In fact, there is very little discussion about it. I.U. has sent a copy of their grant application, but I haven't heard whether they are going to go ahead with the grant. I would say that they are in a status quo situation that would indicate that they are waiting to see if there can be some movement about cooperation.

Councilman Ackerman: Jim, you said that the cost of running the buses is approximately 11.5 cents a mile right now. Have you done a projection to see what would be the maximum ridership for the bus system would decrease the amount of City subsidation. I would imagine if you get a whole lot more riders, that eventually the cost to the City would go up again. Is there sort of a peak efficiency that would cause the amount of the subsidy from the City to go down? What should we aim at as far as ridership is concerned?

Mr. Wray: Jim (Ackerman), I don't have it with me, but I will say this. With inflation being what it has been in the past eighteen months, we don't have enough seating capacity to lower the...at the .25 fare, an average of 17.8 cents. We don't have the capacity to decrease the subsidy below what was at some point in the past by increasing ridership. We don't have enough seating capacity left to generate enough revenue. So we are at capacity right now... We could decrease it for a while, but I maintain there is a point in the past some place where it was probably lower. Our ridership is going up dramatically now. The ten cent fare had a profound effect. In a day, I think ridership was 1753 which is quite significant. In fact we are putting some back up buses on a couple of routes now are going to Bloomington High School North, because we are having to leave our regular customers due to a capacity problem. So it is this sort of thing that, you know, we are going to be tested. You know, the ten cent fare, and running buses back to back during peak periods to see just what we can do to generate income.

Councilwoman Davis: Then the question about, "Do you have any suggestions in terms of expansion?", or "Do you think we should keep it at the status quo with the three new buses?"



Mr. Wray: No, we are doing the same expansion as I said. We are looking at the possibility of what effect pricing has on increasing ridership during certain hours of the day. I'm going to take that information and then see where there is a significant change. There is a possibility of splitting some routes, such as route two, and providing more service to the East, Knightridge Manor apartments, Park Ridge East... the area we would like to reach and just cannot reach. That shows very good use potential. It has been done in the past in similar areas. This summer I'm going to make some suggestions on that. I think the big picture is, with inflation the way it has been, with operation subsidies the way it is, and certainly about Revenue Sharing. I would like to go rather slow and insure Bloomington is going to have public transportation, than have a dramatic increase right now with uncertainty of funding effects of cities under fifty thousand, and see it cave in under its own weight, and just have to go into an interrupted period. I think that would be the most disastrous thing we could do. We are just starting to build confidence after two years.

Councilwoman Davis: Do you think there is some chance that we might modify some of the routes and redo some of them?

Mr. Wray: Yes, I think by the time the budget comes up for approval, there is something to think about. Quite frankly, the thing that I am seriously concerned with, or considering, if it doesn't pick up, is dropping some of the early morning runs and running them in the afternoon or late one night a week which would seemingly benefit more...it is going to hurt some individuals, but we do have some riders, that I think would benefit, for basically the same expense. With three new backup buses coming, there is a possibility of special tripper service. Obviously they are backups, and I don't want to get this issue in now, when we can't even put the buses in for body work when they need it. I think there is a possibility for some kind of trip service once or twice a week to special areas, special projects, public projects going on. There is a possibility of some subscription service. There is a possibility, as I said, of splitting routes during certain hours of the day, running into more advantageous areas. It is getting pretty involved, and if we are going to figure out which hours we do it, quite frankly, to put another bus on the route, is a twelve to fourteen thousand dollar expense. After the bus is acquired, we have to pay the salary, the maintenance on it if it runs as many miles as we currently run the buses, which is about twice as fast and as far as the national average.

Councilwoman Zietlow: Two questions. One is, a number of children I know say that they are afraid to ride the buses because they do say they are afraid they will get passed up. I mean they are not afraid, but they are discouraged from riding it. I wonder if there can be some sort of set place where bus drivers will watch for children if they are standing on a corner, and are flagging, and are little. They wave but they don't get seen.

Mr. Wray: Well, I think the best thing to do is when that occurs, and you know we do get these reports, and if you can give me a specific time, then I can find out who the driver is...in some cases, it quite frankly is a personnel problem.

Councilman Fix: Also, the kids are waiting at buses all over.

Mr. Wray: This is not the first time this has come up, and unless I know the circumstances, it is difficult for me to do anything about it. I have to know the time of day, you know.

Councilwoman Zietlow: So then people should report that to the B.T. when that happens.

Mr. Wray: If they think a bus is going too fast, it is not stopping or rolling to a stop sign, it is not picking people up, they are treated discourteously, ...we want a call.

Councilwoman Zietlow: We want to encourage the children to use it. On the other question, you brought it up at the beginning, and I would just like to clarify the relation between the B.T., the Board of Works, and the Transportation Department, administratively. The Board of Works theoretically runs the Bloomington Transit.

Mr. Wray: The Board of Works is the body that sets the policies as I understand it now. They approve our claims; I report to them on changes in policy. For instance it was kind of a reacting situation when we got buried yesterday with, I think 37 kids, jumped on one bus at Bloomington High School North. So, today we did start running a back-up bus, and that memo has gone to the Board of Works. We are sending them copies of our maintenance reports, how much it costs to operate the buses per mile. I think they have given me a lack of desire. They say it is my business on personnel matters. I don't think they want to get into that kind of day to day operation, but policies and trends, I think they are interested in, and we are trying to feed that information to them.

Councilpresident De St. Croix: Further questions from the Council members on the buses? Thank you, Mr. Wray. I wonder if perhaps we could schedule the street department questions for the next Council meeting. We are approaching eleven o'clock and we still have Ordinances at first reading. We have attempted to adjourn meetings at some earlier time so that people can maintain some normal schedule for people like me who get up at five or earlier.

Councilman Behen: If there is a sense of Council that we could do that, I think that is all that is required.

Councilpresident De St. Croix: So under the Transportation Department, rather than going into the Street Department also, which I know a number of the Council members have extensive questions on, and perhaps we can focus that perhaps at the next meeting.

Councilman Ackerman: Or ask for answers in writing or something like that?

Councilwoman Davis: No, I would like it to be extended.

Councilpresident De St. Croix: Mr. Wray, would you be willing to come back to respond to that?

Mr. Wray: Yes.

Councilpresident De St. Croix: Thank you very much, sir. Moving right along, introduction of Ordinances at First Reading.

Councilwoman Zietlow: I move that Ordinance 75-28 be introduced and read by the Clerk.

Councilwoman Davis: I'll second the motion.

Councilman Morrison: By title only?

Councilwoman Zietlow: No. Do you want it by title only?

Councilpresident De St. Croix: I think the committee has a number of amendments they will be bringing to the Council on this Ordinance.

Clerk Dolnick read Ordinance 75-28 in its entirety.

Councilwoman Zietlow: I move that Ordinance 75-32 be introduced and read by the Clerk by title only.

Councilman Morrison: Second.

Clerk Dolnick read Ordinance 75-32 by title only.

Councilman Morrison: I move that Ordinance 75-36 be introduced and read by the Clerk by title only.

Councilman Behen: Second.

Clerk Dolnick read Ordinance 75-36 by title only.

Councilpresident De St. Croix: Excuse me, on the original agenda, I believe everybody has received this memo. It was just unintentional piece of paper that was just set aside. Do we have a motion? Do we have a second?

Councilman Behen: I move the Appropriation Ordinance 75-5 be introduced and read by the Clerk by title only.

Councilman Morrison: Second.

Councilpresident De St. Croix: It has been moved and seconded the Appropriation Ordinance 75-5 be introduced by the Clerk by title only.

Clerk Dolnick read Appropriation Ordinance 75-5 by title only.

Councilpresident De St. Croix: That is an appropriation of \$15,000 that is intended for the space needs study utilization. I believe next item on the agenda is Minutes for April 10, and May 15.

Councilman Ackerman: I move the Minutes of April 10 and May 15 be approved.

Councilwoman Davis: I'll second the motion.

Councilpresident De St. Croix: There is a motion and a second. Is there discussion?

Councilwoman Zietlow: Mr. President, that wasn't on the agenda that I have, but I received them only yesterday, and I have not had a chance to go over them. They are mammoth.

Councilpresident De St. Croix: Yes, I am aware of that, and I think that perhaps I'd feel better if we knew specifically what the minutes were for a longer period of time than one day before we are asked to approve them.

Councilman Ackerman: I withdraw my motion.

Council president De St. Croix: Next item on the agenda is adjournment.

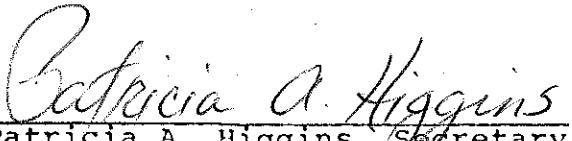
Councilman Behen: Whacko.

Councilman Morrison: So moved.


Councilwoman Davis: Seconded.

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

ATTEST:

  
Patricia A. Higgins, Secretary

APPROVED:

  
Brian C. De St. Croix, President  
Bloomington Common Council

3609 Longview  
Bloomington, Indiana 47401  
April 21, 1975

Bloomington City Council  
Bloomington City Hall  
East Third Street  
Bloomington, Indiana 47401

Dear Members of the City Council:

Before you is a proposal to change and up-date the BL(Limited Business) district in the proposed ordinance 75-20. It is to this proposed ordinance the Parkridge Association respectfully addresses you.

In the proposed 1974 ordinance for this zone, this association expressed concern on the purpose of the zone and the fact that high traffic generating establishments would be permitted in this zone. You tabled that 1974 proposed ordinance. In the 1975 proposed ordinance 75-20, this association is expressing concern on the fact that high traffic generating establishments would be permitted in this zone, that size restrictions would not be placed on all establishments per use in this district, and that Communications, Transmission has never been defined because it was never in the copies used for the work session or public meeting of the Planning Commission.

The proposed ordinance 75-20 states that the purpose of the BL(Limited Business) District -20.05.02.01 - is to be "the most restrictive commercial district"\*\*\*, "to provide transition between residential sections of the community and more intense commercial or industrial land uses"\*\*\* and "for a mix of residential and commercial facilities".

The Parkridge Association would like to make the following recommendation and express concern on areas of the proposed ordinance - with those parts of the purpose of the district in mind.

The Parkridge Association would like to suggest that a size limitation of 3,000 square feet gross floor space for each permitted use under sections 20.07.04.00 through 20.07.07.00. It is big enough to fulfill the purpose of providing "retail goods and services which are required for the daily or regular convenience of the citizens"\*\*\*, but not as intense as other zones.

The Table of Required Parking (20.14.02) designates those businesses which are considered as basically heavy traffic generators by the number of parking spaces required per 1,000 square feet of gross floor area, per chair, per doctor or per dentist. These spaces - one would assume - are for consumers using and establishment and are not basically counted to include the employers or employees of the establishment. These parking spaces do not reflect the turnover in consumers using those parking spaces within an hours time. But common sense indicates - to most - those establishments listed in the Tabular Summary of Land Use Regulations (20.07.04.00 through 20.07.07.00) which are even higher in traffic generation than the Table of Required Parking would indicate such as: 20.07.05 A. 19. Grocery and Meats - which would permit a complex as big as the Krogers in the Eastland Shopping Center, A. 26. Shopping Center - which would be permitted under PUD on less than 5 acres of land with establishments of BA (Arterial Business) intensity, or B. 4. Branch Banks on arterial streets - which is similiar in connotation to a drive-in restaurant in vehicle generation. All of this in a district defined to "provide the opportunity for a mix of residential and commercial facilities within a single building or development complex"\*\*\*, with children as

2.

residents, and to be "the most restrictive commercial district". Consequently, these and other high traffic generating establishments in this proposed BL district are of great concern to the Parkridge Association - which has several BL zones next to or in close proximity to its subdivision.

A definition is needed for Communications, Transmissions under 20.07.07.00 Institutional B. 1.. This particular item was never on proposed ordinance 75-20 when it was before the Planning Commission for the work session or public meeting before being sent on to this Council. Does it mean just small relay buildings? Does it mean a tower or towers by itself, or on a relay building, or on a business structure or complex, or on a residential and business structure or complex? If a tower is included in the definition, shouldn't there be concern about the safety of the people who reside in residential parts of the building, or near the structure in residential buildings or homes to which the tower would abut?

While the Parkridge Association does agree with areas of the proposed ordinance, it felt it should express concern and recommendations regarding other parts of it.

Respectfully submitted,

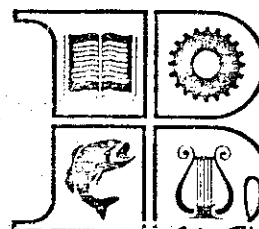
*Ronna Jenkinson*

Ronna Jenkinson  
Parkridge Association Secretary

COMMUNITY OF DIMENSIONS

GREATER  
BLOOMINGTON  
CHAMBER OF  
COMMERCE, INC.

P.O. BOX 1302 • BLOOMINGTON, INDIANA 47401 • PHONE: (812) 336-6381



April 25, 1975

*copy to council  
file*

Mr. Brian C. de St. Croix, President  
City of Bloomington Common Council  
City Hall  
P. C. Box 100  
Bloomington, Indiana 47401

Dear Brian:

As you may recall the Common Council of the City of Bloomington was presented, early this year, with a proposed "Corridor Zoning Ordinance". At the time the ordinance came before the Council for action the Greater Bloomington Chamber of Commerce, by unanimous action of its Board of Directors, protested the ordinance and requested that it be sent back to the Plan Commission for further public hearing. This the Council did.

At the public hearing the Chamber requested that the ordinance be sent to a work session with the agreement that representatives of the Chamber would be willing to work with the Plan Commission to develop an ordinance which would be more acceptable, more workable and probably better able to be enforced. A general work session was held and at a regular meeting of the Plan Commission the Chamber supported the proposed draft ordinance.

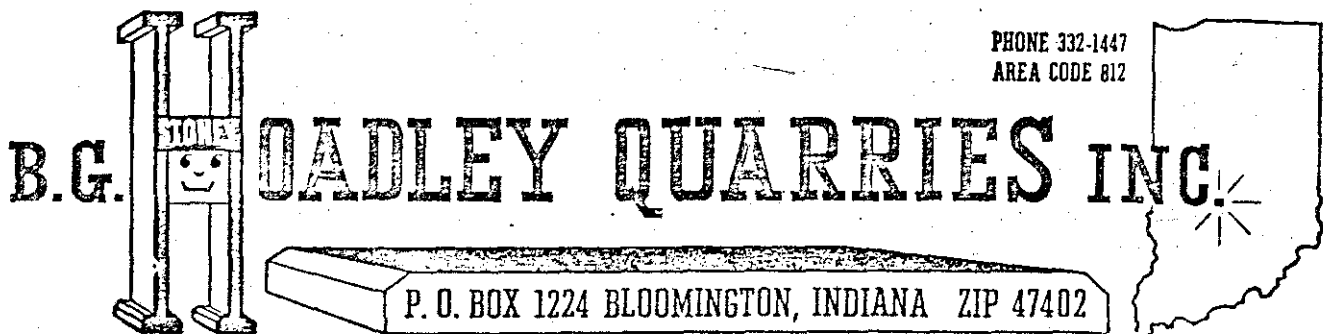
The Common Council has now been presented with a final ordinance - Ordinance 75-19.

The Board of Directors of the Chamber, at its regular meeting on April 21 reviewed the proposed ordinance and unanimously endorsed its passage.

We believe that the development of this ordinance in its present form could be a guideline for the future. When reasonable people can sit down together to discuss a common issue, reasonable legislation can be developed. The Chamber pledges that when called upon it stands ready to work in this spirit.

Sincerely,

Charles R. Stroh  
Executive Vice President



June 18, 1975

Bloomington City Council  
City of Bloomington Administration Building  
Bloomington, Indiana 47401

Dear Councilmen:

I read with awe and amazement your plan for further development of future industrial and commercial complexes in and around the city of Bloomington as stated in the Bloomington Daily Herald-Telephone, Tuesday, June 17, 1975.

Such proposed action is another step in our planned society to further restrict the affairs of a certain segment of our community without "Due Process."

We object to the ordinances as stated regarding the corridor zone and landscaping ordinances. We have tried in the past to approach the present zoning laws with respect. In the past we have requested zoning changes from your administration which would have benefited the community as a whole as well as our corporation. We were promised by the previous city administration that our heavy industrial zoning classification would not be changed. As the new or present zoning law was passed, we found such assurances were fabrications.

As a result of the above, our corporation asked and was denied on two occasions before your planning commission changes in our zoning that would have been mutually beneficial.

As we read the present ordinance and proposed ordinances, we regard them as restrictive to our corporate health. We also see the present and proposed ordinances as protecting large individual and corporate land interests in and around the City of Bloomington. We find that your claim to protect the small businessman is also a fabrication.

We wish to go on record as opposing the proposed zoning ordinances.

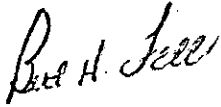




Bloomington City Council  
June 18, 1975

We find that past zoning or zoning requests have been handled without responsibility by the Bloomington City Council and the Bloomington Plan Commission. Further action would be a restriction and restraint upon the affairs of the business community.

Sincerely,



Bert H. Fell  
President

BHF/glc



### Streets, Gutters & Curbs

What is the schedule for repairing them? How are priorities set? Can we see the maps?

What are the methods of repairing the streets? Are there alternative methods? Might the alternatives be better?

Is there a way to eliminate the dips at the bottom of hills?

### Sidewalks

In what priority are sidewalks constructed?

Who does the engineering for them?

How can we eliminate drainage problems?

Should the city maintain the sidewalks? If so, what plan is used?

### Street Cleaning

How is the street cleaning schedule set up?

Can there be night street cleaning so that gutters can be cleaned or can we post no parking signs while the streets are being cleaned?

### Buses

What are the advantages of diesel over gas?

How are the routes planned and can they be modified?

Could we have a general description of the maintenance records; for example, how many miles are they driven before maintenance is needed?

Do the new buses have automatic transmission?

How do our maintenance record of our buses compare to those of a similar size in other cities.

How long does it take to get parts for the buses? What is the comparative cost of the parts opposed to parts manufactured in the United States?

Has the cost for parts gone up? How much? How much compared with parts manufactured in the United States?

1. What do you suggest in terms of expansion?
  - a. rolling stock
  - b. routes
  - c. maintenance
  - d. increase of service hours.
2. Has there been any further advancement with I. U. cooperation of systems?
3. Total loss for first 6 months of this year.
4. Total ridership for first 6 months.
5. What happened with the free afternoon ridership?
6. How many streets have we paved this year?
7. How much more paving is planned?
8. How do we decide the priorities of what is done first?

who could participate in consideration of this ordinance.

For one reason or another I was the only member of the committee. I am very grateful for the support from Charlotte Zietlow who attended the meeting and can add her thoughts and observations to mine.

We felt an urgency in going on with the ordinance because of the Council's express wish to expedite the matter. An evening meeting was held to make it possible for the public to attend and express support or criticism. This was held June 11 in the Planning conference room.

For all intents and purposes ~~the~~ the proposed new BL classification is a new concept replacing the present BL and BI, institutional business. Substitution of this zone for the two says that the old BL was unworkable--there have been ~~no~~ no applications for it-- and that the general idea of BI has wider application with some modification.

~~The old BL was intended to provide convenience goods and services in close proximity to residential areas. Somewhat redundantly it specified design regulations intended to make the business establishments compatible with the adjacent residences. The regulations specified area or floorspace, height and placement of structure. It required new developments to contain a logical grouping of facilities to prevent residential areas being dotted with single stores. It was an attempt to specify how shopping could be nestled next to residential areas when the rights of residents are fully respected. After all the conditions were laid down no one wanted to build shopping in this kind of zone.~~

The old BL was intended to provide convenience goods and services in close proximity to residential areas. Somewhat redundantly it specified design regulations intended to make the business establishments compatible with the adjacent residences. The regulations specified area or floorspace, height and placement of structure. It required new developments to contain a logical grouping of facilities to prevent residential areas being dotted with single stores. It was an attempt to specify how shopping could be nestled next to residential areas when the rights of residents are fully respected. After all the conditions were laid down no one wanted to build shopping in this kind of zone.

The BI zone took as its purpose the provision of shopping facilities, personal services and professional services normally required on a regular basis for populations associated with major institutions of which one, the University, was mentioned as the present sole member of the class. Concern with adjacent zones was not a major consideration because the primary locational factor was that it would be next to the large population and large expanse of an institution well able to take care of itself. It was anticipated that a large part of the users of goods and services would be people who walked in. Thus the parking requirements did not need to be as strict. The areas for BI usually were on major thoroughfares and therefore were in areas suited for arterial business if that was needed. They were not used for buffering residential uses.

t The new BL takes its approach to permitted uses from

convenience of the citizens of Bloomington"--which we have now covered--are:

- (1) to provide a transition between residential sections of the community and the more intense commercial or industrial land uses
- (2) to provide a transition between residential and commercial facilities within a single building or development complex

These are two aspects of the same idea. The transition between residential and commercial zones is made by allowing intrusion of residential uses into a primarily commercial zone and by applying some of the standards of the adjacent residential zone to residential units which border on them. When the adjacent residential zone is RS, the bulk and density requirements are those of the RM or transitional residential zone. When they are adjacent to central business zoning, the central business standards apply. Otherwise, buildings containing residential units should have access from arterial or major collector streets and RH standards apply. These are the major provisions of note three which is attached to the residential uses.

The parking requirements are the sum of the business and residential uses.

The committee received long communications from Marie Harlan for ~~the~~ CONTACT and from Ronna Jenkinson for the Parkridge Association. In addition, Dave Cramer, president of the Parkridge Association attended the hearing.

The following discussion reflects points which were raised about the ordinance:

1. One major ~~xx~~ reason for having the new zone is the inclusion of a business and professional office ~~xxxx~~ use. This use is more compatible with nearby residential area--it is not noisy or a big traffic generator.

2. The inclusion of Grocery and Meat use without any restriction as to size or location was a major objection. The planner included it because three thousand square feet limitation meant no stores built. The objectors said that a super market was out of scale with the other uses in the zone and would lead to objections to the zone on a worst use basis. I think this means that this use should be taken out of the ordinance. Are we suffering from lack of areas for groceries?

3. Objection was made to the communications, transmissions use. The retort was that nothing can be done to keep them out anyway. They are already an exceptional use in all zones. The solution seemed to be that it was desirable to take them out since they ~~xx~~ would continue to be an exceptional use and a hearing would occur before they were built.

4. Branch banks and Doctor and Dentist offices are

the BI zone. One of its purposes is "providing retail goods and services which are required for the daily or regular convenience of the citizens of Bloomington." There is only one use in the old BI which is not permitted in the new zone. (Eating, and drinking but not drive-in were permitted in both the BL and BI and are not now permitted in BL). Newly permitted uses as compared ~~xx~~ with the old BL number nine:

- duplex(3)
- townhouse(3)
- fourplex(3)
- bakery(8)
- florist shop
- gift shop
- jewelry shop
- business and professional offices
- doctor and dentist's offices

In addition there are two changes in restrictions of uses permitted in both the old and new BLs.

- branch banks are not restricted to arterial streets
- grocery and meat stores now are not restricted to 3000 square feet.

Thus, the number of uses permitted in the old BL ~~xxxx~~ is 17 and the new permits 25.

The BI zone, which is now being phased out, included all of the above additional uses except business and professional offices and doctor and dentist offices. It ~~xxx~~ also shared the restriction on the size of grocery stores which is now being removed. The new BL will not allow the following which were allowed in BI:

- autoparking
- sale of books and newspapers
- liquor store
- sporting goods
- bar, tavern

And the following uses are limited as compared with BI:

- duplex, see discussion of clause (3)
- townhouse, as above
- fourplex, as above
- branch banks limited to arterial streets

The other main purpose<sup>s</sup> besides providing retail goods and services which are required for the daily or regular

large traffic generators. The question arises should they be in this zone rather than BA? Some areas where they are would be BL since they were allowed in both BL and BI until now. Should they and others in the future be BA? It is an irony that Doctors have often been the ~~xxx~~ zone and block breakers in the past and they turn out to be a more intense use than other offices which have not been able to get locations in the past. Should we take them out of this zone?

5. The B ZA cannot give use variations as in most cities because of the explicit provisions of our ordinance. This may not have been clearly recognized before.

6. The communications we received went into parking requirements. They said that they should be relative to floor size. The Planners insisted that the parking requirements were often too strict and led to the paving of more ground than was desirable. Perhaps a maximum provision~~x~~ was needed is the outcome, I think.

7. In the modification of BI to BL, non-offensive uses were eliminated. Why restrict books and newspapers? Does anyone want to try another item on the list?

8. The new zone makes the transition from residential to commercial abruptly, often with a one lot ~~xxxxxx~~ buffer. But as a residential zone it has the character of RH and its general character is RH-like. I think this may work well. It is novel to think of a residential intrusion into commercial with special requirements. But don't living areas require special consideration. Don't they intensify?

# Corridor zone bound for council

By TERRY ENGLISH  
H-T Staff Writer

Two major site plan revisions — both of which will ultimately affect the development of future industrial and commercial complexes — are to be given a "do-pass" recommendation by the planning/community development committee of the Bloomington City Council.

The two amendments, one dealing with establishment of

entrance corridor zones and the other detailing landscaping and tree-planting requirements, now await final action by the council as a whole.

The ordinance revisions were discussed, in a matter of speaking, at a planning/community development session Monday night. Only committee chairman Al Towell, senior planner Stu Reller, city council aide John Komoroske and two

members of the news media attended the public session.

Reller detailed the finer points of the entrance corridor zoning classification and then said he felt the law, if enacted, would have a long-range impact on beautification of highways and roads leading into Bloomington.

In essence, the ordinance — which was given unanimous approval by the Bloomington

Plan Commission in late March — provides that:

- Entrance corridors are to be defined as all streets and roads in the city's planning jurisdiction which are designated as state highways and bear route numbers.

- Entrance corridor regulations are applicable to future construction and additions to existing buildings which increase new floor area.

- No parking will be permitted in the area that fronts any structure, residential houses excluded, unless the parking lot area is landscaped.

- Trees, ground cover, streams and woodland (and all other natural features) must be preserved if at all possible.

- Mechanical equipment which is not required for customer service cannot be visible from the street.

Towell noted that the entrance corridor zoning classification will, within the foreseeable future, push property values up along roads and highways leading into the city.

Reller explained Monday night that the new landscaping ordinance details the tree-planting requirements that must be met by developments falling under site plan guidelines.



COMMITTEE REPORT SHEET

COMMITTEE NAME Utilities/Public Facilities

ORDINANCE/RESOLUTION 75-28 - Taxicabs  
(Name and Number)

DATE SUBMITTED \_\_\_\_\_

PERSON OR DEPARTMENT ORIGINATING Flo Davis

SUBJECT MATTER \_\_\_\_\_

DATES OF COMMITTEE MEETINGS \_\_\_\_\_

DATES AND LOCATIONS OF PUBLIC HEARINGS \_\_\_\_\_

COMMITTEE DISCUSSION:

COMMITTEE RECOMMENDATIONS:

That the option be picked up in 90 days and activated within those 90 days.

That the insurance requirement be brought to state legal requirements. Russ has framed this into an acceptable amendment.

MINORITY REPORT ATTACHED YES \_\_, NO \_\_, NOT APP. \_\_

SIGNATURES OF COMMITTEE MEMBERS

Flo Davis  
\_\_\_\_\_  
Charlotte Teckler  
\_\_\_\_\_

CHAIRPERSON

COMMITTEE REPORT SHEET

COMMITTEE NAME Community Resources

ORDINANCE/RESOLUTION Resolution 75-17  
(Name and Number)

DATE SUBMITTED \_\_\_\_\_

PERSON OR DEPARTMENT ORIGINATING Jim Ackerman

SUBJECT MATTER Older American Center

DATES OF COMMITTEE MEETINGS \_\_\_\_\_

DATES AND LOCATIONS OF PUBLIC HEARINGS \_\_\_\_\_

COMMITTEE DISCUSSION:

COMMITTEE RECOMMENDATIONS:

We recommend that the budget for the Older American Center be transferred from the Board of Works to the Parks and Recreation Department. The reason for this recommendation is that it will simplify and unify the procedure for requesting and spending funds in the Older American Center program.

We would like to stress that our recommendation is making no judgement concerning a final decision as to which department should be responsible for supervising the Older American Center program. We believe that further discussions between the Mayor and the Council should be held on this matter. With the discussions on the 1976 budget upon us, with the Director of the Human Resources Department not yet hired, we feel that now is not the best time to carry on these discussions. (next page)

MINORITY REPORT ATTACHED YES , NO , NOT APP.

SIGNATURES OF COMMITTEE MEMBERS

James S. Ackerman CHAIRPERSON  
John F. Davis  
Charles D. [unclear]

Appropriation Ordinance 75-4  
Page Two  
Community Resources Committee Report

One specific recommendation regarding the Budget Transfer: the \$800 Office Supplies was not specifically allocated for the Older American Center, and we feel that, unless Mr. Wilson can demonstrate an overwhelming need, it should be left in the Human Resources Department for use by the director when he/she is hired, and for the use of other related offices, such as the Human Rights Office.

COMMITTEE REPORT SHEET

COMMITTEE NAME App Comm

ORDINANCE/RESOLUTION (Name and Number) 75-17

DATE SUBMITTED JUNE 19, 75

PERSON OR DEPARTMENT ORIGINATING \_\_\_\_\_

SUBJECT MATTER BUDGET TRANSFER'S

DATES OF COMMITTEE MEETINGS JUNE 17, 75

DATES AND LOCATIONS OF PUBLIC HEARINGS Phon

COMMITTEE DISCUSSION:

BRIEF

COMMITTEE RECOMMENDATIONS:

REASONABLE REQUEST'S

MINORITY REPORT ATTACHED YES , NO , NOT APP.

SIGNATURES OF COMMITTEE MEMBERS

CHAIRPERSON

[Signature]  
[Signature]  
[Signature]

**SUMMARY OF AMENDMENTS TO ORDINANCE 75-20**

Change 20.07.05 #19 to read note 9 instead of "X".

3,000 square foot limit be applied to all BL uses with exception of Residential (20.07.04.00B) and #26, Shopping Center under 20.07.05.00A Commercial Retail.

Remove 3,000 square foot limitation from business and professional offices (#7), personal service (#17), and branch banks (#4) under 20.07.05.00B. And under 20.07.07.00 Institutional - A3 - Cultural facilities.

Delete branch banks from BL zone.

Delete from Section 20.07.07.00 Institutional Category B-Utilities-Communications, Transmission.