

In the Common Council Chambers of the Municipal Building, held on Thursday, September 19, with Councilpresident De St. Croix, presiding.

REGULAR SESSION
COMMON COUNCIL

Present: Flo Davis, Brian De St. Croix, Wayne Fix, Pat Kinzer, Sherwin Mizell, Jack Morrison, Al Towell, Charlotte Zietlow

ROLL CALL

Absent: Richard Behen

There were about 35 others present, including members of the press.

City Officials present: Karel Dolnick, City Clerk; Martha Sims, City Controller; M. C. Russell, Street Inspector; Stu Reller, Planning; John Komoroske, Council Attorney/Administrator; Tom Crossman, Planning; Marvard Clark, Engineering; Bill Wilson, Parks and Recreation; Carl Chambers, Chief of Police; Leo Burke, Human Resources; Larry Owens, City Attorney; Jim Wray, Transportation; Lloyd Olcott, Parks and Recreation; Leo Hickman, Board of Public Works.

CITY OFFICIALS PRESENT

Councilpresident De St. Croix: Councilman Behen will not be with us this evening, business has called him out of town. Tonight's agenda will include Appropriation Ordinance 75-9 at Second Reading, this is funding for Parks and Recreation, Board of Works and Public Transportation; we'll be hearing Ordinance 75-54, the Sign Ordinance, this is a portion of the famous proposed Bloorington Sign Ordinance, which has been kicking around for some time. Hopefully we'll have part of it put away after this evening's meeting. We'll be hearing Ordinance 75-53, Restricted Parking for the 500 block of West Fourth Street; Ordinance 75-55, an increase in the excavation permit fee for cuts in the City right-of-ways; Resolution 75-30, budget transfer for Rosehill Cemetary, the Environmental Commission, Common Council, and the Department of Human Resources. Between 9:00 and 9:30 we'll be having regularly scheduled Petitions and Communications; and at First Reading this evening, we'll be having Appropriation Ordinance 75-10, which is for the Fire Department, ambulance purchase. The next item on the agenda is messages from councilmembers, and we'll start to my left, Councilwoman Kinzer.

AGENDA SUMMATION

Councilmember Kinzer: I'd just like to say a word about the Affirmative Action Program that we passed last time, despite the amount of time that it took. I think that we have what could be a very effective

MESSAGES FROM COUNCIL
MEMBERS

vehicle in this Resolution in the Affirmative Action Program and I'd like to point out that it is not only designed to be effective within the city in terms of employment practices but also throughout the community, in that it effects all agencies, businesses institutions and so on with which the city has any association or contractual agreement. Already I think there has been some interest in it some instances where the program could be of help. A copy of the Affirmative Action Program is available to anyone interested if they would just contact us.

Councilpresident De St. Croix: Thank you.

Councilwoman Davis: No.

Councilwoman Zietlow: Another statement in the continuing saga of international women's year which is actually going to start this week on September 20, this Saturday with a Mayor's dance at 7:30 in the evening, a square dance down on Kirkwood Mall and (inaudible) bus tour at 1:00 in the afternoon which will go to many places in the community. There is a calendar of events now available and I believe their are some here in City Hall their will be lots of interesting things over the next month and this is a month and a year which is supposed to bring to the people of the City of Bloomington into the area the kinds of things that women can do, have done, might do and everyone is urged to participate in it.

Councilpresident De St. Croix: Thank you.

Councilman Fix: No.

Councilman Morrison: I would just like to echo Pat's sentiments and add just one minor detail to it. If we didn't have Affirmative Action Program I'm sure that our Federal Revenue Sharing would be shut off.

Councilman Towell: No.

Councilman Mizell: Just one slight note to reinforce the comment about the Woman's Year. I understand from the local media that we're very fortunate in having created the commission to study the status of women because in fact it has made money for the city. Having been funded at a very low level and having received additional monies from the federal government over and above those provided by the city.

Councilwoman Zietlow; From the Indiana Committee for the Humanities.

Councilpresident De St. Croix: I'd like to underscore Councilman Mizell's remark. I'd like to thank Council-

woman Zietlow and the other members of the Commission who worked as hard as they have to put together what I think is going to be a very significant program for the city. Do we have a message from the Mayor this evening? No message.

Councilpresident De St. Croix: Next item on the agenda, Councilman Towell I believe you wanted to bring a portion of Appropriation Ordinance 75-6 from the table.

Appropriation
Ordinance 75-6
Community Development

Councilmember Towell: I move that we remove from the table, Appropriation Ordinance 75-6.

Councilmember Morrison: Second.

Councilpresident De St. Croix: It's been moved and seconded that Appropriation Ordinance 75-6 be removed from the table.

75-6 was taken off the table by a unanimous voice vote.

Councilpresident De St. Croix: Do we need a motion to expand the agenda for consideration tonight, Mr. Towell?

Councilmember Towell: No. The purpose of bringing this off the table was simply to perhaps appropriate something that is pressing. We had meetings scheduled to consider the rest of the appropriation in detail over the weekend and the first part of next week. That would satisfy my concerns, which led to the tabling of this, and I'm sure the concerns of others. But the part of the Ordinance that we would bring back if my motion is accepted that I'll make in a minute, is for aerial photographs. There are two seasons for that. The longer one is November and we need to get a contract soon if we're going to meet that deadline. The other one is in March, and it's shorter and perhaps more chancey, so, I am quite willing, if the Council is, to divide the question once again to bring out Services Contractual.

Councilpresident De St. Croix: Mr. Reller, which line item under Services Contractual, Special, or Planning Activities?

Mr. Reller speaks from the floor: Special Contractual (Planning Activities).

Councilmember Towell: And that's a larger amount than what we need, so what I would do would be to also amend that in a minute down to the figure that we want and then if we pass that, take the rest of it back to the table. We would amend later to make that amount correct. So I would move to divide the question to consider that particular item.

Councilpresident De St. Croix: O.K., the motion is to divide the question under Appropriation Ordinance 75-6, Section 1, § 2, line item 265, Services Contractual (Planning Activities) to appropriate \$60,000 of the \$125,000 Mr. Towell? Thereby leaving \$65,000.

Councilmember Towell: Well, technically, I think we divide it first, and then we reduce the amount.

Councilpresident De St. Croix: O.K., so then the motion is up to the point of the \$60,000. Question on the motion.

The motion was adopted to divide by a unanimous voice vote.

Councilpresident De St. Croix: I'd like to point out to Councilmembers that we're down to a bare quorum, one vote of dissent will kill any motion.

Councilmember Zietlow: No, we can still have one.

Councilpresident De St. Croix: Oh, there's six, excuse me. I thought we lost Jack (Morrison). Very good.

Councilmember Morrison: I haven't left yet, Brian, I might though.

Councilpresident De St. Croix: I heard you talking about it.

Councilmember Towell: It just becomes a matter of courtesy, if you're going to vote to kill something that the entire Council might adopt, then perhaps it would be good to delay it until more people are here.

Councilpresident De St. Croix: I miscounted, and I thought I should make that point. O.K., Councilman Towell.

Councilmember Towell: I move to reduce the amount to \$60,000.

Councilmember Mizell: Second.

Councilpresident De St. Croix: It's been moved and seconded to reduce the amount under line item 265 to \$60,000. Is there discussion of the motion.

Councilmember Zietlow: Does this still leave the other \$65,000 around in the Ordinance?

Councilmember Towell: Well, I think we'd have to amend it then to add that amount in. Add it back in later.

Councilmember Kinzer: Would you explain the reason for reducing it?

Councilmember Towell: Unless you want to pass the whole thing now, that's what we would have to do.

Councilmember Mizell: I have a question. Could we do it by specifying under line item 265, approval of \$60,000 for City-wide base mapping? Rather than to play with the \$125,000 figure?

Councilmember Towell: Well, I think when you do that you're getting into having a separate ordinance.

Councilpresident De St. Croix: This attempt points out a difficulty we have, and I understand that it is conceivable that the Planning Department would have thought that this was dealt with, that they did not have to plan ahead, that they didn't have to communicate with Council Committee, but I also expect that they knew that November and March were the two window times for taking photographs. I think it puts the Council in an untenable situation to have to deal with problems like this in this manner and I hope we all learn a lesson from this and employ it in the future. How are we going to do it?

Councilmember Towell: I would suggest that we just pass the \$60,00 on that item and table the rest, then later adjust the Ordinance again.

Councilpresident De St. Croix: Would Council staff please make a note that when Appropriation Ordinance 75-6 comes up again we have to amend line item 265 to include \$65,000.

Councilmember Zietlow: I would question that if we remove \$65,000 from the Appropriation Ordinance that it wouldn't have to be readvertised to include it.

City Controller Martha Sims speaks from the floor: I have talked to the State Board of Tax Commissioners asking them how long you can keep tabling something without readvertising, and he did say that if we brought it up at the next meeting, he thought everything would be all right. After that you just can't keep continuing and continuing, that you would have to readvertise.

Councilpresident De St. Croix: We would have to readvertise after tonight then, on whatever remains.

Councilmember Towell: Perhaps one way to interpret that is that we are bringing it up again tonight. Of course we're going to table it again.

Martha Sims: I suggested that if anybody were interested, that they would be here tonight, then if they're still interested, they'll be here the next time.

Councilpresident De St. Croix: Well, this was removed from the table without advertising because the Council only learned about it on Tuesday.

Councilmember Morrison: I think that Al is right in his way of thinking. We reactivate the Ordinance tonight, which is bringing it before the Council again, and then we could amend this, table the rest of the Ordinance, and

still be legal, that it is actually before the Council as of now.

Councilpresident De St. Croix: O.K. we'll check on that. Mr. Towell, would you restate the motion?

Councilmember Towell: To reduce the amount to \$60,000.

Councilmember Morrison: Second.

Councilmember Mizell: I have concern here as to whether this is the way we have to do it, whether in fact we're getting ourselves into having to readvertise. The question I ask, and I have to refer to the Parliamentarian, is to whether we cannot simply approve \$60,000 this evening out of the 265, and table the rest of the \$125,000.

Councilmember Towell: That is what I am essentially doing.

Councilmember Mizell: I understand the motion to reduce the line item 265 to \$60,000, and pass that. I think that's a little different.

Councilmember Towell: Well, it all depends on what you think you can do when you divide. This is a point of order, so I guess it's appropriate. When you divide, I think you divide the Ordinance as it's presented. Now there's no separate item for this study. So I'm dealing with what I have there to work with, which is the item for the entire category. I'm suggesting that we reduce it, and pass part of it. It's already been advertised at the full amount, so people had notice that we might do this Ordinance. So I think it would still be appropriate to bring in the rest of it when we are ready to consider it.

Councilpresident De St. Croix: So the reduction is in fact an amendment, and it can be reamended with the additional amount, and it will balance.

Councilmember: I just didn't want to get in the bind of having to readvertise the additional \$65,000.

Controller Martha Sims spoke from the floor, it was inaudible on the tape.

Councilpresident De St. Croix: No, there's a difference between tabling an Ordinance and tabling it indefinitely, and we haven't entertained the latter.

Appropriation Ordinance 75-6, undivided question, Section 1, § 2, line item 265, Special Contractual Activities, \$60,000 was appropriated by a ROLL CALL VOTE of Ayes: 6, Nays: 0. Absent: Councilmembers Davis, Fix, and Behen

Councilpresident De St. Croix: Next item on the agenda is Appropriation Ordinance 75-9. Do we have a motion?

APPROPRIATION ORDINANCE
75-9 Emergency Funds

Councilmember Morrison: I move that Appropriation Ordinance 75-9 be introduced and read by the Clerk by title only.

Councilmember Davis: Second.

Appropriation Ordinance 75-9 was then read by title only by Clerk Dolnick.

Councilmember Morrison: Mr. President, I move that Appropriation Ordinance 75-9 be adopted.

Councilmember Davis: Second.

Councilpresident De St. Croix: Do we have a Committee Report from Utilities/Public Facilities?

Councilmember Davis: Yes. Which one do you want first?

Councilpresident De St. Croix: Why don't we start with Utilities/Public Facilities then go to Community Resources?

Councilmember Davis: All right. Under the portion of Board of Works, on Services Contractual for \$50,000 to be issued as a match grant for the Sports Center, we recommended "Do Pass" for both the Utilities/Public Facilities and for Community Resources, with the understanding that with the development of this center, that both men and women or boys and girls would be encouraged to use the area, that it would not be for boys sports only. Girls would also be encouraged to participate. The Department of Public Transit-Federal Revenue Sharing for \$25,145 under Services Personal and Materials. We did not really discuss this in full. Part of this was my fault, we got this after our committee meeting on Thursday. Somehow it just slipped out. I think we'd like to hear from Mr. Wray about that one.

Councilpresident De St. Croix: O.K., for the benefit of those in the audience, we're talking about appropriating \$66,259 from Federal Revenue Sharing Trust Fund to Parks and Recreation. \$50,000 in Cumulative Capital to Board of Works, and \$25,145 to the Department of Public Transportation. That's also from Federal Revenue Sharing. Do we have the Community Resources Committee Report?

Councilmember Davis: The Community Resources Committee report on the Parks & Recreation Department-Federal Revenue Sharing, the \$66,259 to be used to develop community parks, we've all discussed this at great length I feel, and we've had quite a few people at the Parks Board meeting also where it was discussed. We recommend a

"Do Pass", it developed the neighborhood parks that we'd talked about developing under the original bond. I think it will bring some of the underdeveloped neighborhood parks, which we do have the land, but have no development on, up to par and help to improve some of the others. We recommend "Do Pass".

Council president De St. Croix: And the Appropriation Committee Report gives a recommendation of "Do Pass". We have discussion from the Council of the Whole on this matter, Councilman Morrison.

Councilmember Morrison: Bill, I want to ask you a question on this. Is it not possible at times for us to use in-kind monies for our matching portion of these grants, these matching grants?

Bill Wilson speaks from the floor: Not in the land and water conservation plan on these, Jack. It all has to be cash outlay for land and water conservation...

Councilmember Morrison: In other words, we have to match a grant that we are to receive.

Bill Wilson: Yeah. They will match our proposal. In other words, if we have \$125,000, then we can ask that it be matched for a \$250,000 project. We have to give them a receipt that we have our money committed for this specific purpose in order for them to act on it.

Councilmember Morrison: Is this not one of the very few departments where you cannot use in-kind money on federal grants?

Bill Wilson: That's right. In fact, this is probably one of the only ones I know of, Jack, that really isn't tax money. All of the money which is used for the Land and Water Conservation Fund is actually money which is received from off-shore oil drilling, the Golden Eagle Pass and the National Parks System and various funds of this type. That's how this has come back to the state. It is not really tax funds.

Councilmember Morrison: Oh, I see. This I didn't know. I can see then why it would have to be a matching grant.

Councilmember Zietlow: On the Winslow Park proposal; since our committee meeting someone has raised a question about the location. What will be done to facilitate people from the outlying regions of the City, north, west and east of town, to get to Winslow Park. I know it is supposed to be a community park, and it will be for the whole community, but it is difficult to reach.

Bill Wilson: Yes, of course, the bus

system goes directly pass it, within a few yards of it. Eventually when a street goes through there, it will probably run right through the park. Because eventually when it is subdivided, the street will actually bisect the park into two pieces. The neighborhood park versus the sports complex. It will actually go in between the parks and let them out right in the parking lot.

Councilmember Zietlow: Evenutally this will be used for evening as well, is that right?

Bill Wilson: Yeah. The long range planning, when funds will be available for lights, depending on how the bids come and if we can afford them at this time we do not know. But it is planned.... in the meantime the main thing is to get the field done, constructed so that we can play on these in the daylight hours. And I assure you that they will be for all ages and sexes.

Councilmember Zietlow: That's a major question because of the location and because there are a number of people who are having difficulty...

Bill Wilson: I might add, Ms. Zietlow, that also through the process that we found even in Bryan Park, on both north and west, there's Little League, football coaches pooling the transportation, to my knowlege we haven't had anyone who hasn't been able to make it to practices or the games through their program. I talked to many coaches who actually went to pick up the community kids that didn't have transportation.

Councilpresident De St. Croix: Will we be able to come up with a parking situation there so that we don't have what I consider to be an abuse of the park when we have people driving on the borders of the park because the daddies don't want to walk from the parking lot on down into the park where their kids are working out. They park along the edge of Henderson and tear up the edge of the park. Can we avoid that kind of situation in Winslow?

Bill Wilson: The plan calls for I think more than adequate parking. There's no reason why this should ever happen.

Councilmember Kinzer: In the committee meeting, the question was raised as to how this money would affect alternate programs, or alternate use of the money. Will it mean, for example, that other programs would have to be cut down? I don't know whether you can answer that or not, but this question was raised, and I think it is an important one. For example, bike paths and other use of the cumulative capital and revenue sharing.

Bill Wilson: I don't think I can answer that. It would not cut, as far as we're concerned, what has happened here tonight, on the appropriations is actually almost in order with what has been planned in the comprehensive park plan. To our knowlege, nothing at this point will be cut out. As far as future planning, I don't think you were there that night, is that one of our next steps within the next year or eighteen months should be to update the comprehensive plan and take an inventory of what is taking place both in the neighborhoods and City wide and come back and reestablish top priority again. I think this will probably answer it; however, I cannot answer it on cumulative capital funding. I would say as far as parks systems is concerned, this would be our next priority.

Councilmember Kinzer: Well, I think the question was in relation to other programs, as well as parks, but I don't think anyone disagrees that this is important, and the sports complex is something we're all interested in, and want to see it happen, but I wanted to raise the question since it did come up in committee.

Councilpresident De St. Croix: Do we have Mr. Corbett here from the Mayor's Office? Maybe he can answer the question later if he comes. He has the run on these numbers I think.

Councilmember Mizell: I can't answer the question that Councilwoman Kinzer has raised specifically, but I would point out that the Plan Department, with cooperation from the Mayor's Office, is in the process of preparing a process for capital improvement programming. As part of that, we are reevaluating the priorities, seeing how far we've gotten on various things that we've set out as priorities prior to this time, and seeing how far we want to go with the rest of these. So this will, very definitely, be studied by the Council. I would like to speak very strongly in favor of the Parks and Recreation Department-Federal Revenue Sharing portion of this. In fact, this will complete a goal that we've set for ourselves four years ago. When we passed the bond issue before improving the parks facilities within a town, we set out our goals as far as block parks, neighborhood parks, community parks and so on. With this portion of it at least, we will have completed the beginning of the development of all the neighborhood and block parks. Of course, Capital Improvements transfer for the Winslow Park Sports Complex is a part of that. I am personally very interested at this point in the neighborhood park concept. I'm very happy to see that with the passage of this Appropriation Ordinance we will have developed all the parks we set out to four years ago.

Councilmember Towell: I come here representing the north side of town, and there really isn't much in the way of Parks and Recreation over there. The McCulla school grounds have played a great part in the recreation life of that part of town, and as you know, they were threatened by the closing of the school, and we thought for a while that we'd be down to almost nothing. The University Park is a very fine area, it's rolling, grassy area. It is owned by the University, and I understand that on thirty day notice they can ask for it back, although perhaps they are not likely to, we've been reassured on that. It has great potential for the residents of that side of town. \$15,000 of the bond issue was spent there, but most of the residents and I find it hard to know exactly how \$15,000 could have been spent there, we do not have anymore than we do there. So \$2,000 of the appropriation will go to supplement what there is in that park. In the bond issue, there were four picnic tables mentioned, and two are all that we can find in the park, I assume that that's vandalism or theft. There is a nice shelter there and then there is a little bit of play equipment. Residents of the area have met with Mr. Wilson several times. He's been very gracious and courteous to them in receiving their suggestions. The spending of the \$2,000 in the way that the residents want will vastly improve the situation at University Park. They want to spend \$1,580 on play equipment, which will much improve the situation, I don't know, four hundred percent, five hundred percent. They are asking for four picnic tables, two of those to replace those that are missing, and four grills, I don't believe there are any at this time. So, I'd just like to mention that the north side of town does not have a large Bryan Park, it doesn't have easy access to any of the community wide facilities. It has a decorative park, in a way, on the highway, which is not much use to the residents. So, I'd like us to keep those needs in mind, and I'd like to hear Mr. Wilson, if he has anything to add to what I've said.

Bill Wilson: I met with a representative this morning, Al, and we had gone over this, the \$2,000 will be used on priority items which they will establish, the picnic tables will be replaced. We have lost twenty-seven picnic tables, thirty trash barrels, and two ovens, and a numerous amount, I think about 430 feet of chain off the swings since June 1. These will be replaced. They will be forthcoming yet this fall. I met with the representative this morning, and he will revise this as to what equipment will be bought with the \$2,000.

Councilpresident De St. Croix: Mr. Wilson, is it at all possible that Parks Department, during the winter months, could burn into the top of picnic tables

the City's name, or cut it into the side of the barrels or something?

Bill Wilson: We're having one cut now. You have to have them special made, because there's no such standard brand. It's like a branding iron, in fact we will have to do it on each board on the picnic tables. On the under side or the upper side. On the fiberglass ones, of course we will not be able to. Very seldomly does a private citizen buy a fiberglass one, they usually buy wood. We were in real good shape until about two years ago. All the wooden picnic tables that we have are bought from the state prison in Putnamville, they're made out of sassafras wood, and are the finest picnic tables in the United States. Up to two years ago, you had to be a governmental agency to buy one. Two years ago they opened it up to the general public. Now we need to brand them. We will take care of this.

Councilmember Towell: I should mention that Mr. Wilson has promised the residents of the area that City employees will do some work over in University Park, perhaps you could outline that.

Bill Wilson: Yeah. There are several humps, really that liability clause is almost on to where the holes and pits and ground that needs to be moved, and we are now located in a park doing that with City equipment, and they have been most generous, we're moving from one park to the other and I assured him this morning that we would be there. Park Ridge East, West and the University, we're coming in with City equipment to take care of this.

Councilmember Zietlow: Did you meet with the various neighborhood groups to determine the priority spending of all these?

Bill Wilson: Yes, mam. The priorities have been established with the neighborhoods themselves.

Councilmember Zietlow: Something I didn't understand there. There is a little block there for operating budget in all of the pages we got, but there's nothing in it, and I wonder if this will have an impact on the operating expenses, the result of developing these parks.

Bill Wilson: I see very minor, if any, so the main areas that we are developing now are in maintenance areas, they're already taken care of. Of course, any time you place structures or any types of obstacles on a park it takes a little bit longer. I don't think we'll increase that part. It's hard to tell, of course, until we get into the complement of the overall development. I do not see any overall operating on what we're doing

with this because it's mainly equipment, dirt moving and tennis court type of operation, which is unlighted. The only expense would be if we came back and lit the tennis courts there would be additional lighting expense here. But to my knowlege there would be no major, overall increase of any type.

Councilmember Zietlow: Yeah, I had another question about the Miller Drive area, the projected project, or whatever, the NDP thing that would have cost \$145,000, and we're going to be putting \$1,500 to the play equipment there. Will that, do you forsee coming up with a full scale proposal there or do you think that will be pretty much taken care of by the Winslow Park complex?

Bill Wilson: Well, I think the Winslow Park neighborhood area will pretty well take care of park area for this general vicinity of geographical location in the City. I think we will definitely continue working with the Monroe County Ministries, who at this time owns it, or not owns it, Mr. Suvane owns it, but the Christian Center has the lease on it. We will continue to cooperate with them on this basis, it is not our property really to develop. We have taken the attitude that anything we can do to help, such as help furnish equipment or come in and help mow it, we'd be more than glad to do so, and we have in the past.

Councilpresident De St. Croix: Mr. Wilson, I have a specific question about this arrangement. Now as I understand it, if somebody is injured on play equipment in a municipal park, the City has insurance to cover it. What is the City's liability on City purchased equipment on privately owned land, that's leased to a third agent?

Bill Wilson: I don't know if Flo (Davis) got a clearance on this. She was also clearing whether or not we can legally put the equipment on property that we do not have control of or lease of, and we...

Councilmember Davis: We're still working on that.

Bill Wilson: Still working on it, before any of this installed this will have to be clarified, Brian, because I think there may be some question. Maybe Larry (Owens) or Jim (Register) would want to comment on it, is whether or not we can legally put some type of equipment, and I think the interpretation most of the time is equipment that we can move, then it's not nearly as bad as if it's a permanent installation. But, as far as liability goes, I think an attorney will have to answer that.

Councilpresident De St. Croix: It seems to me that we've had some question as to what is proper use of a park in the past few months, and here we have a question about whether or not a park is private property, and whether or not the residents of the area are consulted in the utilization of the Boxcar property area is a question that I have some concern with.

Bill Wilson: We're working with Flo (Davis) and her committee on this to make sure it's cleared before anything is ordered or purchased for it.

Councilpresident De St. Croix: O.K. So, then we can presume that nothing will happen on the Miller Drive Boxcar project in this proposal until such time as we have these questions answered and you've contacted the residents of the area.

Bill Wilson: Yes. Flo (Davis) is working very closely with us on that.

Councilmember Davis: I've been working with some of the people in the area. We've talked about some of the various types of equipment they want there. It's going to be mainly, from what we've discussed, probably four or five pieces of playground equipment such as climbers and things that the six to fourteen age group could use.

Councilpresident De St. Croix: Further questions on the Ordinance, we've been dealing pretty much with Parks and Recreation.

Councilmember Zietlow: We have a message here from the Controller which requests that we withdraw the \$50,000 appropriation from the Ordinance and later to introduce a Resolution that would be a budget transfer for that same amount of money. I would like to move that Appropriation Ordinance 75-9 be, that the question be divided.

APPROPRIATION
ORDINANCE 75-9
Question to divide

Councilmember Mizell: Second.

Councilpresident De St. Croix: The motion before the Council is the division of Appropriation Ordinance 75-9. Under divided question, that means we will consider Parks and Recreation, Board of Works and Department of Public Transit-Federal Revenue Sharing separately under the same Ordinance.

Appropriation Ordinance 75-9 was then divided by a unanimous voice vote.

Councilmember Zietlow: I move that Section I of Appropriation Ordinance 75-9, the section which appropriates \$66,259 from Federal Revenue Sharing Trust Fund to Parks and Recreation Department-Federal Revenue Sharing be approved.

Councilmember Mizell: Second.

Councilpresident De St. Croix: Moved and seconded that Appropriation Ordinance 75-9 under divided question, Section One under Parks and Recreation Department from Federal Revenue Sharing Trust Fund \$66,259 to Parks & Recreation \$66,259 be adopted. Further discussion.

Councilmember Zietlow: This is the Section on neighborhood parks?

Councilmember Towell: Well, I think we need support from Mr. Wray on the third part.

Councilmember Zietlow: We're taking this one at a time.

Councilpresident De St. Croix: Question is on Parks and Recreation. Clerk Dolnick, please call the roll.

Appropriation Ordinance 75-9, Section One, on divided question, Parks and Recreation Department is adopted by a ROLL CALL VOTE of ayes: 8, nays: 0. Councilmember Behen absent.

Councilmember Zietlow: Mr. President, I move that Appropriation Ordinance 75-9, Section One under the Section Cumulative Improvement Fund, \$50,000 to the Board of Public Works, be deleted.

Councilmember Mizell: Second.

Councilpresident De St. Croix: It's been moved and seconded that Appropriation Ordinance 75-9 under divided question, Section Two, Board of Works from Cumulative Capital Improvement Fund, \$50,000, to Board of Works, be deleted. Is there discussion:

APPROPRIATION
ORDINANCE 75-9
Question on
deletion of Section
1, § 2

Councilmember Davis: Could we have the City Controller explain please?

Councilmember Towell: As a question, couldn't we just vote no on it? It's a divided question. Couldn't we just vote no on this section, and that would do it?

Councilmember Zietlow: All right, but I would like to hear what it is.

Martha Sims speaks from the floor: When we discussed this with the Board of Works, we did find that we had sufficient money in other line items that had been appropriated, but had not been used, so rather than make an additional appropriation, I talked to the State Board of Accounts, and they too thought it best that we just have a budget transfer, for this purpose, and then just encumber that budget transfer until the time that we're ready. It's just that we were going to appropriate money that we didn't need to appropriate because it's already been transferred.

Councilpresident De St. Croix: So, you'll come back to us at another time for a transfer request?

Councilmember Zietlow: No, with an appropriation.

Martha Sims: ... (inaudible) ..be amended to include this.

Councilpresident De St. Croix: O.K., I wasn't aware of that. Thank you.

Councilmember Mizell: I have a question for the parliamentarian. Could we at the same time delete this portion of Appropriation Ordinance 75-9 and add it to 75-30 with the same vote.

Councilmember Zietlow: No, that's a Resolution.

Councilpresident De St. Croix: We can do that under consideration of 75-30. The motion before the Council is deletion of this section. I understand that Councilman Towell has recommended that we take up another matter, but we have the motion here and we'll just take it and vote then.

Councilmember Zietlow: The \$50,000 that has not been expended from the Cumulative Capital balance, a general appropriation, was that just the \$100,000?

Martha Sims: There was \$60,000 in the equipment account and \$60,000 (inaudible) in land... (inaudible)

Councilmember Zietlow: That was from last year when we made those rather general appropriations from cumulative capital that we didn't do. So that wasn't any special project that hadn't been accomplished. Thank you.

Appropriation Ordinance 75-9, Section 1, § 2 was deleted by a unanimous voice vote.

Councilpresident De St. Croix: Third item under divided question, Federal Revenue Sharing Trust Fund, Department of Public Transportation-Federal Revenue Sharing \$25,145. Questions from the Council.

Councilmember Zietlow: Do we need a motion?

Councilmember Towell: To get it before us, I move that we adopt the Department of Public Transit-Federal Revenue Sharing part of the Ordinance. I'd also like to hear an explanation.

Councilman Morrison: Second.

Councilpresident De St. Croix: It has been moved and seconded that under divided question, Section 3, Department of Public Transit-Federal Revenue Sharing \$25,145 be adopted. Discussion and Questions from the Council?

Councilman Towell: I'd like to hear an explanation.

Councilpresident De St. Croix: This is Mr. James Wray, Director of Transportation.

James Wray: Al (Towell) are there any specific parts that concern you, or do you want me to go through the whole thing?

Councilmember Towell: Well, you say basically it is inflation that causes this?

Councilmember Zietlow: Could we have a whole thing?

Councilmember Towell: Is there anything?

James Wray: I'd say so, you got a copy of the justification with the Appropriation Ordinance. We broke it down into three parts basically; part number one is a breakdown by weekdays, Saturdays, sick days, vacation days, etcetera, and the additional per hour increase given after negotiations were completed earlier this year. At that time we said this would be coming on later this year. In other words there was an amendment to the Salary Ordinance, by agreement as I understood it at this time. The second part was the overtime clause that most of the Departments come under now. This is for our Transit drivers who drive over 40 hours a week, 48 (hours). This is very common nationwide. But under new federal legislation, it came under 44 hours, and 40 hours next year. After several driver's meetings, it was decided we would just do the whole thing now, in the anticipation of three new drivers. So, it was either this year or next year, and by agreement by all the drivers, virtually all the drivers, three new fulltime drivers were necessary. Here again, the additional fringe benefits are figured, are broken down in there, and the travel time, you know if there is something that is part of this, that needs clarification, the travel time is for drivers that do not start out, they work split shifts. They catch a bus uptown, or someplace else other than the Service Center, where they would ordinarily report for work. We do pay them a reasonable amount, 10-20 minutes, depending on where they have to catch the bus to get their change and one thing or another, or to get uptown, their transportation. Under "Other", we have the BHS North special which runs this summer, that charter was necessitated by the excessive demands on the Route #1 bus which necessitated passing up a number of people that were ordinary BT riders, in other words, we had people going to band practice who were summer riders, or driver's education, or whatever, that would fill up the bus before it had completed its run toward town, and it necessitated passing up some people. Charters, this is what we feel, half-way through this year we would spend in wages for charters in wages for the library charter, outings for the Older American Center, or other public, semi-public groups, when we find the time to transport a moderate size group

to a facility, park or educational, nursing home or whatever. Report time not figured in the original budget. Quite frankly I have to go back to the records, I can't imagine the report time being left out completely, because that figure is sizable, \$3500. At report time it is necessitated to have a few drivers report in the morning and a few times during the day in case somebody doesn't show up. We have established this at a reasonable level to insure that the busses do get out on time at every shift change during the day. We do pay people for this, in addition, if we do run into a period with the flu going around with three or four drivers that are ill, which has happened, supervisors are able to drive until we can get another driver, this is what we reasonably expect. It can be expected on the average, every day we run. Not enough training time, this is necessitated by larger turn-over than we'd anticipated and more than had occurred historically, partly because we're two years into the thing, these people had been with us for these two years and, quite frankly, were looking for other jobs, teaching, or going into some other specialized area. Relief, bus night service man, it covers sick days, vacation days, union, things not figured in the budget. This, at one time, was a part time function. We had had turnover, we had not been (inaudible), sick days, vacation days, and didn't think we would be. But, it has since become a full-time position. We did have a number of complaints about cleanliness of the busses, especially on the inside, this problem has been alleviated, about six months ago, four months into this year. That's Services Personal. As far as repair parts, \$10,145, \$8,000 of that was used to pay for 1974 fleet maintenance bills. I think I should point out that 1974 when that budget was prepared, we'd only been in operation for four or five months, we actually had no reason to know what our experience would be as far as maintaining vehicles go. I think a realistic figure would be how much it costs us per mile to operate, it's about 11.8 to 14 cents a mile for each bus, as figures are available. We did have more parts go out more frequently than anticipated, generators or starters. What we've done is acquire new ones and we rebuilt some of the others and kept them in backup, during 1974 that kind of double expenditure had us at the point where we were acquiring a moderate inventory to be sure that busses would be able to run. With only one back-up, I don't think we had any other reasonable course to take.

Councilmember Towell: When did you get the other busses?

Jim Wray: When did we get the other busses? About two and a half months ago, three months ago. Our entire original fleet now has about 100,000 miles on it.

Councilmember Zietlow: Have we anticipated the expenses in next years' budget, for this sort of thing?

Jim Wray: Yes, I hope that we have. I think it's like other departments, (inaudible)... when it runs on very tight schedules, will become more accurate in preparing a budget. I think one thing we're trying to do now, with the additional equipment that we discussed that is required for the busses, we are doing more runs such as B.H.S. North. There is a possibility that we may miss that estimate, because that's really just a bid at this time, we are now transporting children from Childs School to Sherwood Oaks. We have met with representatives of the neighborhood, we hope we can provide them a service at break-even cost. Still, all that goes into the general fund, our budget may still be low, the operating subsidy would not increase. There would still be a decrease in our line items for the additional hours that we're running. The changes made on Route One and Route Two will only be minor increases in costs and spending. The reason I say that is that we're running significantly more miles, we've increased the headway and certainly the hours per day have increased significantly. I think changes like that have been anticipated. Any further expansion would require an additional appropriation.

Councilmember Fix: Is there a possibility of making some money on busses by taking the children to bus stops? It seems like all the school children have to walk a mile to get to the bus. Can we fill the gap there between where the people live and where the school busses stop?

Councilmember Mizell: The school corporation is having a problem now.

Jim Wray: The only correspondence that I've received on it, they thought we'd cut out the service to Childs'. If we're approached by anybody that thinks they are far enough away from the bus stop to need to be transported into the city limits (inaudible).

Councilmember Mizell: I might just comment that most of the stops and scheduling are set so that we can, if fact, transport school children toward the schools, if at all possible, so that if they do miss the bus provided by the school corporation, there is a backup bus there from the City, the Bloomington Transit bus.

Councilpresident De St. Croix: O.K., the question is on divided question on Department of Public Transit-Federal Revenue Sharing, \$25,145, Department of Public Transit. Clerk Dolnick, please call the roll.

Appropriation Ordinance 75-9 under divided question Section III, Department of Public Transit-Federal Revenue Sharing was adopted unanimously by a vote of Ayes: 8 Nays: 0. Councilmember Behen absent.

APPROPRIATION ORDINANCE
75-9, Question on Dept.
of Public Transit, Sec-
tion III

Councilmember Mizell: Mr. President, I move that Appropriation Ordinance 75-9 be approved as amended.

Councilpresident De St. Croix: Is that required under divided question, Mr. Parliamentarian?

Councilmember Towell: It's a good idea.

Councilmember Morrison: Second.

Councilmember Mizell: Better safe than sorry.

Councilpresident De St. Croix: It's been moved and seconded that Appropriation Ordinance 75-9 as amended be adopted.

Appropriation Ordinance 75-9 was adopted by a unanimous ROLL CALL VOTE of Ayes: 8 Nays: 0, Councilmember Behen absent.

APPROPRIATION ORDINANCE
75-9 Question on
adoption as amended

Councilpresident De St. Croix: The next item on the agenda is Ordinance 75-54, do we have a motion?

ORDINANCE 75-54
Sign Ordinance

Councilman Morrison: I move that ordinance 75-54 be introduced by the clerk by title only.

Councilman Mizell: Second.

Councilpresident De St. Croix: It has been moved and seconded. Ordinance 75-54 be introduced and read by the Clerk by title only. Ordinance 75-54 was read by the Clerk by title by a unanimous voice vote.

Councilman Morrison: I move that Ordinance 75-54 be adopted.

Councilwoman Zietlow: Second.

Councilpresident De St. Croix: It has been and seconded. Ordinance 75-54 be adopted. Now their is discussion. Do we have a committee report, Councilman Towell.

Councilman Towell: We had a hearing about this and there was no position taken by the committee on it. Councilman Mizell, who was there, was a member of the majority in the Plan Commission. It is a long and complicated Ordinance it doesn't cover everything we expected originally it has vastly changed from expectations raised along the way everybody says well its an Ordinance that we can nforce and perhaps live with that is on both sides and it certainly seems not to offend anyone. The question is how^{much} will it do? I raise that question at the hearing and that is not the kind of question that gets answered in a day perhaps we should try this for awhile and then look at some of the things that are not being taken care of. As I understand it their are a lot of people who probably not in conformity with the present Ordinance but it is very hard to do anything about it. Their is a kind of granddaddy provision for people who are legal but would become nonconforming under the new Ordinance and it is not forever situation and their would be some gradual improvement under this ordinance. I think I am summarizing things that were said in the discussion it was very easy to note the presence of oil company repre-

representatives one thing that was revealed to my eyes for the first time was the interest that large franchise companies like oil companies, I say large franchise companies because I am sure there are others in the community that have a similar situation— sale packages of advertising to local stations along with specials, price specials and things like that. Thereby exert a vast influence on local signing, they found various fuzzinesses in the Ordinance and I'm not sure they wanted us to straighten them out. They were trying to see how far they could go with us I think would be a fair summary of their questioning and my own attitude I would like to express rather clearly this is our community and we should. . . . (tape change) they will and we will have most of those services anyway so I think Bloomington has something to offer and we should not necessarily knuckle under to franchise businesses. I will just say for myself, Mr. Mizell expressed himself at the hearing I think I have included some of his sentiments that the Ordinance probably isn't bad but may not be as good as I would have liked.

Council president De St. Croix: Thank you, Mr. Towell. We're about to launch into discussion now of a project that has taken not quite three years hopefully we won't spend that amount of time on it this evening.

Councilman Towell: I should mention specifically billboards are not included so comments about billboards will not be to the point.

Council president De St. Croix: O.K. Now we're dealing with on premise signs in this Ordinance the off premise signs are not included is that correct Mr. Towell. Alright that is the dividing line. I would like to propose that if there are representatives of groups or associations or what-not that they designate a spokesperson. Individuals and representative please try to keep points sustained and non-repetitious and we will try to make sure everyone does get heard I will try to follow process of recognizing people who have not had an opportunity to speak before I recognize someone who has already spoken on the issue prior in the discussion. We will start with questions from the Council to get a sort of general drift of the concern of Council members and then will come out that way and then go back this way again o.k? Any questions from Council members at this end? Over here, well then let's start out here.

Charles Hendricks: I am a Bloomington precinct committee man for the Democratic party. I'd would like to speak to my legal reading of this Ordinance and perhaps I could clarify (inaudible) of that. I think on the very first page Mr. Chairman that section 1 of this Ordinance states that, the present chapter 20.17 (inaudible) Bloomington Municipal Code be deleted in its entirety. I think that is something

that doesn't go on very far but is a very important point of this proposal. Because I read section, chapter 20.17 entitled (inaudible) Bloomington Municipal Code and found that it includes billboards among other things. Well, I understand that the old Ordinance did not deal with billboards what you would be repealing would and it would be impractical to repeal the present band which prohibits the construction of billboards in residential neighborhoods. There is now such a band I think that band should be continued, I would imagine most members of the Council would agree, that band is included in section 20.17 I think perhaps it is just an error of drafting that this was approached in this way. But I certainly think you ought to be aware that if you pass this Ordinance as now written you would be allowing billboards to be constructed in residential areas without any restrictions, there would be no restrictions on billboards. I also think you should be aware that the chapter 20.17 also designates scenic roads (inaudible) state highways within the planned jurisdiction of the City of Bloomington and all of them would be deleted by this action. But I think there are a number of items that deserve further study and perhaps rewriting on this Ordinance and I would urge that this matter since the committee of this Council is not able to come to a definite conclusion in its deliberations on the merits of all the sections of this Ordinance that it be sent back to Council Committee for further study. I think the Plan Commission has done quite a detailed job in proposing ideas for the regulation of on premise signs much of this should be maintained perhaps some changes in that section might be desirable as Mr. Towell suggested, perhaps not. But I think since this is an issue that has been before the city for so long that the Council itself ought to study it very carefully through its own committee system before finally approving.

Council president De St. Croix: Thank you, Charlie.

Councilman Towell: I would like to point out that this public hearing was announced and any Councilmember could have come and that the public was invited. Anyone who had anything to contribute about this could have come strictly speaking that is where the free and open discussion of ordinances is supposed to happen according to our rules. I don't know whether there is any point to taking it back to committee because I'm not sure that anymore people will come forward or that Council members will have anything further they would like to discuss. The point about billboards, Mr. Mizell has an amendment he will offer.

Council president De St. Croix: I would like to ask Mr. Komoroske to look into that whole enactment section to make sure that we not only deal with billboard question but scenic highway is another question. While were entering into discussion here if you would look into that. Mr.

Hendricks point in terms of the enactment clause. Is their further discussion?

Jerry Marsiski: After three years of struggling through this Ordinance and in my view and other people who are working on this thing, I think we have reached a pragmatic compromise gaining from both viewpoints, the viewpoint from the citizens who desire better and more enforceable realistic control of signing from the City and from the standpoint of those who would desire to have (inaudible) control but we did reach a compromise that is useable in all respects of the City. The points on this last section were not brought out during the deliberations and I think they should be given very serious consideration at this point. I don't know whether the staff has some particulars on that or not? I would endorse that this be passed tonight and we get an ordinance on the books and start functioning from that point.

Councilpresident De St. Croix: Thank you, sir. Are there any comments from the floor.

Ralph Leonard: I am Ralph Leonard representing the Chamber of Commerce who has taken a rather active role in the preparation of this Ordinance, and obviously are the ones affected, those of us who are in business, those of us who put signs up or those of us who propose signs in the future and again add various comments (inaudible) to a (inaudible) year or close to that time. We have come up with I think, a relatively workable and well thought out Ordinance, I agree Al (Towell), there are parts of this that are questionable even to us, and our statement on the 22nd of August so stated that fact that we to understand these difficulties. I would urge the adoption of this Ordinance tonight and allow the Planning Department to have the opportunity to use this and then see where we stand. And if some point in time later on down the line you think their are (inaudible) let's get this thing on the books and let's get it out in operation and go with it. Other than that I would say Brian, that the Chamber would endorse with the reservation that there are areas that are not real good yet but can be made better.

Councilwoman Zietlow: I have a question for the Plan Department. Could you elucidate how the new Ordinance would make the enforcement of sign regulation more feasible than the present one.

Tom Crossman: I think that the present regulations are difficult to interpret, they are unclear in many sections. I think for the most part the current and the proposed regulations have clarified definitionally both what signs are, what allocations are, what setbacks are, specific regulations relating to things site distances, and (inaudible) intersections and on down the line. The points are spelled out so that in taking a look at a sign it becomes fairly clear

whether it offends or whether it doesn't offend, the intent of the regulations, this is not true in the present regulations about the only thing we can really hang our hat on when we were talking about enforcement of the regulation is do we have a sign that projects over the right-of-way. That is prohibited and that is very nearly the only thing we can clearly say is prohibited in the present regulations. It is extremely difficult to administer and I think I really have to speak more on behalf of the Engineering Department because they the enforcing agency and the Planning Department is not.

Councilpresident De St. Croix: Does that satisfy your question?

Councilwoman Zietlow: It is not very specific I would say. I would also like to make a comment, as somebody who has a sign and somebody who looks at signs, I would like to say that I feel at least as much affected by looking at signs as by having them, and I think that is a major reason that we have a Sign Ordinance as a matter of fact.

Gene Hafley: Representing the Indiana Petroleum Council, Associate Secretary. For two and one half years we have been following this Ordinance very closely and there have been many changes since it started I think it is a much better Ordinance as it appears tonight and it reflects the sincere efforts and cooperation of neighborhood groups, Planning, city and everybody. For the sake of the record, I do feel that I should mention our concern with the total prohibition of what you call the temporary sign. Now you mentioned that your community, the service station operator is a member of your community and makes his living by selling products. The only way he can make the people aware of what is for sale, you don't drive into a service station and go into the sales room you stay in your car so the only way he or any other business that is catering to the motoring public is to put a sign up that he has tires or anti-freeze or winter batteries or something like this available. I would hope that a part of your consideration as a future amendment would be perhaps a limited use period number or something like this to allow the man driving by know that these products are available. This is the only comment I have.

Councilpresident De St. Croix: I'd like to respond if I might, sir. I am not certain how familiar you are with the particular petroleum services market in the local community here. The number of service stations, and I use the term service loosely and place it in quotations, that have closed of late and left lighted unesthetic literally disfunctional facility in the community that can't be used for any other purpose. The number of signages we have from local petroleum operators with again signs that if not at least unasthetic and perhaps

visually offensive or generally gramatically incorrect or mislettered that is the kind of problem that we face. And if we want to get into more specifics, we can look to the history of this community with the Gulf moon that used to rise on the old bypass that the Green Acres Neighborhood Association fought for so long and those kinds of problems and I think its that history of problems that may have caused myself, other members of the Council, members of the community perhaps unfairly single out in there mind's eye the problem that they feel we have with gasoline stations. Now perhaps we can work together in the period of time that you are pointing out here to cooperativly remove some of these stigmatizing effects.

Gene Hafley: I am aware of the situations you are mentioning and all I am doing is calling your attention that is necessary for this man because you don't go into his office if your a drive-in banker you really don't have to much choice you go to the bahk for a specific purpose but service stations you are driving by and if you see a man with anti-freeze for sale you might go in there and this man has to sell this anti-freeze.

Councilman Towell: I carefully didn't issue a challenge in my remarks. . .

Gene Hafely: I'm not offering. . .

Councilman Towell: I described the franchising business which I really think is more to the point than your emphasis on the local operator. Because the local operator if he wants to do that kind of business or take that special accepts the sign as part of the package.

Gene Hafely: Well, if those signs didn't do him the job, then he doesn't have to accept them.

Councilman Towell: Why no. But anyway the temporary issue is somewhat overrated, you can have a substantial standard for the sign and leaps that fit on it and that is probably not a temporary sign and that would cover a lot of the situations that you are talking about.

Gene Hafely: Well this is something we have to live with depending on the interpretation of the man.

Councilman Towell: Well, and then another point of the discussion that night was that Mr. Crossman had made a trip around with some of the representatives of the oil industry and evidently the interpretations worked out fine. . .

Gene Hafely: I am not concerned with the interpretations of Mr. Crossman, however, the next man in if you'll notice the purpose is to control all kinds. Mr. Crossman interprets certain ones as being exempt and this is fine my concern is the next

man who enforces it.

Councilman Towell: Then my final comment is we did ask for additional work in the area and in fact such amendments may have been drafted and if discussion warrants they could be brought out but I myself will take a passive position on this Ordinance and ask that it be adopted and that we work with it for awhile.

Councilwoman Zietlow: My question is, there is no definition for temporary sign and perhaps if temporary sign were defined that might eliminate the problem. As I understand it, the kind of sign that you seem to say is really necessary and you fear it might be considered temporary is the sign that the prices go up all the time now that is temporary.

Gene Hafely: No, no, that is not what I am talking about.

Councilpresident De St. Croix: That is a permanent condition on a temporary sign.

Councilwoman Zietlow: That is a temporary condition on a permanent sign that is a question, that is why I wonder if we need a definition of temporary sign?

Gene Hafely: The one I am talking about is the one that is probably on the pump island that says he has anti-freeze or that he has snow tires or winter batteries or something like that a special for this month or something. Again my purpose is not to delay this I know what is going to happen and I think it should happen. I hope this will be considered and I think you will find a limited number is going to use the better signs and get rid of many that you find objectionable which the industry does do. I would only say in closing I think it is very interesting your saying the temporary sign is over-rated, that is when I drove into town tonight the first thing that had been done in promoting International Women's League or whatever it is, is a monstrous temporary sign over the highway downtown, comparably it does the job. Whether it is legal or not I don't care, but they do what they are supposed to do.

Councilman Towell: I would like to point out that we haven't adopted this Ordinance yet.

Councilpresident De St. Croix: If you press us we can come up with additional categories. You never can tell what we can do in a pinch.

Councilman Towell: I would like to point out that as long as we're on this point, the discussion on temporary signs also went to point of sales signs and further definitions and perhaps that will be done. What I am saying is we haven't brought it out yet tonight.

Gene Hafely: The only purpose of mine as it gets on, the residence we do have quite a

concern in this area that some way the (inaudible).

Councilpresident De St. Croix: I think there is concurrence there. Further discussion from the Council before we hear another question from the floor? Another question, statement, position, whatnot from the people in the audience.

Councilwoman Zietlow: Has there been any work done on tightening up the definition of temporary signs or . . .

Gene Hafely: As you pointed out, temporary signs per se are not defined, the Ordinance not only refers to temporary but it lumps temporary, portable, and mobile signs in a grouping. I think the intent becomes fairly clear at the committee hearing we talked about point of sale signs I think that my general reaction to that was that we are in fact in most of the elements that the oil people are talking about, talking about product for sale signs. Now if they are valid products for sale I think that our initial position is that there is not a necessity that these signs be temporary. They can be relatively permanent installed signs. Changeable copy is permitted, we have no reservation, no regulation against changeable copy and the first instance that was cited at the committee meeting and the one that was referred to tonight were price signs. I think if we look around town today it would be more attractive and more apparently visible price signs, signs that are some way permanently afixed to the site in some way, shape or manner. The copy is changeable, the price is changeable, unfortunately always upward but we do constantly have changeable information, but the sign is not what we consider temporary or portable.

Councilman Towell: If things don't stop soon, I am going take this as a license to use all the jokes I used at the hearing.

Councilman Mizell: Can I add some comic relief, hopefully, to get us off the subject of temporary signs and get some more permanent ones. If you will, I am ready to offer some amendments which I think will clear up some of the problem with the off premise signs that are currently on the book that have been questioned as to whether we would retain this or not and also signs in residential areas. Now we do have a section in the Ordinance which is reserved for off-premise signs, and what I would propose that we do in that section for off-premise signs is simply include what currently exists in the Municipal Code and transfer that into this Ordinance so whatever we have in the existing code which is already in operation in the City be incorporated into the new Sign Ordinance, so that in fact, we would delete everything in Title 17 of the Municipal Code with the exception of those parts not dealt with in this new Ordinance. What I would propose, then, would be to add in Section I, that present Chapter 20.17 of Title 20 of the Municipal Code be deleted in

its entirety with the exception of, 17.09.00 which would become 17.21.00 and 17.13.00 through point 08 which would then become 17.23.00 through 17.23.08.

Councilpresident De St. Croix: I may request (inaudible) Act does that mean that we will include then this new proposed Ordinance coverage of the current prohibitions regarding off premise billboard type signs in residential type areas, protection for the scenic highways, and those kinds of coverages.

Councilman Towell: Now there are two more amendments.

Councilpresident De St. Croix: O.K. I'm sorry.

Councilman Mizell: I'm sorry, 17.13.00 would become 17.22.00 through 17.22.08, and let me read what's left within the Ordinance. Alright, the existing Ordinance states under 17.09.00 restrictions near scenic roads and it says, no signs shall be erected or installed within 500 ft. of that part of any road, street or highway which shall have been designated by the Common Council as a scenic road except for signs for on-premise use in a designated commercial zone or industrial zone all such signs shall meet the same requirements as in Section 17.07.00. The designation of such scenic roads shall be named by the Common Council upon the basis of topography, vegetation, and structures adjacent to such roads. The designation of the part of any road, street or highway as a scenic road by the Common Council shall be considered an amendment to this Title 17.09.00 and then the overleaf are those scenic roads which have been designated years back and I don't know if I would have to go through those or not.

Councilpresident De St. Croix: So it doesn't add anything new. All it does is leave the protections of the old Ordinance and this new one as we disenact the previous provisions that are covered in this.

Councilman Mizell: Right.

Councilpresident De St. Croix: O.K.

Councilman Mizell: Now in addition to that, I would propose that under 17.12.00 of 75-54 as explanation for total sign L case as based on building mass and street frontage in business and industrial zones that we add as a explanation, no signs shall be erected or installed in any BG, BA, BL, MG, ML, zone except for on-premise signs. To flush out 20.17.12.00. That is essentially a restatement of what we have in the existing Ordinance.

Councilwoman Zietlow: And what about residential?

Councilman Mizell: That is another amendment that I would propose and again I think this has been the intent of the commission and the committees working on it under 17.13.00 sign allocations in residential and special zones I would propose that we add no sign of any kind or nature will be allowed RE, RS,

RN, RH, MQ, or SM except for the following and of course it continues on identifying the signs that are allowed in the residential zones.

Councilpresident De St. Croix: Alright, is that all the motions?

Councilman Towell: I think we can do it at once. Second.

Councilpresident De St. Croix: Members of the Council require further explanation of the motion?

Councilwoman Kinzer: Could you summarize it?

Councilman Mizell: What this does is really keep us in line what we have on the books currently . . .

Councilwoman Kinzer: Which parts again could you just list them please?

Councilman Mizell: Under 17.13.00 this does what was in the mind of all the people involved in writing this Sign Ordinance and that is restricting signs within residential zones or the special zones except for the ones that are included here. So that would bring everything out except for signs identifying residential complex and developments, subdivisions and so on, signs identifying home occupations, announcement signs, business signs for permitted businesses within this special medical zones and those were the only ones we thought ought to go into residential zones and I see Mr. Stroh and the members of the Chamber Committee nodding their heads in agreement so there is no question on that. This is exactly what we wanted in residential zone as far as the business zones what we have done is take what is in the Municipal Code at this time its been in the Code for six or eight years now and retaining that in the section reserved for off-premise signs, now this is the next part that the Plan Commission proposed to take up off-premise signs.

Councilwoman Kinzer: I appreciate the explanation, I just wanted a recap of the sections that are going to be retained from the original.

Councilman Mizell: O.K. this would be Section 17.09.00 and this will now become 17.21.00 we will also retain 17.13.00 through 17.13.08 and that will become 17.23.00 through 17.23.08.

Councilpresident De St. Croix: Does everyone have that so far?

Councilman Towell: This brings to mind that wonderful night when we discovered that in recodifying, the previous Council had left out the enforcement clause of the entire City Code. I'd like to thank Mr. Hendricks for being perceptive and doing his homework. That is putting the finger in the dyke.

Councilpresident De St. Croix: Further discussion on the motion to amend? We have a motion and it has been seconded. Discussion on the motion?

Councilwoman Zietlow: It's just in addition if I can . . . I asked again then you also added two other phrases right, one to Section 17.12.00 and one to 17.13.00.

Councilman Mizell: Right.

Councilwoman Zietlow: Which aren't in the (inaudible) as stated.

Councilman Towell: In different ways they are.

Councilwoman Zietlow: Yes, right.

Councilpresident De St. Croix: Further discussion from the Council? Is there discussion from the floor, Mr. Hendricks.

Charles Hendricks: I wonder, Mr. Mizell, if you could read the Section in the residential zone . . . as how we . . . how that change we'll read in its entirety.

Councilman Mizell: 17.13.00 would now read, Sign Allocation in residential and special zones no sign of any kind or nature will be allowed in the RE, RS, RM, RH, MQ, or SM zones except the following, and then 17.13.01 reads signs identifying residential complexes, developments and subdivisions may be permitted to the entrance of such areas and shall be limited to 64 square feet; 17.13.02 signs identifying home occupations shall be limited to two square feet; 17.13.03 reads announcement signs where permitted shall be limited to 24 square feet; 17.13.04 reads business signs for permitted within the SM (Special Medical Zones) shall be limited to business wall signs that shall not exceed 50 square feet.

Charles Hendricks: Where are you reading that, from the present. . .

Councilpresident De St. Croix: There is not, It is not, it is an attempt to insure that the intent of the original is carried through as we amend it without having it off premise.

Charles Hendricks: Could you include the Risms.

Councilman Mizell: Yea, I'm sorry it should be RE, RS, RL, RM.

Charles Hendricks: One or two other questions.

Councilwoman Kinser: RH.

Councilman Mizell: And RH right. RE, RS, RL, RM, RH. MQ and SM.

Charles Hendricks: I would say perhaps the definition of sign in general that makes a sign in the present Ordinance also to be continued on this one because this one has a definition for on premise signs and other signs in general. I would also like to suggest that in the section descriptions

near scenic roads should be placed at the point where 17.20.00, I believe; that is you read a section of that new conclusion to read, "all such signs should meet the same requirements as Section 20.17.07.00" at that point you eliminated 20.17.07.00, you should make clear in the records what you are referring to. So I think there are two other questions I see there. I would hope since your rather major important redrafting that perhaps we could have a recopy for at least a half an hour along with discussion. Perhaps we could recess until we consider some of the other business, but it would seem to me if that would be possible that would be (inaudible) and you might find it desirable, and if you disagree we want to see what we are approving.

Council president De St. Croix: O.K. Do you have any further statement?

Councilman Mizell: Could I just comment on that. Your question about defining signs I think is carried over in the definition section, do you have that included in your copy of the Ordinance? On the very first page 17.01.02 it says sign on-premise is not the same as sign.

Council president De St. Croix: You allude in the section you added to off-premise signs and their is no definition of them.

Councilwoman Zietlow: That's right.

Councilman Mizell: We do have a definition for premises . . .

Councilwoman Zietlow: We don't have any definition for signs.

Council president De St. Croix: I think that his other point is well taken, that is amend a section we have deleted, is that correct?

Councilwoman Kinzer: I'd like to ask Mr. Hendricks another question here. You are referring to a purpose and intent as well as definitions aren't you? These regulations are established for all signs located on the premise and then. . .

Charles Hendricks: You mean purpose and intent in the new one?

Councilwoman Kinzer: The new one.

Charles Hendricks: Perhaps you are right, I hadn't said that but I think you are right.

Councilwoman Kinzer: You would be concerned about both that and including it as a definition.

Council president De St. Croix: Thank you, do we have further statements from the floor? Nobody has anything further to say about this Ordinance. No further remarks questions statements of position, disagreements, agreements or anything.

Councilman Mizell: Have we voted on the Amendment?

Councilpresident De St. Croix: No we haven't.

Councilman Mizell: I think we should do that because then we can go on and look at the other suggestions.

Councilpresident De St. Croix: Further discussion on the motion to amend offered by Councilman Mizell, is that clear to everybody?

Councilwoman Zietlow: On the present amendment.

Councilpresident De St. Croix: On the present amendment.

Councilman Mizell: Could I have one slight correction to take care of the 20.17.07 reference in the existing Ordinance, if we substitute for that 20.17.12.00 that is a housekeeping thing.

Councilwoman Kinser: Where it says reserved now?

Councilman Mizell: No. Under the existing code. That part where we have added Section 17.09.00 and it in fact has a reference then to 17.07 in the existing code when we put it in the new Sign Ordinance, the question was raised by Mr. Hendricks as to what were referring to since this is referring back to something that is deleted. I would offer that exists in the new Ordinance in Section 17.12.00 so I would simply substitute that number for the existing one in the present Ordinance.

Councilman Towell: Second.

Councilpresident De St. Croix: O.K.

Councilman Towell: Or whatever I concur. . .

Councilpresident De St. Croix: You were the second originally and you can concur with that. Alright, further discussion on the motion to amend. Clerk please call the role.

Ordinance 75-54 amended unanimously by a
ROLL CALL VOTE OF AYES: 8, NAYS: 0.

Councilpresident De St. Croix: At this point I would like the Council to go about three minutes early into its mid-meeting break so that perhaps the staff, Mr. Hendricks and other interested parties can help us deal with some of the questions and cleaning up things and see if we can deal with the Ordinance tonight and if not perhaps we can come to a realization of that. Will come back into session in about 10 minutes.

Councilman Mizell: The definition for sign will now read "Any advertisement, announcement, or communication produced by the construction, erection, affixing or placing of a structure on any land or upon any other structure, or produced by painting on or posting or placing any printed, lettered, pictured, figured or colored material upon any building, structure or surface." This is a definition for sign and it is taken verbatim from the existing Municipal Code. This should then be known

as 17.02.01 and this will necessitate the renumbering of the additional definitions.

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

Councilwoman Davis: Second.

Councilpresident De St. Croix: It has been moved and seconded, you have heard the motion. Do we have discussion of the motion from the Council? From the floor? Does everyone concur with motion, there is no disension, it does clear up the problem that we had earlier. Before I hear any disension, Clerk call the role.

Ordinance 75-54 is amended unanimously by a ROLL CALL VOTE OF AYES: 7, NAYS: 0.

Councilman Mizell: I move that Ordinance 75-54 be approved as amended.

Councilman Towell: Second.

Councilpresident De St. Croix: Motion is that Ordinance 75-54 be adopted as amended. Is there discussion of the motion to adopt. Further questions from the Council? Any questions from the floor? Clerk please call the role.

Ordinance 75-54 as amended is adopted unanimously by a ROLL CALL VOTE OF AYES: 7, NAYS: 0.

Councilpresident De St. Croix: Ladies and gentleman of the Council, of the community, everybody of the Planning Commission, thank you. It is good to have it done.

Councilman Morrison: I move that Ordinance 75-53 be introduced and read by the Clerk by title only.

ORDINANCE 75-53,
Restricted Parking
Zones.

Councilman Mizell: Second.

Councilpresident De St. Croix: It has been moved and seconded Ordinance 75-53 be introduced and read by the Clerk by title only.

Ordinance 75-53 was read by the Clerk by title only by a unanimous voice vote of the Council.

Councilman Morrison: I move that Ordinance 75-53 be adopted.

Councilman Towell: Second.

Councilpresident De St. Croix: It has been moved and seconded Ordinance 75-53 be adopted. Do we have a committee report?

Councilman Towell: Well, this is the same sort of proposal for the same area that came up to the Council once before and there were disagreements among the local business people in the area so we told them to get in a room and come to an agreement. The insurance company down there wanted a fifteen minute zone because they have a lot of industrial policies where people have to come in periodically to make payments. The social security office wanted two-hour parking and instead now we

have one hour parking. It seems as though there is a consensus and that people have worked out their differences and I would urge passage. The committee has already done this.

Councilpresident De St. Croix: Thank you, further discussion from the Council? Any questions from the Council? Clerk please call the role.

Ordinance 75-53 is adopted unanimously by a ROLL CALL VOTE OF AYES: 7. NAYS: 0.

Councilman Morrison: I move that Ordinance 75-55 be introduced and read by the Clerk by title only.

ORDINANCE 75-55
\$5.00 Permit Fee

Councilwoman Zietlow: Second.

Councilpresident De St. Croix: It has been moved and seconded Ordinance 75-55 be introduced and read by the Clerk by title only.

Ordinance 75-55 was read by title only by the Clerk by a unanimous voice vote of the Council.

Councilman Morrison: I move that Ordinance 75-55 be adopted.

Councilman Towell: Second.

Councilpresident De St. Croix: It has been moved and seconded Ordinance 75-55 be adopted. Committee report Councilman Towell.

Councilman Towell: Well this makes the fee for excavation permit \$5.00 instead of fifty cents and we have an elaborate cost justification showing the City spends at least \$5.00 processing this permit. The committee was unanimous, pass it.

Councilpresident De St. Croix: We have present the City Street Inspector, Mr. M.C. Russell. Should any members of the Council have questions there is a very detailed back up memorandum explaining the computation of inspection time, secretarial time, mileage; it comes out to figure \$5.80 per cut which is slightly above the proposed rate exceedingly above the twenty five cents we have been charging for that.

Councilman Towell: Oh, only twenty five cents. I consider this merely a modernization of the fee. I must say that I don't entirely agree with the City charging just what it takes to process something or in the vicinity there might be a reason for a higher fee or a lower fee other than that but in this case it seems appropriate.

Councilpresident De St. Croix: Are you suggesting that we increase it to meet. . .

Councilman Towell: No, for example in the landlord-tenant Ordinance we provided for a \$5.00 fee for inspections to be paid by whoever was in the wrong, and the idea was that if there were false charges being made the person who made the charge would pay if it

wasn't true and that way there would be a kind of prevented measure for the landlords peace of mind. This was part of a compromise and you know there are other purposes for fees and I would not honor this kind of justification every time that is what I am trying to say.

Councilpresident De St. Croix: O.K. Excuse me, further discussion?

Councilwoman Zietlow: Is it inappropriate to ask to explain what this applies to. What kind of opening explanations. . .

Michael Russell: I advise any excavation done on street, highway, sidewalk, curb, street as long as it is city property considered right-of-way and then it doesn't matter if it's dirt road, it is all the same.

Councilwoman Zietlow: It is mainly for Utilities. . .

Mike Russell: It is mainly from contractors and Indiana Gas, Public Service Indiana, Bell Telephone.

Councilpresident De St. Croix: Oh, really?

Mike Russell: Yes.

Councilpresident De St. Croix: So we are going to lose eight cents on each cut then?

Mike Russell: Probably a little more than that.

Councilwoman Zietlow: If it takes an hour.

Councilman Morrison: We ought to have a sliding scale.

Councilman Towell: I have about 16 or 18 feet of City property I take care of over by my house does this mean when I cut the grass or weed out the. . . Well, I'll give it back to the City. (tape change)

Ordinance 75-55 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilwoman Zietlow: I move that Resolution 75-30 be introduced and read by the Clerk in entirety.

RESOLUTION 75-30
Budget Transfer

Councilwoman Davis: Second.

Resolution 75-30 was then read by Clerk Dolnick in entirety.

Councilwoman Zietlow: I move that we amend Resolution 75-30 to include the section, Cumulative Capital Improvement Fund.

Councilwoman Davis: Second.

Councilman Towell: Well, our Committee looked at part of this Ordinance we didn't have real justification for the Human Resources thing at the time so I would like to say that our committee urged passage of the Rosehill Cemetery, the Environmental Commission, Common Council

changes but we withheld judgement on the Human Resources so perhaps a motion to divide would be in order and I would like to move. . .

Councilpresident De St. Croix: I wonder if perhaps we can amend to include the additional section before we divide? And that is the amendment on the floor.

Councilman Towell: O.K.

Councilpresident De St. Croix: The motion on the floor then is to amend the Resolution to include the new section Councilwoman Zietlow just offered is there discussion on the motion?

Councilwoman Kinzer: What was the money originally appropriated for?

Councilwoman Zietlow: As I understand, it was appropriated for. . . it was a general appropriation with no specific purpose designated in the last budget, the budget that voted a year ago appropriated as I remember three hundred thousand dollars.

Councilwoman Kinzer: What was the intent of it though? What kind of properties were involved?

Councilwoman Zietlow: Nothing specific was stated.

Councilwoman Kinzer: Nothing was stated.

Councilwoman Zietlow: It was just put in the line items and appropriated at that time and we didn't do it this year.

Councilpresident De St. Croix: O.K. motion to amend further discussion? O.K. Clerk Dolnick please call the roll. This is the motion to amend Resolution 75-30 by including capital funds.

Resolution 75-30 was adopted unanimously by a ROLL CALL VOTE OF AYES: 7, NAYS: 0.

Councilman Towell: I would like to move to divide to consider Human Resources separately.

Councilman Morrison: Second.

Councilpresident De St. Croix: It has been and seconded that the question on Resolution 75-30 be divided into two parts is that your motion? Alright, the two parts then being everything with the exception of Human Resources in part one and Human Resources being in part two.

Councilman Towell: That is correct.

Councilpresident De St. Croix: O.K. There is a motion on the floor, is there discussion? O.K. All those in favor.

The question on Resolution 75-30 was passed unanimously by a voice vote of the Council.

Councilpresident De St. Croix: So we have a motion for adoption on the divided question?

Councilman Towell: I move we adopt part one.

Councilman Mizell: Second.

Councilpresident De St. Croix: It has been moved and seconded then on the divided question on Resolution 75-30 the Council adopt part one, which includes all portions of the Resolution with the exception of Human Resources, Rosehill Cemetery, Environment Commission, Common Council and Controller is that the heading for the. . .

Councilwoman Zietlow: No, it is Cumulative Capital.

Councilpresident De St. Croix: Cumulative Capital, excuse me. Further discussion on the motion? Clerk Dolnick call the role.

Resolution 75-30 under divided question part one Rosehill Cemetery, Environment Commission, Common Council Cumulative Capital is adopted unanimously by a ROLL CALL VOTE OF AYES: 7, NAYS: 0.

Councilwoman Davis: I want to say I am really pleased with the development of the sports center.

Councilpresident De St. Croix: Do we have a motion under divided question for part two?

Councilman Towell: I move that the Human Resources part be adopted.

Councilpresident De St. Croix: Is there a second?

Councilman Mizell: Second.

Councilpresident De St. Croix: It has been moved and seconded that Resolution 75-30 under divided question, part two, Human Resources be adopted. Is there discussion? Do we have a committee report?

Councilwoman Davis: The committee report there is quite a bit of back up material supporting this and the committee recommended do pass.

Councilpresident De St. Croix: We have the committee recommendation. Questions?

Councilman Towell: This came as rather a surprise, sort of late, I would like to hear the connection between the Youth Services Bureau and the City and the circumstances that brings this to our attention now that particular part.

Leo Burke speaks from the floor: I think to best answer your question I would prefer to turn to Bill Finch on our staff who has had a great deal of experience with the YSB issue and has recently been appointed to the Board of Directors of YSB.

Bill Finch: As you can see by the supporting (inaudible) there are three sections to the the budget transfer that we are trying to deal with. First is the twelve hundred dollars for the local (inaudible) the 1974 grant period which ended approximately June 1st of this year, that money, that local match there was picked as you can see about 60% of it by the City, now that money came out of what was in the Alternative Programs Commission budget under category 26 of existing facilities that money we now need to transfer back into that category in order

to make contractual commitments which we have to other existing facilities such as Middleway House and Listening Line. Those are periodic monthly payments that we make every month. The second part of this budget transfer is the 12 to 15 hundred dollars local match for 1975 and that period. Now the YSB board has recently been completely overhauled, we now have gone along with criminal justice and the Mayor's office and going to a twenty person board we have recently structured that into a series of subcommittees including finance programs personnel along with subcommittees are provision for transports to handle particular issues. The finance committees specifically charged with the duty of attempting to come up with the local match and will be attempting to come up with the local match. Now in the event that this does not happen, in the event that they do not come up with the total local match we will be required to come up with the remainder of the local match or to pay back one third of the grant money which would be approximately \$10,000. We are hoping, the board of directors is hoping, we will come with the local match. We are optimistic about it, we can't guarantee that we will come up with it if the City is to come with this money or any part of it, we need to make the appropriations, we need to have the funds available for this years budget because there will be no extra funds available in next years budget. That is why this one is necessary at this point in time. As we commented in the memo the lesson gained from this is that we . . . any further grants that we deal with we want to make a provision in advance before acceptance of the grant for the local match. This is an example of one of the purposes, I hope, with the Department of Human Resources so this situation won't happen again. The \$2,000 to \$2300 is, the budget deficit for 1975 is the third part of this, if you really want to trace it back, I suppose, we really have to go back to the Model Counties Program of 1971 with criminal justice, which some of the Council members were even a member of that Board. . . organization to 1971 and 1973 to try and face the whole thing the basic problem is that criminal justice on a state level approved a nine month budget for an eleven month program obviously that isn't going to work so that we have been forced to pay salaries for people at a much lower level than they were supposed to be receiving as salaries. Now we cannot come up with this deficit, those people are not going to be able to receive their salaries that they are supposed to be receiving, we will not be able to meet our contractual commitments in an eleven month grant period. Some of this problem. . . I have been on state level, I have met with some of the state people in the Indiana Criminal of Justice. They have agreed to put in \$3,000 recognizing that a good piece of that was their mistake and they have 3,000 dollars that they will put in. YSB on its own initiative has come up with 4,000 dollars outside money but it still requires the two thousand to twenty three hundred in order to meet in order to run the program till the end of the grant period.

Councilman Towall: Well, I follow your explanation. I ask a rather more general question, I come in

rather late on Youth Services Bureau perhaps and its connection with the City that is the point I was asking.

Bill Finch: The YSB is . . . it is funded by Indiana Criminal Justice Planning Agency the Mayor of the City of Bloomington is the Project Director for the YSB anyone funded under the Indiana Criminal Justice Planning Agency, they must be an elected official to this Project Director so he has been the Project Director since the conception of the program. He appoints ten members to a twenty member board of directors while the PSB appoints the other ten members of the Board of Directors. Our tie in there is that the money (1) the Mayor is the Project Director representing the City (2) as the money comes in it is given to the Controllers Office it is handled by the Controllers office and dispersed by the Controllers Office and is subject to the same accounting. . . accountability to the State Board of Accounts as any other money.

Councilman Towell: It is not a City agency, it is not created by City Ordinance. . .

Bill Finch: It is not created by City Ordinance.

Councilpresident De St. Croix: It is contracted with the City though by ICJP. Aren't we really guaranteeing by appropriating in advance that they could bale out the YSB, that the pressure and the necessity for raising the funds by the YSB doesn't exist any more. Given the competing interest in this community for the resources, that means that the City is the agent for last resort, and already solved the problem, you are not going to raise the money.

Bill Finch: I really don't think that is what the result would be. I think that (1) the money can still be. . . the money some of this money does not have to be paid immediately such as the local match and so if we saw that a good faith effort, if you saw that a good faith effort was not being made by the board of directors to raise the local match then I think the City would be perfectly justified in saying you are not. . .

Councilpresident De St. Croix: You bring me to the second part of my question. Since we had no knowledge that this problem existed, we were unaware of its development and are going to know in fact that the problem is being dealt with in the future, that it is being solved, that the Board in fact is making a good faith effort in raising those funds.

Bill Finch: There are monthly reports prepared by the Director (inaudible) given to other members of the Board of Directors and I am sure she would be more than happy to give one to each of the Council members.

Councilpresident De St. Croix: That would specify the Board's efforts for raising the funds for making the deficit. . .
I am speaking as an individual for the Council.

Councilwoman Zietlow: This is an immediate problem that deals with an already created situation as I understand it and I think

another question arises to what extent will this find us into a future situation. I understand that the Human Resources Department is already beginning to think in terms of a general look at agencies and perhaps we could get some assurance that this is not going to tie us into a future.

Bill Finch: From the point of view of the Board of Directors, I don't believe this is type of thing that is going to happen again this type of approach is not going to be used again it would be our fault in an immediate situation which is as unfortunate to us as it is to you, I am certain from the point of view of the Department of Human Resources and how they would like to act in such an such a situation now you are talking about program evaluation program maintenance and examination of programs we refer that to the director of the department.

Leo Burke: I would like to say emphatically and emphasize that it is not the intention of the department to become involved in instances like this in the future unless for extraordinary reasons. It is not our intention anyway to kind of initiate or kind of bale out agencies in this City that run into funding problems for whatever reasons, we don't see that as our function. The department at this point in time feels that this is the most efficacious means of dealing with this present problem and to the efforts we are trying to make to see that this doesn't reoccur is a very tight monitoring and evaluation system so that any Social Service Agency that has contracts with the City will be held strictly accountable not only at times that they request money at revenue sharing times for instance but an ongoing basis throughout the year. We feel that that is one of the (inaudible).

Councilpresident De St. Croix: Do the bill of the funds to the YSB, Mr. Burke, in fact the department, your department's ability to provide services for the remainder of this calendar year. Will the provision of these funds to YSB affect your department's ability to provide services for the remainder of this year.

Leo Burke: No, we have an access in the services personnel.

Councilpresident De St. Croix: O.K., thank you.

Councilman Towell: It probably would effect providing services in the first part of the year but that is past.

Leo Burke: I might say that . . .

Councilman Towell: We did provide a budget for longer period.

Leo Burke: Right. I would carry the speculation further that if indeed the director

had been hired and full staff had been hired earlier in the year, then we would not be at this point today.

Councilman Towell: I guess this brings me to the general reflection that it's probably a pretty good thing have the Mayor be your contractor and to have a representative on the Criminal Justice Planning Agency and that kind of thing. There are agencies in this town that don't have those advantages. Perhaps our money would equally well go to them if we were making a different kind of evaluation and in the first place probably the grant from Criminal Justice was materially helped by having the representative of the City on the Evaluation Committee. There are advantages that may be sought for the future by other agencies and we may have sort of a concentration of power and decision making about social agencies in a way that I think would be very bad for the community. Just as a general comment of my own, I have not been happy with the kind of politics that I have read about in connection with the Youth Services Bureau. The deposed Director was a friend of mine. There are things that I did not like. If you are going to be approaching the City for money, then there will have to be a different kind of scrutiny as far as I'm concerned of things that happen. Also, I see a city employee representing you tonight. I don't like that. I want you to have your agency if you are going to be an agency. I personally, if this is considered tonight, will vote against it, not because I'm against the things that the Youth Services Bureau have done or aim to do, it is simply because I think that this is an unsavory situation to have this kind of connection with the City.

Councilwoman Davis: I would like to urge that this be passed. I think it is an unfortunate situation that Mr. Burke has inherited, that he is trying to solve some problems and I don't think they will occur in the future. He has an extensive plan of action for accountability and budget and for accountability in programming and I think they are making headway there. This is something that has occurred over a period of time and I think that if we do not appropriate the money, we would have to pay money back in the grant that means that we might have to pay as much as \$28,000 back which would be spending money than we would be appropriating. I think it is penny wise and penny foolish.

Councilman Towell: I don't see where the accountability has been provided for.

Councilpresident De St. Croix: Councilwoman Davis was referring to Mr. Burke's efforts in trying to build accountability that didn't exist before.

Councilman Towell: Well, in that case he talked about accountability of all agencies, which I'm not sure is a good thing. Accountability for City money is accountability for City actions. I think we should be very careful about that. I'm not sure that it is good that the City holds agencies accountable.

Councilwoman Davis: You may have misunderstood me. I meant programs under his umbrella, human resources.

Councilman Towell: What does that mean, umbrella?

Councilwoman Davis: Al...

Councilpresident De St. Croix: Due to neglect and oversight on my part, I have not called for Petitions and Communications. Do we have any this evening? The question before the Council is on the divided question of Resolution 75-30, adoption of Part Two, Human Resources. Is there further discussion?

PETITIONS AND
COMMUNICATIONS

Councilwoman Zietlow: I think that the discussion that preceded does point up the necessity for the Department of Human Resources of the City itself to look at its relationship to agencies that are not directly related to the City. I think that that is something that should be looked at. It also raises the whole issue of criminal justice money and the fact of the matter is, the way the criminal justice money comes to the City is that it is given to the local governments. It is also given to some agencies. The City is directly related to the Criminal Justice Planning Agency.

Councilpresident De St. Croix: And directly responsible in this instance.

Councilwoman Zietlow: The trend has been to make the City the recipient agent, or the agent that was requested ultimately to pick up the funding when Criminal Justice money disappears. So we are very closely related and put into that position by the development of programs under the Criminal Justice funding. I share the concern of Councilman Towell on this. It is certainly something that we need to look at much more closely. Mr. Vannerman came here several years ago and explained how the City local governments are going to have to face the problems of the community which the Criminal Justice Planning Agency programs were addressing in the past. I don't think that we wholly realize that responsibility and the involvement that we have gotten ourselves into.

The adoption of Part Two, divided question on Resolution 75-30, Human Resources passed by a ROLL CALL VOTE OF Ayes: 5, Nays: 2, Nays: Councilmembers Morrison and Towell.

Councilpresident De St. Croix: I think that speaks not only to the Youth Services Bureau but also to the Human Resources Department about the Council's concern here. You squeaked through this time, I'm not so sure it will happen again.

Councilwoman Zietlow: I move that Appropriation Ordinance 75-10 be introduced and read by the Clerk by title only.

APPROPRIATION
ORDINANCE 75-10
Fire Dept. Motor
Equipment

Councilman Morrison: Second.

Appropriation Ordinance 75-10 was then read by the Clerk by title only.

Councilpresident De St. Croix: Next item on the agenda is minutes of 3 July 1975.

Councilman Towell: Excuse me, I think we need to move to table the CD Ordinance again.

Councilpresident De St. Croix: Oh, I'm terribly sorry, do we have such a motion?

Councilman Towell: I move that Ordinance 75-6 be tabled.

Councilman Mizell: Second.

Councilpresident De St. Croix: Does it express the Council's intent to have done so prior to the First Reading of 75-10.

Ordinance 75-6 was then tabled by a unanimous voice vote.

Councilpresident De St. Croix: Next item on the agenda is the minutes of 3 July 1975.

Councilman Mizell: I move that the minutes of the meeting of July 3, 1975 be approved as distributed.

Councilman Towell: Second.

The minutes were then approved by a unanimous voice vote.

Councilpresident De St. Croix: I'm waiting for a motion to adjourn.

ADJOURNMENT

Councilman Mizell: So moved.

ATTEST:

Kandee Chester

APPROVE:

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

Recommended Ord./Res. Attached _____

COMMITTEE REPORT SHEET

COMMITTEE NAME Utilities/Public Facilities Committee

~~XXXXXXXX~~ RESOLUTION 75-30
(Name and Number)

DATE SUBMITTED 10 September 75

PERSON OR DEPARTMENT ORIGINATING Controller's Office

SUBJECT MATTER Budget Transfers

DATES OF COMMITTEE MEETINGS 11 September 75

DATES AND LOCATIONS OF PUBLIC HEARINGS _____

COMMITTEE DISCUSSION:

COMMITTEE RECOMMENDATIONS:

Do pass

MINORITY REPORT ATTACHED YES , NO , NOT APP.

SIGNATURES OF COMMITTEE MEMBERS

M. E. [Signature] CHAIRPERSON
[Signature]

Recommended Ord./Res. Attached

COMMITTEE REPORT SHEET

COMMITTEE NAME Planning/Community Development
ORDINANCE/RESOLUTION Resolution 75-30
(Name and Number)
DATE SUBMITTED _____
PERSON OR DEPARTMENT ORIGINATING Controller
SUBJECT MATTER Budget Transfer
DATES OF COMMITTEE MEETINGS 10 Sept. 75
DATES AND LOCATIONS OF PUBLIC HEARINGS Common Council Chambers

COMMITTEE DISCUSSION:

COMMITTEE RECOMMENDATIONS:

The Committee felt that most of the transfers were fine but wants more information on the human Resources transfers before making a final recommendation

MINORITY REPORT ATTACHED YES , NO , NOT APP.

SIGNATURES OF COMMITTEE MEMBERS

_____ CHAIRPERSON

Recommended Ord./Res. Attached

COMMITTEE REPORT SHEET

COMMITTEE NAME Appropriations Committee

~~ORDINANCE~~/RESOLUTION 75-30
(Name and Number)

DATE SUBMITTED 10 September 75

PERSON OR DEPARTMENT ORIGINATING Controller's Office

SUBJECT MATTER Budget Transfers

DATES OF COMMITTEE MEETINGS 11 September 75

DATES AND LOCATIONS OF PUBLIC HEARINGS _____

COMMITTEE DISCUSSION:

COMMITTEE RECOMMENDATIONS:

De pas

MINORITY REPORT ATTACHED YES , NO , NOT APP.

SIGNATURES OF COMMITTEE MEMBERS

[Handwritten Signature]

CHAIRPERSON

COMMITTEE REPORT SHEET

COMMITTEE NAME Comm. Resources

ORDINANCE/RESOLUTION 75-30 Budget Transfer
(Name and Number)

DATE SUBMITTED Sept. 16, 1975

PERSON OR DEPARTMENT ORIGINATING _____

SUBJECT MATTER Human Resource Budget Transfer

DATES OF COMMITTEE MEETINGS Sept 16

DATES AND LOCATIONS OF PUBLIC HEARINGS _____

COMMITTEE DISCUSSION:

COMMITTEE RECOMMENDATIONS:

Committee recommends do pass.

MINORITY REPORT ATTACHED YES , NO , NOT APP.

SIGNATURES OF COMMITTEE MEMBERS

H. P. Davis
Pat Kuzner

CHAIRPERSON

COMMITTEE REPORT SHEET

COMMITTEE NAME Appropriations Committee

ORDINANCE/~~RESOLUTION~~ Appropriation Ordinance 75-9
(Name and Number)

DATE SUBMITTED _____

PERSON OR DEPARTMENT ORIGINATING _____

SUBJECT MATTER Emergency Funds

DATES OF COMMITTEE MEETINGS 11 September 75

DATES AND LOCATIONS OF PUBLIC HEARINGS _____

COMMITTEE DISCUSSION:

COMMITTEE RECOMMENDATIONS:

Do pass

MINORITY REPORT ATTACHED YES ____, NO ____, NOT APP. ____

SIGNATURES OF COMMITTEE MEMBERS

[Signature]

CHAIRPERSON

COMMITTEE REPORT SHEET

COMMITTEE NAME Utilities/Public Facilities

ORDINANCE/RESOLUTION Appropriation Ordinance 75-9
(Name and Number)

DATE SUBMITTED _____

PERSON OR DEPARTMENT ORIGINATING Controller's Office

SUBJECT MATTER Pks. & Rec, Bd. of Public Wks, & Dept. Public Transit

DATES OF COMMITTEE MEETINGS 10 September 75

DATES AND LOCATIONS OF PUBLIC HEARINGS _____

COMMITTEE DISCUSSION:

COMMITTEE RECOMMENDATIONS:

DO PASS

MINORITY REPORT ATTACHED YES , NO , NOT APP.

SIGNATURES OF COMMITTEE MEMBERS

CHAIRPERSON

Flo Davis

COMMITTEE REPORT SHEET

COMMITTEE NAME Community Resources

ORDINANCE/RESOLUTION 75-9 Emergency Funds
(Name and Number)

DATE SUBMITTED Sept. 16, 1975

PERSON OR DEPARTMENT ORIGINATING _____

SUBJECT MATTER Appropriation for Spate Center on Winlow Road

DATES OF COMMITTEE MEETINGS Sept. 16

DATES AND LOCATIONS OF PUBLIC HEARINGS _____

COMMITTEE DISCUSSION:

With the understanding that there will be equal usage by both sides of the space involved. There will be equal development of programs.

COMMITTEE RECOMMENDATIONS:

Committee recommends to pass with above qualification.

MINORITY REPORT ATTACHED YES , NO , NOT APP.

SIGNATURES OF COMMITTEE MEMBERS

Al E. Lane _____

CHAIRPERSON

Pat Keegan _____

*will be answered
Satisfactorily:
re: alternate use of
funds; programs to
be accomplished*

COMMITTEE REPORT SHEET

COMMITTEE NAME Appropriation Committee

ORDINANCE/~~RESOLUTION~~ Appropriation Ordinance 75-10
(Name and Number)

DATE SUBMITTED _____

PERSON OR DEPARTMENT ORIGINATING _____

SUBJECT MATTER Emergency Funds

DATES OF COMMITTEE MEETINGS 11 September

DATES AND LOCATIONS OF PUBLIC HEARINGS _____

COMMITTEE DISCUSSION:

COMMITTEE RECOMMENDATIONS:

Do Pass

MINORITY REPORT ATTACHED YES , NO , NOT APP.

[Signature]

SIGNATURES OF COMMITTEE MEMBERS

CHAIRPERSON

COMMITTEE REPORT SHEET

COMMITTEE NAME Planning/Community Development

ORDINANCE/RESOLUTION 75-53 Restricted Parking
(Name and Number)

DATE SUBMITTED _____

PERSON OR DEPARTMENT ORIGINATING Traffic

SUBJECT MATTER _____

DATES OF COMMITTEE MEETINGS September 10, 1975

DATES AND LOCATIONS OF PUBLIC HEARINGS Sept. 10, 1975, 7:30 p.m.
Common Council Chambers

COMMITTEE DISCUSSION:

COMMITTEE RECOMMENDATIONS:

Committee recommends this for passage.

MINORITY REPORT ATTACHED YES , NO , NOT APP.

SIGNATURES OF COMMITTEE MEMBERS

CHAIRPERSON

COMMITTEE REPORT SHEET

COMMITTEE NAME Planning/Community Development

ORDINANCE/RESOLUTION 75-54 Sign Ordinance
(Name and Number)

DATE SUBMITTED _____

PERSON OR DEPARTMENT ORIGINATING Planning

SUBJECT MATTER _____

DATES OF COMMITTEE MEETINGS September 10, 1975

DATES AND LOCATIONS OF PUBLIC HEARINGS September 10, 1975, 7:30 p.m.

Common Council Chambers

COMMITTEE DISCUSSION:

Committee report filed after Public Hearing held on
Sept. 10, 1975 at which time the citizens of Bloomington
were invited to make their opinions known.

COMMITTEE RECOMMENDATIONS:

The Committee makes no recommendation at this time.

MINORITY REPORT ATTACHED YES , NO , NOT APP.

SIGNATURES OF COMMITTEE MEMBERS

CHAIRPERSON

COMMITTEE REPORT SHEET

COMMITTEE NAME Planning/Community Development

ORDINANCE/RESOLUTION 75-55 \$5 Permit Fee
(Name and Number)

DATE SUBMITTED _____

PERSON OR DEPARTMENT ORIGINATING Engineering

SUBJECT MATTER _____

DATES OF COMMITTEE MEETINGS September 10, 1975

DATES AND LOCATIONS OF PUBLIC HEARINGS Sept. 10, 1975, 7:30 p.m.

Common Council Chambers

COMMITTEE DISCUSSION:

COMMITTEE RECOMMENDATIONS:

The Committee recommends this for passage.

MINORITY REPORT ATTACHED YES , NO , NOT APP.

SIGNATURES OF COMMITTEE MEMBERS

CHAIRPERSON

