

In the Common Council Chambers of the Municipal City Building, held on December 4, 1975, with Councilpresident De St. Croix presiding. The meeting began at 7:30 p.m.

REGULAR SESSION  
COMMON COUNCIL

Present: Flo Davis, Wayne Fix, Brian De St. Croix, Al Towell, Charlotte Zietlow.

ROLL CALL

Absent: Richard Behen, Pat Kinzer, Sherwin Mizell, Jack Morrison.

City Officials Present: John Komoroske, Council Administrator/Attorney; Carl Chambers, Chief of Police; Leo Burke, Director of Human Resources Department; Jean Strohm, Executive Secretary, Board of Public Works; Larry Owens, City Attorney; Fred Horning, Director of Community Action Program; Steve Richardson, Assistant to the Mayor; Michael Corbett, Assistant to the Mayor; Martha Sims, City Controller; Bill Wilson, Director of Parks and Recreation; Mayor Frank McCloskey; Karel Dolnick, City Clerk; Pat Patterson, Redevelopment Department.

CITY OFFICIALS  
PRESENT

Councilpresident De St. Croix: On tonight's agenda, the Council will be considering at Second Reading, Ordinance 75-67, amends the Municipal Code, Human Rights Ordinance regarding marital status and sexual orientation; Appropriation Ordinance 75-16, Board of Works Revenue Sharing Funds Allocation regarding the Girls Club; Appropriation Ordinance 75-17, Parks and Recreation/Board of Public Works Emergency Appropriation for ice skating; Resolution 75-42, Child Care Task Force Extension; Resolution 75-43, Street Lighting; Ordinance 75-68, Human Resources Salary Ordinance; Resolution 75-45, Budget Transfers for Animal Control, Community Development, Board of Public Works, Personnel, Community Development Block Grant Fund; Ordinance 75-63, to Amend Zoning for Stop Intersections and Parking; Resolution 75-48, Tennis Club Bonding; Resolution 75-46, Rules and Regulations for Housing Rehabilitation. Next we'll have Messages from Councilmembers. No messages. Before we enter into discussion of Ordinance 75-67, which is, I presume, what most people are here for, I'd like to outline a couple of guidelines the Council has customarily used when dealing with items of significant public concern and interest. Judging from the capacity crowd that we have here tonight, this Ordinance qualifies for that. We would like to have opening remarks by those in favor of the Ordinance and those opposed to the Ordinance. People who represent organizations or groups, I'll be allocating 25 minutes to each side for those opening comments. Council then will hear individual viewpoints, will ask people to limit their statements to two minutes. Council will continue with discussion until normal break time of 9:00 p.m., at which time I will end discussion and the vote of the Council will be called for. I think that you all understand that there is no way in one evening that we could hear from everybody here. I will attempt to recognize people who wish to speak to the Ordinance on an alternating basis and recognizing people who have not spoken before we return to people who have already addressed the Council. When you come to the microphone, please make sure that you speak into it and state your name. We have that so that we may have a record of the minutes of the meeting. That is customary procedure for the Council. Is that clear to everybody.

AGENDA SUMMATION

Councilmember Zietlow: I move that Ordinance

ORDINANCE 75-67  
To Amend Human  
Rights Ordinance

75-67 be introduced and read by the Clerk by title only.

Councilmember Davis: Second.

Ordinance 75-67 was then read by Clerk Dolnick by title only.

Councilmember Zietlow: I move that Ordinance 75-67 be adopted.

Councilmember Davis: Second.

Councilmember Zietlow: I'd like to move that Ordinance 75-67 be amended. Section Five, paragraph two, where in the Ordinance it appeared in First Reading, which is probably the one that everybody here has, "further provided that, substituted for further provided that it shall not be a discriminatory practice for a person to refuse to rent a single, self contained living unit to unmarried persons of different sexes. Nor shall it be a discriminatory practice for a person to refuse to rent a single, self contained living unit on grounds of sexual orientation to unrelated individuals of the same sex. Further provided that it shall not be a discriminatory practice for a person to refuse to rent, lease or sub-lease any apartment, single rooms, suite of rooms, a portion of a building designed or intended for occupancy as living quarters if the refusal is based on the fact that to so rent, lease or sub-lease such quarters would necessitate the sharing of a single bathroom or washroom by six or more unmarried persons of different sexes on the same floor". I would like to move that that be deleted and that in its place be "further provided that is shall not be a discriminatory practice for a person to refuse to rent, to unrelated individuals of the same sex, a room, apartment or portion of a building of an owner-occupied multiple dwelling structure on the grounds of such a sexual orientation as includes an occasional or regular propensity to have a sexual relationship with a member or members of the same sex."

Councilpresident De St. Croix: Does your motion include definitions (x)?

Councilmember Zietlow: Yes, then under Section six, subsection (x), "the term "owner-occupied multiple dwelling structure" shall include only structures in which the owner of the premises actually resides, containing not more than three (3) separate dwelling units, apartments, rooms or portions of the building designed or intended for occupancy as living quarters".

Councilmember Davis: Second.

Councilmember Zietlow: Could we have a statement to explain the ramifications of this.

Steve Richardson speaks from the floor: The rationale behind the amendment relates to the unwieldy nature of the previous section. The section really went beyond the purpose of the drafters in conferring a limited exclusion based on sexual orientation in certain owner-occupied dwelling units. Those are very limited, what we might call the Mrs. Murphy's boarding house type exception. It deals with dwelling units of a multi-dwelling structure which are owner-occupied, and the

language says specifically that the owner must actually reside on the premises, all those terms leading up to the three units or less, there is the possibility of discrimination based on specific grounds. The rationale being that the basis of the very Ordinance is an Ordinance lodged in privacy and we felt that we would grant privacy in a reciprocal fashion.

Councilmember Towell: Are the definitions of sexual orientation and marital status to be introduced later?

Councilpresident De St. Croix: I believe that they are already there.

Steve Richardson: They would already be there. This is merely a substitute, and I do have copies for you.

Ordinance 75-67 was then amended by a ROLL CALL VOTE of Ayes: 5, Nays: 0.

Councilmember Zietlow: Unless there are other amendments forthcoming from the Council I would like to move that Ordinance 75-67 be adopted as amended.

Councilmember Davis: Second.

Councilmember Fix: I have an amendment. It's along the same lines in Section Five, this alleviates some of my concern about that Section but also I have a concern of the owner-occupied dwelling, being able to choose whether boys or girls or men or ladies want to live with them. I think the owner-occupied dwelling should have the right to decide as far as sex, or marital status of the people to which they rent. There is a lot of difference between the two sexes as far as I'm concerned. It's much more of a difference than between race, religion, political affiliation or this sort of thing. Also on marital status. The owner-occupied person should be able to choose whether they want married people or non-married people living in their dwelling house. To that end, I'd like to make an amendment. Under Section Five to include the statement "further provided that it shall not be a discriminatory practice for a person to refuse to rent for occupancy as living quarters any space in an owner-occupied multiple dwelling structure on the basis of sex or marital status".

Councilmember Towell: Second. I think the reason for the amendment is that this is a person's house and three units indicate that this is not a business for the person and they have a right to determine to some extent, I think to a great extent actually, the way that their house will go as long as they are not really in the business. I agree that the three categories mentioned are different than the others. I would not do the same thing for race. After all we've had a long history in this country about race, of the business about feeling differently about races and so on is entirely over. It is a long educational process and not a matter of something that we can go back to now. I just mentioned that to illustrate the difference and therefore, I support the amendment.

Unidentified speaker from the floor: How is

"business" defined?

Councilpresident De St. Croix: Business is not defined in this Ordinance, mam.

Councilmember Zietlow: The critical term in this Section would be "owner-occupied multiple dwelling structure" which is defined and which we've just voted to include.

Councilpresident De St. Croix: The term "owner-occupied multiple dwelling structure" is defined as "shall include only structures in which the owner of the premises actually resides, containing not more than three separate dwelling units, apartments, rooms or portions of of the building designed or intended for occupancy as living quarters". That's essentially a rooming house or small home divided into apartments with the owner actually living there.

Unidentified speaker from the floor: (inaudible)

Councilmember Towell: I simply meant that the people in the house are more or less like people in the family, not a business.

Councilpresident De St. Croix: As opposed to a professional rental service or large apartment complex. I think that is the distinction made.

Councilmember Towell: For example, there was a human rights case recently involving a realtor and four units in a building. I distinguished that case.

Unidentified speaker from the floor: If an owner advertises in the Primo Times for a room for rent, which I said I would rent to persons whether they were male/male, male/female, female/female or whatever. I have advertised this because I could use \$100 a month to rent my house as a divorced woman. I wonder if I'm running a business, or what?

Councilmember Zietlow: I don't think this is really a relevant statement to this point. As I understood, the provision that is being discussed now is providing that is shall not be a discriminatory practice for a person to refuse to rent on the basis of marital status and sex. That means that anyone can do that, that is not going to preclude the possibilities at all. The question of whether or not it is a business is not a relevant one or one that we are discussing here. We are simply discussing whether or not we should exempt people from being obliged to not discriminate if it is an owner-occupied building with three units or less on the basis of sex and marital status.

Ordinance 75-67 was then amended by a ROLL CALL VOTE of Ayes: 5, Nays, 0.

Councilmember Fix: The whole area of discriminatory practice is one that I run into every day. In fact, I really didn't realize how much discrimination there was between Republicans and Democrats until I got elected. A person told me the other day that the most discriminated against person is the plump, middle aged lady. I'm not too sure, I can think of many other areas where discrimination occurs. One, when ever we open up categories to include another group or another class, we should put age. Age

is something that everybody has. As you get to live as long as I have, you have more of it. The more of it you have, the more detrimental it is to you. I find that nearly every day people who are fifty years of age, looking for their first job or something like this, it is impossible to be hired for any meaningful employment for their qualifications. I would like to amend this Ordinance so wherever the classes appear that age be included.

Councilmember Towell: Second.

Councilpresident De St. Croix: The motion is that wherever the classifications of non-discrimination are outlined in the Ordinance, that the term also be inserted.

Ordinance 75-67 was then amended by a ROLL CALL VOTE of Ayes: 5, Nays: 0.

Councilmember Zietlow: I have no further amendments. Are there further amendments from the Council. I would like to move that Ordinance 75-67 be adopted as amended.

Councilmember Davis: Second.

Steve Richardson speaks from the floor: First of all, we'd like to explain rather briefly the things which this Ordinance does and what it does not. First of all, the Ordinance does expand the number and type of human rights complaints which may be filed with the Bloomington Human Rights Commission. Second, it does prohibit individual discrimination. Third, it only applies within the corporate City of Bloomington. Fourth, it does provide certain exceptions. First of all, the employer exception, which has existed in all civil rights legislation of six employees ratio level of applicability. Likewise, the new section entered in tonight, the Section relying upon owner-occupied multiple dwelling structures exclusions of three, up to three. Finally it does set a community standard for equal opportunity as merit rather than prejudices. Things that the Ordinance does not do: It does not prejudge individual conduct, but provides a means to settle disputes in an administrative fashion. It does not provide remedies for complainants, each case or individual must stand on its or her or his merits. Three, it does not apply outside the corporate limits of the City of Bloomington. Four, it does not abrogate Indiana criminal statutes but prohibits societal punishment. That is exclusion on the basis of status; criminal punishment relates to specific acts only. Finally, it does not sanction any life style or any conduct. The effect of the present Ordinance is to include in the types of problems that may be presented to the Bloomington Human Rights Commission as discrimination complaints, marital status, sexual orientation and now age. The Ordinance currently provides for such administrative redress of grievances relating to race, religion, color, sex, national origin and ancestry. The jurisdiction, as stated before, applies to practices within the corporate limits of the City of Bloomington. The purpose is to declare as civil rights within the City of Bloomington certain status which have led to individual discrimination and societal exclusion. The justification, that government has no role in discrimination, either directly by overt acts or indirectly by sanctioning discriminatory acts of individuals based on an individuals private conduct or status. That we, as free people are secured with and retain certain rights of equality

and due process which may not be stripped from individuals because of status, unless that status or that individual harms other persons. That to have access to legal avenues of redress of grievances is fundamental to the American process because without such means we encourage resorting to lawlessness. All individuals are protected and society is protected by certain fundamental rights, personal autonomy and self determination including the autonomous control of the development and expression of ones intellect, interests, tastes and personality, freedom of choice in basic decisions of one's life respecting marriage, divorce, procreation, contraception, education and the upbringing of children. Third, the freedom to care for one's health, person and the freedom from bodily restraint or compulsion. That a right or privacy or as expressed in the Indiana Constitution as the rights to be secure in one's own person, does exist and that this right does include the freedom to exercise the rights and privileges enjoyed by other citizens and the right to be judged on individual merit rather than status. In conclusion, and for the reasons previously stated, we ask that you approve Ordinance 75-67 and join with the cities of East Lansing, Detroit, Ann Arbor, Michigan; Seattle, Washington; Washington D.C.; San Francisco and Berkeley, California; Columbus, Ohio, as a community that will not accept the exclusion of individuals based on status.

Rev. Paul Miller speaks from the floor: I have a statement here that I would like to read that was drafted by a dozen clergy meeting yesterday morning and an additional six or seven clergy that chose to sign this statement. I think it is fair to say that in many ways we would prefer not to be here. We felt that the dynamics that have been taking place in recent weeks had reached a point where we believed it was necessary that we come together and share individual convictions and experiences. In doing that, we therefore decided to make this statement, which in substance does endorse the amendment to the Ordinance now before the Council. I think having said that then, I would like to read this and it covers more than just the Ordinance per se, but it is necessary to hear the full context because it is out of a pastoral context that we are endeavoring to speak in favor of the amendment to the Ordinance. "In recent weeks we have observed increasing public discussion with respect to the place and rights of persons in our community of a homosexual orientation. In as much as it appears that emotions have been running high, we feel compelled out of a deep pastoral concern to share the following insights and persuasions that have come to us out of our years of ministry and our sense to understand people. One, we are not comfortable with the recent efforts to single out a certain group with a particular sexual orientation and to seek to castigate them as being unworthy and unfit to belong to our community. Such efforts are patently unfair to the group under attack. Two, given these efforts, we are fearful of increasing divisions in our community, a division unwarranted by the realities of the situation. The homosexual orientation is not a new phenomenon in our world. It will not go away by intimidation or chastisement. Three, we believe in a society increasingly pluralistic. The health of our society is best served when we seek to understand the varieties and differences of lifestyles now being exercised by people.

When we are reflective, most of realize how delicate and often times difficult is the struggle to sexual identity, sexual integrity and sexual maturity. To disparage the sexual identity and sexual integrity of an individual, violates the individuals freedom and personhood. Four, we support the present sexual orientation and marital status amendments of the Human Rights Ordinance now before the Bloomington Common Council. We do not believe a democracy can be a reality as long as people are discriminated against because of their sexual orientation. The purpose of the amendments to the Human Rights Ordinance is to eliminate such discrimination and to uphold the rights of all of us in seeking to live together in our City. Five, we recognize that the issues involved here are indeed complex. Assuredly, church communities have the rights and responsibilities to teach and to advocate personal morality in light of their beliefs and convictions. The difficulty arises for all of us. We must attempt to live together in the larger society. The question then becomes one of the degree of freedom we will allow to those who hold different persuasions than ourselves. It is for this reason that we see the homosexuality issue now before the Bloomington City Council primarily but not exclusively as a civil liberties issue. The central task of teaching and practicing morality will continue for all of us, but always in delicate tension with the delicate prerogatives of all persons in a democratic society. It is for these above reasons that we feel constrained to speak to our community commending a rational, sensitive and charitable approach toward each other consistent with the spirit of tolerance and understanding deeply rooted in religious faith and ultimately most contributive to community life". End of our statement and the following persons have signed the statement: Rev. John King, Rev. Roger Sass, the Rev. Robert Epps, Rev. James Taylor, Rev. Hugh Laughlin, Rev. Arnold Pearson, Rev. James McDonald, Rev. John Walters, Rev. William Webster, Rev. Paul Miller, Rev. John Young, Rev. Kenneth Bryant, Rev. Roy Griggs, Rev. Ronald Leaseman, Rev. A. E. Lacey, Rev. E. Ross Marrs, Rev. Hardy Knolls, Rabi Mark Schreiber, and Lee Irwin, who is not an ordained clergy but is a staff member of the Center for University Ministries.

Mr. Joseph Metzinger speaks from the floor: I'm speaking on behalf of New Horizons. The New Horizons Gay Community Services is a non-profit organization serving the needs of Bloomington's gay populations and the general Bloomington community in matters that concern gay people. We provide educational programs through our Speaker's Bureau, the Indiana University Residence Hall Assistance and the Monroe County Mental Health Clinic have made extensive use of our services. We are organizing a para-professional counseling service with the assistance from the Monroe County Mental Health Clinic to help gay people, their families and their friends. We provide referral service for people with health and religious concerns. We also provide the functions in a wholesome and supportive environment. The people who are members and patrons of New Horizons represent a significant cross section of men and women and both towns' people and students. New Horizons is strongly supportive of the proposed amendments to the Human Rights Ordinance. Although gay people encompass all the groups listed in the present bill, a very important part of our person is ignored, sexual orientation. In our community there are examples

of discrimination against gay people in terms of employment, housing, education and use of public facilities. The present Human Rights Ordinance has been shown ineffective in dealing with the cases of discrimination on grounds of sexual orientation. Without this kind of protection, the greater proportion of gay people are forced to keep a very important part of their lives a very closely guarded secret. We do feel that this amendment takes significant steps in eliminating this oppression. It assures that gay people have the same rights and protections that all citizens deserve. We are very much aware of the opposition to this amendment. Still, it is the result of the prejudices against gay people that is deeply rooted in our culture. This prejudice stems from a number of falsehoods that are held to be true by many gay people. The major points of these policies are that homosexuality is a contagious disease and that homosexuals commit criminal acts against unwilling victims such as children and that homosexuals frequently convert heterosexuals into the same sexual orientation. This type of belief and prejudice is the strongest among those who know the least about the realities of homosexual orientation and who have little or no contact with people they know who are openly gay. We feel that these prejudices are damaging to the Bloomington community and society as a whole. A part of the solution of this type of prejudice is the education program such as New Horizons provides. We feel that this civil rights amendment is equally an effective step towards this goal. Not only would it protect openly gay people from direct discrimination, but it would also be the first and most important step in eliminating the pressure that causes many gay people to hide their sexual orientation. We feel that allowing these people to live as whole human beings will benefit all people in the community regardless of sexual orientation.

Al Klassen speaks from the floor: I am a sex researcher and local chapter representative of SIECI (Sex Information Education Council of Indiana). This nation and all of its states and communities has a strong history of coming to the recognition that our principles of liberty, of individual freedom do not allow denying opportunity or freedom to an individual group on the basis of kind of person or kind of group. We can deny rights on the basis of criminal behavior or imminent threat to the community. We cannot deny rights merely on the basis of religious and moral principle when there is no victim, no threat to society. We are here because there is opposition to a Bloomington Human Rights amendment, an amendment recognizing that marital status, sexual orientation and age must not be a basis for denying rights for opportunities for education, employment, residence and public accommodation. How can there be such opposition? Sodomy is not the issue. Over the half of the married men and women in this room wouldn't be here if sodomy were the issue because more than half of U.S. marriages, oral sex and sometimes anal sex play a part in the sexual activity of spouses and the very best marriage manuals endorse such activity as healthy, valued aspects of sexual relationships. Issues of pathological personality or character cannot be grounds for opposition. The trustees of the American Psychiatric Association in December, 1973, the profession most



expert, most familiar with sexual aspects of character and personality unanimously resolved, let me quote, "whereas homosexuality per se implies no impairment in judgement, ability, reliability or general social or vocational capabilities, the American Psychiatric Association deplores public and private discrimination against homosexuals. Further, no burden of proof of such judgement, capacity or reliability should be placed on homosexuals greater than than imposed on other persons". The opposition is not supported by the legal wisdom of our nation either. As far back as 1955, the American Law Institute recommended a model penal code in which all sexual activity between consenting adults in private should not be subject to criminal law, it should remain a private matter between consenting adults, male and/or females based on three principles of freedom. The government cannot legally intrude into such privacy of the individual, cannot legislate religious morality, and the third principle is the exception. Unless there is injury or threat to society, the American Bar Association also took this position in 1973. Personal danger or threat to society is not an issue. By far the greatest part of sexual molesting of children and rape among adults is committed by heterosexuals, not homosexuals, and there is no evidence to support our wild, fearful imaginings that a homosexual person is more likely to commit such acts than a heterosexual person. Private sexual activities between consenting adults involves no injury, no victim and no threat to society when pursued in a responsible manner. I refer again to my quote of the APA Resolution, "but private sexual activity is no issue in this amendment. Read it carefully. This amendment does not permit unmarried heterosexuals or homosexual couples to live together, to cohabit. It only says that marital status and sexual orientation cannot be the grounds to deny particular individuals their constitutional rights. Primarily we are here to deal with opposition to this amendment because of un-Christian hate and fear and ignorance of sexual matters. Which one of us, you and me, can claim there was a time when we decided "I will be heterosexual, or I will be homosexual", and which heterosexual can now change their sexual feelings to homosexual if they are asked or ordered to do so. It makes no more sense to try to tell a homosexual person to be heterosexual and persecution and denial of individual rights of homosexuals is just as inhuman and cruel and un-Christian as would be such treatment of heterosexuals. Can Christians so easily forget what it is like to be persecuted or crucified? A number of Christian churches, the Quakers, the Presbyterians, the Methodists to name a few, have already recognized this problem. I have here reports of Quaker and Presbyterian studies done which recommend the end of criminal laws against homosexuals and state that Christianity cannot support the hate and fear expressed in discrimination against them. Both the churches and SIECUS (Sex Information and Education Council of the United States) are standing up for responsible and healthy views of human sexuality and morality. No SIECUS does not stand for sin as one local minister declared in the newspaper. SIECUS is the best, most reliable organization for professionals concerned about sexual health and responsibility in the United States. SIECUS' statement on rights of sexual orientation the conclusion is "discrimination based on sexual orientation is a violation of the rights of sexual

orientation". The last part of the APA Resolution states their support for, and I quote, "civil rights legislation at the local, state and federal level that would offer citizens the same protection that is now guaranteed to others and urges the repeal of all discriminatory legislation". Heterosexuals and homosexuals are fellow citizens with the same rights. Which Christian is there that can say the hate and fear and ignorance expressed in opposition to this amendment represents Christ's love and God's merciful righteousness. We must strongly support this amendment.

Fred Koontz speaks from the floor: I'm here representing only myself and no other organization. I am currently a psychiatrist in private practice in Bloomington. I have been a resident of Bloomington since 1964 and also an Associate Clinical Professor of Psychiatry in Medical School. I am speaking in support of the amendment to assure equal opportunity and access to employment, education and the acquisition of real property of persons regardless of marital status, sexual orientation or age. It is my opinion that to do otherwise creates a legally sanctioned prejudice and a limitation of civil rights with no justification based on a danger to public health or safety. Sixty percent of the membership of the American Psychiatric Association polled during the year 1974, expressed their opinion that a homosexual adaptation does not necessarily indicate mental or emotional illness and at their meeting in May, 1975, voted to remove homosexuality from a list of psychiatric disorders. We are all familiar with the long list of famous, creative and productive persons in history who have had homosexual orientation, but we do not know about thousands of people whose contribution to society has been stifled by the destructive influence of prejudice and the restriction of their access to employment and education. Sexual orientation, whether heterosexual or homosexual, is established very early in life while the child is still under the influence of their parents and family. I have never seen a patient whose sexual orientation was changed due to exposure to a homosexual teacher, scoutmaster, Sunday school teacher or camp counselor. Our societies tendency to categorize people as either homosexual or heterosexual does tend, in my opinion, to force individuals to make a choice and to eliminate the possibility of their working out a more flexible and unique life style of their own. I see the current prejudices forcing individuals who might otherwise have a more flexible and adaptive life style into choosing one side or the other. I would like to see these prejudices eliminated so that each of us can in our own way work out our own unique adaptations.

Mayor Frank McCloskey: I think most of the words tonight of the previous speakers are fairly well taken. I'll be very, very short. First of all, I would like to stress that this is not an advocacy of a religion or a life style or imposing a way of life or an attitude or anybody. It just basically says that in Bloomington as far as is legally possible, people will be recognized as individuals with full human rights and people in the commercial sectors and in the governmental sectors will not be able to arbitrarily derive people their personhood for basically irrelevant reasons. I think (tape break)

Don Wagoner speaks from the floor:....  
by now, and rural areas, all of which will be adversely affected by the passage of this proposal. The text of a letter speaks for itself. I'll be happy to read the letter if you'd like. I think most of you have already read it. In no place can I find any indication that historians have recognized any intention by those who founded our nation and formed its laws to include the legitimization of a sexual practice and life style considered an abomination both by God's law and the laws of the entirety of the civilized world. Indeed there is no evidence of any society or civilization being able to flourish long once sodomite activity gained toleration. We can and should profit from these warnings and I urge the defeat of this proposal and further urge that the defeat be carried in the strongest possible vote without delay. Thank you.

Councilpresident De St. Croix: Do we have further spokespersons in opposition to the Ordinance who would like to come forward? Are you in opposition? We are now hearing representatives opposed to the Ordinance and we'll have general discussion after that.

Douglas Hacker: I, too, am a minister of this community and quite obviously I am a minister who evidently meets with another group, because we very definitely have an opposing view. Taking the stand that my fellow minister took concerning it being a civil rights and the government entering into it. Perhaps on that basis you might be able to justify the approval of this amendment, but brother I'm concerned about the seeming disregard of the authority of the word of God which these men are supposed to be profligating within this community. I appreciate Mrs. Zietlow and Al Towell and the amendments to this tonight. I feel, however, that this was sugar coating for the bitter pill. So, I'm not going to buy it. I appreciate the amendment that was made to it, but it still doesn't change the fact that we are seeking here to propogate something that is against the laws of God and every manner of right living according to the scriptures. Let me say this, that we've heard a lot from our illustrious Mayor here about hate. Some of these people are talking about hate of Christians, they've missed the whole issue. Love is what we are concerned about, not the point. We are not attacking any person, but they've missed the whole biblical concept. That concept is separating the sin from the sinner. It is not hate that we are demonstrating to this community, but love. It would be hate to propogate this type of thing that God is going to call this community and these people into condemnation for. We are propogating love, and I want you to understand that, not hate. I have no dislike for you nor for any person here. I have a keen dislike for the sin that is being propogated here and I say on behalf of God tonight, that sin must be brought under control if a man is to be allowed to enter the kingdom of heaven. Now, legally, civally, pass it. The point is that God is going to hold, not only this community but this nation into an accounting. Thank you.

Councilpresident De St. Croix: I'd like to ask those in the audience to please be respectful. If you disagree with a spokesperson, let them have their say. Everyone has been very good about it so far, let's continue with that.

Rev. Stan Fowler: I have several aspects which I'd like to approach. First of all, it is fairly obvious from the things that have been said that there are many people in the community who do see homosexual practice as a moral evil because of their Christian commitment to Christ himself and to the authority of the scriptures. I think it should be understood perfectly clearly that to label a particular practice as moral evil and contrary to God's revelation of his will, it is not equivalent to hating the person involved. Others here tonight have spoken out negatively against discrimination. By doing so, they have voiced disapproval of the actions of others and I assume without expressing any hate. The same is true of the Christian who voices disapproval of certain activities. Because of this commitment of the many Christians in the community, there are many persons and institutions who are compelled by this religious commitment to make certain exclusions of homosexuals from certain positions. My contention is that if the amendment to the Human Rights Ordinance is passed as stated, that there are some difficult situations that could arise in which a person could be kept from fulfilling that particular religious Christian commitment. For example, in the area of housing, I think it might reasonably be seen that a Christian would refuse to sell or rent his house to a homosexual because of the resulting influence on his neighborhood. Again, he is not involved. Any good Christian might feel that way. Secondly, in the area of education to take another example. A Christian school may reasonably be expected to exclude homosexual teachers and students because of its commitment to teach truth by practice as well as by verbal declaration. To take another example, in the area of employment. The Christian employer, including churches who would employ in some cases more than six people, not only as ministers, secretaries, etc. may reasonably desire to exclude homosexual employees professionally if the institution has an explicitly Christian function to perform. This would involve not only churches and hiring practices, but also organizations such as the Christian bookstore. The point I am making is that I realize the complexity of relating what many of us feel are revelations of God's will about morality to civil law. I for one would freely grant that I would not wish to see every example of God's law make a part of the civil law. I agree with that. Yet I can foresee situations if the amendment passes as is, in which a Christian might be unable to carry out that Christian commitment where he felt necessary in the areas of housing, education and employment. In other words, I feel the amendment as stated would expand the right to some by removing the rights of many to operate within their religious commitment.

Ronald Rife: I'm just speaking for myself, I'm an individual. I'm a full time student at Indiana University, living in campus housing. I would like, finishing on my doctorate at the present time, and am extremely concerned about the situation here which seems to say that all those that are educated are in favor of homosexuality and the amendment, and that those who are uneducated are opposed to it. That is not the case. There is a large element of the educated who are opposed to this amendment. I would first of all like to comment on the man from SIECI who commented that the APA, the American Psychological

Association, had unanimously adopted this proposal that said homosexuality is no longer a mental illness. That is not correct. They did not unanimously adopt, as the other person so graciously pointed out. In fact, that proposal was kind of railroaded through. Those of us that have read the situation know perfectly well that it was railroaded through. That was in May of 1975, in May of 1976 we will once again see the situation brought up for a vote. There is a great division among the psychologists in this country as to whether this is a mental illness or not. I would not like anyone to think that all of the psychologists in this community are approving homosexuality. There are many, probably a majority, that still think it is a mental illness. I would like to say this about civil rights. There are some ideas, some actions, which are so vicious, which are so detrimental to that society, that by their very nature, a society cannot exist when they have them. Every society knows this. Some of the most primitive societies, I worked in Africa, to the most civilized societies, every society knows this. Certain ideas are spoken, if certain things are allowed to happen, that society as it exists will fall. It will not exist in that way. There will be a basic change of that society. The thing that I am trying to say at this point is that this issue is one of those that is destructive to the structure of our society as is known in our time. As we stand here today in 1975, we act like the previous generations of those that have gone before in our country who have outlawed sodomy from the books of the society, like they were so illiterate and stupid that they did not know what they were doing. I would like to suggest that they were smarter than us. They look beyond the lust and see the consequence. There are consequences. The thing that we must understand is that when we pass a law which in any way encourages homosexuality, there are undoubtedly bound to be consequences. I am saying that those consequences are going to be detrimental to our society as a whole. You know, we seem that we can not learn from a lesson in history. I don't know why. Let's take a look at the 1700's in France for example. First there was Voltaire, and the Age of Reason. Then there was Rosseau and the Age of Romanticism, which said let your feelings guide you. Then came the French Revolution. Now as we look at this, it is obvious to me that we allowed you to speak graciously without any comments. I am sorry that you don't have the civilized upbringing to allow us to speak the same way.

Councilpresident De St. Croix: I'll try to keep the room in order for you, please speak to the Ordinance.

Ronald Rife: I'd appreciate that. Voltaire with his Age of Reason, intellectualism and Rosseau with his feelings, where they reigned supreme and the Age of Romanticism, and then the Age of Romanticism came. What was the French Revolution? It was not like the American Revolution. There was no similarity at all between the French and the American Revolutions. In the French Revolution it was a revolution of outrage. It was a revolution where the Goddess of Reason was placed above all things, churches were torn down and reason was raised as an idol. Then came Napoleon, because such a revolution of feelings over reason could not stand. Now, I would like to point out that when

our Ambassador to the United Nations, Ambassador to Uganda came back and reported to the United Nations in 1973 and 1974, he said this "I see the United Nations being up in arms about this terrible thing happening in that nation, I guess this terrible thing happening over here", I'm not sure I hear anything being said about the 80,000 have been killed and are eating on me in Uganda. This is selective outrage. The thing that I'm trying to say about this... We have heard here tonight that there are no victims of homosexual crimes basically. Almost all sexual crimes are committed by heterosexuals. I should hope so, their own figures of the Sex Research Institute, 90% of the people in this country are heterosexual, the 10% that have some inclination or more inclination towards homosexuality are definitely a minority group and there are victims of those people. I don't think we can deny that. I understand there is a case at the present time ready to be filed of a homosexual rape this year. So I don't want anybody to get the opinion that there are not crimes, there are crimes committed by these people. There are victims, there are thought patterns. If these people are to come and teach in the schools we hear them say that they are not going to teach people to be homosexuals because it is a life style. That is not entirely proved yet. In fact, it is not proved by a long shot. If people are allowed, if homosexuals are allowed to come in and teach in the schools, their very thinking pattern is going to permeate the classroom. Just like any person, their thought pattern would permeate the classroom. I am saying that this is not good for the people of this community. These homosexuals obviously are not too concerned about that, I don't think. No way can this Council prove that this amendment is going to be for the general benefit of this overall community. Maybe for the benefit of a few people, most of whom are here this evening, but definitely not for the good of this community at large. Thank you.

Rev. S. C. Couch: I'm a minister likewise and the elected President of the Monroe County Evangelical Ministers. We met this past Tuesday as a regular monthly meeting day, the first Tuesday of the month, 22 members present at that meeting. I speak for them as well as for myself and to some 25 to 30 congregations in Monroe County that they represent and literally thousands of members that belong to those congregations. We tonight take a stand for God and on his word that it is authority, it is binding to us even though there are many here who are speaking out from their various backgrounds, we are speaking out from that strong background. In Proverbs it says, there is a way that seemeth right unto man, and thereof his death. Over in Judges it said, there was no King in the land, every man did what was right in his own eye. We feel that the problem right here is that there is no God in the hearts of many people. They are doing what is right in their own eyes. We have an absolute standard, the word of God. We make no apologies for that. Just this afternoon I understand that one who is a homosexual made the comment that, it was over the radio station, that about 500 to 1,000 people have this particular life style. We know that there are far more than that having the opposing life style in this community which

we represent. I understand that the cities that we have had quoted to us were Washington, D.C. and Minneapolis, I don't think it was mentioned tonight but it is one of them and Detroit, San Francisco and I think East Lansing, and Ann Arbor. Of course Ann Arbor has a university, East Lansing has one, Detroit and Minneapolis are metropolitan areas and also Washington D.C. is a quite controversial area. What I feel like is it is rather sad that it is just at these university levels that we see the university influence. I am in no way against education. I believe in it very strongly. Why is it in these areas and in these areas that strong civil rights is being imposed upon many in the community. I wonder why we even consider ourselves in any degree or category with the cities that we just mentioned. The only thing that I could say that we have that would even be superior to those cities in regard to total comparison would be our basketball team, Indiana University. So it is rather shocking to me that these cities are used and thrown in. It says back in the book of Corinthian, so that I may give you a new testament quote, "we darenot make ourselves to...

Councilmember Davis: If you are going to quote, would you please tell me where you are quoting from?

S.C. Couch: Second Corinthian, tenth chapter, verse twelve. King James version, "we darenot make ourselves of a number or compare ourselves with some that commend themselves, but they measure themselves by themselves and comparing themselves among themselves are not wise." There's where we hear our comparisons tonight. It is just among ourselves and among our psychiatrists and among this and among that. Tonight I'd like to challenge you that there is an absolute standard, there is a God. God is a God of love and mercy. I would second what brother Hacker said a while ago that this is no personal attack on any person. I can say in all honesty that I am not prejudiced against anyone who can look me in the eye right now and tell me that they are homosexual. I do believe it is a sin like many sins mentioned in the scriptures that God does condemn, but God always loves the sinner in spite of his sins. Jesus said that, that woman in adultery, he said to go and sin no more. He didn't condemn her, he did not pick up a stone and he did not advise others to do so. While he did not condemn her, he did not condone what she had done. His challenge was a positive challenge to go forsaking that and to sin no more. In closing, I would simply say this, that 100,000 people here tonight saying this is right when God has said that this is wrong, will never make it right.

Councilpresident De St. Croix: There is one minute remaining of the twenty minutes allocated to spokespersons in opposition. Do we have an additional statement? We are now going to respond to persons in the audience who would like to speak, we'll start with Ms. Bennett. Then we'll have to alternate.

Bobbie Bennett: Brian, I'm speaking for myself. I'm not speaking for no organization, my own personal feelings. I believe it is morally wrong, I believe this Ordinance if passed tonight, you are imposing something upon the people of

this community of which you are going to be sorry for, but it's your decision. I know what God says about it, I also know that it is morally wrong. That decision is yours. I see that there are three members missing tonight. I heard your excuse, which I do not believe.

Councilpresident De St. Croix: It's not my excuse, I'm merely reporting what was told to me.

Bobbi Bennett: The reasons you gave for them not being here, I don't believe it. I feel that there is another reason why they are not here. As I read the bible, there is one thing that I know. I don't know the whole bible, but there are a lot of things to learn. I don't say that I am a member of a church because I am not, but I do know what it means to be in one. I know what it means when you lay down at night and you don't have to be afraid that if God calls you, that you are ready to go. I know, I know the feeling because there's a peace of mind, and I will stand up for God's will against all evil even if it costs me my life. It is your decision here tonight, but when you make it, you are the one that is going to have to live with it. Whatever happens in this community, you have got yourself to thank for it. You and the other members of this Council.

Nancy Salmon: On behalf of the Women's Commission of the City of Bloomington, I'd like to report for the record that the Commission voted unanimously at its last meeting in November to strongly support the amendment to this Ordinance and for myself I'd like to say that I'm very pleased to be living in a City that will allow the freedom that I think we all deserve.

Councilpresident De St. Croix: Can I see the hands of spokespersons who would like to speak in opposition. Is this in opposition to the Ordinance, mam?

Unidentified speaker: I'm not sure. I came here tonight, I made special arrangements a few weeks ago at the invitation of Mr. Darriau. What I'm concerned about, I am in favor with the intent of this Ordinance. I think what I'm concerned most about is the definition, where am I here?, the definition of employment agency. For instance, does a school, corporation fall within the definition of employment agency? I would like to know if someone could argue in a hard case to whether the advocacy for instance according to racial discrimination, as has been done in Binford School I've been told, would that constitute grounds for either hiring or firing of a teacher? I'd be against that. I want to know what the definition of employment agency means and whether in general this ordinance doesn't construe things too broadly and not allow for the tolerance of bigotry, people of great faith for persons who are fortunate to have it and so on.

Councilpresident De St. Croix: Thank you. Do you want to respond to that Mr. Richardson?

Steve Richardson: In the text of the present Human Rights Ordinance, and all of the text is not included in the handout tonight, which only includes the relevant sections which are amended.



The definition of employment agency in the body of the statute, a section that is not included in the amendments that we handed out tonight. That term means "an employment agency includes any person undertaking with or without compensation to procure, recruit, refer or place employees". It is a rather broad definition.

Eileen Silverstein: I'm presenting the position of the Bloomington Civil Liberties Union, which supports this Ordinance and urges its passage. We understand this to be constitutional. The sexual orientation question is rooted in the constitutional rights of privacy and the restraint on government interference in connection with private conduct. There's a legislative, adjudicial trend to recognize first that private sexual conduct is constitutionally protected in the same way that race is a constitutionally protected category. Also, that government interference with private conduct in this area must be minimal. For example, a number of federal courts have held that public schools cannot discriminate against teachers on the grounds that the teacher engages in homosexual activity, they cannot discriminate in terms of hiring or retaining those teachers. Also courts have held that any law that regulates private sexual conduct must be treated as constitutionally suspect and the state must present overriding justification in order to keep that statute on the books. In Indiana, there has been some concern about the status of this particular Ordinance in connection with the current prohibition against certain types of sexual conduct in the criminal code. The Indiana Legislative Commission, which was officially appointed by the legislature, has proposed a revised penal code which would remove from criminal sanction any private sexual conduct consensually engaged in. Now, the proposal on the part of the Revision Committee is consistent with legislative recognition at the federal level and at most state levels, that private consensual conduct cannot be made on the basis of criminal liability.

Councilpresident De St. Croix: Do we have a spokesperson in opposition now?

Terry Yatzak: I would just like to ask a few questions. If this sexual orientation allows any two consenting adults, male/male, female/female or whatever, to practice privately, does this mean that we can also allow in Bloomington, prostitution, massage parlors, as long as they are adults and they are private?

Councilmember Zietlow: There may be a confusion that is arising here. The Ordinance that we are considering is actually a very simple one. It adds a few words to the Human Rights Ordinance. What we are deciding is only whether or not to include to grant all citizens equal opportunity for education, employment, access to public accommodation and acquisition through purchase or rental of real property including but not limited to housing and to eliminate segregation, separation based on race, religion, color, sex, national origin, ancestry. We want to add to that statement marital status and sexual orientation. It does not go into other sorts of things. It is just a matter of whether or not in the area of employment and equal opportunity...

Terry Yatzak: You are taking up my two minutes.

Councilpresident De St. Croix: I'm holding the timer, sir.

Councilmember Zietlow: I do think that that is the issue that we are going to be going at. Whether to include in those categories the non discrimination on the basis of marital status and sexual orientation.

Terry Yatzak: Just let me leave this with you in mind. Not with you in mind but with this in mind. Anything that is done today will leave the door open for further things tomorrow. If we at any time go against the will of God then I say this, and I believe it with the bottom of my heart. If we don't take the bible and for what it stands and for the laws set down, then I think we are fools because we are going to fall just like any other nation has.

Mayor Frank McCloskey: Politics and good sense probably dictates that I should keep my mouth shut but I think even Mayors may have some civil rights as citizens and can give an opinion or two. First of all, I think the conversation is getting off the track. I think that all of this myself, and the people on the Council I'm sure, have their own opinions about the health or the unhealth, ethics or the pro or con of all types of sexual behavior. That is not the issue. We are talking about a basic civil rights. The people have a right to live their own private lives. We are not talking about abrogating the Indiana Criminal Code. Quite frankly, I think it is regressionary and disastorous. I think only an enlightened Supreme Court would knock out most of the state criminal provisions, but we are not talking about criminal activity, we're talking about status. As far as the biblical references, I think to not pass this Ordinance in many many ways is very unchristian and would be in contravention of the bible. The bible as it speaks to me talks about feeding your neighbor, clothing your neighbor, helping your neighbor. It doesn't give you an arbitrary right to penalize, to take away food, clothing housing. That's what we are talking about for arbitrary or unjust reasons. That's all we are talking about, not sanction of a life style.

Theresa Bowler: I would just like to say that as a Christian, I became a Christian three years ago. Four years ago, I realized that I was a homosexual. When I became a Christian, I received Christ in the same way as everyone else. It meant as much to me, and I realize that I was loved just as much as everyone else. Also I would like to say, not on a morality basis, but on a common sense basis. We don't prejudice against the negroe, we don't prejudice against the jewish. Why should we prejudice against us? What we do in private and with who we love is our business. Sometimes we choose to call ourselves "gay" and not homosexual, because we are not totally sexual beasts, we love just as you love your wife, your husband, your children and the people that are very dear to you. We too love. That is my whole arguement, that we love. You love who you love, you don't love who people tell you to love. That's my arguement. Let me love who I love and let them love me. Can we question that this ability to love is not sent directly from God? Thank you.

Council president De St. Croix: Do we have a spokesperson against the Ordinance. Please come to the microphone.

Harold Christy: I am very happy to confess to the group tonight that my name is one of the names on that list. I am very thankful and grateful for that. I am 100% against sin. My bible says that sin is sin, and God will punish men or women or nations that forgets God. It is very clearly stated in the book that one day, you remember about Sodom and Gomorrah, there was two cities that God frowned upon. They were committing the very same thing that we are endorsing in our fair city and I'm not having any disrespect for the leaders of our city, but whether it would be a leader of this state or the government, it would not make one bit of difference to me. God says sin is sin and he will punish us for it. One of these days before very long, we may all regret if we endorse this thing because God will not approve of it and I don't approve of it.

Rev. Jim Ackerman: I teach the bible at Indiana University and I also teach bible school at the First Presbyterian Church. I'd like to speak in favor of the Ordinance. The Council is being given without charge a lesson in biblical religion as it is interpreted in America with two different viewpoints coming from people who are both drawing their messages from the bible. Christians have been split in this country for quite some time whether it was the rights of blacks, the Vietnam war or the issue of civil rights of the community. Both parts have their favorite parts of the scriptures to draw on. I think one point that we could both agree on, at least those of us who are Protestant Christians is that we live in an imperfect, fallen, fragmented world where we all see through a glass darkly. In fact, the reason that we are Protestant Christians is that 400 years ago, we protested against the idea that any one individual, even the Pope himself, could infallibly know God's will in its totality. The basic impulse of our religion is to accept our imperfections as we realize the love of God for all his creatures and to work for the restoration of the human community. To try to heal the brokenness that is part of life. Jesus said judge not that ye be not judged. He knew that whenever we set ourselves as judges over others, we are further destroying the fragile bond of the human community. The religious people of his time could never understand why he concerted with republicans and other sinners, no, I mean publicans. Don't let my time go. Jesus knew, as we should know, that judgement belongs to the Lord, that we render unto Caesar the things that are Caesar's and unto God the things that are God. Luckily, for you as Councilmembers and I say, I sympathize with you on this decision. You are not being asked to base your decision on the pros or cons of what the bible says about the gay community. Some of those who have spoken have been asking you Caesars up there to take the place of God, but the U.S. Constitution has many safeguards against any one religious group imposing its viewpoint and customs on other American citizens. We are one nation under God, but we are also a nation of great subversity regarding who God is and how he is to be worshipped. The Constitution protects this subversity, trusting that every persons conscience

as he reads his scripture will be his guide.

Councilpresident De St. Croix: Because I believe we started off the general discussion with a statement in favor, I think we will end up with a statement in opposition. It is now 9:00, the time we indicated earlier that the Council would have a roll call on this.

Jesse Howard: I am a new resident here. I'm very proud and happy that I came out tonight. Mr. President, Councilmembers, my good friends, the Mayor, and ladies and gentlemen. When we talk about discrimination, and I'm an old civil rights fighter, and I just feel sorry for these people who are being talked about, homosexuals. They can join me because I know what it means to be discriminated against. I think before we condemn those I think we should, as our first priority, among the city officials here. When we talk about discrimination I 'm talking about employment. I'm talking about housing. The conditions that I've witnessed in this City, and witnessed how some of these people live in shacks, there is not any escape from fire. To me, what is the worse? These people or the way that some of our people are living. I think that if we solve this problem, and please believe me, Mr. President, I've witnessed since I've been in this City places that you...whatever these people do is minor to what how some of us live. I think that our first obligation is right there. We start there first and then get to these other things. Thank you very much.

Councilpresident De St. Croix: I'd like to thank all of you for your patience so far. The question before the Council is on the adoption of Ordinance 75-67 as amended.

Mr. Shank: You gave no opportunity for those who are neither in favor or against the Ordinance. Can I speak?

Councilpresident De St. Croix: I believe that we have come to the point, I had one lady raise her hand and say she didn't know which, so I'm sorry, I believe we've recognized those viewpoints. We are past the time. I believe it would be unfair. I set the ground rules and I'd like to stick with them.

Councilmember Towell: As a member of the Council, I'd like to say why I'm doing what I'm doing. I haven't prepared a speech, but I'd just like to speak about my background. I'd like to speak about my background. I come from an evangelical background. My father is a Baptist minister in Louisville, Kentucky. He's been called by God to many positions and has usually gone where the going was worst, hardest and where he felt the need was greatest. As a member of the family I went along to all those places and believed and participated. Something that I get from my background that I haven't heard from people here with like backgrounds is the ideal of freedom to practice what one believes. I remember the very early history of this country, at least as far as the white man is concerned was to flee oppression, to flee people who wanted to tell them that they could not worship and live as they wanted to and I very much abhor that. I have been brought up to believe (tape break)

Councilmember Fix: There has been discussion for a few days anyway, during the discussion that I've heard I thought it was simply a matter of how do we treat our fellow beings. Here's one person with certain beliefs and here's another person with other beliefs. Have I got the right to impose my beliefs upon them because they have a right to impose theirs upon mine? I don't know. Every time I see a man come on my farm with a gun, I feel bad. That doesn't mean that I run out and condemn him, maybe shoot him or trip him or force him to leave the property. I don't agree with what he is doing on the farm, but I don't impose my right to tell him to really just get away. I think there maybe is something deep seated with him that this satisfies the need. On both sides here, we have something that satisfies the need. I do not understand homosexuality at all, there is no way that I can understand it. I don't know as I've tried too hard, but I don't understand it and I don't profess to, and I don't want to base any votes on what I do understand or misunderstand. I knew before I came here tonight that I was not God, nor Caesar either, but I guess I can't escape being Caesar for a few minutes here. I think as far as God is concerned, and the great faith that I have in him, I think that faith is strong enough that I can look upon fellow people, whatever their shortcomings and whatever their strengths might be and their beliefs. I can understand their feelings and accept them if they do not try to therefore impose them on me. It's been told to me several times that I really like to be independent, and I do. I don't want people telling me what I have to do and how I have to think. I think that is what humanity should be striving for, a little bit of tolerance and understanding and welcome differences of opinion. I told the Councilmembers many times, and I never change my mind, only the facts change. When the facts change, I make different decisions. So I've exercised my rights of Caesar here.

Councilmember Zietlow: I've thought over this Ordinance and a lot of the comments that have arisen about it very seriously and at some length because I have a similar background to Councilman Towells'. I was brought up the daughter of a Lutheran minister and in parochial schools and going to church at least three times a day for the first eighteen years of my life and memorizing the bible at some lengths, of course. Being a Lutheran I was brought up to understand that there were major differences between religious groups, or there would never have been a Lutheran Church. The other thing that I was brought up very strongly to believe was something I believe many of you have said most of the days of your life and that is the Pledge of Allegiance to the Flag of the United States of America with liberty and justice for all. Those things kind of hang in my mind, the idea that Christianity was the fulfillment of the law in the gospel and the love of Jesus Christ is something that was deeply embued in me and this country was a country where liberty and justice for all was a guarantee. I've lived in other countries, Germany, Czechoslovakia, Switzerland and places where there have been terrible histories of persecution because one group felt that minorities who did not have the same views should be oppressed and as a matter of fact, driven out or killed.

That was a very frightening specter to me and I was always very happy that I could come back to the United States, where liberty and justice is guaranteed to all by the Constitution, which is a very unique document. Where on the one hand, I could practice whatever kind of religious beliefs I wanted to practice and live according to the beliefs that I had, I wouldn't have to live according to the beliefs that other people imposed on me. So I feel very strongly that the civil rights that are guaranteed by the Constitution of the United States must be extended to everyone. I firmly support the passage of this document.

Councilmember Davis: I too have had a lot of deliberation about this and given it a great deal of thought. I don't come from a family of clergy, I married a clergy. I spent many hours going to classes in the seminary because one of the things that nobody has said anything about was marital status. When I got married and we moved to North Carolina and my husband went to Duke. I applied for a job and the first thing that the man said in a very nice southern accent, "you will promise us that you will not get pregnant, won't you, honey?" Well, I did promise, and I did get pregnant. So I spent, I had quite a bit of free time since I was not permitted to go to work. Even though part of my job was teaching pre-natal classes and helping expectant mothers, I was not permitted to go to work after a certain period of time so I got to go to classes in the seminary, which was very informative. I feel strongly also because of my nursing background about civil liberties. I have some strong feelings about certain religious groups who let their children die because they don't believe in giving their children blood. They don't believe the child should have medication. I spent one day begging a father to permit us to clean his injured child's eye so the child would not become blind. The child was not treated, the child became blind within a few months time. I have strong feelings about those people, but I, Flo Davis, have no right to say that they are not right. I feel strongly that we have to permit people to have privacy. I do not like it when I go for employment to have someone ask me if I take birth control pills. I feel that that is none of their business. I also don't want someone to ask me what I do sexually. That is a very private thing to me. I don't believe it is anyone else's affair. I don't want them to even ask me about it. I support the right of people and their privacy strongly.

Councilpresident De St. Croix: I do not come from a family of clergy. Nor, am I married to one. I was raised a Roman Catholic. The rules of celibacy in the Roman Catholic Church make that circumstance rather difficult. I remember my grandfather, an immigrant to this country, telling me what it was like to try to find a job and be told "no Irish need apply" or, "we don't hire papists here". I remember as a VISTA volunteer and as a college student fighting in the civil rights because people didn't have equal access to community facilities because of the color of their skin. I don't believe this community or any community needs any new kind of nigger, and I strongly support this Ordinance. The question is upon the adoption Ordinance 75-67 as amended.

Ordinance 75-67 passed unanimously by a ROLL

CALL VOTE of Ayes: 5, Nays: 0.

CALL VOTE OF Ayes: 5, Nays: 0.

Councilpresident De St. Croix: The first item for Council consideration at this point is Appropriation Ordinance 75-16, do we have a motion?

APPROPRIATION ORDINANCE  
75-16 Board of Works/  
Revenue Sharing re: Girls  
Club

Councilwoman Davis: I move that Ordinance 75-16 be introduced and read by the clerk.

Councilman Towell: Second.

Councilpresident De St. Croix: It has been moved and seconded Appropriation Ordinance 75-16 be introduced and read by the clerk.

Ordinance 75-16 was read by the clerk by a unanimous voice vote from the Council.

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

Councilwoman Zietlow: I move that Appropriation Ordinance 75-16 be adopted.

Councilwoman Davis: Second.

Councilpresident De St. Croix: It has been moved and seconded, Appropriation Ordinance 75-16 be adopted. We have committee reports from Community Resources and Appropriations. Do we have recommendations?

Councilwoman Davis: On Community Resources we recommended to pass with the recognition that this was a one time expenditure and that we would hope eventually, I'm sorry this is from the first Appropriation scene not the Community Resources, recognizing that it would be a one time expenditure and that hope in future planning that both the Girls and Boys Club program might eventually emerge and include activity geared toward the entire family and that more monies would be coming from the private sector. Community Resources met the first time we talked about it and we recommended to pass and then second meeting the members of the Community Resources were to be polled and I don't see Mrs. Kinzer's report here but I would strongly urge we do pass this.

Mayor McClosky: Very briefly, just would concur with the Councilperson Davis has had to say, to refresh a little bit, a few months ago Jim Ackerman was here and he was very much involved in this but he is gone now, but he brought to our attention that the United Way was not funding the Girls Club. There were numerous discussions, I think there were basic individual pledges made by such people as Councilwoman Davis, Councilwoman Zietlow, Jim Ackerman had made me (inaudible) as possible without Community Development to encourage the leverage of the United Way money coming and their was some press about that all pledges do there best already and the Committee Reports have looked it over it is a one time shot and I think it is a very creative

piece of Revenue Sharing in the Social Service area and has helped things along in other communities. I just couldn't endorse that enough with all the people in the Girls Club waiting for that money.

Councilpresident De St. Croix: Thank you, Mayor. Further discussion from the Council.

Councilman Towell: Well I would like to associate myself with the people who would not have given to the United Way if they had not included the Girls Club and I know that they then revealed and treated in other ways that are not so nice, so I would just like to put myself with them and say that I have now made good my pledge to support the United Way since they have included the Girls Club. I hope that everyone else who made that condition has done so. Some of the members of the United Way committees have indicated to me that they were concerned that maybe the turn around hasn't happened in some cases, so I would like to put my word in for that.

Councilpresident De St. Croix: Thank you. Further discussion from the Council?

Councilwoman Zietlow: The Girls Club was just organized and started its program last spring and we've had a Boys Club in this community for a great long time now. I do believe that this small marked support which is a one time event is the least we can do to try to encourage the expansion of facilities for both boys and girls in this community.

Councilpresident De St. Croix: Thank you. Further discussion? Being no further discussion Clerk please call the role on Appropriation Ordinance 75-16.

Appropriation Ordinance 75-16 is adopted by a ROLL CALL VOTE OF NAYS: 0 and AYES: 5.

Councilpresident De St. Croix: Next item on the agenda is Appropriation Ordinance 75-17 do we have a motion?

APPROPRIATION ORDINANCE  
75-17 Parks and Recreation/  
Board of Works

Councilwoman Davis: I move that Appropriation Ordinance 75-17 be introduced and read by the Clerk by title only.

Councilwoman Zietlow: Second.

Councilpresident De St. Croix: It has been moved and seconded. Appropriation Ordinance 75-17 be introduced and read by the Clerk by title only. Ordinance 75-17 was read by the Clerk by title only by a unanimous voice vote.

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

Councilwoman Zietlow: I move that Appropriation Ordinance 75-17 be adopted.

Councilman Towell: Second.



Councilpresident De St. Croix: It has been moved and seconded Appropriation Ordinance 75-17 be adopted. Do we have the Committee Reports please Utilities/Public Facilities.

Councilwoman Davis: Do Pass, after some explanation from the Controller. It seems that there is some difference in the information that we've received on this.

Councilpresident De St. Croix: I believe there is an accompanying memorandum with this.

Councilwoman Davis: I didn't have this at the time.

Councilpresident De St. Croix: Appropriations says Do Pass after information from Controller.

Councilpresident De St. Croix: Ordinance 75-17 was introduced by title only and that is the reason for the change after Mrs. Sims spoke with the State Board of Tax Commissioners. Would you care to speak to the issue, Mrs. Sims?

Martha Sims speaks from the floor: I did call the State Board of Tax Commissioners the morning after our last Council meeting and explained to them what they were intending to do. Reduce the general fund money and give it to Parks and Recreation for their general fund for this free skating. They said there is no way that we can legally do that. He did suggest that we could perhaps pick up some expenses for Parks and Recreation and leave that \$5,000 within their general fund budget. I did explain to him that we had the First Reading of the Appropriation Ordinance by title only, but that we could go ahead and advertise this just to pick up some (inaudible). So that is what we did. Now, since then, you see on your 75-17 that there are five items there. #215 for Photocopying for Board of Works, #22, Heat, Light, Sewage and Water, we were suggesting that we pick that up for Parks and Recreation. Repairs and Equipment, \$500 for Parks and Recreation. The Social Security was for our general fund. The \$300 for equipment was for Parks and Recreation. This would be permissible by law. This would leave enough money in their budget so that they could go ahead and have the free skating. I do recommend tonight, the cost of something else that came to light was that Parks and Recreation owed \$10,900 and some dollars for insurance. The general fund had to ask for \$44,000 in additional monies to take care of their insurance. After that was asked for and recommended to us, we did discover that within that \$44,000 there were MVH, Parks and Recreation, Fleet Maintenance. I did send statements to them to pay their insurance. Parks and Recreation suggested that if we could go ahead and just pay part of their insurance instead of going through this Heat, Light, Sewage and Water, Repairs to Equipment and Equipment, it really boils down to the same thing. So I suggest that we delete tonight from Appropriation Ordinance 75-17, #22, #25, and #72. We would leave the #215 and #62 for Social Security. It is needed for the general fund.

Councilpresident De St. Croix: So you're proposing then that the Ordinance then read from General Fund Operating Balance, \$7,500 to Board of Works, line item #215, Photocopying, \$2,500; line item

#62, Social Security, \$5,000, for a total of \$7,500. Do we have a motion to that effect?

Councilwoman Davis: I move that Appropriation Ordinance 75-17 be amended to delete #22, Heat, Light, Sewage and Water, \$4,200. Delete #25, Repairs to Equipment, \$500. Item #72, Equipment for \$300. This leaves a total of \$7,500 to be transferred to the Board of Works.

Councilwoman Zietlow: Second.

Councilmember Towell: I'd like to know how much free skating is going to cost. How much?

Bill Wilson speaks from the floor: The exact figure of last year, \$5,000.

Councilmember Towell: How about the skate rentals, are they included.

Bill Wilson: Yes, for 25¢.

Councilwoman Zietlow: I wanted to know if there is a drive being conducted to collect free skates.

Bill Wilson: Yes. We do have a few already.

Councilwoman Zietlow: That is certainly something that I had meant to include in my message this evening.

Bill Wilson: We have received a few pair and have distributed them through West Side Center.

Councilwoman Davis: I have some skates at my house. The last League of Women Voters letter went out with an appeal for free ice skates. Also, since Mrs. Dilcher informed them, she was very good about this, that they could go ice skating free, that they could use that money to buy a pair of ice skates to donate to someone who couldn't afford a pair of ice skates. Since I have confidence in my fellow League Members, I hope we have a few pair of ice skates coming in. I'll bring mine down to you.

Bill Wilson: We have some coming in regularly from the sporting goods stores who take them in as trade ins.

Councilpresident De St. Croix: Then those are available for free at the skating rink?

Bill Wilson: Yes.

Councilwoman Zietlow: Did the \$5,000, that was revenue from the rentals and the admittance fees.

Bill Wilson: Yes.

Councilwoman Zietlow: Excluding passes?

Bill Wilson: Yes. This was taken from last years exact figures and take the actual income and base it on a 50¢ or 2/3 reduction off the skate rental, which was 25¢ instead of 75¢. Based on that the total was just a hair over \$5,000. This would take care of everything for 17 and under.

Councilwoman Zietlow: And what is the cost of hiring people down there, and keeping the skating

in condition, the maintenance for that?

Bill Wilson: We don't have the total figure. This does not change on this Appropriation. At this time, just a report on general attendance. The first week it was way up. It has leveled off already. I'm sure that during the holidays we will see it again. It has not created any problems as far as we can see.

Councilwoman Zietlow: You don't have the figures on the cost?

Bill Wilson: Not with me.

Councilwoman Davis: Could we ask the Herald-Telephone to please make a note that ice skating rental is now 25¢ and that skating is free. I would also like to recommend that they publish time that the ice skating rink is open. It seems that recently instead of calling the ice skating rink the thing to do is to call me. By my phone now we have a posted schedule. I think it would be nice if we could run that in a public newspaper.

Bill Wilson: It has been several times in the paper, especially on Monday.

Councilman Towell: I have a question. Is this going to warm up the icy reception that free ice skating has received from the Park Board?

Bill Wilson: As far as we know, Al, it's all forgotten, it's in, the Board supports it.

Councilman Towell: I just read that it was icy.

Councilpresident De St. Croix: That's a quote from the literary expertise of the Herald-Telephone.

Councilwoman Zietlow: I move that Appropriation Ordinance 75-17 be adopted as amended.

Councilwoman Davis: Second.

Councilwoman Zietlow: Could I just briefly state Councilwoman Kinzer's question about the excessive appropriation by the City to pay the general liability insurance for the Parks and Recreation Department. I assume that it was intended that Parks and Recreation would pay that back. We are now talking about granting them the reprieve.

Councilpresident De St. Croix: In lieu of the budget transfer.

Councilwoman Zietlow: Yes.

Councilman Towell: I read in the newspaper that free ice skating would cost \$12,500. I just wanted to clarify that.

Appropriation Ordinance 75-17 was then passed by a ROLL CALL VOTE of Ayes: 5, Nays: 0. Absent: Councilmembers Behen, Kinzer, Morrison, Mizell.

Councilpresident De St. Croix: Due to neglect on my part, I forgot to call for Petitions and Communications. Are there any?

PETITIONS AND  
COMMUNICATIONS

Leo Burke: The Human Resources first quarterly forum will be held this Saturday at Childs School. It's an all day affair from 9:00 until 5:00. Come for however long you can be there. After that there will be an open house at the Human Resources building at 7th and Rogers from 5:30 until 8:00. Everyone is invited to that. In addition, there will be free busses leaving from the corner of Washington and Kirkwood at 8:15 a.m. and 8:45. Also, free child care will be provided. We cordially invite you to come and participate in an experience that we feel will be worthwhile in allowing citizens some real input defining community problems, but in defining departmental priorities. Thank you.

Councilpresident De St. Croix: Perhaps again we could request the indulgence of the media in helping to publicize this. They have done it before, I hope they do it again. This forum is an opportunity for citizens through out the community to indicate their concerns and their interests in the development of human resources in the City. Next item before the Council is Resolution 75-42.

Councilmember Zietlow: I move that Resolution 75-42 be introduced and read by the Clerk.

RESOLUTION 75-42  
Child Care Task  
Force Extension

Councilmember Davis: Second.

Resolution 75-42 was then read by Clerk Dolnick in entirety.

Councilmember Zietlow: I move that Resolution 75-42 be adopted.

Councilmember Davis: Second.

Councilpresident De St. Croix: Do we have a Committee Report from Community Resources?

Councilmember Davis: The Committee would like the date of the beginning of the original Task Force and statement why the Task Force needs to continue.

Councilpresident De St. Croix: Mr. Burke perhaps by way of explanation there has been some contention as to the date of the beginning of the Task Force as to when to adopt the enabling legislation and when all the membership was finally appointed. Perhaps you could address the question.

Leo Burke: The information that Councilperson Kinzer was supplied to her in a memo earlier in the week and I assume that it has not been promulgated due to the fact that she is out of town. I'll be happy to explain. The first thing, the reason for the Task Forces's continued existence is that they were initially charged with two duties. One was to design the voucher system. They worked very hard and designed an excellent system. The second thing was to research and develop recommendations for administrative structures that the City should utilize for future planning and implementation of child care systems. The citizens feel that to date they have not completed this task and are thus

requesting an extension. The department strongly supports that. It is very encouraging when citizens are willing to become involved in work as hard as this task force has and are willing to continue to complete the original mandate that they were charged with. There is some contention, this was the first human resources Task Force that was appointed and there was some contention over the starting date. The Resolution was passed on April 24, signed on April 28, and the first meeting was not held until some time in June. It needs to be clarified, and we've asked for help from the Council staff to let us know when the task force actually begins. If it is at the passage or if it is when all the members are appointed and they have a first meeting. As we can see from this task force, there were two months lost from the time of passage to the time they really got going. So in a sense they have only been in business for four months, not six. We strongly support that they continue and that the Resolution be adopted.

Councilmember Zietlow: David Edie is here, and he's been a member of the Task Force and I was wondering if he feels that the 90 day extension will be adequate to get the work done.

David Edie: It depends on whether it is from now or from the time that the six month period was up. If it is from April 29 or whatever. If it is 90 days from now, I think we can finish the task.

Councilpresident De St. Croix: Is there a sense of the Council that by adopting the Resolution on this date, if it is adopted, that that is when the 90 days would start.

Councilmember Towell: Especially since they've already been appointed.

Resolution 75-42 was adopted by a ROLL CALL VOTE of Ayes: 5, Nays: 0.

Councilpresident De St. Croix: Next item on the agenda is Resolution 75-43.

Councilmember Zietlow: Mr. President, I move Resolution 75-43 be introduced and read by the Clerk.

RESOLUTION 75-43  
PSI Street Lighting

Councilmember Towell: Second.

Resolution 75-43 was then read by Clerk Dolnick in entirety.

Councilmember Zietlow: I move that Resolution 75-43 be tabled.

Councilmember Davis: Second.

Councilmember Zietlow: I understand that the Council subcommittee on street lighting right now is engaged in negotiations to determine what has gone wrong. It is my feeling that we should wait on that to decide. I wanted it to be read so that it would be on the floor.

Councilpresident De St. Croix: Councilman Morrison spent several hours today talking with the new manager of Public Service Indiana and requested that the Council temporarily table this in order that the manager may indi-

gate whether or not there will be any problems in dealing with them. He requested that we wait until the next meeting when hopefully he can speak to it.

Councilmember Towell: A number of people in my neighborhood have called the company in the last few weeks about two lights, one at Eleventh and Washington and one at Grant and Eleventh. Nothing has taken place. No response at all. There is a serious problem.

Councilmember Zietlow: I'm not suggesting that we eliminate this forever, I'm merely moving that we table it until the next meeting.

Councilpresident De St. Croix: That is the motion.

Resolution 75-43 was tabled by a ROLL CALL VOTE of Ayes: 5, Nays: 0.

Councilmember Zietlow: I move that Ordinance 75-68 be introduced and read by the Clerk by title only.

ORDINANCE 75-68  
Human Resources  
Salary Ordinance

Councilmember Towell: Second.

Ordinance 75-68 was then read by Clerk Dolnick by title only.

Councilmember Zietlow: I move that Ordinance 75-68 be adopted.

Councilmember Davis: Second.

Councilpresident De St. Croix: Do we have a Committee Report?

Councilmember Davis: Two people from the Community Resources Committee recommend do pass from appropriations. There is a lot of back up material on this.

Leo Burke: The salary ordinance is in for 1976, and all we are asking for is that since the renovation is coming along a little bit quicker than we had anticipated in the fall, there is a chance that we could get the appropriation going if we could have the flexibility to hire personnel before 1976. That is the reason.

Councilmember Zietlow: Will these positions be advertised?

Leo Burke: They have been advertised and have not been filled. One of the variables that would go into the qualification list that we are seeking are recovered alcoholics will be given preference, with a one year sobriety.

Ordinance 75-68 was passed by a ROLL CALL VOTE OF Ayes: 5, Nays: 0.

Councilpresident De St. Croix: Next item on the agenda is Resolution 75-45.

Councilmember Zietlow: I move that Resolution 75-45 be introduced and read by the Clerk.

RESOLUTION 75-45  
Budget Transfer

Councilmember Towell: Second.

Resolution 75-45 was then read by Clerk Dolnick in entirety.

Councilmember Towell: I'd like to move to divide the question, oh, move to adopt.

Councilmember Davis: Second.

Councilmember Towell: I'd like to move to divide the question to consider everything but the Board of Works.

Councilmember Davis: Second.

Councilmember Towell: This came up before my committee the other night, Tuesday night. We didn't have adequate information on the Board of Works. So, we are taking it up at the next meeting. I discussed this and it's o.k.

Councilmember Davis: The reason I seconded the motion was the request from the secretary to the Board of Works, she said there had been a new bill that came in and that this might have to be redone.

Jean Strohm: I would like to be notified of the committee meetings, and more than one day in advance if possible.

Councilpresident De St. Croix: Council staff will take care of that.

Martha Sims: Under Animal Control, this is Federal Revenue Sharing. It should be under Special Funds.

Councilpresident De St. Croix: Can we consider that a clerical correction?

Martha Sims: Yes.

Resolution 75-45 was then divided by a ROLL CALL VOTE of Ayes: 5, Nays: 0.

Councilmember Towell: I move that we adopt the part other than Board of Works.

Councilmember Davis: Second.

Councilmember De St. Croix: The motion is to adopt under divided question Resolution 75-45, all portions of the Resolution with the exception of Board of Works.

Resolution 75-45 was adopted by a ROLL CALL VOTE of Ayes: 5, Nays: 0.

Councilmember Towell: I move that we table the Board of Public Works.

Councilmember Davis: Second.

Resolution 75-45, divided question, Section Board of Public Works was tabled by a unanimous voice vote.

Councilmember Fix: Has the committee communicated with the Board of Works what they need? Yes?

Councilmember Davis: I move that Ordinance 75-63 be introduced and read by the Clerk by title only.

ORDINANCE 75-63  
Amend Zoning

Councilmember Zietlow: Second.

Ordinance 75-63 was then read by Clerk Dolnick by title only.

DUE TO A FAILURE IN THE RECORDING EQUIPMENT, THE FOLLOWING IS A SUMMARY TAKEN FROM THE DEPUTY CLERK'S NOTES.

Al Towell moved that Section 2 be deleted. Councilmember Zietlow seconded the motion. Chief Chambers spoke of the parking problems on Bryan Street and the problems of enforcement. Councilmember Zietlow noted that the parking on Bryan Steet is currently an intolerable situation with too many cars on both sides of the street.

Councilmember Towell moved to table the Ordinance until further study could be made.

Councilmember Davis seconded the motion.

Councilmember Towell withdrew his motion to delete Section 2.

Ordinance 75-63 was tabled by a ROLL CALL VOTE of Ayes: 5, Nays: 0.

Councilmember Davis moved that Resolution 75-48 be introduced and read by the Clerk in entirety.

RESOLUTION 75-48  
Tennis Club Bonding

Councilmember Zietlow seconded the motion.

Councilmember Towell expressed some concern as to whether the Resolution was legal.

Councilmember Zietlow moved that Resolution 75-48 be adopted.

Councilmember Davis seconded the motion.

*Passed by Roll Call Vote of Ayes: 5, Nays: 0*  
Councilmember Zietlow moved that Resolution 75-46 be tabled.

RESOLUTION 75-46  
Housing Rehabilitation Rules and Regulations.

Resolution 75-46 was tabled by a ROLL CALL VOTE of Ayes: 5, Nays: 0.

FIRST READING  
ORDINANCE 75-61  
Animal Control Ord.

Councilmember Towell moved that Ordinance 75-61 be introduced and read by the Clerk by title only.

Councilmember Davis seconded the motion.

Ordinance 75-61 was then read by Clerk Dolnick by title only.

Councilmember Zietlow moved that Ordinance 75-69 be introduced and read by the Clerk by title only.

ORDINANCE 75-69  
Economic Development Commission renaming

Councilmember Davis seconded the motion.

Councilmember Davis moved that Ordinance 75-74 be introduced and read by the Clerk by title only.

ORDINANCE 75-74  
Amendments to 1976 Salary Ordinance

Councilmember Towell seconded the motion.

Councilmember Davis moved that Ordinance 75-75 be introduced and read by the Clerk by title only.

ORDINANCE 75-75  
CETA 1976 Salary Ord

Councilmember Zietlow seconded the motion.

Councilmember Davis moved that the minutes of of August 7, 1975 be adopted.

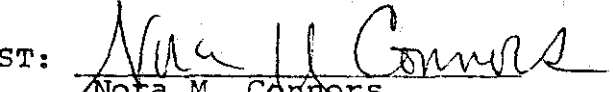
MINUTES - Aug. 7 '75



Councilmember Zietlow seconded the motion.

The minutes of August 7, 1975 were approved by a unanimous voice vote.

ATTEST:

  
Nora M. Connors  
Deputy City Clerk

APPROVED:

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