

In the Common Council Chambers of the Municipal City Building, held at 7:30 p.m. on Thursday, December 18, 1975, with Councilpresident De St. Croix presiding.

REGULAR SESSION
COMMON COUNCIL

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

ROLL CALL

Absent: Dick Behen

City Officials Present: John Komoroske, Council Administrator/Attorney; Nora Connors, Deputy City Clerk; Martha Sims, City Controller; Bill Wilson, Director, Parks and Recreation; Steve Richardson, Mayoral Aide; Chief Carl Chambers, Police Department; Larry Owens, City Attorney; Eve Berry-Brigl, Director, Alternative Programs; Jim Deahl, Engineering; Mike Corbett, Mayoral Aide; George Phipps, Business Manager, Utilities; Aileen Schaller, President, Utilities Service Board; Bob Schmu, Utilities Service Board; Gary Kent, Director, Utilities; Leo Burke, Director, Human Resources; Jean Patterson, Redevelopment Department; Dave Rafter, Planning; Barb Cox, Deputy City Controller; Tom Crossman, Director, Planning; James Wray, Director, Transportation; Frank McCloskey, Mayor.

CITY OFFICIALS
PRESENT

Councilpresident De St. Croix: This evening on the agenda after Messages from the Mayor, Messages from Councilmembers at Second Reading tonight we will be having Ordinance 75-64, 1976 Salary Ordinance; Appropriation Ordinance 75-14, 1976 Utilites Budget; Reoslution 75-50, Budget Transfer; Resolution 75-51, Budget Transfer; Resolution 75-69, Renaming of the Bloomington Development Commission; Ordinance 75-63, Zoning Amendment; Ordinance 75-66, Biennial Zoning Review; Resolution 75-46, HOusing Rehabilitation Rules and Regulations; Resolution 75-44, Utilities Service Board Consumer Bill of Rights; Ordinance 75-74, 1976 Salary Salary Ordinance Amendments; Ordinance 75-75, 1976 CETA Salary Ordinance; Resolution 75-43, Public Service Indiana Street Lighting; Ordinance 75-61, Animal Control Ordinance; Ordinance 75-71, Zoning Amendment; Ordinance 75-72, Zoning Amendment; Ordinance 75-73, Zoning Amendment. The minutes scheduled for approval are June 19, 1975; July 17, 1975; September 4, 1975; September 19, 1975; November 20, 1975; December 4, 1975; April 10, 1975; and May 15, 1975. Do we have any Message from the Mayor this evening?

Steve Richardson: First of all, I would like to address an issue related to Utilities, the budget of which will be before the Council tonight, and that is the proposal concerning the rate adjustment of the user charges in Utilities is definitely not considered a dead issue in regard to our office, and we would like to offer the Council the opportunity to pursue that. The Mayor's assigned (inaudible) the City Attorney (inaudible) and further investigate the possibilities of doing that and we would like to engage the Council in our endeavor if we can provide rate adjustment for low income (inaudible). Secondly, on the Animal Control Commission Ordinance, the Mayor's Office would like to ask that that Ordinance be tabled. We feel thatthe Ordinance at this time does take a substantial step (inaudible).

MESSAGE FROM
THE MAYOR

Councilmembers,

Councilmember Kinzer: We have an open appointment to be made to the Bicentennial Commission that has been pending for several weeks and I would at this time like to make the motion that Henry Wahl be appointed to the Bicentennial Commission.

MESSAGES FROM
COUNCILMEMBERS

Councilmember Davis: Second.

Councilpresident De St. Croix: It has been moved and seconded that Henry Wahl be appointed to the Bicentennial Commission as a Council appointment, is there discussion?

Councilmember Kinzer: Henry Wahl has been a resident of Bloomington for many years and his interests in the historical aspects of the City are fairly well known. His credentials are so long I don't want to take the time to read all of them, but he has been very active in civic organizations in Bloomington for many years.

Councilpresident De St. Croix: O.K., we will do this by voice vote.

Henry Wahl was then appointed to the Bicentennial Commission by a unanimous voice vote.

Councilmember Zietlow: I would like to say that as a Councilmember for the last four years, I have learned a great deal and I regret leaving the Council and especially I've learned about the possibilities both of the legislative body being able to do things and not being able to do things. I think that this Council in the last four years has made a terrific impact. I think we have changed the direction of City Councils throughout the state by being an active Council and by taking seriously the possibilities that the state legislature has offered us. We have initiated Ordinances, we've reviewed carefully a number of budget recommendations, we have made our own budget recommendations hoping that they would be taken seriously. We have worked out after long discussion the Zoning Ordinance, the Landlord-Tenant Ordinance, the Human Rights Ordinance, Women's Commission Ordinance, a number of things like that, and I have been very pleased with the number of things we have done. I look forward to the next four years with some of you who are going to be on the Council facing a lot of the issues we have been facing in the last four years, problems of personnel policy, which I do not think are solved, problems of economic development, which I think you are going to have to resolve yourself together with the Mayor, problems of the Utilities in relation with the City which we will be discussing tonight, and the whole Environmental Impact situation. I think you have a great deal to do and we have all realized that the Council can only do so much. It has to be the final decision of the administration to work along with the Council before policies are actually carried out. So, there are some disappointments that I have had. Some very nice things have happened and particularly I have appreciated working with nine very different people and very strong people and fighting with them and agreeing with them and finding at the end of every road we are back at go again and we can start all over again. I think that has been a particularly nice experience for

all of us and one that everyone should have. I think the whole situation of being on the Council and having to deal with different pressures of the community people who feel one way and people who feel another way coming in direct conflict on the basis of any given Ordinance and having to sit here and make a decision on that. That has been a very educational experience to say the least and one which I think a lot of people should have the chance to experience some time. I think Clem Blume is out there and I wish him well and I wish all of you well. I am very appreciative of the last four years.

Councilmember Fix: This is my last chance for a message, too, but I don't have a farewell message. I am going to say that I found it very interesting and rewarding at times. I am looking forward to being able to sit out there and handle only one point of view.

Councilmember Mizell: At this point I would like to say that I agree with everything Wayne Fix has said and come up with the same vote. That would remind all of us of the many happy occasions at this table. I have enjoyed the last four years, it has been an enjoyable association with the members of the Council. I am looking forward to being able to sit out in the audience and being able to heckle and I would also like to thank the members of the Council in particular for their indulgence for the last four years.

Councilmember Towell: Well, I am probably going to be asking indulgence a lot in the next few years and thank you for all the indulgence you have given me. I will say that it is a primary fact that I think all of us are aware of that. We really did disagree and yet worked together to come back and do it again. We usually believed that something had been done and that we had all had chance and then we came to some conclusion. I have a lot more to say tonight. I have been working pretty hard this week. I would like to bring up one more topic at this time and that is the last two Council meetings, I have been carping at Public Service Indiana. People I know have been calling in and been very concerned about some of the elderly people in my neighborhood. One woman had fallen and had been lying in the snow for two hours before she was found and part of the reason was that there was no light on the corner. So, after they had reported to me that they couldn't get any action, nobody had been out, I called and half hour later after identifying myself as Councilmember Al Towell and mentioning a number of lights had been out for some time I got action a half hour later. I think this is not an accident, that it means that there has been negotiations between the City and that Company and something different is happening now, there is a different attitude. I found no resistance at all to my call although I expected it and that is why I started out very beligerantly. I am sure Jack (Morrison) has something more to say about that, perhaps we are beginning to solve that problem, that is what I am trying to say.

Councilmember Morrison: I would just like to echo what Councilmember Towell said about Public Service Indiana. I was in a meeting with Harold Isaacs, in the last ten days we have accomplished all the street lights. The Board of Works and

and the City Council had contracted for it, they have all been installed. It was just a complete uncoordination between the City and Public Service. It was the fault of both parties. I can't lay all the fault on Public Service. It was the fault of both parties. I can't lay all the fault on Public Service, and I can't lay all the fault on the City administration. It is just a fifty-fifty deal, it was a fault on our part and the City for not following up on the lights to see what had been installed, it was the fault of the Public Service Company for not informing the City on what they had done and what they had not on the street lights. They have come back to the system that Merle Beard and I talked about five years ago on the quadrant system and it seems as though the Mayor is highly in favor of the quadrant system. So, I am assuming that with all good luck, that the quadrant system will be introduced next year, which by using the quadrant system, the City will be well ahead of the street lights and planning will be very efficient. The budgeting of the street lights will be more accurate and I think we will have more coordination between the City and the citizens for the City of Bloomington.

Council president De St. Croix: Thank you. I usually don't take time for a Message from Councilmembers, as a matter of fact, I have probably said less this last year as any other year I have been on the Council so I ask the Council's indulgence for a couple of minutes. I couldn't help but think before tonight's meeting over the past four years when I first ran for office and when I got elected to the Council at twenty-three, the youngest Councilmember elected and I think the last four years have been tremendously important ones for me. I would like to thank a number of people for their indulgences, for their help, and for the education they have given me. I owe thanks to the Mayor and his staff, thank you. I owe thanks to the department heads for their wisdom, their help and their indulgence, thank you. I owe thanks to many people on the City staff who provided information or assistance or backup to I or other members of this Council. I have sometimes perhaps in the eyes of the particular person before the Council rather harshly criticized or unreasonably demanded information, but you all have worked hard and have tried to help. I owe personal thanks to Council staff not only for the past four years but for the help they have given me in trying to do a good job as Council-president. I owe thanks to the citizens of Bloomington for electing me and reelecting me and also for helping me learn what some of the responsibilities of being a citizen are, for helping me learn which has generally given me the chance to work with you. I think we have accomplished some amazing things in these past four years. We can look to some specific pieces of legislation and we can have disagreements about their value, their merit, their import, their effect. I think the most important thing this Council has done is given the citizens of Bloomington a place to speak out. Sometimes that hasn't been in the form or the manner that people have most appreciated, sometimes it has been in a lengthy, drawn out process but people have been heard, people have known they have had a place they can be heard. People may not have gotten the results they had hoped for but they could be heard and they were. I have established something of a

reputation on this Council, I suppose, as a maverick. I have voted with and against probably as many members of this Council as anybody. I think that is because of the quality of the membership of this Council. I have disagreed with just about everybody on this Council, they have disagreed with me. I am sure all of you in the audience have had your disagreements, too. These people have worked hard and they have tried to do their best and they have done it in the spirit of not ducking, not hiding from the people of this community but thrashing out the problems that we all face in an open forum. That isn't the smoothest way to do things and sometimes people go away feeling upset and angry, but it is an honest way to do things. I want to thank my fellow Councilmembers for their indulgence of my antics, my temper is something I have to learn to control more all the time. I have learned from Pat Kinzer how to be a good learner, how to gain a good grasp of things and how to jump into something and do a good job. I have learned from Flo Davis amazing strength, Flo has come on the Council taking her husband's place, she is holding down a full time job, she is continuing her education, she is raising a family, and she has been a darn good Councilmember. I have learned from Charlotte Zietlow an openmindedness perhaps tempering my impatience to make decisions to rush ahead to get things done, she has helped me learn to stop and listen. I have learned from Wayne Fix, a gentleman who has said to me many times, Brian, I agree with everything you say but I am forced to come to a different conclusion. There is often times great validity in opposing viewpoints. I have learned from Councilmember Mizell commitment and a kind of personal strength I greatly admire. Sheri, unbeknownst to most people in the community has probably had the heaviest work load of anyone on the Council as a member of the Pian Commission. As a Councilmember the amount of information and time he has had to commit to learn is staggering to say the least. I have learned from Al Towell the courage to stick your neck out, Al is a pretty controversial man. I think that is because when Al believes something, he has to do something about it. I have disagreed with him from time to time, but I admire his guts. I have learned from Jack Morrison sagacity of experience and the tenacity of a hard sell. I want to thank all of you for your support, for your help, for your guidance this past year in particular as the baby of the Council I've tried to perform the responsibilities of Councilpresident. There are two more people I would like to thank before I get too maudlin and drag this out. There are two people who aren't here tonight who have helped lay a foundation for local government. I think this Council has established, one of them is Hubert Davis, Flo's husband who served on this Council and provided great leadership and showed this Council great strength and continued to serve despite great difficulties with his illness and provided leadership in helping us get a reasonable and cogent bicycle program and bicycle pathway system underway. Hubert (Davis) also was probably one of the most important factors in the institution of the Bloomington Transit. I would also like to thank James Ackerman, who's ability to see the light side of things, the kind of fair and open leadership he provided as President of this Council following the pattern established by Charlotte (Zietlow) is something I learned a great deal from. I think I have said enough. Clem, and other new members of the Council, this Council may may not

have done things the way all the new Councilmembers would have done things or adopted things or enacted things the new Council may do, but it has done one thing I hope the new Council will continue to commit itself to and that is to let people be heard and to encourage them to come forward and be heard. It is the only place they have that is of real importance. Thank you.

Councilmember Davis: I would like to move to expand the agenda to insert Resolution 75-52, Utility Budget Transfer, and Resolution 75-53, Council Budget Transfer between Appropriation Ordinance 75-14 and Resolution 75-50.

Councilmember Zietlow: Second.

The motion to expand the agenda was passed by a unanimous voice vote.

Councilpresident De St. Croix: The next item on the agenda is Ordinance 75-64. Do we have a motion?

Councilmember Morrison: I move that Ordinance 75-64 be introduced and read by the Clerk by title only.

ORDINANCE 75-64
Utilities Salary
Ordinance 1976

Councilmember Towell: Second.

Ordinance 75-64 was then read by Deputy Clerk Connors by title only.

Councilmember Morrison: I move that Ordinance 75-64 be adopted.

Councilmember Davis: Second.

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

Councilmember Davis: The Committee has met on several occasions, there were meetings called and no one came. I feel that the Council as a whole should look at this, we have discussed things about the fact that some of the positions have more than a five percent increase which the Civil City received. Some of the hourly waged positions were simply ordained by the fact that there was an agreement with the union. I think I would like to see us discuss it as a Council as a whole starting with the administrative in general and go on down.

Councilmember Zietlow: The other evening we finally did have a more or less full Council meeting on this, I think that was with the Planning/Community Development Committee. Did they have a recommendation or was that a committee of the whole?

Councilmember Towell: I think it was more or less a committee of the whole but as I recall, there were certain positions that were known that could be deleted because they are not being used or whatever. I think Flo (Davis) knew those too. Do you want to make those motions?

Councilmember Davis: I left before we settled those.

Councilmember Zietlow: In expressing the intent of the committee of the whole, I would like to move that with several exceptions, the exception of Treatment Engineer and Chief Chemist that all the salaries in the administrative are administrative

salaries be amended to include a five percent increase.

Councilmember Towell: I would like to know the meaning of that. You mean five percent over the actual pay.

Councilmember Davis: Yes.

Councilpresident De St. Croix: Five percent over 1975 pay.

Councilmember Zietlow: Yes.

Councilmember Towell: 1975 actual pay instead of 1975 Salary Ordinance.

Councilmember Zietlow: That is expressing the sentiment of the committee as I understood it.

Councilmember Davis: Yes. Do you want to do these one by one.

Councilpresident De St. Croix: Do we have the numbers?

Councilmember Davis: Yes, I have the numbers.

Councilpresident De St. Croix: Councilmember Davis, perhaps you could toll them all off and then we can deal with them as one motion.

Councilmember Davis: I move that there be a five percent increase in raise of actual pay from 1975 to 1976.

Councilmember Zietlow: Second.

Councilpresident De St. Croix: Discussion from the Council, from the floor.

Councilmember Zietlow: Again, I think echoing the sentiments of the Council as a whole as it met this was to keep these salaries in the Utilities more or less in the increase range of the Civil City which we felt was in important move in terms of morale now. I think the Utilities should speak to that.

George Phipps speaks from the floor: I think it should be brought to the attention of the Council that the Utilities Director was placed at \$24,000 at the recommendation of the Utilities Service Board and in case along with the Treatment Engineer and the Chief Chemist, if the position needed to be filled in the future, at that time we did not know that Gary Kent was going to be submitting his resignation. I think Utilities will have some trouble in filling the position if that is limited to \$21,500. Trade Publications have had several adds lately for Director of Utilities. One Arizona community of 33,000 has a minimum starting salary of \$22,000. That is the lowest it has been. These salaries clipped from the different magazines was also presented. The Utility Director of the City of Anchorage, Alaska, which is a little out of the norm is \$35,000. That is not one that frequently appears. A superintendant of water and wastewater treatment in a city outside of Chicago made the salary of \$19,500 to \$24,718. I feel the salary of \$21,500 would place the Utilities in a bad position if you want to use that word in time to fill the Directorship that is now open. The Salary Ordinance as it

is posed does not mean that the Utility management would place all Utility salaries at 8.16 percent or what they were showing on the Salary Ordinance immediately. The increase would be 4 percent over actual on January 1 with 4 percent increase on top of that as noted in the notes to the information that I have given you. This would make a average overall for 1976 of 6.08 percent over what they are currently getting paid. The Business Manager, the Chief Accountant and the Assistant Engineer all three of these positions are newly filled. Taking five percent over the current actual would be restricting those three positions considerably and would be, I believe, unfair to them as much as they are considered under the Ordinance all together.

Gary Kent speaks from the floor: (inaudible).. the first part of (inaudible). To 4 percent raises first upholding this (inaudible) did a very good job and played a very important part insuring (inaudible).

Councilmember Zietlow: As a seconder of the motion, I would be willing to delete that from the amendment.

Councilpresident De St. Croix: Delete which?

Councilmember Zietlow: The meter services. Leave that in as it was proposed by the department.

Councilpresident De St. Croix: So then the motion deletes Meter Services Superintendent?

Councilmember Towell: If he is a class four now, isn't that wasted in Meter Department?

Gary Kent: I don't really thing that it is wasted. He has value to us in a lot of other areas. We have four class four Wastewater Treatment Operators now, and they all have value is we were to lose one of those class fours, the Treatment Engineer, we do have three people who are qualified under state law to sign the state reports, to comply with NPD. I really don't think it is wasted even without the class four. I would still say that based upon his work quality and the caliber of the man, he is worth \$12,500 in that position.

Councilmember Towell: That is not what I am disputing. I'm saying shouldn't he be in the position where we can get more out of the classification?

Gary Kent: I don't know whta position we would put him in. We have two highly qualified superintendants in the plants which pay comparable wages of \$12,000. We only have one Treatment Engineer. I don't know where we would put him.

Councilmember Fix: I have disagreed with the Utilities Service Board a lot on a lot of issues. One of them has been the expenditures of a lot of money that has been committed. I personally don't feel that we should be concerned about a thousand dollars here and a thousand dollars there and get good qualified people in the Utilities Service Board. When we are sending hundreds

of thousands to Kansas City. I just think that the Utilities Service Board should set their salary rates. In fact, I've made the comment at committee meetings that the business manager pay is too low compared to the other administrators. I did not say that the other administrators should have been that high, the correlation between them was too big of a gap.

Councilmember Towell: Mr. Phipps wants to argue with that.

George Phipps speaks from the floor: I did not get up here to argue that, I had another point I wanted to make. The point that I would like to make is that the five percent over actual at the present time in the positions that are filled would total approximately \$243,500 next year. The Salary Ordinance as submitted, as it is planned to be applied by management, the total salaries for the year will be \$245,679 with approximately \$2,000 in merit raises that will in the positions that are currently below the Ordinance. I don't believe that this is that much of an amount when we are considering it. We should be in a good position to fill these positions that become vacant within the year if they were to do that.

Councilpresident De St. Croix: Would someone from the Board like to address the Council?

Bob Schmuhl: I would like to know why Ms. Zietlow singled out the Chief Chemist and the Treatment Engineer for...

Councilmember Zietlow: We were given information from the Board that these were particularly sensitive positions that would be difficult to replace. That was on the basis of information from the Board at the committee meeting.

Bob Schmuhl: Because the Board had, in drawing up the Ordinance, made those justifications on their own throughout the list and we feel that \$24,000 for a director is...

Councilmember Zietlow: I'm sure that \$24,000 is not too little for a good Utilities Director. However, we are in this situation of seeing both voting on the Utilities Budget and the Civil City Budget and we only have one salary in the City that is \$24,000 and that is the Mayor's salary. I do feel as a matter of policy that it is not a good idea to have the Chief Executive of the City have their salaries being in the same range, if you understand me.

Councilmember Davis: Plus, the Mayor's salary is set for the next four years and if we gave the Director \$24,000 next year, and we gave him any increase in the next three years, he would be making more than the Mayor if you follow that type of logic. I think we have to. The Utilities does belong to the City, but also, the fact that we did not give large merit increases of more than 5% to the salaried people within the Civil City and I can't see us doing more in one area and not in the whole City.

Bob Schmuhl: What about the three individuals who are new to their jobs who are below the Ordinance for this year, would adjusting their salaries be considered? They are the Business Manager, Chief Accountant and Assistance Engineer. Just say the level of the 1975 Ordinance.

Councilmember Davis: That was what I was going to ask you. If we brought it up to the 1975 Ordinance, and the five percent...

Councilmember Kinzer: That would be more than proposed.

Councilmember Davis: It would be more than proposed. The 1975 Ordinance plus five percent is more than you proposed in your 1976 Ordinance.

Councilpresident De St. Croix: The Business Manager you proposed at \$16,250 with a five percent it would be \$16,380, that is according to figures submitted by Mr. Phipps.

Councilmember Zietlow: We really are dealing with a different sort of situation with the Salary Ordinance in the Utilities than we are with the City where most of the salaries in the City, are in fact, the salaries as described by the Salary Ordinance where in the Utilities they have been considered much more of a maximum rather than one in which...so, we are dealing with a different procedure or policy situation and I think that point which Mr. Schmuhl has made is well taken.

Councilmember Fix: I don't want anyone to interpret this statement being light, if I think the Director's salary should be higher or as high as whoever it might be. But, I don't see any relationship between whatever would be a Utilities Director and a Mayor's salary. It is two entirely different jobs, two different channels, preparation and training and all this sort of thing. There is no similarity at all. I think in the two jobs, and I would say we should not hold a Utilities Director's salary at a certain level because the Mayor's salary is at a certain level. I don't agree with that basis at all.

Aileen Schaller speaks from the floor: I use my right to change my mind. You know, we are confronted with filling a position which is a very real matter now and in many areas we would be looking for two people instead of one, you see. If we leave the salary at a high range at \$24,000, I think there is some chance that we might be able to fill that position. We may need to create two positions at \$19,000 or whatever you want to set the salary at in order to get the job filled. I don't really believe that that's the way we want to spend it. Another thing I want to say while I am on my feet is that the Utilities Service Board, through its Manager and so on, decided that the best way for us to budget for salaries was this four percent in January and then four percent in July again. That gives a total of just a little over six percent. Now, you all wish to apply across the board five percent. That's what you've done in the other areas. It is one of those situations where we are all under the same circumstances but come up with two answers. You are the people who have the final judgements to make. We feel strongly that the way we've recommended is the way it should be, that this is the best way for

us to handle it in our area. If you see otherwise, you have the final say.

Councilmember Towell: There's quite a bit of difference because that means that someone ends up at eight percent and I haven't seen many salaries cut in the last few years, yet the people from the City are going to be dickering for an increase over the five percent. That's quite a bit of difference. It is in effect another two percent forever. I'm not saying that it shouldn't be that way. What I'm talking about is comparative equity between the City and Utilities. I think eight percent is probably justified. I don't see employees, however, doing better simply because of the method of funding.

Councilmember Zietlow: Councilman Towell was saying that he can see an eight percent increase in the civil City also.

Councilmember Towell: Yes, I could have. In fact, I thought it was justified, but, of course, tax funds are very hard to use that way. I don't see a difference simply because, for one thing, we shield the Utilities from the taxpayers by passing the rates as well as taxes. Then it is very automatic. So, simply because the Utilities can have as much money as it needs and we don't have that situation in the civil City, to favor one set of employees over another seems to be inequitable.

Councilmember Zietlow: I'd like to have the Mayor's Office speak to the Ordinance. (tape break)

Michael Corbett: ...in the committee meetings was setting some sort of equity between the City and the Utility, and this seems to be what the Council is attempting to do in it's discussion right now.

Councilmember Towell: Does the Mayor have a position on this?

Michael Corbett: I believe that in talks with the Mayor that he has expressed what you have expressed right now, that is, giving the four percent rate in January and the four percent increase in July for non-supervisory employees and try to keep the equity with the supervisory employees a general five percent across the board increase. I think I can speak for the Mayor in this regard, that he generally feels this way.

Councilmember Towell: Would you agree, Mr. Corbett, that any arguments that we are not able to get good employees for Utilities at these rates would apply equally to the City?

Michael Corbett: At the rates you are proposing, the five percent? I think there is some validity in that.

Councilmember Zietlow: You were talking about the people covered by the union negotiations in regard to the four plus four or the administrative salaries as well.

Councilpresident De St. Croix: No, I believe he stated five percent administrative and four percent plus four for non-supervisory.

Councilmember Fix: I guess I misunderstood. I thought that the motion here was to deal with the

salaried people and not the hourly people. My attitude changes between the hourly people and the salaried people. I think we do have that problem with other City employees with salaried, supervisory people. We do have that problem with the hourly paid people.

Councilpresident De St. Croix: Councilwoman Davis, could you restate your motion, please?

Councilmember Davis: I move that the Salary Ordinance include a straight, across the board increase over the actual 1975 salaries for the Director, the Engineer, the Superintendent of Operations, the Business Manager, the Central Supply Superintendent, the Controller, the Chief Accountant, the (inaudible) Security, the Superintendent, the Assistant Engineer, the Draftsman, and we deleted the Meter Superintendent, the Plant Superintendents for Winston Thomas, Bucher Pool, Griffey, Monroe, and Central Lab, the Assistant Chemist in Central Lab of fiver percent.

Councilmember Towell: I've had a policy of trying to put sentiments that are brought before the Council before them in the form of a motion. I will move to amend the motion to reinstate the Director at \$24,000.

Councilmemb er Morrison: Second.

Councilmember Davis: This is a maximum so that we can have some flexibility in recruitment.

Councilpresident De St. Croix: I'd like to speak in support of the motion. I think that the arguement that this position is going to have to be replaced shortly is a telling one, particularly in terms of the options that Ms. Schaller pointed out to us that they may, in turn, come back to us and request two positions in the \$19,000 range. If we can find somebody for 24,000, that's saving us money.

Councilmember Mizell: I also agree with the amendment. In looking over these ads, I noticed that the majority of these people who are in the range of \$22,000 and above have degrees in Engineering and Wastewater Treatment. Is it the intent of the Board to recruit somebody with a degree in this area?

Councilmember Towell: That would make a difference to me. If the Board indicates by a majority of people that will be on the Board that they will do this, I will vote for this salary.

Councilmember Mizell: I would find it very impressive myself.

Jack Martin speaks from the floor: I think that the main point in that is clearly, we would like to recruit somebody under those conditions. On the other hand, we would not like to turn away somebody who appears to be a very well qualified candidate who did not have that type of degree.

Councilmember Mizell: Are you saying then that your ad for a new Director would include a requirement for a degree in civil engineering or wastewater treatment or the equivalent?

Jack Martin: I think the ad would include that we would be interested in having people who have a degree in that but we would not exclude degrees in Public Administration or other types of engineering. The ad is really fairly general. We are interested in people who might have a engineering background, or who have a public service background. We are inviting all qualified candidates.

Councilpresident De St. Croix: If I may speak to the question as an uneducated man who holds no degrees and who has on many occasions had to deal with the question of academic certification, qualifications vis-a-vis degrees, and who on many occasions have held my own with those who are academically more qualified than myself. I would hope personally that what the Utility Service Board will be looking for would be somebody who could do the job and do it well. If they have specific academic training that equips them to do that, fine. There are a lot of people with ample academic training around that perhaps can't do a job and can't do it well, with no intended remark to those esteemed members of the Council who are well educated. I would like the Board to have the option to choose somebody who doesn't have very specific degree credentials but who can do a good job.

Councilmember Towell: I work in a technical field, and I think that is the kind of issue we are talking about. We are asking basically that only technical qualifications be obtained. I do not have any training at all in the field I work in; however, there are ways of finding out whether someone does have that technical qualification. That is what I was talking about, not so much a matter of degrees.

Councilpresident De St. Croix: Do we have a commitment from the Board that the person they hire will be technically capable of doing the job?

Aileen Schaller: In response to that I would like to say that we have had in the past two years one of the finest utilities directors that we could possibly have and he is not a trained engineer. We have a very fine treatment engineer, and we expect to keep good treatment engineers. What we need in the position right now in my opinion is a person with managerial ability who can bring together all the various aspects of this job, the inter-governmental relationships, the public relationships, who can do at least half as well as Gary (Kent) has done. We don't want to limit ourselves to an engineer on that basis. I would like to say some more bouquets for Gary (Kent), but I would like to use that opportunity to say that.

Councilmember Kinzer: I'm concerned about this idea that we might end up getting two people. If this is the case, if the job is perhaps one that it should be filled by two different people, I can't see that that would be solved by hiring someone at a higher salary. Could I hear more about that? What two jobs were you referring to?

Aileen Schaller: We had talked about the possibility of getting a manager and an administrative assistant or perhaps one for the water utility and the other for the sewer utility. Particularly, if we were looking for engineers we might be

looking for engineers who might work one in water and one in the sewer. It is not the ideal solution at all. An engineer with no management background we might obtain for the figures I was talking about, someone with managerial skills, with the accounting background and financing background and inter-governmental background would not be obtainable for the \$24,000.

Councilmember Kinzer: What you are referring to is the qualifications rather than the size of the job.

Aileen Schaller: The qualifications of the individual, yes.

Councilmember Kinzer: What you were referring to before would be two full-time job as an alternative, right?

Aileen Schaller: Right. We had talked about that.

Councilmember Kinzer: I think it is a question that needs to be settled if, in fact, we have a situation where it should be written into two jobs or not.

Councilpresident De St. Croix: I think the question is...

Aileen Schaller: We have no intention of filling the position with two people if we can fill it with one. We think we have had the ideal circumstance.

Councilpresident De St. Croix: I think that is one of the reasons why they are saying they need the higher salary so that the kind of qualified person who could do those jobs could be hired.

Councilmember Kinzer: I'm concerned about whether or not this position is too big for one person. Since the question came up, I'd just like it answered.

Councilpresident De St. Croix: Can the job be done by one person?

Gary Kent: Yes, if you find the right one. The only thing that I would say is that we have taken one approach and that is with the administrator at the top, and maybe I'm not an administrator, I'm certainly not a treatment man. The next lower levels we have an engineer who runs our engineering function, we have a treatment engineer, who is one of the most qualified people in this country for the job. All of these people are technical people and I feel that if I have anything to be proud of, it is the quality of the staff we have. The only thing that I would say, if you start breaking this Utility up, I don't think we have to have (inaudible) we are getting into the situation where we don't have common use of the same equipment, we don't have common use of the maintenance staffs, I think that we are going to be talking about a lot more people and a lot more expense. This is the type of thing that we have tried to keep to a minimum. If you don't get the right individual, you can get someone that is highly qualified in water treatment and never been in sewage treatment, and you've got a problem.

Councilmember Zietlow: What was on the mind of the Utilities Service Board when they made the recommendation for the \$24,000. That was some time ago,

it is a high salary in the City, it may not be a high salary for a Utilities Director or it may not be a high salary for the person who is in the job, he has done his job extremely well. I do want to say that it was a big leap, and I was wondering what was on the minds of the Utilities Service Board.

Jack Martin: I think one thing to note is that last year the Ordinance was at \$22,500. It was \$2,000 above the actual salary.

Councilmember Zietlow: \$22,155, right?

Jack Martin: We have essentially kept that above the salary.

Councilmember Zietlow: Did the Utilities Service Board consider this salary in relationship to the Civil City? Was there any discussion of that?

Jack Martin: Not that I recall.

Councilmember Fix: Talking about the qualifications and so forth and different degrees, I have more than 200 hours in graduate credit in institutions of higher learning and I've learned a few things outside the walls. One of the things is that you don't ask the Board if they are going to hire an unqualified person. That doesn't get a very good response. Another thing that I have learned is the fact that analysis of the charts and the figures and so forth does not keep you out of trouble, it may get you out of trouble after you have gotten in it. You stay out of trouble by being able to look ahead, maybe something isn't going right and you head it off before you actually find it out in the paper. In this case, you have got the good experience to get that. I'm the last one to belittle education, I would have wasted my life if I were to say that. I think the person without a degree who has proved himself as a director somewhere and a certain span of year of experience might be a much better choice than someone who has only a year or two years of experience (inaudible) there is a lot of paperwork as far as being an administrator, an organizer, a public relations man and this sort of thing. We are embarking on an area here that we have been on in the last few years and I must say that some experience has been needed in the last few years to head off a lot of things that have happened, and I don't think we want to continue that way. I don't want to ask you if you are going to hire a qualified person. I have to give you faith that you are going to do that.

Councilmember Towell: I just think that your having faith like that, I hope it is reciprocated. I haven't found it to be that way in that last year or so. I've found nothing but disparagement of the Council from the present Board.

Councilmember Fix: I have faith in the fact that if we ask them if they are going to hire a qualified person that they are going to say yes.

Councilmember Towell: The issue so far has been misstated. You have certain salaries and certain possible ways of paying for the things that you need in the way of qualifications. The board in the last period elevated a business manager without qualifications in treatment, water or wastewater, and I think that Gary Kent has done a good job too, I'm not discouraging him at all, but he could not

have functioned with effectiveness without the skills that he lacked being represented somewhere else in the organization. Then you have to pay for those skills that are lacking with the top man. Usually, they are too expensive to get further down the line, usually. I'm talking now in a more real world way. A lot of people in the City felt that there was a real need for a kind of qualification that didn't exist in Utilities and they made an issue of those qualifications in the Director. Maybe we have done all right without that this time, but can we go on beating the rule, beating the generalization? I really doubt it. That is why I'm concerned that the Director have the kind of qualification that means the Utility has very high qualifications of those sorts. That is to me a better statement of that. I recognize the equivalence of experience in degrees, I recognize a lot of the things that have been said. They are things that we all know about if we know anything about personnel policies. I would like someone to speak to that. Suppose you decide to hire a Director who is an administrator of another sort, how will you have the kind of qualifications that various citizens in the City have wanted the Utility to have, how will you deal with that problem?

Jack Martin: I think that it is important to realize that we are clearly going to look for a Director who has experience with water and wastewater. We are going to be looking in areas, we are going to be advertising in journals, sending notices to places where people with that type of experience, places where there are people of that training and background. That is what we are looking for. It is in the best interest of the Board as well as the City of Bloomington to have the best Director. I guess I feel that we are not going to hire a Director that we wouldn't be confident of in his qualifications and his ability to do the job. I think the only reason that we are even questioning the extent to which we define the job is because when we look at it, what we see in it is that it requires managerial experience, it requires budgetary experience, it requires technical handling, it requires a variety of things. We don't know when we see the various candidates how the different aspects are going to pull together. We do realize that he has to be able to do all of those jobs. We also realize that it is extremely important to have a very good Director. I think that Mr. Kent, for example, was very instrumental in putting Utilities on a very good footing.

Councilmember Mizell: I think we have finally gotten back to the important issue and that is the qualifications of the individual that ultimately will be hired. I'm sorry that my remark was interpreted as as not sharing the feeling that everyone has on this Board and I do share that, that Mr. Kent has done an excellent job. Mr. Kent is a unique individual who has the management skills that could be added to the technical skills that are already available in the department. That is one way that the Utilities can be handled. In looking at these ads, and maybe we are misdirected by the ads that were placed in front of us, but the majority of these ads consist of departments looking for people who have technical skills as well as managerial skills. That individual is a rare one. I don't know if you can come up with that type of individual. You are faced with having a big business which is both large in corporate size as well as requiring technical skills. You either have to have the technical capability at a lower

level and managerial skills at the top or have the technical level at the top and the managerial skills. My concern is, if you are looking for an individual who has both at the top, then your salary requirements are going to be higher than \$24,000. That is what I was trying to determine from the Board, to have you fixed on how you are going to handle this management and technical skill requirement. Evidently, you are leaving it open, but you want us to set the salary at \$24,000.

Jack Martin: One reason we haven't really fixed on it is because we only found out that Mr. Kent was resigning at the beginning of this week. Basically, we haven't really put down just how we are going to do it. I think we are interested in someone who has the managerial skills and that is what we feel will be the ultimate thing that is most important.

Councilmember Mizell: Then it is important that you retain your technical fields at a lower level.

Dick Fee: The advertisement that has been sent out to publications plus distribution to possible applicants emphasizes that managerial experience is primary and secondary is public administration, chemical treatment or other technical skills. There is no degree requirement mentioned in the ad. We are going to try to evaluate the experience in those various fields. If you are looking at the sheet I saw today on those job ads, a great many of those are merely the position that Mr. Phillips occupies in Bloomington in that they are treatment engineers as opposed to being the top man. The treatment engineer is required to have technical skills. They are a little bit different, personally I favor the manager, and as Councilmember Mizell has suggested, our next line is the technical.

Councilmember Towell: Have you adequately provided for technical? Have you got a salary here that you can get the kind of technical expertise you need if you are after a manager primarily? They go together, you have to have your idea fixed on what you want for top and what you want for second.

Dick Fee: I think this is the reason that Mr. Phipps just handed me this, you will find that the treatment engineer under the 1976 proposed. This is the reason that that figure is out of line with the averages, so to speak.

Councilmember Towell: I see another issue in the engineer salary and some other parts of the budget that come later, and that is the independence of the Utility. I feel that the Utility has not paid much attention to the policy statements of elected officials, it has forgotten who owns the Utility, and in general has tried to put impositions which will make them more independent of the policy in the general city. Especially the engineer's position has been presented that way over the last few years and I am in favor myself of looking for a good, technically qualified head of the Utility and deleting the engineer specification.

Councilpresident De St. Croix: The motion before the Council is to amend Councilwoman Davis' salary amendment to revert to the Utilities Service Board's recommendation for a salary level of \$24,000 for the director of Utility.

The motion to reinstate the Director's salary to \$24,000 was passed by a ROLL CALL VOTE of Ayes: 7, Nays: 1. Nays: Councilmember Zietlow. Absent: Councilmember Behen.

Gary Kent: There are four positions on here that I think are almost identical. I'm talking about the superintendants of the four plants, the duties that they do. We have talked quite a bit about job equity and so forth. These people don't have the same qualifications or the same amount of experience. I do think that the maximum that we can pay for all four of those positions should remain the same, should not be, for instance, Winston Thomas at \$12,006; Bucher Pool at \$12,001 and Griffey at \$10,080 and Monroe \$12,006. Whatever you choose to set them, the maximum, I think that is fine. I do think that theoretically, the positions are equal with the experience and the qualifications of the people are relatively equal.

Councilmember Kinzer: I was going to ask about the position of assistant engineer that was in question before. Is there going to be consideration for leaving it the same or not?

Councilmember Mizell: I have to ask a question, it has been begged. After Mr. Kent's statement I have to ask why are there 1975 salaries and the actual salaries different?

Gary Kent: Because one of the gentlemen has been on the job for about seven months and also does not have the same licenses as people who have been here for six and seven years. He cannot have the licenses because he does not have the necessary experience requirements.

Councilmember Zietlow: It has been the policy of Utilities to have a maximum salary, to have periodical increases, is that correct?

Councilpresident De St. Croix: Councilmember Kinzer, did you have your question answered?

Councilmember Kinzer: Not really. In the motion, in reading the salaries that are going to be included, the chief accountant and the assistant engineer possibly would be left the same. That statement was made, so I want to clarify whether that is going to be changed.

Councilmember Davis: I had not changed it.

Councilpresident De St. Croix: The motion does not effect them.

Councilmember Davis: The ones that we deleted from the five percent were the chief chemist, the treatment engineer and the superintendant of meter services. We had not made any decisions on the assistant engineer and the chief accountant, and the business manager.

Councilpresident De St. Croix: We have had a request from Mr. Kent, is there a motion?

Councilmember Towell: I really question whether the responsibilities are the same. Two of the plants are very much bigger than the others and have more people under them.

Gary Kent: In terms of people, Monroe is approximately equal to Winston Thomas. Griffey is a much harder facility to operate because of the nature of the breakdowns.

Councilmember Towell: Because of the lack of maintenance over the years?

Gary Kent: Not necessarily, the plant is forty years old.

Councilmember Towell: I heard that it disintegrated pretty much during the few years before this administration, five or six years. Lack of maintenance by people who are still working for the Utility in responsible positions.

Gary Kent: I really can't answer that.

Councilmember Towell: You can answer it because you know as much as anyone the facts about that.

Gary Kent: I know that we have done quite a bit of maintenance out there in the last year including renovating filters and I do know that the pipe galleries, we do have problems with leaking and so forth, they are filled with obsolete parts, over twenty years old and the remainder of the plant is over forty years old. Forty years is a fairly reasonable life for that type of a plant.

Councilmember Davis: In light of what Mr. Kent said, and Ms. Zietlow reminded me that we really should have hazard pay if you work at Griffey, I would like to further amend the Ordinance so that all of the salaries, the maximums, for the plant superintendents will be at \$12,006 so that they will be equal.

Councilpresident De St. Croix: Does the seconder approve of that? O.K.

The motion to amend Ordinance 75-64. to make \$12,006 a maximum figure for all plant superintendants failed by a ROLL CALL VOTE of
Ayes: 3, Nays: 4. Nays: Towell, Fix, Zietlow, De St. Croix.

Councilpresident De St. Croix: I have had a number of disagreements with the Utilities Service Board, I concur with a number of Councilman Towell's allegations about a lack of cooperation. I personally believe that the way to deal with those is in the budget, which is coming up next. We ought not to intentionally penalize employees because of disagreements between the Board and the Council.

Councilmember Zietlow: I move that the Salary Ordinance be adopted as amended.

Councilmember Towell: I have another amendment that I am going to offer. I'd like to move that we eliminate the engineer's position.

Councilpresident De St. Croix: The motion is to delete the treatment engineer?

Councilmember Towell: No, the engineer, that is the way it is listed, under Administration, General.

Councilpresident De St. Croix: No second to the motion.

Councilmember Zietlow: I move that Ordinance 75-64 be adopted as submitted

Councilmember Morrison: Second.

Ordinance 75-64 was then adopted by a ROLL CALL VOTE of Ayes: 5 Nays: 2. Nays: Towell, Mizell.

Councilpresident De St. Croix: Before we go on to the next item, there has been a request from the Mayor's Office that Ordinance 75-61 be tabled. The Council has received a memorandum from the Council Attorney to indicate that further research on the Ordinance has raised some legal policy questions. I do not know if there are people present in the audience who are waiting for discussion for that. Could we have the sense of the Council on whether they wish to consider that this evening or have Council legal staff make sure that the Ordinance we adopt is, in fact, legal and proper.

Tabling of
Ordinance 75-61
Animal Control
Ordinance

Councilmember Kinzer: If there are people here who wish to speak to it can we hear them before we decide?

Councilpresident De St. Croix: Are there people who would like to speak? Mr. Carlos Ortigoza.

Carlos Ortigoza: All I would like to say is that the animal problem in Bloomington is a critical problem and while I understand that there are some legal things, I just want to go on the record as expressing my wish that this very important matter in which all the citizens of Bloomington and the county are concerned because a dog bite can be terrible for a child or an old man. Let us not delay any further than the next meeting for the Second Reading. Thank you very much.

Councilmember Fix: We have tried for quite some time now to arrive at an Ordinance which can be passed. We have been unable to do that. I'm torn, maybe we ought to pass the Ordinance and then fix it up, maybe that would be more of a motivation to us than not having an Ordinance.

Councilpresident De St. Croix: I have two questions for John Komoroske, number one, are there legal problems and number two, can we have a commitment from you that this will be ready for Council consideration at the third Thursday in January?

Councilmember Zietlow: I have a third question, and that is when did the Council staff receive this Ordinance?

John Komoroske: O.K., yes, yes and October. We have had it for a while, we have spent a lot of time on it. I've had a chance to talk with the next City Attorney and we have had a chance to go over it again, and there are even more problems. It is a gigantic piece of legislation. It is an entire title of the Bloomington Municipal

Code and frankly, it just hasn't had enough legal attention paid to it. There is a lot of research that is needed on it.

Councilpresident De St. Croix: Will you be able to give attention to this, John?

John Komoroske: Yes.

Councilpresident De St. Croix: Is it the sense of the Council then that we table, or not bring up Ordinance 75-61? Can we table it to the next meeting?

Councilmember Kinzer: I would move that.

Councilmember Fix: Second.

Michael Corbett: Since this does involve a complete title of the Bloomington Municipal Code, I would like to see a meeting held, since we are going to have a new Council coming in in January, so we could address this properly. I would hope that this would be in the first or second week of January.

Councilpresident De St. Croix: I would hope that the next Council would maintain the same policy of open discussion of Ordinances such as this. This Ordinance has received a number of public hearings.

Michael Corbett: I'm talking right now about a major working session with the new Council and the Mayor's staff and the City Attorney.

Councilpresident De St. Croix: Could you please offer that to the new Council?

Ordinance 75-61 was then tabled until the third Thursday in January, 1976, by a UNANIMOUS VOICE VOTE.

Councilpresident De St. Croix: I've been asked to offer the apologies of Councilwoman Davis. As most of you know, her husband is very ill, the nurse did not show up this evening and a neighbor was watching her husband for her. Because of his current condition she felt that she should go home.

Councilmember Towell: Some people have the same confusion that I do, would you clarify the succession of motions and all that?

Councilpresident De St. Croix: Before we do that, could we have petitions and communications? None? O.K. (Councilpresident De St. Croix then went through the motions made on Ordinance 75-64).

Councilpresident De St. Croix: Next item on the agenda is Appropriation Ordinance 75-14.

APPROPRIATION
ORDINANCE 75-14
1976 Utilities
Budget

Councilmember Morrison: I move that Appropriation Ordinance 75-14 be introduced and read by the Clerk by title only.

Councilmember Towell: Second.

Appropriation Ordinance 75-14 was then read by Deputy Clerk Connors by title only.

Councilmember Morrison: I move that Appropriation Ordinance 75-14 be adopted.

Councilmember Mizell: Second.

Councilmember Zietlow: I have the Committee Report on this. The Utilities/Public Facilities Committee recommends that the Council appoints someone to the Utilities Service Board Financial Relations Committee. These are also some subsidiary considerations, that the personnel study be done, which I think has been answered, and the basic recommendation was that the Council as a whole discuss the main issues of the budget.

Councilmember Towell: I was chairman of the Committee of the Whole on this matter and I narrated what was a very pessimistic view of the relations of the Utility and the Council in the last year. More or less, there was agreement that the Utility has not done its duty in presenting things to the Council, which under state law and local Ordinance should have been presented to the Council, that contrary to the expectations of the people who passed the referendum about the board, the Utilities Board has been a very political body instead of being a body that buffers the running of the Utility from the (inaudible) of us politically, that litigation has temporarily suspended the application of state law here in this county. The state law being wider than the Ordinance that we tried to pass, somewhat like Bobby Knight's attempt to suspend the operation of NCAA rules temporarily when he knew that eventually the case would go against him. We feel that the checks on the Utility have been voided in this case. We feel that that the Utility Board members, as members of the Utility, have advocated positions which are essentially beyond the province of the board. They have taken political actions which were much beyond any contemplated by the people who passed the referendum and have affected city policy without bringing those questions before us including passage of an engineering contract for \$500,000 for a plant which the EPA will not be constructed. The ill treatment, this is something that I am going to add personally, of a representative of the Council who is delegated to attend their board meetings, the heading of delegations to the state and so on. We all talked about the reversal of what the board was supposed to be and what it is. Problems that we have had with legal interpretations when it has been raised that things should go to the Council and I must say that at that committee meeting, there was pretty much agreement on our experience with the Utilities Service Board and simply discussion of what remedies there could be. The one thing that is conceded to the Council as a way of controlling the Utility in this situation is control of the budget, but most of us had no concrete proposals as to how the Utility could be controlled by the budget. Several people said they would look into that matter. I mentioned that I had asked for certain information from the Utility and I'd like to report on those because members of the Council were interested in those questions. I received my copy of a memorandum from the Director of Utilities last night, it was delivered to my house by Council staff. I requested these matters over the phone and there might be some room for misunderstanding, but I had written the questions down and replied in the same words when I questioned about what I had really asked for. You have a memo with the answers that I got before you. I asked "what were the decisions of the Board which might have come under approval parts of state law or the Utilities Ordinances amended", I mentioned that it was in force until around September 20. It

was from the beginning of the Board. I said things should be included instead of excluded and I asked the Director of Utilities to give me this information. The answer is that engineering and consulting contracts and so on, presented to the Common Council for approval before formal execution, these include annual contracts with Black and Veatch and an infiltration contract and the pending personnel study. No land has been purchased by the Board. Neither its obtaining of options or its leases for a water tower site required Council action. I'm not going into every answer as deeply as this. I'm not going to repeat what is before you. The options part, I recall attending a Board meeting and the option contract contained all the terms of sale. I said, "doesn't this come under land acquisition? What are your plans for submitting this to Council?" I got a legal opinion at that time that it did not. I think we all disagree with that. At the time, there was further discussion with the attorney and he seemed to agree that it should have come. I mention that because it was an issue and it wasn't mentioned here in the answer. I asked about actions, the Utilities Board members who represented the point of view on City policy were actions affecting City policy which were not backed up by an official Board action in the minutes. I also mentioned as sources, correspondence that the Director might have in his files, newspapers, and personal knowledge, notice that there is not an interpretation involved there. All that is asked is that there be a listing of actions. Some people might think that it is good that we have an active Board doing those things and other people might think the other way. I asked for a listing. I got back a statement that "Board members and statements as individuals. Members of the Board reviewed their behavior in the past two years in public areas. Official Board action also improvised. No member was aware as having represented himself as a spokesman of the Board officially or unofficially, the members felt it proper of them to continue to speak publicly and privately to promote their individual positions in any forum, governmental or not, so long as they did not represent themselves as official spokesman of the Board". This is one position that might be taken about the way Utilities Board are to disport themselves as individuals, but it is not a listing of actions taken by members of the Board. I specifically gave two examples when I asked this question, the delegation to the state, which the Utility Board member was a spokesman for a wide City delegation and took the position that people against the Salt Creek Plant were anti-development. I mentioned also the recent EPA correspondence. I have reviewed that correspondence and only members of the Board signed those letters, some of them signed Utility Board President or member. It obviously was an action by a minority of that Board. I asked for legal activities of the Utility or Board. I also asked for the amount paid for it including information provided by the lawyer, any work product, actions filed, litigation, I specifically said outcome, how much we lost or gained, bond issues, etc. These are things that the attorney might have done. I got an account of the attorney's activities and his pay of \$35 an hour and total billings of \$4,000. I got a statement that we

had used the City Attorney and Corporate Counsel for personnel and labor, that the firm of Eis-miller, Tenaudeo and Ryan gave advice and direction and helped with the rate litigation dispute, their billings being such and such. Legal cost with sewer expansion will be reimbursed. There is not listing of the litigations or how much money has been lost to the people who pay rates to the Utility because of bad outcomes or how much gain because of good outcomes. I asked about the outside engineering expense and I asked for the name of any reports, any billings, internal as well to get an idea of the picture there. I got a list of six outside things and specifically they are the ones that we have already paid for. The \$500,000 was the one with Black and Veatch for Salt Creek and I think that should have come to the Council. This was not listed because we have not paid for it. Do we know we are not going to have to pay for it? I asked for the fluctuations of the work force, when positions are added and deleted and dates. That part of the question was not answered. I think it is typical of the relations of the Board and the Council. A political position is being taken. A defense is being made in this memorandum and not honest, straight-forward information which people might disagree about the interpretation of. I don't know how to amend this budget to bring the Board closer to the Council or to the rest of the City. I certainly don't mean to get into a dispute about the Mayor's Office vis-a-vis the Council, that is not it. We all accept the fact that the Mayor is the administrator and he has to come up with leadership and plans and we have to consider those and do the best we can for all the citizens of Bloomington. We are the elected representatives of the owners of the Utility. By state law as I interpret it, we have the approval over many things that they do, the mechanism of control, the budget and so on. I would submit that we have had a Board using their position as a platform for what is decidedly a political issue in this community instead of running the Utility efficiently and so on. I don't know what we can do about that. I personally, would like the resignations of about four members of the Board. I personally, would like different legal advice to be given to the Board. That is my position. I think I am representing more than just myself.

Aileen Schaller: I've been President of the Board this last year and since most of the accusations have been made against the Board rather than the staff, I feel that I would like to say a word or two. First of all, I'd like to know for sure whether Mr. Towell's opinion is that of the Council or whether it is Mr. Towell's. Is that within my jurisdiction to ask?

Councilpresident De St. Croix: You may ask anything you'd like.

Councilmember Kinzer: I think that Mr. Towell has expressed a good many things, some of which reflect the concern of other Councilmembers. I don't feel that he has spoken for me in terms of the entire speech.

Councilmember Towell: The conclusions are mine. I reported the meeting down to a certain point.

Councilmember Zietlow: I think at the meeting the other evening there were general concerns that Mr. Towell has voiced. What the conclusions and where to go from there is something that I think needs further discussion. The concerns are there, there is no doubt.

Councilmember Fix: There are many things that Councilman Towell said that I would have liked to have been able to look at in the budget. My comment when I first saw this type of budget two years ago, instead of one petty cash fund we now have eight. With that kind of a budget we cannot really get into the budget and exert any budgetary control. I think all of the Councilmembers at that time were concerned about that kind of a budget. It fell on deaf ears because for some reason Utilities said we cannot operate unless we have this kind of a budget. That is fair and good but I don't like that kind of a budget coming before the Council. We couldn't exercise any control of it, we couldn't find anything in it. It is all there, but it is hidden in these eight petty cash funds. The other thing is that if we cannot do it with budgetary control, another means has to be found. Whether or not I agree with every word that Councilman Towell has said, in principle, some other method has to be found if we cannot do it through the budget.

Councilmember Mizell: I share a good many of the concerns that have been expressed here and I have indicated those concerns primarily for the budget. Any or all of the time that the budget for Utilities has been presented before this Council, I agree with Councilman Fix that in essence, it is eight petty cash funds and the Council has not had the opportunity to get a handle on that because of the way it was submitted to the Council. If that is the case, that the budget is not going to be presented in a way that the Council can get a handle on it, it requires other means.

Councilmember Morrison: I have a lot of concern for the City budget, Ms. Schaller, but I assure you one thing, when it comes to talking about personalities and people, I, as a man, will do my own talking.

Councilpresident De St. Croix: I share a number of the concerns that Councilman Towell has raised. I believe that over the last few years, the Utilities Service Board has heard my voice raised in disagreement, I think you are aware of those. The Council and the Mayor do not have the position of appointments that serve at their pleasure. I believe that if I disagree with an appointment that the Council made, or the Mayor has made, my recourse is to deal with that at the time of reappointment or appointment of another person. I intend, as a member of the Council in the next four years, to continue to press for those policies that I think are right. Much the same as I have disagreed with most of the Council and the Mayor, I reserve my right to disagree and I expect that I will in the future.

Aileen Schaller: I'm not quite sure how I can summarize what the feeling of the Council is, but what I'd like to say is that budget is a very poor instrument to use as remedying a situation which has developed, perhaps because the Utilities Service Board is very new, perhaps because

we've tried to develop these things with the Council also being new. The referendum has been said to have been violated. I'm not sure that anybody can prove that. The referendum was set up, the Utiliteies Service Board was set up as a result of a referendum to remove the management and policy making of the Utilities from the political arena. We have tried very hard to stay outside of the political arena. I believe we have succeeded to a far greater extent than Mr. Towell knows. However, there have been times when we have felt it necessary to look for political support and help from political bodies such as the state and the Congress in any way that a Board might do as an independent Board. I do believe that there is a great deal that we have to iron out over the next few years in order for this Board to function independently. I believe it is to your advantage and the Board's, certainly to the community's to have this done and have it done in kind of a friendly way and not on December 18 as the budget is trying to pass. We have made a very honest effort beginning in the spring and in July our budget was pretty well finished. It was presented on time and it has been down here for a long time. At the meetings where these people have not come, we have done a great deal to present the budget as requested. I'll let somebody else speak to that, but I believe the format of the budget is such now that people have been generally pleased with it. If it is not, I hope you can point out to us in more detail how we can arrange to make it a working instrument. We have tried to make it a management tool. I'm really proud of our budget. I am really surprised to hear you say that you are not. As I say, I believe that the use of a budget as a remedying circumstance for problems that we have is not the way to handle it. I suggest that in order to get on with affairs, that we limit ourselves tonight to the budget. That is what is on the agenda, and then we do whatever we can, I believe there is a committee being formed to study the financial inter-relations. I believe that there is a judgement in court, or at least for another hearing in court. I think these things will take shape and that we will have a very good working relationship in the future. I respectfully request that we do not use the budget, that we judge the budget on its own merit tonight.

Councilpresident De St. Croix: Thank you for your recommendation. I will attempt to direct the meeting as the Council feels is appropriate.

Councilmember Kinzer: I'd just like to echo that feeling. I think we are talking about two separate things here. We ought to confine our answers tonight to the budget.

Councilmember Towell: That is my feeling too of the optimum way to operate, but it is sort of out of desperation that I considered any other course. We were left with really nothing but the budget. A few contracts were given to us and that is all. One thing we can do as a Council is to simply not appropriate. That is a very bludgeon like instrument, it is not one that I advocate at all. I advocate close cooperation and joint policies, open decisions that everybody has participation in that has any relevant information. That is not how things have been. I am omitting some of the more grievous things.

I'm just talking about I would like to see this situation redressed, that things begin to function more smoothly in the future.

Mayor Frank McCloskey: In four years in City government, I haven't totally agreed with any Board or Commission or any and all individuals of the City Council and I haven't totally agreed with myself. Later tonight I'd like to correct some things that I have submitted previously. I don't think anyone has any sort of monopoly on wisdom whatsoever, particularly as in regards to Utilities, we are dealing with very technical questions, particularly from the standpoint of the environment, sewage, money. When the experts disagree, who decides. I think on one side many members of the Common Council have one view of the operation of the Utility, I have another view and many members of the Utilities Service Board have another operational view of the Utility. Quite frankly, I don't totally agree with either side. I think it is very unfortunate that the integrity, the honesty of any governmental official, particularly members of this Board whom I've gone to war with on occasion, but they have served honestly and decently. I think they have made the best judgements they can. I am proud of them. I say that with one voice from the Mayor's Office.

Councilmember Towell: I take it by implication that the Mayor is saying that he is not proud of us, that he thinks it is all right when an official position of the City is taken, that if we don't agree with the location of a plant, that we are anti-development and that sort of thing, that all of our motives were bad in seeking to have what we believe to be state law implemented in the relations between the Board and the Council.

Councilpresident De St. Croix: Mayor McCloskey, is that your position, sir?

Mayor Frank McCloskey: I didn't say that at all. In fact, I said quite the opposite, that I disagree with some members on the Board on many issues and I have strongly brought my views forth to them. I would not impune their integrity and I would not impune the integrity of anyone on the Common Council, particularly tonight.

Councilmember Towell: As a personal privilege, I'd like to say that I am not impuning integrity of any member of the Board. I am sure that those positions were taken out of genuine conviction. I don't think anything I said can be construed that way. I do this with regret, and I don't know of the appropriate way, perhaps I can be helped. There is Council here, and the Director knows his budget, I would like to move that Legal Expenses not be included in the budget and that the City Legal Department be used.

Councilpresident De St. Croix: Mr. Phipps, could you please direct us to the portion of the budget that Legal Expenses is included in and the dollar amount?

Councilmember Zietlow: I'll second that.

George Phipps: On page one in the fourth section there is set aside for Board attorney, \$1,750 in each Utility, that is \$1,750 in Water, 401.7 and in Sewer, 502.7. That is under the Section of Utilities Service Board.

Councilpresident De St. Croix: Administrative and General Expense in both cases? So, Councilman Towell, your motion is to reduce Section 401.7 under Water Utility by \$1,750.

Councilmember Towell: I think that if my information is correct, that there have been other legal expenses, where have they come from, what funds? We have never voted on them, so I know that they must be appropriated implicitly. Eismiller and Denaudeo received \$7,000.

David Rogers: Those are expenses that are involved in developmental projects. These are paid from grants and capitalized from bonds.

Councilpresident De St. Croix: So that is not part of your budget, sir?

George Phipps: That is not part of the operation and maintenance budget.

Councilpresident De St. Croix: Are those not bond attorneys, and that is essentially required in order to get the kind of rating on the bonds?

George Phipps: Yes, that is the firm that is used in all the municipalities in Indiana for writing bond ordinances.

Councilpresident De St. Croix: If you don't have a bond attorney write it because of the rules of the club are such, your bonds don't get floated, right?

George Phipps: I'm not sure how to answer that because I have not worked with bond ordinances before. I have been told that this is the firm that is used in writing bond ordinances and all of the legal work in connection. They have been used in the past by this City for bond ordinances that I have seen written.

Councilpresident De St. Croix: I believe it is called professional specialism incest.

Councilmember Zietlow: The amounts total \$3,500. Then we have a statement in the memo of approximately \$6,000 in legal expenditures for local legal work. Where else does this come from?

George Phipps: The one that you are referring to is in the Capital Projects Section of the budget and this is in connection with the construction of the new sewer plant. All of the requirements for the EPA and bonds also.

Councilmember Kinzer: We are referring to operation matters. Legal work on operational matters is what we're talking about.

George Phipps: The day to day operating budget, the \$1,750 in each utility is the only amount that has been.

Councilmember Towell: Where does the \$35 an hour come from?

George Phipps: I'll let David Rogers answer that question.

Gary Kent: The \$35 an hour is contracted and has been long-standing between the Board and Mr. Rogers. It was instituted in 1973.

Councilmember Zietlow: Where is it budgeted? It is hard to find in here?

Councilpresident De St. Croix: Let me see if I can clarify it. You said there is \$1,750 budgeted into accounts. According to your memo, under item 3A it indicates that the Utilities Attorney receives the same stipend as Board members, \$2,000. In addition, he is paid \$35 per hour for straight legal work and operation matters. Total billings are of about \$4,000. Are those billings separate from stipend?

Gary Kent: That was approximately what was paid last year.

Councilpresident De St. Croix: That is \$6,000 and I believe that that is the \$6,000 that is being referred to. Are you telling us that \$3,500 or approximately one half of this past year's billing is all that will be required for local legal work even given the fact that the sewage treatment expansion program is coming up and all of the legal work.

Gary Kent: We estimated this year that we would pay \$1,500 in addition to the \$2,000 stipend. The other work that David Rogers does in regards to the expansion program is on a deferred billing basis. It will be paid out of grant funds plus bonds.

Councilpresident De St. Croix: Let me read your paragraph here, "he receives for the normal advice and consultation services the same stipend as Board members, \$2,000. In addition, he is paid \$35 an hour for straight legal work on operational matters. Total billings are about \$4,000 per year.

Gary Kent: Our estimate for next year is that that would be \$3,500 including the \$2,000 stipend.

Councilpresident De St. Croix: That includes the \$2,000 stipend?

David Rogers: We do not believe that it will be as much as it had been. For instance, a great deal of the time had been spent on such things as the negotiation of the rebate contracts with these different groups and all of that sort of thing. There is to be not that much time spent in the next year on operational matters.

Councilmember Towell: I am, of course, feeling what is obvious. Even if we did something like the motion I just made, it will be a symbolic act. Basically, it would symbolic.

Councilmember Kinzer: It is a little more than symbolic if what we are suggesting is that the Utilities can use the City legal services without having a separate attorney.

Councilmember Towell: I will be governed by the majority of the Council, I will not actively speak for this.

Councilpresident De St. Croix: Could the Board speak to the question of what the effect of such a motion would be. Then I wonder if we could also hear from the next City Attorney as to what effect it would have on that department.

Robert Schmuhl: I see nothing wrong with our retaining an attorney. There are a number of complicated matters, the contracts to come before the Board are looked over and reviewed and in many cases drafted by our counsel. I see nothing wrong with our having an attorney. You people can send an attorney to our meetings. You have an attorney to whom you are responsible, why can't we have our attorney to do our work on a very part-time basis.

Councilpresident De St. Croix: We are not responsible to our attorney, number one.

Robert Schmuhl: Well, we are not responsible...

Councilpresident De St. Croix: That was your statement. Number two, we are required by state law that the only staff that the Council may hire out of tax-based funds is an attorney. The Mayor's Office had the good grace and wisdom to inform us of that some three years ago.

Councilmember Kinzer: It is quite a different situation.

Councilpresident De St. Croix: I'm not sure you can make a comparison there.

Robert Schmuhl: I truly feel that we have a right, a number of complicated matters come before the Board, a number of contracts are reviewed and signed by the Board. To rely on the City Attorney and the Corporate Counsel might be too cumbersome, too burdensome on the City Legal Department.

Steve Richardson: If it is to the current operation, I would have to defer to Mr. Owens. Speaking of next year's budget we will have a full-time City Attorney and Deputy and Corporate Counsel. At present, we have City Court obligations. We have to assume the prosecutorial role there to enforce City Ordinance violations. It would be an added duty that has not been taken before. The other advisory roll, if the Council directs us to do that, we will provide the service.

Larry Owens: I think I would defer to the Council's political wisdom. I see this basically as a dispute, which is very evident by the way it started out tonight. I think Mr. Towell's language was very well placed. We have a symbolic action taking place here. I don't know what the effect will be. I think if the Council feels they should take this action, the City Attorney's office will undertake the duty, and I would assume and hope that we would undertake them very well. In the past we have attempted to work with the Utilities Board in whatever way they ask our assistance. We have worked very closely with Mr. Rogers. As I say, I am not privy to a lot of the underlying factors involved here. I guess what I'm saying is that I don't have much feeling one way or the other. It is up to the Council.

Councilpresident De St. Croix: That was well stated ambivalence.

Councilmember Zietlow: I was present at another meeting the other night where my understanding of this plan for discussion was something that was a recommendation from the Mayor's Office and if it isn't, I call for the question.

Councilmember Towell: My only response is that perhaps this is a symbolic motion, but we had a symbolic answer from Mr. Schmuhl. He said we have a right to have an attorney and the fact is that that is one of the things that the Council can decide.

Councilpresident De St. Croix: Then the motion is to delete line item 401.7 under Water Utility budget by \$1,750. Under Wastewater Utility budget, line item 502.7, reduce that by \$1.750 and make the reflective total changes throughout.

The motion failed by a ROLL CALL VOTE of Ayes: 2, Nays: 4, Abstention: 1. Nays: Councilmembers Morrison, Zietlow, Towell, De St. Croix. Abstain: Councilmember Fix. Absent: Councilmembers Davis and Behen.

Councilpresident De St. Croix: I might point out that Councilman Towell's statement about this being a symbolic gesture had it passed is accurate. I believe the symbolism still hangs and it speaks to the questions that Ms. Schaller pointed out and I know that I too hope that we can work together over the next four years to resolve the conflict and perhaps be able to fight together, disagree and come to whatever resolution happens on a particular issue and then start at go again.

George Phipps: There was one request by resolution of the Board that was submitted to the Council on the first of December that an additional \$6,000 be added to 401.7, that is the Water Utility and 502.7 in the Sewer Utility. This was to allow for the personnel study that has been discussed in both the Council and the Board. This is the only change that we would have. I would like to point out that the Water Utility operation and maintenance budget is \$1,000,407 compared to \$1,000,326 for 1973. The Sewer Utility is \$1,000,073 versus \$1,000,969. We feel that it is a good budget. It is what is necessary to operate the Utilities in the same fashion and keep it a number one Utility as it has been in the state of Indiana in the past.

Councilpresident De St. Croix: Do we have a motion to amend the budget for the personnel study? I believe a number of Councilmembers have supported this. (tape break)
The motion is to increase line item 401.7 in the Water Utility by \$6,000 and line item 502.7 in the Wastewater Utility by \$6,000. Specific application of those funds for the proposed personnel study.

Councilmember Zietlow: I would like to speak to that very favorably. Unfortunately, we have waited too long for the personnel study, which is one reason why we had trouble with Salary Ordinance. I think the faster we can get that done, the better. I would like to thank the Utilities Service Board for pushing us ahead even though it was two years late.

Councilmember Towell: I'm sorry, I'll do this later.

Councilpresident De St. Croix: I'd like to speak in favor of it and I'd like to thank the Utilities Board for coming forth and helping not only the Utility and the City in dealing with a chronic problem. I think this is a signal of the type of cooperation I would hope we could have in the future and perhaps deal with the problems we have had.

Councilmember Kinzer: I recognize the need for this and I'm still bothered. The job hasn't gotten done.

Councilmember Zietlow: Do we have a final bid, Mr. Corbett?

Michael Corbett: Tomorrow afternoon at one o'clock we will meet with the Utilities Service Board. It will be a special session particularly on this issue. We have now broken it down to two consulting firms, the bids were \$10,000 and \$9,800; however, there may be a need for additional funds because of employee appeals or other services, which we are fully aware of. I think the \$12,000 is accurate, we may not spend it all.

The amendment to increase the Water Utility Budget and Water Utility Budget by \$6,000 each for the personnel study was passed by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember Towell: I'd like to ask that a part of the budget for Wastewater Utility which the Council has had a very great confor, and that is the sewer for unsewered sections of the City. I would like to know what that is going for. Do we have a plan for dealing with unsewered areas in the City and then areas within the logical annexation policy of the City?

George Phipps: I'll answer the first part of the question. The \$175,000 was set aside for the Miller Drive area to complete the remainder of the area. Also, that will be approximately \$125,000. The other \$50,000 was for one similar to First Street that we had this year and others that need to have complete replacement. Most of this will be for new sewer sections.

Gary Kent: The \$175,000 is all for the second phase of Miller Drive and the unsewered section. He is referring to another \$50,000. Of that, \$120,000 to \$125,000 is contemplated as coming from Community Development Revenue Sharing Funds and somewhere between \$55,000 and \$75,000 from Utility funds.

Councilmember Towell: Are there any plans that the Utility has for dealing with unsewered areas in the City, and then for areas within the logical annexation policy of the City.

Gary Kent: We have had a committee for about the last four months that has been looking at several things. Among those things, we have been looking at the use of benefits districts or perhaps special purpose bonds financed from the Board of Works where we could get back to a form of taxation on property. We are looking at it and we solicit your ideas on this.

Councilpresident De St. Croix: Have you been discussing this with the Plan Commission?

Gary Kent: Tom Crossman is on the committee and Mary Alice Gray.

Councilmember Towell: I'm concerned about the recent happening at the Board meeting where you had a proposal for rebates for the elderly. I know it came late for this budget. I wonder if any further consideration has been given to that. Is there a way we can do it?

David Rogers: In the area of sewers, the municipality probably has the power to do this, although there may be some question by some users as to whether or not you can. My opinion in the area of water, we probably have no power to make alterations. Any alteration we would propose would have to be approved by the Public Service Commission in the area of water. Proposals for specific statutory authority in the area of Utilities has been considered by a interim legislative committee. I think they put it on the shelf for a while. In the sewer area for, we may have to rest it not on broad social grounds but on the grounds that the less affluent, older user, in the use of their wastewater are putting less of a burden on the system, and justify it in financial, we cannot do it as we would of broad social power that you might in the area of taxation.

Councilmember Zietlow: Is there a possibility of lowering minimum gallonage for billing for water and then having a related...

David Rogers: Not in the water area.

Councilmember Zietlow: Every aspect of the rate...

David Rogers: Every aspect of the rate, indeed as some of the aspects when we come to proposals, the Consumer Bill of Rights even in the water area are governed by the Public Service Commission.

Councilmember Zietlow: Is there consideration by the Utilities Service Board of some requests to the Board, or some way of dealing with this problem.

Mayor Frank McCloskey: In the last couple days, I've asked Steve Richardson and Leo Burke and Gary Kent that I would like a detailed investigation as to the legality of possibilities in this area. It could be that we would have to go to the state legislature seeking specific statutory requirements or allowances. There may be a need to amend the state constitution. It is a very broad, complex and possibly controversial matter of public policies. As a matter of philosophy and sympathy, I would favor it, and I know that Steve Richardson and Leo Burke will try to churn that out and get a detailed answer. In all good charity to my friend David Rogers, I do think it was handled rather quickly and tersely at the Utilities Service Board.

David Rogers: (inaudible)

Mayor Frank McCloskey: I would also note that the CAP proposal went to all elderly users. My policy would be to go to low-income elderly users rather than elderly in the Miller Drive and the elderly in Hoosier Acres getting the same type of benefit. We should get an answer on it early in the year.

Councilpresident De St. Croix: It would seem that with the assistance of the distinguished former state senator who is a Bloomington resident and the fact that our esteemed state representative (inaudible) that we have the backing or potential support of a number of members of the state legislature delegation if it can be worked out. I hope that it can be.

Councilmember Towell: I would have liked it better if CAP had been invited to the meeting, or known it was coming up. That would have been more responsive and that is one of the things I am concerned about.

Councilpresident De St. Croix: Perhaps the Board members can look into that kind of situation for future times.

Councilmember Towell: I move that we adopt Ordinance 75-14 as amended.

Councilmember Zietlow: Second.

Gary Kent: I would suggest that there is one line item under Water, Auxillary Power for the Central Booster Station that I believe we asked for \$80,000. That could be cut as we now have an estimate on the cost and I believe it will be less than \$9,000. I request that that be cut to \$12,000.

Councilmember Zietlow: I move that Appropriation Ordinance be amended to reduce the line item for auxillary power for central booster under Water Utility from \$80,000 to \$12,000. That would give a total in the water office of \$377,300, that is under Depreciation Fund.

Councilmember Towell: Second.

The amendment to reduce Water Utility under Central Booster from \$80,000 to \$12,000 was then passed by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember Mizell: I move that we adopt Appropriation Ordinance 75-14 as amended.

Councilmember Morrison: Second.

Appropriation Ordinance 75-14 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember Fix: I've said several things about the budget. I think the budget is a good budget as a mangement tool for Utilities. I do not think it is a suitable budget to come from a political body who is supposed to be in charge of appropriations. What we need to do is have two forms of budget, one for your management and one to submit to the voters.

Gary Kent: We have been working and we finally have a budget we can work with internally. We have been working so that in the handouts that we gave you in September or October in section 6, pages three four and five indicate something that we do in setting up use cost centers and expense types. We can show under expense types more detail.

Councilpresident De St. Croix: The next item on the agenda is Resolution 75-52. Because the chair cannot make a motion, I would request a motion and that is that we change the order of the agenda to consider Resolution 75-51. Mr. Wray is here for that. He has just recently come out of the hospital. I think it would be appropriate thing to do.

RESOLUTION
75-51
Budget Transfer

Councilmember Zietlow: I move that the agenda be rearranged so that we now consider Resolution 75-51, and that it be introduced and read by the Clerk.

Councilmember Morrison: Second.

The agenda was then amended to introduce Resolution 75-51. The Resolution was then read by Deputy Clerk Connors.

Councilmember Towell: We had a Do Pass on that.

Councilmember Kinzer: Community Resources had a Do Pass. We asked for information for this transfer for Parks and Recreation.

Bill Wilson: (inaudible)

Councilmember Kinzer: Why is there an excess in wages and salaries and a deficit in social security? Seems strange that if salaries didn't come to what would have been expected the social security payments would have been higher.

Bill Wilson: This required...the amount of budget for 1975 in the 62 account which is social security was \$23,635. The lines 11 and 12 for \$434,536. You take the 5.85 of eight would give you \$2,504,20.36. It is about 25.56 short. The payments on social security to this date is amounted to \$25,496.84. Also, through various VP programs, our share, although the salaries are paid by the federal government, we pick up some of the matching funds by paying the social security for this position, which amounted to 6.94. This makes us \$25,056.26 short.

Councilpresident De St. Croix: That will be affected in future budgeting.

Councilmember Zietlow: The committee report from Utilities/Public Facilities met and we had a question on the MVH funds.

Councilmember Kinzer: This had to do with the insurance item. The question was why the additional \$600 there?

Bill Wilson: The policy was increased on this. The entire City policy. This is for properties.

Councilpresident De St. Croix: My understanding is that in the last shuffle of Ordi-

nances that there was a trade-off made with Parks and Recreation to subsidize their budget for the remainder of the year for free skating by not charging them for insurance.

Martha Sims: For part of their insurance.

Councilpresident De St. Croix: We make payments to an insurance agency for properties, we make payments to another agency for personnel and workman's compensation goes into workman's compensation fund. Are all of those lumped together in one sum?

Martha Sims: (inaudible)

Councilpresident De St. Croix: Then there is more money to be paid from Parks and Recreation with the total City's insurance bill than we had thought originally.

Councilmember Kinzer: The question came up practically because the \$600 was the same amount that was subsidized for free skating.

Martha Sims: We suggested that for the \$5,000 deficit that was going to arise from free skating, that the City General Fund pick up part of their insurance. This is, they didn't have enough in their insurance fund to pay even after we got through with that, they still had to put some more money into their insurance fund to pay for the rest of their insurance. Their share was \$10,000. They were lacking \$600 in the remainder of their budget to meet that.

Councilmember Zietlow: There is a related question from the Utilities/Public Facilities. How does the insurance relate to the general insurance picture, the \$3,204 that we are transferring for. Is this in addition to the \$40,000?

Jim Wray: Historically, MVH has not paid all of their insurance. It has come out of the Board of Works. It was decided a couple of months ago that each separate account would pay their own insurance bill. The Controller's Office computed that this would be our share. We had the budget transfer put through for that.

Councilmember Kinzer: We appropriated an additional \$40,000. Now we have to transfer within departments. I am a little shakey on why this is all happening now.

Jim Wray: The \$40,000 you appropriated was for the Board of Works. MVH is user taxes that are given back to the City from the state. This is our share of the insurance cost. This is on our equipment. I request that the MVH transfer line item #11, \$3,040 be transferred to line item #42, Materials. The additional amount is the justification, we didn't have any snow removal and we thought we would. The last two weeks of 1975 are paid out of 1976.

Councilmember Zietlow: I move that Resolution 75-51 be amended under MVH to include a transfer from line item #11, \$3,040 to line item #42, Materials at \$3,040.

Councilmember Kinzer: Second.

Resolution 75-51 was then amended to include an additional \$340 under line item 11 from Salaries and Wages and line item 42, Street Alley and Sewer Materials \$3,040, under Special Funds MVH.

Martha Sims: I have that information. When we got our billing from the insurance agency, it set out so much, \$42,000 for sanitation, \$43,847 for water, and General Fund, \$54,000. That is the reason that we had to ask for an additional \$44,000. We only had \$10,000 in there. Then after we got that billing, each of us had this but none of us looked at it that they had broken it down. When the insurance company broke it down, they put everything into the General Fund, the \$54,000, but under that they broke it down. Parks and Recreation was \$10,792; Rosehill, \$557; Fleet Maintenance, \$714; and Street Department, \$4,917. That is when I billed each of the departments for their share of their insurance. We will not pay for all that insurance from the General Fund.

Councilpresident De St. Croix: These transfers are then sort of a pass through so that we don't drain funds from the General Fund. The Board of Public Works negotiates all the policies and rates for all departments, is that correct?

Martha Sims: There was an insurance committee that had been appointed by the Mayor. That was in 1972. That Board had made the decision for the insurance agent. The Mayor's appointments in 1972 have made the decision for three years. Board of Works did let the contract based on the committee.

Councilmember Kinzer: The \$54,000 that was billed out of General Fund that we had to appropriate the \$40,000 to make up the deficit, actually that deficit was going to be made up from the separate departments feeding into the General Fund.

Martha Sims: Our own part is \$36,812. We are still going to have to pay \$26,000. The original appropriation was too much. The too much stays in the General Fund.

Councilmember Kinzer: I hope the Council has an oversight function in the letting of the next contract.

Councilmember Fix: Why are we taking the insurance from other line items?

Martha Sims: Because they did not have enough appropriated for their insurance.

Resolution 75-51 was then adopted as amended by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember Zietlow: I move that Resolution 75-52 be introduced and read by the Clerk.

RESOLUTION 75-52
Budget Transfer

Councilmember Morrison: Second.

Resolution 75-52 was then read by Deputy Clerk Connors in entirety.

Councilmember Zietlow: I move that Resolution 75-52 be adopted.

Councilmember Kinzer: Second.

Councilpresident De St. Croix: The reason that this had not been considered by Council committee is that Mr. Kent indicated that the Utilities were not sure if they would have to have this transfer. It looked like they were coming down to the end of their budget. I indicated the fact that since the Council is considering their budget that I was certain that the Council would deal with this as a committee of the whole in relation to their budget. I beg Council's indulgence for allowing that, but otherwise their books would not balance for the end of the year and they couldn't make some payments.

Councilmember Zietlow: I would like to ask for some legal advice from the Utilities if this is a legal thing to do. Can we appropriate by Resolution? We are adjusting an appropriation. (tape break)

George Phipps: ...we are not going to need an additional appropriation, just a transfer of some funds from one line to another.

Resolution 75-52 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember Zietlow: I move that Resolution 75-53 be introduced and read by the Clerk.

RESOLUTION 75-53
Budget Transfer

Councilmember Kinzer: Second.

Councilmember Zietlow: I move that Resolution 75-53 be adopted.

Councilmember Kinzer: Second.

Councilmember Zietlow: I want to point out that the Council has \$1,500 left in it's budget, which means that it didn't spend practically anything but it's own salaries.

Councilpresident De St. Croix: This transfer is to purchase a new tape recorder for the taping of Council meetings.

John Komoroske: We have lost one of the meetings, the other one was so unreliable that we had to borrow the Board of Works machine.

Resolution 75-53 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember Zietlow: I move that Resolution 75-50 be introduced and read by the Clerk.

RESOLUTION 75-50
Budget Transfer

Councilmember Mizell: Second.

Resolution 75-50 was then read by Deputy Clerk Connors in entirety.

Councilmember Zietlow: I move that Resolution 75-50 be adopted.

Councilmember Morrison: Second.

Councilmember Towell: The Planning/Community Development has a committee report on this. The amount needs to be amended to \$12,500, it is? Then, Do Pass.

Councilmember Zietlow: We found out what Watershed A was.

Steve Richardson: In NDP 1, there was a study

paid for on the west side improvement. Included in that was a drainage study. Watershed A is the primary affecting 15th and Maple Streets. An area roughly north of 12th Street.

Resolution 75-50 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember Zietlow: I move that Ordinance 75-69 be introduced and read by the Clerk.

ORDINANCE 75-69
Renaming of
Bloomington
Development Comm.

Councilmember Towell: Second.

Ordinance 75-69 was then read by Deputy Clerk Connors by title only.

Councilmember Zietlow: I move that Ordinance 75-69 be adopted.

Councilmember Kinzer: Second.

Councilmember Zietlow: The Economic Development and Employment Committee recommended Do Pass.

Councilmember Towell: This was at the request of the Commission. Everyone thinks of them and refers to them as the Economic Development Commission. Development Commission is misleading so it should be passed.

Ordinance 75-69 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

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

ORDINANCE 75-63
Traffic Amendments

Councilmember Kinzer: Second.

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

Councilmember Zietlow: I move that Ordinance 75-63 be adopted.

Councilmember Towell: Second.

Councilmember Towell: The Planning/Community Development Committee has dealt with this.

Councilmember Morrison: I had a lot of discussion with people on the hill, and I couldn't find anyone who was directly opposed to it. There is enough parking. I recommend Do Pass.

Councilpresident De St. Croix: It is my recollection that at the last Council meeting I raised the question as to whether or not it would be feasible for Hawthorne and Bryan Street, since it is a daytime parking problem that those be signed for No Parking from 6 to 6.

Councilmember Zietlow: I changed my mind, this is an all day, all night problem.

Councilpresident De St. Croix: O.K., Chief Chambers, you are off the hook.

Councilmember Zietlow: For Hawthorne and Bryan this is only pushing the problem on to the next street.

Councilmember Towell: This is a University/City problem that will have to be solved.

Ordinance 75-63 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember Zietlow: I move that Ordinance 75-66 be introduced and read by the Clerk by title only.

ORDINANCE 75-66
Biennial Zoning
Review

Councilmember Mizell: Second.

Ordinance 75-66 was then read by Deputy Clerk Connors by title only.

Councilmember Zietlow: I move that Ordinance 75-66 be adopted.

Councilmember Mizell: Second.

Councilmember Towell: The Committee Report is Do Pass. There are no real changes, except for maybe PUD. We put in what was state law. It effects planning, we wanted to put in that zoning decision can be made because of wanting to give housing to the low income. In the purpose amendment you have with the Ordinance, we found that the definition of Fraternity and Sorority could mean any group that gets together for a common purpose. We made it more particular. We dealt with recreational facilities, such as tennis clubs. The Special Institutional amendment is to deal with, for example, a school being closed, and what can happen to that. If it is used for certain kinds of purposes it will retain the institutional classification. Most of the other things are just straightening things up. We remarked that PUD doesn't do everything that we want done in zoning, finding zoning inducements for rebuilding of inner-city areas. I would propose that all of these amendments be made in one swoop.

Councilmember Mizell: Second.

Councilpresident De St. Croix: Mr. Crossman, this Council in the last year changed the BI zone, it was eliminated, rolled into the BL zone. What are the changes that are allowed under BI that are no longer allowed under BL?

Tom Crossman: In the BL, it allowed an increased number of retail orientated commercial uses; it limited the size of the structure in which those uses would be permitted to 3,000 square feet. It also permitted residential uses to be developed in the BL zone under special conditions. BI uses not allowed are bars, taverns, and restaurants.

Councilpresident De St. Croix: What procedure does the Plan Commission use to notify those owners who had BI that were changed to BL?

Tom Crossman: It was a legal ad in the newspaper and a whole series of public hearings. There was no specific notification to property owners. When there is a general amendment that is the procedure. When you have a specific amendment then all adjacent property owners are notified.

Councilpresident De St. Croix: Could the Plan Commission work out some other way of notification? Very few people take the time to read the legal notices in the paper.

Tom Crossman: I would agree that where we have got general rezoning, perhaps there could be other avenues. Staff would be happy to try to develop that procedure. To make a general rule would be extraordinarily cumbersome. We could transmit the request.

Councilpresident De St. Croix: I'm concerned that just because someone doesn't read a legal notice or subscribe to the Herald Telephone that it could be changed and they would have no knowledge of it. I don't know how we can deal with it. If the Plan Commission could explore alternatives. Also, this does nothing about parking.

Ordinance 75-66 was then amended by a ROLL CALL VOTE of Ayes: 7, Nays: 0 to include all of the suggested amendments.

Councilmember Zietlow: I move that Ordinance 75-66 be adopted as amended.

Councilmember Towell: Second.

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

RESOLUTION 75-46
Rules and Regu-
lations for
Housing Rehabili-
tation

Councilmember Towell: Second.

Councilmember Zietlow: I move that Resolution 75-46 be adopted.

Councilmember Mizell: Second.

Councilmember Towell: The Planning/Community Development Committee had this. Mostly these rules are administrative in nature and set up some requirements for obtaining grants or loans. We felt that those requirements might be somewhat low, but there is not enough money to go around. We feel that the rules are workable and we recommend Do Pass.

Councilmember Kinzer: The portion on date applied is in here?

Pat Patterson: That is in there by error and shouldn't be.

Councilmember Towell: How about if we just consider that struck and go on and adopt.

Councilpresident De St. Croix: Deputy Clerk Connors, that is a housekeeping error.

Councilmember Kinzer: What about the deadlines?

Pat Patterson: I believe we had the sense of the committee on that and we consider that part of what we are submitting, there will be a cut-off date, monthly.

Resolution 75-46 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember Kinzer : I move that Resolution 75-44 be introduced and read by the Clerk.

RESOLUTION 75-44
Utilities Service
Board Consumer
Bill of Rights

Councilmember Zietlow: Second.

Resolution 75-44 was then read in entirety by Deputy Clerk Connors.

Councilmember Zietlow: I move that Resolution 75-44 be adopted.

Councilmember Kinzer: Second.

Councilmember Zietlow: The Utilities/Public Facilities Committee unanimously recommended a Do Pass.

Councilmember Towell: The effect of adopting this would be sending it for consideration to the Utilities Service Board, then it will come back to us.

Councilmember Zietlow: In discussion of the Resolution with members of the Utilities, it was felt that we could see these as possibilities, real possibilities.

George Phipps: The letter that is attached from Gary Kent on behalf of the Utilities Service Board gives support to this Resolution. The Utilities staff has been working on this for some time, the revision of the rules and regulations. We have not reached the point where we will present it to the Board, we hope to do that sometime in January and at the latest in early February, to start it through the process of approval and then be published through the public service to be finalized and published.

Councilpresident De St. Croix: Mr. Paul Zieslow was here earlier representing a Citizen Energy Coalition. I think the Council may have outlasted them. The letter is from Gary Kent. It says on behalf of the Utilities Service Board, the general rules and regulations applicable to service rendered by the Utilities are currently being modernized. The revised rules and regulations are intended to be fair and equitable and consistent with the goals with what is commonly called the "Utility Consumer Bill of Rights", therefore we welcome the Council's interest concern and support on this matter.

Councilmember Zietlow: I'd like to request that the letter be included in the minutes.

Resolution 75-44 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilpresident De St. Croix: Next item on the agenda is Ordinance 75-74.

ORDINANCE 75-74
1976 Salary Ordinance Amendments

Councilmember Zietlow: I move that Ordinance 75-74 be introduced and read by the Clerk by title only.

Councilmember Towell: Second.

Ordinance 75-74 was then read by Deputy Clerk Connors by title only.

Councilmember Zietlow: I move that Ordinance 75-74 be adopted.

Councilmember Towell: Second.

Mayor Frank McCloskey: If I could speak to this very briefly. First of all, as you know, the Ordinance has Mayor's Office Administrative Assistant going to \$14,700. It has been \$14,000. The Department of Human Resources Project Coordinator at \$13,000; the Economic Development Commission Economic Development Coordinator at \$15,000. The previous Program Coordinator position was and is \$12,000; the Department of Parks and Recreation at \$4.14 an hour. In addition to that, first of all I would make suggestions to delete the Department of Parks and Recreation Secretary to the Director and instead include Department of Parks and Recreation Administrative Assistant at \$9,750. I think the final resolution on this matter as just suggested by me primarily comes from the Council to put the Administrative Assistant in a salaried position rather than secretarial per hour. If you go into the history of all these things, it may or may not be necessary. Also, as a matter of comity in relation to the Mayoral Aide increase, I would accept the Council's suggestion that the Attorney/Administrator be \$14,700. If the Plan Commission and the City Planner have requested that their Executive Secretary be paid \$3.75 an hour, I would just say that for numerous reasons I've thought over these suggestions and overall they are very much justified. I would be the last person in the world to deny that this is somewhat of an irregular procedure, but we are bound to do this sort of thing as part of the regular Salary Ordinance (inaudible)...I would hope that the personnel classification study would be done by April 1. This will be the last time that we will have to use such extraordinary procedures. I would also like to get the sense of the Council as to one other suggestion, and I would like to accept the consensus of the Council. I suggest for your discussion and recommendation that we increase the general secretarial rate from \$3.25 to \$3.50 an hour, that would be a maximum for Civil City next year. I think that I would note several things, that would be \$140 a week before deductions. It puts these positions almost in a par with what is being paid now in the Utilities Department. I would also say that when you compare the community, I'm not comparing the administration secretarial pay to other groups in the community, I think overall we do very well, but when you compare general salary and technical positions to secretarial in the administration, I think it is obvious that the secretaries are not overpaid. Our best computations would show that if we did go along with this suggestion that the full year cost would be approximately \$13,500, in exact, \$13,468. I would stress that the \$3.50 would be a maximum. It may (tape break)...in some areas. Again, the grade systems involved,

exact job descriptions, all this come April and the following budget processes will be up for modification. As a matter of equity, I would suggest this again. I would accept the sense of the Council. Thank you.

Councilpresident De St. Croix: Mayor McCloskey, where would the \$13,458 come from?

Mayor McCloskey: I think that would be up to ye old Mayor and the Controller. Quite frankly, it would be tentative on what I could work out with the City Council in January. We want to get going on this right away with transfers and economies, it would be quite possible. In effect, without the approval of the Council after January, we would in effect, be getting into a tentative procedure, a hope, a process tonight rather than a final commitment. If this can be worked out with the help of the Controller's Office and other budgetary people, I would like to do it.

Councilpresident De St. Croix: Then the action of the Council tonight will merely offer an option but will not guarantee its implementation.

Mayor McCloskey: Right. As I understand it, for the same positions, as you know, we could not amend the Salary Ordinance next year without entirely new job designations.

Councilmember Zietlow: Could you just run through the amendments that you've suggested once again.

Councilmember Mizell: I think we have got them.

Councilmember Zietlow: Parks and Recreation Administrative Assistant, \$9,750, is that what you said?

Councilpresident De St. Croix: Yes, and Plan Commission Executive Secretary at \$3.75 per hour. So there are two hourly positions, Executive Secretary at \$3.75 and general secretary at \$3.50. There are two additional administrative positions, Common Council Administrative Attorney par with the Administrative Assistant of the Mayor at \$14,700. Changing the Secretary to the Director from an hourly rate to an annual rate. The hourly rate is \$4.14 an hour, which computes out to \$8,511. The Administrative Assistant position will pay \$9,750.

Mayor McCloskey: The Department of Parks and Recreation Secretary to the Director position would be deleted under this and that would be changed to Administrative Assistant.

Councilmember Mizell: I believe the Executive Secretary was changed from \$3.25 to \$3.75 per hour. That was for the Plan Department itself whereas the secretary from \$3.25 to \$3.50 was throughout Civil City.

Mayor McCloskey: I would also stress again, this puts the secretaries in the Civil City on a parity with most of the secretaries in the Utilities Department. Now we are pretty much starting together on the Personnel classification study, when that comes in.

Councilpresident De St. Croix: Mr. Komoroske, could you suggest a legal statement so that

we have some way that we could say General Secretary that would cover all the other departments. Could you just put "Secretary".

Councilmember Towell: Just whenever you say "Secretary", change the amount to \$3.50.

Councilpresident De St. Croix: That would be legal, John (Komoroske)?

John Komoroske: Yes.

Councilmember Zietlow: I move that Ordinance 75-74 be amended to include an additional category, Common Council Administrative Attorney at \$14,700; Secretary at \$3.50 an hour; Department of Parks and Recreation, delete Secretary to the Director at \$4.14 an hour and add Administrative Assistant at \$9,750; Plan Commission Executive Secretary at \$3.75 an hour.

Councilpresident De St. Croix: All these other positions have a department title above them. My concern, and that is why I asked about the legality of just putting Secretary at \$3.50 without a departmental budget title. Could we put a title to say "All Municipal Departments"? O.K. We had "Secretary" floating in there with no department over it. I just want to make sure that we indicate that that is for all departments.

Councilmember Kinzer: Second.

Steve Richardson: We could go through Ordinance 75-46 and pick out all the positions at \$3.25 and list them.

Councilpresident De St. Croix: Do you think that is necessary, sir?

Steve Richardson: There are a couple that are necessary that are designated such as Deputy Clerk.

Councilpresident De St. Croix: Fine, then perhaps we ought to do that.

Councilmember Towell: It doesn't have to be verbal, does it? Can we....

Councilpresident De St. Croix: Can we have the express intent of the motion, Mr. Richardson and Mr. Komoroske, to indicate that that is the Council's intent?

Steve Richardson: Yes.

Councilpresident De St. Croix: That is the intent of the Council on the motion, correct? Then the motion before the Council is to amend Ordinance 75-74 to include a category of Common Council Administrator/Attorney at \$14,700; change the Secretary to the Director of the Department of Parks and Recreation to Administrative Assistant at \$9,750, deleting Secretary to the Director at \$4.14 an hour to include Plan Department Executive Secretary at \$3.75 an hour and as indicated in the motion, it is the general intent of the Council to include "Secretary" under all other departments where they are listed at \$3.25 an hour, included in that category, Deputy Clerk, which may not specifically be given a designation of secretary.

Ordinance 75-74 was then amended by a ROLL CALL VOTE of Ayes: 7, Nays: 0. Absent: Councilmembers Behen and Davis.

Councilmember Zietlow: I move that Ordinance 75-74 be adopted.

Councilmember Kinzer: Second.

Ordinance 75-74 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0. Absent: Councilmembers Behen and Davis.

Councilpresident De St. Croix: The next item on the agenda is Ordinance 75-75.

ORDINANCE 75-75
1976 CETA Salaries

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

Councilmember Kinzer: Second.

Ordinance 75-75 was then read by Clerk Connors by title only.

Michael Corbett: Are you stating the original version or the revised version?

Councilpresident De St. Croix: I think what we have to do is to introduce the original one by title only, excuse me, we introduced Ordinance 75-75 the first time by title only. Then if we have a motion to introduce 75-75 in total, then we don't have to amend. The mover and seconder agree to the reading of Ordinance 75-75?

Councilmember Zietlow: Yes.

Michael Corbett: In view of the action we took on Ordinance 75-74, it may require further amendments.

Councilpresident De St. Croix: Do you have those prepared?

Michael Corbett: Yes, it would just be an amendment to the secretarial positions again to include the figure of \$3.50 an hour which we included to give us the capability again for these employees.

Councilpresident De St. Croix: There are only two of those positions. Under the Department of Redevelopment and Common Council?

Councilmember Zietlow: And the Deputy Clerk of the Court?

Michael Corbett: Yes, the Deputy Clerk would be included.

Councilpresident De St. Croix: Then that's the recommendation of the Mayor's Office?

Michael Corbett: Yes.

Councilpresident De St. Croix: Could you read that accordingly, Nora (Connors)? Read the revised Ordinance, totally, since we introduced it by title only and under Common Council Secretary, please read \$3.50, Clerk, \$3.50, Department of Redevelopment Secretary of Workable Programs, \$3.50.

Ordinance 75-75 was then read in entirety as amended by Deputy Clerk Connors.

Michael Corbett: Generally, this Ordinance gives six percent increases over 1975 for CETA employees. Where positions are similar to full-time City positions, this Ordinance reflects conformity with the Salary Ordinance that was passed in August. There are one or two positions that are salary positions that we hope to upgrade due to increases in responsibilities and duties; however, I will note that the whole increase is the six percent and the whole Ordinance itself is dependent upon final budgetary estimates that we will be receiving very soon. You should also note that the program is expected to terminate on June 30, 1976.

Martha Sims: The Mail Clerk and Xerox Operator at \$2.65?

Councilpresident De St. Croix: You have nothing to say then, Martha (Sims)? O.K., fine.

Ordinance 75-75 was then adopted by a ROLL CALL VOTE of Ayes: 7, Nays: 0. Absent: Councilmembers Behen and Davis.

Councilmember Zietlow: Resolution 75-43 was tabled at the last meeting and it was the recommendation of the committee that it remain tabled because there has been developments between the Board of Works, Councilman Morrison, the Mayor and Public Service Indiana. We feel that progress has been made.

RESOLUTION 75-43
PSI Street Lights

Councilmember Morrison: I would make the recommendation that Resolution 75-43 remain on the table and let it die a slow death.

Councilmember Zietlow: It did speak to a real problem, I suppose it has been solved.

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

Councilmember Zietlow: Second.

Councilmember Kinzer: What effect does this have?

Councilmember Mizell: It sends it to Mars.

Resolution 75-43 was tabled indefinitely by a ROLL CALL VOTE of Ayes: 7, Nays: 0.

Councilmember Zietlow: I move that Ordinance 75-71 be introduced and read by the Clerk by title only.

ORDINANCE 75-71
First Reading

Councilmember Kinzer: Second.

Ordinance 75-71 was then read by Deputy Clerk Connors by title only.

Councilmember Morrison: I move that Ordinance 75-72 be introduced and read by the Clerk by title only.

ORDINANCE 75-72
First Reading

Councilmember Mizell: Second.

Councilmember Morrison: I move that Ordinance 75-73 be introduced and read by the Clerk by title only.

ORDINANCE 75-73
First Reading

Councilmember Mizell: Second.

Ordinance 75-73 was then read by Deputy Clerk Connors by title only.

Councilmember Towell: I move that the minutes

MINUTES

of June 19, July 17, September 4, September 19,
November 20, December 4, 1975 be approved, and
May 15, subject to corrections by Councilmembers.

Councilmember Morrison: Second.

The minutes were then approved by a unanimous
voice vote.

Councilmember Morrison: I move that we adjourn.

ADJOURNMENT

APPROVE:


Clem J. Blume, President
Bloomington Common Council

ATTEST:


Nora M. Connors, Deputy City Clerk