

In the Council Chambers of the Municipal Building, on Tuesday, March 26, 1974 at 7:30 p.m. with Councilpresident James S. Ackerman presiding.

SPECIAL SESSION
COMMON COUNCIL
CITY OF BLOOMINGTON
INDIANA

Present: Jack Morrison, Richard Behen, Brian De St. Croix, Wayne Fix, Charlotte Zietlow, Alfred Towell, James S. Ackerman

ROLL CALL

Absent: Sherwin Mizell, Hubert Davis

CITY OFFICIALS PRESENT

Francis X. McCloskey, Mayor of the City of Bloomington; Ted Najam, Administrative Assistant; Martha Ellen Sims, City Controller; Tom Crossman, Director of City Planning; Rasoul M. Istrabadi, City Engineer; Archie Walker, Director of Redevelopment; Grace E. Johnson, City Clerk;

About 40 people including members of the press

OTHERS PRESENT

Grace E. Johnson, City Clerk, certified for the record that the absent Councilmembers have been notified of the Special Session of the Common Council.

Councilman De St. Croix moved that Appropriation Ordinance 74-2 be introduced and read by the Clerk. Councilman Behen seconded the motion. The motion was carried by a unanimous voice vote.

Appropriation Ord. 74-2
Kirkwood Mall

Grace E. Johnson, City Clerk, introduced and read Appropriation Ordinance 74-2 in its entirety.

Councilman De St. Croix moved that Appropriation Ordinance 74-2 be adopted. Councilman Morrison seconded the motion.

Councilman De St. Croix moved to amend Appropriation Ordinance 74-2 to read: This will be the new Section II. Provided, however, that the City Controller shall not honor any claims against this appropriation nor disburse any of these appropriated funds until such time as satisfactory evidence is shown that the Kirkwood Area Merchants, either collectively as a group or individually, have made adequate financial assurances that a sum of not less than fifty thousand (\$50,000.00) dollars will be contributed by them to the Kirkwood Mall Project. The present Section II will become Section III. Councilman Morrison seconded the motion.

Councilpresident Ackerman explained that the purpose of this amendment is requiring the Kirkwood Area Merchants to give adequate assurance that \$50,000.00 will be contributed by them to the Kirkwood Mall Project.

Disbursal of funds will be held until such assurances are forthcoming.

Councilman Behen asked if there was to be a deadline in connection with this amendment?

Councilman De St. Croix said that any City funds not spent by December 31, 1974 will revert to the general fund. In order for them to be expended again they would have to be reappropriated.

Mayor McCloskey said that he was not surprised that a stipulation of this sort would be put into the Ordinance. He said that he did not vehemently disagree with this but would hope that this could be interpreted a little more flexibly along the premises of actual construction. Otherwise there could be the problem of engineering, planning consultants, minor alterations and so forth. The City will have to act and plan in the meantime before anything physical happens. It would not involve a lot of money but, the Mayor said he would not want to be paralyzed.

Councilpresident Ackerman said that the project is not being held up until the money is there but, just the assurances that the money will be forthcoming is all that is required.

Councilman De St. Croix asked Mayor McCloskey if he would want a provision in the amendment to allow for funds to be expended to do parking feasibility.

Mayor McCloskey said that they were over due on the engineering feasibility survey that should be done in cooperation with the merchants. This is for the good of the over all area. Some weeks ago Mr. Istrabadi and Mr. Crossman had discussed this with the Council and at that time decided to wait until the appropriation was authorized. The Mayor express a desire that the Council would not bog down planning and engineering expenditures over the next couple of months before the actual construction could begin. They could legally do this out of other money but, they would like to keep it within the economic dimension that they have talked about.

Councilman Towell asked if property owners in the area would be coming up with a separate sum or if they should be included in this amount.

With the consent of his second, Councilman Morrison, Councilman De St. Croix changed his amendment to include Kirkwood Area Merchants, property owners, and professional men.

It was suggested from the floor that the amendment also include interested parties.

With the consent of his second, Councilman De St. Croix asked that the word interested parties also be included in this amendment.

Councilpresident Ackerman said that it is his understanding that they do not even need to include property owners or professional men but, that the amendment would leave the Kirkwood area merchants free to get commitments of funds from any source. That would include interested parties. Councilpresident Ackerman said that they as an association must take the responsibility to secure these funds.

Councilwoman Zietlow asked if the Kirkwood area merchants is an association.

Councilpresident Ackerman said that he was not sure that it was an already existing association, it gives the association responsibility

With the permission of his second Councilman De St. Croix thought it would be more appropriate to use the term professionals as opposed to professional men.

Councilman De St Croix read the amendment as it was proposed:
"Provided, however, that the City Controller shall not honor any claims against this appropriation nor disburse any of these appropriated funds until such time as satisfactory evidence is shown that the Kirkwood Area Merchants, property owners, professionals and other interested parties, either collectively as a group or individually, have made adequate financial assurances that a sum of not less than fifty thousand (\$50,000.00) dollars will be contributed by them to the Kirkwood Mall Project. The present Section II will than become Section III.

Mrs. Mary Baker asked the Council for a list of the contributors.

Councilman Behen said that he would assume that it would be the responsibility of the Kirkwood area merchants to list the contributors. It should be available to the public.

Councilwomen Zietlow asked if the Council could have a legal opinion as to what this amendment would do to the appropriation ordinance. Will the Council still be able to vote on the ordinance this evening if it is amended.

The Mayor said that they had talked with Mr. James Regester, Corporate Counsel, as to any options that the Council may come up with and it is within the power of the Council.

The amendment to Appropriation Ordinance 74-2 was passed by a ROLL CALL VOTE OF AYES 6; NAYS 0.

Councilman De St. Croix moved that Appropriation Ordinance 74-2 be adopted as amended. Councilman Morrison seconded the motion.

Mr. Brian Jones, local business man, asked to know exactly what this extraordinary emergency is that is stated to exist.

Councilwoman Zietlow said that this is simply the official wording according to state statute.

Councilman Towell said that the City has some unappropriated money and the way to appropriate it is to declare an emergency.

Mr. Brian Jones asked the Council what the real total cost of this Mall is going to be? He also wanted to know exactly where the funds are going to come.

Francis X. McCloskey, Mayor of the City of Bloomington, welcomed Mr. Jones to the meeting. It was noted that The Mayor and Mr. Jones were law school friends.

The Mayor felt that Mr. Jones point was well taken and the Mayor wanted to express his concerns to that also. Mayor McCloskey felt that this proposed project is very important to the overall Bloomington community. In some quarters this has been construed as a merchants subsidy which the Mayor did not think was fair. It is part of an overall basic concept of down town revitalization. Since the present administration has been in office they have made a sincere effort to make things better in the downtown core. This is not for businessmen per se but, it is the fact that a community.

is judged, a community is strengthened, a community is enhanced by the quality of the downtown. Basically it will represent how people feel about a community, what is happening in a community, what is the economic and social atmosphere. The Mayor felt that this was particularly true considering the special dynamics of the City of Bloomington where we have a very large University community. The Kirkwood Strip from Walnut to Indiana Avenue is potentially a very dynamic, a very exciting area. It also means a lot to the community historically. It is the connecting link to the square and Indiana University. Such a project could have positive economic and social spillovers to cause more dynamic business innovation, more construction, more renovation throughout that area. It will have a positive social impact of bringing the various cultures in Bloomington together on a more friendly regular dynamic basis. The Mayor felt this to be very important. What the Mayor was asking for tonight was \$100,000.00 in revenue sharing money, \$100,000.00 in cumulative capital. The four and half block project as presently designed calls for an expenditure of about \$225,000.00. It will be a good faith effort on the part of the administration to keep it within those general limits except for one or two exceptions or instances which the Mayor will cite. If the City is going to do something of this scope the Mayor felt that it is important that the people involved should have a positive commitment to it. He did not feel it at all unreasonable of the Council to ask the merchants to come up with \$50,000.00. He felt that would so to speak put the ball back in their court. The other factor is if it is really going to work we should constantly keep working on parking. There have been increased parking spaces in the area under previous proposals. A lot of the parking is down toward the eastern end with a lot at 4th and Dunn scheduled to hold about 60 spaces. That will be surfaced very shortly and short term meters put up. They are in the process of acquiring another lot towards the other end near where the connection is to occur with the NDP Mall and the Kirkwood Mall. If that lot is purchased from either parking meter money or a bond issue. That would add several \$10,000 to the price. That will also be surfaced and metered and it will be a revenue generator for the

City. There are certain other basic renovations and improvements that really have to be done and will be done regardless of whether the Mall ever takes shape or ever goes into effect. Things like basic alley resurfacing, about the fact that this week the City assigned a City employee full time to maintain Kirkwood Avenue streets, gutters, alleys and what not between Walnut Street and Indiana Avenue. Right now this is very important maintenance and a clean up effort is being done under a federal program. There will always be some maintenance cost. There also has to be something done about cleaning out the drainage system. It is basically clogged up now and that should be done whether we have a mall project or not. There are severe drainage problems on Kirkwood. These additional outlays are not really a part of the Kirkwood Mall project but they do not detract from it. The Kirkwood Project has served to focus our attention on other severe problems in the area. The Mayor felt that Mr. Istrabadi has developed very good information regarding the drainage system. Mr. Crossman has excellent information on traffic counts. The other major item that the Mayor stressed was that as good as the original sketch that Mr. Crossman has that is not the final sketch, the final design. The merchants will be consulted all along as they have been consulted. We will do everything possible to tailor every stretch of Kirkwood to their individual needs. We are asking the businessmen to have faith in the community. The Mayor felt that this was a good project but, if it does not go through there are other priorities that the city could invest that money in.

Mr. Brian Jones asked to go on record as opposing this kind of thing on the basis that half of the money does come from federal revenue sharing funds. Which unknown to most citizens cost the tax payer three to four times of what he is getting back. Mr. Jones did not agree with using this kind of money. He was against accepting this kind of money in the first place. Because with federal money always comes federal guidelines, federal controls. As soon as a City deviates from these guidelines the revenue sharing is promptly threaten or in fact taken away. He was not sure as to what kind of social impact this type of project would have. He felt that the citizens of

Bloomington are tired of social impact programs. The basic issue comes down to accountability. The Common Council is going to have to account to the voters in the next election. Mr. Jones felt that many of the voters are fed up and that many of the councilmembers will not return to the Common Council. This was not meant as an insult but strictly as a fact. The time has come for the Common Council to take a more broader perspective of the spending of money in every direction without real consultation with the electorate who put them in office in the first place. Mr. Jones once again said that he stands opposed to this measure.

Councilwomen Zietlow asked Mr. Jones if he had attended the Public Hearings on Revenue Sharing?

Mr. Jones said that he was not there. He had out of town business to attend to during these hearings.

Councilman Behen said that he could do nothing about the bureaucracy that Mr. Jones mentioned. Councilman Behen said that the acceptance of revenue sharing money is not the question tonight and expressed hope that the Council would stick to the discussion of Kirkwood Mall.

Councilman Towell said that the program of revenue sharing is what is suppose to get cities away from grants and federal standards and that sort of thing.

Tom Crossman, Director of the City Planning Department, said he would like to emphasize the concern for the general improvement of downtown Bloomington. They did not want to look at Kirkwood as an entity unto itself and try to divorce it from the center of the city as a whole. Mr. Crossman said that he felt there were two very strong focal points in Bloomington, there is the Court House Square, merchants retail area which is normally thought of as down town Bloomington, we also have the University. Between the two is Kirkwood. Mr. Crossman said that in the last ten years Kirkwood underwent a series of deterioration. There is evidence at the present time that businesses are remodeling, that new business are entering the area. They hope that the mall design, the mall concept will be a catalyst to future development as well as renovations of the existing businesses.

The principle idea of Kirkwood Street is to diminish the amount of automotive traffic flow and to increase the amount of pedestrian flow. In order to do this we have to be concerned with parking, so that we can get the pedestrians out of their cars and out on the streets. However, there is going to be a significant amount of flow between the University area and the central business district. Certainly not all the business along Kirkwood are retail orientated, not all of them are directly concerned with pedestrian traffic. These are some of the problems that we will be taking into consideration. There is no final design right now. Not because we have not done new sketches or revised sketches or thought up schemes to answer some of the questions that various merchants have proposed as concerns but, because we have felt that it would be premature to do any finalized stigmatic prior to the time that we had some preliminary engineering drawings that would tell us such things as where drainage units are presently located and function properly. We may modify the curbs in the streets. In order to do that they need this sort of information before they can come up with any kind of a design.

The overall parking problem will be diminished. There will be a net increase in the available parking in the area. Traffic has been cited as a concern by many. On two different occasions the Planning Department took counts on Kirkwood. The first traffic count was done on a Wednesday as a consequence not valid. They took a week long traffic count at the end of February the first of March of this year. This indicated that the maximum hour for traffic flow was about three to four friday afternoons. The peak value at that hour was 740 vehicles for two way traffic. This is well within the capabilities of the existing streets. It is also well within the capabilities of the modified street with the serpentine design. The Planning Department has also taken traffic counts on 4th and 6th Streets. The existing counts on those streets are extraordinarily low. 4th Street maximum peak being about 270 vehicles per hour, 6th Street having a maximum of 130 vehicles per hour. From all view points the traffic flow problem can very easily be handled within the constraints put upon it by the present streets.

Mr. Rasoul Istrabadi, City Engineer, presented a chart to the Council and said that he was mainly going to talk on the drainage problems.

Mr. Istrabadi explained the color codes on the chart to the audience. Mr. Istrabadi felt that the City would not have to go into an expensive storm drainage construction. The Engineering Department sent their Project Engineer to a very intensive course on traffic for three weeks. His method of analysis and method of traffic study will not only pertain to Kirkwood Mall but, Mr. Istrabadi assured the people that there will be a whole revolution of the traffic study in the entire City. They are going to try to adopt a new traffic analysis to take care of the city traffic.

Mr. Tom McDonald, representing the Monroe County Bank, explained that their thoughts on the matter were as follows: They do not know what the mall will cost. There is no plan. They feel that in a plan of this sort there is a need for both ingress and egress of both vehicular and pedestrian traffic flow and also bicycle traffic, safety for pedestrian, and vehicular movements. The Richmond Mall started with a figure of \$200,000.00 they ended up with over \$200,000.00 per block. Mr. McDonald felt that this mall is going to cost a large percentage of that \$200,000.00 per block figure. He felt that before the city gets into this they ought to know where they are going and how they are going and what is the best way to go about it. If we limit the traffic on Kirkwood then this traffic must go someplace else it must use other access routes. The Planning must not only include Kirkwood but, what is going to happen to the area immediately around the outside of Kirkwood. What are the merchants going to do for loading and unloading. Parking and customer accessibility with the merchants is one of the things that we are looking for. The purpose of this is to diminish automobile traffic and to increase pedestrian flow. For some businesses this is fine. For other business other alternatives must be looked for and hoped for. There is no final design at this time and this is a problem. Are we talking \$200,000 for a planning stage which I hope we aren't. There must be more found out about the area about the businesses located in this area, the different types of businesses and what is necessary to make the area an attractive, viable area. If the people come the merchants will be there. The Monroe County Bank ran a study on traffic on March 21, 1974, March 2, 1974 and March 9, 1974. The number of vehicles that entered the Monroe County Bank lots, the highest was 574 and the lowest was 530 on three separate days. This averaged about three vehicles per minute. Monroe County Bank is concerned about vehicle traffic. Interesting to say on one of those Saturdays the University was on vacation. With the proper planning this could be a very good project. At this point he was hesitant to say this is something that we should go all out for, or perhaps we will find out after it is completed that

this was not the right thing for Kirkwood and something else should have been done instead.

Councilwomen Zietlow asked what the plans were for the alleys.

Mr. Tom Crossman explained that the major use of the alleys from a planning concept is for loading and unloading and business service. We do not intend to use the alleys as traffic ways. Even with the concept it will be necessary to create a resurfacing and a minimal widening. They cannot be placed in a situation where a single truck can stop up the entire alley. This will alleviate some of the problem of trucks loading and unloading on the streets at the present time. The traffic problem created by that sort of problem will be removed to the alleys. These alleys will not be used as major traffic ways. This is not intended to be that way. The traffic counts as they exist will be capable of carrying even in its new design the amount of traffic it is presently carrying. We hope that it will not carry that amount of traffic however. Local traffic with destinations in the area will continue to use Kirkwood and will use 4th and 6th Streets. Through traffic, best estimate is a half to a third of total traffic, should be channelled to Third Street. In the future long range plan calls for further improvements to Third Street and in the vicinity of Indiana and Dunn. We should try to get the through traffic off of Kirkwood. So that traffic with destinations in that area can better utilize Kirkwood and 4th and 5th Street.

Councilman Behen felt that the Richmond Mall cost of \$200,000 per block for improvements was not a realistic comparison for the Kirkwood Mall. Councilman Behen hoped that this would be an eventual ongoing program in all areas of the community. This administration has not used federal revenue sharing money in one specific area it has used it in many areas.

Mr. McDonald said that he made the comparison to Richmond only as far as initial cost was concerned.

Councilman Morrison asked how the City proposed to widen the alleys?

Tom Crossman said that the City has the option to take the alleys up to the legal end of their right of way. Should it be determined that the city needs additional right of way I hope that the City can find ways of acquiring right of ways through dedication or through purchase. In most cases they were talking about minimal additional right of way of two or three feet. In many cases it will be turn out lanes so that there is an area where a second vehicle can get around one that is loading or unloading.

Councilman Morrison asked if this was included in the first phase.

Tom Crossman said that it was not.

Councilman Morrison asked how many phases are there to the plans for the Kirkwood Mall.

Tom Crossman said that as far as the street improvements are concerned we are only talking about one phase.

Mr. Crossman thought that they should consider other factors that should be presented to the community whether or not they proceed with Kirkwood Mall. It would be a mistake to say that because these other things need to be done in the city of Bloomington we should allocate that as part of the parcel of Kirkwood Mall improvement expenses.

Councilman Morrison said that if you take something away you have to put something back. You are taking away the unloading zones, no parking for the service trucks, you have got to put a provision back to service the merchants. If you take away one phase of it you drop it and say your are done with it until we get ready. You have only got the job half done. Councilman Morrison said that if we are going to do it lets do it right.

Mr. Crossman said that improvement in the way of resurfacing and making the alleys more useable is an immediate project. We are not taking this away. If in fact they need widening, need additional improvement, that can be an additional project. Whether or not we do anything on Kirkwood this would be a project that would be necessary for the City. Mr. Crossman did not feel that they should mix the cost and say that this is something that should be allocated as a part of the cost of the Kirkwood Mall Project.

Councilman Morrison asked if this would not tie in with the Kirkwood Project?

Mr. Crossman said that it would not necessarily. If we are talking about using City streets for delivery vehicles what we are doing is at public expense and at tax payers expense providing a loading zone for specific merchants.

Councilman De St. Croix asked Mr. Crossman whether or not the Kirkwood Mall Project becomes a reality is the City of Bloomington going to improve the alley structure in that area yes or no.

The Mayor said that the answer is yes. They have already slightly widened and resurfaced one of the alleys after Mr. Wiley brought it to the cities attention. Sunday they had a conference with the church and regardless of whether this project goes along or not the block encompassing the south side of Kirkwood involving the Trinity Episcopal Church, the vacant lot, the Linnemeier Building, the Dunnkirk Square, that is a disaster as far as drainage and chuck holes go. Whether this project goes ahead or not the City has a responsibility to do that alley and alleys all over the City. It is relating to the Kirkwood Mall but it is the Cities responsibility anyway.

Councilman Morrison asked if there have been made any provisions for overpasses for the pedestrians.

Mayor McCloskey said not at this time and asked Councilman Morrison why would they need over passes.

Councilman Morrison said that a mall is suppose to be pedestrian orientated and not vehicular traffic. If you do succeed in drawing a lot of people there wouldn't it be much safer to have a couple of walk way over passes than to walk across the serpentine street.

Mayor McCloskey said that this is not a mall as you know a mall to be. He felt that they would not get community acceptance of a total mall, total pedestrain no traffic approach. It does accentuate pedestrian traffic and somewhat deminish the flow, the volume and also the speed of auto traffic. We will not have a total pedestrain situation but, the total traffic situation will be slowed down and should by slightly diminished. There should not be any severe safety hazard along this road.

Councilman Behen said that if the Council does not do something to improve the Kirkwood Area now it will just continue to deteriorate. It will become an area that people will prefer to avoid. It is just part of the total improvement that this administration is attempting to do for the overall community.

Dr. Neal Baxter, M.D., He spoke for the project. Felt that anything that can be done for Kirkwood is wonderful. Dr. Baxter felt that some definite estimate should be put forth before you begin construction.

Mayor McCloskey said that they do have definitive information available basically they have \$200,000.00 for the total overall project. The total 4 1/2 blocks would amount to \$225,000.00 plus the parking acquisition. If it is a success they may want to provide additional parking. The parking acquisition will cost several \$10,000.00. That parking acquisition will be a revenue generator. Other related cost, the alleys, resurfacing, drainage improvements, that should be done whether the project passes or not. The other cost would be the full time maintenance person which the City has on the Kirkwood area already. The Mayor did not see anything going to \$300,000.00 or \$350,000.00. One of the reason that this is going to be so economical is that we are not going into an entirely new underground sewage system. The City is capable of improving the one that already exists.

Tom Crossman said that all of their estimates are pretty well within range. Mr. Istrabadi on the engineering developments used an engineering hand book as well as cost that the city has recently incurred in development on 17th Street and 3rd Street. Certainly cost changes almost a day to day basis but they are reasonably certain that they are in the ball park. They have in their planning and shrubbery cost estimated some tree cost ranging from \$150 to \$300. The Planning program that was recently approved by the Board of Works for trees in the down town area discovered that they can purchase sizeable trees for planting for as low as \$50.00. In many regards they were generous in their estimates not overly conservative. Mr. Crossman believed that the project as outlined can be accomplished within the general range of \$250,000.00 that the Mayor has requested.

Councilman Towell said that he has talked to a lot of people concerning the construction of this mall and one person said that at one time they cut down the trees and widened the road and now they want to narrow the road and put the trees back in. He felt that we are not going to have a lot of use for our streets in the future with the energy crisis, not being a crisis but a long term ordeal. People find a street with a lot of traffic on it, they buy some property and start a business there. So we find business scattering out all over the community. Most of those streets there are not sidewalks. So what we have is a community growing with an orientation for people who purely get into automobiles and go here and than go there. Councilman Towell said that this sort of mall would instigate more citizen interaction. Councilman Towell felt that this would create a less planned existence, where you do not have to have a car to participate, where you are not isolated from your fellows as you do a large part of what you community life is that is your commercial life. He has disagreed with Mr. Crossman's approach in explaining the problem without disagreeing with most of his conclusions. That is if something is necessary in the area to make the Mall work Councilman Towell considered that a part of the Kirkwood Mall. Councilman Towell felt that you would have to think of those things as part of the cost. He also felt that this project would definitely cost more than \$250,000.

Councilman Morrison asked if the NDP portion had been approved yet in that area.

Tom Crossman said that it has been approved and that it was the NDP portion that inspired them to continue the Mall concept on into Indiana.

Archie Walker, Director of Redevelopment, said that the NDP project was approved last Spring, it was funded last July. It will be advertised starting next month. Starting in April they will advertise for bids.

Councilpresident Ackerman asked if in the Redevelopment Department if funds that are appropriated are not used within a specific amount of time that they go back into the general fund?

Archie Walker said that this is true. At the end of the program year the amount of unspent funds goes back to the federal government. June the 30th is the end of Redevelopments year. The project does not have to completed by June 30th it just has to be under contract.

Mr. Bob Maxwell, Maxwell Business Machines, said Kirkwood Avenue is a very diversified area that we are talking about. This was the reason that Maxwell Business Machines moved there and they like it very much. They felt very fortunate in having such diversification like excellent Doctors Offices, other equipment firms, Attorney, etc. This is a kind of traffic orientated type of thing. This street has always been a link to the University community and we would like to see it maintained as a link. We are not against beautification of this location as the Mayor has been very receptive and has been very excellant in his program and in his desire to get a mall. We feel that it is not that necessary, based on the letter that I sent each memeber of the council. This is a traffic orientated type of street. If it isn't, no one has said that we can do without it. We do have a traffic problem that no one has answered yet other than saying that it will be a couple of blocks away. This we think is not good for a majority of us. Delivery trucks is a terrible problem on this street. We do not have any rear to park in. There is the library next door which people can park in and they do park in this area. They will block this area and there is nothing that you can do about it. We feel that the area has been beautified to some extent. Since coming there nearly four years ago I see ~~the place im-~~proving not deteriorating. I don't see anybody moving out, try to get a spot on Kirkwood. You can get one next door but it is very high priced. We like it there, we like it the way it is not to say that we cannot have some further chance of beautification on it. I question whether the change is worth the amount of money that is being appropriated there.

Mark Bear, graduate student of the School of Business, he is also confined to a wheel chair, He is definatly in favor of the proposal. He has met with Ted Najam, Stu Reller, and Steve Richmond and they said that this area would be made totally accessible under the Kirkwood Mall plans. Curb ramps will be included at alleys and at intersections which would make this area accessible to the portion of the community that cannot enjoy Kirkwood because it is just to inconvenient for them to go down there to shop. The College Mall is a very popular area for disable people because it is extremely accessible. They also have benches for the elderly and disabled individuals can sit and talk and carry on social interactions. The proposed mall area has benches and trees propose for it. The mall proposal would bring about a

social change because it would bring a growing portion of the community down to this area. These individuals want to be treated like others, they want to be given a chance to associate with others, to shop and to contribute as much as they can. According to the U. S. Health Department figures it has been estimated that 10 to 15% of the United States population has a severe disability.

Mr. Schaefer, Kirkwood Businessman at this time addressed the Council as a Bloomington citizen, spoke against the Kirkwood Mall Proposal by saying that there appears to be only one side of the project presented to the people. Mr. Schaefer said that Kirkwood is an important artery of Bloomington, from the point of Indiana Avenue to the City Hospital it is the most direct point to City Hall, to the Fire Department, to the Police Department, it is the main artery which you are trying to take away. Mr. Schaefer made a personal inspection of the parking situation and said that from his observations that there are certain selfish interest in this project. There are a lot of businessmen who are for this project because they now have a lot of parking, they now have the possibility of making a lot of money. Mr. Schaefer said that Kirkwood is now bringing in a lot of new businesses, they have evidence that it is coming in. Why are they getting these new businesses if this is not a profitable street. This street has not deteriorated to the point that people say it has deteriorated. Kirkwood Mall can not possibly be built for \$200,000 this is only the initial cost. Mr. Schaefer said that he cannot exist in this situation, he will have to move because he needs parking. We have to look at this from a business viewpoint. The College Mall is working because they are looking at it from a business viewpoint. There is very little seating spaces in the College Mall, there is no fancy architure, no fountains, this is purely a business viewpoint to make money. It appears to me that this Kirkwood Mall is putting a red carpet right downtown for the students of Indiana University. We can only afford to support the University up to a certain point. Mr. Schaefer felt that this would create a very hazardous traffic situation. There needs to be more than two lanes of traffic on Kirkwood. Mr. Schaefer hoped to see Kirkwood retained as a business street and not as a loafing project.

Mr. Phil Wible, part owner of the Oxford Shop on Kirkwood, said that he did not come here to debate whether this was a good project or not because he is a firm believer in representative government and felt that the Council would make the right decision. Mr. Wible came to the meeting to support the project. Mr. Wible said that he would like to see a reversal of what has been happening to the downtown area, Kirkwood he considered to be a part of this area. He felt that Kirkwood was the artery to the largest industry in Bloomington to the downtown area. (Indiana University). Mr. Wible felt that this was a step in the right direction. He was prepared to finance this not in a big way but as much as they could afford to.

Mrs. Mary Baker, said that her philosophy was whenever we use public money we should not in anyway harm any citizen. If even one person is harmed by this Mall concept than this is a phony. Mrs. Baker said that she is a firm believer in the free enterprise system. The NDP program is anticipating spending \$275,000 for one and one-half blocks. How can you build the rest for \$200,000?

Mr. Archie Walker said that the figure is \$90,000 per block. (Mr. Walker's voice was not clear on the tape.)

Mrs. Baker said that she heard at a County Zoning meeting that the drainage problem can only be served by providing dirt patches. Mrs. Baker asked for an explanation of what dirt patches referred to.

Mr. Istrabadi said that this did not come from his department and was not sure what was meant by the term dirt patches.

Mrs. Baker said that in order to use revenue sharing money it must meet two criteria which are that it must be an ordinary and necessary expense. Mrs. Baker asked if the revenue sharing funds were going to be used as matching funds with the NDP program?

Councilman De St. Crois said that the NDP monies are being allocated for specific downtown project with boundaries.

Mrs. Baker asked if the paper work was being set up in such a way that this would be legally possible but not morally correct. Mrs. Baker said that she understood that the NDP program was suppose to return \$397,000 back to Washington D.C. she has tried to find out the reason for this and has never been able to find out.

Bobbie Bennett asked where the \$397,000 was coming from and why it was being sent back to Washington D.C.

Mayor McCloskey said that he did not believe that there was anything near \$397,000 being sent back.

Mrs. Baker said that she attended the Redevelopment Commission Meeting and there was a Resolution presented at that last meeting that said \$397,000 was to be forwarded back to the federal government and yet people on Miller Drive have no water.

Mayor McCloskey said that Archie Walker would be back to give the details but assured Mrs. Baker that there was nothing occurring like that.

Mrs. Baker asked if she were to believe that there are some phoney deals about \$397,000. It was presented in resolution form. Mr. Walker was there and Mrs. Baker hoped that this would be brought to the attention of the public.

Mr. John Rhone, political science student, felt that a Kirkwood Mall would provide a strong route from the Indiana University to the downtown and that this would benefit the entire community. Mr. Rhone said that the City Planner is not a political job nor is it a half wit type operation. If there are any technical problems or economic short comings Mr. Rhone felt that Mr. Crossman was very capable to take care of these problems.

Mr. Jones said that he stands where he did when he started he has not heard is questions answered as to what the true cost of all of this is suppose to be. Mr. Jones felt that Mr. Behen should disqualify himself from voting on this issue since his business is directly related to the development that is proposed.

Councilman Behen replied that ex-Councilman Bud Farris should not have had any voice in planting trees around the square. Councilman Behen said that he is a Councilman at large, which means that he represents the entire City. He has a very small business on that street. He felt that he should be regarding the parking problem as some of the people are that are in opposition to this proposal. Councilman Behen could see no reason why a demand like that should be placed upon him. Councilman Behen felt that a retraction on Mr. Jones part was in order.

Mr. Jones felt that no retraction was in Order. He felt that Mr. Farris should have disqualified himself on the basis of conflict of interest. Mr. Jones felt that there was a vast difference in the planting of a few trees and what will wind up in the end to be several million dollars. Mr. Jones felt that the tax payer and the businessman will be picking up the cost if this is a flop or if there are cost over runs, he also felt that those on the Council that votes in favor of this project and if it is a flop should have the guts and the honor to resign. There was a lot of talk about interaction and social change, changing of the life style and choosing of a life style for the City of Bloomington and causing a little more social interaction between people, Mr. Jones felt that was a contradiction. In the countries that were mentioned by Councilman Towell the transportation facilities, through which people can exercise personal choice as to where they are going, simply don't exist. From looking at past action of this Council that as soon as you had that ideal situation where people would congregate than there would be declared an emergency of congestion which would have to be met with another city ordinance.

It was Councilman St. Croix who said that the people in this town want less government and more personal responsibility not the opposite. Mr. Jones felt that was the opposite direction in which this Council has gone.

Councilman Behen responded to Mr. Jones remark that people in elected offices should resign if they are wrong. Councilman Behen said that in government today that there are people in office who have made decisions that there is a great hue and cry that they should resign. Councilman Behen did not see any action in that area yet.

Councilman Towell said that he was referring to Europe and they have quite well developed transportation systems. The number of cars in Paris and Amsterdam is astounding. They also have well developed public transportation systems. You have a much greater choice of going or not going, you do not have to own an automobile to go anywhere.

Mr. Jones said that if a City Council is to decide upon the changing life style of a particular city that that boils down to people control. Mr. Jones did not feel that people were interested in being controlled.

Joanne Beggs, Logos Book Store, urged the City not to put their heads in the sand about progress. The downtown area is running a poor competition to shopping at the Mall. Ms. Beggs felt that they could make this natural traffic area, natural tourist area, natural shopping area into something charming and interesting, unique and right for Bloomington by a comparatively modest investment. If we don't we are going to watch our downtown slip and slide some more. It has happened in other towns and it will happen here.

Councilwomen Zietlow said that one point in favor of the Mall Project is that the community desperately needs some kind of a focal point. If the City goes ahead with the Mall Project it cannot be the only thing they do for the downtown area. Something that extends the function that the Monroe County Library has begun for the community. This is the strongest selling point in terms of why we should have a Mall. Councilwomen Zietlow still has questions as to the total cost. She was reluctant to go ahead without having the total cost but, felt that we should be working towards

the development of a focal point for the community.

Mayor McCloskey said that everyone that runs for public office is held accountable whether he runs again or not. Mayor McCloskey said that however the Council votes he commends them they have put their names on the line in a rather consistent basis. Mayor McCloskey said on the topic of the Miller Drive Area about the \$397,000 given back to the federal government that through the last two years they have spent a lot of time on the Miller Drive Area, will continue to spend time down there. Everyone in this room knows that with the help of Gary Kent with the help of Earl Polley and other people we have finally come to a general understanding as to how we can do things in the Miller Drive Area about the water and sewer. We are all committed to do that. About the money going back that refers to the reallocation of priorities more than a year ago after the Miller Drive did collapse. You can only program and fund so much, the program overall for Bloomington was deminished somewhat. There has been no recent return of any amount of money approaching that. The main concern in the Redevelopment Department is that after July 1, 1974 we will not know if we will have a redevelopment program or not, with the federal funds being cut back. Mayor McCloskey wanted to make it very clear that at no point has this administration turned its back on the Miller Drive Area.

Archie Walker said that it has been pointed out that \$275,000 has been appropriated to do a block and a half of Kirkwood and that is not true. If you will notice Kirkwood sidewalk expansion budget is budgeted for \$90,000. The entire budget for the project is \$273,090 to include parking lot screening, alleys, curb extension, public signage as well as the Kirkwood sidewalk expansion. This is public information. It has been in the department for the last year and a half. It was voted on by the Planning Commission, this Council approved it and sent on to the federal government.

Mayor McCloskey said that this is not a new idea for Kirkwood. Three previous administrations have been talking about similar projects along the Kirkwood Mall. Mayor McCloskey quoted a January 12, 1926 edition of the Herald Telephone "Property owners sign petition requesting modern electric system at the I.U. campus, Want street improvement for visitors will add to the value of real estate" Mayor McCloskey said the article goes on and sounds almost like what we are doing now it is a proposal for a well lighted White Way of churches, business houses, and homes,". Mayor McCloskey said that what we could do tonight is not all that radical and out of keeping with community tradition.

Council president Ackerman asked that it be included into the record that the Council has received a letter from Mr. Herschel McCutchen, President of the Workingmen's Federal Savings and Loan, who was unable to attend tonight but, who is in general opposition to the Kirkwood Mall Project.

Councilwomen Zietlow made the following report as the Chairman of the Council's committee on revenue sharing. The committee held two public hearings in the last month. One for Kirkwood Mall and the other for other revenue sharing projects. The hearing on Kirkwood Mall brought out a lot of the things that were brought out tonight, basically there was some real opposition to the total project. Most of the opposition that night was based on concern about the traffic problems, parking problems, priorities of spending of the revenue sharing money, and what the total cost of the project would be. We have not taken care of many of these considerations. Councilwomen Zietlow was concerned about the total cost of the project. By amending the ordinance we were moving in the right direction to get more funds involved.

The Council has discussed the total revenue sharing proposal and we are going to have to expect to work out ways to deal with cost over runs. In the second hearing the Council heard a number of different projects from the public. The council has met together and discussed all of them such as an Art Center, Health Care, Drug Commission House, sidewalks, animal shelter, bike paths, CAP Program, Day Care, Housing Study, and the Miller Drive water and sewage project. The Council has been working to figure out which projects we are able to do financially. The Council should have a final program to release in several days. Councilwomen Zietlow said that many of the projects that are of concern to the community will be dealt with effectively. There will be money left over to initiate the Kirkwood Mall project.

Councilman Fix said that he had a few misgivings about the Mall Project. One of them was the wording of the appropriation ordinance. All of the appropriation ordinance says funds needed to meet the extraordinary emergencies to exist. How do we measure the success of the Mall. Do you measure by the economic success by raising the tax base of the City we would be making it pay for itself, it is going to create a little bit more effort than what has been shown so far. Some of the parking lots and open spaces along Kirkwood will probably have to go in order to get this extra construction to raise the taxes. Maybe the merchants should think about putting a second storey on these parking lots to increase the parking space. This can be done in a manner keeping with the Mall. Some of these things that it will take to make the Mall a success is going to take more money. Whether this money comes from more revenue sharing or whether it comes from capital improvements, or directly from the tax base the special benefits that derive from having businesses along Kirkwood. Councilman Fix thought that something should be done downtown to attract people, like getting the old library in shape, getting a cultural center, city-county building on the west side of the square, do some things for the downtown and really make it attractive for the people to walk through. If there is going to be improvement with the downtown it has to be a beginning. We should get the downtown set up before we think about a Mall.

Councilman De St. Croix explained his reasoning for offering his amendment to the appropriation ordinance which was:

"Provided, however, that the City Controller shall not honor any claims against this appropriation nor disburse any of these appropriated funds until such time as satisfactory evidence is shown that the Kirkwood Area Merchants, professionals, and other interested parties, either collectively as a group or individually, have made adequate financial assurances that a sum of not less than fifty thousand (\$50,000.00) dollars will be contributed by them to the Kirkwood Mall Project."

The present Section II will become Section III.

Councilman De St. Croix shares the concerns of people that there may be some problem with parking, traffic flow, and in the accessibility of loading and unloading, those are real things and the merchants are going to have to be satisfied that those questions can be answered satisfactorily so that they can function in the Kirkwood area. Councilman De St. Croix recommended to the merchants that that \$50,000.00 not be forthcoming until those questions are answered. Until they do feel comfortable about parking facilities. This puts the responsibility back in the hands of the merchants to show that they are going to have a stake in this project.

Councilman Morrison predicted that the focal point of the Kirkwood Mall will be for the student and the near east side resident. The Southwest, northwest and west will not accept it as a focal point.

Mr. Crossman said that he concurred entirely in principal with Councilman De St. Croix concern for the merchant community providing adequate funds to show their interest and the suggestion that some of the reservations that they have may be resolved before they provide them. Mr. Crossman was afraid that they may be getting into a continuous circle. Because we are going to need some funds to do engineering work that will help us to resolve the problems that are going to be precluded from having the controller release the money for prior to the time the merchants make their allocations. So we end up with a circle with no starting point.

Councilman Fix said that it was his understanding that these funds were available.

Councilpresident Ackerman said that he has decided to vote in support of the Appropriation Ordinance. He said that it was a difficult decision, one of the main things that had to be worked out was that the other priorities for revenue sharing that the council has can be adequately funded. None of the priorities of this Council and this Administration are being sacrificed by going ahead with Kirkwood Mall. Councilpresident Ackerman felt that the Kirkwood Mall Project should go ahead and that this will help to bring back to life the center of the City. This is not the end of the commitment of this administration to the downtown area. Councilpresident Ackerman said that he hoped the City would go ahead with the renovation of the old library and possibly some consideration on the near west side. We will have the kind of mix that will add to the quality of this community.

Appropriation Ordinance 74-2 as amended
was passed by a ROLL CALL VOTE
OF AYES 6; NAYS 1;
Nays: Morrison

The votes were explained as follows:

Councilman Behen voted AYE: Having been asked to abstain Councilman Behen felt compelled to explain his vote. He thought that not voting would have been an absolute cop-out. He said that he is a Councilman at large which is a representative of the total community and he was extremely happy to be a part of the beautification, the improvement of this community and so he voted yes.

Councilman Fix felt that he had already explained his vote. Even though Councilman Fix does have misgivings about this on a priority basis he does feel that they have to start. So Councilman Fix voted YES.

Councilman Towell said that it is a start and that it could be more significant than just \$200,000 worth of investment and so Councilman Towell voted YES.

Councilman De St. Croix moved
that Resolution 74-21 be introduced
and read by the Clerk. Councilman
Morrison seconded the vote. The
motion was carried by a unanimous
voice vote.

Resolution 74-21
Investment of Funds

Grace E. Johnson, City Clerk,
introduced and read Resolution
74-21 in its entirety.

Councilman De St. Croix moved that Resolution 74-21 be adopted. Councilman Behen seconded the motion.

Councilpresident Ackerman asked if these were both 90-day investments and if Mrs. Sims had the interest rate yet.

Martha Ellen Sims, City Controller, said that she would invest them which ever way she could get the most interest.

Resolution 74-21 was passed by a ROLL CALL VOTE OF AYES 7; NAYS 0.

Councilman Behen moved that the meeting adjourn. Councilman Towell seconded the motion.

ADJOURNMENT

Councilpresident Ackerman adjourned the meeting at 10:00 p.m.

James S. Ackerman
James S. Ackerman
President
Bloomington Common Council

ATTEST:

Julaine Thomas
Julaine Thomas, secretary