

In the Council Chambers of the Municipal Building, on Thursday, June 20, 1974 at 7:30 p.m., with Council President Pro Tem Brian De St. Croix presiding.

REGULAR SESSION  
COMMON COUNCIL  
CITY OF BLOOMINGTON,  
INDIANA

Present: Wayne Fix, Charlotte Zietlow, Sherwin Mizell, Alfred Towell, Flo Davis, Richard Behen, James S. Ackerman, Brian De St. Croix.

ROLL CALL

Absent: Jack Morrison

CITY OFFICIALS PRESENT

Martha Ellen Sims, City Controller; James Regester, Corporate Council; Larry Owens, City Attorney; Tom Crossman, City Planner; Archie Walker, Director of Redevelopment; Grace E. Johnson, City Clerk.

About 20 other people including members of the press

OTHERS PRESENT

Councilman Ackerman moved that the minutes of June 6, 1974 be approved as submitted. Councilwoman Davis seconded the motion. The motion was carried by a unanimous voice vote.

Minutes

6/6/74

NONE

MESSAGE FROM THE MAYOR

Councilman Mizell said that he was invited to attend a celebration this afternoon. The celebration was a grand opening. The grand opening was the grand opening of Councilman Mizell's mouth.

MESSAGES FROM COUNCIL-  
MEMBERS

Councilwoman Zietlow announced that the first meeting of the Commission on the Status of Women will be next tuesday evening in the Council Chambers. This will be a momentous occasion which everyone is encouraged to come. On the following day, wednesday, the Governors Commission on the Status of Women is coming to Bloomington and they will hold consortiums starting at 10:00 a.m. from commissions from all over the state. On Wednesday evening starting at 7:30p.m. the Governor's Commission on the Status of Women will hold a public hearing for the whole area on problems concerning the status of women in the area. People in this surrounding region are urged to come to state problems that they might have or even the good things that have happened to them.

Zietlow

Councilman Towell said that he would like to correct a report of his message from the last council meeting. Councilman Towell said that he did not attach the Park Board and had no desire to do so. Councilman Towell said that he approved of the Park Board's decision and was just stating that the council was for free swimming and that the assertion was made that there was no money for free swimming. So if it turns out that there is money for other things Councilman Towell is going to look very hard at those appropriations.

Towell

Councilman Towell is in favor of free swimming and puts it high on his list of priorities.

Councilman Ackerman moved to change the Agenda to exclude the first reading of ordinance 74-45, the second reading of appropriation ordinance 74-9 and the second reading of ordinance 74-36 and moving 74-43 as the second item of scheduled business and the insertion under resolutions of resolution 74-35 and 74-31. Councilwoman Zietlow seconded the motion.

Councilman Mizell said that he was concerned about the deletion of appropriation 74-9.

Councilpresident pro tem De St. Croix said that the Mayor has requested that the Council temporarily delete this from the agenda while the Mayor's office has further discussion with the state to determine exactly how much money the state is going to appropriate for the study before we appropriate the funds. Councilpresident pro tem De St. Croix said that it was his understanding that this would be back on the agenda at the next council meeting.

The motion to change the agenda was carried by a unanimous voice vote.

Councilman Mizell moved that ordinance 74-44 be introduced and read by the Clerk. Councilman Ackerman seconded the motion. The motion was carried by a unanimous voice vote.

Ordinance 74-44  
Annexation of land  
lying in the Windermere  
Addition

Grace E. Johnson, City Clerk, introduced and read Ordinance 74-44 in its entirety.

Councilman Mizell moved that Ordinance 74-46 be introduced and read by the Clerk. Councilman Ackerman seconded the motion. The motion was carried by a unanimous voice vote.

Ordinance 74-46  
Salary Ordinance

Grace E. Johnson, City Clerk, introduced and read Ordinance 74-46 in its entirety.

Councilman Mizell moved that Appropriation Ordinance 74-12 be introduced and read by the Clerk. Councilman Ackerman seconded the motion. The motion was carried by a unanimous voice vote.

App. Ord. 74-12  
Local Road and Street  
Fund

Grace E. Johnson, City Clerk, introduced and read Appropriation Ordinance 74-12 in its entirety.

Councilman Behen said that we certainly do use the words emergency appropriations a lot.

Councilman Ackerman said that it was legal jargon.

Councilwoman Zietlow moved that Ordinance 74-33 be introduced and read by the clerk by title only. Councilman Ackerman seconded the motion. The motion was carried by a unanimous voice vote.

Ordinance 74-33  
Two mile fringe-  
RS-residential single  
family to BA-business  
arterial district

Grace E. Johnson, City Clerk, introduced and read Ordinance 74-33 by title only.

Councilwoman Zietlow moved that Ordinance 74-33 be adopted. Councilman Ackerman seconded the motion.

Councilman Mizell said that the legal description that he would like to have substituted for the legal description that is in the ordinance will change the ordinance so that the zoning be changed from RS to BA just for that portion of the property upon which the construction is to occur.

Councilwoman Zietlow said that this is an ordinance to change the zoning of some property on ARLINGTON Road and Gourley Pike.

Councilman Mizell said that this is the site of Cowden Construction Company. Mr. Cowden wishes to improve the property by enclosing his repair facilities which would obviously improve that property. There was some necessity at the last meeting about rezoning the entire property for an arterial business use rather than just that immediate portion which is required for construction. By substituting this legal description which Mr. Crossman said meets the approval of the petitioner, this would allow the petitioner to construct the facility without changing the zoning of the property which is not going to be involved in that particular section.

Councilman Mizell moved that he would like to amend the ordinance by substituting this legal description which Councilman Mizell asked the clerk to read for the legal description which is in the current ordinance. Councilwoman Davis seconded the motion.

Grace E. Johnson, City Clerk, read the following description. A part of lot number 5 and lot number 6 in block 2, Arlington Place Addition, Bloomington, Indiana, described as follows: Beginning at the Northeast corner of said lot number 6, thence  $S1^{\circ}-00'E$  over and along the East line of lots number 6 and 5 for a distance of 214 feet to a point 14 feet North of the Southeast corner of lot number 5, thence West parallel to the South line of lot number 5 for a distance of 195 feet, thence  $N1^{\circ}-00'W$  parallel to the East line of lots number 5 and 6 for a distance of 214 feet to

the North line of lot number 6, thence East over and along said North line of lot number 6 for a distance of 195 feet to the place of beginning. Containing 0.96 acre, more or less. Subject to a building restriction setback line of 25 feet from the North, East and South property lines of the above described tract.

Councilwoman Zietlow said that this amendment leaves out about 1/4 of the property which was originally proposed for rezoning.

Councilman Mizell said that he was not sure of the entire acreage.

Councilwoman Zietlow said that it was one of the four lots.

Mr. Steve Riggins said that the total lot is four acres and this is .96 of that lot. They just had the back parcel surveyed off where the building is to be constructed. We even made a deed restriction which calls for a mandatory 25 foot set back. So nothing will be built right next to a residential zone.

Councilwoman Zietlow asked if this is acceptable to the petitioner.

Mr. Riggins said yes.

Councilman Behen asked if this presentation that Councilman Mizell is making tonight made before the Plan Commission. When this was brought up at the last council meeting it was brought up that this was passed by the plan commission. No mention was made of the vote and how it went. In Councilman Behen's opinion the council was attempting to do a bit of spot zoning.

Councilman Mizell said that if this is a spot zone it is a smaller spot than the original request was. Either one would have to be considered spot zoning. Councilman Mizell said that the plan commission approved the entire rezoning by a vote of 8 to 1. At the last council meeting there were several questions that were raised concerning the propriety of this type of rezoning. It is entirely in the purview of the council to reduce any petition that comes before it from the plan commission. If the council prefer it can be sent back to the plan commission.

Councilman Behen asked if this suggestion was made to the plan commission.

Mr. Riggins said that the Plan commission voted on the rezoning of the entire tract.

Councilwoman Zietlow said that at the last council meeting this was discussed and decided that this indeed was spot zoning. That this was a reasonable proposal to upgrade the property there and should not be denied. We found a real weakness in the zoning ordinance in dealing with non-conforming use. We find ourselves in a position of having to spot zone in order to have this property updated.

Councilman Mizell said that as is mandated by the ordinance itself we should have a re-exam and re-thinking of this ordinance at least every two years. This is one portion of the ordinance that will have to be re-examined. A sub-committee should study this and make recommendations to the plan commission.

Councilman Towell said that he is opposed to reducing the area that would have this zoning. If it is the logical thing to do for this property than it is logical to do for the entire tract.

Councilwoman Zietlow said that there is no possibility for logic to prevail here within the scope of the present zoning ordinance. This is a practical solution perhaps.

Councilman Towell said that spot zoning is not only improper but probably illegal. It is hard to justify having one property a certain zoning and all of the surrounding property and near-by property not have it.

Councilpresident pro tem De St. Croix said that at the last council meeting Councilpresident Ackerman appointed a sub-committee comprised of Councilwoman Zietlow, Councilman Mizell and Councilman Fix to look into the issue. The resolution of that sub-committee was to opt at this time for the reduction of the BA zone to the amendment here and that committee will be meeting further with the plan commission staff to look at the question not only as it regards this property but also to the question as it came up on another ordinance that same evening regarding BL zone. They are to take a hard look at the commercial aspect of the zone ordinance to determine if the zones as now constructed are adequate and how to deal with questions of non-conforming uses as they relate to commercial zones.

Councilman Mizell said that the problem is an individual who would like to improve his property but also in the larger sense the original petition requested an arterial business zone

which is the highest category of business zoning, in an area which is not now currently served by sewer nor are there plans for the immediate provision of sewer in the area. Once the entire parcel of land is given the arterial business classification you are into another legal grey area whether or not someone has the legitimate right to request the construction of a business which would normally be served by sewer on a piece of property which has the proper zoning but has no sewer nor are there any plans for sewer.

Councilman Behen said that if you restrict the adjacent area what are you accomplishing from a sewage stand point.

Councilman Fix said that this is an area that something should be done in it. Everything should be brought up to date. This amendment does satisfy the petitioner and that should be the limit of our discussion right now and we will look at what can be done with the rest of the area as we go along.

Councilman Mizell said that this amendment does satisfy the petitioner but this did bring up a lot of problems with the zoning ordinance and the Council through their sub-committee intends to solve some of these problems.

Councilwoman Zietlow said that for this particular use there would be no sewer for sewage.

Mr. Riggins said that is correct.

The amendment was passed by a ROLL CALL VOTE OF AYES 6; Nays 2; Nays: Behen, Towell

Councilwoman Zietlow moved that ordinance 74-33 be approved as amended. Councilman Ackerman seconded the motion.

Councilman Towell pointed out that the council was about to leave two commercial properties in the non-conforming use status while we are changing the status of another business. It seemed to Councilman Towell that that was very inappropriate. However, Councilman Towell did feel that the particular improvement is desirable.

Councilman Fix said that his voting on this ordinance is based on the fact that the Council is going to do something about that area.

Ordinance 74-33 passed by a  
ROLL CALL VOTE OF AYES 8; NAYS 0.

Councilwoman Zietlow moved that  
Resolution 74-34 be introduced and  
read by the Clerk. Councilman  
Ackerman seconded the motion.  
The motion was carried by a unanimous  
voice vote.

Resolution 74-34  
Youth Employment  
Program

Grace E. Johnson, City Clerk,  
introduced and read Resolution  
74-34 in its entirety.

Councilwoman Zietlow moved that  
Resolution 74-34 be adopted.  
Councilman Mizell seconded the  
motion.

Mr. Archie Walker, Director of  
Redevelopment, said that the  
passage of this resolution and  
Salary Ordinance 74-43 will allow  
us to go ahead with our summer  
youth program. In the past we have  
funded the program by using federal  
funds from the NDP program. We have  
asked that the Council consider allowing  
us to fund the program out of general  
city funds for the redevelopment department.  
The program has been tremendously  
successful in the past. Last year  
we employed 15 youth and a full time  
supervisor. The program was just  
a fantastic operation. The supervisor  
did a great job unfortunately he will  
not be available this year it is Mr.  
Mike Walsh who is a school teacher with  
the school corporation here. This year  
we would be bringing our total to  
25 youth.

Councilwoman Zietlow said that she  
does not understand that the money  
will be coming from the city general  
fund.

Mr. Walker said that we have salaries  
from general fund money that we have  
not used as of yet.

Councilwoman Zietlow asked where the  
general fund money comes from.

Mr. Walker said that on the federal  
program we operate on a fiscal year  
of July 1 to June 30th. We had planned  
and submitted a 1974 city budget in  
anticipation of the program ending  
June 30th. We have asked that the City  
be responsible for our money in terms  
of salaries and what not for the other  
six months to the balance of the calendar  
year.

Councilman Towell asked how much  
was needed for this program

Mr. Walker said approximately 7,000.

Councilwoman Zietlow said that it has been brought to her attention that you refer to employing boys.

Mr. Walker said that reference is made to the program in the past and we have only had boys in the program.

Councilpresident pro tem De St. Croix asked if they intend to hire young men and women for this program.

Mr. Walker said yes.

Resolution 74-34 was carried by a ROLL CALL VOTE OF AYES 8; NAYS 0.

Councilwoman Zietlow moved that ordinance 74-43 be introduced and read by the Clerk by title only. Councilman Mizell seconded the motion. The motion was carried by a unanimous voice vote.

Ordinance 74-43  
Salary Ordinance

Grace E. Johnson, City Clerk, introduced and read Ordinance 74-43 by title only.

Councilwoman Zietlow moved that Ordinance 74-43 be adopted. Councilman Ackerman seconded the motion.

Councilman De St. Croix said that this ordinance set the salaries for the program that we just discussed. It also allows for the temporary employ of maintenance men for the Board of Works.

Ordinance 74-43 was passed by a ROLL CALL VOTE OF AYES 8; NAYS 0.

Councilwoman Zietlow moved that Appropriation Ord. 74-11 be introduced and read by the Clerk by title only. Councilman Ackerman seconded the motion. The motion was carried by a unanimous voice vote.

App. Ordinance 74-11  
Day Care

Grace E. Johnson, City Clerk, introduced and read App. Ordinance 74-11 by title only.

Councilwoman Zietlow moved that App. Ordinance 74-11 be adopted. Councilman Ackerman seconded the motion.

Rev. White explained the hopes and expectations for the Christian Center Day Care Program which is sponsored by the Monroe County United Ministeries. We have come up with a proposal to build a unit adjacent to our present Christian Day Care Center property that will cost approximately \$140,000 plus a \$60,000 fund for operational expenses over a five year period. We hope that this building will enable us to double the capacity of our present day care program from 30 children to 60 and related services to their families. We would hope to extend certain health services to them and to work to fulfill other needs which those families might have.



We also hope that this expansion will enable us to take care of the after school child. We are working very closely with the Park and Recreation Department and the Dyer gym program to extend their work. With recent developments we hope to extend a dental care program.

Councilwoman Zietlow said that this day care program is a combination of studies that this Council did. For instance our Man Power Task Force did study the day care situation in the area. They came up with the facts that there is a great need for more day care facilities in the area. The recommendation of the 4 C's who has studied this project is that they strongly support the Day Care Center because it would be the continuation of expansion of what has already been a successful program in the past.

Martha Sims, City Controller, asked Rev. White a question. I was not able to transcribe this part because it was not clear on the tape.

Rev. White said that we are enabled through this contribution to move ahead in using other funds that might have been used for other program purposes through foundation grants. We hope to be in touch with industries in the City we are however, taking grant proposals to other agencies for instance Catholic Charities we are also taking request to several foundations one of which is Elli Lilly.

Councilman Behen said that he views the day care center to be a blessing for low income families where a break down of the family structure might occur. This seems to me to be an avenue for divorce to crop up and thereby destroy families if the women knows that these facilities are available. Because of these strong convictions that I have is one reason why I will not vote for this appropriation.

Rev. White said that presently 2/3 of the people using our day care facilities are single parent families. This is not a matter of destroying the family it is a matter of economic necessity for the single parent family. It is also a factor that when income is low in a family that there is a destructive force at work there and with good employment and good child care provided that actually what we do is instead of destroying the family we strengthen it.

Councilwoman Zietlow said that a clean well run day care fills the need that is there already and which is sometimes filled by inadequate day care. There is a high incidence of child abuse among non-license baby sitters. The cost of

baby sitting is to high it runs to 25% of the workers income. This day care center is based on a graduated scale this presents an option for good day care for those who need it.

Councilman Mizell said that the information that he received from the Man Power Task Force says that what the Council would be doing is satisfying a need that does exist and has existed for a long time rather than produce a need.

Councilman Ackerman said that when the Council got together to discuss revenue sharing money that they decided that it would benefit the community to expand the Christian Day Care Center rather than starting from scratch and that the City was making the most of the little money that they had because the Christian Day Care was so well thought out and included a bus system to pick up children from other parts of the City.

Appropriation Ordinance 74-11 was passed by a ROLL CALL VOTE OF AYES 7; NAYS 1; Nays: Behen

Councilwoman Davis explained her vote by saying that as a working mother who supports her family by working I vote yes .

Councilman Mizell moved that Ordinance 74-41 be introduced and read by the Clerk by title only. Councilwoman Zietlow seconded the motion. The motion was carried by a unanimous voice vote.

Ordinance 74-41  
BL Business to RS  
Residential

Grace E. Johnson, City Clerk, introduced and read Ordinance 74-41 by title only.

Councilman Mizell moved that Ordinance 74-41 be adopted. Councilwoman Zietlow seconded the motion.

Councilman Mizell said that this concerns property along the west side of south Rogers Street just below First Street. This stems from a petition which originated within the Plan Commission itself in response from request from the residents who found themselves living in a BL zone but determined to maintain their homes and improve their homes and not to reuse their residential property in a business sense. They are committed to the preservation to this particular neighborhood and request that the Plan Commission undertake to rezone their property to reflect this residential use.

Councilman De St. Croix requested that Mr. Crossman point this area out on the map for the Council.

Mr. Crossman showed the area on the map. He explained that there was a petition before the Plan Commission to rezone two small lots from residential to BL on the basic assumption that we had made a mistake in the original zoning ordinance. On investigation the Plan Commission agreed that we had made a mistake but that mistake was not in having left out the two lots that were originally in question in the BL zone but in fact having included a number of lots that were currently being used for single family purposes within that same BL zone. The commission requested an examination by the staff for the entire BL property on South Rogers in the areas immediately south of Bloomington Hospital. On examination we found that the majority of the land uses were as the residents depicted them that the property was primarily being used for residential purposes on the west side of Rogers. On the east side of Rogers there were a few businesses that were in existence and there were some multiple dwelling residential units in that area. The recommendation is that the properties along South Rogers to the west of Rogers Street be zoned from B1 to RS that the properties on the east side of Rogers down to lot 20 be retained in the BL district and that the balance of the B1 zone on the east side be changed to RM.

Ordinance 74-41 was carried by a ROLL CALL VOTE OF AYES 7; NAYS 0; One abstention: Behen.

Councilwoman Zietlow moved that Ordinance 74-42 be introduced and read by the Clerk by title only. Councilman Ackerman seconded the motion. The motion was carried by a unanimous voice vote.

Ordinance 74-42  
Annexation

Grace E. Johnson, City Clerk, introduced and read Ordinance 74-42 by title only.

Councilwoman Zietlow moved that Ordinance 74-42 be adopted. Councilman Ackerman seconded the motion.

Mr. Register, Corporate Counsel, said that if this ordinance is passed it would annex all of the land north of Highway 45. Mr. Register explained in detail the land that this Ordinance was to annex.

Ordinance 74-42 was passed by a ROLL CALL VOTE OF AYES 8; NAYS 0.

Councilman Ackerman moved that Resolution 74-35 be introduced and read by the Clerk. Councilwoman Zietlow seconded the motion. The motion was carried by a unanimous voice vote.

Resolution 74-35  
Freedom Festival

Grace E. Johnson, City Clerk,  
introduced and read Resolution 74-35  
in its entirety.

Councilwoman Zietlow moved that  
Resolution 74-35 be adopted.  
Councilman Ackerman seconded the motion.

Councilman De St. Croix said that to  
the best of his knowledge there are  
several activities ranging from the  
coordination of the annual parade and  
review and speeches, fire works activities,  
the Merle Hagard concert, street dance,  
includes local artists.

Resolution 74-35 was passed by a  
ROLL CALL VOTE OF AYES 8; NAYS 0.

Councilman De St. Croix read a letter  
from the Bloomington Chamber of Commerce  
which will be included in the minutes on  
the following page.

Councilman De St. Croix said that he  
is presiding at the next few meeting  
because Councilpresident Ackerman is  
involved in a Bible institute for the  
next few weeks.

Councilman Ackerman moved that  
Resolution 74-31 be introduced and  
read by the Clerk. Councilwoman  
Zietlow seconded the motion. The  
motion was carried by a unanimous voice  
vote.

Resolution 74-31  
Housing

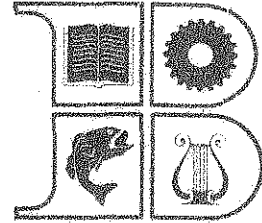
Grace E. Johnson, City Clerk, introduced  
and read Resolution 74-31 in its  
entirety.

Councilman Ackerman moved that Resolution  
74-31 be approved. Councilman Towell  
seconded the motion.

Councilman Towell said that he has  
mixed feeling about this resolution  
not for what it will accomplish that  
is obtain 150 low cost units for  
Bloomington Residents. I do have  
problems with the way it was brought  
to us, the kind of knowledge and  
information that stands behind it and  
general the stance of the housing  
authority with respect to the City.  
Councilman Towell said that he  
attended a number of the housing  
authority meetings. One of the  
things they did was issue an annual  
report and since then they have issued  
the same kinds of statements. They said  
that they had made a study of the needs  
for low income housing in the City.  
When I looked into it more deeply they  
knew how many people were on the waiting  
list for public housing in the City and  
that was their study of needs for low  
income housing in the City. At the  
time I tried to find out the relationship  
between the Redevelopment Department and  
the Housing Authority the truth of the  
matter was that that the Redevelopment

COMMUNITY OF DIMENSIONS

GREATER  
BLOOMINGTON  
CHAMBER OF  
COMMERCE, INC.



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

June 18, 1974

Mr. James Ackerman, President  
City of Bloomington Common Council  
City Hall  
Bloomington, Indiana 47401

Dear President Ackerman:

At the meeting of the Common Council on June 6, 1974, you were requested to read a statement from Councilman Sherwin Mizell concerning some statements made by individuals at a Plan Commission meeting held on Tuesday, June 4. It is our understanding that Councilman Mizell was not present at the June 4 meeting therefore his statement must have been based on press reports or reports of others who were present at the meeting. A copy of his statement has been received by us from the Council aide's office.

The Greater Bloomington Chamber of Commerce, as an official position, has never raised any questions concerning the professional qualifications of the City Plan Department staff.

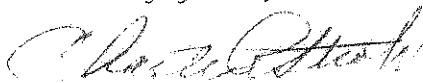
While an individual who is a member of the Chamber of Commerce may have raised the question, according to press reports, the question was raised by that individual and not by the Greater Bloomington Chamber of Commerce. This would be the same as an individual member of the Common Council making a statement which would not necessarily reflect the position of the Council as a whole. Positions of the Chamber are made only after consideration by the Board of Directors. Positions are made public either in written form or by designated spokesmen for the Chamber - usually the President, the Chairman of a Chamber Council, or the Executive Vice President. In all cases these are noted as being the position of the Chamber.

In the Chamber's statement presented to the Plan Commission on June 4 there is no mention concerning the qualifications of the Plan Department staff, and no other statements at that meeting can or should be construed as an official position of the Chamber.

At our Board of Directors meeting of June 10, our Directors instructed that a letter of explanation be sent to you with the request that our letter be read and made a part of the official minutes of the Common Council meeting.

We hope that this explanation will answer the question raised by Councilman Mizell's statement.

Sincerely yours,



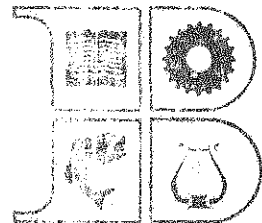
Charles R. Stroh, CCE  
Executive Vice President

Enc: Copy of June 4 Statement

CRS:jsj

COMMUNITY OF DIMENSIONS

GREATER  
BLOOMINGTON  
CHAMBER OF  
COMMERCE, INC.



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

June 4, 1974

The Greater Bloomington Chamber of Commerce Board of Directors, representing over 600 businesses and professional people, after studying the existing ordinance, passed in 1971, unanimously voted to oppose "the Proposed Amendments to the Sign Provisions of the Zoning Ordinance of the City of Bloomington, Indiana, dated April 1974".

The passing of this ordinance will cause grievous and as yet undetermined economic loss and harm to the majority of the businesses in the Greater Bloomington area.

The Board of Directors

Greater Bloomington Chamber of Commerce

Dept. developed programs and housing was administer, rent collected and the up keep done through the housing authority. Later when we were in some serious investigation of what resources the city had to solve housing problems we discovered that lots of sections of government especially national were using tax free bonds to finance housing projects of various kinds and we wondered if this could be done at the local level. We were very surprised to find that the State of Indiana had delegated provision for housing to local units of government. There were three units of government that Bloomington could use to work on housing needs programs and they were the housing authority, Redevelopment, and an Economic Development Commission. It seems to me that the housing authority has been doing only part of its job namely administering existing housing in federal programs. In fact the state has set up the housing authority to provide for other housing needs. I would say that the Housing Authority has been neglecting most of its responsibility. The housing authority is to bring their projects to the city council for approval. That is the background for having this resolution coming to the council on the night of the evening. It seems to me that it was ill considered to bring this resolution to the council without relating to other studies of housing needs that other programs might have.

Council takes a five minute break.

Councilman De St. Croix said that we have a petition or communication regarding Sully's Oaken Bucket. It has been requested that the Council approve of the fact that Sully's be considered by the Alcoholics Beverage Commission requiring that they meet the requirements to receive a Sunday Three-way Liquor permit.

PETITIONS AND  
COMMUNICATIONS

Councilwoman Zietlow said that up to this point that petitions like this the policy was to just approve.

Councilman De St. Croix said that councilmembers will sign the letter and it will be sent on to the Indiana Alcoholics Beverage Commission.

RETURNING TO THE DISCUSSION ON  
RESOLUTION 74-31.

Councilman Towell said that he was not against the Resolution. The only reason that there has been any delay on this was an attempt to get the housing authority people together with other people in the city who were concerned about the same problem



to discuss some consideration of the priorities that this might serve that has not happened. It goes back before this resolution in fact. Councilman Towell reported to the Council about the powers of the housing authority with dealing with housing problems. As a next step we all agreed that we should try to get the housing authority and the redevelopment commission together for a discussion of this that meeting was never held because the housing authority never had time. They were the ones who were not willing to meet with the others. Two meetings ago they suddenly appeared with this resolution. Since this program represents one of the major possible sources of help for this problem in the city of Bloomington we felt that ought to be considered somewhat before we proceeded. You recall we tabled consideration of this. The ideas was to have a meeting and they said that they would have a meeting with us. The only meetings that have happened are communications between staff. The housing authority director took an application to HUD and did not know he was doing it until he did it. He insisted that he did not need this resolution. Well, on two accounts he needed it. First, Indiana State Law says that acts of the housing authority come through the council. Secondly, HUD insisted and he was simply wrong about not needing our participation. I point out the incident as an indication of an attitude. If there was a way to avoid any communication with the rest of the City there would be an attempt to do so. Since that time the director has not been willing to meet with us without the participation of Rev. Butler who is the head of the authority. And he was out of town. Today at about 5:00 p.m. a call came to my house saying that we needed to have that meeting before the resolution is submitted tonight. I say that that is not an appropriate way to have a discussion of this sort which is required. We are not in a position of having any cooperation with the housing authority and the rest of the City and that that responsibility rest with the housing authority.

Councilman De St. Croix said that the request for the meeting tonight was initiated after Councilman De St. Croix had an opportunity to meet with the Mayor and the Mayor expressed serious concern on his part that the resolution come before the council this evening. If the Council does not adopt this resolution this evening than the city's application will be placed at the bottom of the list.

and than there would be a very strong possibility that the poor people of this community would be penalize because of the ineptness the insensitivity and the inadequate actions of Wilbur Miller and company.

Councilwoman Zietlow said that this is the only program available under federal funds at this time. It should be a matter of great concern to this City that it be cordinated and run in the most effective way possible. What worries me about this application and the way it was brought about is that we won't get a very good program out of it. I strongly endorse the idea of section 23 leasing program however, I am really concerned about even passing this right now because of the possible bad implication for the future of the program. I am questioning the competency of the staff. I wonder if we can expect a good program out of this.

Councilman De St. Croix said that the question before the Council is if the ineptitude of one individual or perhaps more than one individual ought to penalize the very important housing needs of low income people in this community. If that is the decision we cannot penalize people who are not at fault. We do need low income housing and that it is this council's and this administration's and the housing authority board responsibility to see that they carry this program out and if they don't we should not provide them with the authority they need.

Councilman De St. Croix said that members of this council have repeatedly tried to set up some kind of lines of communication and no response.

A member of the audience spoke on behalf of the Housing Board. She was not speaking into the microphone so I was not able to transcribe what she said.

Resolution 74-31 was passed by a ROLL CALL VOTE OF AYES 8; NAYS 0.

Mr. Regester said that members of this council repealed an ordinance that attempted to annex a great area to the city. Than an effort was made to try the Webb Case and the sectional judge held against the Webb's and an appeal was taken before the Indiana Court of Appeals and his decision was affirmed. Than a petition was filed for a rehearing and that was denied. After a petition to transfer that on June 18th the Supreme Court of Indiana denied that petition to transfer and that is the end of that case.

Councilman Fix said that three members have been nominated to the Environmental Conservation Quality Commission: Mr. Richard P. Darby a native of Bloomington and now a member of the law firm Colman, Darby and Lowenthal. Mr. Robert Firenze is a director of a consultant firm by his name and a member of the US Department of Labor a CSP. The third member is Richard Steven Peoples he is a member of the Chemistry Lab. Councilman Fix moved that these nominees be approved. Councilman Ackerman seconded the motion.

Councilwoman Zietlow asked if there is any problem of one of these people being an employee of the City.

Councilman Fix said that he did not know if there was a problem with the ordinance but there could be a problem of the intent of having commissions.

Councilman De St. Croix said that he does bring a background and a set of skills that the commission could use. He has a masters degree in zoology and is chief chemist in the city's environmental protection laboratory.

The motion was carried by a unanimous voice vote.

- |  |  |
|--|--|
| NONE   | REPORTS FROM OFFICIAL BOARDS AND COMMISSIONS     |
| NONE   | REPORTS FROM STANDING COMMITTEES                 |
| NONE   | REPORTS FROM SPECIAL COMMITTEES                  |
| NONE   | REPORTS FROM CITY OFFICIALS AND DEPARTMENT HEADS |
| NONE   | OTHER NEW BUSINESS                               |
| NONE   | UNFINISHED AND MISCELLANEOUS BUSINESS            |
| NONE   | EXAMINATION OF CLAIMS                            |
| Councilman Ackerman moved that the meeting be adjourned. | ADJOURNMENT                                      |

Councilpresident pro tem De St. Croix adjourned the meeting at 9:30 p.m.

*James S. Ackerman*  
 \_\_\_\_\_  
 James S. Ackerman, Councilpresident

ATTEST:  
*Julaine Thomas*  
 \_\_\_\_\_  
 Julaine Thomas, Deputy City Clerk