

In the Council Chambers of the Municipal Building, on Thursday, July 18, 1974, at 7:30 p.m., with Councilpresident Ackerman presiding.

REGULAR SESSION  
COMMON COUNCIL  
CITY OF BLOOMINGTON  
INDIANA

Present: Wayne Fix, Charlotte Zietlow, Alfred Towell, Flo Davis, Richard Behen, Jack Morrison, Brian De St. Croix, Jim Ackerman.

ROLL CALL

Absent: Sherwin Mizell

CITY OFFICIALS PRESENT

Ted Najam, Administrative Assistant; Tim Hodenfield, Aide to the Board of Works; Archie Walker, Director of Redevelopment; Larry Owens, City Attorney, James Regester, Corporate Counsel; Richard Gose, Chief of the Fire Department; Grace Johnson, City Clerk.

About 19 other people including members of the press.

OTHERS PRESENT

Councilman De St. Croix moved that the minutes to the July 3 and June 20 meetings be accepted as submitted. Councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote.

minutes

6/20/74, 7/3/74

Mary Baker asked about the minutes to the July 8, 1974 meeting.

Councilman De St. Croix said that Mrs. Baker was referring to the Public Hearing held on July 8, 1974. That was not a meeting of the Common Council which was pointed out at least three times during that meeting

Mrs. Baker said that hearing was legally advertised on the 4th and the 11th of June that there was to be a public hearing on mass transit on July 8th. This meeting was legally advertised. Only three councilmembers showed up the 4th one came in late and there was no roll call. This was a public hearing, 70 people appeared and only four councilmembers showed up.

Councilpresident Ackerman ruled Mrs. Baker out of order. A public hearing is not the same thing as an official council meeting.

NONE

MESSAGE FROM THE MAYOR

Councilwoman Zietlow said that she would like to follow up on something that happened at the last meeting and also describe something that happened yesterday. The Noble Roman Pizza thing, to bring us up to date on that. There was a large meeting on the following saturday after the meeting of July 3rd. They reached a stand off I would say.

MESSAGES FROM COUNCILMEMBERS

I sent into the Mayor a long list of suggestions and so forth, a specific list of procedures and there was some investigation done of the procedures of the processing of the site plan approval and the building permit granting procedure. A few steps have been taken to prevent, hopefully, some of the problems that arose over the Noble Romans Pizza issue. All building permits will be advertised in the newspaper. All petitions when they arrive will be stamped, dated and put into a special place. All letters are to be answered and there will be a full-time zoning coordinator dealing with applications, site plan approval applications. I think that all of these measures will help to prevent what happen over noble roman's pizza. The Green Acres Association is proceeding with an appeal to the Board of Zoning Appeals. At least some of the procedural problems are on there way to being dealt with. Secondly, the Woman's Commission which had its first meeting three weeks ago held a hearing last night. Somehow they managed to get organized. It was a number of work pannels of experts and the subject was rape. I think that it was a very interesting and productive meeting. There was a representative of all law enforcement agencies here, representatives of the Bloomington Hospital, the Student Health Center and the Women's Center. The various groups agreed to get together and hold work shops on rape counseling. The Women's Commission was pleased that they got some results, it was well attended. They deserve a commendation for being able to pull a thing like that off after only three weeks.

Councilman Fix moved that Ordinance 74-50 be introduced and read by the clerk by title only. Councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote.

Ordinance 74-50  
Amending the zoning  
maps (Hinkle Mobile Park)

Grace E. Johnson, City Clerk,  
introduced and read Ordinance  
74-50 by title only.

Mr. Stu Reller explained that this is for the purpose of developing a mobile home park on South Rogers

Councilpresident Ackerman said that we even have a petition.

Councilman Behen said that the councilmembers who introduce these ordinance are not necessarily in support of them. The person who prepared this ordinance I would assume would want to introduce this ordinance. I have no knowledge of who prepared this ordinance.

Councilman Behen moved that Ordinance 74-55 be introduced and read by the Clerk. Councilman De St. Croix seconded the motion. The motion was carried by a unanimous voice vote.

Ordinance 74-55  
Transportation Dept.

Grace E. Johnson, City Clerk, introduced and read Ordinance 74-55 in its entirety.

Councilman Behen moved that Appropriation Ordinance 74-14 be introduced and read by the clerk. Councilman De St. Croix seconded the motion. The motion was carried by a unanimous voice vote.

Appropriation Ord. 74-14  
Board of Works

Grace E. Johnson, City Clerk, introduced and read Appropriation Ordinance 74-14 in its entirety.

Councilman Behen asked if Extraordinary emergencies was legal jargon.

Councilman De St. Croix moved that Ordinance 74-47 be introduced and read by the clerk by title only. Councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote.

Ordinance 74-47  
Municipal Parking Lot #6

Grace E. Johnson, City Clerk, introduced and read Ordinance 74-47 by title only.

Councilpresident Ackerman said that this ordinance is discussion of the parking lot directly outside of this building here, lot #6. The recommendation is that the number of metered spaces be reduced from 23 to 14 on the basis of surveys which were conducted during the last six weeks.

Councilwoman Zietlow moved that Ordinance 74-47 be adopted. Councilman Behen seconded the motion.

Councilwoman Zietlow said that this is based on a survey by the Engineering Department.

Councilman Behen said that the surveyor could indicate by his survey anything that he wanted to. This has been brought to the Council before and my feelings towards this matter are still as they were at that time. (the tape is not clear at all I am doing the best I can in getting this transcribed word for word)

Councilman De St. Croix spoke concerning the survey he said that it shows that the meters are under utilized.

Councilpresident Ackerman pointed out that the survey was conducted during

the summer months when the City of Bloomington is at a low ebb and therefore would not necessarily represent parking needs on an average. Secondly I requested and the council requested that part of the survey be the parking needs of the employees of the building. All I see are the metered parkings that are not used at certain times.

Councilman De St. Croix said that we do have knowledge that there are not enough spaces for the number of cars currently used by city employees and that has resulted in people finding on street parking spaces, it has resulted in people being ticketed in metered spaces, it has resulted in disruption of work schedules of people feeding the meters.

Councilman Fix said that he agrees with Councilman Behen and Ackerman. Councilman Behen to the fact that this was a very hurried survey and I agree with Ackerman in the fact that the data that we requested has not been represented here by this survey.

Councilpresident Ackerman said that there may be a need but we are basing things on heresay and are missing the other half of the survey that we would like.

Councilman Behen said that Council was told what to do and they did not do that and now it is being told what to do again.

Mrs. James Steel, owner of a gift shop, said that the first ordinance was brought before council on April 4th for first reading. ON April 18th you rejected a proposal of 11 spaces and changed it to 23 spaces, leaving the remaining 40 for the municipal building. On April 23rd there was an article in the paper that city project engineer Jim Deahl presented plans for a drive-up window which would eliminate some of 13 free spaces that we now have use of. This is an important fact to remember. On June 11th it was reported that this would be in by the end of summer. There is no sign that these spaces are for building use and as a result people coming to my building often use those free spaces instead of the metered spaces. This survey is not a clear or a precise one simply because a lot of the people who do come use those 13 free spaces. If you do take out the metered spaces these spaces will be absorbed by municipal employees who will use

them all day and this will not allieviate the problem for people who come in and out of the building during the day. Mrs. Steele felt that the businesses involved should also be given an opportunity to do a survey before any changes are made again to alter the parking lot from its present state.

Councilwoman Zietlow asked if Mrs. Steele had thought about making a survey before because there has been quite a bit of time.

Mrs. Steele said yes but the period of time has not been long enough for us to make any kind of a valid survey. This survey was taken after the graduation ceremony at I.U. anything following that is certainly a down peak from the ordinary. This is a very, very slow time for most businesses in Bloomington. Mrs. Steele said that she has taken her own survey of the Municipal lot. On the spaces next to the building which are for public officials use there are any where from four to six and often eight empty spaces. Now it is vacation time and they are not all in at the same time. I have other statistics which will show that a report taken at this time is unvalid especially taken at this time of the year. Mrs. Steele proposed that the parking remain as it is until an average survey can be taken.

Mr. Rick Geshwiler, city employee, suggested that there was not ample parking for city employees and reminded the council that parking is not provided for interns and work study students. Many of the people parking in the metered parking spaces are city employees and every hour they must get up and change parking spaces which is a waste of city time and money. The greater need is for city employee parking and the lesser need for neighboring businesses.

Councilpresident Ackerman said that the first need is for city employees but that he was unwilling to vote for something untill he finds out what that need is. I would like to strike a balance between the needs of the city and the needs of the businesses nearby. I am not sure if it is the obligation of the city to purchase land for the merchants. We could lease it or something like that.

Councilwoman Zietlow asked if parking requirements are waived for downtown businesses.

Councilman Behen said quite obviously yes.

Councilwoman Zietlow said that she comes down to the municipal building off and on during the day and lately I have been having a terrible time finding a parking place. I understand the request for more information, I would be willing to go on the information that we have. Councilwoman Zietlow moved to table ordinance 74-47. Councilman De St. Croix seconded the motion.

Councilman Behen said that he keeps hearing about under employment and wonders if the municipal building is over employed. Because we are bulging at the seams with employees could be our problem.

Councilman Towell said that he would be against tabling and that he would like to have a little more time.

Councilwoman Zietlow said that there are several different people who use the parking lot, to voice complaints or to get information, pay their bills.

Mr. Geoffrey Grodner, a member of the Board of Public Works, said that the Board did make the recommendation that you reduce the number of spaces. When the Council granted the 23 spaces there was no real basis for granting that specific number of spaces. I was a little upset with the number of spaces which were set aside for public parking on meters because I did feel that number of spaces was justified given the amount and types of businesses in the neighborhood. Now there are nine businesses in the neighborhood, I think if we look at the individual businesses you will find that not all of them utilize parking in this lot. They are not the type of businesses that will utilize this type of parking. We felt that the best way to find out was to conduct this survey and you have the results. We do have a very serious problem with employee parking. Parking for the people in the old city hall building should also be considered here. I have several complaints there. City Employees should be treated equally. I would urge that you go ahead and act so that we can provide employees with additional spaces.

Councilman De St. Croix said that at that Council Meetings a specific request was made for a survey of city parking needs and evidence of that survey are not here. That would be helpful and if the Board would meet with Mrs. Steele and other concerned people.

Councilwoman Zietlow asked when the drive-up window would be constructed.

Mr. Grodner said that it would be helpful if the council would make a decision on the parking so that they can make decisions on the drive-up window and provide better parking plans for the lot. The Board feels that it was taken out of their hands in setting the number of spaces by the council. At the present time all we can do is make a recommendation.

Councilman Fix said that if employees are coming in and out all day long might it not be better if they parked on a metered spot. I really cannot see leaving a vacant spot for someone who is gone.

Mr. Grodner said that we did have meters out there and employees were given stickers. The problem was that all of the employees took up all of the parking spaces and there was nothing left for the public.

Councilpresident Ackerman said that the recommendation was based on no data and the decision was made in the late evening and the council preferred to make a decision on data that was known and presented to the council rather than on the unknown needs.

Mr. Grodner said that the Board was in error on the original number they designated but now they have better statistics.

Mr. Tim Hodenfield, Aide to the Board of Public Works, said that originally when the lot was all metered other employees from other areas were using the parking lot. Now the lot has designated areas. The survey showed over the two week period that 11 was the most used. 14 is the minimum that we are asking for. (reminding councilmembers that the tape is very wavey and I am doing my best to transcribe this word for word)

The motion to table Ordinance 74-47 failed by a roll call vote of AYES 2; NAYS 6; AYES: Ackerman, De St. Croix.

Ordinance 74-47 failed by a ROLL CALL VOTE OF AYES 3; NAYS 5; Ayes: Towell, De St. Croix, Zietlow,

Councilman De St. Croix moved that Ordinance 74-48 be introduced and read by the Clerk by title only. Councilman Behen seconded the motion. The motion was carried by a unanimous voice vote.

Ordinance 74-48  
Rezoning

Grace E. Johnson, City Clerk, introduced and read ordinance 74-48 by title only.

Councilman De St. Croix moved that Ordinance 74-48 be adopted. Councilman Behen seconded the motion.

Mr. Stu Reller, Plan Department, explained Ordinance 74-48 and 74-49. Both of these sections of land have been added to the jurisdiction of the city for planning and zoning purposes. Based on the Plan Commission and the Council resolution any added land to the city's jurisdiction will be an RE or residential estate zone.

Ordinance 74-48 passed by a ROLL CALL VOTE OF AYES 8; NAYS 0.

Councilman De St. Croix moved that Ordinance 74-49 be introduced and read by the Clerk by title only. Councilman Behen seconded the motion. The motion was carried by a unanimous voice vote.

Ordinance 74-49  
Rezoning

Grace E. Johnson, City Clerk, introduced and read Ordinance 74-49 by title only.

Councilman De St. Croix moved that Ordinance 74-49 be adopted. Councilman Behen seconded the motion.

Mr. Stu Reller explained Ordinance 74-49, this is an additional section 13 Perry which has been added to the city's jurisdiction. The land use is characterized as a largely undeveloped section.

Mr. James Register questioned the wording of the ordinance in the 3rd paragraph.

Councilwoman Zietlow said that is a whereas.

Councilwoman Zietlow said that is only in the whereas and we did in fact extend the Bloomington Zoning maps by two townships.

Councilpresident Ackerman asked if the Plan Department runs these ordinances through the City Legal Department.

Mr. Reller said that the ordinance is prepared when the recommendation of the Plan Commission is favorable and referred to the City Council Office. We do not refer the ordinance to the legal department.

Councilman Fix said that in Ordinance 74-48 the units of measurement were not specified.

Councilman De St. Croix asked if the planning department checks the ordinance after it has been drafted.

Mr. Reller said that they assume that responsibility goes to the legal department.

Councilman De St. Croix said that it would be a good process if the Plan Department checks these before they come before council.

Ordinance 74-49 was passed by a ROLL CALL VOTE OF AYES 8; NAYS 0.

Councilman De St. Croix moved that Ordinance 74-53 be introduced and read by the clerk by title only. Councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote.

Ordinance 74-53  
Annexation

Grace E. Johnson, City Clerk, introduced and read Ordinance 74-53 by title only.

Councilman De St. Croix moved that Ordinance 74-53 be adopted. Councilman Morrison seconded the motion.

Mr. Register explained the property involved in this annexation.

Ordinance 74-53 was adopted by a ROLL CALL VOTE OF AYES 8; NAYS 0;

Councilman De St. Croix moved that Ordinance 74-54 be introduced and read by the clerk by title only. Councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote

Ordinance 74-54  
Vehicles & Traffic

Grace E. Johnson, City Clerk, introduced and read Ordinance 74-54 by title only.

Councilman De St. Croix moved that Ordinance 74-54 be adopted. Councilman Morrison seconded the motion.

Councilwoman Davis explained Ordinance 74-54.

Ordinance 74-54 was adopted by a ROLL CALL VOTE OF AYES 8; NAYS 0.

Councilman De St. Croix moved that Appropriation Ordinance 74-13 be introduced and read by the Clerk. Councilman Morrison seconded the motion.

Appropriation Ord. 74-13  
Engineering & Parks

Grace E. Johnson, City Clerk, introduced and read Appropriation Ord. 74-13 in its entirety.

Councilman De St. Croix moved that App. Ordinance 74-13 be adopted. Councilman Morrisons seconded the motion.

Councilman De St. Croix moved that Appropriation Ordinance 74-13 be tabled due to the fact that there were no department heads available to explain the purpose of the ordinance. Councilman Davis seconded the motion.

The motion to table App. Ord. 74-13 was carried by a ROLL CALL VOTE OF AYES 6; NAYS 2.  
Nays: Morrison and Behen.

Councilman De St. Croix moved that Resolution 74-38 be introduced and read by the Clerk. Councilman Behen seconded the motion. The motion was carried by a unanimous voice vote.

Resolution 74-38  
Budget Transfer

Grace E. Johnson, City Clerk, introduced and read Resolution 74-38 in its entirety.

Councilman De St. Croix moved that Resolution 74-38 be adopted. Councilman Behen seconded the motion.

Resolution 74-38 was adopted by a ROLL CALL VOTE OF AYES 8; NAYS 0.

Councilman De St. Croix moved that the Council approve the Mayor's reappointment of Rev. Paul Miller to the Drug Abuse Commission for a three year term. Councilman Towell seconded the motion. The motion was carried by a unanimous voice vote.

Mrs. May asked if the Appropriation Ordinance introduced for first reading this evening was for a water line for Miller Drive.

PETITIONS AND  
COMMUNICATIONS

Councilman De St. Croix said yes.

Mrs. May suggested some amendments to Ordinance 74-55.

Councilpresident Ackerman asked her to get in contact with Maggie Shaffer and tell her her proposed amendments. This ordinance will not be discussed untill it is up for second reading.

Mrs. May asked for a city map

Archie Walker said that he would make sure that Mrs. May receives a city map.

Mrs. Baker asked about the Redevelopment spending and the audit that was being done.

Archie Walker, Director of Redevelopment, said that all of his records in his office were open to the public and the anyone was welcome to come and look at them. The audit has not been completed at this time.

Mrs. Baker suggested an amendment to the Ordinance 74-55.

Councilman De St. Croix asked that Mrs. Baker see that the council aide gets a copy of that.

Mrs. May said that when the area of Miller Drive was rezoned no one was notified about the rezoning.

Mrs. Grey said that she had read Mrs. Baker's article in the paper last week. I would like to know which councilmember asked for the two extra buses.

Councilman De St. Croix said that he did not think it was any one councilmember

Councilman Towell said that he was against secret sessions and explained that what the council had was a work session.

Mrs. Grey asked why the I.U. students were going to be able to ride the buses free.

Councilman De St. Croix pointed out that Mrs. Grey is assuming that Mrs. Baker's letter is fact. Mrs. Baker has many times brought important information before this council and sometimes not.

Councilpresident Ackerman said that the possibility was explored of working with the I.U. bus system but no plans have been made.

Councilman Towell said that there have many attempts to have that kind of corporation but they have all fallen through.

Mrs. Grey directed this question to Mr. Register. Was the meeting of July 8th a special meeting.

Councilpresident Ackerman said that it was an open hearing, a public hearing.

Mrs. Grey asked if a legally advertised meeting was not a special session of the council what kind of meeting was it.

Councilman De St. Croix said that it was a public hearing.

Councilwoman Davis said that public hearings are just for information the Council was invited we did not hold it as a special session. Also Councilwoman Davis makes it a point to go to all meetings but unlike some people she must work to support her family and I cannot go to meetings all day long.

Mrs. Baker requested that Mr. Register go on record to explain the purpose of that meeting.

Councilman Towell objected to this.

Councilman De St. Croix said that he also objected.

Councilman Towell said that the question has been answered several times already.

Mrs. Baker insisted that Mr. Register go on record to explain the purpose of the legal advertisement and the meeting.

Councilman De St. Croix moved that this Councilmeeting be adjourned.

Mr. Register said that the meeting held on July the 8th 1974 which was advertised as a notice of public hearing was not an official meeting of the common council but was merely an invitation to the public to express any suggestions they might make for or against the bus system.

Councilman De St. Croix moved that the meeting be adjourned. Councilwoman Davis seconded the motion.

NONE

REPORTS FROM OFFICIAL  
BOARDS AND COMMISSION

NONE

REPORTS FROM STANDING  
COMMITTEES

Councilman Towell explained that the Utilities Service Board Amendment will be coming up at the next meeting. There was a request from a councilmember that it be delayed and that is why it was not on the agenda tonight. The rest of us who worked on the ordinance saw no reason why it could not be properly delayed.

REPORTS FROM SPECIAL  
COMMITTEES

NONE

REPORTS FROM CITY  
OFFICIALS AND  
DEPT. HEADS

NONE

OTHER NEW BUSINESS

NONE

UNFINISHED AND  
MISCELLANEOUS BUSINESS

NONE

EXAMINATION OF CLAIMS

Councilman De St. Croix moved that the meeting be adjourned

ADJOURNMENT

Councilpresident Ackerman adjourned the meeting at 9:05 p.m.

*James S. Ackerman*  
James S. Ackerman, Councilpresident

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