

In the Council Chambers of the Municipal Building, Thursday, February 1, 1973, at 7:00 p.m., E.S.T., with Council President Charlotte Zietlow presiding.

REGULAR SESSION  
COMMON COUNCIL,  
CITY OF BLOOMINGTON,  
INDIANA

Present: James Ackerman, Richard Behen, Wayne Fix, Brian DeSt. Croix, Sherwin Mizell, Jack Morrison, Al Towell, Charlotte Zietlow.

ROLL CALL

Absent: Hubert Davis was out of town due to a death in his family.

Mayor Francis X. McCloskey; James Regester, Corporate Counsel; Martha Sims, Controller; Bruce Wackowski, Human Rights Attorney; Carl Chambers, Chief of Police; Ted Najam, Mayoral Aide.

CITY OFFICIALS PRESENT

About 30 people including members of the press.

OTHERS PRESENT

Councilman Morrison moved that the minutes of the Council meeting of January 18, 1973, be approved as distributed. Councilman Towell seconded the motion.

MINUTES

The motion was carried by a unanimous voice vote.

None.

EXAMINATION OF CLAIMS

Mayor McCloskey addressed the Council:

MESSAGE FROM THE MAYOR

In keeping with the urging of the Council about bus promotion I would like to report that I had a parking lot consultation with the two bus drivers back from their first day of the newly instituted run; they tell me it has been a relative success. The first day about 135 or 140 passengers rode and 100% of them are happy. I am happy to say the program is underway and within a week or two I hope to have an additional six buses and that is when Councilman Behen will be leading the forces for a day long promotional effort. I think things do look good in the transportation area.

Appropriations Ordinance 73-2 is before the council tonight for second reading. This ordinance includes an appropriation of revenue sharing monies for five separate projects. They include acquisition of third street right of way between high and mitchell, for an estimated \$250,000; street resurfacing, sidewalk construction, construction of a trunk line sewer to the miller drive neighborhood, and police department renovation and acquisition of police equipment. Together these projects represent a balanced program for the use of revenue sharing tax monies. In the weeks since I recommended this package to the council the reaction has been generally favorable from many different segments of our community. However, I am asking at this time, that the Council delete from this ordinance and postpone for the time being consideration of the third street right of way line item. Indiana University today requested that there be further consultation and more detailed coordination with the University. I think this is a very reasonable request and this is what I recommend. The City administration will meet with the University officials in the next week to discuss the third street project and I would like to introduce a separate ordinance for the same or similar project in the near future.

I think the details of the revenue sharing program have been out for some weeks and most of the program speaks for itself. Resurfacing amounts to \$180,000 in revenue sharing monies; this in itself will do an estimated 139-140 blocks and hopefully in the relatively near future we can add some \$30,000 from cumulative capital which would give us a program which by fall could make us very current in a project towards resurfacing

our sadly battered city streets. The Miller Drive trunk line situation - as you know this is a \$66,000 item; the line would go from Walnut to Henderson in the Miller Drive area. I think this demonstrates the continued commitment of the city administration to water and sewer for the Miller Drive area. I am very hopeful that in the very near future we will have a strong neighborhood consensus in support of this program. I might add that I am fearful that unless the cooperative program gets underway very soon that this may be our last chance for water and sewer in that area for some time, particularly referring to the recommendations by the President in the federal area to cut back on sewage and water funds. I might note that Jim Wray tomorrow morning is meeting with several residents, representing I believe a broad base of the Miller Drive area to, hopefully, start the work on getting a detailed program underway that will be satisfactory to the neighborhood. I think most of the Council, if not all the Council, is aware of the need for a sidewalk program in Bloomington, particularly a program that will start meeting the needs of the critical safety school route areas. I have recommended some \$100,000 in revenue sharing money be committed to this and I think we should soon appropriate another \$50,000 in additional city funds; I think it is important that the recommendations of the sidewalk task force be implemented and I know that there is a resolution on the agenda tonight that would basically do just that, I think we also have to do everything we can to encourage neighborhood improvement districts both by the overall cooperation of the city and by some economic incentive for neighborhoods that are doing sidewalks on their own. I think it should also be stressed that my recommendation is that this be a continuing commitment that we pledge revenue sharing and perhaps other city funds over several years. This is a community problem of long standing that cannot be resolved in one year but surely we can get going on it. I think that everyone in this room is probably aware of the sad condition of the police department building. I have recommended some \$44,000 be approved, primarily for a continuing program to improve the building and also some of that is for miscellaneous police equipment such as cars and radios. I think it is important to both the morale of the police officers and building security with the computer terminal down there that we do approve this project. I would also like to note that at the next meeting of the City council we should have a detailed presentation of the State of the City, which will include in that agenda the separate reports of the individual departments and commissions. This will also include a detailed fiscal analysis, including charts and narrative. Turning to another subject I would like to ask the Council's advice and consent to reappoint some five persons to the Bloomington-Monroe County Drug Commission; their terms have expired. They are Paul Miller, Eve Berry, Randy Bridges, Dr. David Johnloz, and Glenn Thompson. I would like to say that I am very happy with the efforts of the drug commission during the first year; they are dedicated people working towards a positive program and I think we will see more activity in this area, perhaps with the aid of some revenue sharing money. Thank you.

Councilman Towell addressed the Mayor: As a professional in the field of computers I am curious about this business about the security of the terminal in the police building. In my belief the security of the terminal is not so important; it is at most a teletype and any valid computer system will have pass words and things like that that you have to type in before you get any security information so I believe that this is somewhat of a hoax and I wondered if it is being perpetrated by the FBI or the federal government or what. I think this is an overrated issue.

Mayor McCloskey: It is my understanding that unless there is restricted access to the computer terminal going to the state police and the FBI, etc., that we could very well lose the authority to use that facility. As I understand the present state of things, technically we could lose it right now. I am not bringing that up as a scare tactic but to relay information.

Councilman Towell: I am sure you are not bringing it up as a scare tactic but I believe it is a scare tactic. Any system, particularly a police system will have protections of what you have to enter before you can have access to any valuable information.

Mayor McCloskey: There are only supposed to be two people with access to the room.

Councilman Towell: That is absurd. I am not sure we could negotiate this but when the federal government first set up their system they first asserted that anyone who wanted to be on their system had to have a computer solely dedicated to this, which was totally absurd. A teletype is one thing but a whole computer just to connect to the Washington data bank is just absurdly absurd.

Councilman Behen spoke to the revenue sharing proposal: I have viewed the mayor's revenue sharing presentation and I think this represents to the community something that every tax payer can feel, see touch and will be able to use all of the facilities that the mayor is presenting.

Richard Webb, 1923 Maxwell Lane, addressed the Council. He wanted to speak to the question of sidewalk construction. Councilpresident Zietlow said that it would be more appropriate for him to make his remarks during the discussion of the Resolution that was scheduled on the agenda for this meeting.

PETITIONS AND  
COMMUNICATIONS

None.

REPORTS FROM CITY  
OFFICIALS AND  
DEPARTMENT HEADS

None.

REPORTS FROM OFFICIAL  
BOARDS AND COMMISSIONS

Councilman Towell reported that a committee, composed of Councilmembers Towell, Davis and Zietlow, worked out the following proposed agenda to be used for future council meetings:

REPORTS FROM STANDING  
COMMITTEES

Rules Committee

1. Roll Call
2. Minutes
3. Message from the Mayor
4. First Readings of Ordinances
5. Scheduled Business (about 7:30 p.m.)
6. Second Readings of Ordinances
7. Resolutions
8. Petitions and Communications (9:00 p.m.)
9. Reports from Official Boards and Commissions
10. Reports from Standing Committees
11. Reports from Special Committees
12. Reports from City Officials and Department Heads
13. Messages from Councilmen
14. Other New Business
15. Unfinished and Miscellaneous Business
16. Examination of Claims
17. Adjournment

proposed agenda  
revision

He said the committee felt it was important for the mayor to be heard early and for first readings of ordinances to be early so that people would know what would be discussed at the next meeting. He said that a new category of business, "Scheduled Business" was added - it could be a second reading of an ordinance which would involve debate or a resolution which was of sufficient interest that we thought most people coming to the meeting would be interested. The Scheduled business item will happen, with the mayor's cooperation, about 7:30 p.m. The committee set a definite time for petitions and communications so that people wishing to speak to the

council would know they could expect to speak at 9:00 p.m., regardless of what other business was being discussed at that time.

Councilman De St. Croix moved that the revised agenda be adopted. Councilman Towell seconded the motion. The motion was carried by a unanimous voice vote.

Council president Zietlow said that the agenda deadline would be moved from 5p.m. Tuesday to 5:00 p.m. Monday and the agenda will be made up on Tuesday.

Council president Zietlow said that a note has been prepared to be given to people making a presentation to the Council. The note says that presentations should be kept to 3 to 5 minutes, with more time to be arranged for beforehand if necessary; that careful preparation and background research has been done before addressing the Council to avoid committee work on the Council floor.

Councilman Towell the neighborhood preservation task force has now had two meetings; I think they have been good meetings but they have been background mostly and I would say that we have nothing really to report except that we are still exploring the problem and what existing ordinances and laws there are that might help.

REPORTS FROM SPECIAL COMMITTEES

Housing Committee -

Neighborhood Preservation task force

Councilman Behen commented on the zoning ordinance special hearings that the Council has been having: If at the coming meetings, and we have a number of them scheduled, we have only five members in attendance as we did last night, I intend to leave to destroy that quorum. I think this is one of the most important areas affecting this whole community and the fringe areas. I know that there was no way that some of the councilmen could have been here at some of the meetings but for five of us to show up - if that happens again I will leave and destroy the quorum.

MESSAGES FROM COUNCILMEN

Councilman Towell said I do think we were respectful in that we did not unduly inconvenience people who were here because of that.

Councilman Behen said I want to reiterate that the community has a role and responsibility in making the transit system a success. there is more than transportation involved in it - a whole package of making more parking areas, ecology, etc.,

Councilman Fix said that the state forester will be in town next Tuesday to look at various and sundry trees and I would hope that Coordinator Wray would be available to ask him a few questions, if he needs to, about some of the trees in the City.

Council president Zietlow said that there will be an annual report from the Common Council at the next meeting.

Councilman Morrison moved that Reslution No. 73-12 be introduced and read by the Clerk. The motion was seconded by Councilman De St. Croix and carried by a unanimous voice vote.

RESOLUTIONS

No. 73-12 - sidewalks

In the absence of the City Clerk, Amy Mann read Resolution No. 73-12.

Councilman Morrison moved that Resolution No. 73-12 be approved. Councilman De St. Croix seconded the motion.

Richard Webb, 1923 Maxwell Lane, addressed the Council: I have some concern about the proposal to build a system of sidewalks. I am not against sidewalks per se, I am all for the safety of our children, I have two little boys- one 6 years old and one 2 years old. But safety means different things to different people and I can conceive that in some cases sidewalks can mean less safety. We should try to justify lanes of safety rather than just assume that building a sidewalk will provide safety. For example, if a sidewalk is put in on Maxwell Lane, from the terrain, it would be very close to the roadway and Maxwell Lane is a speedway for motorists and I am concerned about sidewalks enticing my children to be playing out there on the sidewalks with their tricycles whereas now they are learning to be satisfied with playing in the backyard. Children have been killed playing on sidewalks, when cars get too close. I am also concerned with concrete - we seem to be paving our nation over with concrete and concrete is heat, it is construction noise, sidewalks ice up in the wintertime, presents a very hard surface for elderly people to break their hips and falling on them and breaking their teeth. There are trucks that have to carry the concrete; you have to mine the concrete - we have to think total environment - there is pollution with mining. One of the plans - I have been told - there is a pretty little meadow east of my house and I understand they want to build a concrete sidewalk. I suggest that instead of paving it with concrete, maybe a light gravel path which would blend in with settings and wouldn't be as expensive and we wouldn't have all that concrete - concrete absorbs heat and the sun. My other concern is with cutting down trees. The plans that I have been told about is that there are two or three trees in front of our house - the trees provide shade, they help cool, they are pretty, but when you cut them down then we get ugliness, there is more heat load on homes, there is more air conditioning noise that I have to put up with, there is more electric power to generate the electricity, there is more pollution from power plants and there is the cost. What I would like to recommend is that the plans - the final plans that are developed and proposed be really scrutinized and justified as to the need for and safety of. I suggest that we review the whole accident history in the city and try to find out just what conditions are where children are injured and killed near streets. We should poll all the residents affected by the sidewalks. Traffic patterns should be reviewed. I suggest that maybe a flashing light or some visual alarm when the kids are going to school and coming back would be appropriate. It has been my experience, as an engineer, that when you design, for example, nuclear power plants, and you want to tell the operator that something is going wrong, you have a flashing, visual alarm. Well we have this automobile - that is really what is our problem. The automobile is a very technological device and why don't we complete its bringing into being with flashing lights and alarms. What I am recommending is that any proposition to build sidewalks be accompanied with an environmental impact statement that goes over the whole - looks at the alternate plans and tries to optimize the plans, safety-wise and environmental-wise. We should adopt a policy that absolutely no trees will be cut down for the laying of sidewalks; if there is a tree there move the sidewalk in and around it. Let's don't have one of the reasons for building sidewalks be to employ people; we could use the people to be employed repairing streets, etc., there is a lot of street repair - a lot of the streets are in very sad shape in Bloomington, safety-wise. We should encourage the use of bicycles for people to get about. I ride a bicycle to get around the city. If more people would ride bikes than cars there would be more safety. Thank you.

Mrs. Carolyn Hattery, from the League of Women Voters, addressed the Council: last spring the League studied the sidewalk situation in Bloomington as part of our over-all problem of safely transporting children to school. We concluded that students should walk, who live within a safe and reasonable

walking distance but this means that safe walking conditions have to be provided. We therefore support the orderly construction of city sidewalks, using a combination of private and public funds. With the availability of revenue sharing funds the city of Bloomington is now in a position to make a good start on building the needed sidewalks. We are fortunate to have ready for us the excellent task force report on sidewalks from last spring as a possible blueprint for action. The League of Women Voters urges the common council to set forth a policy to guide the city in sidewalk construction, both as to the priorities and to the nature of the funding. We warmly endorse Mayor McCloskey's proposal to appropriate at least \$100,000 from revenue sharing funds for sidewalks. Thank you.

Council president Zietlow said she thought it would be appropriate for the Council to work with the Administration on formalizing plans and establishing just where the sidewalk routes should be.

Councilman Behen expressed concern that the routes set up be carefully scrutinized. He noted that it could be possible to set up a certain route but not have the students use it because of where they want to meet their friends to walk to school together.

Councilman Mizell noted that the sidewalk task force report referred to a five-year program of sidewalk installation and gave specific first year recommendations which could be used as a starting point for city construction.

Councilman Towell asked that it be agreed that any councilman interested in working on the committee to set up sidewalk routes be permitted to do so.

Mr. Wray said that he foresees legislation requiring school routes - forcing the establishment of sidewalk system for school children. He said that the number of school children killed is actually minimal in relation to the number of pedestrian related accidents generally. He said that it is highly emotional and the City feels something should be done to completely separate vehicular and pedestrian traffic. He said they could get computer readouts of where children live and where school children are likely to be living in the future and establish safe routes, hopefully, eliminating pedestrian traffic from intersections where there is no city right of way and little hope of putting in sidewalks.

Councilman Ackerman said that a lot of work from different groups went into the first year plan suggested in the sidewalk task force report; he said the first year plan does have corridors going to and from each school and he would like to urge the city to commit themselves to somehow find ways to at least establish these corridors and use revenue sharing funds so that each child in the City of Bloomington has some safe way of getting to school.

The question was called, there being no further discussion.

RESOLUTION No. 73-12 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 8, Nays 0.

Mr. Hobart Reiner thanked the council for the sidewalk task force for the action taken by the council and said the task force looks forward to the final resolution of the things they were only able to get started.

Councilman Towell said that he would like to thank the mayor on behalf of the council for considering this in his revenue sharing program.

Councilman Morrison moved that Resolution No. 73-13 be introduced and read by the Clerk. The motion was seconded by Councilman De St. Croix and carried by a unanimous voice vote.

In the absence of the City Clerk, Amy Mann read Resolution No. 73-13.

Councilman Morrison moved that Resolution No. 73-13 be adopted. Councilman De St. Croix seconded the motion.

In response to a question from Councilman Morrison, Mrs. Sims said that last year there was a court decree concerning payment of 10% of the police pension fund, which took part of the operating balance. She said there is money budgeted but the tax revenue has not come in yet.

Councilman Towell said there is legislation pending to relieve cities of the increasing burden of police and fire pension fund increases.

The question was called, there being no further discussion.

RESOLUTION NO. 73-13 was ADOPTED BY A ROLL CALL  
Vote of Ayes 8, Nays 0.

Councilman Morrison said he wanted to comment on the next two resolutions on the agenda, concerning historical preservation. He said he thought they were important resolutions, supporting house bill 1158, and he hoped the council would see fit to give the environmental commission the support it is asking for.

Councilman Morrison moved that Resolution No. 73-14 be introduced and read by the Clerk. The motion was seconded by Councilman De St. Croix and carried by a unanimous voice vote.

No. 73-14

In the absence of the City Clerk, Amy Mann read Resolution No. 73-14.

Councilman Morrison moved that Resolution No. 73-14 be adopted. Councilman De St. Croix seconded the motion.

Councilman Towell said that the council make think that their influence is small when they pass resolutions such as this but that the last resolution of this kind which was recommended by the environmental commission and passed by the council, concerning phosphates has had quite an impact on the state legislature - there is going to be a hearing on phosphate ban in Bloomington. I think we do have an influence when we take an official position as a city and we do have an influence.

Council president Zietlow said that the environmental commission did send copies of the resolutions to the third and second class cities in the state so there may be a ripple effect.

Councilman Morrison said that the bill before the legislature on historical preservation would enable the municipality to determine what structures they wished to preserve for historical or architectural significance. Presently, historical notations must be made in Washington, D.C.

Councilman Morrison said that at present there is no way the city could apply for a historical NDP program. IF a historical program is set up, the city might then be able to apply for these funds.

In response to a question from Councilman Behen, Mr. Roberts said that an underwater historical site would be an early settlement that was originally on the bank of a stream or river and is now underwater. While ownership and, therefore, control of caves and other underground historical sites is generally clear, ownership and control of underwater sites is not. Mr. Roberts said the bill was drawn up following legislation model prepared by the National Trust. The legislation would enable local municipalities to do a lot of work and very specifically, would make cities in Indiana eligible for federal funds for historic preservation, which has not been possible before with no state legislation.

Councilman Morrison noted that the legislation would enable abatement of municipal tax but not county tax. Mr. Roberts said that he would communicate to Representative Bauer the concern that perhaps county tax should also be considered in the legislation.

Councilman Morrison said that his home is historical and that it requires tremendous upkeep. he said that abatement of the taxes he pays annually would enable him to put that money into repairs and upkeep.

The question was called. RESOLUTION No. 73-14 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 8, Nays 0.

Councilman De St. Croix moved that Resolution No. 73-15 be introduced and read by the Clerk. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote. No. 73-15

In the absence of the City Clerk, Amy Mann read Resolution No. 73-15.

Councilman DeSt. Croix moved that Resolution No. 73-15 be adopted. Councilman Morrison seconded the motion.

Mr. Roberts said that the state historical organization would most likely have some control over just what structures would be designated as historical by the localities; it might be a system whereby the city would propose structures which the state would then pass on.

The question was called. RESOLUTION NO. 73-15 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 8, Nays 0.

Councilman De St. Croix moved that Ordinance No. 73-5 be advanced to second reading and read by the clerk by title only. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote.

ORDINANCES -  
SECOND READING

73-5 Salary Ordinance

In the absence of the City Clerk, Amy Mann read ordinance No. 73-5 by title only.

Councilman De St. Croix moved that Ordinance No. 73-5 be adopted. Councilman Morrison seconded the motion.

Councilpresident Zietlow explained that this ordinance would set the salary for the human rights attorney at \$10,000 and a secretary for \$5,200.

Councilman Towell said he thought these positions are needed and that the salaries are at a bare minimum for what this community should be providing.



Councilman Dehen said that since the state board of accounts nullified his earlier vote on this position so he will change his vote on this matter.

ORDINANCE NO. 73-5 WAS ADOPTED BY A ROLL CALL VOTE OF Ayes 8, Nays 0.

Councilman DeSt. Croix moved that Appropriations Ordinance No. 73-2 be advanced to second reading and read by the Clerk by title only. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote.

Appropriations  
Ordinance No. 73-2

In the absence of the City Clerk, Amy Mann read Appropriations Ordinance No. 73-2 by title only.

Councilman De St. Croix moved that Appropriations Ordinance No. 73-2 be adopted. Councilman Morrison seconded the motion.

Councilman De St. Croix moved that the question be divided to permit consideration of item #73 in the Board of Public Works budget separately from the balance of the Appropriations Ordinance. Councilman Behen seconded the motion. The motion was carried by a unanimous voice vote.

Councilman De St. Croix moved that item #73 in the Board of Public Works budget, a total of \$250,000.00 be tabled to the next regularly scheduled meeting of the common council. Councilman Towell seconded the motion. The motion was carried by a ROLL CALL VOTE OF Ayes 8, Nays 0.

Councilman De St. Croix moved, on the divided question, that the main body of the Appropriations Ordinance No. 73-2 be adopted. Councilman Towell seconded the motion.

Councilman Towell asked Mr. Wray whether he thought the council members of the University-City Committee to participate in discussion with the university on the Third Street project. Mr. Wray said that he thought it would be appropriate for them to meet with him, the Mayor, Mr. Najam, Mr. Crossman and representatives from Chancellor Carter's office and some of the university planning officials.

Councilman Mizell: At the last meeting of the Council where this appropriations ordinance was introduced, I asked Mr. Wray if he might prepare some costs figures to fulfill priorities as laid out in the task force report. I wonder if we might have those now.

Mr. Wray said he did not have those figures; the only thing we have, he said, are bids on two sidewalks that were bid by the Board of Public Works last year. These are the sidewalks on Fairview and Roosevelt. These figures are a year old but we are talking in the neighborhood of \$5.60 a foot, curbing is another \$2.40 a foot. When we designate the specific school routes, we then would have to have the city engineer go in and see if we would have to excavate and fill; the cost of each project would depend on whether we do it with city personnel or contract it out. Mr. Wray said that the report is a year old and he thought the task force concentrated on grade schools, so he was not sure it would help us in meeting the goal of one sidewalk route for every school.

Councilman Mizell said that he was concerned about having some idea of how far the \$100,000 proposed for sidewalk construction would go.

Councilman Ackerman said that sidewalks put in in some areas would cut down on the necessity for the county to bus children in some areas so he thought there should be coordination with the county on the sidewalk effort.

Councilman Behen said that he thought that some property owners might be interested in doing their fair share to put in sidewalks which would improve their property. He said that if sidewalks are being put in in an affluent area and there is a social security recipient living in the area, the City should be prepared to put the sidewalk in for the social security recipient.

councilpresident Zietlow said that she did not see any problem with having residents participate in the sidewalk construction program.

Councilman De St. Croix moved that Appropriations Ordinance No. 73-2 be amended to reflect the tabling of item #73 in the Board of Public Works budget, so that the total for the Board of Works would be changed from \$440,460.00 to \$190,00.00 and the total amount of revenue sharing funds to be appropriated from \$640,000.00 to \$390,000.00. The motion was seconded by Councilman De St. Croix and carried by a ROLL CALL VOTE OF AYES 8, Nays 0.

Councilman Towell said he thought it would be appropriate to ask neighborhood associations to take a position on the financing of sidewalks in their neighborhoods, along the lines of what Councilman Morrison had mentioned earlier about sidewalks put in by the neighborhood association on the west side. Councilman Towell said that if they really want us to believe that they really are interested in their neighborhoods and their children they should be willing to take such a step.

Councilman Morrison noted that some sidewalks would be put in on the west side through the NDP program.

Councilman Fix said that he supported Councilman Behen in his suggestion that the Barrett Law be used if possible in getting sidewalks built around the City. Councilman Fix said he was interested in building as many sidewalks as possible, as soon as possible.

Councilman Towell said that his interest in altering the neighborhood associations is in multiplying the money to be appropriated from revenue sharing funds as much as possible. Councilman Towell said that whatever ways there are of getting money for sidewalks should be undertaken while there is government backing; it shouldn't be solely a government undertaking.

Councilman Mizell said that some of the recommendations of the sidewalk task force was that sidewalks crossing school property should be paid for by school funds; the ones through redevelopment areas should be paid for by redevelopment funds; private property sidewalks should be paid for as much as possible by Barrett assessments and others, which do not come under these categories should be taken care of by city funds.

Councilpresident Zietlow said she thought it would be a rather complex policy that is finally worked out, involving quite a mixture of funding methods.

Councilman De St. Croix said he wanted to point out that there is some question about the use of the Barrett law, particularly in reference to the question of equity when used on a city wide basis. He said that we should look carefully at how the Barrett law is applied throughout the city, if we decide to use it.

Councilman Behen noted that there are many places where institutions and citizens are not maintaining the curbing as they are supposed to, which in turn, causes the sidewalks to deteriorate. Jim Wray said that he thought the question of maintenance of the curbing is the responsibility of the City, though the sidewalk and subsidence is the responsibility of the property owner. Mr. Wray said the City would encourage private

persons to repair and replace curbs. He said there are specific laws as to how much subsidence, etc., is permissible before a sidewalk must be replaced or repaired. He said the City is thinking of a curb replacement program in the near future.

The question was called ON THE AMENDED APPROPRIATIONS ORDINANCE No. 73-2.

APPROPRIATIONS ORDINANCE No. 73-2, as amended, was ADOPTED BY A ROLL CALL VOTE OF AYES 8, Nays 0.

Councilman De St. Croix moved that Ordinance No. 73-7 be advanced to second reading and read by the clerk by title only. The motion was seconded by Councilman Mizell and carried by a unanimous voice vote.

No. 73-7 - annexation  
otis elevator

In the absence of the city clerk, Amy Mann read Ordinance No. 73-7 by title only.

Councilman De St. Croix moved that Ordinance No. 73-7 be adopted. Councilman Mizell seconded the motion.

Mr. Register, Corporate Counsel, explained that this ordinance would annex the property known as the Otis Elevator property. No one from Otis Elevator was present to speak to the ordinance. The question was called.

ORDINANCE No. 73-7 WAS APPROVED BY A ROLL CALL VOTE OF AYES 8, Nays 0.

Councilman De St. Croix moved that Ordinance No. 73-8 be advanced to second reading and read by the Clerk by title only. The motion was seconded by Councilman Mizell and carried by a unanimous voice vote.

No. 73-8 - annexation  
General Electric

In the absence of the City Clerk, Amy Mann read Ordinance No. 73-8 by title only.

Councilman De St. Croix moved that Ordinance No. 73-8 be adopted. The motion was seconded by Councilman Towell.

Mr. Register explained that this ordinance, if adopted, would annex the property owned by General Electric.

No one was present from General Electric to speak to the ordinance. There was no discussion of the ordinance.

The question was called. Ordinance No. 73-8 was adopted by a ROLL CALL VOTE OF Ayes 8, Nays 0.

Councilman De St. Croix moved that Ordinance No. 73-9 be advanced to second reading and read by the Clerk by title only. The motion was seconded by Councilman Mizell and carried by a unanimous voice vote.

No. 73-9 - annexation  
Westinghouse

In the absence of the city clerk, Amy Mann read Ordinance No. 73-9 by title only.

Councilman De St. Croix moved that Ordinance No. 73-9 be adopted. Councilman Ackerman seconded the motion.

Mr. Regester explained that this is the Westinghouse Electric Corp. property.

No one was present from Westinghouse to speak to the ordinance.

ORDINANCE NO. 73-9 was APPROVED BY A ROLL CALL VOTE OF AYES 8, Nays 0.

In response to a question from Councilman Towell concerning the provision of services by the City to these properties after annexation, Mr. Regester said that the City would be obligated to provide city services to these properties, as it would to anyother property within the limits of the city of Bloomington.

Councilman De St. Croix moved that Ordinance No. 73-10 be advanced to second reading and read by the Clerk by title only.

73-10 - annexati  
Mary Tarzian  
property

The motion was seconded by Councilman Towell and carried by a unanimous voice vote.

In the absence of the City Clerk, Amy Mann read Ordinance NO. 73-10 by title only.

Councilman De St. Croix moved that Ordinance No. 73-10 be adopted. Councilman Mizell seconded the motion.

Mr. Regester explained that this is property owned by Mary Tarzian, on which the LuMar Newspapers are located.

The question was called. ORDINANCE NO. 73-10 WAS ADOPTED BY A ROLL CALL VOTE OF Ayes 8, Nays 0.

Councilman Mizell moved that Ordinance No. 73-11 be introduced and read by the clerk by the first page only and posted as required by law. Councilman De St. Croix seconded the motion.

INTRODUCTION OF  
GENERAL AND SPECIAL  
AND SPECIAL ORDINANCES

Councilman Towell said that, in his opinion, this was the same as reading by title only and would require a unanimous vote.

73-11 - Site Planning

The motion was carried by a unanimous voice vote.

In the absence of the City Clerk, Amy Mann read the first page of Ordinance No. 73-11.

Councilman Mizell said he thought this ordinance should be referred to the appropriate committee, in this case the plan commission. Councilpresident Zietlow asked Councilman Mizell to take Ordinance No. 73-11 to the plan commission and, if possible, to bring it back to the Council for second reading and action at the next Council meeting. She urged everyone on the Council and in the community who was interested in the subject, to read the ordinance very carefully, because this ordinance, in conjunction with the zoning ordinance, would have a very strong effect on development in Bloomington.

Councilman Towell moved that if there was no other business, the meeting be adjourned. Councilman Mizell seconded the motion. The motion was carried by a unanimous voice vote.

ADJOURNMENT

The meeting was adjourned at 9:20 p.m., E.S.T.

ATTEST:

Amy G. Mann  
Amy G. Mann, Secretary

Charlotte T. Zietlow  
Charlotte T. Zietlow, PRESIDENT

RESOLUTION NO. 73-12

WHEREAS in February 1972, the Bloomington Board of Public Works organized a Sidewalk Task Force to prepare a report on the safety conditions for school children in the City of Bloomington, and

WHEREAS, on May 18, 1972, the Common Council of the City of Bloomington passed unanimously Ordinance No. 72-20, "Construction of Sidewalk", indicating a desire for sidewalks in the City, and

WHEREAS, it is the intent of the City of Bloomington to provide in every way possible for the safety of its children, as well as for the safety of its total citizenry:

HEREBY BE IT RESOLVED, that the Common Council of the City of Bloomington, acknowledging the recommendations of the Sidewalk Task Force Report, presented to the Council in April 1972,

- \*support the concept of school routes - the channeling of children in the most direct, safe route, taking into consideration traffic flow and traffic conflict;

- \*with consent of the Mayor, instruct the City Engineer to formalize city administration policy on school routes, to make a formal statement of what they would be and to present a priority listing for the improvement of the routes, to include cost estimates of site preparation and actual sidewalks;

- \*request standardization of school signs marking routes;

- \*encourage continued cooperation of the Monroe County Community School Corporation and the City Police Department on the school safety program recommended by the Task Force;

- \*request the Bloomington Traffic Commission to set speed limits and to determine speed limit zones for streets used as routes to schools;

- \*urge the Bloomington Plan Commission, in its creation of a comprehensive transportation plan for the city, to consider school routes;

- \*recommend to the Plan Commission that, in platting subdivisions, they encourage pedestrian access as distinct from vehicular access, joining separate subdivisions and sections thereof, relating them to school routes;
- \*support present Board of Zoning Appeals policy discouraging exemptions from sidewalk construction requirements; and
- \*emphasize the memo attached to the Sidewalk Task Force report which lists alternative methods of financing sidewalks, and encourage and support interested citizens to acquaint themselves with these alternatives and to initiate action, if they so choose.

Charlotte T. Zietlow

Charlotte T. Zietlow  
Council President

Francis X. McCloskey

Francis X. McCloskey, Mayor

ADOPTED: February 5, 1973

RESOLUTION No. 73-13

February 1, 1973

TEMPORARY LOAN

BE IT HEREBY RESOLVED by the Common Council of the City of Bloomington, Indiana, that the Controller of said City is hereby empowered to make the following temporary loan for the purpose of cash operating balance, such loan to be secured by a pledge of taxes to be received, which are not otherwise allocated, to-wit:

FROM: CUMULATIVE CAPITAL FUND                   \$ 38,000.00  
TO: POLICE PENSION FUND                   \$38,000.00

Charlotte T. Zietlow  
Charlotte T. Zietlow, President  
Common Council, City of Bloomington

APPROVED:

Francis X. McCloskey  
Francis X. McCloskey, Mayor  
City of Bloomington, Indiana

ADOPTED: February 1, 1973

RESOLUTION NO. 73-14

Whereas, the Environmental Quality and Conservation Commission, pursuant to Ordinance Nos. 71-39 and 72-35, has the duty of preparing and submitting reports and recommendations to the Mayor and Common Council of the City of Bloomington, and,

Whereas, the Environmental Quality and Conservation Commission recognizes that the architectural and cultural heritage of the City is among its most important environmental assets, and,

Whereas, the rapid social and economic development of contemporary society threatens to destroy the remaining vestiges of this heritage, and,

Whereas, it is in the public interest of the City to engage in a comprehensive program of historic preservation, undertaken at all levels of the government of the state and its political subdivisions, to promote the use and conservation of such property for the education, inspiration, pleasure, and enrichment of the citizens of Bloomington,

Now therefore be it hereby resolved that the Common Council of the City of Bloomington, Indiana, accepts the recommendation of the Environmental Quality and Conservation Commission and supports the passage of House Bill 1097, which provides for the creation of a State Historic Preservation Agency, the conservation of archaeological resources, the protection and salvage of underwater historic properties, the creation of a State Advisory Council on Historic Preservation, the creation of a State Historical Trust, and provides enabling legislation for local government preservation activities.

Charlotte T. Zietlow  
Charlotte T. Zietlow, President  
Common Council

Francis X. McCloskey  
Francis X. McCloskey  
Mayor

Adopted: February 1, 1973



RESOLUTION NO. 73-15

Whereas, the Environmental Quality and Conservation Commission, pursuant to Ordinance Nos. 71-39 and 72-35, has the duty of preparing and submitting reports and recommendations to the Mayor and Common Council of the City of Bloomington, and,

Whereas, the Environmental Quality and Conservation Commission recognizes that the historical, architectural, and cultural heritage of the City is among its most important environmental assets, and,

Whereas, the rapid social and economic development of contemporary society threatens to destroy the remaining vestiges of this heritage, and,

Whereas, it is in the public interest of the City to promote the use and conservation of such property for the historical and educational value and the architectural variety and enrichment of said City, and,

Whereas, it is essential that the preservation of historic properties be an economically viable alternative to redevelopment that destroys the historic integrity of the property, and,

Whereas, economic factors, such as difficulties in obtaining bank mortgages, high taxes levied on residences located within districts which have become commercial, and continuing demands for maintenance and repair, make the preservation of such structures financially unfeasible and threaten their continued existence, and,

Whereas, these structures, whose values are economically unquantifiable, should not be forced into land-use competition with structures which do not make similar contributions to the City's social and cultural heritage, and,

Whereas, the State of Indiana can alleviate the impact of these inequities through a program of tax abatement for such structures,

Now therefore be it hereby resolved that the Common Council of the City of Bloomington, Indiana, accepts the recommendation of the Environmental Quality and Conservation Commission and supports the passage of House Bill 1158, which provides for the abatement of property taxes on structures of historical or architectural merit and provides for the State of Indiana to reimburse the municipality for the abatement.

Francis X. McCloskey  
Francis X. McCloskey  
Mayor

Charlotte T. Zietlow  
Charlotte T. Zietlow, President  
Common Council

Adopted: February 1, 1973