

In the Council Chambers of the Municipal Building, on Thursday, March 1, 1973, with Councilpresident Charlotte T. Zietlow, presiding.

REGULAR MEETING
COMMON COUNCIL
CITY OF BLOOMINGTON
INDIANA

PRESENT: James Ackerman, Richard Behen, Hubert Davis, Sherwan Mizell, Alfred Towell, Jack Morrison, Brian De St. Croix, Charlotte Zietlow, Wayne Fix. Wayne Fix arrived late.

ROLL CALL

Grace Johnson, City Clerk; James Regester, Corporate Counsel; Mayor McCloskey; James Wray, Transportation Director.

CITY OFFICIALS PRESENT

About 25 people, including members of the press.

OTHERS PRESENT

Councilman Morrison moved that the minutes of the Council meeting of February 15, 1973, be approved as distributed. Councilman Towell seconded the motion. The motion was carried by a unanimous voice vote.

MINUTES

Councilpresident Zietlow said that the Mayor's message would come under the Scheduled Business Item which he has asked be rescheduled until 8:00 p.m.

MESSAGE FROM THE MAYOR

Councilman Mizell moved that Ordinance No. 73-14 be introduced and read by the Clerk by title only with the posting as required by law. Councilman Towell seconded the motion. The motion was carried by a unanimous voice vote.

INTRODUCTION OF GENERAL AND SPECIAL ORDINANCES

No. 73-14 - Annexation
North High School

Grace E. Johnson, City Clerk, read Ordinance No. 73-14 by title only.

Charlotte Zietlow explained that this is the property on which the North High School is located; it is a voluntary annexation.

Councilman Mizell moved that Ordinance NO. 73-15 be introduced by the Clerk and read by title only, with the requisite posting. The motion was seconded by Councilman Towell and carried by a unanimous voice vote.

No. 73-15 - Annexation
S. Curry Pike

Grace Johnson read Ordinance No. 73-15 by title only.

Councilpresident Zietlow explained that this is property owned by William and Mildred Butler on the east side of curry pike between whitehall pike and Bloomfield road. It is a voluntary annexation.

Councilman Mizell moved that Ordinance NO. 73-16 be introduced and read by the Clerk by title only, with posting as required by law. Councilman Towell seconded the motion the motion was carried by a unanimous voice vote.

No. 73-16 - Annexation
401 N. Adam

Grace JOhnsOn read Ordinance No. 73-16 by title only.

Councilpresident Zietlow explained that this is the voluntary annexation of property at 401 N. Adam Street.

Councilman Mizell moved that Ordinance No. 73-17 be introduced and read by the Clerk by title only with the requisite posting Councilman Towell seconded the motion. The motion was carried by a unanimous voice vote.

No. 73-17 - Annexation
307 E. 19th

Grace Johnson read Ordinance No. 73-17 by title only.

Councilpresident Zietlow explained tat this is a voluntary annexation of a lot at 307 E. 19th Street owned by Mr. and Mrs. George Wallace.

Councilman Mizell moved that Ordinance NO. 73-19 be introduced and read by the Clerk by title only with the requisite posting. Councilman Towell seconded the motion. The motion was carried by a unanimous voice vote.

No. 73-19 - Annexatic
3B Company and
Urban Development
Corp.

Grace E. Johnson read Ordinance NO. 73-19 by title only.

Councilpresident Zietlow explained that this is a voluntary annexation petition from the 3B Company and the Urban Development Corporation.

Councilman Mizell moved that Ordinance No. 73-20 be introduced and read by the Clerk by title only with the requisite posting. Councilman Towell seconded the motion. The motion was carried by a unanimous voice vote.

No. 73-20 - Annexation
Whitehall Pike and
stateRd. bypass.

Grace E. JOHNSON read Ordinance No. 73-20 by title only.

Councilpresident Zietlow explained that this is a voluntary annexation of the Marathon oil station on the northeast corner of whitehall pike and the state road bypass.

Councilpresident Zietlow said that the Mayor's office is still considering the appropriation of revenue sharing money for item #73 of the Board of Public Works budget for \$250,000 for right of way acquisition.

ORDINANCES - Second Reading

BPW item #73 - revenue sharing appropriation

Councilman Towell said that it could just be left on the table.

Councilman De St. Croix moved that Ordinance NO. 73-12 be advanced to second reading and read by the clerk by title only. Councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote.

No. 73-12 -housing code

Grace Johnson read Ordinance No.73-12 by title only.

Councilman De St. Croix moved that Ordinance NO. 73-12 be adopted. Councilman Morrison seconded the motion.

Councilman Morrison objected to the wording which would automatically accept all futute editions of the Boca code without studying each one.

Peggy Tuke, Deputy City Attorney, explained that the municipal code is not correct in terms of the housing code - the 1970 second edition of the BOCA code is not included in the municipal code although it is the edition being used by the redevelopment department.

Councilman De St. Croix moved that Ordinance NO. 73-12 be amended by deleting the phrase: "as well as any future additions to and amendments thereof, or any future editions thereof," from section 17.16.010 and from 17.16.020, delete the same wording. Councilman Towell seconded the motion.

Councilpresident Zietlow said that she did not think the department of HUD would approve of a blanket approval of future editions sight unseen.

The question was called. The motion was carried by a ROLL CALL VOTE OF AYES 8, Nays 0.

Councilman De St. Croix moved that Ordinance 73-12 be adopted as amended. Councilman Morrison seconded the motion. The motion was carried by a ROLL CALL VOTE OF AYES 8, Nays 0.

Councilman De St. Croix moved that the Council direct the redevelopment and engineering departments to notify the council of any substantive changes in the BOCA housing code as such changes are made and to inform all neighborhood groups, PACS, and interested parties in the city of Bloomington on a regular basis of such changes in the BOCA code. Councilman Ackerman seconded the motion.

Councilman Towell said this is very important; he discovered recently that the City's membership in the BOCA had lapsed and that we had no way of getting subsequent changes and no one going to meetings to voice our concerns. I understand this is being rectified. But, I might mention that we have just adopted the second edition of 1970 which we have been using but we still have not implemented the enforcement provisions of the BOCA code - we have had a lot of lip service to the BOCA code, I think it is time we did something more than that and it seems to me that not only redevelopment but engineering as well has a responsibility to make sure that every administrative part of the city knows what is necessary and gets busy on these things.

The question was called. The motion was carried by a ROLL CALL VOTE OF AYES 8, Nays 0.

Councilman De St. Croix moved that Resolution NO. 73-17 be introduced and read by the Clerk. Councilman Behen seconded the motion. The motion was carried by a unanimous voice vote.

RESOLUTIONS
No. 73-17 - Reservoir Shoreline legislation

Grace Johnson read Resolution No. 73-17.

Councilman De St. Croix moved that Resolution No. 73-17 be approved. Councilman Mizell seconded the motion.

Councilman Towell spoke in favor of the resolution. He said the bill allows for an appeal to the state on matters of state concern that the reservoir, which was built with state money primarily and which is stateland would be protected by an agency of the state. It also allows an appeal from any local agency and it seems to me that that is basically the only thing we can do to protect the lake at this time. It is very much in the interest of the city of Bloomington that the lake be protected. I am informed by people who know the history of this agency that they do have environmental considerations high on their list of priorities. It seems to me that their intentions and history would be in keeping with the best interest of the City.

Councilman De St. Croix said that he was in favor of the resolution but that in the future, he would offer a motion to table any resolution before the council which is not presented with representation by its sponsor.

Grace Johnson, City Clerk, said that a member of the environmental commission had planned to be present but according to the way the agenda was originally set up, the resolution was not to come up until much later in the meeting and, if the council required, it would be possible to call and have someone come down now.

Councilman Towell said he saw no reason for the council to table this resolution and wait for someone from the environmental commission to arrive.

Councilman De St. Croix said he thought the bill would give the city more security in terms of the entire watershed area of the Lake.

The question was called. The motion was carried by a ROLL CALL VOTE OF Ayes 8, Nays 0.

Councilman De St. Croix moved that
REsolution No. 73-18 be introduced and
read by the Clerk by title only.

No. 73-18 - Transfer
of funds

Councilman Ackerman seconded the motion.
The motion was carried by a unanimous voice
vote.

Amy Mann read Resolution No. 73-18.

Councilman De St. Croix moved that
Resolution NO. 73-18 be adopted. Councilman
Behen seconded the motion.

Grace Johnson, City Clerk, explained that the transfer of funds within the city court budget is to permit payment of a clerk through work-study rather than on a straight salary.

The question was called. RESolution No. 73-18 was
ADOPTED BY A ROLL CALL VOTE OF Ayes 8, Nays 0.

Councilman De St. CROix moved that
REsolution NO. 73-18 be introduced and read
by the clerk. Councilman Behen seconded the
motion. The motion was carried by a unanimous
voice vote.

No. 73-19 - Waste Water
Treatment Monies

Grace Johnson read Resolution NO. 73-19.

Councilman De St. Croix moved that Resolution NO.
73-19 be adopted. Councilman Ackerman seconded the
motion.

Councilman Towell said he thought the resolution was worded rather generally but that he had confidence in the mayor and was happy to authorize him to proceed on the matter.

The question was called. RESOLUTION NO. 73-19 was
adopted by a ROLL CALL VOTE OF AYES 8, Nays 0

Councilman De St. Croix mvoed that REsolution NO. 73-20 - Sewer
No. 73-20 be introduced and read by the Clerk.
Councilman Towell seconded the motion.
The motion was carried by a unanimous voice vote.

Grace E. Johnson read Resolution NO. 73-20.

Councilman De St. Croix moved that Resolution
No. 73-20 be adopted. Councilman Towell seconded the
motion.

Mayor McCloskey said that if the council wished to postpone consideration of this resolution until later in the evening he would have someone come explain the resolution.

Mayor McCloskey said that as he understood the regulations, it would mean that the rates would be structured so that industry would pay its fair share of the costs. He said the federal government is very concerned about the allocation of costs.

Councilman De St. Croix moved that Resolution No. 73-20 be tabled until after the mayor's presentation when a representative of the Board of Public Works could be present to explain the resolution. Councilman Mizell seconded the motion. The motion was carried by a unanimous voice vote.

Mayor Francis X. McCloskey addressed the Council: I would like to ask the advice and consent of the council as to two commission appointments: Bernie Levine to the Environmental Quality Commission and Tobiatha Eagleson to the Human Rights Commission.

SCHEDULED BUSINESS

Annual Reports -
State of the City
Message

As to the state of the city, what I would like to do is give a ten or fifteen minute general overview which will tie into the more detailed state of the city message which the council can read at their leisure. Tonight I think we could have brief reports concerning the present status and the first fourteen months in office from the city legal department - Mr. Register and also the Controller, Mrs. Sims. What I thought we would do, given considerations of the agenda and time and communications is to perhaps strive to have two department heads present at each council meeting to discuss the overall department and the experiences and problems of more than a year in office.

"Under Indiana law, a mayor is required to report to the common council on the city's financial situation and whatever other matters he considers to be of general community concern. Accordingly, as part of the state of the city presentation, I am submitting this written report composed of general information provided from departmental annual reports. I would also like to offer the following general accounting of administration accomplishments and plans, together with some observations. Most of the elected members of this administration campaigned to implement a new style of government with broadbased citizen participation, general professionalism, and progressive innovation; our commitment to these standards has been evidenced over the last 14 months. For illustration, as there are literally dozens of topics and programs, it is worthwhile to recall a few of the major issues raised during the 1971 municipal campaign, these included more professional, responsive department heads, and planning, annexation, and public transportation. Citizen search committees helped recruit two outstanding professionals to head our utilities and planning departments. The progress being made in both these areas is of major significance; the annual report of George Walkenshaw speaks for itself in documenting the accomplishments of a department that never previously had professional management. The efforts of Mr. Walkenshaw and utilities employees will be vital to the greater than 20 million dollar sewage expansion program.

Tom Crossman and his staff have been working diligently on the new zoning ordinance; the ordinance will be vital to maintaining an esthetic environment with a healthy economic base and orderly growth. The commitment to quality planning is evidenced by the efforts of the planning staff and the diverse citizen input on a hard-working plan commission. I particularly would like to commend the city council for its diligent efforts at helping formulate a progressive zoning ordinance with intensive analysis of long range implications and a deep sense of fairness for all.

Other outstanding department heads such as Martha Sims, Rasoul Istrabadi, Carl Chambers, Dick Gose, and Bill Wilson help round out an administrative team that is bringing responsive government to the Bloomington Community. With the passage of the zoning ordinance, the planning department will be able to look to concerns other than land use control; these would include development of a comprehensive thoroughfare plan, and aid in developing a long range capital improvements program.

We are making substantial progress among officials of Lawrence and Monroe Counties in structuring a regional development agency. There will be internal city administration meetings tomorrow. Monday we are scheduled to go to Bedford to talk with officials of Lawrence and Monroe counties about the details of a proposed model agreement. I think that things are moving very well in that area; I would note that the response from Greene County has been lukewarm at best and the response from Owen County right now is indefinite - their initial reception seemed quite favorable or at least definitely interested.

Practical planning cooperation between city and county government is needed immediately. I am hopeful for this as the county commissioners have worked very well with the city administration on a regular basis over a fairly wide range of concerns. Completion of the Kinser pike project was most significant. Major city county improvements for North Dunn street between the bypass and old 37 will be another cooperative project. In the long run, perhaps we can look to cooperative thoroughfare planning, a city county building, and administrative cooperation to reduce costs to the taxpayer.

A truly professional--yet modestly staffed--city legal department has brought the city a coordinated, progressive annexation program that is a most significant accomplishment.

I would note that all during last year we consistently had voluntary annexation ordinances submitted, many of which had been piling up for literally years previously. I would also like to note that we are glad to welcome members of the westside industrial park into the community and we hope we have a long and fruitful relationship. The city legal department, as I have noted, has also worked on an extensive voluntary annexation program. It is obvious that a multi-million dollar public corporation needs substantial legal help to function efficiently and to actively enforce city ordinances.

I would like to interject that I really do not believe we are over-staffed in the legal area. I think most members of the council and I are very concerned about day to day enforcement of ordinance violations. As it stands now this is very difficult; we have to be selective. We hope to improve.

We are not overstaffed. For some reason this has been a matter of controversy; it escapes me as to why.

Most of the elected members of this administration have also expressed deep concern that citizens have access to good public transportation. As you know, all of the six buses are expected to arrive within the next 10 days. While not yet a comprehensive system, this will be a major step forward in providing for community transportation needs.

A technical study is underway that will provide the foundation for yet another significant improvement in community transit service. With good service and adequate promotion, the bus system could be a major link in a coordinated community transportation policy.

I would especially like to thank in this area Hubert Davis, George Smerk, Bill Black and Jim Wray for helping move this along. I am hopeful that within a year we will have a bigger and better bus system. I would admit that with federal funding cut backs recently being announced this could be doubtful but we can and will try.

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With the help of Jim Wray, the city administration over the last 14 months has made significant progress in street programs. Work on the \$600,000 third street improvements from bypass to high street is underway. The Kinser pike project already has been noted. Skillful matching of state and federal funds has helped in the resurfacing of 30 blocks of streets the first year.

More significantly this building season should see the resurfacing of more than 160 blocks of Bloomington streets -- through revenue sharing and cumulative capital accounts. I would like to note that our goal in this area is to be substantially current by the time coldweather rolls around again - on Bloomington's resurfacing needs - and indeed we do know what the needs are. Other programs scheduled for accomplishment this season include the widening of 17th street from walnut to dunn, further improvements on third street, and the joint city county project on north dunn street.

In the planning and developmental areas, the administration has made significant progress in improving communications among city department heads. Obviously such departments as utilities, planning, engineering, redevelopment, and housing must cooperate and coordinate development plans. To improve and streamline this coordination and planning I will very soon seek council approval for the developmental coordinator's post. This position has been strongly recommended to this administration by several efficiency experts. I think that the need is there and I think that Jim Wray has functioned very well in that capacity in a somewhat artificial situation as he has also been charged with the day-to-day administration of the transportation department.

The administration's sewage expansion program exemplifies a program necessary to satisfy the demands of both economics and ecology. It is imperative to accomplish this project if we are to avoid a static local economy. It obviously also is necessary for local sanitation needs, including and especially the lake monroe area.

The entire community--public officials and private citizens--must realize what an irreplaceable vital resource will be lost if the lake suffers substantial pollution. For this reason we have been opposed to proposals for private treatment plants on the lake and will consider further action if state officials are not responsive to community concern for our water supply. I cannot stress this enough, I think we will take whatever action is possible or desirable to prevent uncoordinated development of the lake area in a private treatment plant context. This cannot be allowed to happen.

At the next meeting of the Common Council, I will submit an ordinance to formally establish an economic development commission. This body could ascertain the type of industry most needed and compatible to the Bloomington Community and utilize expert resources to help get it. I would ask that council work with me over the next week to help structure this ordinance. If I could have your ideas; ideally I think it should be a small commission with a broad charter to do what it thinks fit to implement other help in the community - to use task force and temporary committee concepts.

The administration has worked diligently for as much federal funding as possible for community needs, accomplishments in this area are most evident in the level of NDP funding in the redevelopment department and criminal justice grants to improve police service and facilities. Hopefully, residents of the miller drive area will soon begin working actively with the city administration to formulate a program to meet the desires and needs of the neighborhood. In light of the general federal funding cutbacks, it is necessary that this cooperation begin almost immediately.

Bloomington continues to have an outstanding parks and recreation department and program under the strong leadership of Bill Wilson during the past year. The comprehensive plan has been completed, substantial works has been done on a proposed bond issue in the amount of \$650,000.

Reports on the police and fire departments show an increased commitment to education and training, and major improvements to various facilities. The increased personnel commitment to narcotics investigations made substantial inroads into the hard drug traffic in the community. The change from police to fire department operation of the ambulance service will mean better law enforcement. Bloomington policemen has, of course, performed outstandingly over the years, rendering ambulance service.

Drug abuse is not only, nor primarily, a law enforcement problem. Members of the Bloomington monroe county drug commission under the chairmanship of Rev. Paul Miller, have contributed unselfishly of their time and effort in this area. The commission reports it was a year of intensive education, and hard work on a federal funding proposal that ultimately fell through, the city must continue and expand on its commitment to help alleviate problems in this area; for that reason, at the next meeting of the city council, I will request approval of revenue sharing funds to employ a fulltime coordinator for the commission. I would note that Mr. Miller has submitted a much more elaborate request; though not to turn it down at this time, I would hope that much of it could be funded by cooperation with other community agencies, service clubs and private groups, etc.

The city administration has been active in the area of human rights with the adoption of a comprehensive ordinance. The administration, with the aid of the human rights commission under the chairmanship of Dr. Joseph Russell, is formulating the details of an affirmative action and equal employment opportunity program. Two full-time employees, Mel Yance, Equal Employment Office, and Bruce Wackowski, Human Rights Attorney, will help deliver on our commitment in this area.

Accompanying these programs in the near future will be, if the council so approves, the formalization and centralization of city personnel functions and procedures. The Equal Employment Officer and Human Rights Attorney will coordinate closely with this personnel office.

One of the most exciting and rewarding aspects of my office is the opportunity to work with the diverse and highly talented individuals staffing our boards and commission. It is obvious to me that this administration has opened up the political process to the extent that commission members better represent the diversity of interests and backgrounds in our community.

The interaction and general cooperation of commission members among themselves and with the general administration has been most exciting, enjoyable and fruitful, and I'm sure there remain numerous other untapped resources in our community. We have had substantial and qualitative citizen participation; I believe we will have more and should seek more.

A brief general word on the city's financial situation; I would note that Martha Sims is here to comment on details. I would also note that for some weeks, if not months, the state board of accounts has been poring over the Bloomington financial situation over the years. They have been very helpful and have been aiding Martha and other members of the administration in just getting at the bottom of whatever our recurring financial situation is likely to be. They point to some past problems.

The city of Bloomington's civil city levy is \$3.86 per \$100 of assessed valuation. While almost no one welcomes taxes, it should be noted that this rate is twelve cents below the average for second class cities in Indiana. I would note that this is so despite what I consider an artificial tax base situation with the large amounts of public property in the city and until now we have received nothing from a major portion of Bloomington base industry.

This administration will seek to stabilize this rate through efficiency in service, a progressive system of equitable annexation, and the soon to be launched economic development program.

There is no way we can retain enough tax based operating balance to last the city until money is received from taxes in June of each year. It is the policy of all local units of government to borrow soon after the first of the year for their operations until tax money is received.

The controller's statement being submitted tonight provides detailed background as to the situation leading to the \$27,900 deficit we faced at the first of the year. This did not result from over expenditure of budgeted items but from over-expenditure of estimates in 1971. This brought us into 1972 with a lower balance required to support the budgets as they were prepared. Another problem leading to the deficit was the additional appropriations required to pay off more than \$30,000 in old bills -- some of them dating back to 1970. Anyone desiring further information as to this complex situation is welcome to inquire at the controller's office. I would note, again, that the state board of accounts is there and have informally offered to be of service to any citizens who have concerns about the city's financial situation.

Although the general fund makes up some 78% of the city budget, there are three substantial special income sources that will be used for execution of projects and programs. These are the local road and street funds, cumulative capital funds and revenue sharing trust funds.

Cumulative capital by the end of this year, including 1973 beginning balance, will have \$530,000. We currently have appropriated \$200,000 - \$100,000 for services contractual and \$100,000 in property acquisition. It is anticipated this money will go for construction of sidewalks, renovation of city property, and purchase of some real estate necessitated by HUD funding cutbacks. If nothing else were to be appropriated this year from cumulative capital, we would have an uncommitted balance of \$330,000 at the end of the year. It is anticipated that this money will be used for matching funds for street improvements and a continuing sidewalk program.

Local road and street funds are a special highway user tax which is credited to municipalities for arterial road construction projects. Our balance as of January 1 of this year was \$376,000. Anticipated receipts for 1973 are \$178,000. We have appropriated \$304,000 for construction of East Third from High to the Bypass. We anticipate an appropriation ordinance within the next two months for reconstruction of 17th street from walnut to dunn of approximately \$90,000. This would leave a year end balance of \$180,000. The third street atwater corridor improvement will not be appropriated until 1974 in the approximate amount of \$150,000 - I stress that this is only an approximate amount as the situation is still under study.

By using road and street funds to match federal topic funds as we have done - and will continue to do - there is no local tax base commitment.

Under the revenue sharing program the city of Bloomington is expected to receive about \$960,000 by December 31, 1973. These funds are for both fiscal year 1972 and 1973. The main reason I make this point is so none of us think we are likely to be getting one million dollars every year.

We have currently appropriated \$619,000 for a wide range of projects such as the bus service, sidewalks, street resurfacing, and police department renovation. We have tabled an appropriation ordinance in the amount of \$250,000 for right of way acquisition in the third street atwater corridor. This leaves an anticipated balance of \$91,000. Various alternatives will be considered for the revenue sharing money in the ensuing months. I stress that we do have to look at this very analytically. I am very

receptive to such concerns as presented by Mrs. Zietlow as to the fact that possibly we could help launch a day care center. I would also note that the local CAP program is likely to be dismantled as part of the overall federal funding cutbacks. The freeze is still on in the housing area - there will be no new 236 or 235 programs for at least 18 months. I think we do have to look long-range in all these things.

I would like to give a special word of appreciation to the Indiana University administration for meeting regularly with administration representatives over the last fourteen months. Their efforts in such areas as transportation and planning have been and will be invaluable. I think that relationships between the university and the city in the planning area have improved and will continue to improve. As you know they have invited a member of the city administration to serve on their planning committee.

Fairly well into the second year, I think we can look to improved communications with nearly all segments of the Bloomington community, numerous substantial programs already announced or discussed and hopefully improved coordination and continuity as we obtain more experience and become more familiar with problems and possibilities.

With more than one year in office I would like to say that it is indeed a pleasure serving this administration - with the council, various department heads, the members of the boards and commissions. It is a great honor and I think we have learned a lot and can do better. Thank you.

(Councilman Fix arrived during the Mayor's presentation)

James Register, Corporate Counsel, addressed the Council: I think that the mayor has covered the work in a general way of the legal department. We have been busy attempting to get property annexed. I am sorry that we weren't able to compile and have for you here the exact dollar figure of the value of the property of the four westside industries that were annexed, which will, in our judgment, be on the tax rolls today. In addition to that the legal department has worked on individual annexations with possibly one million dollars more of other property. The legal department has also been engaged in defending a rather large damage suit that has been brought by someone claiming damage to them on account of the construction of the north sewage treatment plant and that is being actively defended in Bedford and we expect to get the best possible result. This will be tried some time in the spring. We of course are working with the various departments in securing easements from the people in Eastern heights and other areas annexed to the city and getting those matters on record. We are sometimes asked by members of departments, commissions, the council and by the mayor to offer advice on the legal way to do. Mr. Owens, in my judgment is doing a brilliant research job on all of the different legal matters. We think that we have a department that is working diligently on city problems.

Councilman De St. Croix said he thought the council should commend the legal department for the fine work they have done in the area of annexations.

Martha Sims, Controller, addressed the council: you have had a copy of the annual report - those are the final figures for the year. You will note that the fees that have come in have all been set out and all the disbursements and all the various funds. Now many of the funds we are not responsible for except to put them down on paper - the federal funds and the sewage and water funds and I did have help on those from those departments. You will notice on the back page all the indebtedness that is set out - it is being paid off slowly but surely. There does show in our general fund that there is a deficit of \$27,911. I thought it would make it easier bookkeeping if we asked the Board of Public Works to have an extra claim day in the last part of December so all those funds would not have to be encumbered. In so doing, all the balance of the cash funds that we had left in 1972 were used and \$27,000 we did not have was used at that time.

If we had not had that claim day we would have entered this year with what would have looked like a working balance but all those funds had been spoken for so it really didn't make any difference.

The people from the state board of accounts have been most cooperative and most helpful since they have been in my office. And the state board of tax commissioners has been most helpful - whenever I go for a hearing before them they are very helpful; they really do want to do everything they possibly can for this administration - to make it a good administration. In making up annual budgets we have to start in July and August and anticipate revenues for 18 months and we have to anticipate expenditures for 18 months. Sometimes this is a little difficult - they can vary either way. We are trying to be very realistic in all the estimates - trying not to underestimate what we feel we are going to have to spend and to not overestimate money that will be coming in.

The state board of accounts is conducting the regular audit for the years 1970, 1971 and 1972. The last audit was in 1969. It will take them several months. They have been auditing the county and the schools and now they are doing the city.

I would like to say also that the two gentlemen from the state board of accounts have been in my office and shake their heads in wonder. They say that we are not efficiently arranged; that to handle everything that we have to handle we are understaffed and they are very glad to help out in anyway they can. So I have had some questions that the city engineering office, etc., have been glad to answer and I have talked with the Board of Public Works and the mayor and members of the council to see what might be done. The state board of accounts people have been in many different places and they say my office could be much more efficiently arranged.

(The Council took a five minute break.)

Councilman De St. Croix moved that the Council approve the mayor's appointment of Mr. Levine to the Environmental Commission and Mrs. Eagleson to the Human Rights Commission. Councilman Behen seconded the motion. The motion was CARRIED BY A ROLL CALL VOTE OF AYES 9, Nays 0

Commission
Appointments

Councilman DeSt. Croix moved that Resolution No. 73-20 be removed from the table. Councilman Towell seconded the motion. The motion was carried by a unanimous voice vote.

Resolution NO. 73-20

Jim Wray addressed the Council: this is quite a new policy on the part of the federal government which they insist on - we can't even make application without it. If this is not passed we can forget making applications for the next fiscal year, which whether we get the money or not, every year our application is in we have a better chance the next year.

Basically what is involving is having industry pay their fair share of operation, including capital improvements. In other words, if our project costs \$24 million, they would figure up the amortization of the total cost of the project, they will figure up how much of the cost of the operation of the plant each industry adds and that will be their billing. The difference is that the individual home owner or smaller businesses do not pick up a pro rata share of the government's money, only industry. So if we have a six million dollar bond issue, everybody pays that off - all users. If we have 18 million dollars of federal money, industry pays their part of the 18 million. There are some policies that are quite detailed in determining this - you have to measure what kind of chemicals they are putting in, what they are adding to the plant in the way of treatment and cost. It is quite detailed and it has to be monitored very closely. The exact guidelines have not been established. Black and Veatch is researching - they are quite qualified and they don't know. What is absolutely known is that if we don't have the resolution we can't make an application and if we don't apply there is no way we can get the money.

The question was called.

Resolution No. 73-20 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 9, Nays 0.

There were no petitions and communications.

PETITIONS AND
COMMUNICATIONS

None.

REPORTS FROM OFFICIAL
BOARDS AND COMMISSIONS

None.

REPORTS FROM STANDING
COMMITTEES

Councilman Towell said that the next meeting of the Neighborhood Preservation Task Force would be Sunday, March 4, at 7:30 in the Council Chambers.

REPORTS FROM SPECIAL
COMMITTEES

Housing - Neighborhood
Preservation Task Force

None.

REPORTS FROM CITY
OFFICIALS AND
DEPARTMENT HEADS

Councilman Mizell reported that the committee to study the utilities service board ordinance was convened - Councilmen Davis, Fix, Morrison, Mizell, and Mr. Wray representing the Mayor's office, Mr. Owens representing the legal department; we came to agreement on the substance of amendments that we would recommend. These were turned over to Mr. Owens to put into proper legal form. They were to be ready for this meeting but Mr. Owens has been busy negotiating with the union. They should be ready for second reading of the ordinance for March 15.

MESSAGES FROM
COUNCILMEMBERS

Sherwin Mizell
utilities service Board

Charlotte Zietlow spoke on the annual report for the Common Council for 1972: A work study student for the council, Connie Lewis, worked on an annual report of the activities of the council. It deals mainly with the number and types of ordinances and resolutions which the council worked on, the disposition of those ordinances and resolutions and a listing of them. We handled 13 zoning ordinances and 34 zoning ordinances. As I recall the year before last about 95% of the ordinances that were handled by the previous council were rezonings whereas we had 84 ordinances and only 13 of them were rezonings. I think that speaks rather graphically to the greater variety of activity that has been performed by this council. Council president Zietlow read the first page of the annual report:

Charlotte Zietlow
Annual Report of
Council activities 1972

Between January 1, 1972, and December 31, 1972, the Common Council of the City of Bloomington met in 24 regular and 14 special sessions, for a total formal meeting time of 112.50 hours. The business conducted during these sessions included consideration of 94 ordinances, 84 of which were passed by the Council, and consideration of 76 resolutions, 75 of which received Council approval. Of these 159 pieces of legislation, all but two (both resolutions) were subsequently approved by the Mayor.

The legislation approved by the Council covered a wide range of issues of community concern: amendments to the zoning map, animal control, environmental conservation, annexation, drug abuse, human rights, and municipal fiscal matters, to mention some of the areas dealt with. In addition, the Council sponsored a study of Manpower and Employment problems in the community and, through resolutions, lent its support to various endeavors of private citizens and civic groups in the Bloomington community.

The Council established a policy of open meetings at which all points of view could be expressed on the various issues before the Council. The degree of success of this modus operandi is attested to by the fact that the 24 regular Council sessions, totaling 93.75 hours, compute out to an average Council meeting of just under 4 hours in length (3.90635 hours). The 14 special sessions average out to 1.339 hours per meeting. In addition, the Council spent 30.5 hours in public hearings in 1972, to facilitate citizen input into the consideration of the 1973 municipal budget and the housing quality ordinance.

By adding together the regular and special sessions and the public hearings held by the Common Council in 1972, we get a total of 143.00 hours of meeting time. Recognizing that councilmanic responsibilities are not limited to formal meetings, we have estimated the time spent by the "average" councilmember on "other activities" at being 14 hours per week, or two hours per day. (By "other activities" we refer to committee meetings, general backgrounding and gathering of information, communications with constituents, etc.) At 14 hours

per week, this means 728 hours per year of "other activities". Added to the 143.00 hours of meetings, these 728 hours give a total of 871.00 hours of councilmanic business per councilmember, per year. When this figure is divided by the council salary of \$1500.00 per year, we arrive at an hourly rate of \$1.72 per hour, for the "average" councilmember.

For further detail of the activities of the Bloomington Common Council during 1972, see the attached items which include: Activities Summary for 1972, Ordinances Summary and Listing by Category, Resolutions Summary and Listing by Category.

Council president Zietlow read a statement on the activities of the Council for 1972 to supplement the annual report:

The main function of the common council is explicitly to pass ordinances and to appropriate funds. In addition to these duties, the Council delegates members in either a voting or liaison capacity to all city boards and commissions and several community organizations which require council representation. Nine councilmembers fill at least twenty-two such posts. Each of these boards and commissions meets at least once a month with committee assignments requiring further meetings. As the legislative branch of the city government, the council implicitly has the duty of acting as a check and balances capacity of the executive branch. In the practice of the present administration, the cooperation of Mayor McCloskey has been to have council representation at substantive meetings and negotiations which involve basic city policy. A major actual function of the members of the council members, of course, is representing their constituents. Present council, in an effort to be consistently accessible and effective has gotten its own office and conference room and a full-time staffmember plus several work-study students to help receive the numerous phone calls and deal with the correspondence of the members and deal with research for the council, as well as, of course, the minutes of the meetings. Although council people as legislators do not have direct authority to deal with most problems they are the elected officials felt to be closest to the electorate and frequently have to act as ombudsmen by referring complaints about failures in enforcement and recommendations for improvements in any administration to the proper administrative authorities and investigating possibilities for extending city services into areas where they seem to be needed but do not yet exist; by this I mean not only physical areas but areas such as housing quality. With committees and task forces the council has dealt with major problem areas such as the housing situation via the housing task force, and came up with the act to improve the quality of housing in Bloomington which I think may have been the most significant act; dealt with human rights in passing the human rights ordinance; the council initiated action and dealt with solid waste disposal and recycling. We have the bicycle task force which produced the bicycle ordinance and the private parking committee which drew up the private parking ordinance which is still being worked on. We have the cable tv committee which has presented the cable telecommunicatins council ordinance; the exotic animals ordinance. And the manpower task force which did some massive analysis of the employment situation. The housing task force now is working on neighborhood preservation and the council is presently working on the zoning ordinance. In addition to this the council by ordinance and resolution has encouraged the drug control commission, the environmental conservation commission, stricter enforcement of maintenance codes, community activities of various sorts, even national and state issues, mass transit, parks and recreation's park bond issue, the parks merger, land use and planning, flood control, the soil survey, and the council has also been active in attending meetings of large and small neighborhood groups. The council generally has attempted to perform very diligently its pledge - to fulfill its pledge to act as a democratic institution. I am very happy to be working with this council.

Councilman De St. Croix said he thought the estimate of 2 hours per day and 14 hours per week of other activities in the annual report is extremely conservative.

Councilman De St. Croix moved that the Council approve the application of the Yellow Cab Company for license renewal. Councilman Behen seconded the motion. The motion was carried by a ROLL CALL VOTE OF AYES 9, Nays 0

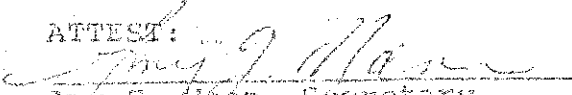
OTHER NEW BUSINESS
Yellow Cab License application

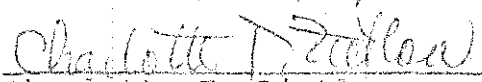
Councilman De St. Croix moved that the Council approve the application of the Campus Cab Company for license renewal. Councilman Ackerman seconded the motion. The motion was carried by a ROLL CALL VOTE OF AYES 9, Nays 0.

Campus Cab License application

Councilman Towell moved that the meeting be adjourned and the motion was seconded by Councilman Ackerman and carried by a unanimous voice vote. The meeting was adjourned at 9:15 p.m., E.S.T.

ATTEST:


Amy G. Mann, Secretary


Charlotte T. Zietlow

RESOLUTION NO. 73-17

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 Indiana House of Representatives is considering a bill for Reservoir Protection, House Bill 1714, and,

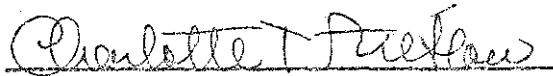
Whereas, this bill will assist in efforts for sound planning near reservoirs, and,

Whereas, this bill gives the Indiana State Natural Resources Commission the power to approve or disapprove new plats, zoning ordinances or variances, and building permits within two miles of the elevation level of any state-owned or managed reservoir, the purpose of which is to preserve the reservoirs from deterioration, improperly conceived or implemented change, and to preserve and promote the health and welfare of the citizens of Indiana, and,

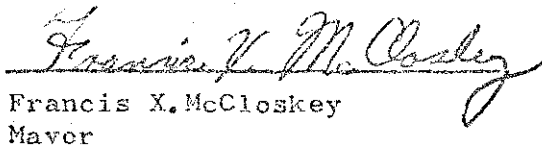
Whereas, Lake Monroe is such a reservoir, and,

Whereas, preservation of Lake Monroe as a water supply and recreational resource is essential to the City 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 1714, which provides for the protection of reservoir shorelines.



Charlotte T. Zietlow, President
Common Council



Francis X. McCloskey
Mayor

Adopted: March 1, 1973

RESOLUTION No. 73- 18

MARCH 1, 1973

BUDGET TRANSFER

"BE IT HEREBY RESOLVED by the Common Council of the City of
Bloomington, Indiana, that the City Controller of said City
may adjust the appropriations of the following budget, to-wit;

CITY COURT

FROM	#11 - Salaries and Wages	\$200.00
TO	#26 - Other Contractual Services	\$200.00

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

APPROVED: March 1, 1973

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

ADOPTED: 3/1/73
Date

RESOLUTION No. 73-19

WHEREAS, the Sewage Waste Treatment and Collection System of the City of Bloomington and the regions of which it is a part is inadequate to meet the future needs of the community within the standards of the waste water treatment required by the State of Indiana and the Environmental Protection Agency of the United States, and,

WHEREAS, State and Federal assistance is available to provide the expansion necessary to meet these standards,

BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA that the Mayor of said City, Francis X. McCloskey, is authorized to execute and file whatever documents are necessary, by and on behalf of the City of Bloomington, Indiana, to apply for assistance from the State of Indiana and the United States of America to bring about the needed expansion.

approved: March 4, 1973

Charlotte T. Zietlow
Charlotte T. Zietlow
Council President

Francis X. McCloskey
Mayor Francis X. McCloskey

adopted: 3/1/73

RESOLUTION No. 73-20

WHEREAS, the Common Council of the City of Bloomington, Indiana has this date authorized the Mayor to apply on behalf of the City for state and federal assistance in the expansion of the Waste Water Treatment Works of the City of Bloomington and,

WHEREAS, the statute and regulation giving the grant of such assistance requires an equitable recovery of waste water cost including the charges to individual users and,

WHEREAS, the applications for such grants requires assurances that the city will abide by such requirements,

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA:

1/ That the City of Bloomington intends to meet the federal guidelines for equitable recovery of industrial waste treatment costs in municipal systems (EPA regulation 40 CFR Part 35, Paragraph 35.835-5 Industrial Waste Treatment) as a part of the receipt of state and federal assistance, and

2/ that the Common Council intends to modify Ordinance 71-59 and others fixing sewer user charges and Ordinance 66-34 regulating discharges into the sewer system as may be necessary to comply with such federal and state guidelines.

approved: March 1, 1973

Charlotte T. Zietlow
Charlotte T. Zietlow
Council President

Francis X. McCloskey
Mayor Francis X. McCloskey

adopted: 3/1/73